Meeting Location:
City Hall
Council Chambers
216 Prospect Street
Port Orchard, WA 98366

Contact us:
Phone (360) 876-4407
Email cityhall@portorchardwa.gov
www.portorchardwa.gov

City Council
Regular Meeting
Tuesday, March 24, 2026
6:30 PM

Pursuant to the Open Public Meetings Act, Chapter 42.30 RCW, the City Council is conducting its public meeting in a hybrid format with options for in-person attendance in the Council Chambers at City Hall or remote viewing and participation via Zoom (link below). The meeting is streamed live on the City's YouTube channel, click here.

Remote Access

Link: https://us02web.zoom.us/j/87835274312
Zoom Meeting ID: 878 3527 4312
Zoom Call-In: 1 253 215 8782

Guiding Principles

Are we raising the bar in all of our actions?
Are we honoring the past, but not living in the past?
Are we building positive connections with our community and outside partners?
Is the decision-making process building a diverse, equitable, and inclusive community?

1. Call to Order

A. Pledge of Allegiance

2. Approval of Agenda

3. Public Hearing

(Accepting public testimony from citizens limited to the specific items listed.)

A. Closed Record Hearing on Site-Specific Rezone Application, LU25-REZONE-02 and the Consideration of the Recommendation of Hearing Examiner (Bond)

4. Executive Session-Closed Session

5. Public Hearing Action

A. Council Review and Potential Action on LU25-Rezone-02 Sidney Rd Investments Storage Facility rezone and the Consideration of the Recommendation of Hearing Examiner

6. Citizen Comments

(This is an opportunity for citizens to address the City Council on agenda items that are not associated with a Public Hearing on this agenda. Comments are limited to 3 minutes. Please approach the podium or raise your Zoom hand if viewing remotely and wait to be recognized by the Mayor. Then, state your name for the official record. If you are attending remotely by Zoom via telephone, enter *9 from your keypad to raise your hand.)

7. Consent Agenda

(Items listed are to be considered routine in nature and are grouped together in a single motion. A Councilmember may remove an item for separate consideration upon request. In the event of such request, the item is placed under Business Items.)

A. Approval of Vouchers and Electronic Payments

B. Approval of Payroll and Direct Deposits

C. Adoption of a Resolution Updating the City's Fee Resolution (Bond)

D. Approval of Special Event Street Closure: 29th Annual Cruisin' Sunday Car, Truck & Bike Show (Wallace)

E. Approval of the February 24, 2026, City Council Regular Meeting Minutes

F. Approval of the March 10, 2026, City Council Regular Meeting Minutes

8. Presentation

A. Post Legislative Session Updates (Shelly Helder)

B. Kitsap Community Resources, Rental Assistance Program Update (Anthony Ives)

9. Public Hearing

A. Public Hearing on a Petition from Kitsap County to Vacate City Rights-of-way (Wallace)

10. Business Items

A. Adoption of an Ordinance Vacating City Rights-of-Way (Wallace)

B. Adoption of a Resolution Approving Purchase of Furnishings for the Downtown Beautification Project (Ryan)

C. Approval of Utility Relocation Agreement No. 9 with Kiewit Infrastructure West Co. for Design and Construction of City Water Utility Relocation – Gorst Vicinity Fish Barrier Removal Project (Ryan)

11. Discussion Items

(No Action to Be Taken.)

12. Reports of Council Committees

(Three council members serve on the committee with staff to make collaborative recommendations about work product. Staff then prepares the items for full Council consideration based on the Committee's discussion.)

A. Council Advisory Committees

13. Report of Mayor

14. Report of Department Directors

15. Citizen Comments

(This is an opportunity for citizens to address the City Council on any items that are not associated with a Public Hearing on this agenda. Comments are limited to 3 minutes. Please approach the podium or raise your Zoom hand if viewing remotely and wait to be recognized by the Mayor. Then, state your name for the official record. If you are attending remotely by Zoom via telephone, enter *9 from your keypad to raise your hand.)

16. Good of the Order

17. Executive Session

Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

18. Adjournment

19. Public Hearing

ADA Requirements

In compliance with the American with Disabilities Act, if you need accommodations to participate in this meeting, please contact the City Clerk's office at (360) 876-4407. Notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

Reminder: Please silence all electronic devices while City Council is in session.

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City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 3.A. Closed Record Hearing on Site-Specific Rezone Application, LU25-REZONE-02 and the Consideration of the Recommendation of Hearing Examiner (Bond)
Meeting Date: March 24, 2026
Presenter: Nick Bond, Community Development Director

Summary and Background:
In 2025, the City received an application for a site-specific rezone of 6.9 acres from Commercial Corridor (CC) to Commercial Mixed-Use for two adjoining parcels located at 4385 Sidney Road SW in the City of Port Orchard. Pursuant to Port Orchard Municipal Code 20.40.040 and Chapter 20.24, the application was routed to the Hearing Examiner to hold a noticed public hearing on proposed site-specific rezones and make a recommendation to the city council as to whether the proposed rezone meets the criteria in POMC § 20.42.030.

On January 28, 2026, the City's Hearing Examiner held an duly-noticed open-record public hearing on the Sidney Rd Investments Storage Facility Rezone. Notice for the public hearing was provided consistent with POMC 20.40 and 20.24. At this hearing, staff presented a staff report to the Hearing Examiner. Please refer to this staff report for information pertaining to the proposed rezone. No members of the public provided testimony on the application at the public hearing, as noted in the Hearing Examiner's recommendation.

The Council is tasked with holding a closed-record hearing on the proposed rezone and with making the final decision on the rezone application. The February 11, 2026-stamped Recommendation is the final and correct Hearing Examiner Recommendation.

The public was notified of a closed-record hearing on the Sidney Rd Investments Storage Facility Rezone by noticing disseminated on March 10, 2026.

Only the parties, including staff and the applicant, may provide testimony at the closed-record hearing. The complete application record has been included in the City Council packet with the exception of the video recording of the hearing, which is available using the following link:
https://www.youtube.com/watch?v=gARTDIYR9us

Relationship to Comprehensive Plan: N/A

Recommendation: Hold a Closed Record Public Hearing on the Proposed Sidney Rd Investments Storage Facility Rezone, Followed by Discussion, Deliberation, and Possible Action.

Motion for Consideration: N/A

Has item been presented to Committee/Work Study? No
If so, which one: N/A

Fiscal Impact: N/A

Alternatives: This closed record hearing is required by the Port Orchard Municipal Code Chapters 20.40 and 20.24.

Attachments:
1. Closed Session Attachments

RECEIVED
PERMIT CENTER
Feb 11, 2026
CITY OF PORT ORCHARD
COMMUNITY DEVELOPMENT

BEFORE THE HEARING EXAMINER FOR THE CITY OF PORT ORCHARD

RE: Sidney Avenue Rezone **Site Specific Rezone** **LU25-Rezone-02**	**FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION TO CITY COUNCIL**

SUMMARY

Sidney Road Investments LLC requests a rezone from Commercial Corridor to Commercial Mixed Use at 4385 Sidney Road SW. The subject property consists of two vacant tax parcels totaling approximately 6.9 acres. Both Commercial Corridor and Commercial Mixed Use zones implement the subject's Commercial Land Use Designation in the City's Comprehensive Plan. The Commercial Mixed Use zone allows for a greater range of uses which will allow the Applicant to construct apartments and a self storage facility. The property is within the self-storage overlay district (SSOD). The rezone will support a project that implements the City's middle housing policies. Staff testified the City's infrastructure has capacity for the maximum use for either zone. No comments were received by the public or any agency. The Examiner recommends approval by the City Council subject to the condition that the Applicant implement the recommendations of the GeoResources Geotechnical Engineering Report (Ex. 1h).

EXHIBITS

Exhibits 1-21 identified in the Index attached to the staff report were admitted into the record during the January 28, 2026 hearing.

TESTIMONY

A computer-generated transcript of the January 28, 2026 hearing has been prepared to provide an overview of the hearing testimony. No members of the public testified. The transcript is provided for informational purposes only as Appendix A.

FINDINGS OF FACT

Procedural:

1. Applicant. The applicant is Alan Keimig of Keimig and Associates, 307 D Street SE, Auburn, WA 98002

2. Hearing. A virtual hearing on the application was held at 10 am on January 28, 2026.

3. Project Description. Sidney Road Investments LLC requests a rezone from Commercial Corridor to Commercial Mixed Use at 4385 Sidney Road SW. The subject property consists of two vacant tax parcels totaling approximately 6.9 acres. The property is irregularly shaped and includes 855 feet of frontage along Sidney Road SW. The site generally slopes down to the south and west with slopes of 20-30% and an elevation change of up to 30 feet. There is a wetland on the adjacent property but neither the wetland nor its buffer affect the subject parcels (Ex. 20 and 1i).

   Both Commercial Corridor and Commercial Mixed Use zones implement the subject's Commercial Land Use Designation in the City's Comprehensive Plan. The Commercial Mixed Use zone allows for a greater range of uses which will allow the Applicant to construct apartments and a self storage facility. The property is within the self-storage overlay district (SSOD). The rezone will support a project that implements the City's middle housing policies. If the rezone is approved, the applicant intends to construct 63 apartment units. Residential use is permitted in both of the implementing zones, but the requested Commercial Mixed Use zone allows for the proposed apartment style building form. Staff testified the City's infrastructure has capacity for the maximum use for either zone. No comments were received by the public or any agency.

Substantive:

4. Surrounding Uses. Surrounding uses on all sides are currently single-family residential. The Comprehensive Plan Land Use Designation for the project site is Commercial. Property to the north has a Comprehensive Plan Land Use Designation of Medium Density Residential and are zoned Residential 2 (R2). Properties to the south and west are designated Urban High-

Intensity Commercial/Mixed Use with Commercial zoning. The property to the east is WSDOT SR 16. This area of the city is designated for transition from single family residential to more intensive residential and commercial uses.

5. Adverse Impacts. Using City development standards as guide, there are no significant adverse impacts associated with the project. A SEPA Determination of Non-Significance (DNS) was issued on December 8, 2025 (Exhibit 8). Potential adverse impacts can be primarily attributable to the increase in density. Importantly, the increase in density will meet City concurrency standards. Impacts are more specifically addressed as follows:

   A. Infrastructure Capacity. The City Engineer has found adequate transportation, water and sewer capacity to serve the change from one Comprehensive Plan implementing zone to another. The City analyzed the permitted uses under the site's current Commercial Corridor (CC) and the proposed Commercial Mixed Use (CMU) zones and notes that the development of either zone has similar impacts (Ex. 18). The proposed residential density and self-storage are permitted in either zone. The difference is in the building form. The CMU zone permits an apartment style building whereas the CC zone does not. The subject property is currently served by public water and sewers. The City will require the Applicant to apply for Capacity Reservation Certificates specific to the proposal at the time of land use permit application.

   The staff report notes the future water availability is dependent on the completion of planned water system capital improvement projects including bringing additional wells online, new reservoirs, and integrating the water systems. This is true under either zoning scenario.

   Sewer capacity is available now. The site can be served by a gravity connection to the existing sewer lift station near SW Hovde Road.

   The transportation impact will be significant, but staff are confident the development of the site under either zoning scenario will not present undue adverse impacts on future levels of service. It should be understood, however, that local streets are exempt from concurrency. Any future development will be required to provide pedestrian connections to existing facilities and may include improvements to Sidney Road SW.

   B. Compatibility. The proposal is compatible with future surrounding uses. Regulatory and specific site features provide for compatible development. The project site's Comprehensive Plan Land Use Designation is Commercial. Both the existing zone, Commercial Corridor, and the proposed Commercial Mixed Use zone are implementing zones within that Commercial Land Use Designation. The permitted residential densities are comparable within the zones, though the rezone allows for a

more dense building form that will make greater achieved density feasible. The chief difference is that the proposed CMU zone allows residential density to occur within an apartment-style building whereas this building form is prohibited within the CC zone. The requested rezone will allow for an increase in building height from 35 to 40 feet, a modest increase. Both zones allow self-storage facilities.

Though the area is currently developed with single-family residential, the City's adopted Comprehensive Plan encourages transition to more intense uses including denser than existing residential uses and commercial uses. The staff report states staff have found the rezone request is compatible with neighboring uses. Staff have found the project is compatible with the City of Port Orchard Comprehensive Plan Land Use, Housing Economic Development and Transportation Elements (Staff Report, Section 2, pages 9-12) and that the requested zoning change implements the Comprehensive Plan Commercial Land Use Designation (Staff Report, Section 3, pages 15-17). As noted in the staff report, the site is adjacent to Medium Density Residential and Public and Community Space designations and that the CMU apartment project will provide an appropriate transition. The Residential 2 and 3 zoning to the north is developed with a mix of single-family homes and apartments. The Civic and Institutional zoning to the south accommodates a school and places of worship. The area is a mix of mixed densities and building types. The proposed rezone will allow for a transition from lower to higher intensity uses.

The site-specific constraints also allow for a compatible transition in uses. The property is bordered by major transportation corridors, including State Highway 16 and Sidney Road SW, both of which provide substantial physical separation from adjacent properties and those presently developed with single-family homes. Planned improvements to Sidney Road SW will create a distinct change in street layout and block orientation. The proposed development will also be required to incorporate open space and landscape buffers to mitigate the intensity of the proposed uses with respect to adjacent properties. The site's topography will also separate the residential apartments from the self-storage uses.

C. Critical Areas. The proposal will not adversely affect critical areas. The project site is steeply sloped. There is also a potential wetland adjacent to the site that both the Applicant and City's reviewers found did not meet the threshold for a regulated wetland.

The site generally slopes down to the south and west with slopes of 20-30% and an elevation change of up to 30 feet. The Applicant provided a geotechnical report (Ex. 1H). No areas of historic failures, including areas of unstable, old or recent landslides, or landslide debris were mapped within 200 feet of the site. There was no evidence of

slope failure or seepage zones. The report concluded the slopes on site should not be considered at-risk for deep-seated landslide. The report concluded that the site should not be listed as an area of high geological concern including no risk of liquefaction. The site is a low landslide hazard risk. The project can be developed through clearing and grading and that structural fill and spread footings will be adequate. Any potential geologic hazard areas will be evaluated during the land disturbing activity and building permit application reviews.

The City and County maps show a wetland on the parcel to the southwest. AJ Bredberg of Forensic Agronomic Research Inc. submitted a letter stating several site evaluations in 2017, 2018 and 2024 found no wetlands or their associated buffers affected the project site (Ex. 20) with no evidence of hydric soils or standing water in test holes to 28 inches in depth. The City's third-party reviewer Grette Associates concurred with the conclusion that the suspected wetland was not in fact a wetland (Ex. 1i).

CONCLUSIONS OF LAW

1. Authority. POMC 20.42.010(2) authorizes the hearing examiner to hold hearings on site specific rezones and to make recommendations to the City Council for a final decision.

2. Zoning/Comprehensive Plan Designations. The subject is currently zoned Commercial Corridor within the Commercial Land Use Designation in the City's Comprehensive Plan.

3. Review Criteria. POMC 20.42.030 governs the criteria for site-specific rezones. Applicable criteria are quoted in italics below and applied via corresponding conclusions of law.

POMC 20.42.030(1)*: Generally. The following general provisions shall apply to review of all site-specific rezone applications:*

(a) There is no presumption of validity favoring the action of rezoning;

(b) The proponents of the rezone have the burden of proof to demonstrate that conditions have changed since the original zoning; and

(c) The rezone must bear a substantial relationship to the public health, safety, morals or welfare.

4. Criterion met. The criterion is met. The requirement for changed conditions in POMC 20.42.030(1) is a key requirement of the City's rezone criteria. Washington appellate courts require that the proponents of a rezone must establish that conditions have substantially changed since the original showing and that the rezone must bear a substantial relationship to the public health, safety, morals or welfare. *See Ahmann-Yamane, LLC v. Tabler*, 105 Wn. App. 103, 111 (2001). If a rezone implements the Comprehensive Plan, a showing that a change of circumstances has occurred is not

required. *Id.* at 112. The changed circumstances requirement provides for stability in zoning designations that can be relied upon by property owners. The City's requirement for changed conditions is arguably more stringent than the judicial standard since the City's code doesn't offer comprehensive plan implementation as an alternative to establishing changed circumstances.[1]

The City's response to a change of circumstances relies entirely on the City's implementation of its Comprehensive Plan which emphasizes a need to provide diverse housing options. The proposal clearly implements comprehensive plan policies that encourage middle housing and a wide diversity of housing types. *See, e.g.* Comprehensive Plan Policy LU-8 and HS-2; Housing Goal 2. Those policies were adopted in 2024 and thus constitute a change in circumstances. This change is reflected in several bills adopted by the state legislature, starting with a 2021 amendment the Growth Management Act (RCW 36.70A.070(2)) to require cities to analyze and plan for future housing across a variety of income ranges and housing unit types. More stringent requirements have been adopted since to compel more middle housing in cities and counties. *See, e.g.* RCW 36.70A.635.

Beyond the changed conditions issue, the proposal bears a substantial relationship to the public health, safety and welfare because the proposal will not create any significant adverse impacts as gauged by City development standards for the reasons identified in Finding of Fact (FOF) No. 5.

POMC 20.42.030(2)(a): *Criteria for Review. In addition to the general criteria in subsection (1) of this section, the city shall review applications for site-specific rezone applications and issue approval of said applications pursuant to the following criteria:*

> *(a) Consistency with the existing comprehensive plan (the comprehensive plan that has been approved and is in place at the time the application was submitted);*

5. Criterion met. The Comprehensive Plan Land Use Map designation of the rezone area is Commercial. The CC and CMU zones are both authorized implementing zones for that designation. Further, as detailed in the staff report, the proposal implements several comprehensive plan policies and goals because it helps achieve population targets, adds to a variety and diversity of housing types over the full range of income levels and promotes infill development.

POMC 20.42.030(2)(b): *Consistency with the purpose of the proposed zoning district;*

6. Criterion met. POMC 20.39.030 provides that the purpose of the CMU district is to accommodate a variety of residential and non-residential activity including townhomes, apartments, and other residential and commercial forms of development. This zone should be applied in areas

[1] Of course, if the City's comprehensive plan policies implemented by the rezone were adopted after the current zoning, then the adoption of the policies would itself qualify as a change in circumstances. The date of the last rezone of the property is not identified in the record.

where existing or proposed land use patterns promote mixed use and pedestrian-oriented activity and in areas designated in as Commercial in the Comprehensive Plan. The Applicant is pursuing the rezone for an apartment complex that is consistent with this purpose.

POMC 20.42.030(2)(c): *Consistency between zone criteria and area characteristics;*

7. Criterion met. The criterion is met because the rezone is found compatible with the surrounding area for the reasons identified in FOF 5B.

POMC 20.42.030(2)(d): *Zoning history and precedential effect. Previous and potential zoning changes both in and around the area identified in the application shall be examined;*

8. Criterion met. The staff argue the nearby property zoned as CMU sets a precedential effect. The larger effect is the need to implement new housing requirements as enacted by the state legislature in recent years and implemented with the recently adopted 2024 City of Port Orchard Comprehensive Plan as described in Conclusion of Law No. 4.

POMC 20.42.030(2)(e): *The impact of more intense zones on less intense zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers in the more intense zone, if possible. A gradual transition between zoning categories, including height limits, is preferred;*

9. Criterion met. As noted in FOF No. 5B, the rezone area is well suited for the slight upzone in that the property is surrounded on two sides by public rights of way, the nearby zoning provides for a mix of uses and the site itself provides for transition of uses through its topography. The height limits for CMU zone are moderately increased from the CC zone by an increase in height of five feet. The change to CMU allows for a building form that increases the achievable densities to within those found in both the CC and CMU zones.

POMC 20.42.030(2)(f): *Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:*

(i) Natural features such as topographical breaks, lakes, rivers, streams, ravines and shorelines;

(ii) Freeways, other major traffic arterials and railroad tracks;

(iii) Distinct change in street layout and block orientation;

(iv) Open space and greenspaces suitable in area to mitigate against more intense uses;

(v) Zone boundaries;

10. Criterion met. As previously noted, the existing rights of way on two sides and the site's topography provide effective buffers between uses.

POMC 20.42.030(2)(g): *In establishing boundaries, the following elements shall be considered:*

(i) Physical buffers as described in subsection (2)(f) of this section; and

(ii) Platted lot lines;

11. Criterion met. The existing large roadways provide adequate boundaries between the proposed higher density apartments and single family developments.

POMC 20.42.030(2)(h): *Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses;*

12. Criterion met. The proposal will create boundaries between commercial and residential areas in that residential uses will occur adjacent to existing residential uses and the commercial storage use will occur adjacent to a major roadway.

POMC 20.42.030(2)(i): *Impact Evaluation. The evaluation of the changes that would result from approval of the application shall consider the possible negative and positive impacts on the affected area and its surroundings. Factors to be examined include, but are not limited to, the following:*

(i) Housing;
(ii) Public services;
(iii) Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows and energy conservation;
(iv) Pedestrian safety;
(v) Manufacturing activity;
(vi) Employment activity;
(vii) Character of areas recognized for architectural or historic value;
(viii) Shoreline view, public access and recreation;
(ix) Service Capacities. Development which can be reasonably anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including: street access to the area; street capacity in the area; transit service; parking capacity; utility and sewer capacity; shoreline navigation;
(x) Population and employment allocations as established through the countywide planning policies;

(xi) Changed Circumstances. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone designations in the zoning code;

(xii) Critical Areas. If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered.

13. Criterion met. Pertinent factors quoted above are all addressed in FOF No. 5.

Universal Permitting Criteria

POMC 20.24.100: *The criteria set forth below shall apply to all Type I through IV land use and development permit applications:*

(1) *Determination of Consistency. The applications are reviewed by the city to determine consistency between the proposed project and the applicable land use and development regulations and the comprehensive plan. A proposed project's consistency with the city's land use and development regulations shall be determined by consideration of:*

(a) *The type of land use;*
(b) *The level of development, such as units per acre or other measures of density;*
(c) *Availability of infrastructure, including public facilities and services needed to serve the development; and*
(d) *The character of the development, such as development standards.*

(2) *Upon review of an application, the decision-maker shall also determine whether the building and/or site design complies with the following provisions:*

(a) *The comprehensive plan;*
(b) *The applicable provisions of this title;*
(c) *The Washington State Environmental Policy Act (SEPA), pursuant to Chapter 20.160 POMC, if not otherwise satisfied;*
(d) *The city's public works design standards.*

(3) *Additional Review Criteria. Additional review criteria appear in each chapter or section of the POMC relating to the development regulations for an individual project permit application or other approval. All of the criteria in this section and the criteria relating to the individual application(s) must be satisfied in order for the city to make a determination of consistency and issue an approval.*

(4) *Limitations on Review. During project review, the city shall not reexamine alternatives to or hear appeals on the review requirements of this section except for issues of code interpretation.*

(5) *Burden of Proof. The burden of proof for demonstrating that the application is consistent with the applicable regulations is on the Applicant.*

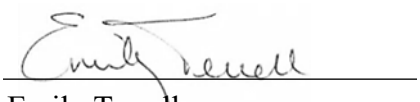
14. Criterion met. The criterion is met. The Applicant has demonstrated conformance to the comprehensive plan, adequacy of infrastructure and compatibility with surrounding development as previously discussed. The proposal conforms to SEPA requirements since the City issued a DNS in conformance with SEPA standards.

RECOMMENDATION

The Examiner recommends the City Council approve the requested site specific rezone from Commercial Corridor to Commercial Mixed use as recommended by City planning staff subject to the following condition:

1. The Applicant shall implement the recommendations of the GeoResources October 29, 2024 Geotechnical Engineering Report (Ex. 1H).

DATED this 11th day of February, 2026.



Emily Terrell
Hearing Examiner Pro Tem
City of Port Orchard

Appendix A

January 28, 2026 Hearing Transcript

Sidney Road Site Specific Rezone

File No. LU25-Rezone-02

Note: This is a computer-generated transcript provided for informational purposes only. The reader should not take this document as 100% accurate or take offense at errors created by the limitations of the programming in transcribing speech. A recording of the hearing is available at the Port Orchard Department of Community Development should anyone need an accurate rendition of the hearing testimony.

Examiner Terrell (00:34)

Okay. Hello and good morning my name is Emily Terrell. Iam the hearing examiner pro tem. We are in the City of Port Orchard both physically and as a hybrid. We are having a hearing today on a land use site specific rezone for the Sydney Road Investments LLC rezone, project LU25-rezone-02. The project applicant is Alan Keimig, who I know. Project location is 4385 Sydney Road Southwest, and the request is to rezone from commercial corridor to commercial mixed use to support an apartment building type and self -storage.

(01:14)

The order of operations today is that I will enter exhibits into the record and then the planning staff will provide a presentation and then the applicant may respond and provide their own presentation and then any members of the public can ask questions or make comments and we can get those addressed. So let me begin with by entering exhibits 1 through 21 on the index to the record for this project. Are there any other additional exhibits that need to be added today, PowerPoints, those kinds of things, and we can do them as we go along? No. No. Okay. In that case, those are entered into the record. If something comes up, we'll enter it as we do.

(01:53)

Everyone needs to be sworn in today. So, I assume we will begin with Planner Dahlquist.

Yes?

Planner Dahlquist (02:02)

Yes.

Examiner Terrell (02:03)

Do you swear, I'm sorry that your testimony today is the truth?

Planner Dahlquist (02:04)

I do.

Examiner Terrell (02:08)

Okay, tell me about the project.

Planner Dahlquist (02:12)

All right, good morning. Conrad Alquist, Associate Planner for the city of Port Orchard. With me today, there's also Chris Hammer, assistant city or city engineer, and then Nick Bonn, Department of Community Development Director. Provided with the staff report for the Sydney Road Southwest Region Zone or 21 exhibits. Staff provided an index of those exhibits and would like to include the exhibits in the since the application is submitted in July of 2025.

(02.:34)

The City has been reviewing the proposed rezone to ensure compliance with the Port Orchard Municipal Code and consistency with the adopted comprehensive plan. The applicant proposes a site -specific rezone of approximately 6 .9 acres total on Sydney Road southwest, near where Southwest Berry Lake Road intersects just south of Highway 16 overpass, and the site is about three quarters of a mile north of the intersection of Sydney Road Southwest and Southwest Cedric Road. The subject property consists of two tax parcels currently designated as commercial corridor or CC, and the reason the request is to redesignate both parcels as commercial mixed use or CMU. And if approved, the applicant's state intent is to construct apartment buildings and self-storage units with associated infrastructure improvements, including upgrades to city road southwest, has seen fit at the time of a development application is submitted.

(03:25)

Apartment buildings are not permitted building type in the CC zone, but are permitted within the CMU. So in self-storage mini warehouse is conditionally permitted use in both CC and CMU zones, if within the self-storage overlay district or the SSOD. The site is currently within the SSOD. This Proposal does not alter or impact the existing set boundaries, so in the subsequent CEP would be required, but it's not part of this application today.

(03:52)

A proper notice was provided to the public consistent with the requirements of the Port Orchard Civil Code, including notice of application, steep determination, and the public hearing. These notices are provided in the index of record listed exhibits 4 through 14. The city published the notice of application on August 22nd, 2025, with the 14 -day column period ending September 5th, 2025, and staff received no comments on the application in response to the notice of the NOA.

(04:19)

And the SEPA responsible official issued a determination of non -significance on December 8th, 2025, with a 14 -day comment period ending December 22, 2025, and no comments were received either for only related to the DNS, and the DNS was not appealed.

(04:35)

The subject property is designated in the city's comprehensive plan as commercial. As proposed, the rezone from CC to CMU does not satisfy the specific comprehensive plan goals and policies identified in Section 2 of the staff report provided. The CMU designation is consistent with the commercial land use category and supports the city's goals of providing diverse housing options, accommodating forecasted population growth and promoting efficient use for economic opportunity while retaining existing overlay district boundaries. Based on the findings in the record, the Department of Community Development finds the application consistent with the criteria of POMC 2042 -030, and recommends approval of the site -specific reason without conditions. I'm happy to answer any questions that you may have.

Examiner Terrell (05:24)

I do. I have two questions. Still no public or agency comments come in?

Planner Dahlquist (05:31)

No comments received.

Examiner Terrell (05:36)

No comments received. Got it. Okay. And staff report lists that the zoning code has changed and that this is vested to the prior. I assume, given that you recommend approval and what we're talking about going from one implementing zone to another implementing zone underneath the comprehensive plan use designation that we're not really too concerned about what those changes are. But do you see those, is the new zoning very different from what the old zoning would require for this since any subsequent CUP permit or other permitting approval will have to happen under the new zone?

Planner Dahlquist (06:08)

Yeah, so the change from CCC to CMU does not impact employee number is no residential carrying capacity. The difference is permitted building types. So, you know, currently the CC does allow for residential, but just not an apartment building type. So all CC is doing is changing, allowing for that residential building type to be, to come into this commercial and use designation.

Examiner Terrell (06:33)

Yeah, I understood that. That's the base of it. What I'm asking is, in future permitting because right now we're going from one designate one zone to another. And there is a specific use that is proposed now, but they aren't bound to that future proposed use. So my question was the zoning

title itself has changed, as most of us anywhere near the Sound have recently done. Will these zoning code changes that the new future approvals will be vested under? Is that going to, do you see any significant impact with the new zoning? No. Sites zoning. I mean, code.

Planner Dahlquist (07:22)

Yeah, I mean, pretty consistent. CC and CME are pretty consistent with a lot of building types and uses in the future. It's just adding the apartment building type with CMU, but in the capacity is all accounted for in either of the commercial land use designations. So pretty consistent impact, similar.

Examiner Terrell (07:43)

Okay, thank you. We're not understanding each other, but it's okay. What I'm asking about is that you're changing your code. It will be going through or have already changed your code. And it doesn't really matter. When it comes down to it, if we're going from one implementing zone to another implementing zone under the same general comprehensive land use designation for a site -specific rezone where nobody has an issue with it, all the capacities are there and it all works, and you wouldn't have zoned it that way. You wouldn't allow for those implementing zones if you hadn't already viewed it as part of the complex. So we know that's all going to be fine.

(08:19)

I'm just wondering, making reference to in the staff report that Title 20 has changed. The question is, how has Title 20 changed? And is it likely to affect these implementing zones as a general, not necessarily site specifically, but because they're going to, whatever they do now after this, they'll be applying under the new code and vested under that code? Does that, do you anticipate that there are any problems with that?

Planner Dahlquist (08:50)

As principal planner, Fisk, he can chime in the case. Like, if you want to be sworn in.

Examiner Terrell (08:57)

Mr. Fisk, do you swear, affirm that your testimony is true today?

Planner Fisk (08:59)

I do. All right. So, in the summer of 2025, we adopted our middle housing so 24 but we recently amended our zoning code to allow co -living housing so I think that's the major difference between when this application was submitted and now so it wouldn't significantly change what they can do in the future.

Examiner Terrell (09:26)

Thank you that was what I was wondering because any subsequent permitting that permitting that is related to this change in zone will have to be under the new code. And while Keimig and Associates has an idea, that idea may modify a little bit. And I suspected that those were the changes. We've all written unit lot subdivision co -living conversion of, I mean, all the, all those have all done it. So I wondered if there was just anything else because I have two of my towns where I am a planner, and we're rewriting the entire development code. And so anything that vested in 2025 is going to look at least a little different in 26, hopefully a little better, but we'll see. That answered my question. Thank you, sir.

(10:16)

Are any members of the applicants team showed up, or did they just assume the slam dunk and did any members of the public show up, either online or in person.

Jackie Krukoff (10:25)

We do have in person, the applicant.

Examiner Terrell (10:30)

Excellent. Okay, would the applicant like to testify? And it looks like you need to come to the lectern?

Jackie Krukoff (10:41)

He will be going up to the podium.

Examiner Terrell (10:55)

Okay, thank you. Hello, sir. Please state your name, your affiliation, and let me swear you in.

Applicant Keimig (11:00)

My name is Alan Keimig. I'm the architect on the project. My affiliations, I'm a registered architect, state of Washington, and I'm an architect for the client on this project.

Examiner Terrell (11:19)

Thank you, Mr. Keimig, and I'm certain I remember you better than you remember me. Do you swear I affirm that your testimony is the truth today, sir?

Applicant Keimig (11:22)

I do.

Examiner Terrell (11:28)

What would you like us to know, sir?

Applicant Keimig (11:34)

The only thing that I can say is that I think this is a project which is going to be a benefit to the city itself. And it will develop this triangular piece of land and something that is very useful to both the residents of the city and the landowner. Being that, it ends up with a storage facility, which is self -service and the apartments, which are something that is needed throughout the region. And I don't know if you have any questions for us.

Examiner Terrell (12:19)

I didn't. Again, this is, well, I cannot, I'm not ruling anyway. Well, I cannot recommend from the bench. This is a change of, from one implementing zoning type to another under the same future land use designation of the comprehensive plan. And it appears to, on the surface, meet all the requirements for that zoning change. Yes. So, no, I'm not seeing much there. It looks like the project is not in front of me, but it looks like it will be a good project. Yeah. It's the reason that's in front of me now. It seems to work out fine, and I think it'll be a good use of that triangular piece of property.

Applicant Keimig (12:59)

Thank you.

Examiner Terrell (13.04)

You bring some wetlands and slopey issues, but those will be dealt with later.

Applicant Keimig (13:10)

We had a critical area study done on the wetlands, and there were no wetlands in that particular area.

Examiner Terrell (13:21)

Well, that's great. And, of course, any subsequent land use permit of the CUP and permits will go through another process. So this will be thoroughly reviewed. I have no further questions for you, sir. I appreciate you driving out there today. Yeah. You are closer to me. I live in Sumner, so you're closer to me. Okay. Thank you, sir.

(13:44)

Are there any members of the public or other persons who wish to make a comment?

Jackie Krukoff (13:49)

We do have one additional person approaching the podium.

Examiner Terrell (13:56)

Okay. Hi, good morning.

Neil Eugenio (14:00)

Good morning. What is your name? Neil Eugenio and I work with Alan, Alan Keimig Associates. And I'm just here to answer any additional questions at the staff or that you may have for the hearing.

Examiner Terrell (14:05)

I personally don't have any additional questions. I don't know if the staff has any, but I do appreciate your offering.

Neil Eugenio (14:15)

I do not, but thank you. Okay.

Examiner Terrell (14:21)

Thank you, sir. I appreciate you coming up the podium. If that is it, then again, I cannot make any recommendations from the bench, but in reading the well-written staff report and understanding the case law. I'm not currently seeing any red flags for a recommendation towards your Council that this spot zone occur. So, I appreciate your 15 minutes of time this morning. Thank you very much. Thank you for having me. I, you don't know it, but I've written some work with you recently. I've been the pro tem with Olbrechts and Associates for a couple of decades. So I'm often in the background, even if you don't get to, we don't get to meet. But thank you all. Have a wonderful day and enjoy my birthday weekend and I plan to. And I will get that recommendation out to you as soon as possible. Thank you. Thank you. Thanks so much for Sarah. Thank you. Have a great day. Thank you. Have good weekend. Thanks.

CITY OF PORT ORCHARD
Department of Community Development
Located at 720 Prospect Street
Mailing address: 216 Prospect Street
Port Orchard, WA 98366
Ph: (360) 874-5533 •permitcenter@cityofportorchard.us

CASE NO.: LU25-REZONE-02

CASE NAME: SIDNEY RD INVESTMENTS LLC

TYPE: LAND USE - TYPE III

APPLICANT: ALAN C. KEIMIG – THE KEIMIG ASSOCIATES

INDEX TO THE RECORD

ITEM NO.	DOC. TYPE/SUBJECT	DATED	DATE REC'D
1	Application submittal received on July 10, 2025 Included the following items:		
1A	Master Permit Application		07/10/25
1B	Site Specific Rezone Application		07/10/25
1C	SEPA Application with Checklist		07/10/25
1D	Project Narrative		07/10/25
1E	Vicinity Map		07/10/25
1F	Project Data		07/10/25
1G	Arborist Report		07/10/25
1H	Geotechnical Report		07/10/25
1i	Wetland Environmental Report		07/10/25
1J	Architectural Plans		07/10/25
2	Transmittal Letter	07/14/25	
3	Determination of Technically Complete	08/08/25	
4	NOA	08/22/25	
5	NOA Sign Posting Affidavit		08/21/25
6	NOA Newspaper Affidavit	08/22/25	
7	NOA Mailing and Emailing Affidavit	08/22/25	
8	SEPA DNS	12/08/25	
9	DNS Affidavit of Publication	12/08/25	
10	DNS Affidavit of Mailing and Emailing	12/08/25	
11	DNS Sign Posting	12/08/25	
12	Notice of Hearing	01/14/26	
13	NOH Affidavit of Publication	01/14/26	
14	NOH Affidavit of Mailing and Emailing	01/14/26	
15	Port Orchard Municipal Code 20.42.020 - Criteria		01/21/26
16	Recorded BLA		01/21/26
17	Revised Legal Description		01/21/26
18	Capacity Memo – PW KCH *This exhibit is listed out of chronological order*	10/24/25	01/21/26
19	SSOD Map		01/21/26

ITEM NO.	DOC. TYPE/SUBJECT	DATED	DATE REC'D
20	Wetland Report *This exhibit is listed out of chronological order*	12/05/24	01/21/26
21	Staff Report	01/21/26	

Complete as of January 21, 2026



CITY OF PORT ORCHARD
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Staff Report and Recommendation to the Hearing Examiner

Hearing Date: January 28, 2026 10:00AM

Subject: Site-Specific Rezone, LU25-REZONE-02

Prepared by Connor Dahlquist, Associate Planner

This Staff Report and Recommendation to the Hearing Examiner is dated January 21, 2026 and based on information available until the time the report was prepared. New information relevant to review of the application may become available prior to the hearing or at the hearing itself. Staff reserves the right to update this report and recommendation based on new information provided.

GENERAL INFORMATION

Applicant's name and address:
Alan C. Keimig
307 D Street SE
Auburn, WA 98002

Permit Request: Site-Specific Rezone (LU25-REZONE-02)

Location of proposal: Unaddressed. Formerly 4385 Sidney Rd SW, Port Orchard, WA 98367. APNs #022301-3-116-2001 and 022301-3-117-2000

Parcel 1: THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN; TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON; EXCEPT THE WEST 60 FEET THEREOF; ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14); ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14); ALSO EXCEPT ANY PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02; THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02; THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST; THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION; THE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET; THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET; THENCE NORTH

67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION. ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.OF BEGINNING.

Parcel 2: THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN; TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON; EXCEPT THE WEST 60 FEET THEREOF; ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14); ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14); ALSO EXCEPT ANY PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02; THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02; THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST; THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION; THENCE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET; THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET; THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION. ALSO EXCEPT ANY PORTION LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02; THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02; THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST; THENCE SOUTH 02°24'34" WEST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 21.07 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION; THENCE SOUTH 68°01'11" EAST, A DISTANCE OF 24.86 FEET, MORE OR LESS, AS TO THE INTERSECT THE NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200411080293; THENCE ALONG THE NORTH LINE OF SAID TRACT OF LAND, SOUTH 89°02'35" EAST, A DISTANCE OF 181.55 FEET, TO THE NORTHEAST CORNER OF SAID TRACT; THENCE ALONG THE EASTERLY LINE OF SAID TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 320.00 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89°02'35" EAST, A DISTANCE OF 34.99 FEET, TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO MIST VENTURES, LLC, BY DEED RECORD UNDER AUDITOR'S FILE NUMBER 200811120188, RECORDS OF KITSAP COUNTY, WASHINGTON; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 24.00 FEET, TO THE SOUTHWEST CORNER OF SAID MIST VENTURES, LLC TRACT; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 89°02'35" EAST, A DISTANCE OF 284.74 FEET; THENCE NORTH 69°15'44" EAST, A DISTANCE OF 32.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY

NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION. ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.

Description of proposal: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU) to support an apartment building type.

The subject property consists of two tax parcels totaling approximately 6.9 acres within the corporate limits of the City of Port Orchard. The property is irregularly shaped and includes roughly 855 feet of frontage along its westerly boundary adjacent to the Sidney Rd SW right-of-way. The site generally slopes down to the south with a localized high area in the northerly portion of the site. The elevation also slopes down to the west to Sidney Rd SW at approximately 20 to 30 percent over topographic of up to 30 feet.

The property is now vacant. City records and satellite imagery confirm that all former residential and accessory structures were lawfully removed: a shed on the north portion was removed in 2008, one single-family residence was removed in 2014, and another residence on the south portion was removed between 2007 and 2009.

The subject property is currently designated as Commercial in Appendix A of the adopted City of Port Orchard Comprehensive Plan and designated as Commercial Corridor (CC) on the City of Port Orchard Zoning Map.

Review of available critical areas data indicates the potential presence of geologically hazardous areas on the eastern and south-western portions of the parcels. The parcels are approximately within 10 feet of a mapped wetland, but the submitted critical areas report (Exhibit 20) shows no wetland evidence present on the property. The City's on-call wetland consultant reviewed the submitted report and concurs with its findings (Exhibit 1i).

The applicant requests approval of a site-specific rezone application to designate the 6.9-acre site as CMU. The current zoning designation, CC, does not permit an apartment building-type, as defined in Port Orchard Municipal Code (POMC) 20.32.100. The proponent intends to construct 63 apartment-unit dwellings with normal and expected infrastructure common to multifamily development and make necessary improvements to Sidney Rd SW. Any subsequent development applications must demonstrate consistency with all applicable POMC requirements, and the Public Works Engineering Standards and Specifications (PWESS).

Comprehensive Plan and Zoning Map designations:

	Comprehensive Plan Land Use Designation	**Zoning Map Designation**
Site:	Commercial	Commercial Corridor
North:	Medium Density Residential	Residential 2 (R2)
South:	Urban High-Intensity Commercial/Mixed Use	Commercial (Unincorporated Kitsap County)
East:	WSDOT right-of-way (SR 16)	WSDOT right-of-way (SR 16)
West	Urban High-Intensity Commercial/Mixed Use (Unincorporated Kitsap County)	Commercial (Unincorporated Kitsap County)

Adjacent land use:
North: Single-family detached
East: Single-family detached separated by WSDOT right-of-way (SR16)
South: Single-family detached

West: Unincorporated, single-family detached

Utility purveyors:

Water: City of Port Orchard
Sewer: City of Port Orchard
Electricity: Puget Sound Energy
Gas: Cascade Natural Gas

Other permits/review required:

- Land Disturbing Activity Permit (LDAP), Stormwater Drainage Permit (SDP), Capacity Reservation Certificate (CRC), SEPA, and Building Permits.

History of the proposed project:

Alan C. Keimig, on behalf of The Keimig Associates, applied for the requested site-specific rezone on July 14, 2025 which was determined technically complete August 6, 2025. The proposal consists of changing the zoning of two parcels located on the east side of Sidney Rd SW. For reference, SW Berry Lake Rd and Sidney Rd SW intersect near the north portion of the site. The site-specific rezone is requesting a change from Commercial Corridor (CC) to Commercial Mixed-Use (CMU) to accommodate the development of 63 apartment-unit dwellings, along with a self-storage use. Self-storage use shall be located within the Self-Storage Overlay District (SSOD) per POMC 20.38.700. The subject site is currently in and will stay within the designated SSOD boundary (Exhibit 19). The apartment building-type, as defined in POMC 20.32.100, is not allowed in the CC zoning designation.

After review by City staff and other agencies, the application was determined technically complete prompting the issuance of a Determination of Complete Application on August 6, 2025 (Exhibit 3). Pursuant to RCW 36.70A.070, if an application is stated as complete, it does not preclude the City from requesting additional information. The proposed project is reviewed under POMC Title 20 that was in effect at the time of complete application. The City requested revised legal descriptions as a result of a Boundary Line Adjustment (BLA) recorded October 27, 2025 which merged the existing six tax parcels into two tax IDs (Exhibit 16 and 17). The City also requested documentation to support review criteria as outlined in POMC 20.42.030(2) (Exhibit 15).

The City provided Notice of Application (NOA) on August 22, 2025 with a 14-calendar day comment period ending September 5, 2025, pursuant to POMC 20.25 (Exhibit 4). The City received no comments from the public in response to the NOA.

The SEPA DNS (Exhibit 8) was noticed on December 8, 2025. The comment 14-day comment period was held open until December 22, 2025. The City received no comments in response to the DNS. The DNS was not appealed.

In 2018, the previous site owner applied for a Conditional Use Permit (CUP) proposing approximately 131,118 square feet of self-storage across the then six tax parcels. The Hearing Examiner issued an approval on October 9, 2018. Although the CUP was approved, development was never pursued. Under POMC 20.50.080, a CUP becomes null and void three years after its effective date unless a building permit or site development permit is issued, an occupancy permit is issued, an extension is granted by the Community Development Director, or the Hearing Examiner establishes a different expiration date. None of these conditions were met, and the CUP has therefore expired. Should the site-specific rezone be approved, the current applicant will be required to obtain a Conditional Use Permit for the proposed self-storage use.

In 2019, the Self-Storage Overlay District (SSOD) was adopted by City Council. The intent of the SSOD is to limit self-storage uses to areas of the city where the creation of them will not disrupt the creation of new neighborhoods and will allow for development of mixed-used centers. The subject site was included in the created boundary areas.

I. CRITERIA FOR APPROVAL

A. State Law

1. Environmental Regulations.

- **WAC 197-11-340 Determination of Nonsignificance (DNS).**

Department Response: *Pursuant to WAC 197-11-340, this proposal was reviewed for potential environmental impacts and the lead agency determined that the proposed site-specific rezone does not have probable significant adverse impact on the environment. A Determination of Non-Significance (DNS) was published on December 8, 2025, with an open comment period until December 22nd at 4:00pm. The DNS was not appealed.*

B. City of Port Orchard Comprehensive Plan

Land Use Goals and Policies are provided in the adopted 2024 City of Port Orchard Comprehensive Plan.

1. **Land Use and Zoning Designation.** The 2024 City of Port Orchard Comprehensive Plan designates the area of the proposed site-specific rezone as Commercial. The Commercial land use designation is implemented through various zoning designations including Residential Mixed Use (RMU), Neighborhood Mixed Use (NMU), Business Professional Mixed Use (BPMU), Commercial Mixed Use (CMU), Downtown Mixed Use (DMU), Gateway Mixed Use (GMU), Commercial Corridor (CC), Commercial Heavy (CH), and Industrial Flex (IF). The requested zoning designation from CC to CMU is consistent with the Commercial designation in the Comprehensive Plan.

Department Response: *The request for a site-specific rezone from CC to CMU is consistent with the City's Comprehensive Plan designation of Commercial. The CMU zone is intended to accommodate a broader range of residential and nonresidential activity. Development within CMU designations is limited to three and one-half stories, or 40 feet maximum. Allowed building type options include Townhouse, Apartment, Live-work unit, Shopfront house, Single-story shopfront, Mixed use shopfront, General building, and Accessory Building. Commercial mixed use should be applied in areas where the existing or proposed land use pattern promotes mixed use and pedestrian-oriented activity and may be applied in areas designated commercial in the Comprehensive Plan.*

2. Section 2.6 Land Use Goals and Policies

- **Goal 1. Retain Port Orchard's small town commercial and residential character while accommodating allocated growth citywide.**
- **Goal 2. Ensure that sufficient land is available for development to accommodate allocated growth in population and employment.**

- Policy LU-5. Ensure land use and development regulations enable a supply of housing units within the city and adjacent UGA that will accommodate forecasted population growth. Ensure land use and development regulations enable a supply of commercial retail and office space within the city and adjacent UGA that will accommodate forecasted employment growth.
- Policy LU-6. Ensure adequate land is available for light industrial and commercial uses, including high technology, medical, and office uses, in appropriate areas to diversify Port Orchard's economic base and provide for the community's changing needs.
- Policy LU-8. Provide a variety of single-family, middle housing, and multi-family housing types and employment opportunities that meet the needs of diverse socioeconomic interests.

- **Goal 6. Reduce congestion and greenhouse gas emissions, promote public health, reduce auto dependency, and increase multimodal transportation opportunities for accessing retail services, health care services, and places of employment.**
  - Enable land use patterns that allow all residents to safely and efficiently access commercial services, especially grocery stores and healthcare facilities, without an automobile.
- **Goal 7. Encourage the development of active, vibrant, and attractive destinations throughout the community.**
  - Policy LU-25. Incorporate the following principles in planning for commercial areas:
    - Create lively and attractive places on a human scale.
    - Support a mix of retail, office, and residential uses in multistory structures.
    - Create transitions between commercial areas and surrounding residential neighborhoods.
    - Protect residential areas from excessive noise, exterior lighting, glare, visual nuisances, and other conditions that detract from the quality of the living environment.
    - Encourage multi -modal transportation options, especially during peak traffic periods.
    - Promote an intensity and density of land uses sufficient to support effective transit and pedestrian activity.
    - Promote a street pattern that provides through connections, pedestrian and vehicular access.
    - Establish urban and architectural design standards that support an attractive and functional pedestrian environment, such as block size limits and requiring street- facing windows and doors.
    - Encourage pedestrian travel to and within commercial areas by providing:
      - Safe and attractive walkways.
      - Close groupings of land uses.
      - Parking lot design that provides safe walking routes and pedestrian connections between adjacent properties.
      - Off-street surface parking to the backs or sides of buildings to maximize pedestrian access from the sidewalk(s).
- **Goal 8. Connect new and existing neighborhoods to each other, to commercial and employment centers, and to public facilities.**
  - Policy LU-26. Require adequate transitions between different land uses to mitigate potential negative impacts of noise, light, and air pollution.

3. Section 3.3 Housing Goals and Policies

- **Goal 1. Housing stock is planned to accommodate growth targets, housing demands, and changes in the population.**
  - Policy HS-1 Ensure zoned capacity is sufficient to accommodate housing development to meet

needs consistent with adopted targets. (see Figure 13 Port Orchard Housing Supply and Need by Income).

- Policy HS-2 Encourage production of diverse housing types throughout the City to expand housing choice and access for residents in all stages of life and all household sizes to meet the goals set under RCW 36.70A.020(4). These housing types include but are not limited to detached single-family homes, middle housing forms, multifamily dwelling units (within both single -purpose and mixed -use buildings), live -work dwelling units, accessory dwelling units, pre -fabricated homes, and clustered housing forms.

- **Goal 2. Ensure that affordable housing options are available to all socioeconomic levels of Port Orchard residents.**
  - Policy HS-4 Provide opportunities through future land use and zoning districts for an economically diversified housing supply, including extremely low, very low-, low-, moderate-, and upper -income levels, to maximize housing options and serve a broad range of community needs. (RCW 36.70a.070(2) (d)). The City shall prioritize pedestrian, bicycle and transit facility improvements that connect grocery stores, healthcare facilities, and general commercial centers with surrounding residential areas.
  - Policy HS-14. Promote middle housing and multifamily housing with family size units. Consider the recommendations of the Port Orchard Housing Action Plan on refining the building type and form/intensity standards, adjusting the locally adopted building code, supporting staffing needs, and funding strategies.
- **Goal 3. Promote the efficient use of residential land in order to maximize development potential and make efficient use of municipal infrastructure.**
  - Policy HS -18. Encourage housing growth concentration within walking and bicycling distance of public schools, parks, transit service, and commercial centers. Promote improvements to pedestrian and bicycles facilities where most housing growth is occurring.
  - Policy HS -19. Encourage the development of both vertical and horizontal forms of mixed -use developments featuring a combination of multifamily housing and nonresidential uses within centers.
  - Policy HS -22. Protect critical areas, or environmentally sensitive areas, from future housing development. Determine appropriate densities and uses and implement flexible development standards to balance the goals of housing targets and environmental protection.
- **Goal 5. Promote functional and livable forms of housing that integrates well with its surroundings and accommodates people in all stages of life.**
  - Policy HS -30. Encourage the development and maintenance of all housing, especially multifamily housing, that protects health and safety of residents and support healthy lifestyle and active living.

5. Section 6.4 Economic Development Goals and Policies

- **Goal 1.** Support a diversified economy that provides primary living wage jobs for residents, supported by adequate land for a range of employment uses, and which encourages accomplishment of local economic development goals.
  - Policy ED -2 The City should enable the establishment of new businesses and the expansion of existing businesses through fair, consistent, and timely permitting processes.
- **Goal 3. Encourage growth and diversification that maximizes employment and improves the opportunity for residents to both work and live in Port Orchard.**
  - Policy ED -14 Attract a variety of retailers, services, and light industry to provide diverse shopping and service opportunities.

6. Section 8.12 Transportation Goals and Policies

- **Goal. The City of Port Orchard has a sustainable, equitable, affordable, safe, and efficient multimodal transportation system that promotes vitality of the economy, environment, and health.**
    - T-18. Promote coordination with developers to ensure that mixed -use developments are designed in a way that improves overall mobility and accessibility to and within such development.

Department Response: *The proposed site-specific rezone is consistent with the Goals and Policies provided above. If approved, subsequent development of apartments may allow the implementation of these specific Land Use, Housing, Economic Development and Transportation Goals and Policies.*

A rezone from CC to CMU is consistent with the City's mapped Comprehensive Plan land use designations. CC and CMU zoning are both allowed within the Commercial Land Use designation, as the subject property is mapped. The proposed change from CC to CMU would allow for additional housing types, which includes the apartment building type, as well as sustaining commercial business development opportunities.

A mixed-use zoning designation, such as CMU, also provides an appropriate transition between the surrounding Medium Density Residential and Public and Community Spaces use designations. In addition, the proposed redesignation would be consistent with existing CMU-zoned properties located less than a quarter mile from the subject site.

The redesignation would increase diverse housing stock opportunities to accommodate the increasing population of Port Orchard. The redesignation will not impact the limits of the SSOD boundary (Exhibit 19) and will remain as is, incorporating the entire site.

If approved, the proposed development would require local road improvements to enhance traffic flow and pedestrian safety along Sidney Rd SW and other areas, as determined by a detailed evaluation at the time of proposal.

C. City of Port Orchard Municipal Code (POMC)

1. Hearing Examiner

- **POMC Chapter 2.76 Hearing Examiner.** This section of code provides the power and authority of the Hearing Examiner to issue decisions or as appropriate, recommendations, to the City Council. The Hearing Examiner's decisions/recommendations shall be set forth in the findings of facts and conclusions. The decision/ recommendations shall be supported by substantial evidence in the official record.
- **POMC 20.22.** This Chapter of the Port Orchard Municipal Code (POMC) address the review of different application types, consolidation of permit types, application process, public notice and review procedures. This Chapter also requires the City to provide a Determination of Consistency between the proposed project and the applicable regulations and the Comprehensive Plan provisions.
    - **20.22.060 Type IV (city council decision, judicial appeal).** This section of the POMC provides the process of which a Type IV shall be processed and presented before the City's Hearing Examiner who will make a recommendation to the City of Port Orchard City Council.
- **POMC 20.24 Permitting and Development Approval – Application Procedures**. This section of the POMC outlines the procedure which all applications are processed including pre-application conferences, submission requirements, application review, technical completeness, public notice, any required corrections and revisions and Decision criteria for all application types.

Department Response: *This proposal has been processed in accordance with applicable regulations and notification requirements. The City has reviewed the applicant's materials regarding the site-specific rezone and, with the recommended conditions of approval and the*

analysis presented in this report, has determined that the application is eligible for consideration under applicable regulations. The project is properly before the Hearing Examiner, who will conduct an open record hearing and provide a recommendation to the Port Orchard City Council.

2. Zoning Designations and Requirements

- **POMC 20.39.030 Use Table**
    - This portion of the POMC identifies permitted, conditional, and not-permitted primary and accessory uses in residential and non-residential zones.
- **POMC 20.35.060 Commercial Corridor (CC)**
    - Intent. The commercial corridor district is intended to serve as a commercial gateway and to take advantage of proximity to major roadways. Therefore, the quality and aesthetics of new development is very important. Building type options include live-work unit, shopfront house, single-story shopfront, mixed use shopfront and general building. The commercial corridor district should be applied along commercial corridors that serve as entrances to downtown or other pedestrian-oriented activity areas.
    - Building Types Allowed. The allowed building types are as follows:
        - Live-work unit
        - Shopfront house
        - Single-story shopfront
        - Mixed use shopfront
        - General building
        - Accessory building (POMC 20.32.010(16))
    - Dimensional Standards
        - Minimum Lot Size by Building Type
            - Live-work unit: 1,000 square feet.
            - Shopfront house: 5,000 square feet.
            - Single-story shopfront: 5,000 square feet.
            - Mixed use shopfront: 5,000 square feet.
            - General building: 5,000 square feetMinimum Lot Width
    - Minimum Lot Width:
        - Live-work unit: 25 feet.
        - Shopfront house: 50 feet.
        - Single-story shopfront: 50 feet.
        - Mixed use shopfront: 50 feet.
        - General building: 50 feet
    - Maximum hard surface coverage is 70%
    - Setbacks
        - Primary
            - 15 feet minimum/50 feet maximum
        - Side Street
            - zero feet minimum/50 feet maximum
        - Side Interior
            - 10 feet minimum
        - Rear
            - 10 feet minimum
    - Build-to Zone.

        - Building façade in primary street: 50 percent minimum (percent of lot width).
        - Building façade in side street: 25 percent minimum (percent of lot width).
    - Parking Location. Parking shall be allowed as follows except where another standard is specified in Chapter 20.127 POMC:
        - Front yard: not allowed.
        - Corner yard: not allowed.
        - Side yard: allowed.
        - Rear yard: allowed.
    - Building Height
        - All building and structures: three stories/35 feet maximum.

- **POMC 20.39.030 Commercial Mixed-Use (CMU)**
    - Intent. The commercial mixed use district is intended to accommodate a broader range of residential and nonresidential activity than neighborhood mixed use. To promote walkability and compatibility, auto-oriented uses are restricted. Building type options include: townhouse, apartment, live-work, shopfront house, single-story shopfront, mixed use shopfront and general building. Commercial mixed use should be applied in areas where the existing or proposed land use pattern promotes mixed use and pedestrian-oriented activity and may be applied in areas designated commercial in the comprehensive plan.
    - Building Types Allowed. The allowed building types are as follows:
        - Townhouse
        - Apartment
        - Live-work unit
        - Shopfront house
        - Single-story shopfront
        - Mixed use shopfront
        - General building
        - Accessory Building (POMC 20.32.010(16)).
- Dimensional Standards
    - Minimum Lot Size by Building Type.
        - Townhouse: 800 square feet.
        - Apartment: 5,000 square feet.
        - Live-work unit: 1,000 square feet.
        - Shopfront house: 5,000 square feet.
        - Single-story shopfront: 5,000 square feet.
        - Mixed use shopfront: 5,000 square feet.
        - General building: 5,000 square feet.
    - Minimum Lot Width
        - Townhouse: 16 square feet.
        - Apartment: 50 square feet.
        - Live-work unit: see POMC 20.32.110(3)(d)
        - Shopfront house: 50 square feet.
        - Single-story shopfront: 50 square feet.
        - Mixed use shopfront: 50 square feet.
        - General building: 50 square feet.
- Lot Coverage maximum 80%

- Setbacks
  - Primary
    - Zero feet minimum/10 feet maximum
  - Side Street
    - Zero feet minimum/10 feet maximum
  - Side Interior
    - Zero feet minimum
  - Rear
    - 20 feet minimum (rear if abutting an alley, four feet minimum).
- Build-to Zone
  - Building façade in primary street: 70 percent minimum (percent of lot width)
  - Building façade in side street: 30 percent minimum (percent of lot width)
- Parking Location: Parking shall be allowed as follows except where another standard is specified in Chapter 20.124 POMC:
  - Front yard: not allowed.
  - Corner yard: not allowed.
  - Side yard: allowed.
  - Rear yard: allowed.
- Building Height. All buildings and structures: three and one-half stories/40 feet maximum.

- **POMC 20.38.700 Self Storage Overlay District (SSOD)**
  - 20.38.710 Intent. The intent of the self storage overlay district (SSOD) is to limit self-storage uses to areas of the city where the creation of self-storage facilities will not disrupt the creation of new neighborhoods and will allow for the development of mixed use centers. The SSOD identifies locations where self-storage uses will be of a minimum impact, as shown on Figure 2 (Exhibit 19).
  - 20.38.720 SSOD Applicability. No new self-storage facility or expansion of an existing self-storage facility shall be permitted except within the boundaries of the SSOD.
  - 20.38.730 SSOD Conflicts. Where the requirements of this chapter conflict with another chapter, the more restrictive requirement shall control.
  - 20.38.740. SSOD Map Amendments. Property owners seeking to modify the boundaries of the SSOD as shown on Figure 2 may do so by a site-specific rezone pursuant to Chapter 20.42 POMC, Site-Specific Rezones.

Department Response:
The CC zoning district is intended to accommodate a range of commercial-focused development along major roadways and to serve as a commercial gateway into the city. The district allows for building types such as live-work units, shopfront houses, single-story shopfronts, mixed-use shopfronts, general buildings, and accessory buildings; however, apartment building types are not permitted.

The proposed rezone to CMU would expand the range of permitted building types to include additional residential options, such as apartments and townhouses, while continuing to allow commercial development. Height limits would remain generally consistent with the existing district, with an increase of five feet for a maximum building height of 40 feet. The CMU designation is also applied in areas designated Commercial in the Port Orchard Comprehensive Plan, which includes the subject property.

Developments proposing self-storage uses shall be within the designated SSOD. Although self-storage is a Conditional Use in both CC and CMU zones, the site meets the requirements of being with the boundaries of the SSOD. The SSOD boundary will remain as is.

POMC 20.100

- **POMC 20.180 Concurrency.**

The purpose of this chapter is to implement the concurrency provisions of the transportation and utilities elements of the city's comprehensive plan and the water and sewer comprehensive plans, all in accordance with RCW 36.70A.070(6)(b). All applications that are not exempt under POMC 20.180.004 shall be processed under and shall comply with this chapter, which shall be cited as the city's "concurrency ordinance."

Department Response: *Pursuant to POMC 20.180.006 Capacity evaluations required for certain rezones and comprehensive plan amendments, a capacity evaluation shall be required as part of any application for a comprehensive plan amendment or zoning map amendment (rezone) submitted by a property owner. which, if approved, would increase the intensity or density of permitted development. As part of that capacity evaluation, the director shall determine whether capacity is available to serve both the extent and density of development which would result from the zoning/comprehensive plan amendment. The capacity evaluation shall be submitted as part of the staff report and shall be considered by the city in determining the appropriateness of the comprehensive plan or zoning amendment. The city's approval of any comprehensive plan or zoning map amendment shall not reserve any capacity in water, sewer or transportation facilities unless the property owner has applied for and is issued a CRC and a development agreement which includes a deadline for the property owner's submission of development permit application for the proposed development.*

In accordance with this section of code, the City has analyzed the permitted uses under the CC zone and the CMU zone for potential demand on water, sewer, and transportation facilities and provided for the capacity evaluation as described in Exhibit 18. The CMU zone provides similar opportunities for development that would also be allowed under the CC zone, with consideration of additional residential building types allowed.

The subject property is currently served by public water supply and sewers. Future development-specific capacity will be evaluated upon submittal of an application as defined in POMC 20.180 Concurrency. Future water supply is dependent on completing planned water system capital improvement projects including bringing additional wells online, new reservoirs, and integrating the water systems. Sewer evaluation for available sewer treatment shows that the site can be served by gravity by connecting to the existing sewer lift station near SW Hovde Rd. The rezone request with access via Sidney Rd SW is expected to create significant impacts on the City's existing transportation but does not present concerns nor foreseen level service failures as proposed.

The site-specific rezone request is consistent with the Commercial Comprehensive Plan Designation and is compatible with neighboring uses. The Public Work's Department does not present concerns with the rezone as proposed. Upon development of the site, the property owner will be responsible for applying for Capacity Reservation Certificates that are specific to their proposed demand, rather than an analysis of all uses allowed under the CMU zone that would be available at this time.

3. Site Specific Rezones

POMC 20.42.010 Purpose and authority.

(1) Purpose. The purpose of this chapter is to establish procedures for site-specific amendments to the city's zoning map. Site-specific rezones shall be processed as provided in this chapter and shall be consistent with the land use designations in the city's comprehensive plan. Changes to the zoning map that are city-wide, area-wide, or have area-wide significance are legislative amendments, which shall be applied for and processed pursuant to Chapters 20.04 and 20.22 POMC.

(2) Authority. The director is authorized and directed to administer the provisions of this chapter relating to site-specific rezones. The city's hearing examiner is authorized to hold a public hearing and provide a recommendation to the city council, pursuant to the procedures included in this chapter. The city council shall issue a final decision for all site-specific, quasi-judicial rezone applications**.**

POMC 20.42.020 Application procedures.

Under POMC 20.42.020, site-specific rezone applications are subject to defined procedures and requirements. The director may establish additional procedures as needed and will only process an application once it is determined to be complete. Applications that are clearly inconsistent with the City's Comprehensive Plan may be rejected in writing. Only property owners or their authorized agents are eligible to apply. A complete application must include a signed application form with applicant and property owner information, a legal description of the property, identification of applicable Comprehensive Plan policies and map designations, a description of the proposed development, supporting plans or studies, a rationale for the amendment, and an explanation of how the proposal relates to the review criteria in POMC 20.42.030. A completed SEPA checklist is also required. Applications are subject to standard processing fees, and additional fees may apply if environmental review under SEPA is necessary.

POMC 20.42.030 Application review criteria.

(1) Generally. The following general provisions shall apply to review of all site-specific rezone applications:

(a) There is no presumption of validity favoring the action of rezoning;

(b) The proponents of the rezone have the burden of proof to demonstrate that conditions have changed since the original zoning; and

(c) The rezone must bear a substantial relationship to the public health, safety, morals or welfare.

(2) Criteria for Review. In addition to the general criteria in subsection (1) of this section, the city shall review applications for site-specific rezone applications and issue approval of said applications pursuant to the following criteria:

(a) Consistency with the existing comprehensive plan (the comprehensive plan that has been approved and is in place at the time the application was submitted);

(b) Consistency with the purpose of the proposed zoning district;

(c) Consistency between zone criteria and area characteristics;

(d) Zoning history and precedential effect. Previous and potential zoning changes both in and around the area identified in the application shall be examined;

(e) The impact of more intense zones on less intense zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers in the more intense zone, if possible. A gradual transition between zoning categories, including height limits, is preferred;

(f) Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:

(i) Natural features such as topographical breaks, lakes, rivers, streams, ravines and shorelines;

(ii) Freeways, other major traffic arterials and railroad tracks;

(iii) Distinct change in street layout and block orientation;

(iv) Open space and greenspaces suitable in area to mitigate against more intense uses;

(v) Zone boundaries;

(g) In establishing boundaries, the following elements shall be considered:

(i) Physical buffers as described in subsection (2)(f) of this section; and

(ii) Platted lot lines;

(h) Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses;

(i) Impact Evaluation. The evaluation of the changes that would result from approval of the application shall consider the possible negative and positive impacts on the affected area and its surroundings. Factors to be examined include, but are not limited to, the following:

(i) Housing;

(ii) Public services;

(iii) Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows and energy conservation;

(iv) Pedestrian safety;

(v) Manufacturing activity;

(vi) Employment activity;

(vii) Character of areas recognized for architectural or historic value;

(viii) Shoreline view, public access and recreation;

(ix) Service Capacities. Development which can be reasonably anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including: street access to the area; street capacity in the area; transit service; parking capacity; utility and sewer capacity; shoreline navigation;

(x) Population and employment allocations as established through the countywide planning policies;

(xi) Changed Circumstances. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone designations in the zoning code;

(xii) Critical Areas. If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered.

Applicant Response:

The applicant provided responses addressing each of the criteria outlined above as provided with Exhibit 15. Their submittal discusses consistency with the comprehensive plan, the purpose of the proposed zoning district, compatibility with surrounding area characteristics, and the potential impacts of the rezone.

Department Response:
As described in the Department Response beginning in Section 2 of this staff report, the request has been reviewed against the adopted Goals and Policies in the Land Use, Housing, Economic Development, Transportation Elements of the City of Port Orchard Comprehensive Plan, and the review criteria of POMC 20.42.030(2)(a). Based on this analysis, the application is eligible for consideration under the applicable regulations.

The subsequent proposed building type is consistent with the purpose of the CMU zoning district where Commercial land use designation is intended and consistent with the applicable design standards, landscaping requirements and engineering standards.

As described in Port Orchard Municipal Code 20.35.030 and in Section 2.6 of the Land Use Element of the City of Port Orchard Comprehensive Plan, CMU may be an appropriate zoning district in areas designated as Commercial in the Comprehensive Plan. The subject property is within an area designated Commercial in the City of Port Orchard Comprehensive Plan. Therefore, the proposal is consistent with the proposed zoning district purpose satisfying the Review Criteria provided in POMC 20.42.030(2)(b).

The Commercial designated site is adjacent to Medium Density Residential and Public and Community Spaces designations, creating an appropriate transition in allowed building and use types. Residential 2 and Residential 3 zoning to the north is developed with detached houses and apartments, while Civic and Institutional zoning to the south accommodates a school and places of worship. The site is in an area accommodating lowest and highest building types as allowed in the Medium Density Residential, Commercial, and Public and Community Spaces designations. The requested CMU rezone is consistent with the purpose of the designation and the characteristics of existing development through transitioning land uses from more less intense uses to more intense uses satisfying the Review Criteria of POMC 20.42.030(2)(c).

The subject property is in an area which is designated Commercial. The property is within near distance of other Commercial designated properties setting precedential effect. With CC and SMU being classified under the same Commercial classification and nearby property being zoned as CMU, criteria described in 20.42.030(2)(d) is met.

The requested CMU district would allow a broader mix of residential and commercial building types than the current CC designation, primarily through the addition of apartments and townhouses alongside existing commercial options. While residential intensity could increase under CMU, the overall development scale remains similar, with building forms largely consistent with those already permitted in CC and only a modest height increase from 35 to 40 feet. The rezone from CC to CMU represents a gradual expansion of allowed building types and mixed-use opportunities while maintaining comparable development intensity, meeting the criteria outlined in 20.42.030(2)(e)

Physical buffers are present around the site that effectively separate it from surrounding uses and support the transition in development intensity consistent with POMC 20.42.030(2)(f). The property is bordered by major transportation corridors, including State Highway 16 and Sidney Rd SW, which provide substantial physical separation from adjacent properties and those present with single-family residences. Planned improvements to Sidney Rd will create a distinct change in street layout and block

orientation, reinforcing this separation. In addition, the proposed development will be required incorporate open space and landscape buffers that help mitigate the intensity of both the apartment and self-storage uses. The configuration of the parcels, combined with surrounding roadway boundaries, establishes clear zone edges and contributes to development pattern that minimizes potential land-use conflicts. Based on these existing and planned physical buffers, the proposal is consistent with the review criteria of POMC 20.42.030(2)(f).

The CMU zoning would remain bounded by the property's existing lot lines, which are framed by right-of-way along both the east and west sides. The consolidation of the six parcels into two larger parcels through the recorded BLA (Exhibit 16) does not expand the overall site size or alter the external boundary. The resulting boundary is also consistent with the limits of the existing SSOD. Accordingly, the site-specific rezone satisfies the review criteria of POMC 20.42.030(2)(g).

The subject property is substantially separated from residential zones of R2 and R3 by State Highway 16 but still accessible by vehicle or active transportation via Sidney Rd SW. Incorporated zones south of the site accommodate civic, commercial, and mixed-use uses. The site is also present with sloping topography offering a natural separation between proposed apartments and self-storage use. The proposal is consistent with the criteria of 20.42.030(2)(h).

The proposal satisfies the review criteria found in POMC 20.42.030(2)(i-xii) through the following:

i. *Housing: The proposed amendment would change the zoning designation from CC to CMU. This would expand the range of permitted building types to include apartments and townhouses. The amendment would increase the overall housing capacity of the site consistent with the Comprehensive Plan's Commercial designation. The proposed rezone will create a positive impact for housing availability.*
ii. *Public services: The amendment may result in additional demand on public services and facilities. The site is currently served by public water and sewer systems. Future development will be subject to concurrency review under POMC 20.180 to ensure adequate service capacity.*
iii. *Environmental factors: Available critical areas mapping data indicates potential geologically hazardous areas and is near mapped wetlands. All of these critical areas will be fully evaluated under POMC 20.162 prior to any ground disturbing activities. Any environmental impacts which may result from a project-specific proposal will be adequately mitigated through the Critical Areas Ordinance.*
iv. *Pedestrian safety: Subsequent development associated with the rezone will be required to provide pedestrian connections to existing facilities and may include improvements to Sidney Rd SW and other off-site improvements.*
v. *Manufacturing activity: Not applicable.*
vi. *Employment activity: The amendment will sustain commercial business opportunity with the addition of residential opportunity.*
vii. *Character of areas recognized for architectural or historic value: The property nor surrounding properties and structures is designated on the historic registry.*
viii. *Shoreline view, public access and recreation: Not applicable. The site is not within shoreline jurisdiction.*
ix. *Service Capacities: Any future development will be analyzed for its impacts relative to service capacities.*
x. *Population and employment allocations: The proposed rezone may increase residential capacity by permitting apartments and townhouse housing types. This aligns with the City's population growth allocations under the Comprehensive Plan.*

xi. Changed Circumstances: The request reflects the City's ongoing implementation of its Comprehensive Plan and the need to provide diverse housing options. The CMU designation is consistent with the existing Commercial land use designation applied to the site.

xii. Critical Areas: The site is impacted by critical areas including geologically hazardous areas and near mapped wetlands. These constraints are documented, and full evaluation will occur prior to development.

4. Environmental Regulations POMC 20.162

- **Article III Wetlands**

POMC 20.162.068 Purpose.

This article applies to all regulated uses within or adjacent to areas designated as wetlands, as categorized below. The intent of this article is to:

(1) Achieve no net loss and increase the quality and function of wetland acreage, functions and values within the city. Mitigation measures, as conditions of permits, must have a reasonable expectation of success. Under the conditions of this article, the department may deny development proposals that would irreparably impact regulated wetlands;

(2) Protect the public expenditures that could arise from improper wetland uses and activities;

(3) Plan wetland uses and activities in a manner that allows property holders to benefit from wetland property ownership wherever allowable under the conditions of this article and the other provisions of the critical areas ordinance;

(4) Preserve natural flood control, stormwater storage and drainage or stream flow patterns; and

(5) Prevent turbidity and pollution of wetlands, and fish or shellfish bearing waters to maintain the wildlife habitat.

POMC 20.162.072 Development standards.

For the purpose of the provisions of the critical areas ordinance, a regulated wetland and its buffer is a critical area

(1) There shall be no activity allowed within a regulated wetland or its buffer unless specifically allowed by this chapter.

(2) Buffers. Buffers shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Any buffer enhancement and/or limited view clearing activity must be reviewed and approved by the department. No refuse shall be placed in the buffer.

(3) Buffer Widths. All regulated wetlands shall be surrounded by a buffer zone as follows based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: 2014 Update (in accordance with Department of Ecology Publication No. 14-06-029):

(a) For wetlands that score five points or more for habitat function, the buffers in Table 1 can be used if both of the following criteria are met:

(i) A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other priority habitats as defined by the Washington State Department of Fish and Wildlife. The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection such as a conservation easement. Presence or absence of a nearby habitat must be confirmed by a qualified biologist. If no option for providing a corridor is available, Table 1 may be used with the required measures in Table 2 alone.

(ii) The measures in Table 2 are implemented, where applicable, to minimize the impacts of the adjacent land uses.

(b) For wetlands that score three to four habitat points, only the measures in Table 2 are required for the use of Table 1.

(c) If an applicant chooses not to apply the mitigation measures in Table 2, or is unable to provide a protected corridor where available, then Table 3 must be used.

(d) The buffer widths in Table 1 and Table 3 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

(4) Buffer Measurement. All buffers shall be measured on a horizontal plane from the regulated wetland edge as marked in the field.

(5) Buffer Averaging. Standard buffer widths may be modified by averaging buffer widths. The total area contained within the buffer after averaging shall be no less than that contained within the standard buffer prior to averaging. The buffer shall not be reduced by more than 25 percent of the standard buffer width at any point. The department may allow wetland buffer averaging where it can be demonstrated that such averaging can clearly provide equivalent or greater functions and values as would be provided under the standard buffer requirement.

Prior to approval of buffer averaging, a critical areas report for wetland meeting the requirements in this chapter must be submitted. Averaging of buffer widths may be allowed where the applicant demonstrates the following:

(a) The wetland contains variations in sensitivity due to existing physical characteristics; and

(b) Averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property.

(6) Increased Buffer Provisions. The department may increase buffer zone widths for a development project on a case-by-case basis when a larger buffer is necessary to protect wetland functions and values. Such determination shall be based on site-specific and project related conditions, which include, but are not limited to:

(a) Wetland sites with known locations of endangered or threatened species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species;

(b) The adjacent land is susceptible to severe erosion and erosion control measures alone will not effectively prevent adverse wetland impacts;

(c) The adjacent land on the development proposal site has minimal vegetative cover or slopes greater than 30 percent; or

(d) The proposed development within 200 feet of the regulated wetland would be a high intensity use.

(7) Fencing and Signs. This subsection applies to those wetlands and their buffers that are within 200 feet of regulated development activities.

(a) Wetland buffers shall be temporarily fenced or otherwise suitably marked, as required by the department, between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per city approval.

(b) The department may require permanent signs and/or split-rail fencing to be placed on the common boundary between a wetland buffer and the adjacent land. Signs must be posted at an interval of one per lot if the lot is less than 50 feet wide, or every 50 feet, whichever is less, and must be maintained by the property owner in perpetuity. The signs shall be worded as follows or with alternative language approved by the department:

Protected Wetland Area
Do Not Disturb
Contact City of Port Orchard Regarding Uses, Restrictions, and Opportunities for Stewardship

The department may approve an alternate method of wetland and buffer identification, if it provides adequate protection to the wetland and buffer.

(8) Building or Impervious Surface Setback Lines. A building or impervious surface setback line of 15 feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback may be permitted if the department determines that such intrusions will not adversely impact the wetland. The setback shall be identified on a site plan and filed as an attachment to the notice to title as required by POMC § 20.162.030, Notice to title.

- **Article V. Geologically Hazardous Areas**

20.162.074 Purpose.

This chapter applies to all regulated uses included in the critical areas ordinance within 200 feet of areas designated as geologically hazardous areas, as categorized in POMC 20.162.076. The intent of this chapter is to:
(1) Provide standards to protect human life and property from potential risks;
(2) Control erosion, siltation, and water quality to protect fish and marine shellfish;
(3) Provide controls to minimize erosion caused by human activity;
(4) Use innovative site planning by placing geologically hazardous areas and buffers in open space and transferring density to more suitable areas on the site.

20.162.078 Development standards.

This chapter applies to all regulated uses in this chapter or within 200 feet of areas designated as geologically hazardous or areas of concern. Permit applications include submittals for clearing, grading and building on property containing geologically hazardous areas. Submittal documents prepared by a licensed engineer may also be required by the department, pursuant to the city's stormwater regulations.

(1) Geologically Hazardous Areas and Areas of Geologic Concern.

(a) Approval. Where applicable the department will approve, approve with conditions or deny the development proposal based on the department's evaluation of specific site conditions. The department will also consider any proposed mitigation measures included in a geotechnical report, if one is submitted.

(b) Public Works Requirements. The applicant shall submit a land disturbing activity permit application to the department. The application and supporting documents shall be completed by a professional engineer licensed in the state of Washington. The submittal documents shall be determined on a site-specific basis. The documents may include any combination of, but not be limited to, construction plans, details and specifications for clearing, grading, erosion and sedimentation control, and stormwater drainage and detailed hydrological, geotechnical, soils, and drainage reports and analyses.

(c) Minimum Buffer Requirement. The buffer for all geologically hazardous areas and areas of geologic concern shall include native vegetation from the toe of the slope to 25 feet beyond the top of the slope unless otherwise allowed through a geological report or a site-specific determination.

(d) Building/Impervious Surface Setback Requirements.

(i) Geologically Hazardous Areas. The minimum building and impervious surface setback from the top of slope shall be equal to the height of the slope (1:1 horizontal to vertical) plus the greater of one-third of the vertical slope height or 25 feet.

(ii) Areas of Geologic Concern. A minimum 40-foot building and impervious surface setback shall be maintained from the top of slope. As required in subsection (1)(c) of this section, the 25 feet adjacent to the top of the slope shall be retained as a native vegetation buffer, with an additional minimum 15-foot building and impervious surface setback. The

department may decrease the setback when such a setback would result in a greater than 1:1 slope setback or as may be allowed through a geological report or a site-specific determination.

(iii) Toe of Slope Building Setback. A geotechnical report may be required for any new construction within 200 feet of a geologically hazardous area. The department will make a determination based on slope height and stability indicators. Where slope hazard indicators are not identified, the requirements of the International Building Code Section 1805 or Section R403 will apply.

(e) Buffer and Building Setback Modifications – Report Recommendations. The minimum native vegetation buffer and/or building setback requirement may be decreased if a geotechnical report demonstrates that a lesser distance, through design and engineering solutions, will adequately protect both the proposed development and the erosion hazard and/or landslide hazard area (see Articles VIII and X of this chapter for geological and geotechnical report requirements). Should the geotechnical report indicate that a greater buffer and/or building setback is required than specified in this section, the greater buffer and/or building setback shall be required. The department may determine through a site visit, a special report or mapping, that an increased buffer and/or building setback is required from the critical area.

(f) Time Limitations. For major new development, and where required for minor new development, clearing, and grading, shall be limited to the period between May 1st to October 1st, unless the applicant provides an erosion and sedimentation control plan prepared by a professional engineer licensed in the state of Washington that specifically and realistically identifies methods of erosion control for wet weather conditions.

(g) Field Marking Requirements. For major new development, the proposed clearing for the project and all critical area buffers shall be marked in the field for inspection and approval by the department prior to beginning work. Field marking requirements for minor new development will be determined on a case-by-case basis by the department. The field marking of all buffers shall remain in place until construction is completed and final approval is granted by the department. Permanent marking may be required as determined necessary to protect critical areas or their buffers.

(h) Cut and Fill Slopes. The faces of all cut and fill slopes shall be protected to prevent erosion as required by the engineered erosion and sedimentation control plan.

(i) Development Impact Standards. All discharge of runoff from the development site shall be of like quality, flow rate, and velocity as that which flowed from the site prior to development. In addition, all stormwater flows shall be accepted onto, and shall be discharged from, the development site at the natural or otherwise legally existing locations. The proposed development shall not decrease the slope stability of any area within 200 feet of the property boundary.

(j) Development Risk Standard. In cases where a special report indicates a significant risk to public health, safety and welfare, the department shall deny or require revision of the site development proposal.

(k) Additional Clearing Standards.

(i) Only the clearing necessary to install temporary erosion control measures will be allowed prior to the clearing for roads and utilities construction.

(ii) Clearing for roads and utilities shall be the minimum necessary and shall remain within marked construction limits.

(iii) Clearing for overhead power lines shall be the minimum necessary for construction and will provide the required minimum clearances of the serving utility.

(l) Existing Logging Roads. Where existing logging roads occur in geologically hazardous areas or areas of geologic concern, a geological or geotechnical report may be required prior to use as a temporary haul road or permanent access road under a conversion or COHP forest practices application.

(m) Clustering Requirements. The department may require clustering to increase protection to geologically hazardous areas or areas of geologic concern.

(n) Vegetation Enhancement. The department may require enhancement of buffer vegetation to increase protection to geologically hazardous areas or areas of geologic concern.

(o) Seismic Hazard Area Development Standards.

(i) Proposed new development within a seismic hazard area shall be in accordance with the Uniform Building Code (UBC) Earthquake Design Standards for Seismic Risk Zone 3 of Washington State.

(ii) Applicants for public and commercial building proposals within seismic hazard areas shall submit a geotechnical report addressing any fill or grading that has occurred on the subject parcel. Any fill placed for such development shall have documented construction monitoring as required by the International Building Code.

(iii) All major new development in seismic hazard areas shall require a geotechnical report. Minor new development may also require a geotechnical report, as determined by the department.

(iv) The development proposal may be approved, approved with conditions or denied based on the department's evaluation of the proposed mitigation measures to reduce seismic risk.

(2) Prohibitions.

(a) Critical facilities, as defined in Article II of this chapter, are prohibited in geologically hazardous areas.

(b) In geologically hazardous areas with slopes greater than 80 percent, no development will be allowed either on or within the defined buffer area, unless approved by the department after review of a geotechnical report. The defined buffer zone for geologically hazardous areas is defined in subsection (1)(d) of this section.

(c) On-site sewage disposal should be avoided in geologically hazardous areas and their buffers. In cases where such areas cannot be avoided, review by a geologist or a geotechnical engineer licensed in the state of Washington will be required in coordination with the Bremerton-Kitsap County health district.

Department Response: *The site contains and/or is adjacent to areas that contain streams, and steep slopes. However, there are no mapped indicators of wetlands on or adjacent to the subject property. The site is vacant and may be developed under the current zoning designation with analysis of critical areas. Any proposed development is subject to POMC 20.162 which requires an analysis of the critical areas and their associated buffers prior to the approval or issuance of a Land Disturbing Activity Permit or Building Permit.*

II. PUBLIC COMMENT

A. Notice of Application

Upon Determination of Complete Application on August 8, 2025 (Exhibit 3), Notice of Application was issued August 22, 2025 (Exhibit 4). The Department of Community Development received no comments within the fourteen-day comment period.

B. SEPA DNS and Modified DNS

Invitation to comment was provided pursuant to WAC 197-11-355. A SEPA Determination of Non-Significance (DNS) was issued on December 8, 2025 (Exhibit 8). The DNS appeal period closed on January 5, 2026. No comments or appeals of the SEPA DNS were submitted.

C. Notice of Public Hearing Before the Hearing Examiner

A. A Notice of Public Hearing (NOH) before the Hearing Examiner was posted in the newspaper of record on January 14, 2026 (Exhibit 13). Notice of the public hearing before the Hearing Examiner was mailed to all surrounding property owners, interested parties, and commenting agencies on January 14, 2026 (Exhibit 14).

D. Public Comment

The Department of Community Development received no comments during the Notice of Application and SEPA comment periods.

III. PROPOSED FINDINGS

B. The City of Port Orchard received an application for a site-specific rezone on July 14, 2025 (Exhibits 1A-1J).

C. The City requested additional information which included updated legal description resultant of the October 27, 2025 BLA (Exhibit 17) and documentation to support review criteria set forth in POMC 20.42.030(2) (Exhibit 15).

D. The application was determined technically complete on August 8, 2025 (Exhibit 3).

E. The City of Port Orchard provided a Notice of Application (NOA) (Exhibit 4) on August 22, 2025.

F. The NOA was posted on the site and was provided to the surrounding property owners, and to affected agencies (Exhibits 5 and 7)

G. The NOA was published in the newspaper of record on August 22, 2025 (Exhibit 6)

H. No public comments were received in response to the NOA.

I. The City issued a Determination of Non-Signification (DNS) on December 8, 2025 with a fourteen (14) day comment period ending December 22, 2025 (Exhibit 8).

J. The DNS was posted on the site and was provided to the surrounding property owners, and to affected agencies pm September 18, 2025 (Exhibits 10 and 11).

K. The DNS was published in newspaper of record on December 8, 2025. (Exhibit 9)

L. No public comments were received in response to the DNS.

M. Notice of Hearing was mailed to surrounding property owners and parties of interest on January 14, 2026 (Exhibit 14).

N. Notice of Hearing was published in newspaper of record on January 14, 2026 (Exhibit 13)

O. The proposal is consistent with the Port Orchard Municipal Code and the Comprehensive Plan.

P. The application for site-specific rezone has been properly processed POMC Title 20 Subtitle II. Permitting and Development Approval, and POMC Title 20 Subtitle III. Zoning Regulations.

Q. The procedures for review of this application are found in POMC 20.24.

R. This proposal is in conformance with applicable City of Port Orchard ordinances and

regulations addressed above in this document.

S. This proposal is properly before the Hearing Examiner for a recommendation to the City of Port Orchard City Council in accordance with applicable state and local laws.

IV. RECOMMENDATION TO THE HEARING EXAMINER

Based on the findings in the record, the Department of Community Development finds the application consistent with the criteria of POMC 20.42.030 and recommends approval of the site-specific rezone without conditions.

The Department respectfully forwards the application to the Hearing Examiner for an open record hearing and recommendation to the City Council. The Hearing Examiner may recommend approval, denial, or conditional approval of the rezone request based on the record and testimony presented.



CITY OF PORT ORCHARD
Department of Community Development
Located at 720 Prospect Street
Mailing Address: 216 Prospect Street
Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@cityofportorchard.us

PUBLIC NOTICES INDEX

Project Name: SIDNEY RD INVESTMENTS LLC

Permit Number: LU25-REZONE-02

Site Location: 4385 Sidney Rd SW

Notice of Application	**Date**	**Exhibit**
Notice of Application Published in the Newspaper	8/22/25	6
Notice of Application mailed/emailed to: Applicant, Representative, and mailed to Surrounding Property Owners	8/22/25	7
Notice of Application Posted at the Site	8/20/25	5

Notice of SEPA Determination	**Date**	**Exhibit**
Notice of SEPA Determination Published in Newspaper	12/08/25	9
Notice of SEPA Determination emailed and mailed to Agencies and Interested Parties.	12/08/25	10
Notice of SEPA Determination mailed to surrounding property owners.	12/08/25	10
Notice of SEPA Determination emailed to Applicant	12/08/25	10

Notice of Hearing	**Date**	**Exhibit**
Notice of Hearing Published in the Newspaper	1/14/26	13
Notice of Hearing mailed to: Applicant, Engineer and Surrounding Property Owners	1/14/26	14
Notice of Hearing emailed to: Parties on Hearing Notice Roster.	1/14/26	14
Notice of Hearing emailed to Applicant and Project Engineer,	1/14/26	14

CITY OF PORT ORCHARD
Permit Center

Master Form Counter Complete Checklist

Date Submitted: 7-10-25 Permit #: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC - Storage Facility

Location: 4385 Sidney Rd SW

Applicant Name: Alan C. Keimig - The Keimig Associates

☑	SUBMITTAL REQUIREMENTS:	NOTES:
Completed Master Permit Application:		
1. Project Information:		
☑ 1a.	Project Name. ***NOTE:*** *This is the name that the project will always be known as. If the Applicant provides something generic, ask for something more specific to distinguish it from other applications and will relate to the project.*	
☑ 1b.	Site Address / Location.	
☑ 1c.	Tax Parcel Number(s).	
☑ 1d.	Existing use of property.	
☑ 1e.	Parcel Size.	
☑ 1f.	Project description / scope of work. *Details; not just "building permit".*	
☑ 1g.	Previous permits listed.	
☑ 1h.	Pending permits listed.	
☑ 1i.	☐ On public utilities? ☑ Yes ☐ No If yes, ☑ Water Provider listed ☑ Sewer Provider listed. If no, ☐ Check for docs from KPHD for Well and/or Septic.	COPO COPO
☑ 1j.	Within Floodplain? ☐ Yes ☒ No	
☑ 1k.	Within 200' of shoreline? ☐ Yes ☒ No	
☑ 1l.	Within 200' of geologically hazardous area? ☐ Yes ☒ No	
☑ 1m.	Zoning designation.	CC
☐ 1n.	Overlay District designation. *May be N/A. Project may not be within an overlay district.*	SSOD

☑	SUBMITTAL REQUIREMENTS:	NOTES:
☑ 1o.	Are surface waterbodies present? ☐ Saltwater ☐ Creek ☐ Pond ☐ Wetland ☒ None	
☑ 1p.	Was there a Pre-App meeting? ☐ No ☑ Yes: date 10-30-24 & 4-21-25	
2. Concurrency Information:		
☑ 2a.	One of the options must be checked.	
3. SEPA Review:		
☑ 3a.	One of the three options must be checked.	
☑ 3b.	If the third option is checked (Exempt from SEPA), one of the exemption categories must be checked: ☑ *SEPA application is included* ☐ *Issued SEPA determination is included* ☐ *Project is exempt from SEPA:* *The first four checkboxes are the most common reasons for exemption. If the applicant checks the 'Other' box, then they **MUST** list the exemption reference. There is a hyperlink to the code for looking up (WAC 197-11-800).*	
4. Stormwater Drainage Review:		
☑ 4a.	Hard surface quantity. ☐ No ☒ Yes	
☑ 4b.	Land disturbing quantity. ☒ No ☐ Yes	
☑ 4c.	Impervious surface percentage. ☒ No ☐ Yes	
☑ 4d.	Exemption checkboxes.	
5. Permit Types table:		
☑ 5a.	Identify all application types checked. *Expect corresponding permit application(s) and submittal docs for all types checked.*	
6. Contact Information:		
ALL CONTACTS MUST INCLUDE THE NAME OF A PERSON! All contact information must be legible. Additional contacts may be listed on a separate sheet.		
☑ 6a.	Applicant: ☑ ***Contact Name*** *This is the name of a **person**.* ☑ *Company Name (if applicable)* ☑ *Mailing Address* ☑ *Phone* ☐ *Email*	

☑	SUBMITTAL REQUIREMENTS:	NOTES:
☑ 6b.	Property Owner: *May be blank if the property owner is the Applicant. Otherwise,* ☑ *Name (May be a corporation or trust + the name of a* ***person****)* ☑ *Mailing Address* ☑ *Phone* ☑ *Email*	
☑ 6c.	Engineer: *May be N/A depending on the project. Otherwise,* ☐ *Company and the name of a* ***person****.* ☐ *Mailing Address* ☐ *Phone* ☐ *Email*	
☑ 6d.	Surveyor: *May be N/A depending on the project. Otherwise,* ☐ *Company and the name of a* ***person****.* ☐ *Mailing Address* ☐ *Phone* ☐ *Email*	
☑ 6e.	Contractor: • *Not applicable for Land Use permits.* • *For a Residential Building permit, a contractor not required unless "flipping".* • *May be "TBD" if the contractor has not yet been selected.* • *If the owner doing the work, applicant should list "Owner" in Contractor field. Otherwise,* ☐ *Company Name* ☐ *Contact Name: this is the name of a* ***person****.* ☐ *Phone* ☐ *Email* ☐ *Mailing Address* ☐ *Contractor license # with expiration date* ☐ *City Business License information* ☐ *UBI #* ☑ *Certification statement initialed by Applicant (must* ***always be initialed****, even if work done by Owner)*	TBD
7. Signatures of Applicant and Owner:		
☑ 7a.	Authorized Agent signature: This is either the Applicant or the Owner (4a. or 4b.above). ☑ *Signed.* ☑ *Dated.* ☑ *Name printed.*	

☑	SUBMITTAL REQUIREMENTS:	NOTES:
☑ 7b.	Property Owner signature: The owner must sign this statement even if he/she already signed as the authorized agent. If the owner is a corporation or trust (info in 4b. above), look up corporation records to assure the signer is authorized. ☑ Owner to check one of the boxes: ☐ *Owner is the Applicant, acting on own behalf.* ☑ *Owner authorizes an Agent or to act on his/her behalf.* ☑ *Sign.* ☑ *Date.* ☑ *Print name.* *OR:* ☐ *A separate authorization letter is submitted. The letter needs to include the text in the signature statement.* *We have a form that can be used for this in the Master Form folder.* *OR:* If this application is submitted by a sub-contractor, such as one pulling a plumbing or mechanical permit for a commercial building project, then the property owner does not need to sign this application. The initialed certification statement on the contractor info on the initial building permit application covers subsequent applications submitted by the subs.	

CITY OF PORT ORCHARD
Permit Center

Site-specific Rezone or Overlay District Revision Counter Complete Checklist

Do not use for a Rezone with a Comprehensive Plan Map Amendment

Permit No.: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

☑	SUBMITTAL REQUIREMENTS:	NOTES:
1. Completed Master Permit Application (one original):		
☑ 1a.	Use Master Form counter complete checklist.	
2. Completed Rezone or Overlay District Revision Application ~~(7 copies if paper)~~:		
☑ 2a.	Application is for: ☑ *Rezone* ☐ *Downtown Height Overlay District* ☐ *Self-Storage Overlay District* ☐ *View Protection Overlay District*	
☑ 2b.	Owner statement completed, signed and notarized. ☑ *Ownership statement (check one of the boxes)* ☐ *Authorized Agent statement (add name if there is one)*	
3. Document Submittal (7 copies if paper):		
☐ 3a.	Narrative of proposal	
☑ 3b.	Summary table of project statistics ☑ *Site area* ☑ *Building coverage* ☑ *Impervious surface* ☑ *Parking* ☑ *Other data as applicable*	
☑ 3c.	Vicinity map ☑ *8 ½" x 11" or larger* ☑ *Site clearly marked* ☑ *Show nearest major streets and roads* ☑ *Any waterways* ☑ *Zoning*	
☑ 3d.	Plan set ☑ *11" x 17" or larger* ☑ *North arrow* ☑ *Map scale* ☑ *Existing natural features including critical areas and buffers* ☑ *Existing and proposed grades* ☑ *Existing and proposed uses and improvements including utilities, easements, structures, access and parking.* *Planner may want to review when submitted at counter.*	
☑ 3e.	SEPA Checklist *Use SEPA Checklist Counter Complete checklist.*	

☑	SUBMITTAL REQUIREMENTS:	NOTES:
☑ 3f.	Electronic copy of all documents. *Emailed, Drop boxed or on a flash (thumb) drive.*	Dropbox
4. Fees:		
☑ 4a.	Fees received with submittal: ☑ *Application fee (~~$1,275~~)* 1,375.00 ☑ *Technology fee ($10)* ☑ *Hearing Examiner Admin fee ($250)* ☑ *Hearing Examiner deposit ($3,000)* ☑ *Public Notice sign fee (~~$40.20~~)* X 2 $49.99 ☑ *SEPA review ($300)* ☐ ~~*Fire District Review ($250)*~~	Publication X 3 $ 900.00 $5,934.98

I have reviewed the content of the Application Submittal, and found it to be:

☑ **Counter Complete**. The submittal includes those items as checked above.

☐ **Incomplete**. The submittal does not include the minimum requirements for this application type for counter completeness. All documents were returned to the Applicant along with a copy of this checklist indicating the missing items.

Staff Signature Jackie Kovacs **Date:** 7-14-25

Print Name/Title: Jackie Kovacs, Planning Permit Clerk



CITY OF PORT ORCHARD
Permit Center

SEPA Checklist Application Counter Complete Checklist

Permit No.: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Sidney Facility

NOTE: The SEPA Checklist is ***rarely*** submitted by itself. It ***almost always*** accompanies a Parent Permit. If submitted by itself, enter in SmartGov as LU-SEPA and collect the fees at submittal. If SEPA is submitted with a permit, the fees are paid with the Parent Permit application.

☑	SUBMITTAL REQUIREMENTS:	NOTES:
1. Completed Master Permit Application:		
☑ 1a.	Use Master Form counter complete checklist.	
2. Completed SEPA Checklist Application with SEPA Checklist Attached:		
☑ 2a.	At least one of the three statements must be checked, but depending on the specifics, more than one could be: ☑ *1. Submitted with a parent permit.* ☐ *2. Not submitted with a parent permit. **WHY:*** ☐ *2A. Parent Permit was submitted previously.* ☐ *Parent Permit No.: _____* ☐ *2B. Parent permit will be submitted later.* ☐ *Reason why SEPA is **before** permit application submittal.* ☐ *3. SEPA is for a non-project action and Supplement D of the SEPA Checklist is completed.*	
3. Documents: *What is submitted depends on which statement they checked on the application.*		
Required for all Applications:		
☑ 3a.	The Master Permit Application form.	
☑ 3b.	The SEPA Checklist Application form.	
☑ 3c.	SEPA Environmental Checklist ☑ *Content completed on each page, pages 1 - 13.* ☑ *Signed, print name, date, position/agency on page 13.*	
Depends on what the SEPA Checklist is For: *If the SEPA Checklist is submitted with a parent permit, or as a follow-up submittal to a parent permit, some of the documents listed below may have already been submitted as required for the parent permit. They don't need to re-submit the same thing so we have an electronic "copy" specifically to use for the SEPA review. For example, if the site plan needed for a rezone application is the same as the site plan needed for SEPA review, a second electronic copy does not need to be submitted for SEPA review.*		
☑ 3d.	The SEPA Checklist, including Supplement D ☐ *If the applicant selected #3 in Section 1 of the application form, then Supplement D section of the SEPA Checklist must also be completed, pages 14 & 15.*	MA



☑		SUBMITTAL REQUIREMENTS:	NOTES:
☑	3e.	Site Plan	
☑	3f.	Conceptual Architectural Renderings & Elevations.	
☐	3g.	Stormwater Drainage Report and Plan.	
☑	3h.	Wetland Report.	
☑	3i.	Geotechnical Report.	
☐	3j.	Traffic Impact Analysis.	
☐	3k.	SEPA Checklist Supplemental Sheet D.	N/A
☑	3l.	Other *(list)*:	Arborist Report
4. Fees:			
☑	4a.	Fees received with submittal: ☑ All fees are due with the submittal. ☐ Check current fees on the Application Fees spreadsheet.	

Permit No.: LU25- Rezone- 02

I have reviewed the content of the Application Submittal, and found it to be:

☑ **Counter Complete**. The submittal includes those items as checked above.

☐ **Incomplete**. The submittal does not include the minimum requirements for this application type for counter completeness. All documents were returned to the Applicant along with a copy of this checklist indicating the missing items.

Staff Signature Jackie Kraft **Date:** 7-14-25

Print Name/Title: Jackie Krafft, Planning Permit Clerk

COUNTER COMPLETE
Permit Center

Jul 14, 2025

City of Port Orchard
Community Development



CITY OF PORT ORCHARD
Permit Center
Office located at 720 Prospect Street
Mailing address: 216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533 • permitcenter@cityofportorchard.us

SITE-SPECIFIC REZONE or OVERLAY DISTRICT BOUNDARY MODIFICATION

Use the Comprehensive Plan Amendment application form instead of this one if you are applying for a Comprehensive Plan Map Amendment with a Rezone.

For Staff Use Only	File #:	LU25-Rezone-02		Receipt #:	R00205830	

Incomplete Application Will Not Be Accepted

1. APPLICATION TYPE. This application is for *(check the appropriate box):*

- ☒ A site specific rezone to amend the City's Zoning Map.
- ☐ A site-specific boundary modification to an Overlay District. *Select the Overlay District:*
  - ☐ Downtown Height ☐ Self Storage ☐ View Protection

2. SUBMITTAL REQUIREMENTS.

Electronic submittals are required. Contact the Permit Center for formatting and resolution requirements.

This application shall include the following items, unless specifically waived by DCD. Other documentation may be required in addition to what is listed.

Check the box for each item included with this application:

- ☒ **The Master Permit Application Form,** completed.
- ☒ **Site-Specific Rezone Application form** *(this form),* completed. Include the **original** signed and notarized Owner Statement *(page 2 of this application form).*
- ☒ **SEPA Checklist Submittal.** *Use the SEPA Application form for complete submittal requirements.*
- ☒ **A Narrative,** which includes the following:
  - ☐ The legal description of the subject property.
  - ☐ Identify the current Comprehensive Plan Map designation and all sections of the Comprehensive Plan policies and map addressing the subject property.
  - ☐ Describe the proposed development of the property under the proposed zoning designation and overlay district *(as applicable).*
  - ☐ Include plans, information, and/or studies that accurately depict existing and proposed use(s) and improvements.
  - ☐ Explain the rationale for the proposed amendment.
  - ☐ Explain of how the proposed amendment and associated proposal(s) conform to, conflict with, or relate to the criteria and general rules set forth in POMC 20.42.030(2), as applicable.
    - ☐ Submit a **Word version** of the section addressing the criteria in POMC 20.42.030(2).
  - ☐ For Overlay District Boundary Modification, explain how the proposed change will meet the overlay district intent in POMC 20.38.
    - ☐ Submit a **Word version** of the section addressing how the intent in POMC 20.38.
- ☒ **A Summary Table** of proposed project statistics, including site area, , coverage by impervious surface, required and proposed parking, and similar data as required to evaluate conformance of the proposed project with City regulations.
  - ☒ Site area.
  - ☒ Building coverage
  - ☒ Impervious surface coverage.
  - ☒ Required and proposed parking.
  - ☒ Similar data as required to evaluate conformance of the proposed project with City regulations.

2. SUBMITTAL REQUIREMENTS, *continued.*

☒ **A Vicinity Map,** approximately 800 feet to the inch. *Show:*

- ☒ North arrow and scale.
- ☒ Site clearly marked in relation to the nearest major streets and waterways in the area.
- ☒ Identify the zoning in the surrounding area.

☒ **Plan Sets.** *Show:*

- ☒ North arrow and map scale.
- ☒ Legible and to scale when printed at 11" x 17".
- ☒ Existing natural features, including critical areas and buffers.
- ☒ Existing and proposed grades.
- ☒ Existing and proposed improvements including utilities, easements, structures, access and parking.

OWNER: (select the appropriate statement)

☐ I affirm that the property affected by this application is in my exclusive ownership.

☒ I affirm that the property affected by this application is not in my exclusive ownership. This application is submitted with the consent of all owners of the affected property.

IF AN AGENT IS SUBMITTING THIS APPLICATION ON YOUR BEHALF, complete this verification statement:

As the record owner of the property listed above, I authorize _____, as my Authorized Agent to submit this application on my behalf.

The application as completed is true and correct to the best of my knowledge.

_____
Signature of Owner (Must be notarized)

Jeff Oldright
Print Name of Owner

7/9/25
Date

STATE OF WASHINGTON)
) SS
COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that Jeffrey Oldright is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

WITNESS MY HAND AND OFFICIAL SEAL this 9th day of July, 2025.

REBECCA ROBINSON NOTARY PUBLIC STATE OF WASHINGTON COMM # 22030648 APPOINTMENT EXPIRES SEPTEMBER 04, 2026

Rebecca Robinson
NOTARY PUBLIC in and for the
State of Washington, residing at
King County - Banner Bank

My appointment expires:
9-4-2026

COUNTER COMPLETE
Permit Center

Jul 14, 2025

City of Port Orchard
Community Development



CITY OF PORT ORCHARD
Permit Center

MASTER PERMIT APPLICATION FORM

For Title 20 permit types. Check the boxes on page 3 for all permits applied for at this time.

An Incomplete Application Will Not Be Accepted

1. PROJECT INFORMATION:

Project Name: Sidney Road Investments LLC

NOTE: *The name must be specific and descriptive. Use the same name on all applications associated with this project.*

Site Address/ Location: 4385 Sidney Road SW, Port Orchard, WA 98367

Tax Parcel Number(s): 0022008, 0262000, 0032007, 0072003, 1132004, 0223013-0012009

Existing Use of Property: Vacant **Parcel Size:** 6.79 ac

Project Description / Scope of Work:
Resone for Multifamily project and self-storage

List permits or decisions previously obtained for this project from the City or any other government entity:
Pre-application meeting

List permits or decisions currently pending for this project before the City or any other government entity:
BLA, and Conditional Use Permit, SEPA, sewer extension

Is your project served by public water and/or public sanitary sewer systems?

☑ **Yes: Water Provider:** City of Port Orchard **Sewer Provider:** City of Port Orchard

☐ **No:** If no, Kitsap Public Health District approval documentation must be submitted for well and/or septic use.

Is the project within the floodplain? ☑ **No** ☐ **Yes**

Is the project within 200' of the shoreline? ☑ **No** ☐ **Yes**

Does the project include new construction within 200' of a geologically hazardous area? ☑ **No** ☐ **Yes**

Zoning Designation: CC (Commercial Corridor) **Overlay District Designation:** SSOD (Self-Storage)

These surface waterbodies are on or adjacent to the property: *(check all that apply)*

☐ **Saltwater** ☐ **Creek** ☐ **Pond** ☐ **Wetland** ☑ **None**

Was there a Pre-Application meeting with Staff for this project?

☐ **No** ☑ **Yes: Meeting Date:** 10-30-2024 and 04-21-2025

2. WATER, SEWER, AND TRANSPORTATION CONCURRENCY.

Concurrency review determines if the water and sewer utilities and the transportation network are adequate to accommodate growth. Unless exempt, all new development and construction needs to apply for concurrency.
Check the box below that applies:

☐ Concurrency is not required.

☐ An application for a Capacity Reservation Certificate (CRC) was previously submitted for:

- ☐ Water
- ☐ Sewer
- ☐ Transportation

2. WATER, SEWER, AND TRANSPORTATION CONCURRENCY *continued.*

Check the box below that applies:

- ☑ An application for a Capacity Reservation Certificate (CRC) is included with this submission for:
  - ☑ Water
  - ☑ Sewer
  - ☐ Transportation
- ☐ The project already has an unexpired City-issued CRC for Water, Sewer, and Transportation.
  - ☐ Must include a copy of the CRC with this application.
- ☐ A combination of documents is included with this submission, which in total verifies and/or is an application for water, sewer, and transportation capacity. *Check all document types you are submitting with this application:*
  - ☐ City document(s) *(verification or application)*
  - ☐ Documentation from other Utility District(s)
  - ☐ Documentation from Kitsap Public Health District
- ☐ Demolition of an existing building or termination of previous use was within the last five years. There is no net impact increase by the proposed new structure or land use on city's water, sewer, or road facilities.
  - ☐ Must include a copy of the Demolition permit or prior use records with this application.

3. SEPA Environmental Review. *Required unless exempt pursuant to POMC 20.160.080 – 090.*
Check one of the next three statements that matches the documents submitted with this application:

- ☑ A completed SEPA Checklist Application is included.
- ☐ A copy of a previously issued SEPA Determination for this project is included.
- ☐ This project is exempt from SEPA review.
  Check the box for the categorical exemption from WAC 197-11-800 that applies to your project:
  - ☐ The total cut and fill will not exceed 100 cubic yards throughout the lifetime of this project.
  - ☐ The project is for four or fewer residential units.
  - ☐ The project is for non-residential construction which is not more than 4,000 square feet gross floor area, and which does not exceed parking facilities for 20 automobiles.
  - ☐ The project is for a parking lot for twenty or fewer automobiles not associated with a structure.
  - ☐ Other: *(**must** cite the WAC reference)* _____

4. Stormwater Drainage Review.
A permit may be required for your project per POMC 20.150 Stormwater Drainage.

Does the project the project result in 5,000 sq. ft. or greater of new + replaced hard surface on the property?
☐ **No** ☑ **Yes**

Does the project have land disturbing activities greater than 7,000 sq. ft. but less than one acre?
☑ **No** ☐ **Yes**

Does the site have 35% or less existing impervious lot coverage**?**
☑ **No** ☐ **Yes**

A Stormwater Drainage Permit may not be required if it meets the exemption criteria under POMC 20.140.070(2). Check the statement below if it is applicable to your project as proposed:

- ☐ Excavation is for a basement, retaining wall, or other structure.
- ☐ Excavation is below finished grade.
- ☐ Excavation is not beyond the limits of the basement or footings.
- ☐ The completed structure will not have an unsupported height greater than five feet.
- ☑ A valid building permit has been or will be obtained for construction associated with the excavation.

5. PERMIT TYPES. *Check all types that you are applying for* ***at this time.***		
Land Use / Planning:		
☐ Accessory Dwelling Unit	☐ Final Plat	☐ Shoreline *(check all that apply)*:
☐ Administrative Interpretation	☐ Final Plat, Alteration	☐ Substantial Development, Hearing
☐ Binding Site Plan, Preliminary	☐ Final Plat, Vacation	☐ Substantial Development, Admin.
☐ Binding Site Plan, Alteration of Prelim.	☐ Non-conforming Use	☐ Conditional Use Permit, Hearing
☐ Binding Site Plan, Final	☐ Preliminary Plat	☐ Conditional Use Permit, Admin.
☐ Binding Site Plan, Alteration of Final	☐ Preliminary Plat, Minor Modifications	☐ Variance, Hearing
☐ Binding Site Plan, Vacation of Final	☐ Preliminary Plat, Major Modifications	☐ Short Plat, Preliminary
☐ Boundary Line Adjustment	☐ Pre-submittal Design Review	☐ Short Plat, Alteration to Preliminary
☐ Comprehensive Plan Map Amend.	☑ Rezone	☐ Short Plat, Final
☐ Comprehensive Plan Text Amend.	☑ SEPA	☐ Short Plat, Alteration of Final
☐ Conditional Use Permit	☐ Shoreline Exemption	☐ Short Plat, Vacation of Final
☐ Critical Areas Review	☐ Sign *(Land Use regulations)*	☐ Temporary Use Permit
☐ Design Review Board Project Review	☐ Sign, Master Sign Plan	☐ Temporary Use Permit Extension
☐ Development Agreement	☐ Sign Variance	☐ Variance, Administrative
	☐ Statement of Restrictions	☐ Variance, Hearing
Public Works:		
☑ Capacity Reservation Certificate	☐ Right-of-Way Permit	☐ Tree Cutting Permit (Minor LDAP)
☐ Land Disturbing Activity Permit, Major	☐ Stormwater Drainage Permit	☐ Variation from Engineering Standards
☐ Land Disturbing Activity Permit, Minor	☐ Street Use Permit	☐ Water and/or Sewer Connection
Building:		
☐ Commercial, New building / Addition	☐ Demolition	☐ Residential Plumbing
☐ Commercial, Alteration / Repairs	☐ Manufactured Home	☐ Residential Mechanical
☐ Commercial Tenant Improvement	☐ Multi-family *(3 units or more)*	☐ Re-roof
☐ Commercial Plumbing	☐ Residential, New	☐ Sign *(Construction of)*
☐ Commercial Mechanical	☐ Residential, Addition / Alteration	☐ Siding, Windows and/or Doors
Fire Code:		
☐ Fire Sprinkler	☐ Fireworks Display	☐ Standpipe System
☐ Fire Alarm	☐ Fireworks Sales	☐ Temporary Tent / Membrane Structure
☐ Fire Suppression System	☐ High Pile Storage	☐ Tank Install / Decommission
Other:		
☐ Address Request	☐ Floodplain Development Permit	☐ Site Plan Checklist
☐ Design Standards Departure Request	☐ Road Name Request	
☐ Other: *(list)*		

6. CONTACT INFORMATION. *Use additional sheets if needed to list more contacts.*

Applicant Name *(Name of person to contact)*: Alan C. Keimig

Applicant Company Name: The Keimig Associates

Mailing Address *(street, city, state, zip)*: 307 D Street SE, Auburn, WA 98002

Phone: (253) 939-3232 **E-mail:** ackeimig@msn.com

Property Owner *(if different than Applicant)*: Sidney Road Investments LLC (c/o Jeff Oldright)

Mailing Address *(street, city, state, zip)*: 601 Valley Avenue NE, Suite A, Puyallup, WA 98372

Phone: (253) 677-7468 **E-mail:** jeff@daffodilstorage.com

Engineer *(Company and contact name)*: Larson and Associates

Mailing Address *(street, city, state, zip)*: 9207 Pacific Avenue, Suite 4, Tacoma WA 98444

Phone: (253) 424-3404 **E-mail:** gmiddleton@rrlarson.com

Note: *Both the Surveyor and the Engineer must be listed for plats.*

Surveyor *(Company and contact name)*: Larson and Associates

Mailing Address *(street, city, state, zip)*: 9207 Pacific Avenue, Suite 4, Tacoma WA 98444

Phone: (253) 424-3404 **E-mail:** gmiddleton@rrlarson.com

Contractor: TBD **Contact Name:**

Phone: **E-mail:**

Contractor's Mailing Address:

Contractor's License/Registration #: **Expiration Date:**

City Business License: ☐ **Yes** ☐ **No** *(Apply online at: bls.dor.wa.gov)* **Revenue Tax# (UBI):**

I certify that the contractor(s) (general or specialty) who will perform any of the services for which this permit is issued, is registered with the State of Washington, Department of Labor & Industries, in compliance with chapter 18.27 RCW (law of 1963) under certificate number. NS
Applicant initial here

Authorized Agent Signature: The Authorized Agent ("Agent"), either the Property Owner or the Applicant listed above, is the primary contact for all project-related questions and correspondence. The Permit Center will email or call the Agent with requests and/or information about the application. The Agent is responsible for communicating information to all parties involved with the application. The Agent must ensure their contact information is accurate and that their email account accepts Permit Center email.

I affirm that all answers, statements, and information submitted with this application are correct to the best of my knowledge.

AUTHORIZED AGENT: **DATE:** 7/14/2025

PRINT NAME: Alan C. Keimig

Property Owner Signature (select one):

☐ The legal owner of the property is submitting this application, acting as the Agent/Contact for this Project. Sign and date below.

☒ The legal owner of the property authorizes the Applicant to act on his/her behalf as the Agent/Contact for this Project. Sign and date below, or submit a signed and dated authorization letter with this application. The text below must be included.

By signing this application and applying for approvals under Port Orchard Municipal Code Title 20, the property owner hereby permits free access to the land subject to the application to all agencies with jurisdiction considering the proposal for the period of time extending from the date of application to the time of final action.

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

OWNER: **DATE:** 7/9/25

PRINT NAME: Jeff Oldright

COUNTER COMPLETE
Permit Center

Jul 14, 2025

City of Port Orchard
Community Development



CITY OF PORT ORCHARD
Permit Center

Office located at 720 Prospect Street
Mailing address: 216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533 • permitcenter@portorchardwa.gov

SEPA ENVIRONMENTAL CHECKLIST APPLICATION FORM

For Staff Use Only	File #:	LU25-Rezone-02		Receipt #:	R00205830	

Use this Application Form when you submit a SEPA Environmental Checklist.
The SEPA Checklist is available on the City's Permit Center website.

Incomplete Submittal Will Not Be Accepted.

1. SUBMITTAL INFORMATION.

Address 1 – 3 below by selecting the appropriate statement(s): *Check all that apply.*

☒ **1.** This SEPA Checklist is submitted with a parent project permit application, to be processed concurrently.

☐ **2.** This SEPA Checklist is **not** submitted with a parent project permit application.
Select the reason for submitting the SEPA Checklist separately:

☐ **2A.** The parent permit application was submitted previously.

Permit No.: _____

☐ **2B.** The parent permit will be submitted later.
Explain why the SEPA Checklist is being submitted ahead of the permit application:

☐ **3.** The SEPA Checklist is for a Non-Project Action and includes Supplement D.

2. SUBMITTAL REQUIREMENTS.

Electronic submittals are required. Contact the Permit Center for formatting and resolution requirements.
Check the box for each item included with this application:

☒ **The Master Permit Application Form,** completed.

☒ **The SEPA Environmental Checklist Application Form** *(this form),* completed.

☒ **The Environmental Checklist**, completed, signed and dated.

The following list of documents may be required for a SEPA review.
Check the box for each document that is included with this SEPA Checklist Application:

☐ **SEPA Checklist Supplement D, SEPA Checklist for Non-Project Action** completed.

☒ **Site Plan.** Must be scalable and clearly readable when printed at 11" x 17".

☒ **Conceptual Architectural Renderings and Elevations.**

☐ **Stormwater Drainage Report and Plan.**

☒ **Wetland Report.**

☒ **Geotechnical Report.**

☒ **Traffic Impact Analysis.**

Other documentation may be required in addition to what is listed above. Contact Planning Staff with questions or to discuss requirements.

The information on this form and associated documents are considered public records and subject to public disclosure laws in Chapter 42.56 RCW
(01/30/2023)

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal,** even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Sidney Road Investments LLC Storage Facility and Apartments.

2. Name of applicant:

Alan C. Keimig, Architect

3. Address and phone number of applicant and contact person:

307 D St. SE Auburn, WA 98002
(253)939-3232
Contact: Alan C. Keimig (Architect), DBA: The Keimig Associates

4. Date checklist prepared:

June 1, 2025

5. Agency requesting checklist:

City of Port Orchard

6. Proposed timing or schedule (including phasing, if applicable):

The project will be constructed in two phases: First, the self-storage portion of the project will be started as soon as possible after September 3rd when construction permits are issued and will continue until completion, approximately 10 months. Second, the apartment complex portion of the project will be started after the storm water facilities are in place and will continue until completion, approximately 14 months.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

There are no additions or expansions that will occur after the apartments are completed.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- Capacity Reservation Certificate for water and sewer
- Site-specific rezone application for the apartment portion of the site
- Traffic and parking study by Heath and Associates
- Wet lands study
- Geo technical study to ascertain soil bearing capacities

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no other known pending approvals beyond the request to set the storage structures at a zero setback along the Sidney Road right-of-way.

10. List any government approvals or permits that will be needed for your proposal, if known.

- Site-Specific Rezone application
- Conditional Use Permit
- Zero foot Setback along Sidney Road
- Boundary Lot Line Adjustment (BLA)
- Sewer Extension
- Capacity Reservation Certificate for Water and Sewer

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

A new, semi-heated self-service storage facility consisting of a primary 2-story structure and (5) 1-story outbuildings with individual exterior access will be constructed. It will serve neighboring areas and the apartments on the south side of the property consisting of 3-story structures and a total of 88 units. There will also be an on-site rental and management office. This project will cover multiple parcels at the corner of State Highway 16 and Sidney Road; hard surfaces will cover 69% of the 295,772 SF total area.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

4343 Sidney Road SW, Port Orchard, WA 98367. Section 2, township 23. range 1E of Kitsap County. Located between Sidney Road and Highway 16 and south of SW Berry Lake Road. This project spans across 6 tax parcels in the Commercial Corridor consisting of 022301-3-001-2009, 022301-3-003-2007, 022301-3-002-2008, 022301-3-007-2003, 022301-3-026-2000, 022301-3-113-2004.
The project will consolidate the lots into 2 principle parcels: one containing the self storage complex and storm water management system, the other lot will contain the apartments with access and utility easements for storm water, potable and fire protection water, and a sanitary sewer system connecting all units and office. This site will also contain amenities such as children's play areas and surrounding landscape buffers. The new legal lots will be designated accordingly and all provided with appropriate easements.

B. Environmental Elements

1. Earth

a. General description of the site:

There are no hazardous slopes, near shore features, or bodies of water near the project site. It gradually slopes up from 245' to 265' rising from Sidney road east towards the center, then slopes down from 265' to 240' from the center east towards Highway 16. It gradually slopes up from 245' to 265' rising from the north end of the site towards the center, then slopes down from 265' to 236' towards the very south end of the parcels. There are no forested areas on the site.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other: Gradual sloped up and down.

b. What is the steepest slope on the site (approximate percent slope)?

Rise= 265ft - 245ft = 20ft ; Run= 300ft
(20ft/300ft) * 100 = **6.67% approximate steepest on-site slope**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Harstine gravelly ashy sandy loam (*Kitsap County Soil Survey Sept. 2016*). The proposal will not be removing any of these soils. Some soil will be redistributed across the site as necessary, equalizing the cut and fill.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no known surface indications or history of unstable soils in the immediate vicinity.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No fill will be required. The site regrading will equalize the cut and fill for the site.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

With all due precautions as required with best practice methods and procedures observed, erosion will be mitigated and controlled.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

69% of the site will be covered with impervious surfaces post-construction.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Best practices will be implemented and observed at all times throughout the project life to control erosion and any adverse impacts to the site and surrounding properties.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During construction, the usual types of air borne emissions from equipment, exhaust, dust, and outgassing products can be expected. However, these emissions will be minimized by employing best practice methods and appropriate work site ethic at all times.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There will be daily vehicle emissions from Highway 16, but they will not have an adverse affect on the self-service storage units or apartments proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

By employing best practices, the impacts of air borne emissions will be controlled to the greatest extent possible. Highway emissions will be controlled by the laws and practices governing the transportation systems of the state.

3. Water

a. Surface Water:

1. **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe the type and provide names. If appropriate, state what stream or river it flows into.**

The nearest body of water is Berry Lake, which is about 1,068 feet west of the site.

2. **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

No work will be in or adjacent to any known bodies of water.

3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

No dredging will occur.

4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**

No surface waters will be withdrawn for use in this project.

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No.

6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No other waste water beyond the collection of sanitary waste will occur in this project, which will be treated by local community facilities. The collection and treatment of storm water will be in a regulated, prescribed manner prior to being released to the city storm water collection system and eventually to the Puget Sound. Sanitary sewer will be conveyed to the city system where it is treated and eventually released to local waterways.

b. Ground Water:

1. **Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

No.

2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals…; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

No sanitary waste water will be discharged to the ground.

c. Water Runoff (including stormwater):

1. **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Storm water will be collected and conveyed in the piped system leading to the centralized storm retention pond. Storm water from the apartments will be piped to this same facility. Once treated, water will be control released to the city system and diverted to an outlet of the Puget Sound.

2. **Could waste materials enter ground or surface waters? If so, generally describe.**

The collected sanitary waste will be treated by the region-wide system before release. Storm water will be stored and control released to the city system. No waste within the control of the project will affect the ground or surface waters.

3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

The collection of storm water will be appropriately designed to protect any required downstream aquatic systems. However, none are known that will be affected.

4. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**

All means will be employed to observe best practices in the design of the storm water system to reduce and control possible runoff and drainage from the site that could affect existing systems.

4. Plants

a. Check the types of vegetation found on the site:

- ☑ **deciduous tree: alder, maple, aspen, other**
- ☑ **evergreen tree: fir, cedar, pine, other**
- ☑ **shrubs**
- ☑ **grass**
- ☐ **pasture**
- ☐ **crop or grain**
- ☐ **orchards, vineyards, or other permanent crops.**
- ☐ **wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other**
- ☐ **water plants: water lily, eelgrass, milfoil, other**
- ☑ **other types of vegetation:** Blackberry vines

b. What kind and amount of vegetation will be removed or altered?

Grass, shrubs, and select deciduous and evergreen trees will be removed as the entire site will be reconfigured and covered with impervious surfaces, structures, storm water ponds, and new native landscaping.

c. List threatened and endangered species known to be on or near the site.

No known endangered species are known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

A selection of native, low-maintenance, drought-tolerant plants will be chosen for the perimeter of the site with areas of the apartment to be planted to provide a quality natural living environment for the tenant. Buildings along Sidney road will not be directly adjacent to the pedestrian walkways to enhance the living environment for the community tenants and adhere to the "Minor Arterial 'B' Profile" design.

e. List all noxious weeds and invasive species known to be on or near the site.

Blackberry bushes have been observed on the site and will be removed as well as all other invasive plants encountered.

5. Animals

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- **Birds: hawk, heron, eagle, songbirds, other:**
- **Mammals: deer, bear, elk, beaver, other:** Small Rodents
- **Fish: bass, salmon, trout, herring, shellfish, other:**

b. List any threatened and endangered species known to be on or near the site.

No endangered or threatened species are known to be at or near the site.

c. Is the site part of a migration route? If so, explain.

The site is not part of a migration route.

d. Proposed measures to preserve or enhance wildlife, if any.

The perimeter landscaping will be selected to encourage and offer habitat to wild birds and mammals to encourage their use of the property for foraging and living.

e. List any invasive animal species known to be on or near the site.

None are known to inhabit the site.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The buildings will use electricity for water heating and HVAC. Equipment and covenant apparatus will be powered by electrical methods. Kitchen and laundry appliances will be electric.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The project will not affect potential use of solar energy by adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Throughout the facilities, energy efficient equipment will be employed, including timing devices and proximity sensing to trigger demand when occupied.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

The project presents the same potential for environmental hazards as all others adjacent to Highway 16. The apartments will be designed to be fire-resistant. All facilities will be equipped with fire sprinklers.

1. Describe any known or possible contamination at the site from present or past uses.

The site is adjacent to Highway 16 which has the potential to contaminate this site in the same way as other sites along this major transportation road.

a. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known underground hazardous conditions that will affect this project beyond any others located along Highway 16. The highway could be a separate problem being a major transportation corridor between two populated areas.

b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None are known.

c. Describe special emergency services that might be required.

The site will house 88 living units which will require the same amount of emergency services as other similar units in Port Orchard for medical, fire, and physical safety.

d. Proposed measures to reduce or control environmental health hazards, if any.

Community assets as required. There will be times when the storage and apartment require these services in the same percentage as similar uses in Port Orchard. By pursuing safety training programs in the Sidney Road community with an emphasis on public awareness, safety, and good health protocols, one expects a reduction in environmental health hazards.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Vehicular traffic from Sidney Road SW and State Highway 16 will produce noise that the project will need to contend with.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Short-term moderate levels of noise will be associated with the project from traffic and construction; primarily during the evenings and weekends.

3. Proposed measures to reduce or control noise impacts, if any.

Measures will be implemented to reduce and control noise impacts to the greatest extent possible through plantings, sound abatement construction techniques, material choices, and good overall project management.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently vacant. Adjacent zones are Residential 2 and urban high-density commercial/mixed-used. Adjacent properties include self-service storage, residential homes, and mobile homes. The current uses will not affect the project.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

To our knowledge, the site has never been used as working farmlands or working forest lands.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

The site is not affected now or will be in the future by working farm or forest land operations as far as can be determined. The area is being developed as urban uses and will continue to be developed in this direction.

c. Describe any structures on the site.

No permanent structures have been observed on site. According to the "Boundary & Topographic Survey" (01/28/2025) by Contour Engineering, 4 power poles with overhead wires, 4 bollards, 1 unknown vault, 1 telephone manhole, 3 sewer cleanouts, and hogwire fence have been observed on site.

d. Will any structures be demolished? If so, what?

Power poles with overhead wires will be relocated as the project necessitates. There are no structures to be demolished.

e. What is the current zoning classification of the site?

Commercial Corridor (CC)

f. What is the current comprehensive plan designation of the site?

Commercial (COM)

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

At maximum occupation, 182 residents and 2 maintenance personnel or managers are expected in the apartment complex. The storage could experience approximately 10 tenants and 1 management staff during peak occupation periods. This equates to 195 potential individuals maximum at a given time.

j. Approximately how many people would the completed project displace?

The completed project will displace zero people.

k. Proposed measures to avoid or reduce displacement impacts, if any.

There are no required measures to avoid or reduce displacement impacts.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The site will co-exist with the directly adjacent urban high-intensity commercial/mixed-use zone as a commercial corridor zone.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

There are no measures to avoid or reduce impacts to agricultural and forest lands long-term commercial significance for this project. None should be required as this proposal will be essential to the developing urban fabric.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

A total of 84 apartment units consisting of (36) 1-bedroom units, (42) 2-bedroom units, and (6) 3-bedroom units will be provided. It is generally assumed that the proposed units will provide housing for middle-income families and young adults.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any.

No measures are required.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest height proposed apartment height is 38'-3 ½". The exterior building materials proposed are CMU and steel. Cementuous fiber board siding (Hardi Panels) will be used and the roofing will be fiberglass composition shingles. The storage facility buildings will be structural CMU on the 1st floor and metal siding accents and on the second floor.

b. What views in the immediate vicinity would be altered or obstructed?

The view of Highway 16 will be obstructed by the inclusion of perimeter property planting.

c. Proposed measures to reduce or control aesthetic impacts, if any.

A 24'-0" new landscaping buffer along the west property line will act as a buffer between the site and Sidney Road. The buildings will be designed and detailed to meet the design guideline requirements. The buildings facing Sidney Road have been modulated with articulations with accordance to POMC 20.127.430.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Light inside the storage facility and within apartments will be produced, primarily during waking hours. Security and pathway lighting will be confined to the property and maintained at established levels to provide safety. Light will be shielded under the dark sky program and cut off at property lines.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Light or glare from the finished project will not pose and safety hazard or interfere with the views including traffic circulation on Highway 16 and Sidney Road.

c. What existing off-site sources of light or glare may affect your proposal?

Headlights from cars along the highway have the chance of affecting the living portion of the site but will be filtered by the implemented landscaping.

d. Proposed measures to reduce or control light and glare impacts, if any.

Other than the fixture selection and proper placement with appropriate shielding, there are no additional requirements.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

South Kitsap Western Little League Minors Field is located about 1,000 feet south of the site.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No existing recreational uses will be displaced.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

An open play field and half basketball court are being provided by the project for apartment residents.

13. Historic and Cultural Preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

There are no buildings, structures, or sites that qualify for historic or cultural preservation registers within the scope of this project's limits.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None are known and there are no surface indications of such use.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

No methods were employed beyond physical site observations.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

All on site contractors and employers will be required to continuously observe the site work excavations while in progress for any indication of historic occupation or items. If found, work will be required to stop until the proper authorities can be notified after which no work will proceed without proper authorization.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Highway 16 runs north/south along the east side of the site. Public road Sidney Road SW runs north/south along the west side of the site. Access to the project will be exclusively along Sidney Road SW.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

There is one bus stop approximately 519 feet south of the site. There is one bus stop at the most northern corner of the project at the intersection of SW Berry Lake Road and Sidney Road SW.

c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

The proposal will require a half street improvement of the existing Sidney Road SW. There will be new paved sidewalks and a bike lane. A traffic circle will be constructed at the intersection of SW Berry Lake Road and Sidney Road SW. Landscaping will provide safety and enhance well being.

d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

e. How many vehicular trips per day would be generated by the completed project or proposal? If

known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

According to the traffic analysis performed by Heath and Associates, "the full build out is anticipated to generate 744 average weekday daily trips, with 44 AM peak hour trips and 60 PM peak hour trips. Forecast 2030 PM peak hour level of service is shown to operate with LOS C conditions with project-generated traffic. Moreover, a left turn lane was not warranted along Sidney Road SW at the site access.

The development would be subject to Traffic Impact Fees (TIF) in accordance with Chapter 20.182 of Port Orchard's Municipal Code. The 2024 TIF Rate Schedule lists LUC 220 - Low-Rise Multifamily Housing at a cost of $3,395.81 per dwelling unit and LUC 151 - Mini Warehouse at a cost of $1,030.87 per 1,000 sq. ft.".

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

The proposal will not interfere with the movement of agricultural and forest goods.

g. Proposed measures to reduce or control transportation impacts, if any.

Proper signage and directions will be posted to help control traffic in and around the vicinity of the project. Additionally, traffic impact fees will be accessed and applied by the city to improve and control traffic in areas potentially affected by the development.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The project will require the same amount of services that the neighborhoods and similar projects in the area require.

b. Proposed measures to reduce or control direct impacts on public services, if any.

The project will be designed to provide a healthy, secure environment for the users of this proposal.

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other: Cable connections

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

All utilities described in 16.a above will be provided by their prospective vendors and installed accordingly.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

Type name of signee: Alan C. Keimig

Position and agency/organization: The Keimig Associates, Architect

Date submitted: 07 / 10 / 2025

D. Supplemental sheet for non-project actions

Non-project actions are governmental actions involving decisions about policies, plans, or programs containing standards for controlling use or modifying the environment, or will govern a series of connected actions. Find help for the nonproject actions worksheet

SUPPLEMENT D IS NOT REQUIRED TO USE FOR PROJECT ACTIONS.
However, these questions are very general, so it may be helpful to read them in conjunction with the list of the elements of the environment.

For a project action only submission, please check this box to assist Permit Center Intake Staff:

☐ **Completing Supplement D is Not Required.**

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The general usage by those who live and work at the project as well as the surrounding community may increase discharge to water, air emissions, pollution, and noise equal to the volume of similar projects in the city.

- **Proposed measures to avoid or reduce such increases are:**

By implementing best practices and precautions required, the design of the project will help to control adverse impacts to the environment and become an asset to the city.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Construction noise and human-centric buildings will impact the original plant and animal conditions of the site. However, implementing best practices and design measures will help reduce the impact on local wildlife. The use of native plants in the landscaping can improve the use of the project and will not negatively affect fish and marine life.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Plentiful landscape incorporating native plants will provide habitat and nourishment for impacted animals in the vicinity and promote the growth of local vegetation.

3. How would the proposal be likely to deplete energy or natural resources?

The buildings will have components like water heating and HVAC that require the use of electricity. Community resources for water, sanitary and storm sewers will also be needed to appropriately function in the city environment.

- **Proposed measures to protect or conserve energy and natural resources are:**

Energy-efficient installations will help control the project's use of energy and limit the depletion of resources as much as possible.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No environmentally sensitive areas are known on the site and the proposal will not add significant impacts to any sensitive areas within the greater city.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

By making an environmentally sensitive design and employing the best practices, this project will be no more impactive to the area or community than if it were constructed in another portion of the city.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

There are no shorelines in the vicinity of the project. So, impacts to these natural community resources will be minimal and no greater than the natural course of urban habitation on today's environment. However, by appropriate means, shorelines will be maintained and protected.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

There are no shorelines in the vicinity of the project. Impacts will be minimal.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Increased usage of this currently vacant site will increase the demands on transportation services and utilities. 24/7 occupation of apartments and users of the storage facility will result in increased traffic.

- **Proposed measures to reduce or respond to such demand(s) are:**

Required half street improvements along the whole length of the project will increase traffic efficiency and accessibility to nearby bus stops. It will also enhance bicycle and pedestrian access to the site and surrounding areas.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal will to the best of its ability follow local, state, and federal requirements for the protection of the environment. The project team will go through all necessary measures to ensure that the proposal is compatible with the chosen site and its environments and will be a productive asset to the community.

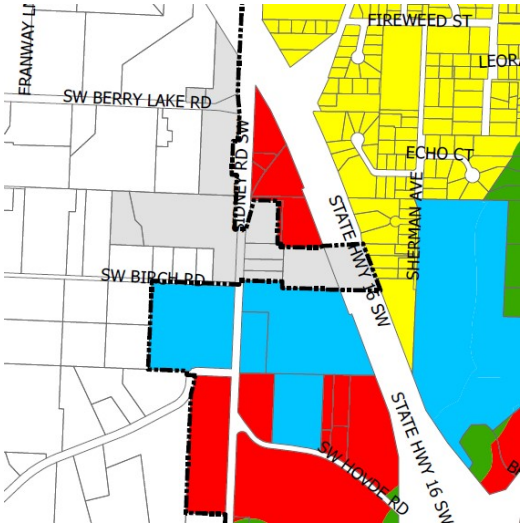
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Project Narrative for Sidney Road Investments LLC

LEGAL DESCRIPTION

See drawings for current legal descriptions. Current pending BLA application has been applied.

CURRENT COMPREHENSIVE PLAN MAP DESIGNATION AND MAP AND POLICIES



The current designation is Commercial (COM), with adjacent sites to the west and south as unincorporated Kitsap County but within the Port Orchard Urban Growth Area (UGA). The LCA (Land Capacity Analysis) is labeled as "Vacant." Although the subject property does not belong within a City designated Countywide Center, it does lie just north of the Sedgwick-Sidney (Ruby Creek Neighborhood) Countywide Center. Per the Comprehensive Plan (2.8.5.6) the Sedgwick-Sidney area has seen significant multifamily and commercial development and this proposed development lends itself to contributing its commercial and multifamily proposal to strengthening that Countywide Center.

PROPOSED DEVELOPMENT UNDER THE PROPOSED ZONING DESIGNATION AND OVERLAY DISTRICT *(as applicable)*



The current zoning is Commercial Corridor (CC) with the proposed zoning designation to be Commercial Mixed Use, with the entire property keeping its Self-Storage Overlay Designation (SSOD). There is an existing CMU zoned property with SSOD to the south establishing a precedence of the overlay with commercial mixed use.

PLANS, INFORMATION AND STUDIES that depict existing and proposed uses and improvements

The overall proposed development of mini self-storage units and apartments fit within the immediate characteristics of its neighborhood. There is an existing mini self-storage facility to the southwest, residential use to the west, and newly constructed apartments to the south with elementary and religious churches in the civic and institutional zones. Plans are attached.

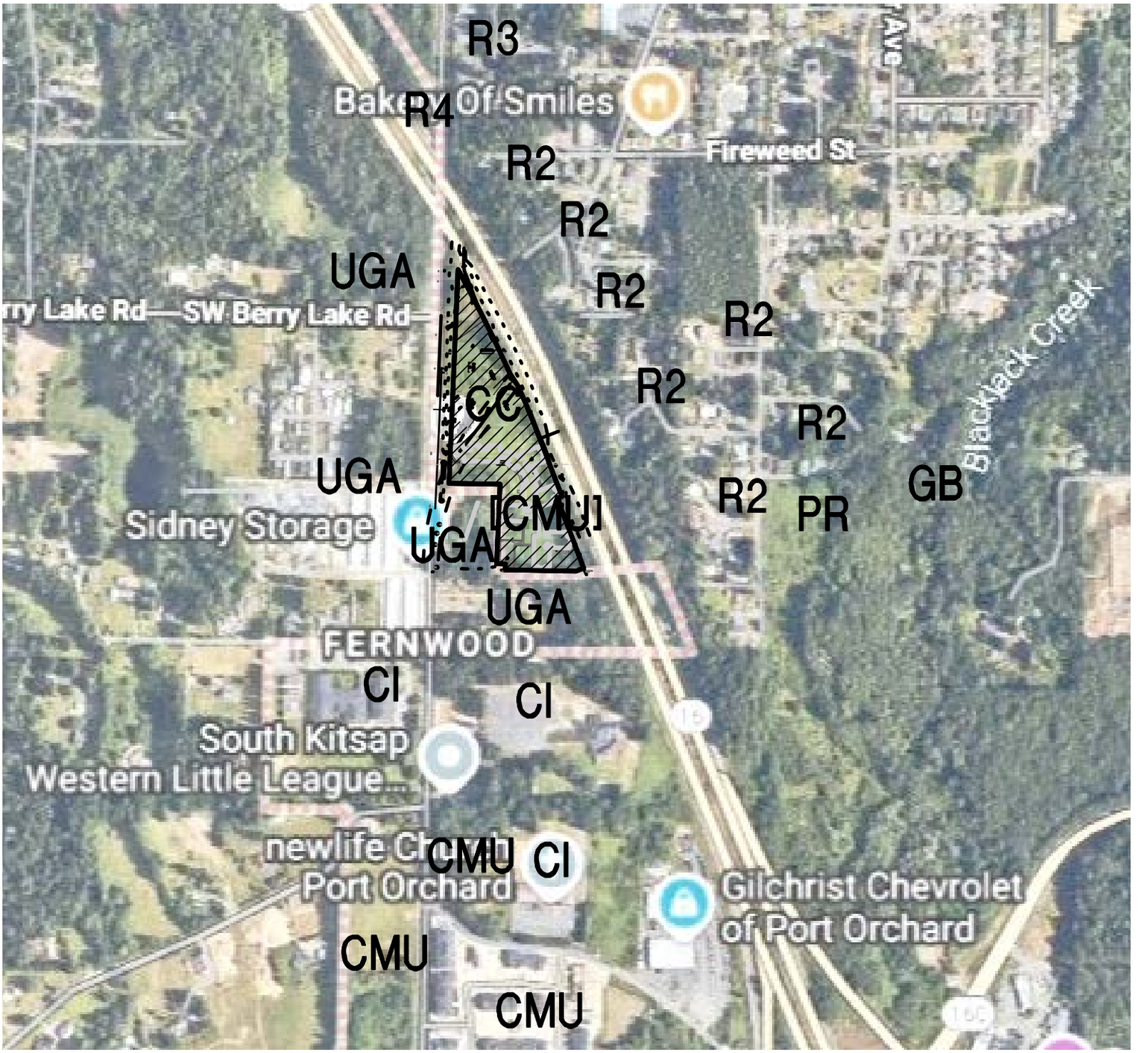
RATIONALE FOR THE PROPOSED AMENDMENT

Multifamily apartments pair well with mini self-storage facilities. However, the entire property over both proposed developments are zoned as Commercial Corridor which does not allow apartments to be used in the CC zone. Apartments are allowed in the CMU zone which is also compatible with the SSOD.

HOW WILL THE PROPOSED CHANGE MEET THE OVERLAY DISTRICT INTENT

The proposed rezone will keep the existing SSOD intact over the entire project. The existing CC will keep its SSOD with no change, and the southern portion of the development will change to a CMU with SSOD. The intent of the SSOD will remain unchanged.

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City of Port Orchard
Community Development



N

VICINITY MAP

SCALE: 1" = 800'

[CMU] Proposed rezone from CC to CMU, no change to SSOD

LEGEND

GB	(Greenbelt)
R2	(Residential 2)
R3	(Residential 3)
CC	(Commerical Corridor)
CMU	(Commercial Mixed Use)
CI	(Civic and Institutional)
UGA	Urban Growth Area

PROJECT SUMMARY TABLE for Sidney Road Investments LLC

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Permit Center
Jul 14, 2025
City of Port Orchard
Community Development

	SF	AC
SITE AREA	171,917	3.95

BUILDINGS

	Footprint	Stories	Total SF
Apt. A	3,593	3	10,780
Apt. B	3,593	3	10,780
Apt. C	3,593	3	10,780
Apt. D	4,252	2	8,503
Apt. E	4,252	3	12,755
Apt. F	4,252	3	12,755
Apt. G	4,484	3	13,451
Office	1,200	1	1,200
Tot. Footprint=	29,219		
Building Coverage=	**17.00%**		

IMPERVIOUS SURFACE COVERAGE

TOTAL IMPERV.	108,943	/ site area	171,917	=	**63.4%**
Building Footprint	29,219				
Basketball	1,800				
Asphalt	67,208				
Walkways	10,716				

1,259
856
817
1,600
1,193
1,110
2,512
4,476
-3,107

PARKING

	# Apt. Units	Ratio per BR	Parking Required	Code Citation
Apartment Unit Type				
1 Bed	19	1.50	28.50	20.124.140(1)
2 Bed	19	1.75	33.25	20.124.140(1)
3 Bed	25	2.00	50.00	20.124.140(1)
Total Dweling Units	63		**111.75**	= Required Parking
			113.00	= Provided Parking

MISC. PARKING STANDARDS

	Required	Provided		
Accessible	5	8		2021 IBC T1106.2
EV	11	11	10%	20.124.050(1)
Accessible EV	1	1		20.124.050(2)
Bicycle	63	63	1 per dweling	20.124.140(2)

Professional Forestry Services, Inc.

Since 1960

100 Ruby St. SE, Suite B
Tumwater, WA 98501

Phone (360) 943-1470

COUNTER COMPLETE
Permit Center
Jul 14, 2025
City of Port Orchard
Community Development

May 15, 2025

Daffodil Storage
Attn: Jeff Oldright
jeff@daffodilstorage.com

Re: Sidney Road Investments LLC Storage Facility

Dear Mr. Oldright:

As you authorized, Professional Forestry Services, Inc. inspected your site adjacent to Sidney Road SW in Port Orchard, Washington on May 13, 2025. The following information should verify your needs in regard to any significant trees.

1. LOCATION

The project site involves Kitsap County Tax Parcel Nos. 0223013-0012009, 0022098, 0262000, 0032007, 0072003 and 1132004, all in portions of the W½ SW¼ of Section 2, Township 23 North, Range 1 East, W.M.

2. SIGNIFICANT TREES ON-SITE

A significant tree is defined as any healthy, well-formed conifer or deciduous tree with a DBH (diameter 4½' above ground) of 18" or larger. After our inspection of the site, no significant trees exist.

This site is basically covered with blackberry vines with a few scrub alders and maples well below 18" DBH. Access points off Sidney Road have experienced illegal dumping of trash and construction debris. Development of this site is a real benefit to the City of Port Orchard.

3. REPLACEMENT TREES

As stated in City of Port Orchard Code 20.129.040 (5)
"For property containing five or fewer significant trees, the required replacement trees planted shall be in addition to other required trees to satisfy street trees and landscaping buffer, parking lot and other landscaping area requirements".

Since there are no significant trees on this site, no replacement trees are required. Only required landscaping.

4. TREE PROTECTION FOR OFF SITE TREES

Along the south boundary of tax parcel 0223013-0032007 (see Map Exhibit I) there could be several off-site conifer trees needing protection from root damage. Once the actual property line is established, please contact Mike Jackson at 360-280-9398 to verify needed protection.

If there are any questions regarding this site, please contact us.

Sincerely,

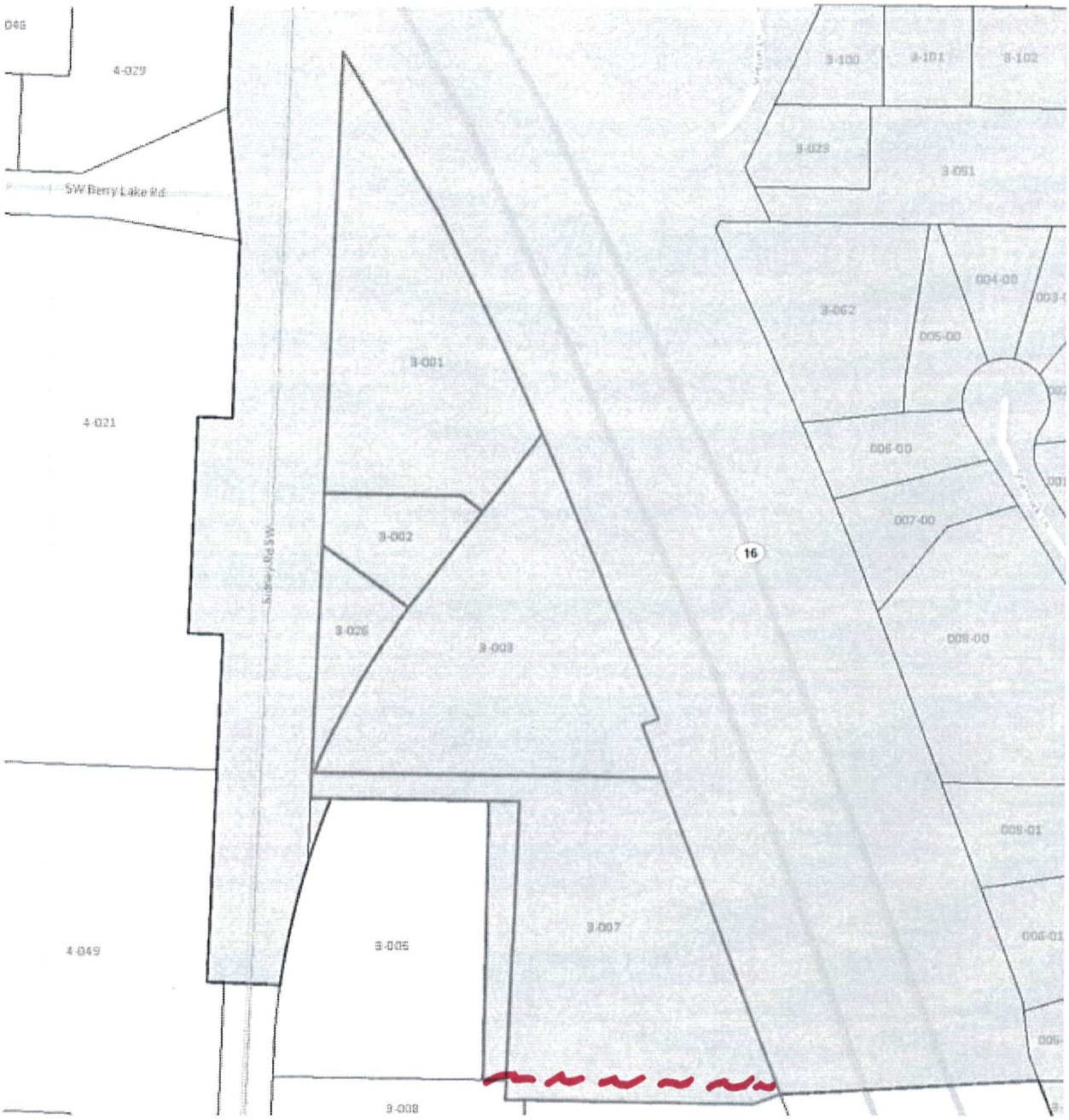
Michael D. Jackson

Michael D. Jackson, CF, ACF
Certified Forester No. 1244

Enclosures: Exhibit I-Map
PFSI Invoice No. 63-25

MDJ:dkd

Exhibit I



Thank You,

Tree Protection Fence

Jeff Oldright
Managing Director

Daffodil Storage
P: 253.564.2121 Ext 111
F: 253.770.3264
601 Valley Ave NE, Ste A, Puyallup WA 98372



Professional Forestry Services, Inc.

100 Ruby Street SE, Suite B
Tumwater, Washington 98501
Phone: 360-943-1470

INVOICE

INVOICE # 63-25
DATE: May 15, 2025

Customer:

Name: Daffodil Storage
c/o Jeff Oldright
Email: jeff@daffodilstorage.com

PROJECT: **Sydney Road Investments LLC Storage Facility**
On-Site 5/13/25 regarding Significant Tree Inspection
Port Orchard, Washington - Letter Report of 5/15/2025

Quantity	Unit	Description	Unit Price	Total
3.5	Hours	Professional Forester	$ 85.00	$ 297.50
1	Hour	Office Manager	$ 50.00	$ 50.00
100	Miles	Mileage	$ 0.70	$ 70.00
			Total Due	**$ 417.50**

Thank you for using our services,
Sincerely,

Michael D. Jackson

Michael D. Jackson, CF, ACF
Professional/Certified Forester #1244

Your Cancelled Check is Your Receipt

GEORESOURCES
earth science & geotechnical engineering
4809 Pacific Hwy. E. | Fife, Washington 98424 | 253.896.1011 | www. georesources.rocks

October 29, 2024

Daffodil Storage
601 Valley Avenue NE, Suite A
Puyallup, WA 98372

COUNTER COMPLETE
Permit Center
Jul 14, 2025
City of Port Orchard
Community Development

Attn: Jeff Oldright
(253) 564-2121

Geotechnical Engineering Report
Proposed Mixed-Use Development
4343-4385 Sidney Road SW
Port Orchard, Washington
PN: 022301-3,-001-2009,-002-2008,-026-2000,
-003-2007,-007-2003,-113-2004
Doc ID: DaffodilStorage.SidneyRdSW.RG

INTRODUCTION

This *Geotechnical Engineering Report* summarizes our site observations, subsurface explorations, laboratory testing and engineering analyses, and provides geotechnical recommendations for the proposed mixed-use development to be constructed at 4343 to 4385 Sidney Road SW in Port Orchard, Washington. The general location of the site is shown on the attached Site Location Map, Figure 1.

Our understanding of the project is based on our conversations with you, our understanding of the Port Orchard Municipal Code (POMC), our October 16, 2024 site visit and subsurface explorations, our review of the *Site Plan* prepared by The Keimig Associates dated September 25, 2024, and our experience at the site and in the project area. The site is currently undeveloped. We understand that you propose to construct a mixed use development with a storage facility in the northern portion of the site and a multi-family development in the southern portion of the site. Additionally, the development will include roadways, stormwater facilities, and associated utilities. We anticipate the storage facility structure will be two to three stories of lightweight metal framing and the multi-family buildings will be two to three stories of wood framing. All structures will be founded on conventional shallow foundations.

The City of Port Orchard (the City) requires a soil report to address the potential for the site soils to support infiltration as well as a geologic assessment to address potential geologic hazards (erosion, landslide, and seismic) per the City's critical areas ordinance. This report also provides site specific geotechnical design recommendations per the 2021 International Building Code (IBC).

SCOPE

The scope of our services was to evaluate the surface and subsurface conditions across the site as a basis for developing geotechnical recommendations and conclusions. Specifically, the scope of services included the following:

1. Reviewing the available geologic and geotechnical data for the site area;

LU25-Rezone-02
EXHIBIT 1H

2. Exploring surface and subsurface conditions by reconnoitering the site and monitoring the excavation of 11 test pits at select locations across the site and installing shallow (less than 10 feet) open stand piezometers in 5 of the test pits;
3. Describing surface and subsurface conditions, including soil type and depth to groundwater;
4. Addressing the POMC for geologically hazardous areas, including recommended buffers and setbacks, as appropriate;
5. Providing recommendations for seismic design parameters, including 2021 IBC site class;
6. Providing conclusions regarding shallow foundations and floor slab support and design criteria, including bearing capacity and subgrade modulus as appropriate, as well as design criteria for subgrade/basement walls;
7. Providing conclusions regarding the feasibility of onsite infiltration in accordance with the 2012 Department of Ecology's Stormwater Management Manual for Western Washington with 2014 Amendments, including a preliminary design infiltration rate based on grain size analysis, as applicable; and
8. Providing recommendations for erosion and sediment control during wet weather grading and construction; and,
9. Providing geotechnical conclusions and recommendations regarding earthwork activities, including site preparation, subgrade preparation, fill placement criteria, suitability of on-site soils for use as structural fill, temporary and permanent cut slopes and drainage and erosion control measures;
10. Preparing a written *Geotechnical Engineering Report* summarizing our site observations and conclusions, and our geotechnical recommendations and design criteria, along with the supporting data.

The above scope of work was summarized in our Proposal for Geotechnical Engineering Services dated September 26, 2024. We received authorization from you to proceed on October 1, 2024.

SITE CONDITIONS

Surface Conditions

The site consists of five contiguous tax parcels located between 4343 and 4385 Sidney Road SW in Port Orchard, Washington. According to the provided site plan, when combined, the parcels are irregular in shape, measure approximately 850 to 1,325 feet long (north to south) by up to approximately 415 feet wide (east to west) and encompass approximately 6.5 acres. The site is bounded by existing residential development to the south, Highway 16 to the east and northeast, and Sidney Road SW to the west.

According to topographic information obtained from the Kitsap County Assessors website, the provided site plan, and our field observations, the ground surface across the site generally slopes down to the south. In the northern portion of the site, there is a localized high area. From the localized high area, the ground surface slopes down to the west to Sidney Road SW at approximately 20 to 30 percent over topographic relief of up to 30 feet. Additionally, from the localized high area, the ground surface slopes gently down to the south at approximately 5 to 10 percent. These slopes continue at similar inclinations into the central portion of the site. In the central portion of the site, the ground surface slopes down to the south at approximately 15 to 35 percent over a topographic relief of approximately 20 feet. At the base of this slope, the ground surface is generally level with small changes in inclination

on the order of less than 5 percent. The total topographic relief o the site is on the order of 40 feet. The site topography is shown on the Site & Exploration Plan, Figure 2.

Vegetation generally consists of coniferous and deciduous trees scattered across the site with a dense understory of native and invasive plants and shrubs, primarily Himalayan blackberries. No seeps, springs, or standing water were observed at the site during our site visit. No signs of erosion or slope instability were observed during our site reconnaissance. The existing site conditions and topography are shown on the Site Vicinity Map, Figure 3.

Site Soils

The USDA Natural Resource Conservation Service (NRCS) Web Soil Survey maps the site as being underlain by Harstine gravelly ashy sandy loam (Type 15 and Type 16) soils. An excerpt of the NRCS soils map for the site area is included as Figure 4.

- Harstine gravelly ashy sandy loam (Type 15 and Type 16): The Harstine soils are derived from sandy glacial drift with an influence of volcanic ash over dense glaciomarine deposits and are included in hydrologic soils group C. The Harstine Type 15 soils are mapped as underlying the majority of the site, form on slopes of 6 to 15 percent, and are considered to have a "slight" erosion hazard when exposed. The Harstine Type 16 soils are mapped as northern and southern portions of the site, form on slopes of 15 to 30 percent, are considered to have a "moderate" erosion hazard when exposed.

Site Geology

The Washington State Department of Natural Resources (DNR) Division of Geology and Earth Resources Open File Report 2005-3, 1:100,000-scale (December 2005) indicates that the site is underlain by Glacial Outwash (Qgo) and l Glacial Till (Qgt). Stratigraphically, these soils are typically underlain by advance outwash deposits. These soils were deposited during the Vashon Stade of the Fraser Glaciation, some 12,000 to 15,000 years ago. No landslides, mass wasting deposits, or alluvial fans are mapped on or within the site vicinity. An excerpt of the above reference geologic map is attached as Figure 5.

- *Glacial Outwash (Qgo):* Glacial outwash is typically comprised of poorly graded, lightly stratified mixtures of sand and gravel and localized silt and clay deposited by meltwater streams emanating from the retreating Puget lobe of the Cordilleran ice sheet associated with the Vashon Stade of the Frasier Glaciation. Outwash is typically considered normally consolidated and generally provides low to moderate strength and compressibility characteristics when undisturbed. Infiltration potential of outwash depends on the gradation of the soil but is generally favorable.

- Glacial Till (Qgt): Glacial till typically consists of a heterogeneous mixture of gravel, sand, silt, and clay that was deposited at the base of the continental ice mass. These soils were subsequently overridden by the advancing glacier and are considered to be over consolidated. As such, glacial till generally has high strength and low compressibility characteristics where undisturbed. The infiltration potential of glacial till is generally limited.

Advance Outwash (Qgas?): Advance outwash description here.

Subsurface Explorations

On October 15, 2024, we visited the site and monitored the excavation of 11 test pits to depths of about 11¾ to 14 feet below the existing ground surface. Our representative logged the subsurface conditions encountered in each test pit and obtained representative soil samples.

The specific number, locations, and depths of our explorations were selected based on the configuration of the proposed development and were adjusted in the field based on consideration for underground utilities, existing site conditions, site access limitations, and encountered stratigraphy. Soil densities presented on the logs were based on the difficulty of excavation and our experience. Representative soil samples obtained from the test pits were placed in sealed plastic containers and then taken to our laboratory for further examination and testing as deemed necessary. The test pits were backfilled with the excavated soils and bucket tamped, but not otherwise compacted.

The subsurface explorations excavated as part of this evaluation indicate the subsurface conditions at specific locations only, as actual subsurface conditions can vary across the site. Furthermore, the nature and extent of such variation would not become evident until additional explorations are performed or until construction activities have begun.

TABLE 1:
APPROXIMATE LOCATIONS, ELEVATIONS, AND DEPTHS OF EXPLORATIONS

Test Pit Number	Functional Location	Surface Elevation (feet)	Termination Depth (feet)	Termination Elevation[1] (feet)
TP-1	Northern portion of site	255	14	241
TP-2	Northeast portion of site	270	12½	257½
TP-3	East-central portion of site	250	13½	236½
TP-4	Proposed storm pond	237	12½	224½
TP-5	Proposed storm pond	234	13	221
TP-6	Proposed storm pond	240	11¾	228¼
TP-7	Southeast portion of site	243	12¼	230¾
TP-8	Southwest portion of site	245	12½	232½
TP-9	South-central portion of site	243	12¼	230¾
TP-10	North-central portion of site	267	12½	254½
TP-11	Northern portion of site	257	13	244

Notes:
1 = Surface elevation estimated from the provided *Site Plan* (NAVD88)

The number and approximate locations of our test pits are shown on the attached Site & Exploration Map, Figure 2. The soils encountered were visually classified in accordance with the Unified Soil Classification System (USCS) and ASTM D2488. The USCS is included in Appendix A as Figure A-1, while the descriptive logs of our test pits are included as Figures A-2 through A-8. Above, Table 1 summarizes the approximate functional locations, surface elevations, and termination depths of our test pits explorations.

Subsurface Conditions

At the locations of our test pits we encountered somewhat uniform subsurface conditions that, in our opinion, confirmed the mapped stratigraphy. Table 2, below, summarizes the approximate thicknesses, depths, and elevations of selected soil layers. Logs of explorations are available in Appendix A, Figures A-2 through A-7.

- *Topsoil:* At the locations explored, we encountered about ½ to 1¼ feet of dark brown topsoil/forest duff. Topsoil was encountered at all locations explored.
- *Undocumented Fill:* Underlying the topsoil in test pits TP-2, TP-8, TP-9, and TP-11, we encountered approximately 1 to 2¼ feet of brown-grey silty sand with some gravel, organic debris, and garbage debris in a medium dense, moist condition. We interpret these soils to be undocumented fill.
- *Weathered fine-grained advance outwash:* Underlying the topsoil in test pits TP-3 and TP-10, we encountered approximately 1½ to 1¾ feet of brown sandy silt in a stiff, moist condition. We interpret these soils to be weathered fine grained advance outwash.
- *Fine-grained advance outwash:* underlying the weathered fine grained advance outwash, we encountered approximately 2¼ to 4 feet of grey sandy silt in a stiff, moist condition. We interpret these soils to be fine grained advance outwash.
- *Weathered Advance Outwash:* Underlying the topsoil in test pits TP-1, TP-4 thru TP-7, and the undocumented fill in test pits TP-2, TP-8, TP-9, and TP-11 we encountered approximately 1½ to 3 feet of brown silty sand with some gravel in a medium dense, moist condition. We interpret these soils to be weathered advance outwash.
- *Advanced Outwash:* Underlying the weathered advance outwash and fine grained advance outwash, we encountered grey silty sand with some gravel in a dense, moist condition. We interpret these soils to be advance outwash. The advance outwash was encountered to the full depth explored in all explorations.

TABLE 2:
APPROXIMATE THICKNESS, DEPTHS, AND ELEVATION OF ENCOUNTERED SOIL TYPES

Test Pit Number	Thickness of (feet):				Depth to Advance Outwash (feet)	Elevation of Advance Outwash[1] (feet)
	Topsoil	Undocumented Fill	Fine-grained Soils	Weathered Advance outwash		
TP-1	¾	NE	NE	1½	2¼	252¾
TP-2	½	1¼*	NE	2¼	4	266
TP-3	½	NE	5½	NE	6	244
TP-4	½	NE	NE	2¼	2¾	234¼
TP-5	1½	NE	NE	2½	4	230
TP-6	1¼	NE	NE	3	4¼	235¾
TP-7	¾	NE	NE	2¼	3	240
TP-8	½	1	NE	2	3½	241½
TP-9	¾	1¼	NE	2	4	239
TP-10	1	NE	4	NE	5	262
TP-11	½	2¼	NE	1¾	4½	252½

Notes:
1 = Surface elevation estimated from the provided *Site Plan* (NAVD88)
* = includes relic topsoil
NE= not encountered

Laboratory Testing

Geotechnical laboratory tests were performed on select samples retrieved from the test pits to estimate index engineering properties of the soils encountered. Soils samples were visually classified per AST D2488 and ASTM D2487 standard procedures. Laboratory testing included moisture content determinations per ASTM D2216 and grain size analyses per ASTM D6913 standard procedures. Test results summarized below in Table 3 and graphical output results are included in Appendix B.

TABLE 3:
LABORATORY TEST RESULTS FOR ON-SITE SOILS

Sample	Lab ID	Soil Type	Gravel Content (percent)	Sand Content (percent)	Silt/Clay Content (percent)	Moisture Content (percent)
TP-3, S-1, D: 4 ft	105599	ML	0.2	13.5	86.3	34.7
TP-4, S-1. D: 8 ft	105600	SM	20.8	59.8	19.4	6.4
TP-6, S-1, D: 3 ft	105601	SM	14.1	44.6	41.3	15.2
TP-6, S-2, D: 10 ft	105602	SM	22.7	57.1	20.2	5.8
TP-7, S-1, D: 6 ft	105603	SM	25.0	56.8	18.2	4.8
TP-10, S-1, D: 10 ft	105604	SM	13.9	65.1	21.0	7.1

Groundwater Conditions

No groundwater seepage was observed in our subsurface explorations during the time of excavation. However, we did observe slight iron-oxide staining/mottling in some test pits where fine grained advance outwash and the weathered advance outwash was encountered. Based on our observations, it is our opinion that the site may be prone to a seasonal perched groundwater table during the wet season because of the high fines content of the upper soils, however no signs of groundwater were noticed in the deeper advance outwash soils. We anticipate fluctuations in the local groundwater levels will occur in response to precipitation patterns, off-site construction activities, and site utilization.

ENGINEERING CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our data review, site reconnaissance, subsurface explorations, and our experience in the area, it is our opinion that the site is suitable for the proposed development from a geotechnical perspective. Pertinent conclusions and geotechnical recommendations regarding the design and construction of the proposed development are presented below.

Geologically Hazardous Area Categories – per Port Orchard Municipal Code Chapter 20.162.078

The Port Orchard Municipal Code Title 20.162.078 defines geologically hazardous areas based on the following indicators:

1. Geologically Hazardous Areas
    a. Areas with slopes greater than 30 percent and mapped by the Coastal Zone Atlas or spatial GIS data provided by the Washington Geologic Information Portal[1] as unstable (U), unstable old land slides (UOS) or unstable recent slides (URS). Coastal erosion with a sediment source rating value of 0.6 to 1.0, per the Prioritization Analysis of Sediment Sources in Kitsap County.
    b. Areas with slopes greater than 30 percent in grade and deemed by a qualified geologist or geotechnical engineer to meet the criteria of U, UOS, or URS.
2. Areas of Geologic Concern
    a. Areas designated U, UOS, or URS in the Coastal Zone Atlas or spatial GIS data provided by the Washington Geologic Information, with slopes less than 30 percent; or areas found by a qualified geologist to meet the criteria for U, URS, and UOS with slopes less than 30 percent; or
    b. Slopes identified as intermediate (I) in the Coastal Zone Atlas or spatial GIS data provided by the Washington Geologic Information, or areas found by a qualified geologist to meet the criteria of I; or
    c. Slopes 15 percent or greater, not classified as I, U, UOS, or URS, with soils classified by the Natural Resources Conservation Service as “highly erodible” or “potentially highly erodible”; or
    d. Slopes of 15 percent or greater with springs or groundwater seepage not identified in subsection (2)(a), (b), or (c) of this section; or
    e. Seismic areas subject to liquefaction from earthquakes (seismic hazard areas) such as hydric soils as identified by the Natural Resources Conservation Service, and areas that

have been filled to make a site more suitable. Seismic areas may include former wetlands, which have been covered with fill; or

f. Areas with any indications of earth movement such as debris slides, earthflows, slumps and rock falls; or
g. Areas with artificial oversteepened or unengineered slopes, i.e., cuts or fills; or
h. Areas oversteepened or otherwise unstable as a result of stream incision, stream bank erosion, and undercutting by wave action.

3. Site-Specific Determination – Geological and Geotechnical Report Provisions. Should the applicant question the information the city must rely on to determine whether a location contains a geologically hazardous area or area of geologic concern, the city may ask the applicant to submit the appropriate geotechnical or geologic report to confirm or modify the existing information known about the area. The requirements for these reports are contained in Articles VIII and X of this chapter.

   The intent of this provision is to allow obviously non-geologically hazardous sites to be determined as such. Where there is any ambiguity about the potential for geologic hazards whatsoever, the department will require a geotechnical or geological report, rather than make a non-geologically hazardous determination. (Ord. 010-18 § 30; Ord. 019-17 § 18 (Exh. 1)).

No areas of historic failures, including areas of unstable, old or recent landslides, or landslide debris within a head scarp were mapped at or within 200 feet of the site. No evidence of past slope failure such as tension cracks, ground fractures, hummocky ground, back-rotated benches on slopes were observed at the time of our site visit. We did not observe a seepage zone along a slope face. No leaning or bowed trees were observed during our site reconnaissance. No areas of alluvial fans are mapped at the site or within 200 feet of the site. Based on our subsurface explorations and site observations, the slopes at the site should not be considered at-risk for a deep-seated landslide. Therefore, it is our opinion that the site should not be listed as an area of high geologic concern.

No slopes steeper than 15 percent are mapped as having a “severe” erosion hazard by the NRCS. Additionally, no slopes steeper than 15 percent at the site are interpreted to have a seepage zone. Based on the dense nature of the encountered soils, we do not interpret the site to be at risk of liquefaction. While past grading has occurred at the site, we do not interpret the site to have unengineered slopes due to the inclination of the slopes at the site. No areas on or within the site vicinity have slopes over-steepened by stream incision or bank erosion.

Based on the above, it appears that the site does not have any indicators of a “moderate landslide hazard”. As such, no prescriptive buffers or setbacks should be required by the City.

Seismic Design

The site is located in the Puget Sound region of western Washington, which is seismically active. Seismicity in this region is attributed primarily to the interaction between the Pacific, Juan de Fuca and North American plates. The Juan de Fuca plate is subducting beneath the North American plate at the Cascadia Subduction Zone (CSZ). This produces both intercrustal (between plates) and intracrustal (within a plate) earthquakes. In the following sections we discuss the design criteria and potential hazards associated with the regional seismicity.

Seismic Site Class

Based on our observations and the subsurface units mapped at the site, we interpret the site conditions to correspond to a seismic Site Class "C" for the onsite soils in accordance with the 2021 IBC (International Building Code) documents and ASCE 7-22 Chapter 20 Table 20.2-1.

For design of seismic structures using the IBC 2021, mapped short-period spectral accelerations S_S is required. The U.S. Geological Survey (USGS) completed probabilistic seismic hazard analyses (PSHA) for the entire country in November 1996, which were updated and republished in 2002 and 2008. We used the *ASCE Seismic Hazard Tool* website to estimate seismic design parameters at the site. Table 4, below, summarizes the recommended design parameters when considering the 2021 IBC.

TABLE 4:
2021 IBC PARAMETERS FOR DESIGN OF SEISMIC STRUCTURES

Spectral Response Acceleration (SRA) and Site Coefficients	ASCE 7-22
Risk Category	II
Site Class	C
Mapped SRA	S_s = 1.88g
Maximum Considered Earthquake SRA	S_{MS} = 2.06g
Design SRA	S_{DS} = 1.37g

Peak Ground Acceleration (ASCE 7-22)

The modified peak ground acceleration (PGA_M) for this site is 0.84g. In general, estimating seismic earth pressures (k_h) by the Mononobe-Okabe method are taken as 33 to 50 percent of the PGA_M, or 0.28 to 0.42g.

Seismic Hazards

Earthquake-induced geologic hazards may include liquefaction, lateral spreading, slope instability, and ground surface fault rupture. Liquefaction is a phenomenon where there is a temporary reduction or complete loss of soil strength due to an increase in pore water pressure in soils. The increase in pore water pressure is induced by seismic vibrations. Liquefaction primarily affects geologically recent deposits of loose, uniformly graded, fine-grained sands and low plasticity silts that are below the groundwater table. The site is mapped as having a "low" liquefaction susceptibility by the *Liquefaction Susceptibility Map of Kitsap County, Washington* (2004), as shown on Figure 6. The native soils encountered in our explorations consist of glacially consolidated soils. In our opinion, these soils are not likely to liquefy during a seismic event.

According to the Department of Natural Resources Geologic Hazards Map (Geologic Information Portal), the site is located about 3.6 miles south of the nearest strand of the Seattle Fault Zone. The USGS Interactive Fault Map for the general area is included as Figure 7. No evidence of ground fault rupture was observed in the subsurface explorations or out site reconnaissance. Therefore, in our opinion, the proposed structure should have no greater risk for ground fault rupture than other structures located in the area.

Foundation Support

Based on the encountered subsurface conditions, we recommend that spread footings be cast upon the dense advance outwash, or on structural fill that extends to suitable native soils.

Bearing Surface Preparation

The soil at the base of the foundation excavations should be disturbed as little as possible. All loose, soft, or unsuitable material including but not limited to undocumented fill,should be removed. Where materials are over-excavated below a footing bearing surface, the excavated materials should be replaced with structural fill or controlled density fill (CDF). Removal of unsuitable soils, if encountered, below the footings should extend beyond the foundation edges 1 foot horizontally for every 1 foot of vertical excavation. If prepared bearing surfaces remain open for an extended time, we recommend they be protected by placing a rat slab of CDF or a 4-to-6-inch lift of crushed rock. A representative from our firm should observe the foundation excavations to determine if suitable bearing surfaces have been prepared.

Spread Footing Design

We recommend a minimum width of 18 inches for isolated footings and at least 16 inches for continuous wall footings. All footing elements should be embedded at least 18 inches below grade for frost protection. Lateral loads may be resisted by friction on the base of footings and floor slabs and as passive pressure on the sides of footings. Lateral loads may be resisted by a combination of base friction and passive pressure against the footings. Spread footing design parameters are provided in Table 5, below. The allowable bearing capacity provided below includes a factor of safety of 3.0 and the passive earth pressure includes a factor of safety of 1.5 to limit lateral deflections. Disturbance of the foundation bearing surface during construction could result in larger settlements than estimated herein. The allowable bearing value may be increased by one-third for transient loads such as those induced by seismic events or wind loads.

TABLE 5:
SPREAD FOOTING DESIGN PARAMETERS

Parameter	Value	Factor of Safety
Allowable Bearing Pressure (psf[1])	2,500	3.0
Allowable Coefficient of Friction	0.3	1.5
Allowable Passive Pressure (pcf[2])	300	1.5
Minimum footing Width – Isolated (feet)	2.0	--
Minimum footing Width – Strip (feet)	1.3	--
Estimated Total Settlement (inches)	< 1	--
Estimated Differential Settlement Over 50 feet (inches)	< ½	--

Notes:
[1] psf = pounds per square foot
[2] pcf = pounds per cubic foot

Floor Slab Support

Slab-on-grade floors should be supported on the native soils or on structural fill prepared as described above. Areas of undocmented fill material should be evaluated during grading activity for suitability of structural support. Areas of significant organic debris should be removed.

We recommend that floor slabs be directly underlain by a minimum 4-inch thick pea gravel or washed 5/8-inch crushed rock and should contain less than 2 percent fines. This layer should be placed in a single lift and compacted to an unyielding condition.

A synthetic vapor retarder is recommended to control moisture migration through the slabs. This is of particular importance where moisture migration through the slab is an issue, such as where adhesives are used to anchor carpet or tile to the slab.

A subgrade modulus of 200 pci (pounds per cubic inch) may be used for floor slab design. We estimate that settlement of the floor slabs designed and constructed as recommended, will be 1/2 inch or less over a span of 50 feet.

Subgrade/Basement Walls

The lateral pressures acting on retaining walls (such as basement or grade separation walls) will depend upon the nature and density of the soil behind the wall as well as the presence or absence of hydrostatic pressure. Below we provide recommended design values and drainage recommendations for retaining walls.

Design Values

For walls backfilled with granular well-drained soil such as gravel backfill for walls or permeable ballast, we provided the appropriate active and at-rest equivalent fluid pressures in Table 6 below. If walls taller than 6 feet are required, as seismic surcharge should be included where required by the code. If walls will be constructed with a backslope and will be braced or otherwise restrained against movement, we should be notified so that we can evaluate the anticipated conditions and recommend an appropriate at-rest earth pressure.

TABLE 6:
LATERAL EARTH PRESSURES

Lateral Earth Pressure Condition, equivalent fluid density (PCF)	Backfill Material	
	Gravel backfill for Walls (WSDOT 9-03.12(2))	Permeable Ballast (WSDOT 9-03.9(2))
At-rest, level backslope	55	45
Active, level backslope	35	27
Active, 3H:1V backslope	48	32
Active, 2H:1V backslope	55	36
Seismic Surcharge	27H	22H

Lateral loads may be resisted by friction on the base of footings and as passive pressure on the sides of footings and the buried portion of the wall, as described in the "**Foundation Support**" section of this report.

Wall Drainage

Adequate drainage behind retaining structures is imperative. Positive drainage which controls the development of hydrostatic pressure can be accomplished by placing a zone of drainage behind the walls. Granular drainage material should contain less than 2 percent fines and at least 30 percent retained on the US No. 4 sieve.

A minimum 4 inch diameter perforated or slotted PVC pipe should be placed in the drainage zone along the base and behind the wall to provide an outlet for accumulated water and direct accumulated water to an appropriate discharge location. We recommend that a nonwoven geotextile filter fabric be placed between the soil drainage material and the remaining wall backfill to reduce silt migration into the drainage zone. The infiltration of silt into the drainage zone can, with time, reduce the permeability of the granular material. The filter fabric should be placed such that it fully separates the drainage material and the backfill and should be extended over the top of the drainage zone.

A soil drainage zone should extend horizontally at least 18 inches from the back of the wall. The drainage zone should also extend from the base of the wall to within 1 foot of the top of the wall. The soil drainage zone should be compacted to approximately 90 percent of the maximum dry density (MDD), as determined in accordance with ASTM D1557. Over-compaction should be avoided as this can lead to excessive lateral pressures on the wall. A geocomposite drain mat may also be used instead of free draining soils, provided it is installed in accordance with the manufacturer's instructions.

Temporary Excavations

All job site safety issues and precautions are the responsibility of the contractor providing services/work. The following cut/fill slope guidelines are provided for planning purposes only. Temporary cut slopes will likely be necessary during grading operations or utility installation. All excavations at the site associated with confined spaces, such as utility trenches and retaining walls, must be completed in accordance with local, state, or federal requirements including Washington Administrative Code (WAC) and Washington Industrial Safety and Health Administration (WISHA). Excavation, trenching, and shoring is covered under WAC 296-155 Part N.

Based on WAC 296-155-66401, it is our opinion that the weathered soils, fine grained soils, and undocumented fill soils on the site would be classified as Type C soils; while the advance outwash would be classified as Type B soils. According to WAC 296-155-66403, for temporary excavations of less than 20 feet in depth, as measured from the toe to top of the slope the side slopes in Type C soils should be inclined at a maximum of 1½H:1V or flatter and side slopes in Type B soils should be inclined at a maximum of 1H:1V

All exposed slope faces should be covered with a durable reinforced plastic membrane during construction to prevent slope raveling and rutting during periods of precipitation. These guidelines assume that all surface loads are kept at a minimum distance of at least one half the depth of the cut away from the top of the slope and that significant seepage is not present on the slope face. Flatter cut slopes will be necessary where significant raveling or seepage occurs, or if construction materials will be stockpiled along the slope crest.

Where it is not feasible to slope the site soils back at these inclinations, a retaining structure should be considered. Retaining structures greater than 4-feet in height (bottom of footing to top of structure) or that have slopes of greater than 15 percent above them, should be engineered per Washington Administrative Code (WAC 51-16-080 item 5). This information is provided solely for the benefit of the owner and other design consultants, and should not be construed to imply that

GeoResources assumes responsibility for job site safety. It is understood that job site safety is the sole responsibility of the project contractor.

Permanent Cut and Fill Slopes

We were not provided with a grading plan at the time of the preparation of this report; however, if permanent cut and fill slopes are to be utilized at the site, we recommend a maximum slope of 2H:1V (Horizontal:Vertical) for permanent cut and fill slopes. Where 2H:1V slopes are not feasible, retaining structures should be considered. Where retaining structures are greater than 4 feet in height (bottom of footing to top of structure) or have slopes of greater than 15 percent above them, they should be designed by a qualified engineer.

Fill slopes constructed on grades that are steeper than 5H:1V (20 percent) should be "keyed" into the undisturbed native soils by cutting a series of horizontal benches, and should be constructed in accordance with Appendix J of the 2021 IBC. The benches should be 1½ times the width of the equipment used for grading and be a maximum of 3 feet in height. Subsurface drainage may be required in areas where significant seepage is encountered during grading. Collected drainage should be directed to an appropriate discharge point. Surface drainage should be directed away from all slope faces. All slopes should be protected from erosion. Additionally, permanent slopes should be seeded and planted with a mulch, hardy vegetative groundcover or armored with quarry spalls as soon as feasible after grading is completed.

Site Drainage

All ground surfaces, pavements and sidewalks at the site should be sloped to direct surface water away from the structures, steep slopes, and property lines. Surface water runoff should be controlled by a system of curbs, berms, drainage swales, and or catch basins, and conveyed to an appropriate discharge point.

We recommend that footing drains are installed for the residence in accordance with IBC 1805.4.2, and basement walls (if utilized) have a wall drain as describe above. The roof drain should not be connected to the footing drain. If the basement cut extends below the adjacent municipal stormwater system, a sump and pump system may be required.

Stormwater Infiltration

The City of Port Orchard uses the 2019 *Stormwater Management Manual for Western Washington* (SWMMWW). Volume III, Section 3.3.7 Site Suitability Criteria of the 2019 SWMMWW lists the site suitability criteria (SSC) for infiltration facilities, including minimum setbacks and separation requirements.

Infiltration Feasibility

Based on our observations, laboratory testing, and experience, it is our opinion that the native advance outwash may be suitable for infiltration provided the vertical separation from the deeper confining layer or seasonal groundwater table can be maintained, and appropriate setbacks can be maintained from slopes and property line

Per the 2019 SWMMWW, a minimum vertical separation of 5 feet is required between the bottom of an infiltration facility and the top of an impermeable layer or seasonal high groundwater table. This vertical separation can be reduced to 3 feet based on the results of a mounding analysis.

Preliminary Design Rate

To determine a measured infiltration rate for the civil design of the stormwater management system for the single-family residence, we used K_{sat} determination option 3: Soil Grain Size Analysis in the 2019 SWMMWW. We have provided a preliminary infiltration rate within the weathered advance outwash, where BMP's such as bioretention and permeable pavement may be suitable and the advance outwash where larger facilities may be suitable.

The measured rate was calculated using the Massman equation of the Soil Grain Size Analysis method. For the design infiltration rate, we applied a correction factor of 0.33 for Site Variability (CF_v), 0.4 for test method (CF_t), and 0.9 for maintenance (CF_m). Table 7 summarizes the calculated infiltration rates. The calculated infiltration rates using the Massman equation are provided as Appendix C

TABLE 7:
RECOMMENDED DESIGN INFILTRATION RATE

Location	Soil Type	Preliminary Rate (in/hr)[1]
TP-4, S-1, D: 8 ft	Advance Outwash	0.94
TP-6, S-1, D: 3 ft	Weathered Advance Outwash	0.49
TP-6, S-2, D: 10 ft	Advance Outwash	0.98
TP-7, S-1, D: 6 ft	Advance Outwash	0.84
TP-10, S-1, D: 10 ft	Advance Outwash	1.15

Notes:
1 = The measured rate was calculated using the Massman equation $\log_{10}(K_{sat}) = -1.57+1.90D_{10}+0.015D_{60}-0.013D_{90}-2.08f_{fines}$
2 = The effective average K_{sat} of the native soils was estimated using the harmonic mean $K_{equiv} = \frac{d}{\sum\frac{dl}{kl}}$ in the 2019 SWMMWW

Design Infiltration Rate

Once the site layout and grading has been determined, we will need to perform infiltration testing at the actual location and elevation of the proposed infiltration BMP. Given the site of the proposed developed, this will require at least performing small scale Pilot Infiltration Tests, and maybe even large-scale Pilot Infiltration Tests. The final rate will require the above referenced correction factors be applied to the measured rate.

Construction Considerations

Suspended solids could clog the underlying soil and reduce the infiltration rate. To reduce potential clogging of the infiltration systems, any infiltration facilities should not be connected to the stormwater runoff system until after construction is complete and the site area is landscaped, paved, or otherwise protected. Additional measures may also be taken during construction to minimize the potential of fines contamination of any proposed infiltration facilities, such as utilizing an alternative storm water management location during construction. All contractors working on the site should divert sediment laden stormwater away from proposed infiltration facilities during construction and landscaping activities. No concrete trucks should be washed or cleaned, and washout areas should not be within the vicinity of the proposed infiltration facilities. After construction activities have been completed, periodic sweeping of the paved areas will help extend the life of the infiltration system.

EARTHWORK RECOMMENDATIONS

Site Preparation

All structural areas on the site to be graded should be stripped of vegetation, organic surface soils, and other deleterious materials including existing structures, foundations or abandoned utility lines. Organic topsoil is not suitable for use as structural fill but may be used for limited depths in non-structural areas. Stripping depths ranging from 6 to 18 inches should be expected to remove these unsuitable soils. Areas of thicker topsoil or organic debris may be encountered in areas of heavy vegetation or depressions. Additional stripping depths of up to 2½ feet or more can be expected to remove areas of undocumented fill.

Where placement of fill material is required, the stripped/exposed subgrade areas should be compacted to a firm and unyielding surface prior to placement of any fill. Excavations for debris removal should be backfilled with structural fill compacted to the densities described in the "**Structural Fill**" section of this report.

We recommend that a member of our staff evaluate the exposed subgrade conditions after removal of vegetation and topsoil stripping is completed and prior to placement of structural fill. The exposed subgrade soil should be proof-rolled with heavy rubber-tired equipment during dry weather or probed with a ½-inch-diameter steel rod during wet weather conditions.

Soft, loose, or otherwise unsuitable areas delineated during proofrolling or probing should be recompacted, if practical, or over-excavated and replaced with structural fill. The depth and extent of overexcavation should be evaluated by our field representative at the time of construction.

Structural Fill

All material placed as fill for the proposed residence should be placed as structural fill. Material placed as structural fill should be free of debris, organic matter, trash, and cobbles greater than 4-inches in diameter. The moisture content of the fill material should be adjusted as necessary for proper compaction.

Materials

The suitability of material for use as structural fill will depend on the gradation and moisture content of the soil. As the amount of fines (material passing US No. 200 sieve) increases, soil becomes increasingly sensitive to small changes in moisture content and adequate compaction becomes more difficult to achieve. During wet weather, we recommend use of well-graded sand and gravel with less than 5 percent (by weight) passing the US No. 200 sieve based on that fraction passing the ¾-inch sieve, such as *Gravel Backfill for Walls* (WSDOT 9-03.12(2)). If prolonged dry weather prevails during the wall construction, higher fines content (up to 10 to 12 percent) may be acceptable.

Placement and Compaction

The appropriate lift thickness will depend on the structural fill characteristics and compaction equipment used, but it is typically limited to 4 to 6 inches for hand operated equipment; thicker lifts may be appropriate for larger equipment. For larger equipment such as a hoe-pac or drum roller, we recommend a maximum loose-lift thickness of 12 inches. Structural fill should be compacted to at least 95 percent of the MDD as determined by the Modified Proctor (ASTM D1557). Additionally, the

moisture content should be maintained within 3 percent of the optimum moisture content in accordance with ASTM D1557.

Suitability of On-Site Materials as Fill

During dry weather construction, the non-organic onsite soil may be considered for use as structural fill, provided it meets the criteria described above in the "**Structural Fill"** section and can be compacted as recommended. If the soil material is over optimum moisture at the time of excavation, it will be necessary to aerate or dry the soil prior to placement as structural fill. We observed some of the shallow native glacial soils to have an over-optimum moisture content at the time of our subsurface explorations.

The weathered and undisturbed advance outwash encountered in our explorations are generally comparable to *Common Borrow* (WSDOT Standard Specification 9-03.14(3)). These soils should be suitable for use as structural fill provided the moisture content is maintained within 2 percent of the optimum moisture level. The relatively high fines content of the advance outwash makes these soils moisture sensitive and they may become difficult to adequately compact when wet. The fine grained advance outwash should not be used as structural fill due to the high fines content.

We recommend that completed graded-areas be restricted from traffic or protected prior to wet weather conditions. The graded areas may be protected by paving, placing asphalt-treated base, a layer of free-draining material such as pit run sand and gravel or clean crushed rock material containing less than 5 percent fines, or some combination of the above.

Erosion Control

Weathering, erosion and the resulting surficial sloughing and shallow land sliding are natural processes. As noted, no evidence of surficial raveling or sloughing was observed at the site. Erosion protection measures will need to be in place prior to the start of grading activity on the site. Erosion hazards can be mitigated by applying Best Management Practices (BMP's) outlined in the 2014 SWMMWW. If the recommended erosion and sediment control BMPs are properly implemented and maintained, it is our opinion that the planned development should not increase the potential for erosion of the site. To manage and reduce the potential for these natural processes, we recommend the following:

- While no exposed soils were noted during our site visit near the steeper sloping areas, any future areas of exposed soils should be covered with mulch, straw or other approved BMP's for erosion control, as appropriate.
- Existing vegetation along steep slopes should be maintained to further reduce the potential of erosion at the site.

LIMITATIONS

We have prepared this report for use by Daffodil Storage and other members of the design team, for use in the design of a portion of this project. The data used in preparing this report and this report should be provided to prospective contractors for their bidding or estimating purposes only. Our report, conclusions and interpretations are based on our subsurface explorations, data from others and limited site reconnaissance, and should not be construed as a warranty of the subsurface conditions.

Variations in subsurface conditions are possible between the explorations and may also occur with time. A contingency for unanticipated conditions should be included in the budget and schedule. Sufficient monitoring, testing and consultation should be provided by our firm during construction to confirm that the conditions encountered are consistent with those indicated by the explorations, to provide recommendations for design changes should the conditions revealed during the work differ from those anticipated, and to evaluate whether earthwork and foundation installation activities comply with contract plans and specifications.

The scope of our services does not include services related to environmental remediation and construction safety precautions. Our recommendations are not intended to direct the contractor's methods, techniques, sequences or procedures, except as specifically described in our report for consideration in design.

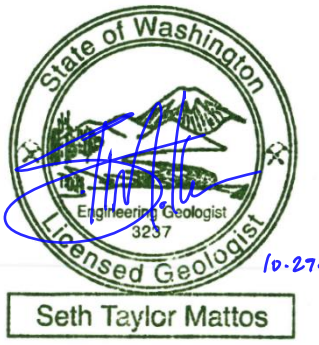
If there are any changes in the loads, grades, locations, configurations or type of facilities to be constructed, the conclusions and recommendations presented in this report may not be fully applicable. If such changes are made, we should be given the opportunity to review our recommendations and provide written modifications or verifications, as appropriate.

◆ ◆ ◆

We have appreciated the opportunity to be of service to you on this project. If you have any questions or comments, please do not hesitate to call at your earliest convenience.

Respectfully submitted,
GeoResources, LLC

Davis Carlsen, GIT
Senior Staff Geologist

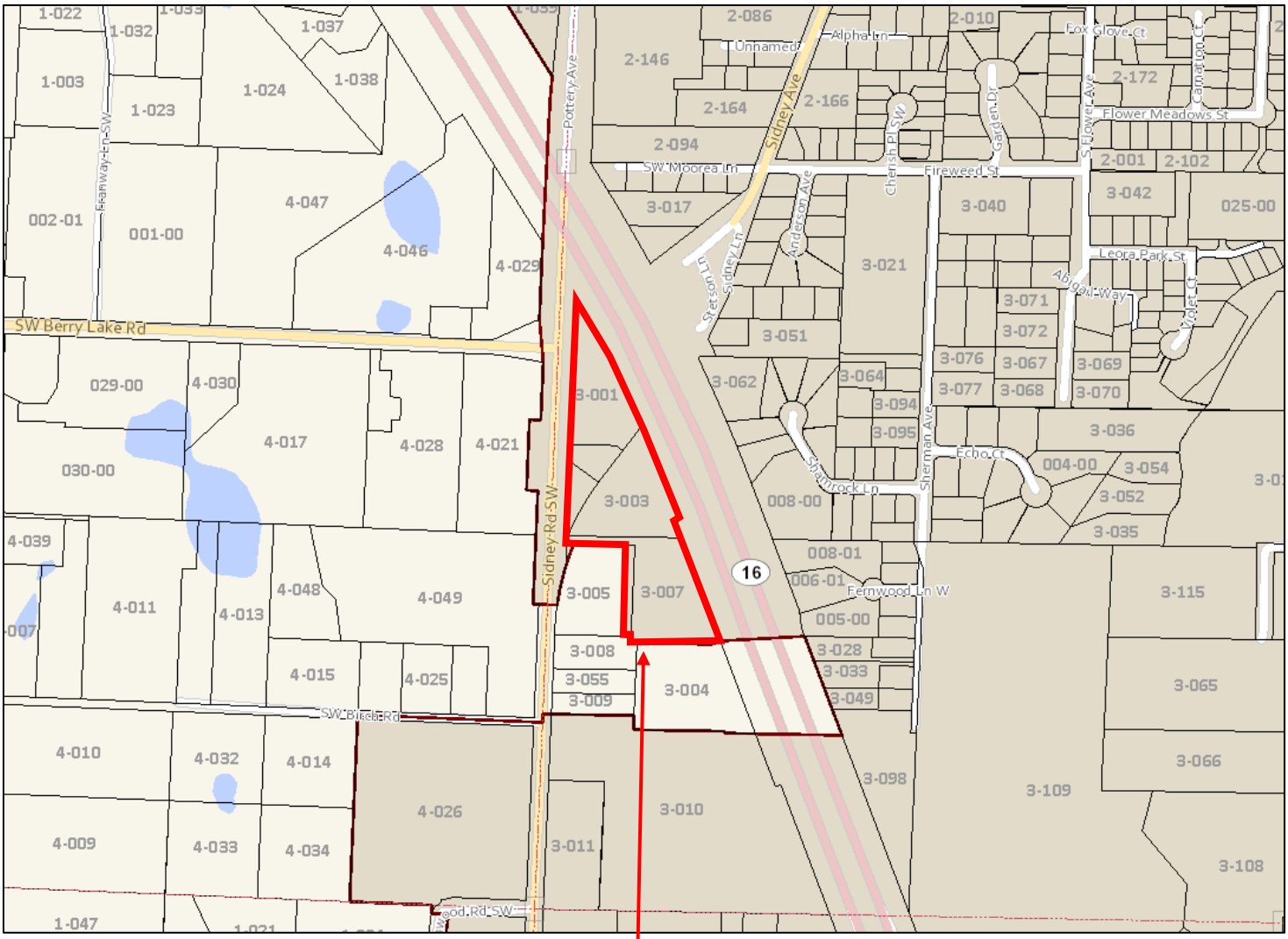


Seth T. Mattos, LEG
Associate



Eric W. Heller, PE, LG
Senior Geotechnical Engineer

DC:STM:EWH/dc
DocID: DaffodilStorage.SidneyRdSW.RG
Attachments: Figure 1: Site Location Map
Figure 2: Site & Exploration Plan
Figure 3: Site Vicinity Map
Figure 4: NRCS Soils Map
Figure 5: Geologic Map
Figure 6: Liquefaction Susceptibility Map
Figure 7: DNR Fault Hazards Map
Appendix "A" - Subsurface Explorations
Appendix "B" - Laboratory Test results



Approximate Site Location

Map created from Kitsap County Public GIS (https://psearch.kitsapgov.com/psearch/)

Not to Scale

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Site Location Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 1



Excerpt of *Site Plan* prepared by The Keimig Associates dated September 25, 2024

TP-# Test pit and observation standpipe number and approximate location (GeoResources 2024)

North

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Site & Exploration Plan
Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 2



Approximate Site Location

Map created from the Kitsap County Public GIS (https://psearch.kitsapgov.com/psearch/)

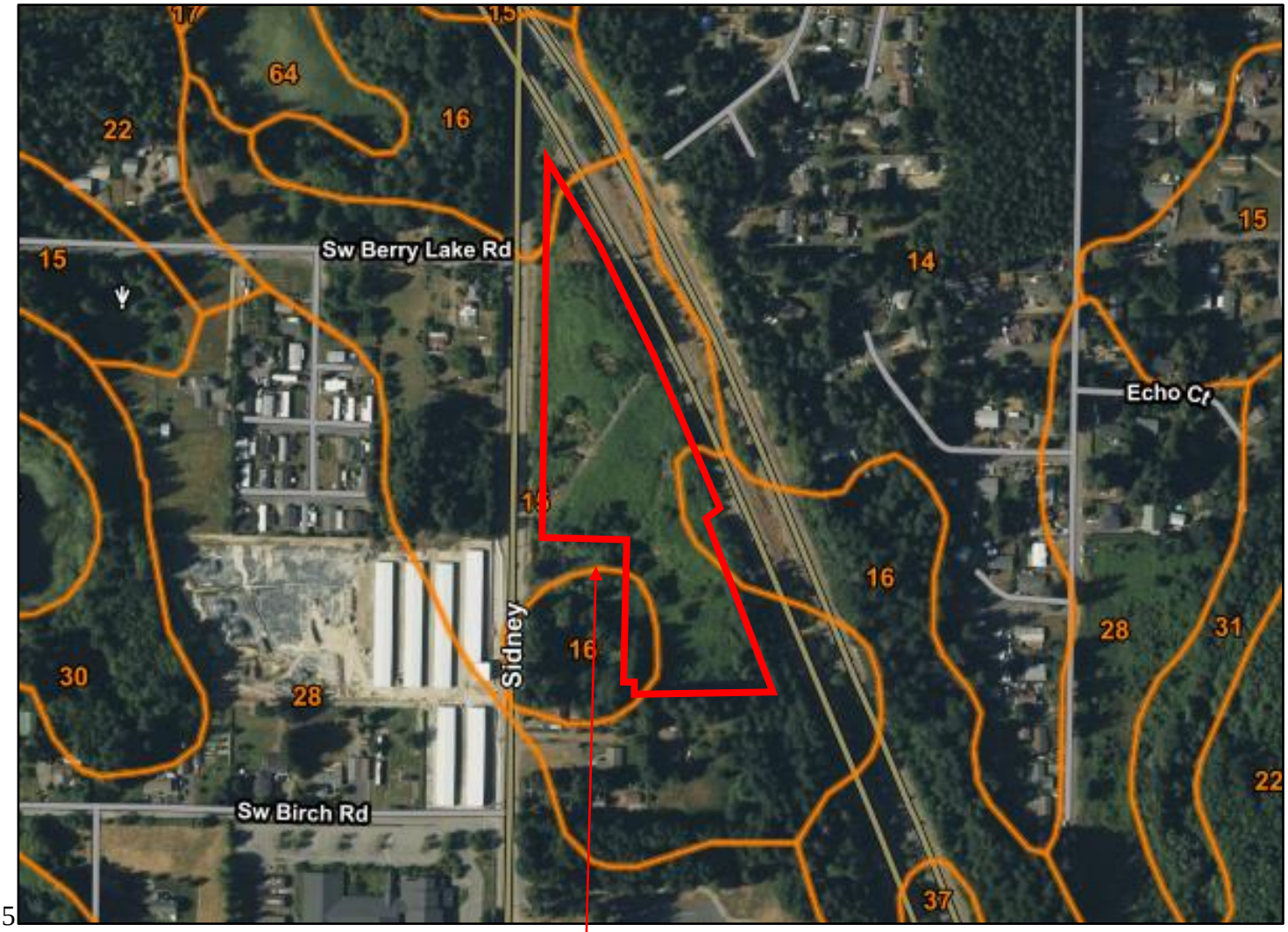
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Site Vicinity Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 3



5

Approximate Site Location

Map created from Web Soil Survey (http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx)

Soil Type	Soil Name	Parent Material	Slopes	Erosion Hazard	Hydrologic Soils Group
15	Harstine gravelly ashy sandy loam	Sandy glacial drift with an influence of volcanic ash over dense glaciomarine deposits	6 to 15	Slight	C
16			15 to 30	Moderate	

N W E S

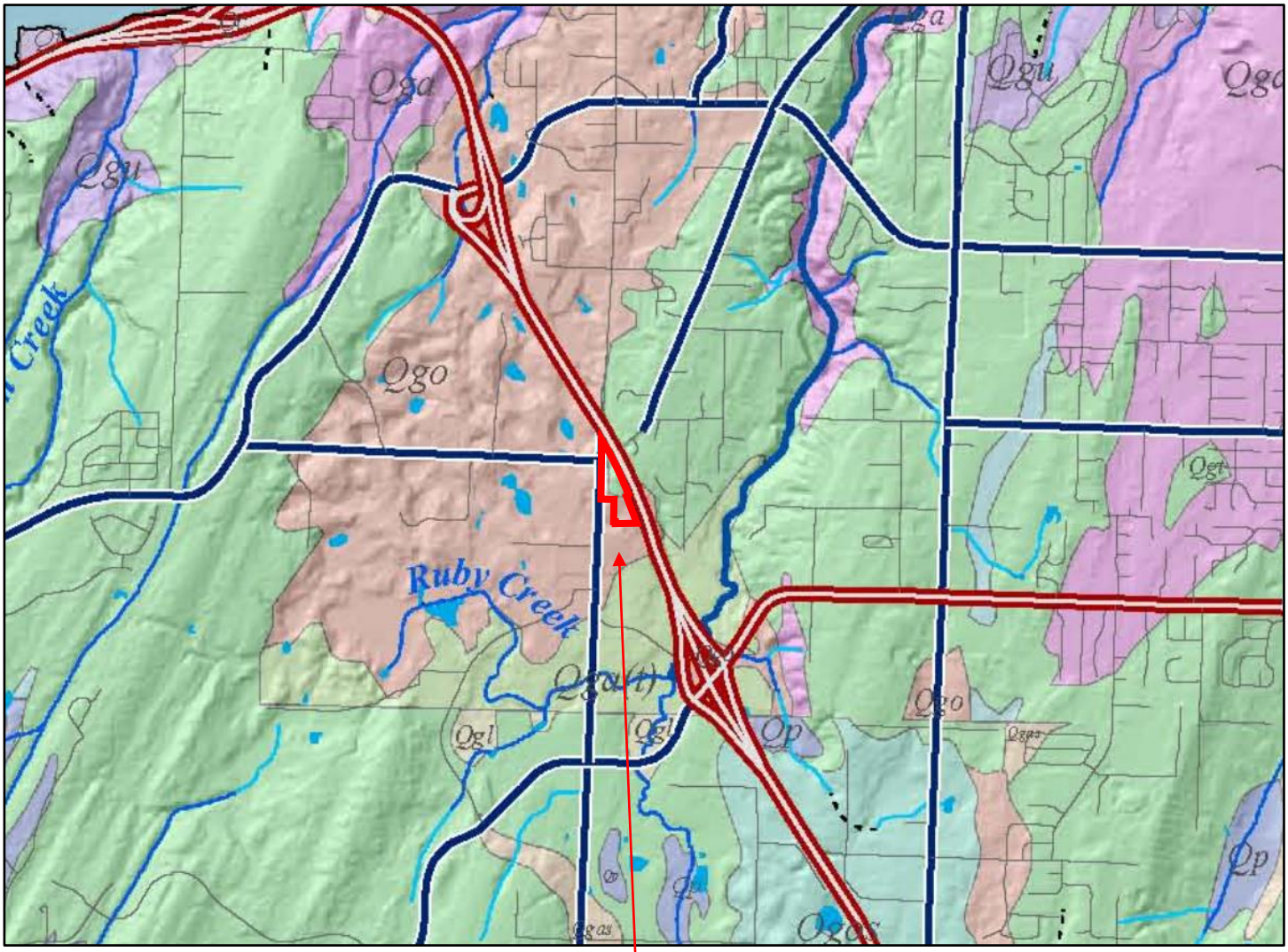
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NRCS Soils Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 4



Approximate Site Location

An excerpt from the *Washington State Department of Natural Resources Division of Geology and Earth Resources Open File Report 2005-3 1:100,000-scale* (2005)

Qgo	Glacial outwash
Qgt	Glacial till

N W E S

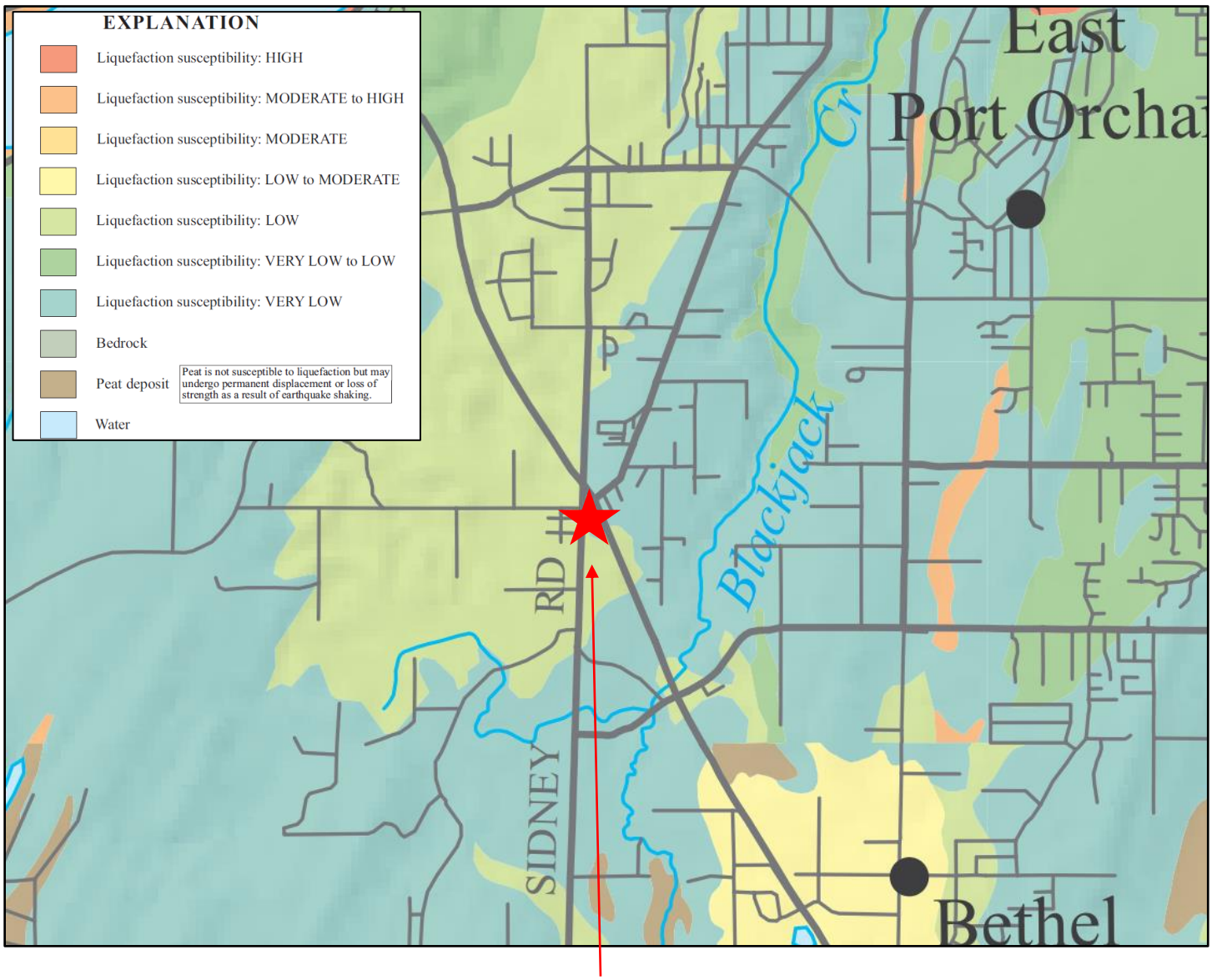
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Geologic Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 5



Approximate Site Location

Map created from the *Liquefaction Susceptibility Map of Kitsap County, Washington* by Palmer et. Al., (September 2004)

N W E S

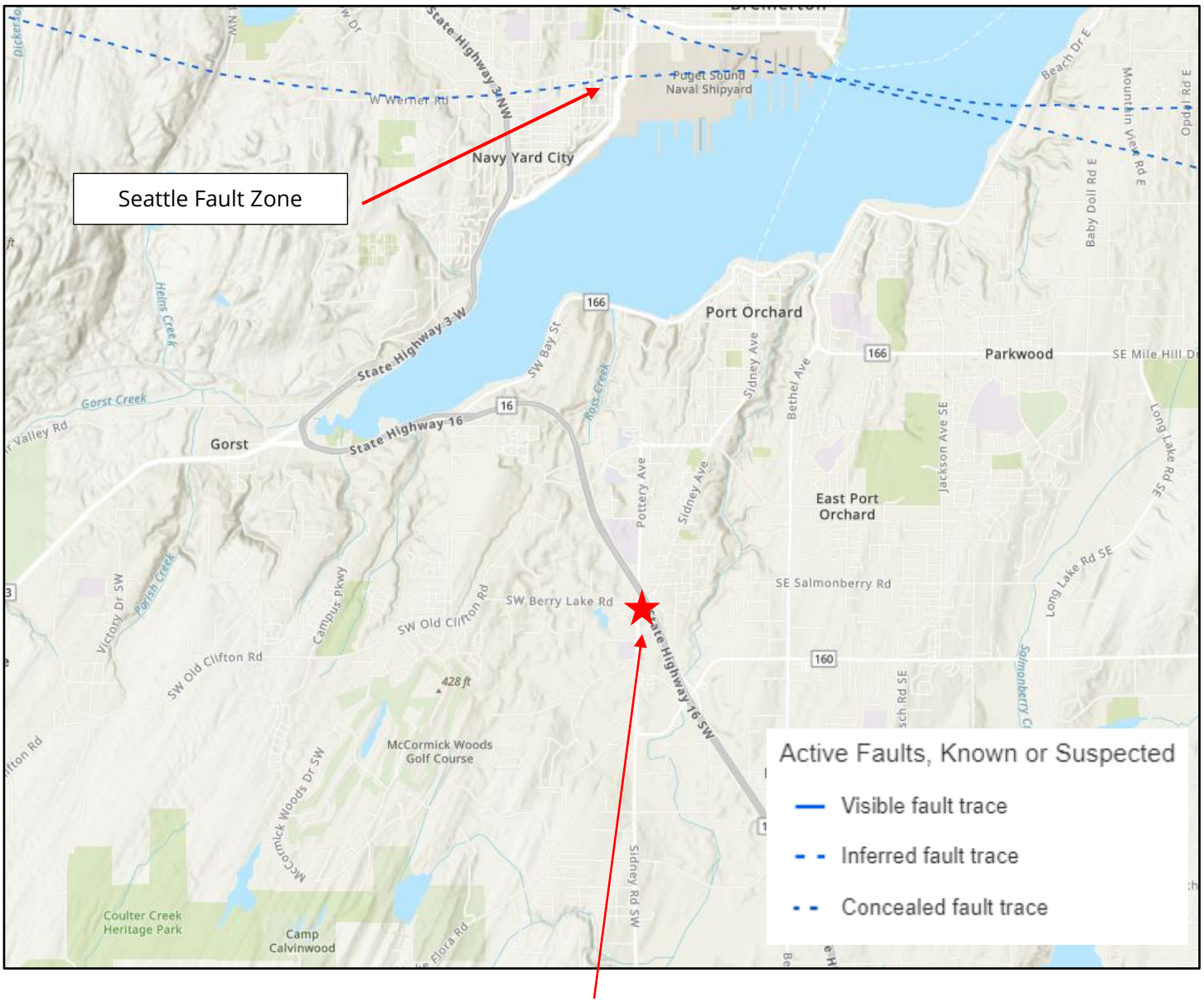
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Liquefaction Susceptibility Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figu



Approximate Site Location

Map created from the Washington Geologic Information Portal (https://geologyportal.dnr.wa.gov/)

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DNR Fault Hazards Map

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

DocID: DaffodilStorage.SidneyRdSW.F	Oct 2024	Figure 7

Appendix A

Subsurface Explorations

SOIL CLASSIFICATION SYSTEM

MAJOR DIVISIONS			GROUP SYMBOL	GROUP NAME
COARSE GRAINED SOILS More than 50% Retained on No. 200 Sieve	GRAVEL More than 50% Of Coarse Fraction Retained on No. 4 Sieve	CLEAN GRAVEL	GW	WELL-GRADED GRAVEL, FINE TO COARSE GRAVEL
			GP	POORLY-GRADED GRAVEL
		GRAVEL WITH FINES	GM	SILTY GRAVEL
			GC	CLAYEY GRAVEL
	SAND More than 50% Of Coarse Fraction Passes No. 4 Sieve	CLEAN SAND	SW	WELL-GRADED SAND, FINE TO COARSE SAND
			SP	POORLY-GRADED SAND
		SAND WITH FINES	SM	SILTY SAND
			SC	CLAYEY SAND
FINE GRAINED SOILS More than 50% Passes No. 200 Sieve	SILT AND CLAY Liquid Limit Less than 50	INORGANIC	ML	SILT
			CL	CLAY
		ORGANIC	OL	ORGANIC SILT, ORGANIC CLAY
	SILT AND CLAY Liquid Limit 50 or more	INORGANIC	MH	SILT OF HIGH PLASTICITY, ELASTIC SILT
			CH	CLAY OF HIGH PLASTICITY, FAT CLAY
		ORGANIC	OH	ORGANIC CLAY, ORGANIC SILT
HIGHLY ORGANIC SOILS			PT	PEAT

NOTES:

1. Field classification is based on visual examination of soil in general accordance with ASTM D2488-90.
2. Soil classification using laboratory tests is based on ASTM D2487-90.
3. Description of soil density or consistency are based on interpretation of blow count data, visual appearance of soils, and or test data.

SOIL MOISTURE MODIFIERS:

Dry- Absence of moisture, dry to the touch

Moist- Damp, but no visible water

Wet- Visible free water or saturated, usually soil is obtained from below water table

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Unified Soils Classification System

Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

Test Pit TP-1

Location: Northern portion of site
Approximate Elevation: 255 feet

Depth (ft)			Soil Type	Soil Description
0	-	¾	-	Topsoil/ Rootzone
¾	-	2¼	SM	Light brown silty SAND with gravel (medium dense, moist) (weathered advance outwash)
2¼	-	14	SP-SM	Grey fine poorly graded SAND with some silt and gravel (dense, moist) (advance outwash)

Terminated at 14 feet below ground surface (BGS).
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
No mottling observed at time of excavation.

Test Pit TP-2

Location: Northeast portion of site
Approximate Elevation: 270 feet

Depth (ft)			Soil Type	Soil Description
0	-	½	-	Topsoil/ Rootzone
½	-	1½	SM	Brown silty SAND with trace organics (loose, moist) (undocumented fill)
1½	-	1¾	-	Relic topsoil
1¾	-	4	SM	Brown fine silty SAND (medium dense, moist) (weathered advance outwash)
4	-	12½	SM	Grey silty SAND with some gravel (dense, moist) (advance outwash)

Terminated at 12½ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Slight mottling observed from 2 to 4 feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

Test Pit TP-3

Location: East-central portion of site
Approximate Elevation: 250 feet

Depth (ft)			Soil Type	Soil Description
0	-	½	-	Topsoil/ Rootzone
½	-	2	ML	Light brown sandy SILT (stiff, moist) (weathered fine-grained advance outwash)
2	-	6	ML	Grey sandy SILT (stiff, moist) (fine-grained advance outwash)
6	-	13½	SM	Grey silty SAND with some gravel (dense, moist) (advance outwash)

Terminated at 13½ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Mottling observed at approximately 1½ to 4 feet BGS.

Test Pit TP-4/PZ-1

Location: Proposed storm pond
Approximate Elevation: 237 feet

Depth (ft)			Soil Type	Soil Description
0	-	½	-	Topsoil/ Rootzone
½	-	2¾	SM	Brown fine silty SAND (medium dense, moist) (weathered advance outwash)
2¾	-	12½	SM	Grey gravelly silty SAND (dense, moist) (advance outwash)

Terminated at 12½ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
No mottling observed at time of excavation
Piezometer installed at approximately 10 feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

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Test Pit Logs
Proposed Mixed Use Development
4343-4385 Sidney Road SE
Port Orchard, Washington
PN: 022301-3-001-2009, -002-2008, -26-2000, -003-2007, -007-2003, -113-2004

Test Pit TP-5/PZ-2

Location: Proposed storm pond
Approximate Elevation: 234 feet

Depth (ft)			Soil Type	Soil Description
0	-	1½	-	Topsoil/ Rootzone
1½	-	4	SM	Brown silty fine SAND (medium dense, moist) (weathered advance outwash)
4	-	13	SM	Grey silty SAND with some gravel (dense, moist) (advance outwash)

Terminated at 13 feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Slight mottling observed at approximately 2 feet BGS.
Piezometer installed at approximately 10 feet BGS.

Test Pit TP-6/PZ-3

Location: Proposed storm pond
Approximate Elevation: 240 feet

Depth (ft)			Soil Type	Soil Description
0	-	1¼	-	Topsoil/ Rootzone
1¼	-	4¼	SM	Brown silty fine SAND with some gravel (medium dense, moist) (weathered advance outwash)
4¼	-	11¾	SM	Grey gravelly silty fine SAND (dense, moist) (advance outwash)

Terminated at 11¾ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
No mottling observed at time of excavation.
Piezometer installed at approximately 10 feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

Test Pit TP-7/PZ-4

Location: Southeast portion of site
Approximate Elevation: 243 feet

Depth (ft)			Soil Type	Soil Description
0	-	¾	-	Topsoil/ Rootzone
¾	-	3	SM	Brown fine silty SAND (medium dense, moist) (weathered advance outwash)
3	-	12¼	SM	Grey gravelly silty SAND (dense, moist) (advance outwash)

Terminated at 13 feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
No mottling observed at time of excavation.
Piezometer installed at approximately 9½ feet BGS.

Test Pit TP-8

Location: Southwest portion of site
Approximate Elevation: 245 feet

Depth (ft)			Soil Type	Soil Description
0	-	½	-	Topsoil/ Rootzone
½	-	1½	SM	Brown silty fine SAND with significant garbage (loose, moist) (undocumented fill)
1½	-	3½	SM	Brown silty fine SAND (medium dense, moist) (weathered advance outwash)
3½	-	12½	SM	Grey silty SAND with some gravel (dense, moist) (advance outwash)

Terminated at 12½ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Slight mottling observed at approximately 2½ feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

Test Pit TP-9

Location: South-central portion of site
Approximate Elevation: 243 feet

Depth (ft)			Soil Type	Soil Description
0	-	¾	-	Topsoil/ Rootzone
¾	-	2	SM	Brown silty fine SAND with significant garbage (loose, moist) (undocumented fill)
2	-	4	SM	Brown silty fine SAND (medium dense, moist) (weathered advance outwash)
4	-	12¼	SM	Grey silty SAND with some gravel (dense, moist) (advance outwash)

Terminated at 12¼ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Slight mottling observed at approximately 2½ feet BGS.

Test Pit TP-10

Location: North-central portion of site
Approximate Elevation: 267 feet

Depth (ft)			Soil Type	Soil Description
0	-	1	-	Topsoil/ Rootzone
1	-	2¾	ML	Brown sandy SILT (stiff, moist) (weathered fine grained advance outwash)
2¾	-	5	ML	Grey sandy SILT (stiff, moist) (fine grained advance outwash)
5	-	12½	SM	Grey silty fine SAND with some gravel (dense, moist) (advance outwash)

Terminated at 12½ feet BGS.
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
Mottling observed at approximately 2 to 4 feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

Test Pit TP-11/PZ-5

Location: Northern portion of site
Approximate Elevation: 257 feet

Depth (ft)			Soil Type	Soil Description
0	-	½	-	Topsoil/ Rootzone
½	-	2¾	SM	Tan-grey silty SAND with some gravel and buried organics. (undocumented fill)
2¾	-	4½	SM	Light brown silty SAND with gravel (medium dense, moist) (weathered advance outwash)
4 ½	-	13	SM	Grey silty fine SAND with some gravel (dense, moist) (advance outwash)

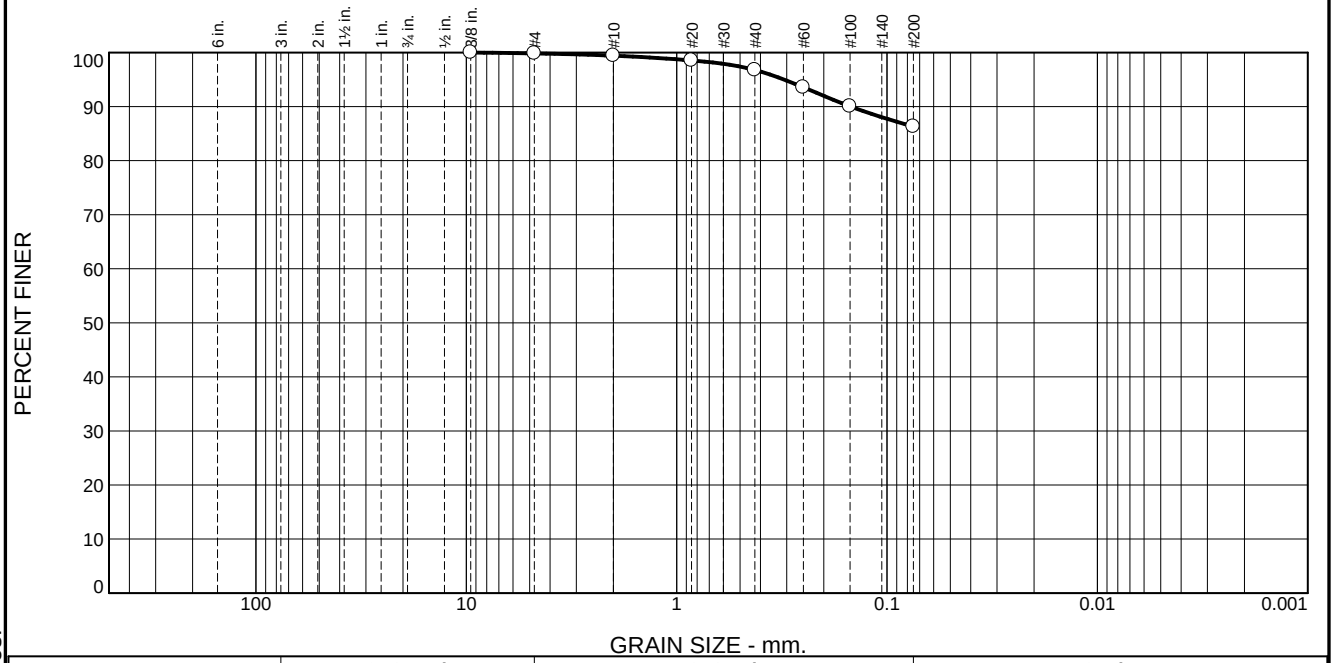
Terminated at 13 feet BGS
No caving observed at the time of digging.
No groundwater seepage observed at time of digging.
No mottling observed at time of excavation.
Piezometer installed at approximately 10 feet BGS.

Logged by: DC **Excavated on: October 16, 2024**

Appendix B

Laboratory Test Results

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.2	0.4	2.6	10.5	86.3	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
0.375	100.0		
#4	99.8		
#10	99.4		
#20	98.5		
#40	96.8		
#60	93.6		
#100	90.1		
#200	86.3		

* (no specification provided)

Material Description

SILT (ML)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= ML **AASHTO (M 145)=** A-4(0)

Coefficients

D_{90}= 0.1488 D_{85}= D_{60}=
D_{50}= D_{30}= D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 34.7%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-3, S-1 **Date Sampled:** 10/15/24
Sample Number: 105599 **Depth:** 4'

GeoResources, LLC

Fife, WA

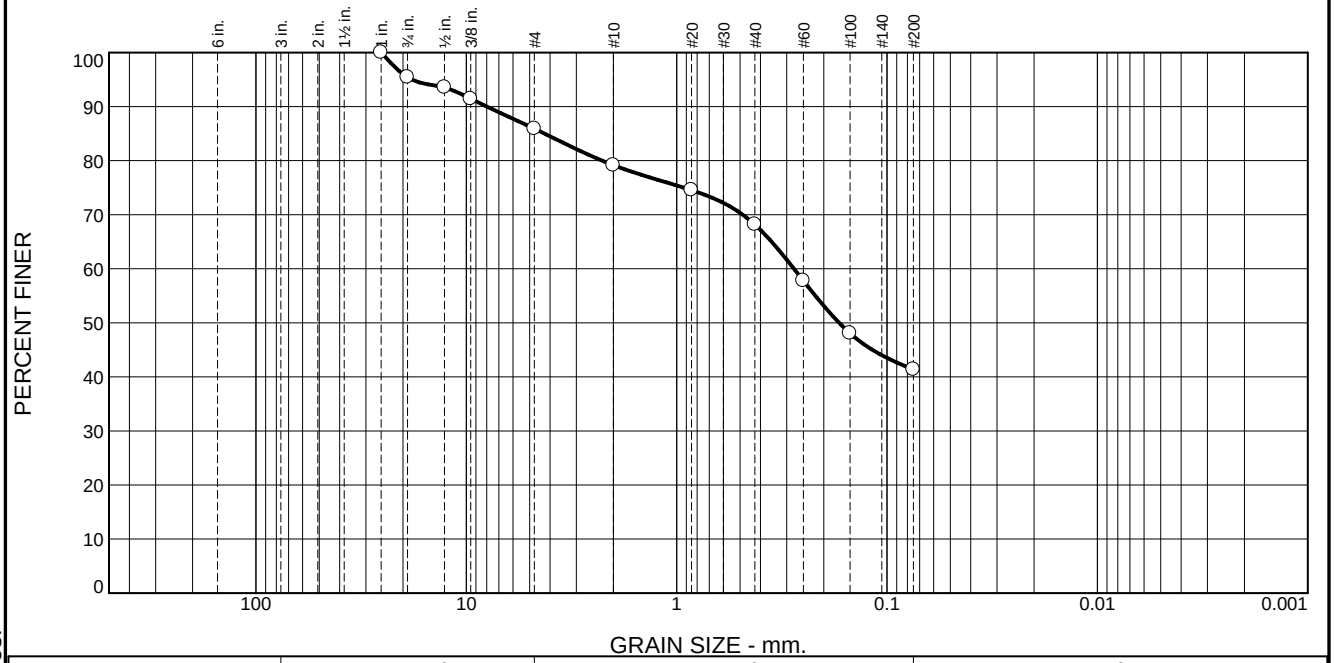
Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-1

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	4.6	9.5	6.7	11.0	26.9	41.3	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1	100.0		
.75	95.4		
.5	93.5		
0.375	91.4		
#4	85.9		
#10	79.2		
#20	74.5		
#40	68.2		
#60	57.8		
#100	48.1		
#200	41.3		

* (no specification provided)

Material Description

Silty SAND (SM)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= SM **AASHTO (M 145)=** A-4(0)

Coefficients

D_{90}= 7.9859 D_{85}= 4.2470 D_{60}= 0.2772
D_{50}= 0.1691 D_{30}= D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 15.2%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-6, S-1
Sample Number: 105601 **Depth:** 3'

Date Sampled: 10/15/24

GeoResources, LLC

Fife, WA

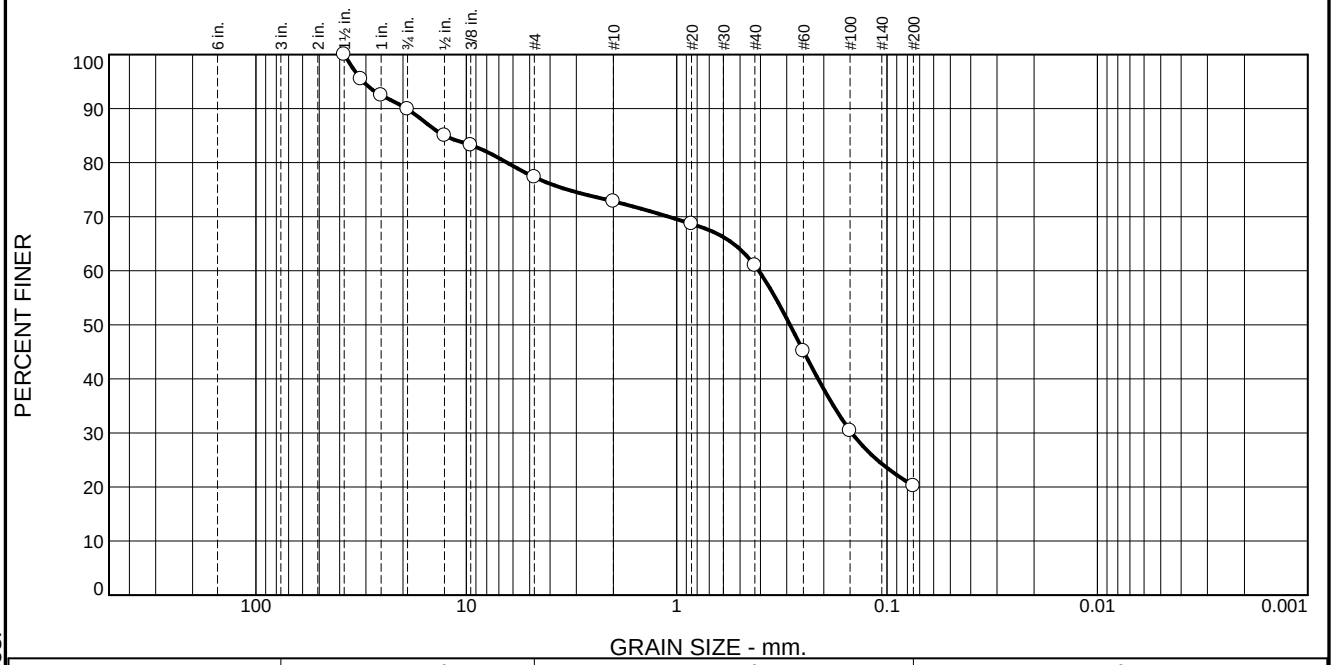
Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-3

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	10.1	12.6	4.5	11.8	40.8	20.2	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1.5	100.0		
1.25	95.5		
1	92.5		
.75	89.9		
.5	85.0		
0.375	83.3		
#4	77.3		
#10	72.8		
#20	68.7		
#40	61.0		
#60	45.2		
#100	30.4		
#200	20.2		

* (no specification provided)

Material Description

Silty SAND with gravel (SM)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= SM **AASHTO (M 145)=** A-2-4(0)

Coefficients

D_{90}= 19.2262 D_{85}= 12.6942 D_{60}= 0.4071
D_{50}= 0.2895 D_{30}= 0.1471 D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 5.8%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-6, S-2 **Date Sampled:** 10/15/24
Sample Number: 105602 **Depth:** 10'

GeoResources, LLC

Fife, WA

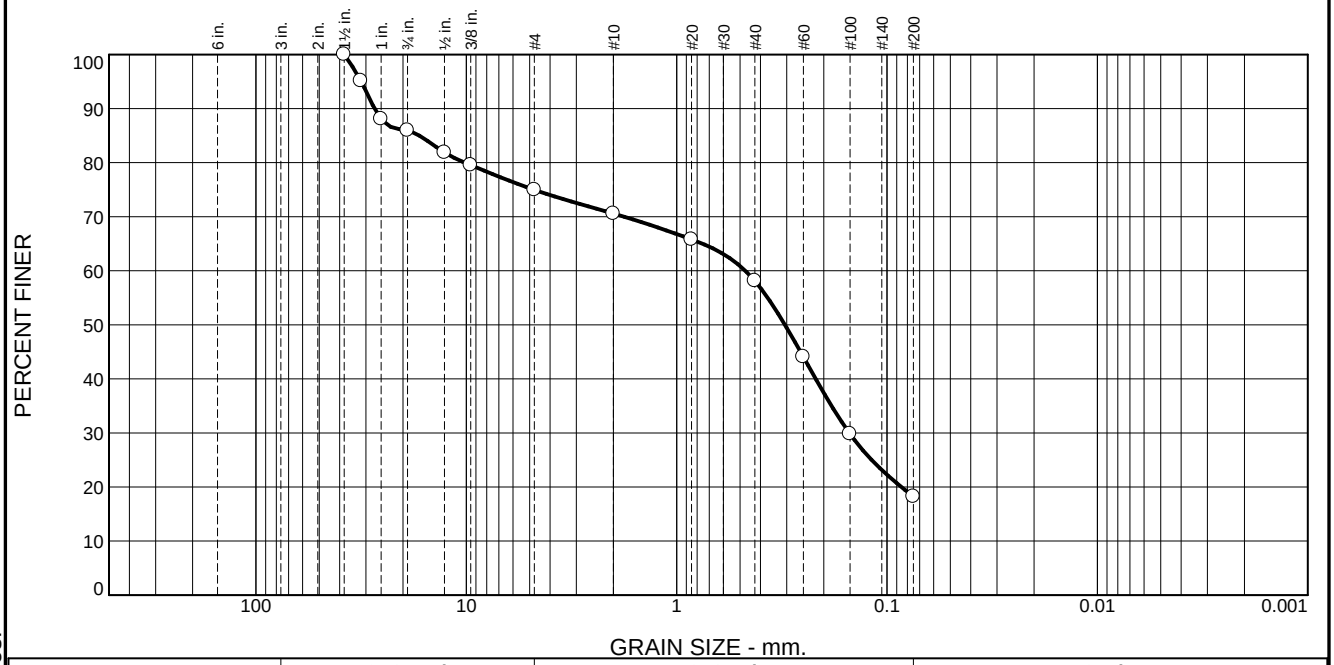
Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-4

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	14.1	10.9	4.4	12.5	39.9	18.2	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1.5	100.0		
1.25	95.1		
1	88.1		
.75	85.9		
.5	81.9		
0.375	79.5		
#4	75.0		
#10	70.6		
#20	65.8		
#40	58.1		
#60	44.1		
#100	29.8		
#200	18.2		

* (no specification provided)

Material Description

Silty SAND with gravel (SM)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= SM **AASHTO (M 145)=** A-2-4(0)

Coefficients

D_{90}= 27.2872 D_{85}= 16.7186 D_{60}= 0.4719
D_{50}= 0.3059 D_{30}= 0.1512 D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 4.8%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-7, S-1
Sample Number: 105603 **Depth:** 6'

Date Sampled: 10/15/24

GeoResources, LLC

Fife, WA

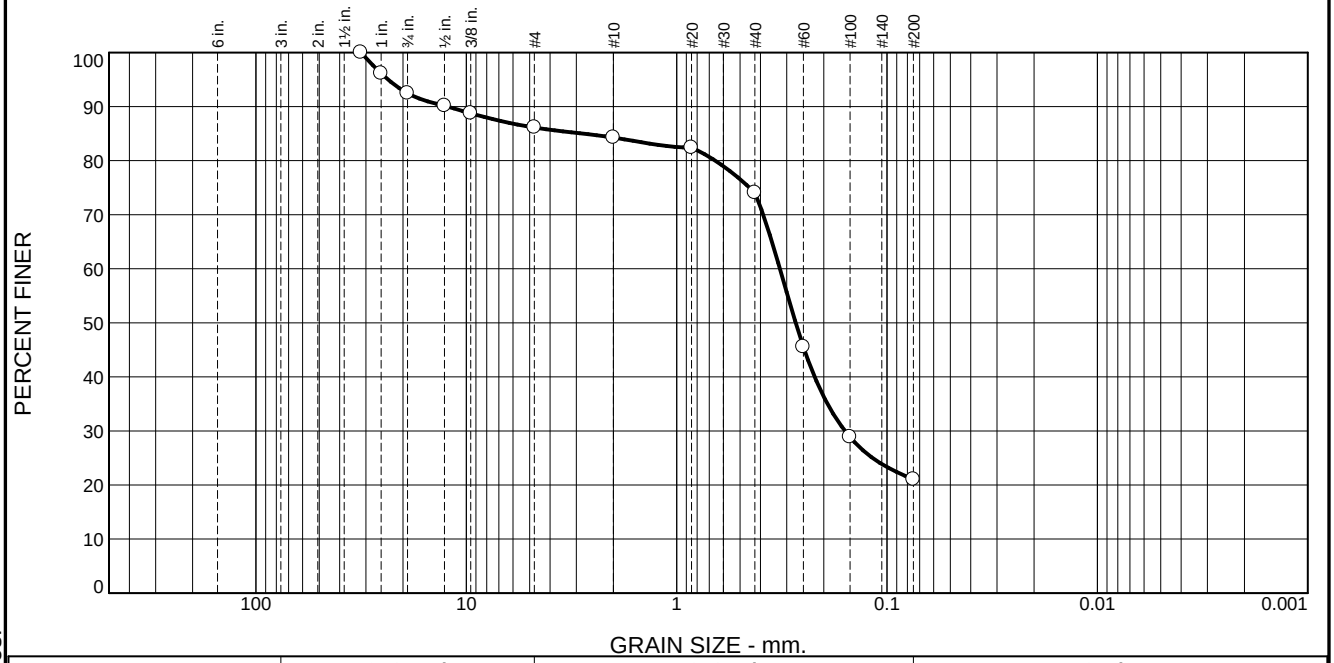
Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-5

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	7.5	6.4	1.8	10.2	53.1	21.0	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1.25	100.0		
1	96.1		
.75	92.5		
.5	90.1		
0.375	88.8		
#4	86.1		
#10	84.3		
#20	82.4		
#40	74.1		
#60	45.6		
#100	28.9		
#200	21.0		

* (no specification provided)

Material Description

Silty SAND (SM)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= SM **AASHTO (M 145)=** A-2-4(0)

Coefficients

D_{90}= 12.3381 D_{85}= 2.7848 D_{60}= 0.3232
D_{50}= 0.2719 D_{30}= 0.1585 D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 7.1%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-10, S-1 **Date Sampled:** 10/15/24
Sample Number: 105604 **Depth:** 10'

GeoResources, LLC

Fife, WA

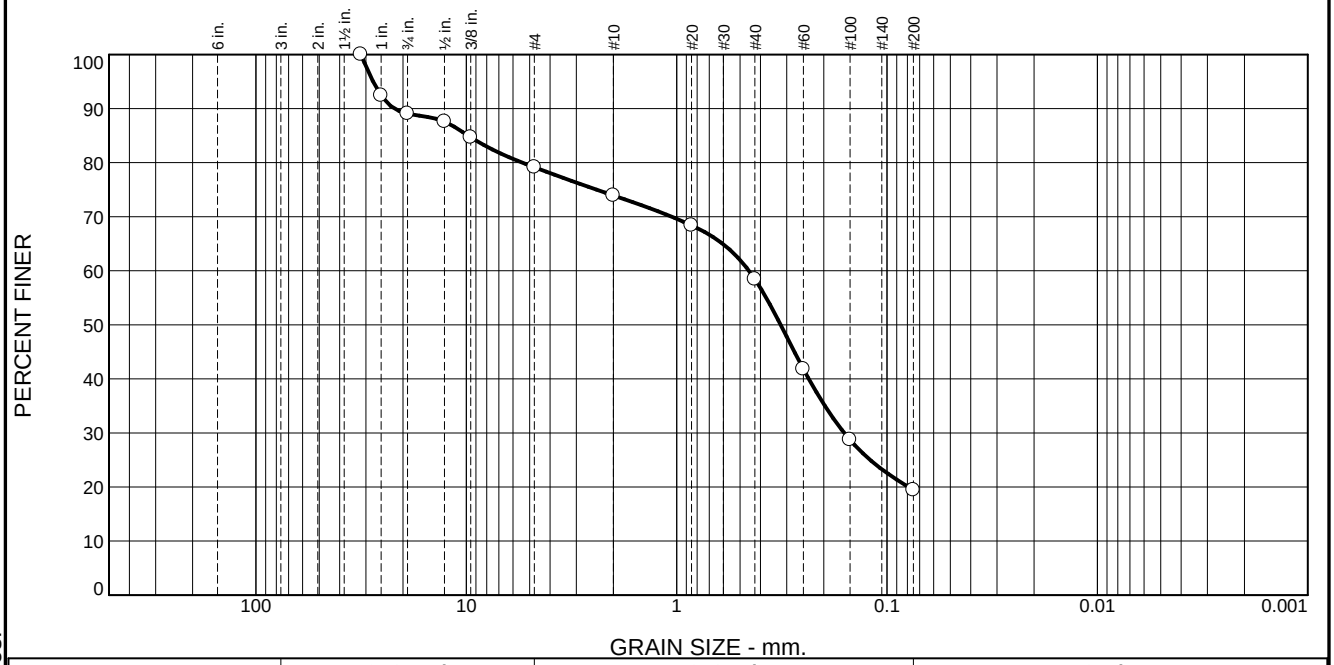
Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-6

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	10.9	9.9	5.3	15.4	39.1	19.4	

Test Results (ASTM D 6913 & ASTM D 1140)

Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
1.25	100.0		
1	92.4		
.75	89.1		
.5	87.6		
0.375	84.7		
#4	79.2		
#10	73.9		
#20	68.4		
#40	58.5		
#60	41.8		
#100	28.7		
#200	19.4		

* (no specification provided)

Material Description

Silty SAND with gravel (SM)

Atterberg Limits (ASTM D 4318)

PL= NP **LL=** NV **PI=** NP

Classification

USCS (D 2487)= SM **AASHTO (M 145)=** A-2-4(0)

Coefficients

D_{90}= 22.0046 D_{85}= 9.8101 D_{60}= 0.4535
D_{50}= 0.3206 D_{30}= 0.1598 D_{15}=
D_{10}= C_u= C_c=

Remarks

Natural Moisture: 6.4%

Date Received: 10/15/24 **Date Tested:** 10/16/24

Tested By: MAW

Checked By: STM

Title: PM

Location: TP-4, S-1 **Date Sampled:** 10/15/24
Sample Number: 105600 **Depth:** 8'

GeoResources, LLC

Fife, WA

Client: Daffodil Storage
Project: Proposed Mixed-Use Development

Project No: DaffodilStorage.SidneyRdSW **Figure** B-2

These results are for the exclusive use of the client for whom they were obtained. They apply only to the samples tested and are not indicitive of apparently identical samples.

Tested By: _____ **Checked By:** _____

TECHNICAL MEMORANDUM

COUNTER COMPLETE
Permit Center
Jul 14, 2025
City of Port Orchard
Community Development

Prepared for: Jim Fisk
Principal Planner
City of Port Orchard
216 Prospect Street
Port Orchard, WA 98366

March 23, 2025

File No.: 3401-006.001

Prepared by: Farallon Consulting, L.L.C. dba Grette Associates
2709 Jahn Ave. NW, Ste. H5
Gig Harbor, WA 98335

Re: 4343 Sidney Road: Third-Party Review

1 INTRODUCTION

The City of Port Orchard (City) contracted with Farallon Consulting, L.L.C. dba Grette Associates (Grette) to assist in the review of the wetland technical memorandum, dated December 5, 2024, that was prepared by Forensic Agronomic Research, Inc. in support of the Sidney Road Investment Storage Project located at 4343 Sidney Road (Kitsap County parcels 022301-3-001-2009, 022301-3-002-2008, 022301-3-026-2000, 022301-3-003-2007, 022301-3-113-2004, and 022301-3-007-2003) within the City of Port Orchard.

2 REVIEW METHODS

2.1 Site Visit

Grette completed a site visit on February 18, 2025, to assess the subject property -- as well as all accessible offsite areas within 200 feet for consistency -- with the information contained in the technical memorandum.

2.2 Document Review

A Grette biologist conducted a thorough review of the document submitted to the City. The review focused on verifying the accuracy of the descriptions within the submitted document and for compliance with the current version of Chapter 20.162 of the Port Orchard Municipal Code (POMC).

3 REVIEW RESULTS

Grette's February 18, 2025, site observations were consistent with those observed during the third-party site assessment of the subject property that was performed by Grette in 2018 (Grette Associates 2018). The subject property largely consists of invasive species dominated by Himalayan blackberry (*Rubus aremiacus*) and scotch broom (*Cytisus scoparius*). A large

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EXHIBIT 1i 125
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depressional area is located in the southwest portion of the subject property. This area is dominated by Douglas fir (*Pseudotsuga menziessii*), red alder (*Alnus rubra*), big-leaf maple (*Acer macrophyllum*), beaked hazelnut (*Corylus cornuta*), Himalayan blackberry, and scotch broom with a dense patch of spiraea (*Spiraea douglasii*).

According to the data provided in the technical memorandum, the depressional area did not contain any hydric soil or wetland hydrology indicators. More specifically, the soils were generally light in color (high chroma value) and did not contain any redox features (iron concentrations) and no surface water, water table, or soil saturation was observed. This area was evaluated during Grette's 2018 site assessment and in accordance to the procedures defined in the USACE's *Regional Supplement* (2010). In summary of the 2018 site assessment, while the depressional area contains a predominance of wetland vegetation (monoculture of spiraea), Grette did not identify any hydric soil or wetland hydrology indicators within the area evaluated. The soils observed contained an upper layer (0-11 inches) of very dark grayish brown (10YR3/2) silty sand with a thin layer (11-14 inches) of dark brown (10YR3/3) sand which contained faint brown (7.5YR4/4) redox concentrations. Below these two layers was a layer (14-21 inches) of dark brown (10YR3/3) sand without redox concentrations. In addition, Grette did not observe any surface water, water table, soil saturation, or any indications of seasonal wetland hydrology (water-stained leaves, oxidized rhizospheres, algal mat, etc.).

Climate conditions leading to Grette's February 18, 2025, were abnormally colder which resulted in refusal to evaluate soils (i.e., frozen soils). Grette did not observe any indications of vegetation or soils disturbances that would suggest that soil conditions have significantly changed since 2018. As such, Grette assumes that the soil conditions reflect those observed during the 2018 site assessment.

4 SUMMARY AND RECOMMENDATIONS

In closing, Grette concurs with Forensic Agronomic Research's determination that the depressional area situated within the southwest portion of the subject property does not exhibit wetland conditions as defined in the USACE's *Regional Supplement* (2010). Therefore, the depressional area should not be regulated under Chapter 20.162 of the Port Orchard Municipal Code. Grette Associates recommends that the technical memorandum be accepted.

The review of the submitted document was conducted using the best available scientific information and methodologies, and the best professional judgment of Grette Associates staff wetland biologists. Final acceptance and approval of the report is at the discretion of City staff.

If you have any questions regarding this review, please contact me at (253) 573-9300 or by email at chadw@gretteassociates.com.

Regards,

Farallon Consulting L.L.C dba Grette Associates



Chad Wallin, PWS
Project Biologist

References:

Grette Associates, LLC. 2018. Discount Storage: Critical Areas Third Party Review. Prepared for the City of Port Orchard. June 12, 2018.

U.S. Army Corps of Engineers (USACE). 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*, ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-10-3. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

EXISTING LEGAL DESCR, TAX ID#, ADDRESS

LEGAL DESCRIPTIONS:

0223O1-3-001-2003 4343 Sidney Road, SW, Port Orchard, WA 98367

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, LYING WESTERLY OF STATE HIGHWAY 16, (FORMERLY NO 14) MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE NORTH ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 321.75 TO THE TRUE POINT OF BEGINNING OF THE PROPERTY THEREIN DESCRIBED± THENCE CONTINUING NORTH ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 321.75 FEET± THENCE EAST TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE SOUTH ALONG SAID EAST LINE TO A POINT THAT IS EAST FROM THE TRUE POINT OF BEGINNING± THENCE WEST TO THE POINT OF BEGINNING± AND EXCEPT THAT PORTION, IF ANY, LYING WITHIN THE GRADE INTERSECTION± EXCEPT THAT PORTION LYING SOUTHEASTERLY OF THE NORTHWESTERLY RIGHT-OF-WAY MARGIN OF SIDNEY ROAD AS CONVEYED IN DEED RECORDED UNDER KITSAP COUNTY AUDITOR'S FILE NO. 336182± AND EXCEPT THE WEST 60 FEET THEREOF AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER KITSAP COUNTY AUDITOR'S FILE NO. 639858± SITUATE IN KITSAP COUNTY, WASHINGTON. EEBETOGETHER WITH THAT PORTION OF VACATED SIDNEY ROAD SW, PER ORDINANCE NO. 003-09, AS DESCRIBED MORE FULLY UNDER AUDITOR'S FILE NO. 200903120102, AS ATTACHES PER OPERATION OF LAW.

0223O1-3-002-2008 NO SITUS ADDRESS

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, DESCIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE NORTH 321.75 FEET± THENCE EAST TO COUNTY ROAD± THENCE SOUTHERLY ALONG COUNTRY ROAD TO SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE WEST TO POINT OF BEGINNING± EXCEPT PORTION LYING EAST OF THE NEW COUNTY ROAD (SIDNEY ROAD)± AND EXCEPT PORTION CONVEYED TO STATE OF WASHINGTON FOR STATE HIGHWAY NO. 14, UNDER AUDITOR'S FILE NO. 627603± AND EXCEPT COUNTY ROAD± ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT A POINT ON THE WEST LINE OF SAID SUBDIVISION NORTH 321.75 FEET FROM THE SOUTHWEST CORNER THEREOF± THENCE EAST TO A POINT ON THAT RIGHT OF WAY LINE DRAWN PARALLEL WITH AND 60 FEET EASTERLY, WHEN MEASURED AT RIGHT ANGLES, FROM THE A 14 LINE SURVEY OF STATE HIGHWAY ROUTE NO. 16, OLYMPIC DRIVE TO TREMONT STREET± THENCE SOUTH ALONG SAID RIGHT OF WAY LINE, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION A 14 40+20.40 ON SAID A 14 LINE SURVEY AND THE TRUE POINT OF BEGINNING± THENCE S83°52'50 E 93.00 FEET, MORE OR LESS, TO THE COUNTY ROAD (SIDNEY ROAD)± THENCE SOUTHWESTERLY, ALONG SAID COUNTY ROAD, TO INTERSECT SAID RIGHT OF WAY LINE± THENCE NORTH, ALONG SAID RIGHT OF WAY LINE, TO THE TRUE POINT OF BEGINNING± SITUATE IN KITSAP COUNTY, WASHINGTON. EEBETOGETHER WITH THAT PORTION OF VACATED SIDNEY ROAD SW, PER ORDINANCE NO. 003-09, AS DESCRIBED MORE FULLY UNDER AUDITOR'S FILE NO. 200903120102, AS ATTACHES PER OPERATION OF LAW.

0223O1-3-026-2000 NO SITUS ADDRESS

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID SUBDIVISION NORTH 321.75 FEET FROM THE SOUTHWEST CORNER THEREOF± THENCE EAST TO A POINT ON THE RIGHT OF WAY LINE DRAWN PARALLEL WITH AND 60 FEET EASTERLY, WHEN MEASURED AT RIGHT ANGLES, FROM THE A 14 LINE SURVEY OF STATE HIGHWAY ROUTE NO. 16, OLYMPIC DRIVE TO TREMONT STREET± THENCE SOUTH, ALONG SAID RIGHT OF WAY LINE, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION A14 40+20.40 ON SAID A 14 LINE SURVEY AND THE TRUE POINT OF BEGINNING± THENCE SOUTH 53°52'50 EAST 93.00 FEET, MORE OR LESS, TO THE COUNTY ROAD (SIDNEY ROAD)± THENCE SOUTHEASTERLY, ALONG SAID COUNTY ROAD, TO INTERSECT SAID RIGHT OF WAY LINE± THENCE NORTH, ALONG SAID RIGHT OF WAY LINE, TO THE TRUE POINT OF BEGINNING± SITUATE IN KITSAP COUNTY, WASHINGTON. EEBETOGETHER WITH THAT PORTION OF VACATED SIDNEY ROAD SW, PER ORDINANCE NO. 003-09, AS DESCRIBED MORE FULLY UNDER AUDITOR'S FILE NO. 200903120102, AS ATTACHES PER OPERATION OF LAW.

0223O1-3-003-2007 NO SITUS ADDRESS

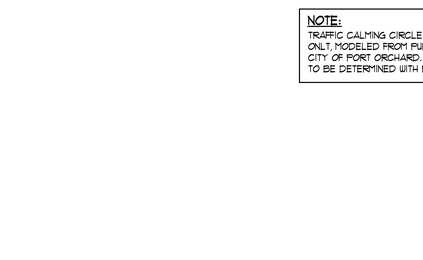
THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY MARGIN OF SIDNEY ROAD, AS DISCLOSED IN VOL 257, PAGE 366 OF DEEDS, WHERE SAID EASTERLY MARGIN OF SIDNEY ROAD INTERSECT THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE EAST TO THE WESTERLY MARGIN OF STATE HIGHWAY 16 (FORMERLY PRIMARY STATE HIGHWAY NO. 14)± THENCE NORTHWESTERLY ALONG SAID MARGIN TO THE EASTERLY MARGIN OF SIDNEY ROAD± THENCE SOUTHWESTERLY ALONG SAID EASTERLY MARGIN TO THE POINT OF BEGINNING± SITUATE IN THE COUNTY OF KITSAP, STATE OF WASHINGTON. EEBETOGETHER WITH THAT PORTION OF VACATED SIDNEY ROAD SW, PER ORDINANCE NO. 003-09, AS DESCRIBED MORE FULLY UNDER AUDITOR'S FILE NO. 200903120102, AS ATTACHES PER OPERATION OF LAW.

0223O1-3-001-2003 4385 Sidney Road, SW, Port Orchard, WA 98367

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION± THENCE EAST 650 FEET± THENCE SOUTH 374 FEET± THENCE WEST 350 FEET± THENCE NORTH 344 FEET± THENCE WEST 300 FEET± THENCE NORTH 30 FEET TO THE POINT OF BEGINNING± EXCEPT COUNTY ROAD± AND EXCEPT THAT PORTION THEREOF LYING WITHIN STATE HIGHWAY NO. 14± AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 634700 AND 639811± SITUATE IN THE COUNTY OF KITSAP, STATE OF WASHINGTON. EEBETOGETHER WITH THAT PORTION OF VACATED SIDNEY ROAD SW, PER ORDINANCE NO. 003-09, AS DESCRIBED MORE FULLY UNDER AUDITOR'S FILE NO. 200903120102, AS ATTACHES PER OPERATION OF LAW.

0223O1-3-113-2004 NO SITUS ADDRESS

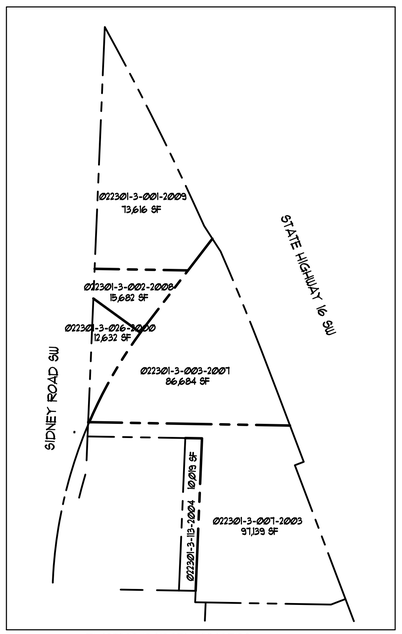
"""""THIS TAX PARCEL CREATED FOR SCC NO. 10-2-00428-1 PURPOSES. PREVIOUSLY LEFTOVER GAP IN LEGAL DESCRIPTION, THEREFORE NOT CONSIDERED A USABLE LOT FOR BOUNDARY LINE ADJUSTMENT PURPOSES, PER DIRECTION BY THE PROSECUTING ATTORNEY'S OFFICE"""""THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, WM, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 30 FEET SOUTH AND 50 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER± THENCE EAST 215 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, HUSBAND AND WIFE, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 200411080293, RECORDS OF KITSAP COUNTY, AND THE TRUE POINT OF BEGINNING± THENCE SOUTH ALONG THE EAST LINE THEREOF 320 FEET TO THE SOUTHEAST CORNER THEREOF± THENCE EAST 35 FEET TO THE WEST BOUNDARY OF A TRACT OF LAND CONVEYED TO MIST VENTURES LLC, A NEVADA LIMITED LIABILITY COMPANY, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 200811120118, RECORDS OF KITSAP COUNTY± THENCE NORTH ALONG THE WEST LINE THEREOF 320 FEET TO AN ANGLE POINT± THENCE WEST 35 FEET TO THE TRUE POINT OF BEGINNING± SITUATE IN COUNTY OF KITSAP, STATE OF WASHINGTON.



MINOR ARTERIAL "B" PROFILE
SCALE: 3/32" = 1'-0"

HALF-STREET IMPROVEMENT, ENTIRE LENGTH OF PROPERTY, MINOR ARTERIAL "B"

0223O1-3-001-2003	13,616 SF
0223O1-3-002-2008	15,682 SF
0223O1-3-026-2000	12,632 SF
0223O1-3-003-2007	86,684 SF
	128,614 SF
0223O1-3-001-2003	97,139 SF
0223O1-3-113-2004	10,019 SF
	107,158 SF
	235,772 SF

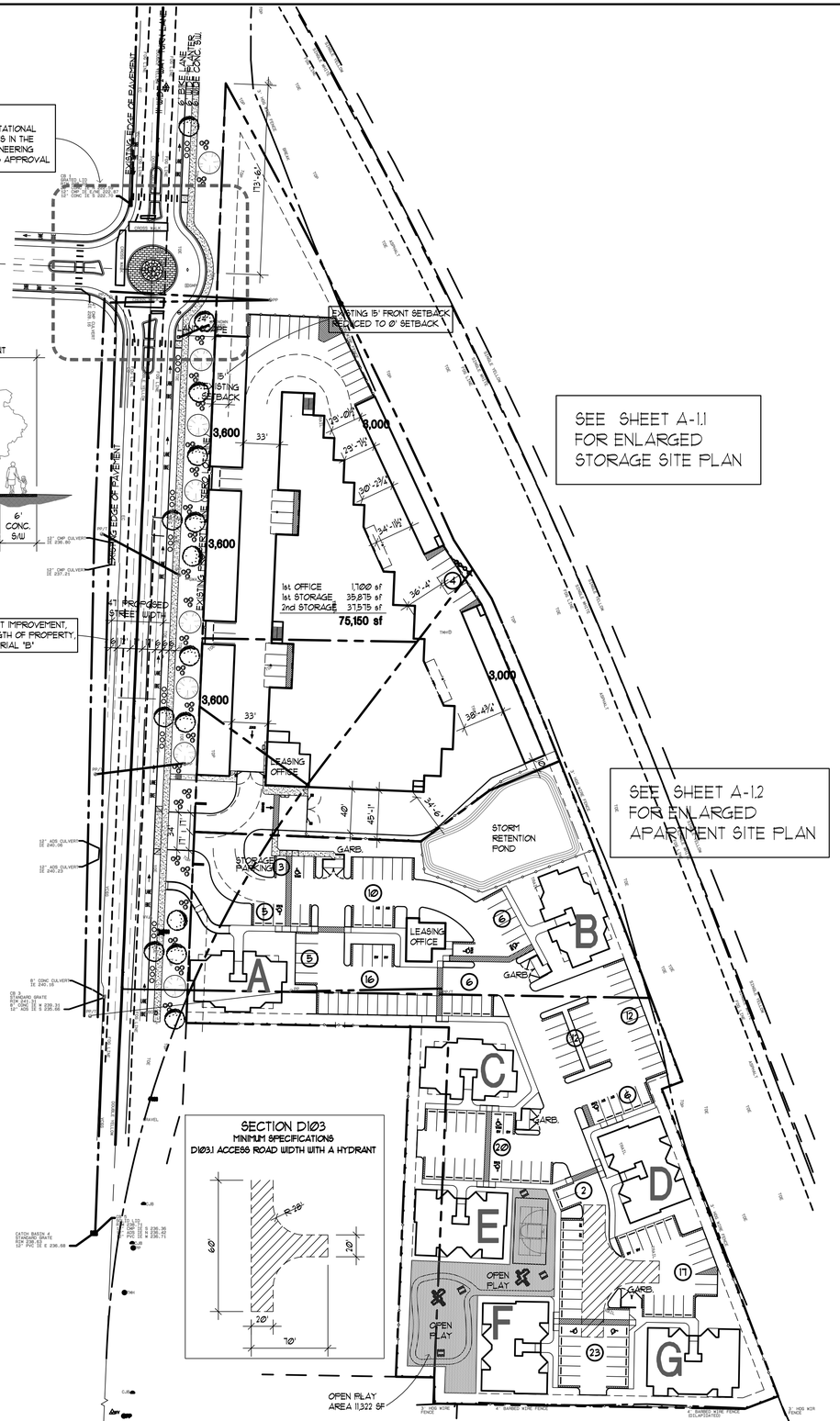


EXISTING PARCEL NUMBERS AND LOCATIONS

NOTE:
TRAFFIC CALMING CIRCLE IS REPRESENTATIONAL ONLY, MODELED FROM PUBLIC PROJECTS IN THE CITY OF PORT ORCHARD. ACTUAL ENGINEERING TO BE DETERMINED WITH PUBLIC WORKS APPROVAL

SEE SHEET A-1.1 FOR ENLARGED STORAGE SITE PLAN

SEE SHEET A-1.2 FOR ENLARGED APARTMENT SITE PLAN



SECTION D103
MINIMUM SPECIFICATIONS
D103.1 ACCESS ROAD WIDTH WITH A HYDRANT

ZERO FOOT LOT LINE SITE PLAN
SCALE: 1" = 60'



VICINITY MAP
SCALE: N.T.S.

CONTACTS

OWNER
SIDNEY ROAD INVESTMENTS LLC
Bob Oldright
601 VALLEY AVE NE Suite A
PUYALLUP, WA 98372
(253) 864-2121 Ex 111

CIVIL ENGINEER:
LARSON AND ASSOCIATES
Jeff Cederholm, P.E.
19021 Pacific Avenue, Suite 4
Tacoma, WA 98446-6241
253-414-3404

ARCHITECT:
The Keimig Associates
307 D Street, SE
Auburn, WA 98002
(253) 939-3232
FAX: (253) 735-1309

PROJECT DATA

PROJECT LOCATION:
4343 Sidney Road, SW, Port Orchard, WA 98367
4385 Sidney Road, SW, Port Orchard, WA 98367

ASSESSOR PARCELS:
0223O1-3-001-2003 0223O1-3-002-2008 0223O1-3-026-2000
0223O1-3-003-2007 0223O1-3-001-2003 0223O1-3-113-2004

SITE:
ZONING: CC - Commercial Corridor

SETBACKS:
FRONT: 15'
SIDE: 10'
REAR: 10'

MAXIMUM HARD SURFACE COVERAGE: 70%
COVERAGE AS DESINGED: 69.1%

CONSTRUCTION TYPE:
II-B (STORAGE)

MAXIMUM BUILDING HEIGHT: 35' (3 Stories)

SITE AREA (STORAGE SITE):
124,009 SF (2.85 AC)

IMPERVIOUS AREA (STORAGE SITE):
103,974 SF (2.39 AC)
103,974 SF / 124,009 SF = 83.8% IMPERVIOUS

IMPERVIOUS AREA (APARTMENT SITE-REZONE):
171,917 SF (3.95 AC)
108,943 SF / 171,917 SF = 63.4% IMPERVIOUS

DRAWING INDEX

ARCHITECTURAL

A-1.0	VICINITY MAP, OVERALL SITE PLAN, GENERAL INFORMATION
	EXISTING LEGAL DESCRIPTIONS
A-1.1	STORAGE SITE PLAN, NEW LEGAL DESCRIPION
A-1.2	APARTMENT SITE PLAN, NEW LEGAL DESCRIPION
	ENLARGED FLOOR PLAN
A-2.0	BUILDING "A" STORAGE PLAN 1ST FLOOR
A-2.2	BUILDING "B, C, D, E, and F" STORAGE PLANS
A-2.2	TYPICAL APARTMENT FLOOR PLANS
A-2.3	APARTMENT CLASS "I" FLOOR PLANS
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A-2.5	APARTMENT CLASS "III" FLOOR PLANS
A-3.1	BUILDING "A" EXTERIOR ELEVATIONS
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A-3.3	STORAGE BUILDINGS STREET VIEW ELEVATIONS
A-3.4	APARTMENT ELEVATIONS
A-4.1	APARTMENT SECTIONS
A-5.1	APARTMENT ROOF LAYOUTS
A-6.1	APARTMENT ELECTRICAL LAYOUTS

COUNTER COMPLETE
Permit Center
Jul 14, 2025
City of Port Orchard
Community Development

REVISIONS

CONDITIONAL USE PERMIT for

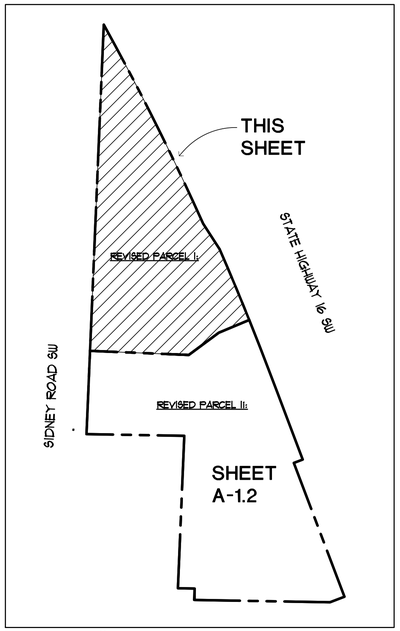
SIDNEY ROAD INVESTMENTS LLC Storage Facility

4343 Sidney Road, SW — Port Orchard, WA 98367

REGISTERED ARCHITECT
2051
ALAN C. KEIMIG
STATE OF WASHINGTON
7/3/2025

THE KEIMIG ASSOCIATES
307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232
ARCHITECTS PLANNERS

JOB NUMBER: 24-23
DATE 7-10-25
SHT A-1.0
1 OF 16



KEY SITE PLAN

EXISTING LEGAL DESCR, TAX ID#, ADDRESS

REVISED PARCEL I:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 200901201O2, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

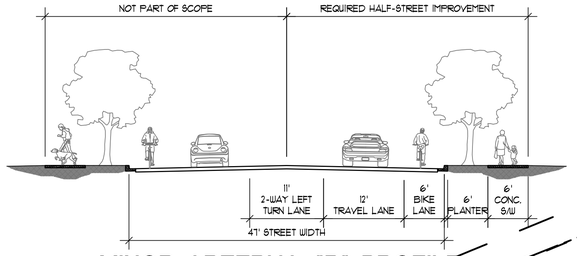
ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

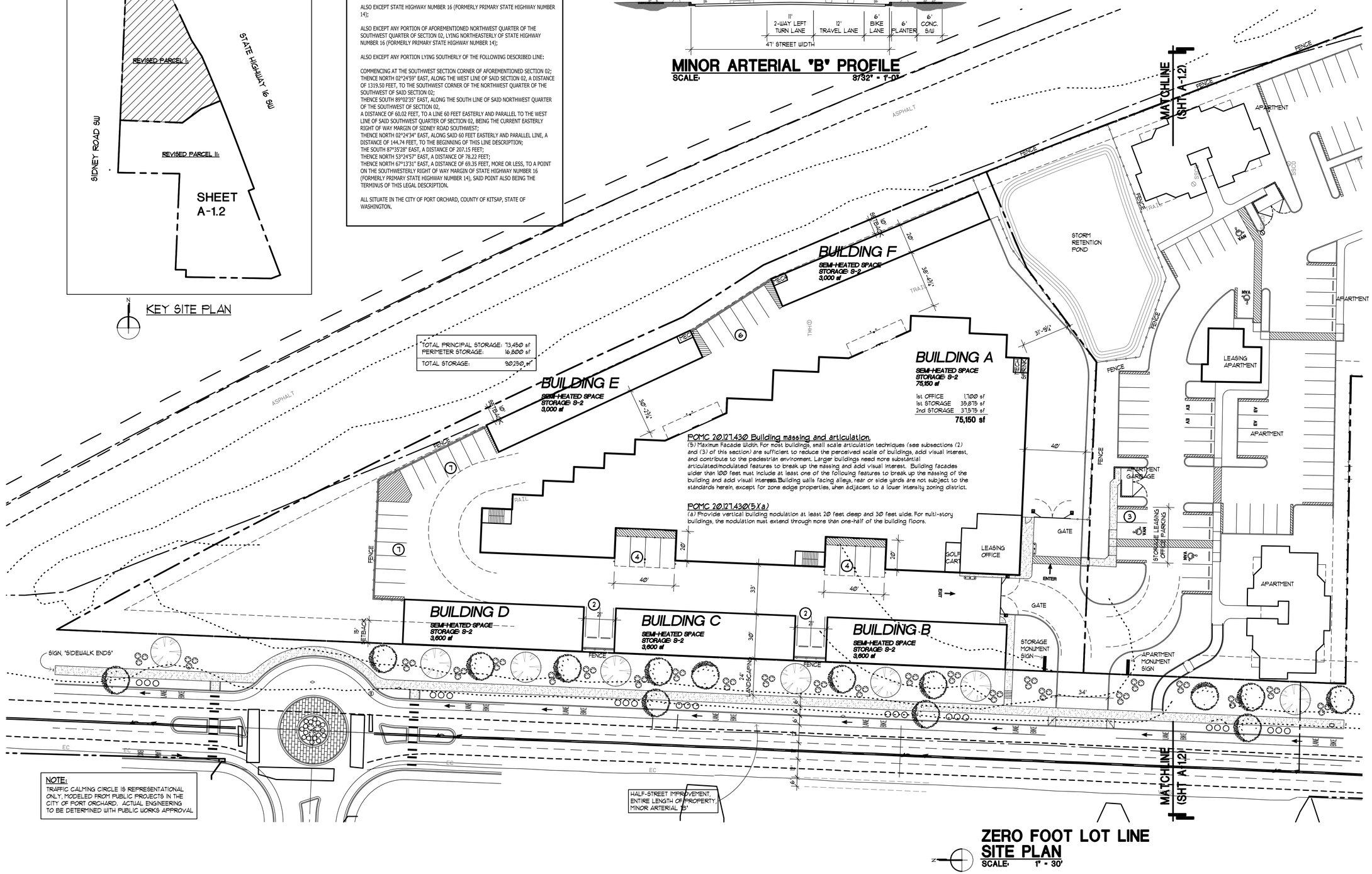
COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02,
A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET;
THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET;
THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.



MINOR ARTERIAL "B" PROFILE

SCALE: 3/32" = 1'-0"



NOTE:
TRAFFIC CALMING CIRCLE IS REPRESENTATIONAL ONLY, MODELED FROM PUBLIC PROJECTS IN THE CITY OF PORT ORCHARD. ACTUAL ENGINEERING TO BE DETERMINED WITH PUBLIC WORKS APPROVAL

POMC 20.127.430 Building massing and articulation.
(5) Maximum Facade Width. For most buildings, small scale articulation techniques (see subsections (2) and (3) of this section) are sufficient to reduce the perceived scale of buildings, add visual interest, and contribute to the pedestrian environment. Larger buildings need more substantial articulated/modulated features to break up the massing and add visual interest. Building facades wider than 100 feet must include at least one of the following features to break up the massing of the building and add visual interest. Building walls facing alleys, rear or side yards are not subject to the standards herein, except for zone edge properties, when adjacent to a lower intensity zoning district.

POMC 20.127.430(5)(a)
(a) Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings, the modulation must extend through more than one-half of the building floors.

ZERO FOOT LOT LINE SITE PLAN

SCALE: 1" = 30'

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

Port Orchard, WA 98367

4543 Sidney Road, SW

2051 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON 7/3/2025

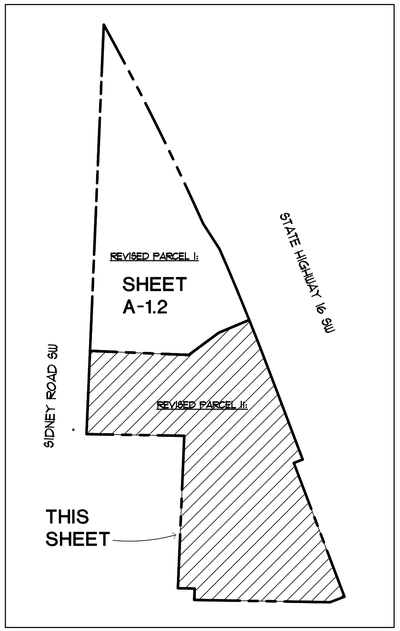
THE KEIMIG ASSOCIATES
307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232
ARCHITECTS PLANNERS

JOB NUMBER: 24-23

DATE 7-10-25

SHT A-1.1

2 OF 16



KEY SITE PLAN

EXISTING LEGAL DESCR, TAX ID#, ADDRESS

REVISED PARCEL II:

THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 200901201O2, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

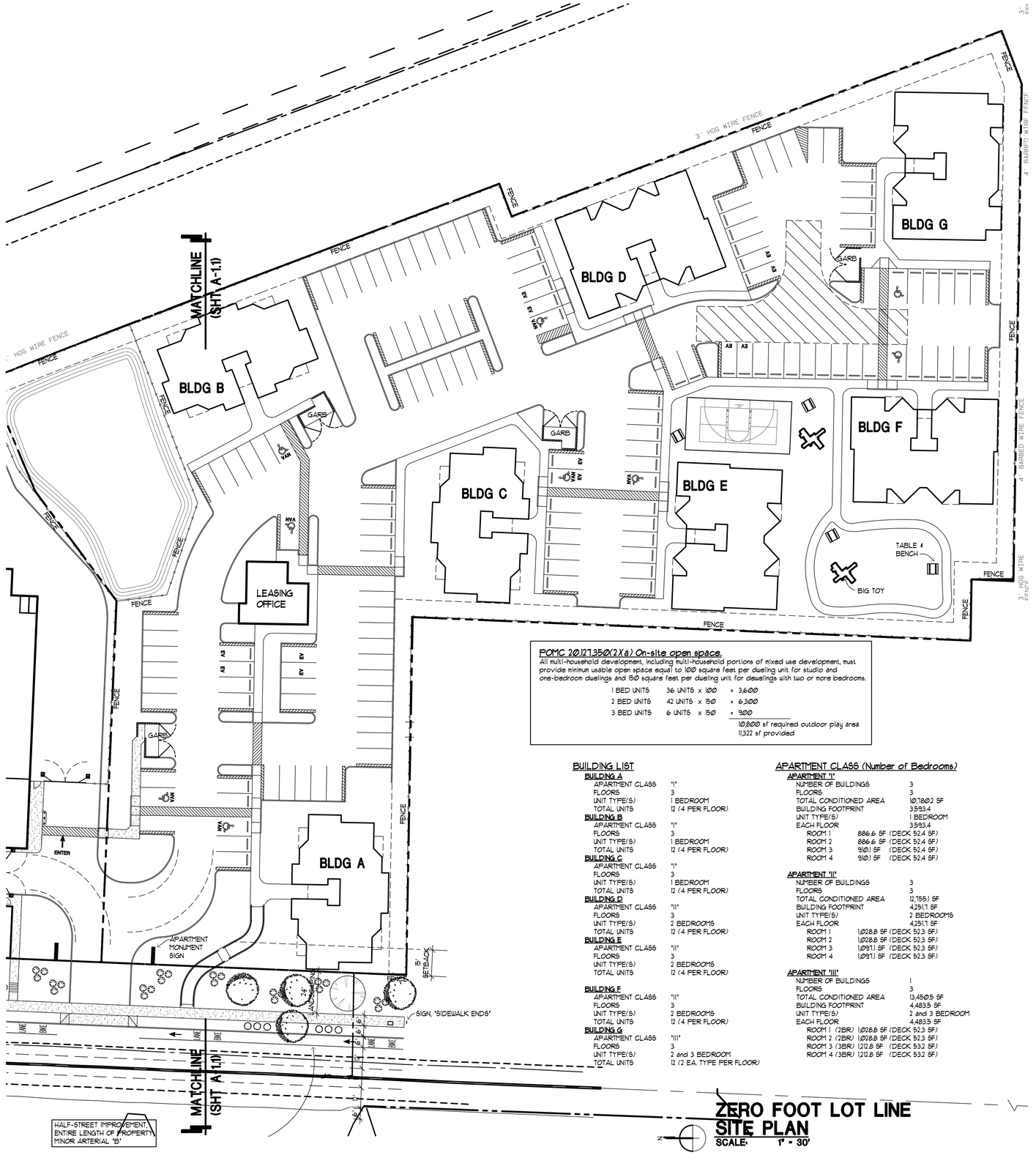
ALSO EXCEPT ANY PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET;
THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET;
THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALSO EXCEPT ANY PORTION LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE SOUTH 02°24'34" WEST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 21.07 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THENCE SOUTH 68°01'11" EAST, A DISTANCE OF 24.86 FEET, MORE OR LESS, AS TO THE INTERSECT THE NORTH LINE OF THAT CERTAINED TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200411080293;
THENCE ALONG THE NORTH LINE OF SAID TRACT OF LAND, SOUTH 89°02'35" EAST, A DISTANCE OF 181.55 FEET, TO THE NORTHEAST CORNER OF SAID TRACT;
THENCE ALONG THE EASTERLY LINE OF SAID TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 320.00 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE SOUTH 89°02'35" EAST, A DISTANCE OF 34.99 FEET, TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO MIST VENTURES, LLC, BY DEED RECORD UNDER AUDITOR'S FILE NUMBER 200811120188, RECORDS OF KITSAP COUNTY, WASHINGTON;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 24.00 FEET, TO THE SOUTHWEST CORNER OF SAID MIST VENTURES, LLC TRACT;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 89°02'35" EAST, A DISTANCE OF 284.74 FEET;
THENCE NORTH 69°15'44" EAST, A DISTANCE OF 32.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.



ZERO FOOT LOT LINE SITE PLAN
SCALE: 1" = 30'

POMC 20.127.350(2)(a) On-site open space.

All multi-household development, including multi-household portions of mixed use development, must provide minimum usable open space equal to 100 square feet per dueling unit for studio and one-bedroom duelings and 150 square feet per dueling unit for dwellings with two or more bedrooms.

1 BED UNITS	36 UNITS	x 100	= 3,600
2 BED UNITS	42 UNITS	x 150	= 6,300
3 BED UNITS	6 UNITS	x 150	= 900
			10,800 sf required outdoor play area
			11,322 sf provided

BUILDING LIST

BUILDING A
APARTMENT CLASS "I"
FLOORS 3
UNIT TYPE(S) 1 BEDROOM
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING B
APARTMENT CLASS "I"
FLOORS 3
UNIT TYPE(S) 1 BEDROOM
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING C
APARTMENT CLASS "I"
FLOORS 3
UNIT TYPE(S) 1 BEDROOM
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING D
APARTMENT CLASS "II"
FLOORS 3
UNIT TYPE(S) 2 BEDROOMS
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING E
APARTMENT CLASS "II"
FLOORS 3
UNIT TYPE(S) 2 BEDROOMS
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING F
APARTMENT CLASS "II"
FLOORS 3
UNIT TYPE(S) 2 BEDROOMS
TOTAL UNITS 12 (4 PER FLOOR)

BUILDING G
APARTMENT CLASS "III"
FLOORS 3
UNIT TYPE(S) 2 and 3 BEDROOM
TOTAL UNITS 12 (2 EA. TYPE PER FLOOR)

APARTMENT CLASS (Number of Bedrooms)

APARTMENT "I"
NUMBER OF BUILDINGS 3
FLOORS 3
TOTAL CONDITIONED AREA 10,380.2 SF
BUILDING FOOTPRINT 3,593.4
UNIT TYPE(S) 1 BEDROOM
EACH FLOOR 3,593.4
ROOM 1 886.6 SF (DECK 52.4 SF)
ROOM 2 886.6 SF (DECK 52.4 SF)
ROOM 3 910.1 SF (DECK 52.4 SF)
ROOM 4 910.1 SF (DECK 52.4 SF)

APARTMENT "II"
NUMBER OF BUILDINGS 3
FLOORS 3
TOTAL CONDITIONED AREA 12,155.1 SF
BUILDING FOOTPRINT 4,251.7 SF
UNIT TYPE(S) 2 BEDROOMS
EACH FLOOR 4,251.7 SF
ROOM 1 1,028.8 SF (DECK 52.3 SF)
ROOM 2 1,028.8 SF (DECK 52.3 SF)
ROOM 3 1,097.1 SF (DECK 52.3 SF)
ROOM 4 1,097.1 SF (DECK 52.3 SF)

APARTMENT "III"
NUMBER OF BUILDINGS 1
FLOORS 3
TOTAL CONDITIONED AREA 13,450.5 SF
BUILDING FOOTPRINT 4,483.5 SF
UNIT TYPE(S) 2 and 3 BEDROOM
EACH FLOOR 4,483.5 SF
ROOM 1 (2BR) 1,028.8 SF (DECK 52.3 SF)
ROOM 2 (2BR) 1,028.8 SF (DECK 52.3 SF)
ROOM 3 (3BR) 1,212.8 SF (DECK 53.2 SF)
ROOM 4 (3BR) 1,212.8 SF (DECK 53.2 SF)

REVISIONS

CONDITIONAL USE PERMIT for
SIDNEY ROAD INVESTMENTS LLC Storage Facility
4343 Sidney Road, SW
Port Orchard, WA 98367

2051 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON
7/3/2025

307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232
THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

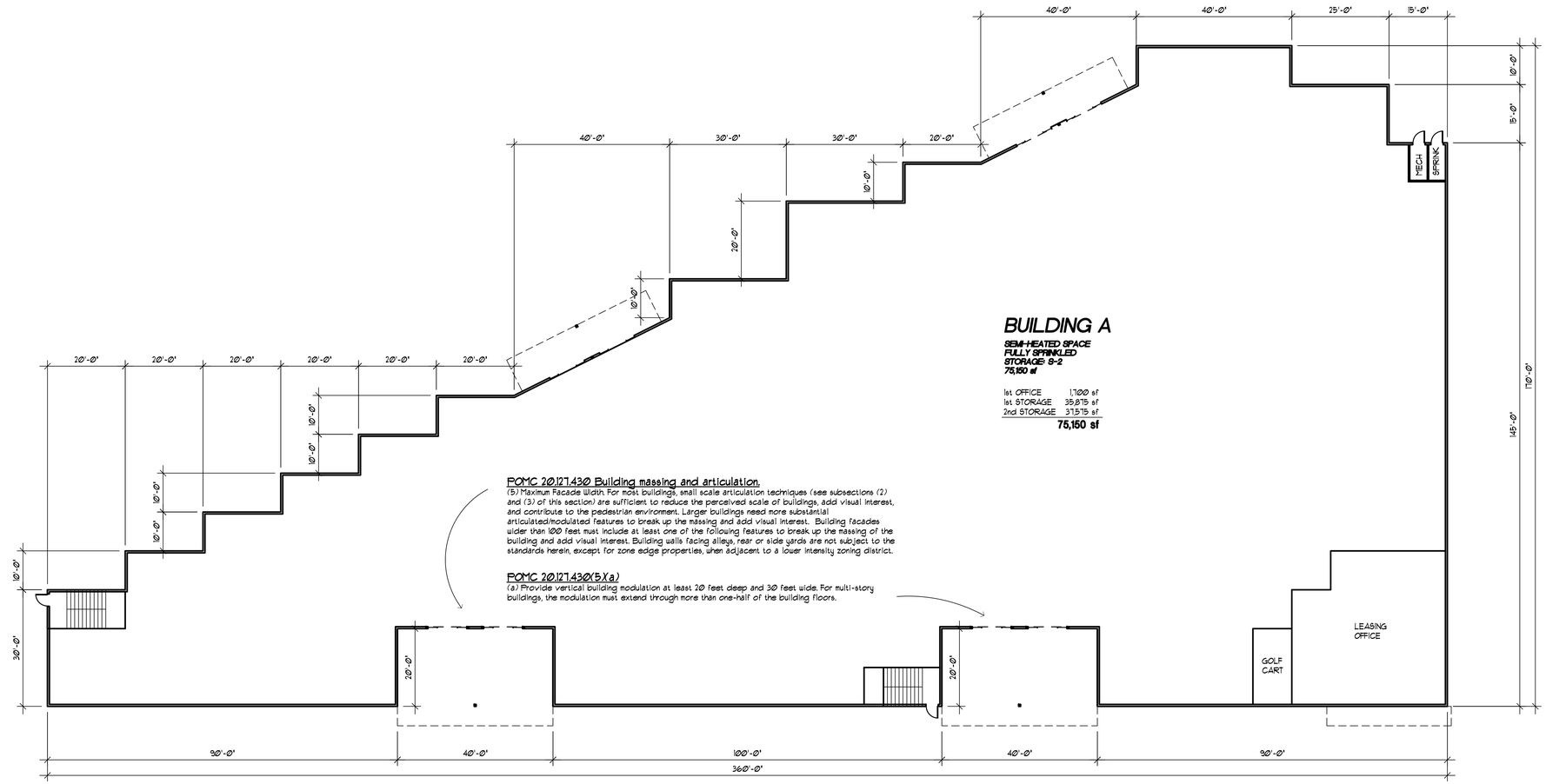
JOB NUMBER: 24-23
DATE 7-10-25
SHT A-1.2
3 OF 16

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

4343 Sidney Road, SW — Port Orchard, WA 98367



BUILDING A

SEMI-HEATED SPACE
FULLY SPRINKLED
STORAGE: S-2
75,150 sf

1st OFFICE	1,100 sf
1st STORAGE	35,875 sf
2nd STORAGE	37,575 sf
75,150 sf	

POMC 20.127.430 Building massing and articulation.
(5) Maximum Facade Width. For most buildings, small scale articulation techniques (see subsections (2) and (3) of this section) are sufficient to reduce the perceived scale of buildings, add visual interest, and contribute to the pedestrian environment. Larger buildings need more substantial articulated/modulated features to break up the massing and add visual interest. Building facades wider than 1200 feet must include at least one of the following features to break up the massing of the building and add visual interest. Building walls facing alleys, rear or side yards are not subject to the standards herein, except for zone edge properties, when adjacent to a lower intensity zoning district.

POMC 20.127.430(5)(a)
(a) Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings, the modulation must extend through more than one-half of the building floors.

(UPPER FLOOR SIMILAR) LOWER FLOOR PLAN

SCALE: 1/16" = 1'-0"

REGISTERED ARCHITECT
ALAN C. KEIMIG
STATE OF WASHINGTON
2051
7/3/2025

307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232

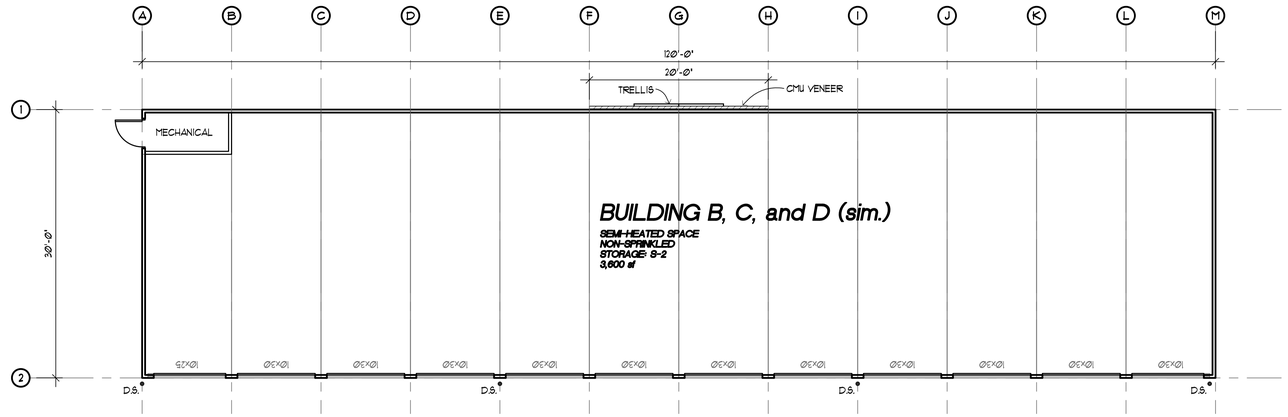
THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

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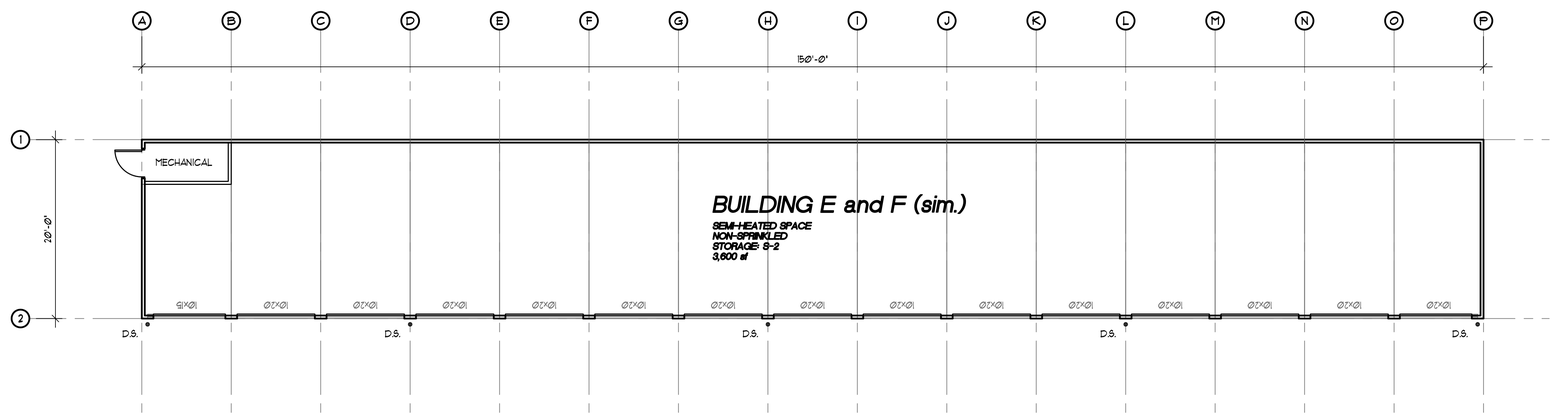
DATE 7-10-25

SHT A-2.0

4 OF 16



FLOOR PLAN
SCALE: 1/8" = 1'-0"



FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

4543 Sidney Road, SW
Port Orchard, WA 98367

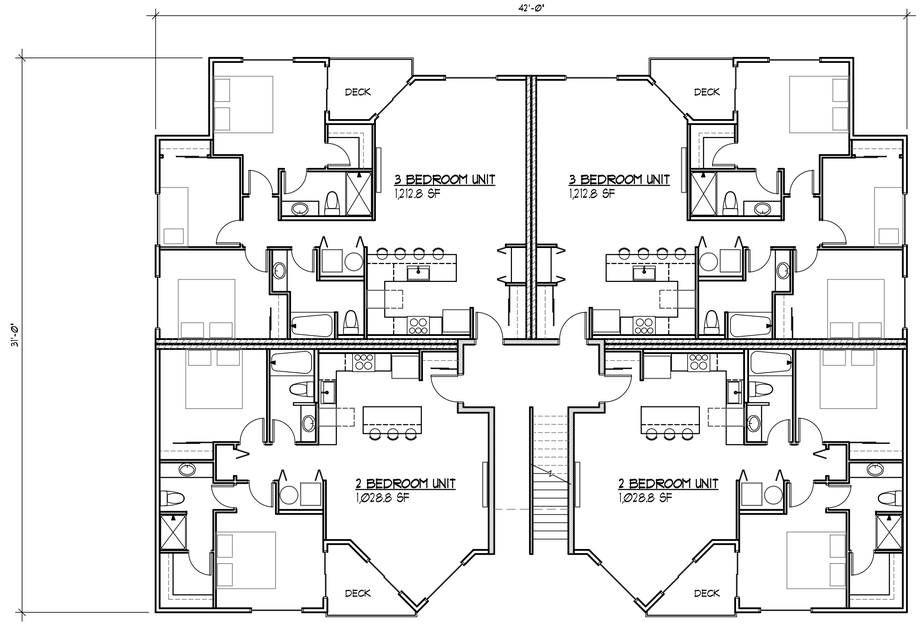
REGISTERED ARCHITECT
ALAN C. KEIMIG
STATE OF WASHINGTON
2051
7/3/2025

307 D STREET SE
AUBURN, WASHINGTON
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PHONE: 253.939.3232

THE KEIMIG ASSOCIATES
ARCHITECTS
PLANNERS

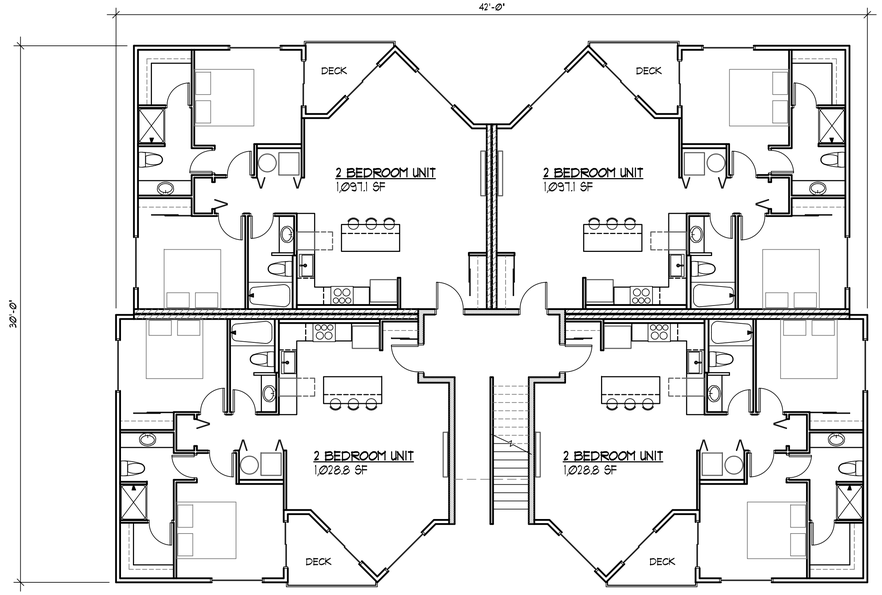
JOB NUMBER: 24-23
DATE 7-10-25
SHT A-2.1
5 OF 16

BUILDING LIST	
BUILDING A	
APARTMENT CLASS	"I"
FLOORS	3
UNIT TYPE(S)	1 BEDROOM
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING B	
APARTMENT CLASS	"I"
FLOORS	3
UNIT TYPE(S)	1 BEDROOM
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING C	
APARTMENT CLASS	"I"
FLOORS	3
UNIT TYPE(S)	1 BEDROOM
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING D	
APARTMENT CLASS	"III"
FLOORS	3
UNIT TYPE(S)	2 BEDROOMS
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING E	
APARTMENT CLASS	"III"
FLOORS	3
UNIT TYPE(S)	2 BEDROOMS
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING F	
APARTMENT CLASS	"II"
FLOORS	3
UNIT TYPE(S)	2 BEDROOMS
TOTAL UNITS	12 (4 PER FLOOR)
BUILDING G	
APARTMENT CLASS	"III"
FLOORS	3
UNIT TYPE(S)	2 and 3 BEDROOM
TOTAL UNITS	12 (2 EA. TYPE PER FLOOR)



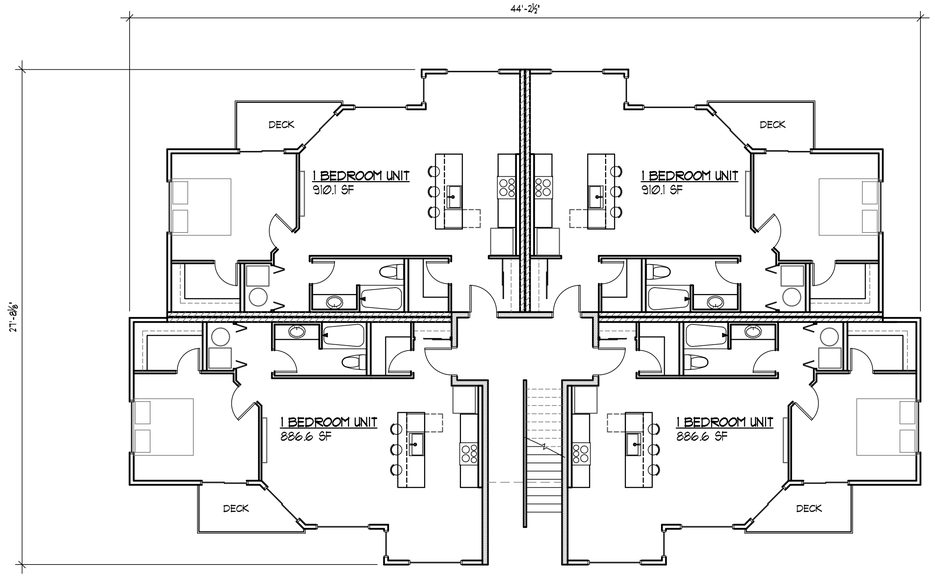
APARTMENT "III"		
NUMBER OF BUILDINGS	3	
FLOORS	3	
TOTAL CONDITIONED AREA	13,450.5 SF	
BUILDING FOOTPRINT	4,483.5 SF	
UNIT TYPE(S)	2 and 3 BEDROOM	
EACH FLOOR	4,483.5 SF	
ROOM 1 (2BR)	1,028.8 SF	(DECK 52.3 SF)
ROOM 2 (2BR)	1,028.8 SF	(DECK 52.3 SF)
ROOM 3 (3BR)	1,212.8 SF	(DECK 53.2 SF)
ROOM 4 (3BR)	1,212.8 SF	(DECK 53.2 SF)

BUILDING TYPE "III"
2nd and 3rd FLOORS SIMILAR
SCALE: 1/8" = 1'-0"



APARTMENT "II"		
NUMBER OF BUILDINGS	3	
FLOORS	3	
TOTAL CONDITIONED AREA	12,755.1 SF	
BUILDING FOOTPRINT	4,251.7 SF	
UNIT TYPE(S)	2 BEDROOMS	
EACH FLOOR	4,251.7 SF	
ROOM 1	1,028.8 SF	(DECK 52.3 SF)
ROOM 2	1,028.8 SF	(DECK 52.3 SF)
ROOM 3	1,097.1 SF	(DECK 52.3 SF)
ROOM 4	1,097.1 SF	(DECK 52.3 SF)

BUILDING TYPE "II"
2nd and 3rd FLOORS SIMILAR
SCALE: 1/8" = 1'-0"



APARTMENT "I"		
NUMBER OF BUILDINGS	3	
FLOORS	3	
TOTAL CONDITIONED AREA	10,780.2 SF	
BUILDING FOOTPRINT	3,593.4	
UNIT TYPE(S)	1 BEDROOM	
EACH FLOOR	3,593.4	
ROOM 1	886.6 SF	(DECK 52.4 SF)
ROOM 2	886.6 SF	(DECK 52.4 SF)
ROOM 3	910.1 SF	(DECK 52.4 SF)
ROOM 4	910.1 SF	(DECK 52.4 SF)

BUILDING TYPE "I"
2nd and 3rd FLOORS SIMILAR
SCALE: 1/8" = 1'-0"

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

Port Orchard, WA 98367

4543 Sidney Road, SW

2651 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON 7/3/2025

307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232

THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

JOB NUMBER: 24-23

DATE 7-10-25

SHT A-2.2

6 OF 16

EXCERPTS FROM GYPSUM ASSOCIATION GA -600
GENERAL EXPLANATORY NOTES

18. STUD SIZES AND DEPTHS - Greater stud sizes (depths) shall be permitted to be used in metal- or woodstud systems. Metal studs of greater mil thickness than those tested for fire performance shall be permitted. The assigned fire rating of any load-bearing system shall also apply to the same system when used as a nonload-bearing system. Indicated stud spacings are maximums for fire performance of the system. Greater stud depth may improve the STC; however, increasing the steel thickness of the stud or decreasing stud spacing may reduce the STC.

19. TRUSS SIZES AND DEPTHS - Specified floor-ceiling and roof-ceiling framing sizes or truss dimensions are minimums. Greater joist or truss sizes (depths) shall be permitted to be used in metal- or wood-framed systems. Indicated joist and truss spacings are maximums. Greater joist or truss depth may improve the STC, however, decreasing joist or truss spacing may reduce the STC.

25. PANEL THICKNESS - Gypsum panels and wood structural panels of the same type may be replaced by thicker panels of the same type. Length of fasteners shall be increased accordingly to accommodate the increased thickness of the panel.

26. ADDITION OF OTHER PANELS - When not specified as a component of a fire-resistance-rated wall or partition system, cementitious backer units, and/or wood structural panels shall be permitted to be added to one or both sides. Such non-gypsum panels shall be permitted to be applied either as a base layer directly to the framing (under the gypsum panels) as a face layer (over the face layer of gypsum panels), or between layers of gypsum panels in multi-layer systems. Where such non-gypsum panels are applied under the gypsum or between layers of gypsum panels, the length of the fasteners specified for the attachment of the gypsum panel applied over the non-gypsum panels shall be increased by not less than the thickness of the non-gypsum panels. Fastener spacing for the gypsum panel and the number of layers of gypsum panels shall be as specified in the system description.

FIRE BLOCKING

PROVIDE FIRE BLOCKING IN ALL FURRED SPACES AT CEILING AND FLOOR LINES, AND AT 10 FOOT INTERVALS, VERTICAL AND HORIZONTAL FIREBLOCK ALL SHAFTS AS REQUIRED AND IN CONCEALED VERTICAL SPACES IN AREAS BUILT OUT FOR TUBS AND SHOWERS, AND AT ALL OTHER LOCATIONS REQUIRED BY CODES. FIRE CAULK WITH APPROVED MATERIAL ALL HOLES AND AROUND ALL PENETRATIONS AT FLOOR, CEILINGS, AND FIREWALLS.

TABLE 722.6.2(1)
TIME ASSIGNED TO WALLBOARD MEMBRANES a, b, c, d

EXCERPT

DESCRIPTION OF FINISH	TIME (IN MINUTES)
5/8-INCH GYPSUM WALLBOARD	30 e

a. These values apply only when members are installed on framing members which are spaces 16 inches o.c. or less
b. Gypsum wallboard installed over framing or furring shall be installed so that all edges are supported, except 3/8-inch Type X gypsum wallboard shall be permitted to be installed horizontally with the horizontal joints staggered 24 inches each side and unsupported but finished.
c. On wood frame floor/ceiling or roof/ceiling assemblies, gypsum board shall be installed with the long dimension perpendicular to framing members and shall have all joints finished.
d. The membranes on the unexposed side shall not be included in determining the fire resistance of the assembly. When dissimilar membranes are used on a wall assembly, the calculation shall be made from the last fire resistant (weaker) side
e. The time assigned is not a finished rating.

NOTE

PROVIDE ANCHOR BOLTS AT SIZE AND SPACING REQUIRED BY NOT OR SHEAR WALL REQUIREMENTS. THERE SHALL BE A MINIMUM OF 2 BOLTS PER PLATE PIECE AND ONE BOLT LOCATED WITHIN 12 INCHES OF EACH END OF EACH PIECE. BOLTS SHALL BE GALVANIZED AND HAVE PROPER GALVANIZED NUTS AND MINIMUM 3 INCH X 3 INCH SQUARE X 1/4 INCH PLATE WASHERS.

EACH BOLT SHALL HAVE FULL PLATE PENETRATION PLUS LENGTH FOR NUT AND WASHER WITH MINIMUM EMBEDMENT OF 7 INCHES. ALL SILL PLATES SHALL BE PRESSURE TREATED WOOD SIZE AS NOTED OR REQUIRED FOR WALL ABOVE AND SET ON SILL SEALER. SILL PLATES SHALL MAINTAIN MINIMUM 6 INCH SEPARATION TO ANY SOIL

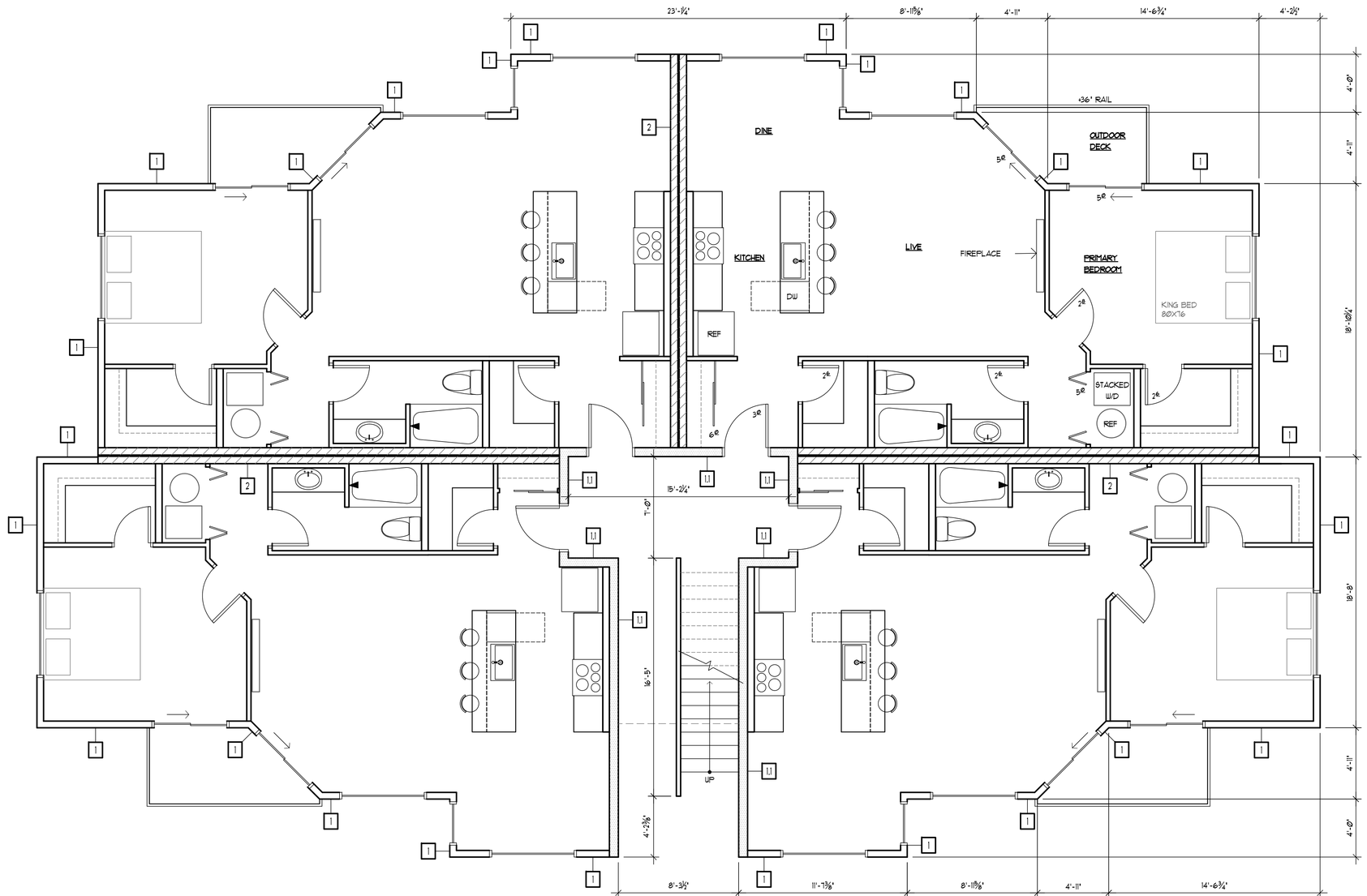
ALL NAILING INTO PRESERVATIVE TREATED MATERIAL SHALL BE GALVANIZED, SIZES AS REQUIRED.

WALL SCHEDULE

MARK	WALL TYPE	CONSTRUCTION	DETAIL(S)
1	EXTERIOR, COMBUSTIBLE RESIDENTIAL 2x6		
1.1	1-HOUR RATED FIRE SEPARATION DISTANCE/STAIRS EXTERIOR, COMBUSTIBLE 2x6	GA FILE NO. WP 8105 GENERIC 1-HOUR FIRE, GYPSUM WALLBOARD, GYPSUM SHEATHING, WOOD STUDS **Fire Design:** EXTERIOR SIDE: One layer 48" wide 5/8" type X gypsum sheathing applied parallel to 2x4 wood studs 24" o.c. with 1-3/4" galvanized roofing nails 4" o.c. at vertical joints and 7" o.c. at intermediate studs and top and bottom plates. Joints of gypsum sheathing may be left untreated. Exterior cladding to be attached through sheathing to studs. INTERIOR SIDE: One layer 5/8" type X gypsum wallboard, waterresistant gypsum backing board, or gypsum veneer base applied parallel or at right angles to studs with 6d coated nails, 1-7/8" long, Ø.0915" shank, 1/4" heads, 7" o.c. (LOAD-BEARING)	X A-2.3
2	TENANT DEMISING WALL 1-HOUR RATED, COMBUSTIBLE 2x6 GENERIC LOAD-BEARING 50 to 54 STC Sound Fire Test: UL R4024, 10-31-68 UL Design U341 Sound Test: NOAL 17-0837, 8-25-17	GA FILE NO. WP 3269 GENERIC, 1-HOUR FIRE, GYPSUM WALLBOARD, WOOD STUDS, INSULATION **Fire Design:** One layer 5/8" type X gypsum wallboard or gypsum veneer base applied parallel or at right angles to each side of double row of 2x4 wood studs 16" o.c. on separate plates 1" apart with 2" Type W screws 7" o.c. Two layers 3.5" unfaced glass fiber insulation friction fit on both sides of cavity. Joints staggered 16" on opposite sides. Horizontal bracing required at mid-height. (LOAD-BEARING)	X A-2.3
3	INTERIOR PARTITION, NON-RATED WALL 2x4	5/8" GYP EA SIDE (GREEN BOARD AT PLUMBING WALLS), 2x4 STUD WALL	

WALL KEY

	TYPE 1.1 WALL
	TYPE 2 WALL



WHOLE FLOOR: 3,593.4 SF UNIT: 886.6 SF / 910.1 SF DECK: 52.4 SF

N

APARTMENT CLASS "I"
SCALE: 1/4"-10'-0"

REVISIONS

CONDITIONAL USE PERMIT for

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JOB NUMBER: 24-23
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SHT A-2.3
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EXCERPTS FROM GYPSUM ASSOCIATION GA -600
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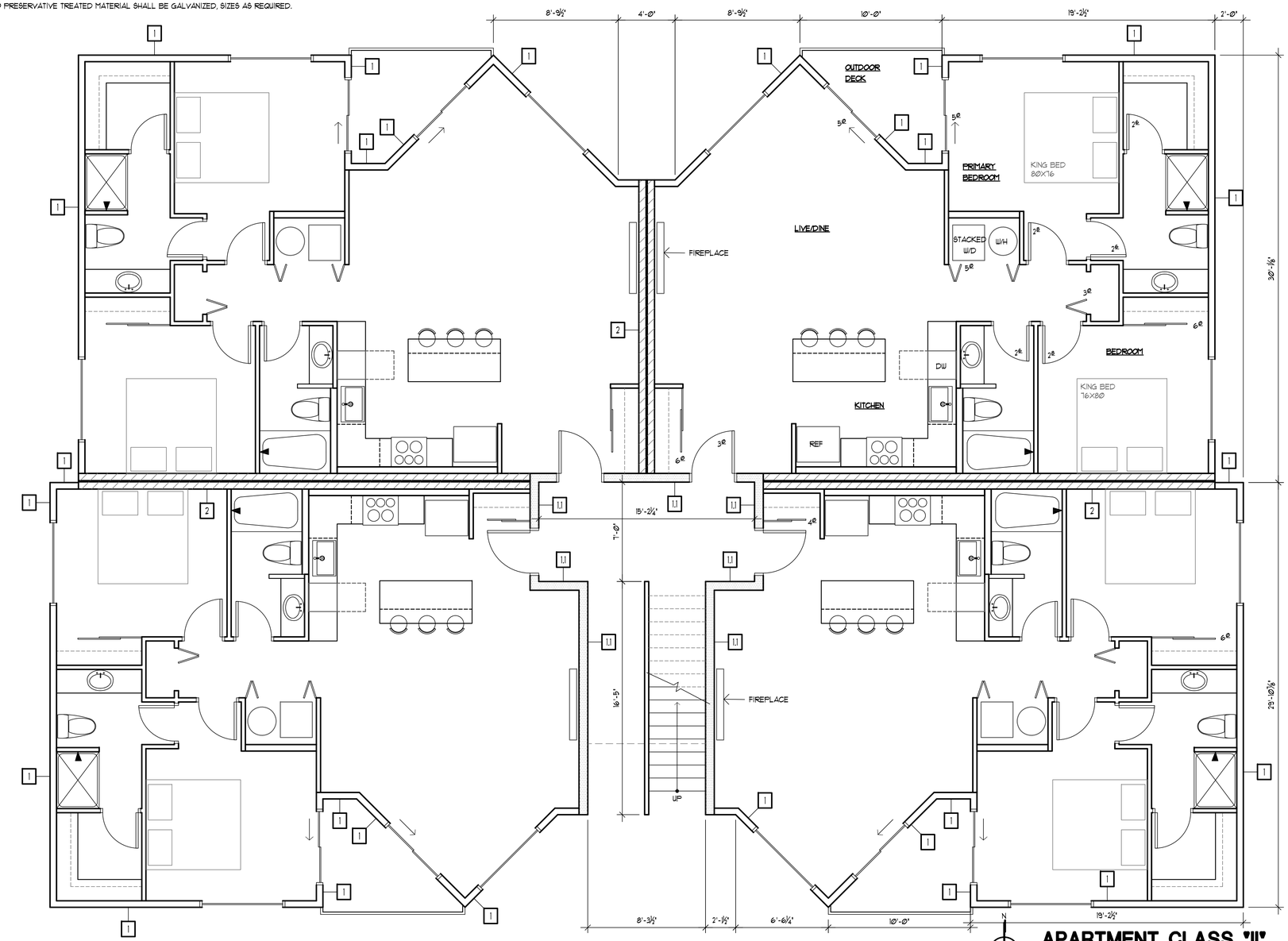
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WALL KEY

	TYPE 1.1 WALL
	TYPE 2 WALL



WHOLE FLOOR: 4,251.7 SF UNIT: 1,028.8 SF / 1,097.1 DECK: 52.3 SF

APARTMENT CLASS "II"
SCALE: 1/4"=10'-0"

REVISIONS

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SIDNEY ROAD INVESTMENTS LLC Storage Facility
4543 Sidney Road, SW Port Orchard, WA 98367

2051 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON 7/3/2025

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JOB NUMBER: 24-23
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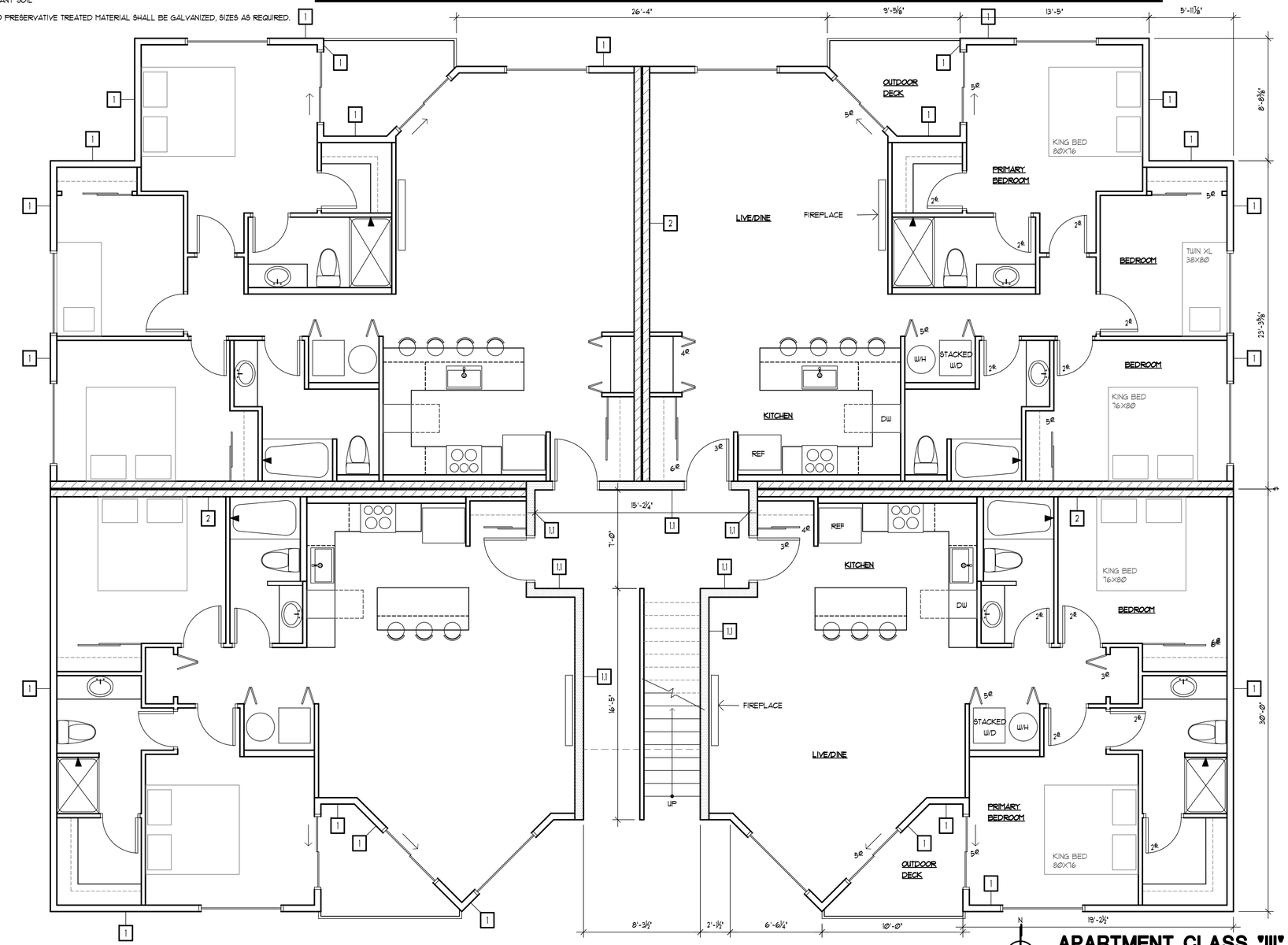
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3	INTERIOR PARTITION, NON-RATED WALL 2x4	5/8" GYP EA SIDE (GREEN BOARD AT PLUMBING WALLS), 2x4 STUD WALL	

WALL KEY

	TYPE 1.1 WALL
	TYPE 2 WALL



WHOLE FLOOR: 4,483.5 SF UNIT (2-BED): 1028.8 SF DECK (2-BED): 52.3 SF UNIT (3-BED): 1,212.8 SF DECK (3-BED): 53.2 SF

APARTMENT CLASS "III"
SCALE: 1/4"-10'-0"

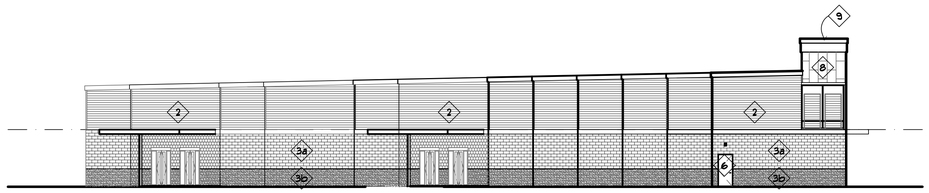
REVISIONS

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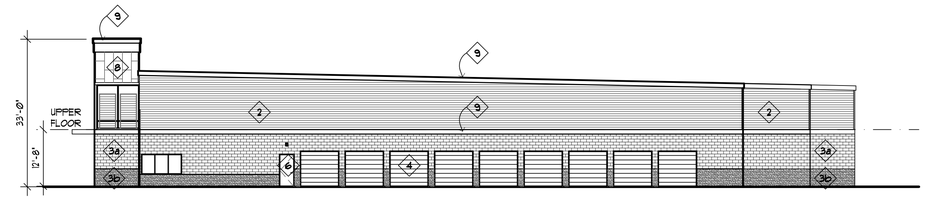
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9 OF 16



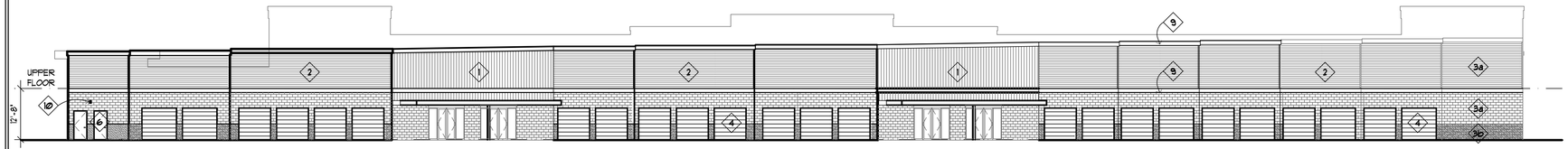
NORTH ELEVATION
SCALE: 1/16" = 1'-0"



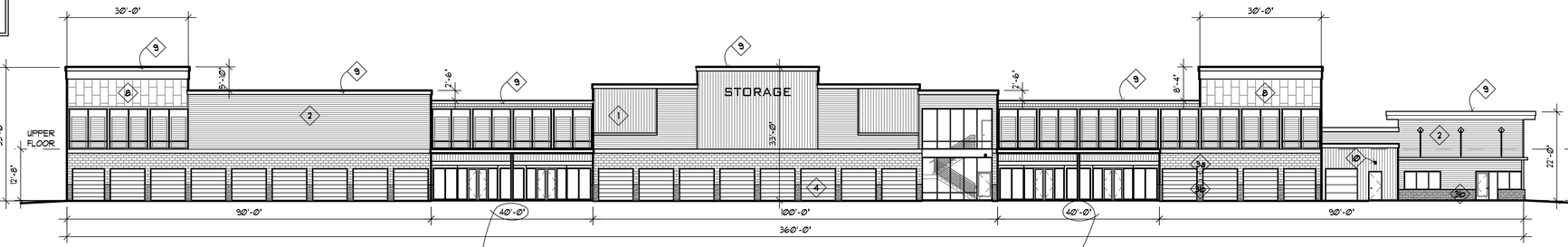
SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

EXTERIOR FINISH LEGEND

	DESCRIPTION	MANUFAC.	COLOR
1	24 GAUGE GALVANIZED "NU-WAVE" PANEL VERTICAL INSTALLATION	AEP	TBD
2	24 GAUGE GALVANIZED "MEGA-RIB" PANEL HORIZONTAL INSTALLATION	McELROY METAL	TBD
3a	STRUCTURAL CMU, SPLIT-FACE, RUNNING HALF BOND		NATURAL (GRAY) CLEAR BLOCK SEALER
3b	STRUCTURAL CMU, SMOOTH RUNNING HALF BOND		NATURAL (GRAY) CLEAR BLOCK SEALER
4	METAL ROLL-UP DOORS, TYP.	JANUS	YELLOW
5	24 GAUGE GALVANIZED STANDING SEAM METAL ROOFING, 16" COVERAGE (STRIATED)	McELROY METAL	DURATECH 500 GAL-VALUME
6	INSULATED H.M. DOOR/FRAME, VISION PANEL PER ELEVATIONS		TBD
7	24 GAUGE GUTTERS AND DOWNSPOUTS		TBD
8	PRESTIGE PANEL, VERTICAL INSTALLATION STAGGER HALF-JOINTS		TBD
9	PARAPET/COPING/TRIM/FLASHING		TBD
10	LED WALL PACK		TBD



EAST ELEVATION
SCALE: 1/16" = 1'-0"



WEST (STREET) ELEVATION
SCALE: 1/16" = 1'-0"

POMC 20.127.430 Building massing and articulation.
(5) Maximum Facade Width. For most buildings, small scale articulation techniques (see subsections (2) and (3) of this section) are sufficient to reduce the perceived scale of buildings, add visual interest, and contribute to the pedestrian environment. Larger buildings need more substantial articulated/modulated features to break up the massing and add visual interest. Building facades wider than 100 feet must include at least one of the following features to break up the massing of the building and add visual interest. Building walls facing alleys, rear or side yards are not subject to the standards herein, except for zone edge properties, when adjacent to a lower intensity zoning district.

POMC 20.127.430(5.Xa)
(a) Provide vertical building modulation at least 20 feet deep and 30 feet wide. For multi-story buildings, the modulation must extend through more than one-half of the building floors.

BUILDING A
SEMI-HEATED SPACE
STORAGE: S-2
75,150 sf

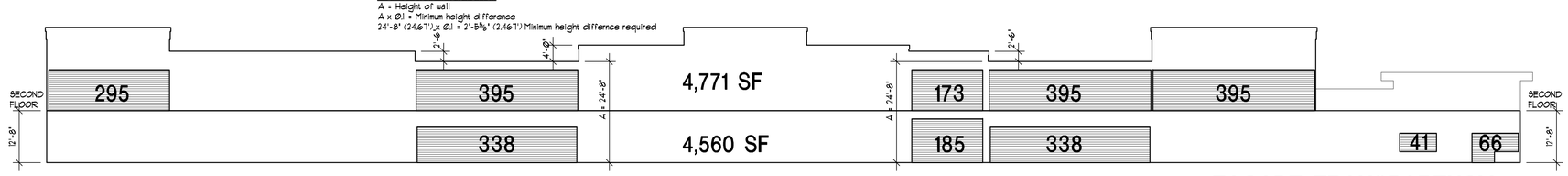
POMC 20.32.150(5.Xe)

Upper Floor	Minimum upper story transparency: 20 percent	295 sf
	Upper floor = 4,560 SF	395 sf
	4,560 SF x 20% = 912 SF required glazing	173 sf
		395 sf
		295 sf
	Glazing provided =	1,653 sf

POMC 20.32.150(5.Xd)

Ground Floor	Minimum ground story transparency: 40 percent	338 sf
	Ground floor = 4,771 SF	185 sf
	4,771 SF x 40% = 1,188.4 sf	338 sf
		41 sf
		66 sf
	Glazing provided =	368 sf

POMC 20.127.430(6.Xa)
A = Height of wall
A x Ø.1 = Minimum height difference
24'-8" (24.67') x Ø.1 = 2'-5⅝" (2.467') Minimum height differnce required



FACADE TRANSPARENCY
SCALE: 1/16" = 1'-0"

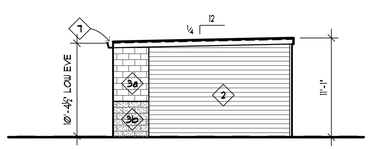
REVISIONS

CONDITIONAL USE PERMIT for
SIDNEY ROAD INVESTMENTS LLC Storage Facility
Port Orchard, WA 98367
4543 Sidney Road, SW

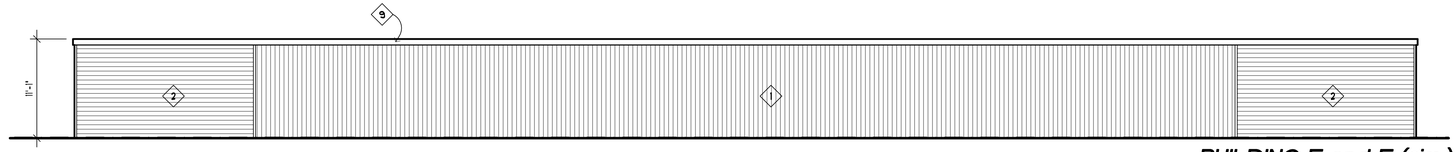
2051 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON
7/3/2025

307 D STREET SE
AUBURN, WASHINGTON
98002
PHONE: 253.939.3232
THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

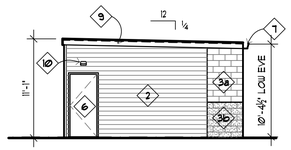
JOB NUMBER: 24-23
DATE 7-10-25
SHT A-3.1
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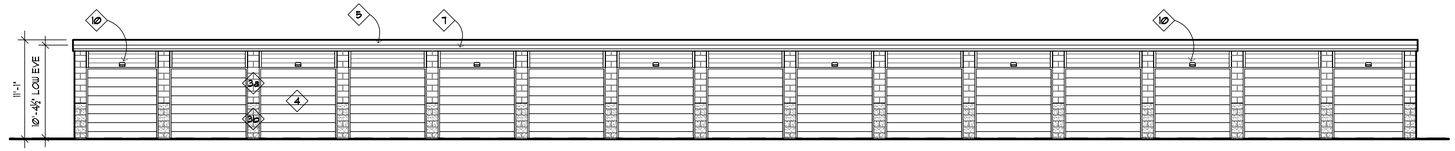
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING E and F (sim.)
(FACING HIGHWAY 16) EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



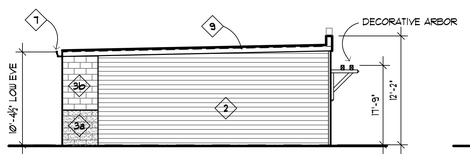
BUILDING E and F (sim.)
WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND

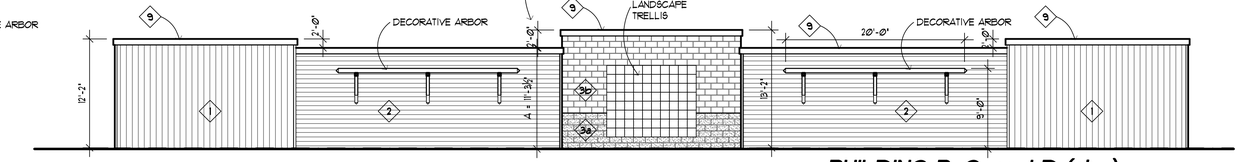
	DESCRIPTION	MANUFAC.	COLOR
1	24 GAUGE GALVANIZED "NU-WAVE" PANEL VERTICAL INSTALLATION	AEP	TBD
2	24 GAUGE GALVANIZED "MEGA-RIB" PANEL HORIZONTAL INSTALLATION	McELROY METAL	TBD
3a	STRUCTURAL CMU, SPLIT-FACE, RUNNING HALF BOND		NATURAL (GRAY) CLEAR BLOCK SEALER
3b	STRUCTURAL CMU, SMOOTH RUNNING HALF BOND		NATURAL (GRAY) CLEAR BLOCK SEALER
4	METAL ROLL-UP DOORS, TYP.	JANUS	YELLOW
5	24 GAUGE GALVANIZED STANDING SEAM METAL ROOFING, 16" COVERAGE (STRIATED)	McELROY METAL	DURATECH 500 GALVALUME
6	INSULATED H.M. DOOR/FRAME, VISION PANEL PER ELEVATIONS		TBD
7	24 GAUGE GUTTERS AND DOWNSPOUTS		TBD
8	PRESTIGE PANEL, VERTICAL INSTALLATION STAGGER HALF-JOINTS		TBD
9	PARAPET/COPING/TRIM/FLASHING		TBD
10	LED WALL PACK		TBD

POMC 20.127.430(5.X.b.X.i.X.ii.X.iii.X.iv)
(b) Use of contrasting vertical modulated design component featuring all of the following:
(i) Component extends through all floors.
(ii) Utilizes change in building materials.
(iii) Components modulated vertically by an average of six inches.
(iv) Component is designed to provide roofline modulation per subsection (6)

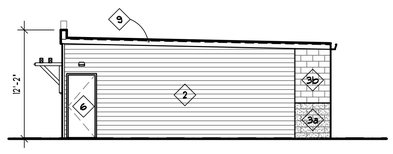
POMC 20.127.430(6.X.a)
A = Height of wall
A x Ø.1 = Minimum height difference
11'-3½" (11.29') x Ø.1 = 1'-1½" (1.1.9') Minimum height difference required



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING B, C, and D (sim.)
STREET ELEVATION (SIDNEY ROAD) WEST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING B, C, and D (sim.)
EAST ELEVATION
SCALE: 1/8" = 1'-0"

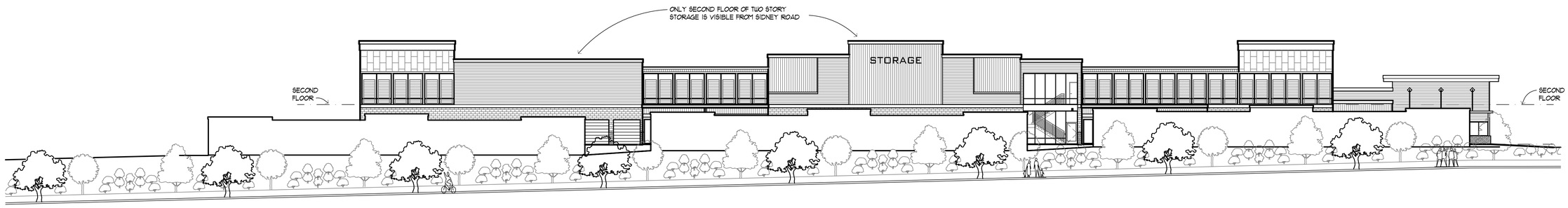
REVISIONS

CONDITIONAL USE PERMIT for
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Port Orchard, WA 98367
4343 Sidney Road, SW

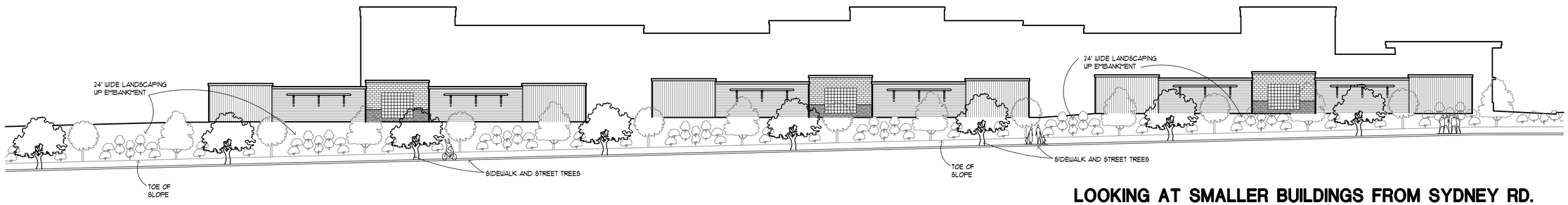
2051 REGISTERED ARCHITECT
ALAN C. KEIMIG
STATE OF WASHINGTON
7/3/2025

307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232
THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

JOB NUMBER: 24-23
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LOOKING AT TWO STORY BUILDING FROM SIDNEY RD.
WEST (STREET) ELEVATION
SCALE: 1/16" = 1'-0"



LOOKING AT SMALLER BUILDINGS FROM SYDNEY RD.
WEST (STREET) ELEVATION
SCALE: 1/16" = 1'-0"

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

Port Orchard, WA 98367

4343 Sidney Road, SW

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307 D STREET SE
AUBURN, WASHINGTON 98002
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THE KEIMIG ASSOCIATES
ARCHITECTS
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JOB NUMBER: 24-23

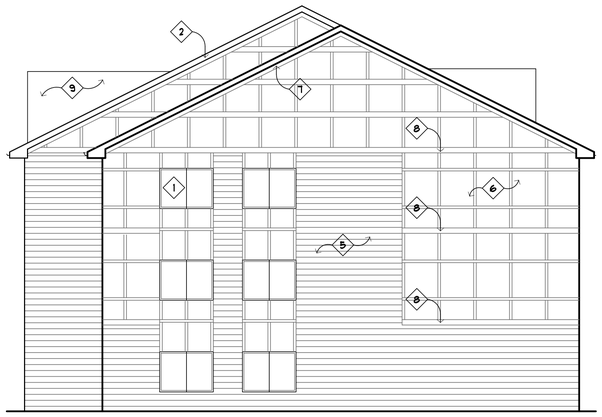
DATE 7-10-25

SHT A-3.3

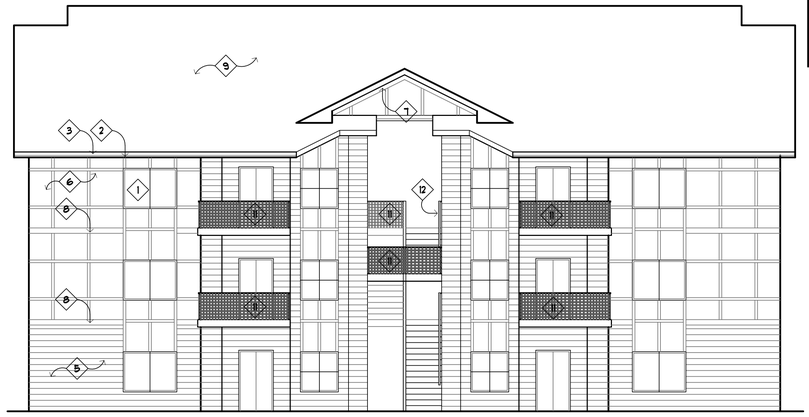
12 OF 16



CLASS "III" REAR ELEVATION
SCALE: 1/8"=1'-0"



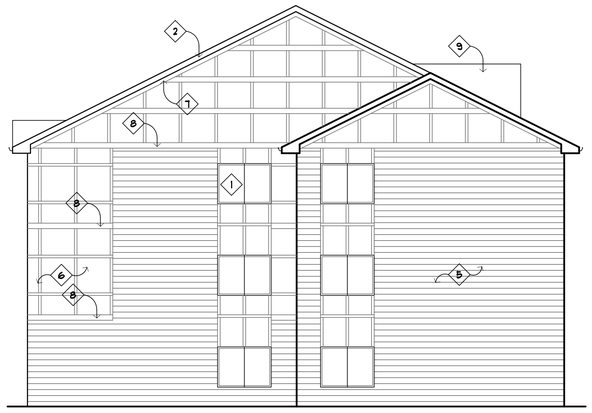
CLASS "III" SIDE ELEVATION
SCALE: 1/8"=1'-0"



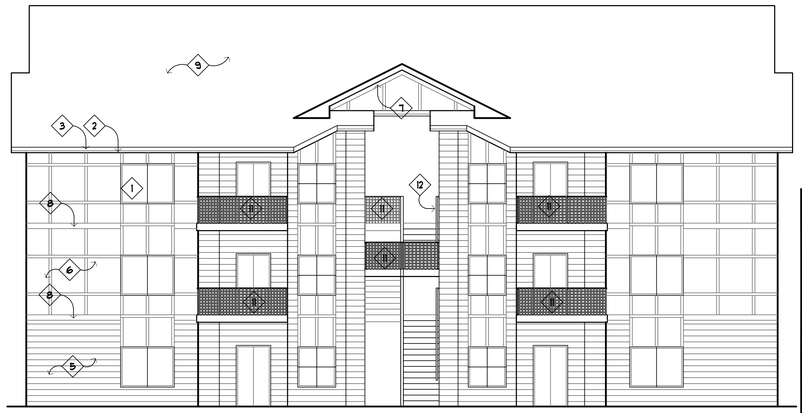
CLASS "III" FRONT ELEVATION
SCALE: 1/8"=1'-0"



CLASS "II" REAR ELEVATION
SCALE: 1/8"=1'-0"



CLASS "II" SIDE ELEVATION
SCALE: 1/8"=1'-0"



CLASS "II" FRONT ELEVATION
SCALE: 1/8"=1'-0"



CLASS "I" REAR ELEVATION
SCALE: 1/8"=1'-0"



CLASS "I" SIDE ELEVATION
SCALE: 1/8"=1'-0"



CLASS "I" FRONT ELEVATION
SCALE: 1/8"=1'-0"

REVISIONS

CONDITIONAL USE PERMIT for

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4545 Sidney Road, SW Port Orchard, WA 98367

2051 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON 7/3/2025

307 D STREET SE
AUBURN, WASHINGTON
98002
PHONE: 253.939.3232

THE KEIMIG ASSOCIATES
ARCHITECTS
PLANNERS

JOB NUMBER: 24-23

DATE 7-10-25

SHT A-3.3

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WALL SCHEDULE

MARK	WALL TYPE	CONSTRUCTION	DETAIL(S)
1	EXTERIOR, COMBUSTIBLE RESIDENTIAL 2x6		
11	1-HOUR RATED FIRE SEPARATION DISTANCE/STAIRS EXTERIOR, COMBUSTIBLE 2x6	GA FILE NO. WP 8105 GENERIC 1-HOUR FIRE. GYPSUM WALLBOARD, GYPSUM SHEATHING, WOOD STUDS **Fire Design:** EXTERIOR SIDE: One layer 48" wide 5/8" type X gypsum sheathing applied parallel to 2x4 wood studs 24" o.c. with 1-3/4" galvanized roofing nails 4" o.c. at vertical joints and 7" o.c. at intermediate studs and top and bottom plates. Joints of gypsum sheathing may be left untreated. Exterior cladding to be attached through sheathing to studs. INTERIOR SIDE: One layer 5/8" type X gypsum wallboard, waterresistant gypsum backing board, or gypsum veneer base applied parallel or at right angles to studs with 6d coated nails, 1-7/8" long, Ø.0915" shank, 1/4" heads, 7" o.c. (LOAD-BEARING)	1 A-4
2	TENANT DEMISING WALL 1-HOUR RATED, COMBUSTIBLE 2x6 GENERIC LOAD-BEARING 50 to 54 STC Sound Fire Test: UL R4024, 10-31-68 UL Design U341 Sound Test: NOAL 17-0837, 8-25-17	GA FILE NO. WP 3269 GENERIC, 1-HOUR FIRE. GYPSUM WALLBOARD, WOOD STUDS, INSULATION **Fire Design:** One layer 5/8" type X gypsum wallboard or gypsum veneer base applied parallel or at right angles to each side of double row of 2x4 wood studs 16" o.c. on separate plates 1" apart with 2" Type W screws 7" o.c. Two layers 3.5" unfaced glass fiber insulation friction fit on both sides of cavity. Joints staggered 16" on opposite sides. Horizontal bracing required at mid-height. (LOAD-BEARING)	2 A-4
3	INTERIOR PARTITION, NON-RATED WALL 2x4	5/8" GYP EA SIDE (GREEN BOARD AT PLUMBING WALLS), 2x4 STUD WALL	
4	FLOOR-CEILING SYSTEMS 1-HOUR RATED, COMBUSTIBLE 2x12 GENERIC APPROX. CEILING WEIGHT: 9 psf (FIRE) Fire Test: FM J.I. 2C9Q7 AC, 9-29-78 FM DESIGN FC-268	GA FILE NO. FC 5513 GENERIC, 1-HOUR FIRE. LIGHTWEIGHT CONCRETE, PLYWOOD, WOOD I-JOISTS, GYPSUM WALLBOARD **Fire Design:** Fire Design: Base layer 1/2" type X gypsum wallboard applied at right angles to minimum 9-1/2" deep wood I-joists, with minimum 1-1/4" deep x 1-1/2" wide flanges and minimum 3/8" webs, 24" o.c. with 1-5/8" Type W or S screws 12" o.c. Face layer 1/2" type X gypsum wallboard applied at right angles to I-joists with 2" Type W or S screws 12" o.c. at intermediate I-joists, 8" o.c. at end joints, and 1-1/2" Type G screws 8" o.c. placed 6" back on either side of end joints. Wood I-joists supporting 5/8" plywood with long edges T&G applied at right angles to I-joists with 8d common nails. 1-1/2" lightweight concrete poured over plywood. Joints offset 24" from base layer joints.	3 A-4
5	ROOF-CEILING SYSTEMS 1-HOUR RATED, COMBUSTIBLE PROPRIETARY APPROX. CEILING WEIGHT: 2.5 psf (FIRE) Fire Test: UL R15858, Ø2NK24136, 3-20-Ø3, UL Design P544, UL R15858, Ø2NK41925, 9-30-Ø2, UL Design P531, UL R1319, 98NK41378, 11-20-98, UL Design P522, UL R13446, 10CA05196, 10-21-10, 4178948264, 5-25-17, UL Design P554	GA FILE NO. RC 2604 PROPRIETARY, 1-HOUR FIRE. WOOD TRUSSES, RESILIENT CHANNELS, INSULATION, DAMPER, GYPSUM PANELS **Fire Design:** Fire Design: One layer 5/8" proprietary type X gypsum panel applied at right angles to resilient channels 16" o.c. (12" o.c. when insulation is draped over channels) with 1" Type S screws 12" o.c. Gypsum panel end joints attached with screws 8" o.c. to additional pieces of channel 60" long located 3" back on either side of end joint. Resilient channels applied at right angles to bottom chord of pitched wood trusses 24" o.c. with 1-1/4" Type S or W screws. Glass fiber insulation secured to wood structural panels or draped over channels. Trusses supporting 15/32" wood structural panels applied at right angles to trusses with construction adhesive and 6d ring shank nails 12" o.c. Optional ceiling damper. PROPRIETARY GYPSUM PANEL United States Gypsum Company - 5/8" Sheetrock® Brand Firecode® C Panels	4 A-4

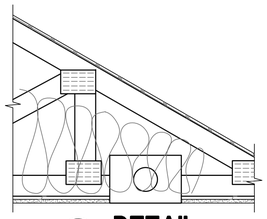
ELEVATION SCHEDULE

1. FIBERGLASS FRAMES, LOW E, INSULATED GLASS WINDOWS. SEE WINDOW SCHEDULE
2. TRIM PAINTED FASCIA/ RAKE.
3. 24 GA GALV. STEEL. KYNAR 500 FINISH, CONTINUOUS GUTTERS. PROVIDE ALL NECESSARY DOWNSPOUTS. TIGHT LINED TO DESIGNATED LOCATIONS.
4. DOWNSPOUT
5. 9.250" (8" EXPOSURE) PRE-PRIMED HARDIEPLANK LAP SIDING, SELECT CEDARMILL, PAINTED.
6. HARDIE PANEL WITH TRIM AND FLASHING SET IN SEALANT CAULK JOINTS
7. 5/8" X 9 1/2" TRIM
8. 5/8" X 7 1/4" TRIM
9. CLASS "A" FIBERGLASS ARCHITECTURAL PROFILE COMPOSITE SHINGLES OVER TWO LAYERS ASTM D226 TYPE I #15 FELT ROOFING UNDERLAYMENT.
10. RIDGE VENT
11. +42" GUARDRAIL
12. +36" HANDRAIL

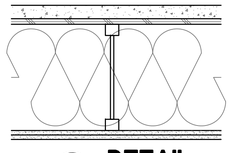
(#) DOOR
LETTER WINDOW

WALL SECTION LEGEND

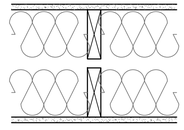
1. 24 GA GALV. STEEL KYNAR 500 FINISH CONT. GUTTERS. PROVIDE ALL NECESSARY DOWNSPOUTS TIGHT LINED TO DESIGNATED LOCATIONS
2. 24 GAUGE GALVANIZED STEEL KYNAR 500 FINISH EDGE CAP CONTINUOUS ON ALL ROOF RAKES
3. INSULATION BAFFLE SHALL PROVIDE A MINIMUM OF 1" AIRSPACE BETWEEN PLYWOOD SHEATHING AND INSULATION THE PLYWOOD SHEATHING AND INSULATION. THE BAFFLE SHALL EXTEND TO A POINT AT LEAST 6" ABOVE NON-COMPRESSED INSULATION AND 12" ABOVE LOOSE FILL.
4. HZ10 HARDIE LAP SIDING PER ELEVATIONS OVER RAINSCREEN OVER GREEN GUARD'MAX" CONTINUOUS BREATHABLE VAPOR RESISTIVE BARRIER
5. HZ10 HARDIE REVEAL PANEL PER ELEVATIONS OVER RAINSCREEN OVER GREEN GUARD'MAX" CONTINUOUS BREATHABLE VAPOR RESISTIVE BARRIER
6. HZ10 HARDIETRIM BOARD, PAINTED SIZE AND PLACEMENT PER ELEVATIONS. CONTINUOUSLY CAULK ALL JOINTS. INSTALL OVER CONTINUOUS RAINSCREEN, OVER CONT. BREATHABLE VAPOR RESISTIVE BARRIER
7. HZ10 PREFRIMED HARDIETRIM BOARD FASCIA OR RAKE, PAINTED
8. CLASS "A" SEAL TAB COMPOSITION SHINGLES OVER 2 LAYERS GRADE D BUILDING PAPER OVER PLYWOOD SHEATHING PER STRUCTURAL, PANEL EDGES 12" O.C. INTERMEDIATE SUPPORTS
9. PRE-ENGINEERED ROOF TRUSS @ 24" O.C. HURRICANE CLIP EACH TRUSS EACH END BOTH SIDES. SUBMIT ENGINEERING AND SHOP DRAWINGS TO ARCHITECT FOR APPROVAL.
10. R-60 BATT INSULATION CONT. IN CAVITIES
11. 2X6 STUD WALL, R-21 BATT INSULATION, 5/8" GYP BOARD (GREEN BOARD AT PLUMBING WALLS)
12. RIDGE VENT



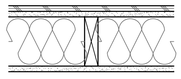
4 A-4 DETAIL SCALE NTS



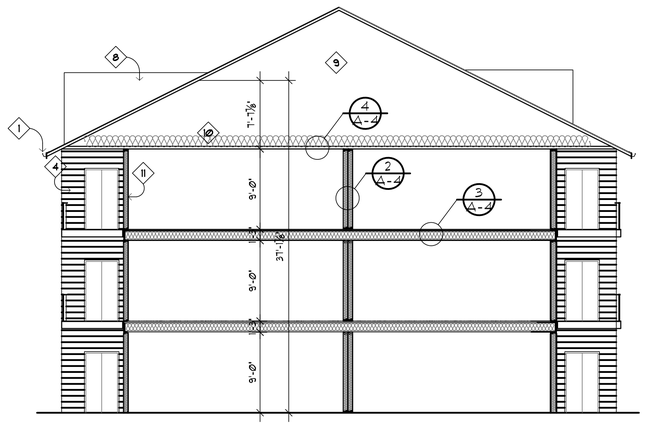
3 A-4 DETAIL SCALE 1" = 1'-0"



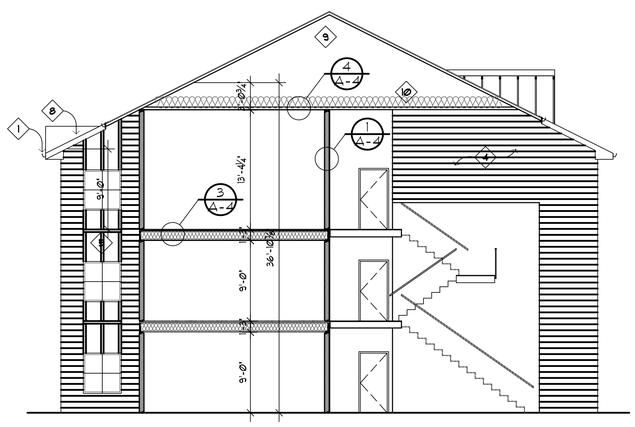
2 A-4 DETAIL SCALE 1" = 1'-0"



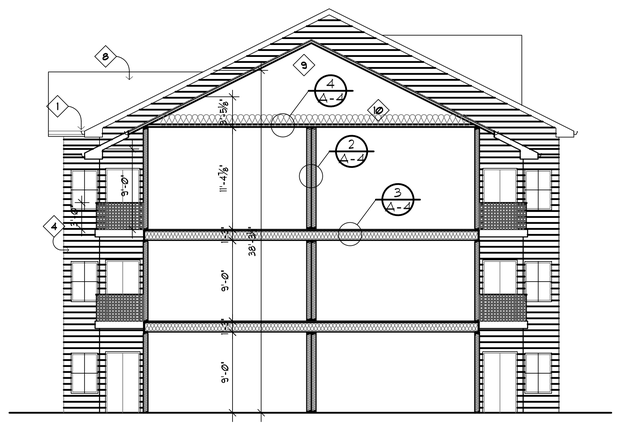
1 A-4 DETAIL SCALE 1" = 1'-0"



C A-4 CLASS "III" SECTION SCALE: 1/8"=1'-0"



B A-4 CLASS "II" STAIR SECTION SCALE: 1/8"=1'-0"



A A-4 CLASS "I" SECTION SCALE: 1/8"=1'-0"

REVISIONS

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SIDNEY ROAD INVESTMENTS LLC Storage Facility

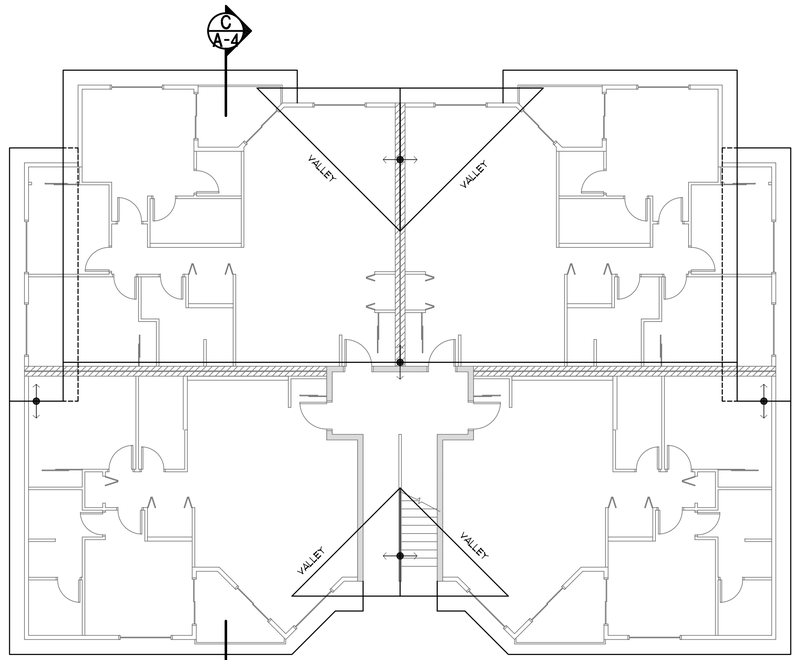
4545 Sidney Road, SW — Port Orchard, WA 98367

2651 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON 7/3/2025

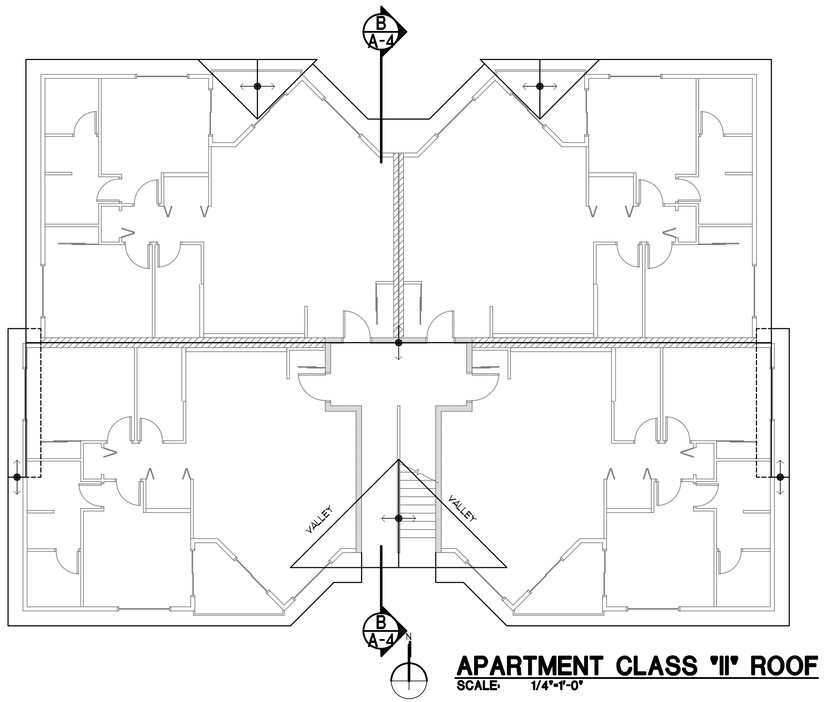
307 D STREET SE
AUBURN, WASHINGTON 98002
PHONE: 253.939.3232

THE KEIMIG ASSOCIATES
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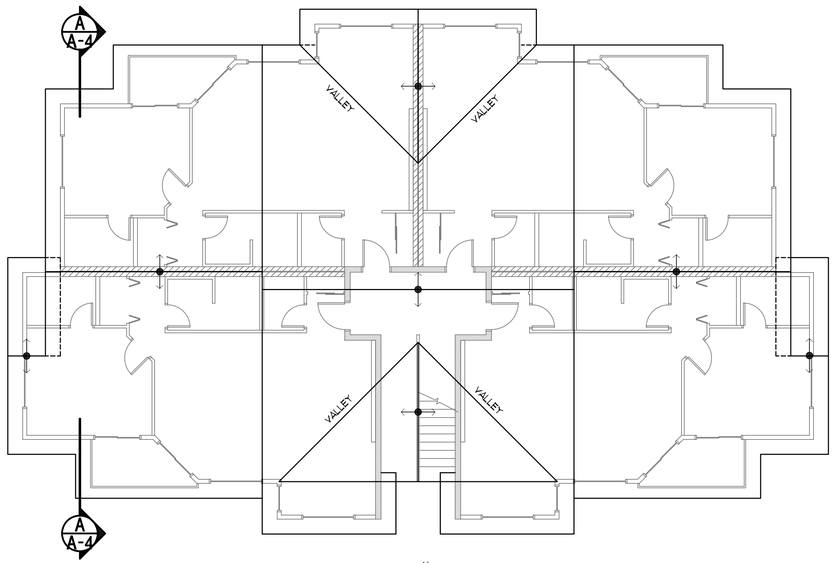
JOB NUMBER: 24-23
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APARTMENT CLASS "III" ROOF
SCALE: 1/4"=1'-0"



APARTMENT CLASS "II" ROOF
SCALE: 1/4"=1'-0"



APARTMENT CLASS "I" ROOF
SCALE: 1/4"=1'-0"

REVISIONS

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SIDNEY ROAD INVESTMENTS LLC Storage Facility

4343 Sidney Road, SW Port Orchard, WA 98367

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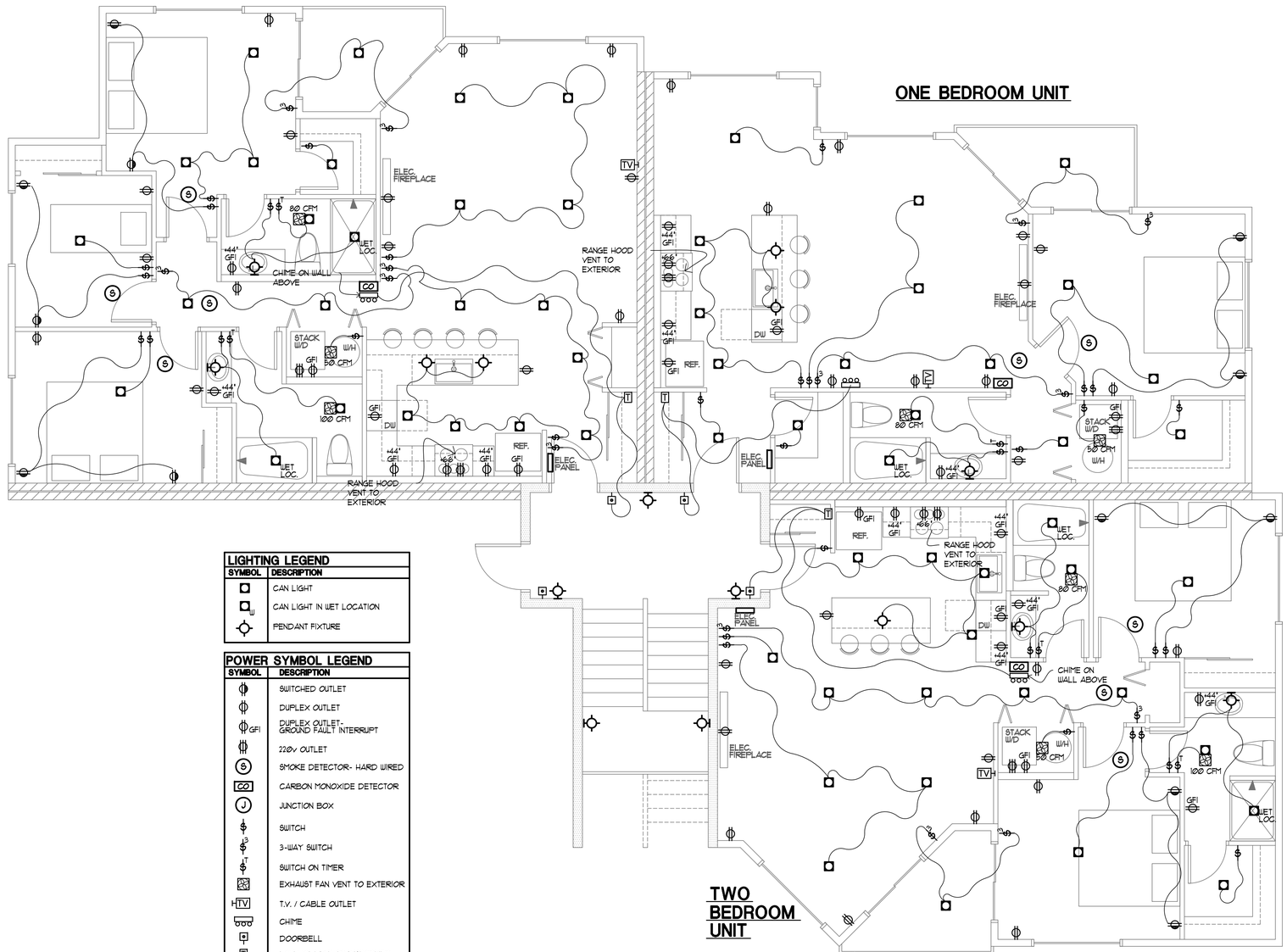
DATE 7-10-25

SHT A-5.1

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THREE BEDROOM UNIT

ONE BEDROOM UNIT



TWO BEDROOM UNIT

LIGHTING LEGEND	
SYMBOL	DESCRIPTION
	CAN LIGHT
W	CAN LIGHT IN WET LOCATION
	PENDANT FIXTURE

POWER SYMBOL LEGEND	
SYMBOL	DESCRIPTION
	SWITCHED OUTLET
	DUPLEX OUTLET
GFI	DUPLEX OUTLET- GROUND FAULT INTERRUPT
	220v OUTLET
S	SMOKE DETECTOR- HARD WIRED
CO	CARBON MONOXIDE DETECTOR
J	JUNCTION BOX
S	SWITCH
S3	3-WAY SWITCH
ST	SWITCH ON TIMER
	EXHAUST FAN VENT TO EXTERIOR
TV	T.V. / CABLE OUTLET
	CHIME
	DOORBELL
T	LOW VOLTAGE TRANSFORMER

TYPICAL UNIT ELECTRICAL LAYOUTS

SCALE: 1/4"=1'-0"

REVISIONS

CONDITIONAL USE PERMIT for

SIDNEY ROAD INVESTMENTS LLC Storage Facility

4343 Sidney Road, SW

Port Orchard, WA 98367

2651 REGISTERED ARCHITECT ALAN C. KEIMIG STATE OF WASHINGTON

7/3/2025

307 D STREET SE
AUBURN, WASHINGTON
98002
PHONE: 253.939.3232

THE KEIMIG ASSOCIATES
ARCHITECTS PLANNERS

JOB NUMBER: 24-23

DATE 7-10-25

SHT A-6.1

16 OF 16

Transmittal Letter

CITY OF PORT ORCHARD • PERMIT CENTER

New Application

Transmittal Date: July 14, 2025 **Submittal Date:** July 10, 2025

Permit #: LU25-Rezone-02 **Permit Type:** Land Use - Type III

Project Name: Sidney Rd Investments LLC – Self Storage Facility with Apartments

Submittal Description: Rezone for Multifamily project and self-storage.

Project Location: 4385 Sidney Rd SW

Comments are due on the Comment and Response Matrix by: August 11, 2025

PLEASE NOTE: SEPA Review is required for this project.

Refer to the numbers following your name to identify the documents in your packet.

✓	Recipients
	Assigned Lead: Connor Dahlquist, Associate Planner (via email: 1; via e-file: 2, 3, 4, 5, 6, 7, 8, 9, 10: via Bluebeam Review: 11)
	PL Oversight: Stephanie Andrews, Senior Planner (via email: 1; via e-file: 2, 3, 4, 5, 6, 7, 8, 9, 10: via Bluebeam Review: 11)
	Angela Garcia, DCD Deputy Director (via email: 1; via e-file: 2, 3, 4, 5, 6, 7, 8, 9, 10: via Bluebeam Review: 11)
	Chris Hammer, City Engineer. (via email: 1; via e-file: 2, 3, 4, 5, 6, 7, 8, 9, 10: via Bluebeam Review: 11)
	Nick Bond, Development Director (via email 1)
	Ellen Ferguson, Permit Center Manager (via email: 1)
	Jim Fisk, Principal Planner (via email: 1)
	Denis Ryan, Public Works Director (via email: 1)
	Christian Williams, Asst. City Engineer (Via email: 1)
	Darren Podraza, PW Inspector (via email: 1)
	Deanna Zimmerman, Permit Center Assistant (via email:1)
	Scott Wolf – Utility Manager (via email:1)

Documents*
1. Transmittal Letter
2. Master Permit Application
3. Site Specific Rezone Application
4. SEPA Application with Checklist
5. Project Narrative
6. Vicinity Map
7. Project Data
8. Arborist Report
9. Geotechnical Report
10. Wetland Environmental Report
11. Architectural Plans

*All documents are saved in the project's e-file

Prepared by: Jackie Krukoff
Planning Permit Clerk

LU25-Rezone-02
EXHIBIT 2



CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@portorchardwa.gov

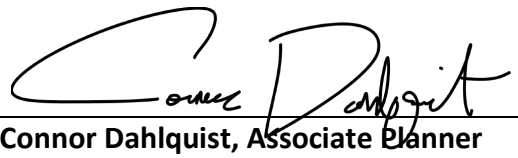
DATE OF ISSUANCE:	August 8, 2025
PROJECT NAME:	Sidney Road Investments LLC Rezone
FILE NUMBER:	LU25-Rezone-02
DATE APPLICATION RECEIVED:	July 14, 2025
PROJECT TYPE:	Site-Specific Rezone
DESIGNATED CONTACT NAME AND ADDRESS:	Alan C. Keimig 307 D Street SE Auburn, WA 98002
PROJECT DESCRIPTION:	Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU) to support an apartment building type.
LOCATION:	Tax Parcel Number's 022301-3-001-2009, 022301-3-002-2008, 022301-3-026-2000, 022301-3-003-2007, 022301-3-007-2003, 022301-3-113-2004. Nearest major intersection: Sidney Rd SW and SW Berry Lake Rd. Section 02 Township 23 Range 1E (SW/4)
STAFF CONTACT:	Connor Dahlquist, Associate Planner cdahlquist@portorchardwa.gov 360-874-5533

DETERMINATION OF TECHNICAL COMPLETENESS (POMC 20.24.050)

X	Application is technically complete and the application is being reviewed for compliance with city codes. There is no preliminary approval at this date.

Following a determination of technical completeness and the commencement of project review, the director may make a determination in writing that that some information is incorrect or that additional information is required. The applicant shall have up to ninety (90) days to submit corrected/additional information. If an applicant either refuses in writing to submit additional information or does not submit the required information within ninety (90) calendar days, the application shall be terminated (POMC 20.24.060).

LU25-Rezone-02
EXHIBIT 3



8/8/2025

Connor Dahlquist, Associate Planner

Date Issued

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@portorchardwa.gov

NOTICE OF APPLICATION

This is a public notice of a development proposal that may interest you. You have the right to comment on this application, receive notice, request a copy of the decision once made and appeal the project decision. Included in this notice is a summary of the proposal, code reference for associated permits that may be required, and the targeted timeframe for City review and decision. Please be aware there are deadlines for comments and appeal; if you do not adhere to these deadlines, your comments may not be considered and/or you may lose your right of appeal. Please read this notice carefully and call the City of Port Orchard Department of Community Development (DCD) if you have questions.

Date of Issuance:	August 22, 2025
File Number:	LU25-Rezone-02
Project Name:	Sidney Road Investments LLC Rezone
Type of Application:	Site Specific Rezone (Type IV)
Assessor Parcel Number:	022301-3-001-2009, 022301-3-002-2008, 022301-3-026-2000, 022301-3-003-2007, 022301-3-007-2003, 022301-3-113-2004
Applicant:	Alan C. Keimig 307 D Street SE Auburn, WA 98002
Date of Application:	July 14, 2025
Date Application was Determined Technically Complete:	August 8, 2025
Site Description:	Location: 4385 Sidney Rd SW Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd Size: 6.79 acres Zoning District: Commercial Corridor (CC) Shoreline Designation: N/A
Project Permits included with Application:	PW25-025 CRC, PW25-032 LDAP

Description of Proposed Project:

LU25-Rezone-02
EXHIBIT 4

Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU) to support an apartment building type.

Preliminary State Environmental Policy Act (SEPA) Determination:
The SEPA official for the City of Port Orchard has not issued a SEPA determination for the requested action at this time.

Existing Studies and Environmental Documents Evaluating the Proposal: Geotechnical Report, Arborist Report prepared by Professional Forestry Services, Inc. dated May 2025, Wetland Report prepared by Fundacion Agronomica Forense dated December 2024, Wetland Technical Memorandum prepared by Farallon Consulting, L.L.C dba Grette Associates dated March 2025, SEPA Checklist

Other Applicable Codes Which May Require Additional Project Review / Permits:
Additional permitting and/or review may be required under POMC Title 20.

Public Comment Period and Appeals:
Any interested person may comment on this application. The comment period will remain open for 14 days beginning August 22, 2025. The deadline to submit comments is September 05, 2025. Any interested person may request notification of any hearings or meetings and request a copy of the decision once made. Requests must be addressed to City of Port Orchard Permit Center, Attn: Planning Clerk, 216 Prospect Street, Port Orchard, WA 98366, 360-874-5533.

Any interested party may appeal a Type IV decision to the Superior Court within 21 calendar days of the Notice of Decision. The Notice of Decision will be provided to all parties of record.

Examination of File:
The application file may be examined at the DCD Permit Center, 720 Prospect Street, Port Orchard, WA 98366, by appointment between the hours of 8 AM and 4 PM, Monday through Friday, except holidays. To schedule an appointment please call 360-874-5533 and indicate the Permit Number and Project Name for the file you would like to examine.

Staff Contact for this Application:
Connor Dahlquist, Associate Planner
cdahlquist@portorchardwa.gov
360-874-5533

Review Authority:
The City of Port Orchard City Council. A Type IV permit is a quasi-judicial decision and shall be reviewed consistent with the requirements of POMC 20.24.

Project Site Plan: Attached


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16

RECEIVED
Permit Center

Aug 21, 2025

City of Port Orchard
Community Development



CITY OF PORT ORCHARD
Department of Community Development
Permit Center
Mail to:216 Prospect Street, Port Orchard, WA 98366
Office located at 720 Prospect Street
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: Notice of Application

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was posted on the subject property in accordance with applicable ordinances of the City of Port Orchard.

Signature of Individual Who Posted Notice

John Oldright
Printed Name of Individual Who Posted Notice

8/20/2025
Date of Posting

[ATTACH PICTURE OF POSTED SIGN]

RECEIVED
Permit Center

Aug 25, 2025

City of Port Orchard
Community Development



Kitsap Sun
PART OF THE USA TODAY NETWORK

PO Box 52173, Phoenix, AZ. 85072-2173

AFFIDAVIT OF PUBLICATION

Jackie Krukoff
City Of Port Orchard
216 Prospect St
Port Orchard WA 98366

STATE OF WISCONSIN, COUNTY OF BROWN.

I, being first duly sworn on oath, deposes and says: That I am now, and at all times embraced in the publication herein mentioned was the principal clerk of the printers and publishers of KITSAP SUN; that said newspaper has been approved as a legal newspaper by the order of the Superior Court of the County of Kitsap, in which County it is published and is now and has been for more than 6 months prior to the date of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Bremerton, Kitsap County, Washington, a weekly newspaper in Kitsap County, Washington and is now and during all of the said time, was printed in an office maintained in the aforesaid place of publication of said newspaper; that the following is a true text of an advertisement as it was published in regular issues (and not in supplement form) of said newspaper on the following date(s), to wit: And on

08/22/2025

such newspaper was regularly distributed to its subscribers during all of said period.
Subscribed and sworn to before on 08/22/2025

Legal Clerk

Notary, State of WI, County of Brown

8.25.26

My commission expires

Publication Cost:	$293.12		
Tax Amount:	$0.00		
Payment Cost:	$293.12		
Order No:	11596872	# of Copies:	
Customer No:	288906	1	
PO #:			

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

RECEIVED
PERMIT CENTER
SEP 10 2025
CITY OF PORT ORCHARD
COMMUNITY DEVELOPMENT

LU25-Rezone-02
EXHIBIT 6

CITY OF PORT ORCHARD
NOTICE OF APPLICATION

This is a public notice of a development proposal that may interest you. You have the right to comment on this application, receive notice, request a copy of the decision once made and appeal the project decision. Included in this notice is a summary of the proposal, code reference for associated permits that may be required, and the targeted timeframe for City review and decision. Please be aware there are deadlines for comments and appeal; if you do not adhere to these deadlines, your comments may not be considered and/or you may lose your right of appeal. Please read this notice carefully and call the City of Port Orchard Department of Community Development (DCD) if you have questions. Date of Issuance: August 22, 2025 File Number: LU25-Rezone-02 Project Name: Sidney Road Investments LLC Rezone Type of Application: Site Specific Rezone (Type IV) Assessor Parcel Number: 022301-3-001-2009, 022301-3-002-2008, 022301-3-026-2000, 022301-3-003-2007, 022301-3-007-2003, 022301-3-113-2004 Applicant: Alan C. Keimig, 307 D Street SE, Auburn, WA 98002 Date of Application: July 14, 2025 Date Application was Determined Technically Complete: August 8, 2025 Site Description: Location: 4385 Sidney Rd SW Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd Size: 6.79 acres Zoning District: Commercial Corridor (CC) Shoreline Designation: N/A Project Permits included with Application: PW25-025 CRC, PW25-032 LDAP Description of Proposed Project: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU) to support an apartment building type. Preliminary State Environmental Policy Act (SEPA) Determination: The SEPA official for the City of Port Orchard has not issued a SEPA determination for the requested action at this time. Existing Studies and Environmental Documents Evaluating the Proposal: Geotechnical Report, Arborist Report prepared by Professional Forestry Services, Inc. dated May 2025, Wetland Report prepared by Fundacion Agronomica Forense dated December 2024, Wetland Technical Memorandum prepared by Farallon Consulting, L.L.C dba Grette Associates dated March 2025, SEPA Checklist Other Applicable Codes Which May Require Additional Project Review / Permits: Additional permitting and/or review may be required under POMC Title 20. Public Comment Period and Appeals: Any interested person may comment on this application. The comment period will remain open for 14 days beginning August 22, 2025. The deadline to submit comments is September 05, 2025. Any interested person may request notification of any hearings or meetings and request a copy of the decision once made. Requests must be addressed to City

of Port Orchard Permit Center, Attn: Planning Clerk, 216 Prospect Street, Port Orchard, WA 98366, 360-874-5533. Any interested party may appeal a Type IV decision to the Superior Court within 21 calendar days of the Notice of Decision. The Notice of Decision will be provided to all parties of record. Examination of File: The application file may be examined at the DCD Permit Center, 720 Prospect Street, Port Orchard, WA 98366, by appointment between the hours of 8 AM and 4 PM, Monday through Friday, except holidays. To schedule an appointment please call 360-874-5533 and indicate the Permit Number and Project Name for the file you would like to examine. Staff Contact for this Application: Connor Dahlquist, Associate Planner, cdahlquist@ portorchardwa.gov, 360-874-5533 Review Authority: The City of Port Orchard City Council. A Type IV permit is a quasi-judicial decision and shall be reviewed consistent with the requirements of POMC 20.24.
8/22/25 #11596872

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us
www.cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: Notice of Application

AFFIDAVIT OF MAILING AND EMAILING

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was mailed to attached list(s) of recipients in accordance with applicable ordinances of the City of Port Orchard.

Signature of Individual Who Mailed Notice

Jackie Krukoff, Planning Permit Clerk
Print name and title

August 22, 2025
Date of Mailing

LU25-Rezone-02
EXHIBIT 7

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@portorchardwa.gov

NOTICE OF APPLICATION

This is a public notice of a development proposal that may interest you. You have the right to comment on this application, receive notice, request a copy of the decision once made and appeal the project decision. Included in this notice is a summary of the proposal, code reference for associated permits that may be required, and the targeted timeframe for City review and decision. Please be aware there are deadlines for comments and appeal; if you do not adhere to these deadlines, your comments may not be considered and/or you may lose your right of appeal. Please read this notice carefully and call the City of Port Orchard Department of Community Development (DCD) if you have questions.

Date of Issuance:	August 22, 2025
File Number:	LU25-Rezone-02
Project Name:	Sidney Road Investments LLC Rezone
Type of Application:	Site Specific Rezone (Type IV)
Assessor Parcel Number:	022301-3-001-2009, 022301-3-002-2008, 022301-3-026-2000, 022301-3-003-2007, 022301-3-007-2003, 022301-3-113-2004
Applicant:	Alan C. Keimig 307 D Street SE Auburn, WA 98002
Date of Application:	July 14, 2025
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Other Applicable Codes Which May Require Additional Project Review / Permits:
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Staff Contact for this Application:
Connor Dahlquist, Associate Planner
cdahlquist@portorchardwa.gov
360-874-5533

Review Authority:
The City of Port Orchard City Council. A Type IV permit is a quasi-judicial decision and shall be reviewed consistent with the requirements of POMC 20.24.

Project Site Plan: Attached


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Jackie Krukoff

From:	Jackie Krukoff
Sent:	Tuesday, August 19, 2025 4:16 PM
To:	ackeimig@msn.com
Cc:	'Jeff Oldright'
Subject:	NOA sign posting for the LU25-Rezone-02
Attachments:	Hand-out for Developer - NOA.pdf; AFFIDAVIT of Posting Notice on Property.pdf; Notice of Application.pdf

Good afternoon,

The City will issue the Notice of Application for the Sidney Rd Investments LU25-Rezone-02 on Friday, August 22, 2025. As part of the public notice, the applicant is required to post a notice on site. The notice sign will be ready for pick up at DCD, located at 720 Prospect St, after 2:00 PM Thursday, August 21, 2025.

Please make arrangements to post the sign on-site no later than Friday, August 22, 2025.

Once the sign is posted in accordance with Public Notice Posting Requirements, please photograph the sign and send the photo with the completed Affidavit of Posting to the City. See attached for Posting Requirements and Affidavit of Posting, there will be a copy of each attachment included with the notice sign.

Let me know if you have any questions. I have also attached the NOA that will be mailed out on Friday since I will be out of office that day.

Regards,
Jackie Krukoff
Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov.

Please make official submittals to the Permit Center at permitcenter@portorchardwa.gov to ensure maintenance of an accurate Record.

032301-4-049-2000
4444 SIDNEY STORAGE LLC C/O COAST PROPERTY MGMT
2829 RUCKER AVE STE 100
EVERETT, WA 98201

022301-3-028-2008
ALLEN PERRY GRANT & KELSEA JANAE
2740 SHERMAN AVE
PORT ORCHARD, WA 98366

4034-000-005-0007
BOLLINGER DIANA L
110 FERNWOOD LN W
PORT ORCHARD, WA 98366

022301-3-005-2005
CAFFEINATED INVESTMENTS LLC
8809 FAUNTLEROY WAY SW
SEATTLE, WA 98136

022301-3-004-2006
CARBULLIDO EDUARDO & ABIGAIL P
4537 SIDNEY RD SW
PORT ORCHARD, WA 98367

4034-000-006-0105
CURTIS MARK C & MARILYN K
122 FERNWOOD LN
PORT ORCHARD, WA 98366

6032-000-008-0001
GRESETH GREGORY & JENNIFER H
142 SHAMROCK LN
PORT ORCHARD, WA 98366

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

032301-4-021-2002
INMAN STEPHEN M
446 SW BERRY LAKE RD
PORT ORCHARD, WA 98367

4034-000-008-0103
PARKER CECIL E & SANDRA J
113 FERNWOOD LN W
PORT ORCHARD, WA 98366

022301-3-010-2008
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-056-2003
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-055-2004
REAMS SHARLENE M
4557 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-008-2002
SANDLIN GAIL M
4469 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-002-2008
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-003-2007
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-007-2003
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-026-2000
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-113-2004
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

CITY OF PORT ORCHARD
Department of Community Development
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • Fax: (360) 876-4980
planning@portochardwa.gov
www.portorchardwa.gov

CITY OF PORT ORCHARD
DETERMINATION OF NON-SIGNIFICANCE (DNS)

PROJECT: Sidney Road Investments LLC

PERMIT APPLICATIONS: Site-Specific Rezone LU25-REZONE-02

LOCATION OF PROPOSAL: Unaddressed. Formerly 4385 Sidney Rd SW, Port Orchard, WA 98367. APNs #022301-3-116-2001 and 022301-3-117-2000

DESCRIPTION OF PROPOSAL: Application for a site-specific rezone from Commercial Corridor (CC) to Commercial Mixed-Use (CMU).

APPLICANT: Alan C. Keimig, The Keimig Associates, 307 D St SE, Auburn, WA 98002

LEAD AGENCY: City of Port Orchard

SEPA OFFICIAL: Nicholas Bond, Department of Community Development Director
216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533

SEPA DETERMINATION: The City of Port Orchard, as lead agency for this proposal, has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21 C.030(2)(c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The DNS process is issued pursuant of WAC 197-11-340, WAC 197-11-680, and POMC Title 20. Comments are due by December 22, 2025 at 4:30pm. A fourteen (14) day appeal period will follow the fourteen (14) day comment period.

DATE OF ISSUE: December 8, 2025

Nicholas Bond 12/8/25

Nicholas Bond, AICP, Department of Community Development Director Date

APPEAL PERIOD: Any person may appeal this determination to the City of Port Orchard Clerk's Office at 216 Prospect Street, Port Orchard, WA no later than January 5, 2025 at 4:30pm in accordance with POMC 20.160.240(6)(b). Appeals shall be submitted in writing, and must include the content required in POMC 20.160.240(10), and applicable appeal fee, as established by resolution of the city council; full appeal procedures can be reviewed under POMC 20.160.240.

LU25-Rezone-02
EXHIBIT 8

CITY OF PORT ORCHARD
Department of Community Development
Located at 720 Prospect Street
Mailing Address: 216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: SEPA DNS

AFFIDAVIT OF PUBLICATION

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was published in the Kitsap Sun.

Signature of Individual Who Noticed the Newspaper

Jackie Krukoff, Planning Permit Clerk
Print name and title

December 8, 2025
Date of Publication

LU25-Rezone-02
EXHIBIT 9

CITY OF PORT ORCHARD
DETERMINATION OF NONSIGNIFICANCE

This is notice of the issuance of a SEPA Determination of Nonsignificance that may interest you. You have the right to comment on this determination, receive notice, request a copy of the decision, and appeal this SEPA Determination. Project Location: Unaddressed. Formerly 4385 Sidney Rd SW, Port Orchard, WA 98367. APNs #022301-3-116-2001 and 022301-3-117-2000. Project Description: Application for a site-specific rezone from Commercial Corridor (CC) to Commercial Mixed-Use (CMU). Project Permits: Site-Specific Rezone LU25-REZONE-02 (Type IV). Public Comment and Appeal Deadline: begins December 8, 2025 through December 22, 2025 at 4:30pm, submit comments in writing to City of Port Orchard Permit Center, 216 Prospect Street, Port Orchard WA 98366 or permitcenter@portorchardwa.gov. Submit appeals by January 5, 2025 at 4:30pm. The complete file can be reviewed at 720 Prospect Street, Port Orchard WA 98366 during regular business hours.

PUBLISHED IN THE KITSAP SUN December 8, 2025

Jackie Krukoff

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Friday, December 05, 2025 5:31 AM
To: Jackie Krukoff
Cc: Jenine Floyd; Lisa Stone
Subject: 11899973 RE: 1 Notice for the 12/8 Kitsap Sun
Attachments: Order_Confirmation_Liners (5).pdf

Hello!

Please find your order confirmation and proof attached.

Your notice is set to run in the Kitsap Sun on 12/8. The order cost is $87.32 which includes an affidavit that will be sent 7-10 business days after the last day of the notice printing. Please email before 9am today with any changes.

Your notice is scheduled to run per your request and will publish unless you reply to this email before the deadline above requesting changes or to cancel.
Our invoicing is done on a monthly basis. You will receive an invoice for this ad after the close of the month.
All orders are subject to a non-refundable 3.99% service fee. As an incentive for customers, we provide a discount off the order cost equal to the 3.99% service fee if you pay by ACH. Pay by ACH and Save! Final order cost provided at time of payment and via a receipt.

Thank you!
Kerri Furnace
Public Notice Representative
USA TODAY CO.
844-254-5287
National voice. Local strength. Subscribe TODAY.
#TeamUSATODAY
Tell my boss I rock HERE***!***

*NOTE: We are not legally trained, and it is your responsibility to make sure your ad meets the requirements of your State/Court which includes wording and publication times. Please verify all information is there and that it is correct. If your ad is not compliant with applicable law and needs to be re-published you will be responsible for all additional fees incurred.

From: Jackie Krukoff <jkrukoff@portorchardwa.gov>
Sent: Thursday, December 4, 2025 7:23 PM
To: BKS-DL-PF Legals <legals@kitsapsun.com>
Cc: Jenine Floyd <jfloyd@portorchardwa.gov>; Lisa Stone <lstone@portorchardwa.gov>
Subject: 1 Notice for the 12/8 Kitsap Sun

Hello,

Please publish the attached notice in the Monday,December 8, 2025 edition of the Kitsap Sun:

- SEPA DNS – Description: Sidney Ave Rezone PO Number: LU25-Rezone-02

Please let me know if you have any questions.

Thanks,

Jackie Krukoff

Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov

LocaliQ
Washington
GANNETT

Order Confirmation

Not an Invoice

Account Number:	288906
Customer Name:	City Of Port Orchard
Customer Address:	City Of Port Orchard 216 Prospect St Port Orchard WA 98366
Contact Name:	Jackie Krukoff
Contact Phone:	360-874-5533
Contact Email:	jkrukoff@portorchardwa.gov
PO Number:	LU25-Rezone-02

Date:	12/05/2025
Order Number:	11899973
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	42.0000
Height in Inches:	4.3500

Print

Product	#Insertions	Start - End	Category
BKS Kitsap Sun	1	12/08/2025 - 12/08/2025	Public Notices
BKS kitsapsun.com	1	12/08/2025 - 12/08/2025	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$87.32
Tax Amount	$0.00
Service Fee 3.99%	$3.48
Cash/Check/ACH Discount	-$3.48
Payment Amount by Cash/Check/ACH	$87.32
Payment Amount by Credit Card	$90.80

Order Confirmation Amount	**$87.32**

Ad Preview

CITY OF PORT ORCHARD
DETERMINATION OF
NONSIGNIFICANCE

This is notice of the issuance of a SEPA Determination of Nonsignificance that may interest you. You have the right to comment on this determination, receive notice, request a copy of the decision, and appeal this SEPA Determination. Project Location: Unaddressed. Formerly 4385 Sidney Rd SW, Port Orchard, WA 98367. APNs #022301-3-116-2001 and 022301-3-117-2000. Project Description: Application for a site-specific rezone from Commercial Corridor (CC) to Commercial Mixed-Use (CMU). Project Permits: Site-Specific Rezone LU25-REZONE-02 (Type IV). Public Comment and Appeal Deadline: begins December 8, 2025 through December 22, 2025 at 4:30pm, submit comments in writing to City of Port Orchard Permit Center, 216 Prospect Street, Port Orchard WA 98366 or permitcenter@portorchardwa.gov. Submit appeals by January 5, 2025 at 4:30pm. The complete file can be reviewed at 720 Prospect Street, Port Orchard WA 98366 during regular business hours.
12/8/25 #11899973

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us
www.cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: SEPA DNS

AFFIDAVIT OF MAILING AND EMAILING

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was mailed to attached list(s) of recipients in accordance with applicable ordinances of the City of Port Orchard.

Signature of Individual Who Mailed Notice

Jackie Krukoff, Planning Permit Clerk
Print name and title

December 8, 2025
Date of Mailing

LU25-Rezone-02
EXHIBIT 10



CITY OF PORT ORCHARD
Department of Community Development
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • Fax: (360) 876-4980
planning@portochardwa.gov
www.portorchardwa.gov

CITY OF PORT ORCHARD
DETERMINATION OF NON-SIGNIFICANCE (DNS)

PROJECT: Sidney Road Investments LLC

PERMIT APPLICATIONS: Site-Specific Rezone LU25-REZONE-02

LOCATION OF PROPOSAL: Unaddressed. Formerly 4385 Sidney Rd SW, Port Orchard, WA 98367. APNs #022301-3-116-2001 and 022301-3-117-2000

DESCRIPTION OF PROPOSAL: Application for a site-specific rezone from Commercial Corridor (CC) to Commercial Mixed-Use (CMU).

APPLICANT: Alan C. Keimig, The Keimig Associates, 307 D St SE, Auburn, WA 98002

LEAD AGENCY: City of Port Orchard

SEPA OFFICIAL: Nicholas Bond, Department of Community Development Director
216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533

SEPA DETERMINATION: The City of Port Orchard, as lead agency for this proposal, has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21 C.030(2)(c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The DNS process is issued pursuant of WAC 197-11-340, WAC 197-11-680, and POMC Title 20. Comments are due by December 22, 2025 at 4:30pm. A fourteen (14) day appeal period will follow the fourteen (14) day comment period.

DATE OF ISSUE: December 8, 2025

Nicholas Bond 12/8/25

Nicholas Bond, AICP, Department of Community Development Director Date

APPEAL PERIOD: Any person may appeal this determination to the City of Port Orchard Clerk's Office at 216 Prospect Street, Port Orchard, WA no later than January 5, 2025 at 4:30pm in accordance with POMC 20.160.240(6)(b). Appeals shall be submitted in writing, and must include the content required in POMC 20.160.240(10), and applicable appeal fee, as established by resolution of the city council; full appeal procedures can be reviewed under POMC 20.160.240.

032301-4-049-2000
4444 SIDNEY STORAGE LLC C/O COAST PROPERTY MGMT
2829 RUCKER AVE STE 100
EVERETT, WA 98201

022301-3-005-2005
CAFFEINATED INVESTMENTS LLC
8809 FAUNTLEROY WAY SW
SEATTLE, WA 98136

6032-000-008-0001
GRESETH GREGORY & JENNIFER H
142 SHAMROCK LN
PORT ORCHARD, WA 98366

032301-4-021-2002
INMAN STEPHEN M
446 SW BERRY LAKE RD
PORT ORCHARD, WA 98367

022301-3-056-2003
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-002-2008
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-026-2000
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-028-2008
ALLEN PERRY GRANT & KELSEA JANAE
2740 SHERMAN AVE
PORT ORCHARD, WA 98366

022301-3-004-2006
CARBULLIDO EDUARDO & ABIGAIL P
4537 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

4034-000-008-0103
PARKER CECIL E & SANDRA J
113 FERNWOOD LN W
PORT ORCHARD, WA 98366

022301-3-055-2004
REAMS SHARLENE M
4557 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-003-2007
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-113-2004
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

4034-000-005-0007
BOLLINGER DIANA L
110 FERNWOOD LN W
PORT ORCHARD, WA 98366

4034-000-006-0105
CURTIS MARK C & MARILYN K
122 FERNWOOD LN
PORT ORCHARD, WA 98366

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-010-2008
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-008-2002
SANDLIN GAIL M
4469 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-007-2003
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

Jackie Krukoff

From: Jackie Krukoff
Sent: Monday, December 08, 2025 8:39 AM
To: ackeimig@msn.com; JohnO@daffodilstorage.com
Cc: Connor Dahlquist
Subject: LU25-Rezone-02 Sidney Rd Investments SEPA DNS
Attachments: 12.8.25 DNS Signed.pdf

Good morning,

Attached is the SEPA DNS that has been issued for the LU25-Rezone-02 Sidney Rd Investments. The comment period for this ends December 22, 2025 at 4:30 pm. I will let you know if we receive any comments after the comment period ends.

Kind Regards,

Jackie Krukoff
Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov.

Please make official submittals to the Permit Center at permitcenter@portorchardwa.gov to ensure maintenance of an accurate Record.

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
Mail to:216 Prospect Street, Port Orchard, WA 98366
Office located at 720 Prospect Street
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: Notice of SEPA DNS

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was posted on the subject property in accordance with applicable ordinances of the City of Port Orchard.

Signature of Individual Who Posted Notice

John Oldright
Printed Name of Individual Who Posted Notice

12/8/2025
Date of Posting

[ATTACH PICTURE OF POSTED SIGN]

LU25-Rezone-02
EXHIBIT 11

PUBLIC NOTICE SEPA DNS

PROJECT: Sunny Road Investments LLC Rezone

DESCRIPTION: Application for a site-specific rezone from Commercial Corridor (CC) to Commercial Mixed-Use (CMU)

Location: Unaddressed. APNs 11022301-3-116-2011 and 022301-3-117-2000

Permit Number(s): LU25-REZONE-02

Permit Application Type(s): Site-Specific Rezone

Comment Deadline: December 22, 2025 @ 4:30 PM

Submit Comments To: City of Port Orchard
Department of Community Development
216 Prospect Street, Port Orchard, WA 98366
permitcenter@portorchardwa.gov · (360) 874-5533

PUBLIC NOTICE OF APPLICATION

PROJECT: SIDNEY RD INVESTMENTS LLC STORAGE FACILITY

DESCRIPTION: REZONE FROM COMMERCIAL CORRIDOR (CC) TO COMMERCIAL MIXED USE (CMU) TO SUPPORT AN APARTMENT BUILDING TYPE

Location: 4385 SIDNEY RD SW

Permit Number(s): LU25-REZONE-02

Permit Application Type(s): SITE-SPECIFIC REZONE

Comment Deadline: BETWEEN AUG 22 2025 - SEPT 5 2025

Submit Comments To: City of Port Orchard
Department of Community Development
216 Prospect Street, Port Orchard, WA 98366
permitcenter@portorchardwa.gov · (360) 874-5533



CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@portorchardwa.gov

NOTICE OF PUBLIC HEARING

This is a public notice that the City of Port Orchard will conduct a public hearing both in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard WA 98366, and online at https://us02web.zoom.us/j/86519470781

Hearing date and time: January 28, 2026 at 10:00AM

File Name: Sidney Road Investments LLC Rezone

File Number: LU25-Rezone-02

Application Type: Site Specific Rezone (Type IV)

Applicant: Alan C. Keimig, 307 D Street SE. Auburn, WA 98002

Date of Application: July 14, 2025
Date of Complete Application: August 8, 2025

Site Description:

Location: Unaddressed. Formerly 4385 Sidney Rd SW. APNs #022301-3-116-2001 and 022301-3-117-2000

Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd

Size: 6.79 acres

Zoning District: Commercial Corridor (CC)

Shoreline Designation: N/A

Description of Proposal: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU).

SEPA Threshold Determination: The City of Port Orchard issued a Determination of Non-Significance (DNS) for the proposal on December 8, 2025 consistent with WAC 197-11-340, WAC 197-11-680, and POMC Title 20.

Applicable Code(s): Port Orchard Municipal Code Title 20, WAC 197-11 SEPA.

Review of Documents: A copy of the record, including the application and supporting documents, are available for inspection by the public at no cost. A copy of the staff report will be available for inspection at no cost at least five (5) working days prior to the hearing. Copies will be provided at the requester's cost

Comment Period: Any person may participate in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard A 98366, or online at https://us02web.zoom.us/j/86519470781 and provide public testimony or written comment until the close of record by the Hearing Examiner.

Submit Comments to:
Clerk to the Hearing Examiner
By Phone: (360) 874-5533
By Mail: 216 Prospect St, Port Orchard, WA 98366
In Person: 720 Prospect St, Port Orchard, WA 98366
By E-mail: permitcenter@portorchardwa.gov

CITY OF PORT ORCHARD
Department of Community Development
Located at 720 Prospect Street
Mailing Address: 216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: Notice of Hearing

AFFIDAVIT OF PUBLICATION

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was published in the Kitsap Sun.

Signature of Individual Who Noticed the Newspaper

Jackie Krukoff, Planning Permit Clerk
Print name and title

January 14, 2026
Date of Publication

CITY OF PORT ORCHARD
NOTICE OF PUBLIC HEARING

This is a public notice that the City of Port Orchard will conduct a public hearing both in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard WA 98366, and online at https://us02web.zoom.us/j/86519470781 Hearing date and time: January 28, 2026 at 10:00AM File Name: Sidney Road Investments LLC Rezone File Number: LU25-Rezone-02 Application Type: Site Specific Rezone (Type IV) Applicant: Alan C. Keimig, 307 D Street SE. Auburn, WA 98002 Date of Application: July 14, 2025 Date of Complete Application: August 8, 2025 Site Description: Location: Unaddressed. Formerly 4385 Sidney Rd SW. APNs #022301-3-116-2001 and 022301-3-117-2000 Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd Size: 6.79 acres Zoning District: Commercial Corridor (CC) Shoreline Designation: N/A Description of Proposal: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU). SEPA Threshold Determination: The City of Port Orchard issued a Determination of Non-Significance (DNS) for the proposal on December 8, 2025 consistent with WAC 197-11-340, WAC 197-11-680, and POMC Title 20. Applicable Code(s): Port Orchard Municipal Code Title 20, WAC 197-11 SEPA. Review of Documents: A copy of the record, including the application and supporting documents, are available for inspection by the public at no cost. A copy of the staff report will be available for inspection at no cost at least five (5) working days prior to the hearing. Copies will be provided at the requester's cost Comment Period: Any person may participate in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard A 98366, or online at https://us02web.zoom.us/j/86519470781 and provide public testimony or written comment until the close of record by the Hearing Examiner. Submit Comments to: Clerk to the Hearing Examiner By Phone: (360) 874-5533 By Mail: 216 Prospect St, Port Orchard, WA 98366 In Person: 720 Prospect St, Port Orchard, WA 98366 By E-mail: permitcenter@portorchardwa.gov

PUBLISHED IN THE KITSAP SUN January 14, 2026

Jackie Krukoff

From:	Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent:	Monday, January 12, 2026 11:52 AM
To:	Jackie Krukoff
Subject:	11996559 RE: 1 Notice for the 1/14 Kitsap Sun
Attachments:	Order_Confirmation_Liners - 2026-01-12T135156.153.pdf

Hello,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in KITSAP SUN on WED JAN. 14. The order cost is $171.60 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by TUES JAN. 13, BEFORE 10AM with any changes.

Your notice is scheduled to run per your request and will publish unless you reply to this email requesting changes or to cancel.

Our invoicing is done on a monthly basis. You will receive an invoice for this ad after the close of the month.

All orders are subject to a non-refundable 3.99% service fee. As an incentive for customers, we provide a discount off the order cost equal to the 3.99% service fee if you pay by ACH. Pay by ACH and Save! Final order cost provided at time of payment and via a receipt.

*NOTE: We are not legally trained, and it is your responsibility to make sure your AD meets the requirements of your State/Court which includes wording and publication times. Please verify all information is there and that it is correct. If your ad is not compliant with applicable law and needs to be re-published you will be responsible for all additional fees incurred.

If you would like to utilize our online self-serve ad portal to place your legal notices in the future, please visit your local publication's online classifieds legal section. There, you can conveniently submit and immediately preview your notices anytime, 24/7.

Thanks,

Mary Beth Kralevic
Public Notice Representative

LocaliQ | USA TODAY NETWORK

Office: 844-254-5287

From: Jackie Krukoff <jkrukoff@portorchardwa.gov>
Sent: Monday, January 12, 2026 1:18 PM
To: BKS-DL-PF Legals <legals@kitsapsun.com>

Cc: Lisa Stone <lstone@portorchardwa.gov>; Jenine Floyd <jfloyd@portorchardwa.gov>
Subject: 1 Notice for the 1/14 Kitsap Sun

Hello,

Please publish the attached notice in the Wednesday, January 14, 2026 edition of the Kitsap Sun:

- Notice of Hearing – Description: Sidney Rd Investments Storage Facility PO Number: LU25-Rezone-02

Please let me know if you have any questions.

Thanks,
Jackie Krukoff
Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov

LocaliQ
Washington
GANNETT

Order Confirmation

Not an Invoice

Account Number:	288906
Customer Name:	City Of Port Orchard
Customer Address:	City Of Port Orchard 216 Prospect St Port Orchard WA 98366
Contact Name:	AP
Contact Phone:	
Contact Email:	AP@portorchardwa.gov
PO Number:	

Date:	01/12/2026
Order Number:	11996559
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	85.0000
Height in Inches:	8.7900

Print

Product	#Insertions	Start - End	Category
BKS Kitsap Sun	1	01/14/2026 - 01/14/2026	Public Notices
BKS kitsapsun.com	1	01/14/2026 - 01/14/2026	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$171.60
Tax Amount	$0.00
Service Fee 3.99%	$6.85
Cash/Check/ACH Discount	-$6.85
Payment Amount by Cash/Check/ACH	$171.60
Payment Amount by Credit Card	$178.45

Order Confirmation Amount	**$171.60**

Ad Preview

CITY OF PORT ORCHARD
NOTICE OF PUBLIC HEARING
This is a public notice that the City of Port Orchard will conduct a public hearing both in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard WA 98366, and online at https://us02web.zoom.us/j/86519470781 Hearing date and time: January 28, 2026 at 10:00AM File Name: Sidney Road Investments LLC Rezone File Number: LU25-Rezone-02 Application Type: Site Specific Rezone (Type IV) Applicant: Alan C. Keimig, 307 D Street SE. Auburn, WA 98002 Date of Application: July 14, 2025 Date of Complete Application: August 8, 2025 Site Description: Location: Unaddressed. Formerly 4385 Sidney Rd SW. APNs #022301-3-116-2001 and 022301-3-117-2000 Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd Size: 6.79 acres Zoning District: Commercial Corridor (CC) Shoreline Designation: N/A Description of Proposal: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU). SEPA Threshold Determination: The City of Port Orchard issued a Determination of Non-Significance (DNS) for the proposal on December 8, 2025 consistent with WAC 197-11-340, WAC 197-11-680, and POMC Title 20. Applicable Code(s): Port Orchard Municipal Code Title 20, WAC 197-11 SEPA. Review of Documents: A copy of the record, including the application and supporting documents, are available for inspection by the public at no cost. A copy of the staff report will be available for inspection at no cost at least five (5) working days prior to the hearing. Copies will be provided at the requester's cost Comment Period: Any person may participate in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard A 98366, or online at https://us02web.zoom.us/j/86519470781 and provide public testimony or written comment until the close of record by the Hearing Examiner. Submit Comments to: Clerk to the Hearing Examiner By Phone: (360) 874-5533 By Mail: 216 Prospect St, Port Orchard, WA 98366 In Person: 720 Prospect St, Port Orchard, WA 98366 By E-mail: permitcenter@portorchardwa.gov
1/14/2026 11996559

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us
www.cityofportorchard.us

File Number: LU25-Rezone-02

Project Name: Sidney Rd Investments LLC Storage Facility

Notice Type: Notice of Hearing

AFFIDAVIT OF MAILING AND EMAILING

I hereby certify under penalty of perjury of the Laws of the State of Washington that on the date below, the attached notice was mailed to attached list(s) of recipients in accordance with applicable ordinances of the City of Port Orchard.

Signature of Individual Who Mailed Notice

Jackie Krukoff, Planning Permit Clerk
Print name and title

January 14, 2026
Date of Mailing

LU25-Rezone-02
EXHIBIT 14
184

CITY OF PORT ORCHARD
Department of Community Development
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@portorchardwa.gov

NOTICE OF PUBLIC HEARING

This is a public notice that the City of Port Orchard will conduct a public hearing both in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard WA 98366, and online at https://us02web.zoom.us/j/86519470781

Hearing date and time: January 28, 2026 at 10:00AM

File Name: Sidney Road Investments LLC Rezone

File Number: LU25-Rezone-02

Application Type: Site Specific Rezone (Type IV)

Applicant: Alan C. Keimig, 307 D Street SE. Auburn, WA 98002

Date of Application: July 14, 2025
Date of Complete Application: August 8, 2025

Site Description:
Location: Unaddressed. Formerly 4385 Sidney Rd SW. APNs #022301-3-116-2001 and 022301-3-117-2000
Nearest road intersection: Sidney Rd SW and SW Berry Lake Rd
Size: 6.79 acres
Zoning District: Commercial Corridor (CC)
Shoreline Designation: N/A

Description of Proposal: Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU).

SEPA Threshold Determination: The City of Port Orchard issued a Determination of Non-Significance (DNS) for the proposal on December 8, 2025 consistent with WAC 197-11-340, WAC 197-11-680, and POMC Title 20.

Applicable Code(s): Port Orchard Municipal Code Title 20, WAC 197-11 SEPA.

Review of Documents: A copy of the record, including the application and supporting documents, are available for inspection by the public at no cost. A copy of the staff report will be available for inspection at no cost at least five (5) working days prior to the hearing. Copies will be provided at the requester's cost

Comment Period: Any person may participate in-person at the Robert Geiger Council Chambers in City Hall at 216 Prospect Street, Port Orchard A 98366, or online at https://us02web.zoom.us/j/86519470781 and provide public testimony or written comment until the close of record by the Hearing Examiner.

Submit Comments to:
Clerk to the Hearing Examiner
By Phone: (360) 874-5533
By Mail: 216 Prospect St, Port Orchard, WA 98366
In Person: 720 Prospect St, Port Orchard, WA 98366
By E-mail: permitcenter@portorchardwa.gov

City of Port Orchard
Department of Community Development
Located at 720 Prospect Street
Mailing address: 216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533 • permitcenter@portorchardwa.gov

AGENDA

January 28, 2026

An open record hearing will be conducted by Ms. Emily Terrell, alternate examiner City of Port Orchard Hearing Examiner, on the following matter, on **Wednesday, January 28, 2026,** utilizing remote meeting technology, at the time set forth or as soon thereafter as possible.

Location: The hearing will be held at the Robert Geiger Council Chambers, City Hall, 216 Prospect Street, Port Orchard WA 98366 also utilizing remote meeting technology. To participate, please email the City at permitcenter@portorchardwa.gov to receive further instructions. In addition, written comments may be submitted by mail or email on this application prior to the hearing at the above email, and such comments are given the same weight as public testimony.

Agenda Item # 1
10:00 a.m.

Permit Type:
Land Use - Site Specific Rezone

Project Name:
Sidney Rd Investments LLC Rezone

Project File No:
LU25-Rezone-02

Project Proposal:
Rezone from Commercial Corridor (CC) to Commercial Mixed Use (CMU) to support an apartment building type.

Project Location:
4385 Sidney Rd SW

Project Applicant:
Alan C. Keimig
307 D Street SE
Auburn, WA 98002

032301-4-049-2000
4444 SIDNEY STORAGE LLC C/O COAST PROPERTY MGMT
2829 RUCKER AVE STE 100
EVERETT, WA 98201

022301-3-028-2008
ALLEN PERRY GRANT & KELSEA JANAE
2740 SHERMAN AVE
PORT ORCHARD, WA 98366

4034-000-005-0007
BOLLINGER DIANA L
110 FERNWOOD LN W
PORT ORCHARD, WA 98366

022301-3-005-2005
CAFFEINATED INVESTMENTS LLC
8809 FAUNTLEROY WAY SW
SEATTLE, WA 98136

022301-3-004-2006
CARBULLIDO EDUARDO & ABIGAIL P
4537 SIDNEY RD SW
PORT ORCHARD, WA 98367

4034-000-006-0105
CURTIS MARK C & MARILYN K
122 FERNWOOD LN
PORT ORCHARD, WA 98366

6032-000-008-0001
GRESETH GREGORY & JENNIFER H
142 SHAMROCK LN
PORT ORCHARD, WA 98366

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-009-2001
HANCOFF SHARON L
4577 SIDNEY RD SW
PORT ORCHARD, WA 98367

032301-4-021-2002
INMAN STEPHEN M
446 SW BERRY LAKE RD
PORT ORCHARD, WA 98367

4034-000-008-0103
PARKER CECIL E & SANDRA J
113 FERNWOOD LN W
PORT ORCHARD, WA 98366

022301-3-010-2008
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-056-2003
PORT ORCHARD CHURCH OF NAZARENE
4647 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-055-2004
REAMS SHARLENE M
4557 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-008-2002
SANDLIN GAIL M
4469 SIDNEY RD SW
PORT ORCHARD, WA 98367

022301-3-002-2008
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-003-2007
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-007-2003
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-026-2000
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

022301-3-113-2004
SIDNEY ROAD INVESTMENTS LLC
601 VALLEY AVE NE STE A
PUYALLUP, WA 98372

Jackie Krukoff

From: Jackie Krukoff
Sent: Wednesday, January 14, 2026 7:16 AM
To: 'Phil Olbrechts'
Subject: City of Port Orchard - Hearing for the LU25-Rezone-02 Sidney Rd Investments Storage Facility
Attachments: Agenda_LU25-Rezone-02.pdf; Notice of Public Hearing_LU25-Rezone-02.pdf

Good morning,

Attached is the Agenda as well as the Notice of Hearing that has been sent out and published for the LU25-Rezone-02 Sidney Rd Investments Storage Facility. Here is the Dropbox link: https://www.dropbox.com/scl/fo/39spkjs7zn5mb9l7hhi9e/AHcf_5kpU5XrY9uaVBaplXg?rlkey=287x110weraey2thihzhxihlk&st=m68mk7hm&dl=0 with all of the files to date. I will send you the staff report as soon as it is available.

The Hearing has been scheduled for Wednesday, January 28, 2026 at 10 am. The link is below:

Topic: LU25-Rezone-02 Sidney Rd Investments Storage Facility Hearing

Join from PC, Mac, iPad, or Android:
https://us02web.zoom.us/j/86519470781

Phone one-tap:
+12532158782,,86519470781# US (Tacoma)
+12532050468,,86519470781# US

Join via audio:
+1 253 215 8782 US (Tacoma)
+1 253 205 0468 US
+1 719 359 4580 US
+1 346 248 7799 US (Houston)
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US
+1 646 931 3860 US
+1 689 278 1000 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
Webinar ID: 865 1947 0781
International numbers available: https://us02web.zoom.us/u/kbhQHXaKKk

Kind Regards,
Jackie Krukoff
Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov.

Please make official submittals to the Permit Center at permitcenter@portorchardwa.gov to ensure maintenance of an accurate Record.

Jackie Krukoff

From: Jackie Krukoff
Sent: Wednesday, January 14, 2026 7:16 AM
To: ackeimig@msn.com
Cc: 'Jeff Oldright'; Fred Wagner; Bob Oldright; Connor Dahlquist
Subject: Notice of Public Hearing for the LU25-Rezone-02 Sidney Rd Investments
Attachments: Agenda_LU25-Rezone-02.pdf; Notice of Public Hearing_LU25-Rezone-02.pdf

Good morning,

Attached to this email you will find the Agenda and Notice of Hearing for the LU25-Rezone-02 Sidney Rd Investments I will send you the staff report once it is available.

The Hearing is scheduled for Wednesday, January 28, 2026 at 10:00 am.

Comment Period: Any person may participate electronically and provide public testimony or submit written comment starting January 14, 2026 until the close of record by the Hearing Examiner.

Regards,
Jackie Krukoff
Planning Permit Clerk
City of Port Orchard
Office Located at 720 Prospect St.
360-874-5533 ext 130
jkrukoff@portorchardwa.gov.

Please make official submittals to the Permit Center at permitcenter@portorchardwa.gov to ensure maintenance of an accurate Record.

POMC 20.42.030(2) Application review criteria

(2) Criteria for Review. In addition to the general criteria in subsection (1) of this section, the city shall review applications for site-specific rezone applications and issue approval of said applications pursuant to the following criteria:

(a) Consistency with the existing comprehensive plan (the comprehensive plan that has been approved and is in place at the time the application was submitted);

The subject property is consistent with the Port Orchard Comprehensive Plan currently designated as commercial with the proposed change to Commercial Mixed Use which allows the inclusion of the proposed apartment project.

(b) Consistency with the purpose of the proposed zoning district;

The proposed use maintains the surrounding property under County Jurisdiction designated Urban Growth Area.

(c) Consistency between zone criteria and area characteristics;

The separation of the parcel from the surrounding area is segmented by the boundaries of the transportation corridors. That is the State Highway 16 SW and Sidney Road. Consolidating the apartments into a separated protected community and will be the best and most productive use of the land.

(d) Zoning history and precedential effect. Previous and potential zoning changes both in and around the area identified in the application shall be examined; / (e) The impact of more intense zones on less intense zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers in the more intense zone, if possible. A gradual transition between zoning categories, including height limits, is preferred;

The area has previously been designated as a commercial self-storage overlay district (SSOD). The remaining parcel to the north will be self-service storage which will be the least disruptive use for the adjacent apartment, but also an enhancement for their location.

(f) Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:

(i) Natural features such as topographical breaks, lakes, rivers, streams, ravines and shorelines;
NA

(ii) Freeways, other major traffic arterials and railroad tracks;

The physical buffers of the traffic arterial and highway are noted in "C" above.

(iii) Distinct change in street layout and block orientation;

The project includes the enhanced potential of Sidney Road, half street improvement.

(iv) Open space and greenspaces suitable in area to mitigate against more intense uses;

The designs of both apartment and self-storage allows the inclusion of green spaces to mitigate the potential of more intense development.

(v) Zone boundaries;

The configuration of the parcels within the confines of the transportation corridors isolates the project and by design enhances the overall community concept.

(g) In establishing boundaries, the following elements shall be considered:
(i) Physical buffers as described in subsection (2)(f) of this section; and (ii) Platted lot lines;

The consolidation and combining of parcels within the physical boundaries makes the partition of the parcels most natural.

(h) Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses;

The natural terrain works resolves to naturally segregate the apartments from the storage.

(i) Impact Evaluation. The evaluation of the changes that would result from approval of the application shall consider the possible negative and positive impacts on the affected area and its surroundings. Factors to be examined include, but are not limited to, the following:
(i) Housing;

The inclusion of the housing element provides a much needed component in today's environment to house families.

(ii) Public services;

The public utilities are being extended to the site to support the apartments.

(iii) Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows and energy conservation;

(iv) Pedestrian safety;

The site and connections to the public right-of-way provides for pedestrian safety with the inclusion of sidewalks and planting strips.

(v) Manufacturing activity;
NA

(vi) Employment activity;
NA

(vii) Character of areas recognized for architectural or historic value;

NA

(viii) Shoreline view, public access and recreation;
NA

(ix) Service Capacities. Development which can be reasonably anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including: street access to the area; street capacity in the area; transit service; parking capacity; utility and sewer capacity; shoreline navigation;

Public road Sidney Road SW runs north/south along the west side of the site with access along Sidney Road SW. There is one bus stop approximately 519 feet south of and one bus stop at the most northern corner of the project at the intersection of SW Berry Lake Road and Sidney Road SW. The proposal will require a half street improvement of the existing Sidney Road SW with a new paved sidewalk bike lane.

(x) Population and employment allocations as established through the countywide planning policies;

At maximum occupation, 182 residents and 2 maintenance personnel or managers are expected in the apartment complex.

(xi) Changed Circumstances. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone designations in the zoning code;

The existing vacant site currently zoned CC with a SSOD is proposing a rezone to CMU with a SSOD will have a minimal zoning impact as there is already an established CMU with SSOD designation to the south and newly established apartments also to the south along Sidney Road.

(xii) Critical Areas. If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered.

Critical area were not identified in the initial site studies.

#2051

Alan C. Keimig, Architect

SIGNATURES AND APPROVALS PAGE

A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE W.M.
CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON

OWNERS DECLARATION

WE, THE UNDERSIGNED, HOLDER OF FEE SIMPLE INTEREST IN THE LAND CONTAINED HEREIN DESCRIBED. DO HEREBY CONSENT TO THIS BOUNDARY LINE ADJUSTMENT AND DECLARE THIS MAP TO BE A GRAPHIC REPRESENTATION OF THE SAME AND THAT SAID BOUNDARY LINE ADJUSTMENT IS MADE WITH FREE CONSENT AND IN ACCORDANCE WITH OUR WISHES.

DATED THIS 22 DAY OF Sept, 20 25

SIDNEY ROAD INVESTMENTS, LLC

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)SS
COUNTY OF Pierce)

ON THIS 22nd DAY OF September, 20 25, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Jeffrey R. Olchin TO ME KNOWN TO BE THE MANAGING MEMBER, OF SIDNEY ROAD INVESTMENTS, LLC, THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT OF AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT (HE/SHE/THEY) (IS/ARE) AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 22nd DAY OF Sept., 20 25.

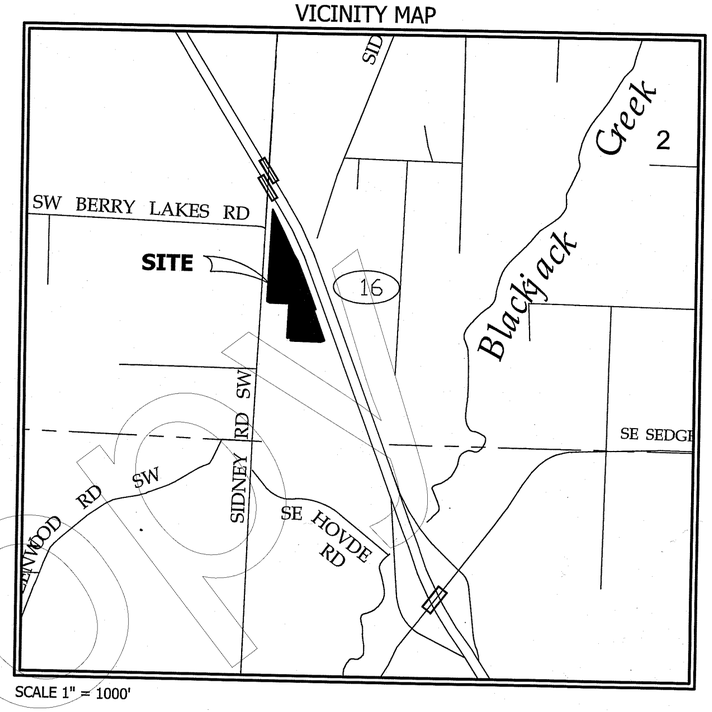
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

PRINTED NAME: Debbera L. Noble

MY COMMISSION EXPIRES: 04/19/2027

Notary Public
State of Washington
DEBBERA L NOBLE
LICENSE # 177663
MY COMMISSION EXPIRES
APRIL 19, 2027

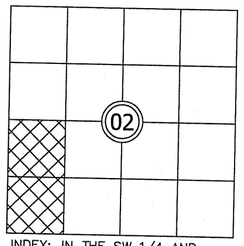
VICINITY MAP



SCALE 1" = 1000'

SHEET INDEX

SHEET 1 OF 4: SIGNATURES AND APPROVALS PAGE
SHEET 2 OF 4: ORIGINAL LEGAL DESCRIPTIONS
SHEET 3 OF 4: ORIGINAL BOUNDARY CONFIGURATION, TITLE EXCEPTIONS, AND SURVEYORS NOTES
SHEET 4 OF 4: REVISED BOUNDARY CONFIGURATION AND REVISED LEGAL DESCRIPTIONS



INDEX: IN THE SW 1/4 AND NW 1/4 OF THE SW 1/4, SEC 02, TWP 23 N, RGE 01 E, W.M.

APPROVALS

COUNTY TREASURER APPROVAL

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED, HAVE BEEN FULLY PAID AND DISCHARGED, ACCORD TO THE RECORDS OF MY OFFICE, UP TO AND INCLUDING THE YEAR 2025.

EXECUTED THIS 27 DAY OF October, 20 25.

HBeyl for Peter Boissonneau
KITSAP COUNTY TREASURER

CITY FINANCE DIRECTOR APPROVAL

I HEREBY CERTIFY THAT ALL TAXES AND DELINQUENT ASSESSMENTS FOR WHICH THE PROPERTY MAY BE LIABLE AS OF THE DATE OF CERTIFICATION HAVE BEEN DULY PAID, SATISFIED OR DISCHARGED.

EXECUTED THIS 10th DAY OF October, 20 25.

FINANCE DIRECTOR

CITY ENGINEER APPROVAL

I HEREBY CERTIFY THAT THIS BOUNDARY LINE ADJUSTMENT IS CONSISTENT WITH ALL APPLICABLE CITY IMPROVEMENT STANDARDS AND REQUIREMENTS IN FORCE ON THE DATE OF THE BOUNDARY LINE ADJUSMTENT APPROVAL. I HAVE APPROVED THIS BOUNDARY LINE ADJUSTMENT AS TO THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHT OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEMS AND OTHER STRUCTURES. EXAMINED AND APPROVED BY ME THIS 3rd. DAY OF October, 20 25.

CITY ENGINEER

COMMUNITY DEVELOPMENT DIRECTOR APPROVAL

I HEREBY CERTIFY THAT THIS BOUNDARY LINE ADJUSTMENT IS CONSISTENT WITH ALL APPLICABLE CITY IMPROVEMENT STANDARDS AND REQUIREMENTS IN FORCE ON THE DATE OF THE BOUNDARY LINE ADJUSTMENT APPROVAL. I HAVE APPROVED THIS BOUNDARY LINE ADJUSTMENT AS TO THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHT OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEMS AND OTHER STRUCTURES. EXAMINED AND APPROVED BY ME THIS 23rd DAY OF September, 20 2025.

COMMUNITY DEVELOPMENT DIRECTOR

LU25-Rezone-02
EXHIBIT 16

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 27th DAY OF October, 2025,
AT 9:43 A.M., IN BOOK 102 OF Surveys, AT PAGE 218-221
AT THE REQUEST OF LARSON AND ASSOCIATES, INC.

COUNTY AUDITOR Paul Andrews

AUDITOR'S FILE NO. 202510270034

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF SIDNEY ROAD INVESTMENTS, LLC. IN JUNE, 2025.

THOMAS E. BATTEY, P.L.S.
CERTIFICATE NO. 30425

SEPT. 22, 2025
DATE

THOMAS E. BATTEY
STATE OF WASHINGTON
9-22-25
30425
REGISTERED
PROFESSIONAL LAND SURVEYOR

LARSON
AND ASSOCIATES
LAND SURVEYORS
ENGINEERS
PLANNERS

9027 PACIFIC AVENUE, SUITE 4
TACOMA, WASHINGTON 98444-6247
(253)474-3404 / FAX (253)472-7358

RECORD OF SURVEY
FOR BOUNDARY LINE ADJUSTMENT FOR SIDNEY ROAD INVESTMENTS, LLC

DRAWN BY: LOW	DATE: 09/16/2025	JOB NO. 10187
CHECKED BY: TEB	SCALE: N/A	SHEET 1 OF 4

Unofficial Copy

ORIGINAL LEGAL DESCRIPTIONS

A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE W.M. CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON

ORIGINAL LEGAL DESCRIPTIONS

ORIGINAL PARCEL I (PER FIRST AMERICAN SUBDIVISION GUARANTEE, GUARANTEE NO. 4310033, DATE OF GUARANTEE: SEPTEMBER 02, 2025)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, LYING WESTERLY OF STATE HIGHWAY NO. 16 (FORMERLY NO. 14), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;
THENCE NORTH ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 321.75 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED;
THENCE CONTINUING NORTH ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 321.75 FEET;
THENCE EAST TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;
THENCE SOUTH ALONG SAID EAST LINE TO A POINT THAT IS EAST FROM THE TRUE POINT OF BEGINNING;
THENCE WEST TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION, IF ANY, LYING WITHIN THE GRADE INTERSECTION;
EXCEPT THAT PORTION LYING SOUTHEASTERLY OF THE NORTHWESTERLY RIGHT-OF-WAY MARGIN OF SIDNEY ROAD, AS CONVEYED IN DEED RECORDED UNDER KITSAP COUNTY AUDITOR'S FILE NO. 336182;
ALSO EXCEPT THE WEST 60 FEET THEREOF, AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER KITSAP COUNTY AUDITORS FILE NO. 639858;

TOGETHER WITH THAT PORTION OF SIDNEY ROAD, VACATED PER ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 200903120102, EXCEPT THAT PORTION LYING EASTERLY OF THE FORMER CENTER LINE OF RIGHT-OF-WAY OF SIDNEY ROAD, RECORDS OF KITSAP COUNTY, WASHINGTON, WHICH ATTACHES BY OPERATION OF LAW;

ALSO TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, LYING WEST OF THE WEST RIGHT-OF-WAY MARGIN OF STATE HIGHWAY NO. 16 AS DEEDED TO KITSAP COUNTY BY QUIT CLAIM DEED RECORDED UNDER AUDITOR'S FILE NO. 8110190083 WHICH LIES EAST OF THE WEST 60 FEET OF SAID SUBDIVISION, AND NORTH OF THAT CERTAIN PARCEL DEEDED TO MIST VENTURES, LLC, UNDER AUDITORS FILE NO. 200712140148, AND BEING A PORTION VACATED BY CITY OF PORT ORCHARD ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 200903120102, RECORDS OF KITSAP COUNTY, WASHINGTON.

ORIGINAL PARCEL II (PER FIRST AMERICAN SUBDIVISION GUARANTEE, GUARANTEE NO. 4310033, DATE OF GUARANTEE: SEPTEMBER 02, 2025)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;
THENCE NORTH 321.75 FEET;
THENCE EAST TO SIDNEY ROAD;
THENCE SOUTHERLY ALONG SIDNEY ROAD TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE WEST TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING EAST OF THE OF THE NEW COUNTY ROAD (SIDNEY ROAD); ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 16 IN DEED RECORDED UNDER RECORDING NO. 627603;
ALSO EXCEPT SIDNEY AVENUE;
ALSO EXCEPT THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SUBDIVISION, NORTH 321.75 FEET FROM THE SOUTHWEST CORNER THEREOF;
THENCE EAST TO A POINT ON THE RIGHT-OF-WAY LINE DRAWN PARALLEL WITH AND 60 FEET EASTERLY, WHEN MEASURED AT RIGHT ANGLES, FROM THE A 14 LINE SURVEY OF STATE HIGHWAY ROUTE NO. 16, OLYMPIC DRIVE TO TREMONT STREET;
THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO A POINT OPPOSITE HIGHWAY ENGINEERS STATION A 14 40+20.40 ON SAID A 14 LINE SURVEY AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 53°52150" EAST, 93.00 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF SIDNEY ROAD;
THENCE SOUTHWESTERLY ALONG SAID SIDNEY ROAD TO INTERSECT SAID RIGHT-OF-WAY LINE;
THENCE NORTH ALONG SAID RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF SIDNEY ROAD, VACATED PER ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 200903120102, RECORDS OF KITSAP COUNTY, WASHINGTON; EXCEPT THAT PORTION LYING EASTERLY OF THE FORMER CENTER LINE OF RIGHT-OF-WAY OF SIDNEY ROAD, WHICH ATTACHES BY OPERATION OF LAW.

ORIGINAL PARCEL III (PER FIRST AMERICAN SUBDIVISION GUARANTEE, GUARANTEE NO. 4310033, DATE OF GUARANTEE: SEPTEMBER 02, 2025)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SUBDIVISION, NORTH 321.75 FEET FROM THE SOUTHWEST CORNER THEREOF;
THENCE EAST TO A POINT ON THE RIGHT-OF-WAY LINE, DRAWN PARALLEL WITH AND 60 FEET EASTERLY, WHEN MEASURED AS RIGHT ANGLES, FROM THE A 14 LINE SURVEY OF STATE HIGHWAY ROUTE NO. 16, OLYMPIC DRIVE TO TREMONT STREET;
THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO A POINT OPPOSITE HIGHWAY ENGINEERS STATE A 14 40+20.40 ON SAID A 14 LINE SURVEY AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 53°52'50" EAST, 93.00 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF SIDNEY ROAD;
THENCE SOUTHWESTERLY ALONG SIDNEY ROAD TO INTERSECT SAID RIGHT-OF-WAY LINE;
THENCE NORTH ALONG SAID RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF SIDNEY ROAD, VACATED PER ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 200903120102, RECORDS OF KITSAP COUNTY, WASHINGTON, EXCEPT THAT PORTION LYING EASTERLY OF THE FORMER CENTER LINE OF RIGHT-OF-WAY OF SIDNEY ROAD, WHICH ATTACHES BY OPERATION OF LAW.

ORIGINAL LEGAL DESCRIPTIONS (CONTINUED)

ORIGINAL PARCEL IV (PER FIRST AMERICAN SUBDIVISION GUARANTEE, GUARANTEE NO. 4310033, DATE OF GUARANTEE: SEPTEMBER 02, 2025)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH. RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY MARGIN OF SIDNEY ROAD, AS DISCLOSED IN VOLUME 257 OF DEEDS, PAGE 336, WHERE SAID EASTERLY MARGIN OF SIDNEY ROAD INTERSECTS THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;
THENCE EAST TO THE WESTERLY MARGIN OF STATE HIGHWAY NO. 16 (FORMERLY PRIMARY STATE HIGHWAY NO. 14);
THENCE NORTHWESTERLY ALONG SAID MARGIN TO THE EASTERLY MARGIN OF SIDNEY ROAD;
THENCE SOUTHWESTERLY ALONG SAID EASTERLY MARGIN TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF SIDNEY ROAD, VACATED PER ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON, EXCEPT THAT PORTION LYING WESTERLY OF THE FORMER CENTER LINE OF RIGHT-OF-WAY OF SIDNEY ROAD, WHICH ATTACHES BY OPERATION OF LAW.

ORIGINAL PARCEL V (PER FIRST AMERICAN TITLE OWNER'S POLICY OF TITLE INSURANCE, POLICY NO. 4210868, DATE OF POLICY: AUGUST 20, 2024 AT 5:00 PM)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION;
THENCE EAST 650 FEET;
THENCE SOUTH 374 FEET;
THENCE WEST 350 FEET;
THENCE NORTH 344 FEET;
THENCE WEST 300 FEET;
THENCE NORTH 30 FEET TO THE POINT OF BEGINNING;

EXCEPT SIDNEY AVENUE;
ALSO EXCEPT THAT PORTION THEREOF LYING WITHIN PRIMARY STATE HIGHWAY NO. 14;
ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 634702 AND 635817;

TOGETHER WITH THAT PORTION OF SIDNEY ROAD, VACATED PER ORDINANCE NO. 003-09, RECORDED UNDER AUDITOR'S FILE NO. 200903120102, RECORDS OF KITSAP COUNTY, WASHINGTON, WHICH ATTACHES BY OPERATION OF LAW.

ORIGINAL PARCEL VI (PER FIRST AMERICAN SUBDIVISION GUARANTEE, GUARANTEE NO. 4310033, DATE OF GUARANTEE: SEPTEMBER 02, 2025)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 30 FEET SOUTH AND 50 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;
THENCE EAST 215 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 200411080293, RECORDS OF KITSAP COUNTY, WASHINGTON, AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH ALONG THE EAST LINE THEREOF, 320 FEET TO THE SOUTHEAST CORNER THEREOF;
THENCE EAST 35 FEET TO THE WEST BOUNDARY OF A TRACT OF LAND CONVEYED TO MIST VENTURES, LLC, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 200811120118, RECORDS OF KITSAP COUNTY, WASHINGTON;
THENCE NORTH ALONG THE WEST LINE THEREOF, 320 FEET TO AN ANGLE POINT;
THENCE WEST 35 FEET TO THE TRUE POINT OF BEGINNING.

Unofficial Copy

THOMAS E. BATES
STATE OF WASHINGTON
30425
REGISTERED
PROFESSIONAL LAND SURVEYOR
9-22-25

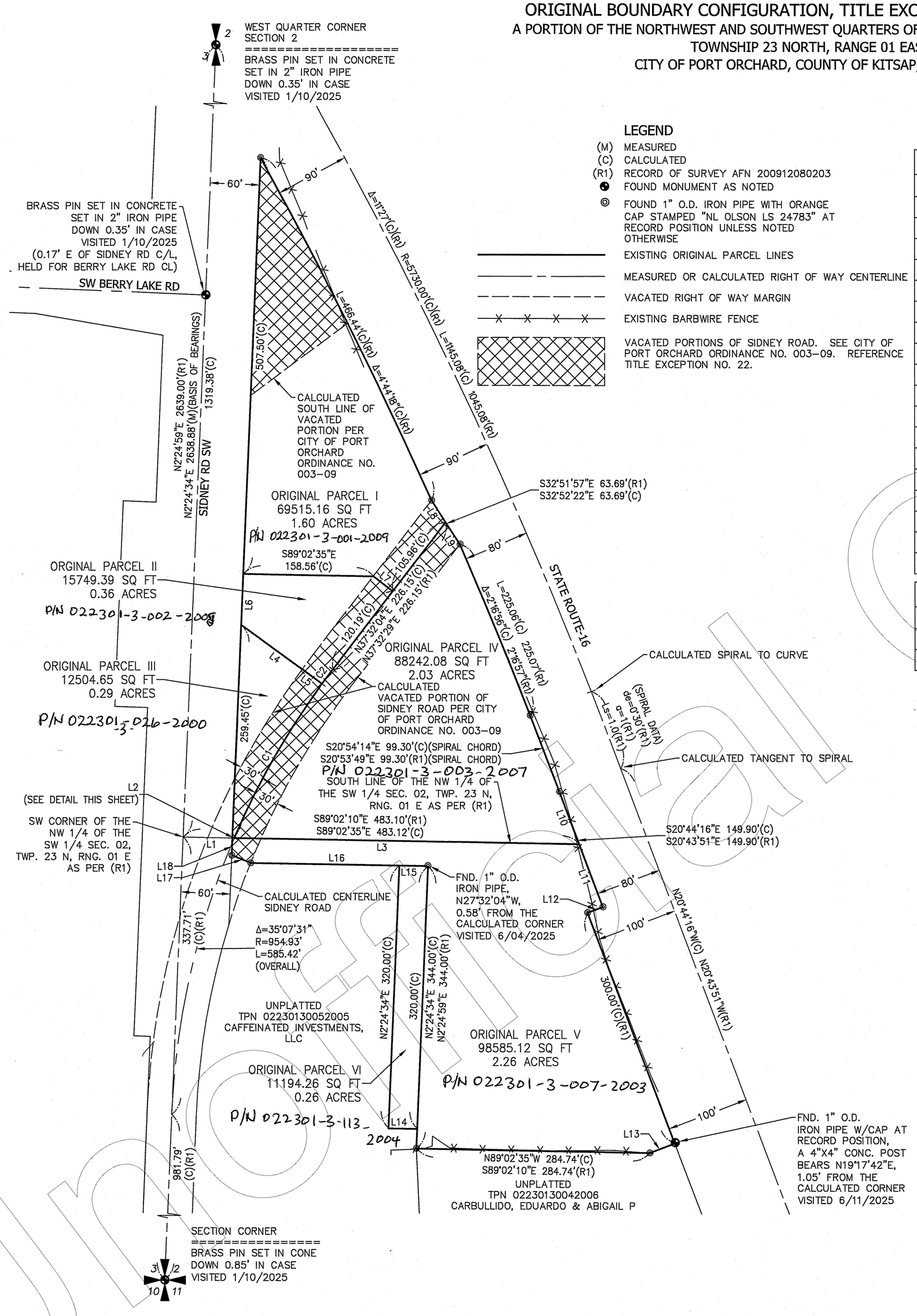
LARSON
AND ASSOCIATES
LAND SURVEYORS
ENGINEERS
PLANNERS
9027 PACIFIC AVENUE, SUITE 4
TACOMA, WASHINGTON 98444-6247
(253)474-3404 / FAX (253)472-7358

RECORD OF SURVEY
FOR BOUNDARY LINE ADJUSTMENT FOR SIDNEY ROAD INVESTMENTS, LLC

DRAWN BY: LOW	DATE: 09/16/2025	JOB NO. 10187
CHECKED BY: TEB	SCALE: 1" = N/A	SHEET 2 OF 4

ORIGINAL BOUNDARY CONFIGURATION, TITLE EXCEPTIONS, AND SURVEYORS NOTES

A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 02,
TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE W.M.
CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON



LEGEND

- (M) MEASURED
- (C) CALCULATED
- (R1) RECORD OF SURVEY AFN 200912080203
- FOUND MONUMENT AS NOTED
- FOUND 1" O.D. IRON PIPE WITH ORANGE CAP STAMPED "NL OLSON LS 24783" AT RECORD POSITION UNLESS NOTED OTHERWISE
- EXISTING ORIGINAL PARCEL LINES
- MEASURED OR CALCULATED RIGHT OF WAY CENTERLINE
- VACATED RIGHT OF WAY MARGIN
- EXISTING BARBWIRE FENCE
- VACATED PORTIONS OF SIDNEY ROAD. SEE CITY OF PORT ORCHARD ORDINANCE NO. 003-09. REFERENCE TITLE EXCEPTION NO. 22.

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	60.02'	S89°02'35"E
L2	2.31'	S89°02'35"E
L3	420.79'	S89°02'35"E
L4	91.79'	S54°05'26"E
L5	30.00'	S53°46'59"E
L6	62.30'	N2°24'34"E
L7	30.00'	S52°27'56"E
L8	31.84'	S32°52'22"E
L9	31.85'	S32°52'22"E
L10	68.45'	N20°44'16"W
L11	81.45'	S20°44'16"E
L12	20.00'	S69°15'44"W
L13	32.60'	S69°15'44"W
L14	34.99'	S89°02'35"E
L15	34.99'	S89°02'35"E
L16	216.54'	N89°02'35"W
L17	24.86'	N68°01'11"W
L18	21.07'	N2°24'34"E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	216.59'	954.93'	12°59'44"
C2	21.96'	954.93'	1°19'03"

BASIS OF BEARINGS

HELD OBSERVED GRID NAD 83/11 WASHINGTON STATE PLANE SOUTH ZONE BEARING OF NORTH 2°24'34" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN, BETWEEN A MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 02, TO A FOUND MONUMENT AT THE WEST QUARTER CORNER OF SAID SECTION 02. AS ESTABLISHED USING GPS RTK ROVER CONSTRAINED TO THE WASHINGTON STATE REFERENCE NETWORK (WSRN) STATIONS

SURVEYORS NOTES

1. THIS BOUNDARY LINE ADJUSTMENT IS NOT A PLAT, RE-PLAT OR SUBDIVISION
2. DATE OF SURVEY: JANUARY AND JUNE OF 2025
3. THE PURPOSE OF THIS SURVEY IS TO ADJUST THE EXISTING PARCEL LINES FOR FUTURE CONTEMPLATED DEVELOPMENT OF THE PARCELS INVOLVED.
4. THIS SURVEY DOES NOT PURPORT TO SHOWN ANY EASEMENTS OF RECORD. FULL RELIANCE WAS PLACED UPON THE SUPPLIED TITLE REPORT. EASEMENTS OR RIGHTS OF TITLE OF TITLE MAY EXIST NOT SHOWN HEREON.

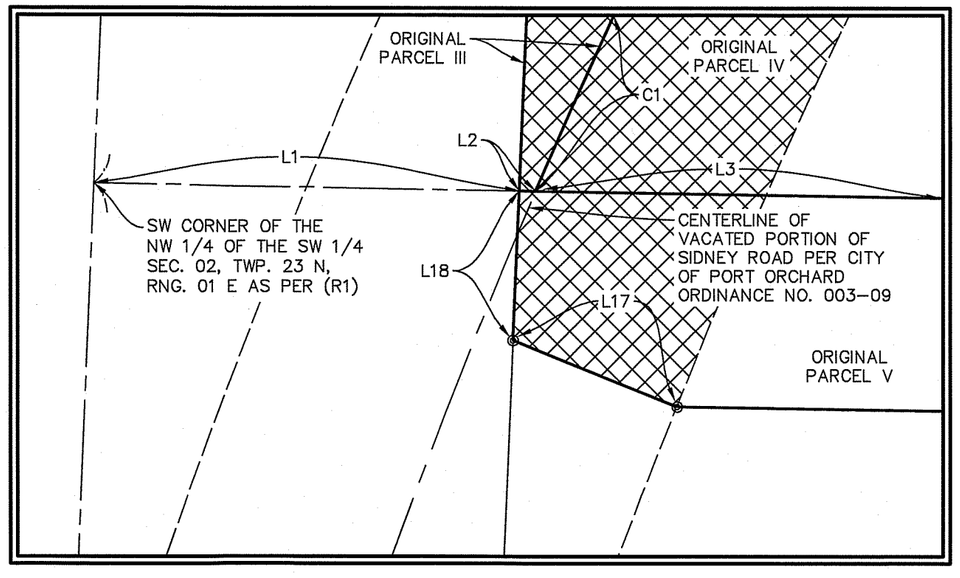
"THIS SURVEY WAS PERFORMED BY A COMBINATION OF CONVENTIONAL FIELD TRAVERSE, (UTILIZING A TRIMBLE S5 AND/OR SX12 TOTAL STATION) AND GPS RTK ROVER METHODOLOGY

THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF THE SURVEY RECORDING ACT CHAPTER 58.09 RCW AND 332-130-070 WAC"

TITLE REPORT SCHEDULE B EXCEPTIONS

1. THROUGH 9. NOT A SURVEY ITEM.
10. EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:
    RECORDED: MARCH 03, 1944
    RECORDING INFORMATION: 388301
    IN FAVOR OF: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
    FOR: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM
    SAID EASEMENT BLANKETS THE SUBJECT PARCELS AND HAS NOT BEEN PLOTTED HEREON.
11. THROUGH 13. NOT A SURVEY ITEM.
14. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "ORDINANCE NO. 003-09"
    RECORDED: MARCH 12, 2009
    RECORDING NO.: 200903120102
    DOCUMENT VACATES PORTIONS OF SIDNEY ROAD SW AND RESERVES AND RETAINS A PERPETUAL EASEMENT UNDER, ON, OR OVER THE DESCRIBED VACATED LAND FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC UTILITIES AND SERVICES. THE MARGINS OF SAID VACATED AREAS HAVE BEEN PLOTTED HEREON.
15. CONDITIONS, NOTES, EASEMENTS, PROVISIONS AND/OR ENCROACHMENTS CONTAINED OR DELINEATED ON THE FACE OF THE SURVEY RECORDED UNDER RECORDING NO. 200912080203.
    SURVEY DISCLOSES A GAP BETWEEN DEEDS ABUTTING ORIGINAL PARCEL V TO THE WEST. SAID GAP APPEARS TO BE NOW ORIGINAL PARCEL VI.
16. NOT A SURVEY ITEM.

L2 DETAIL 1" = 20'





LARSON
AND ASSOCIATES
LAND SURVEYORS
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TACOMA, WASHINGTON 98444-6247
(253)474-3404 / FAX (253)472-7358

RECORD OF SURVEY

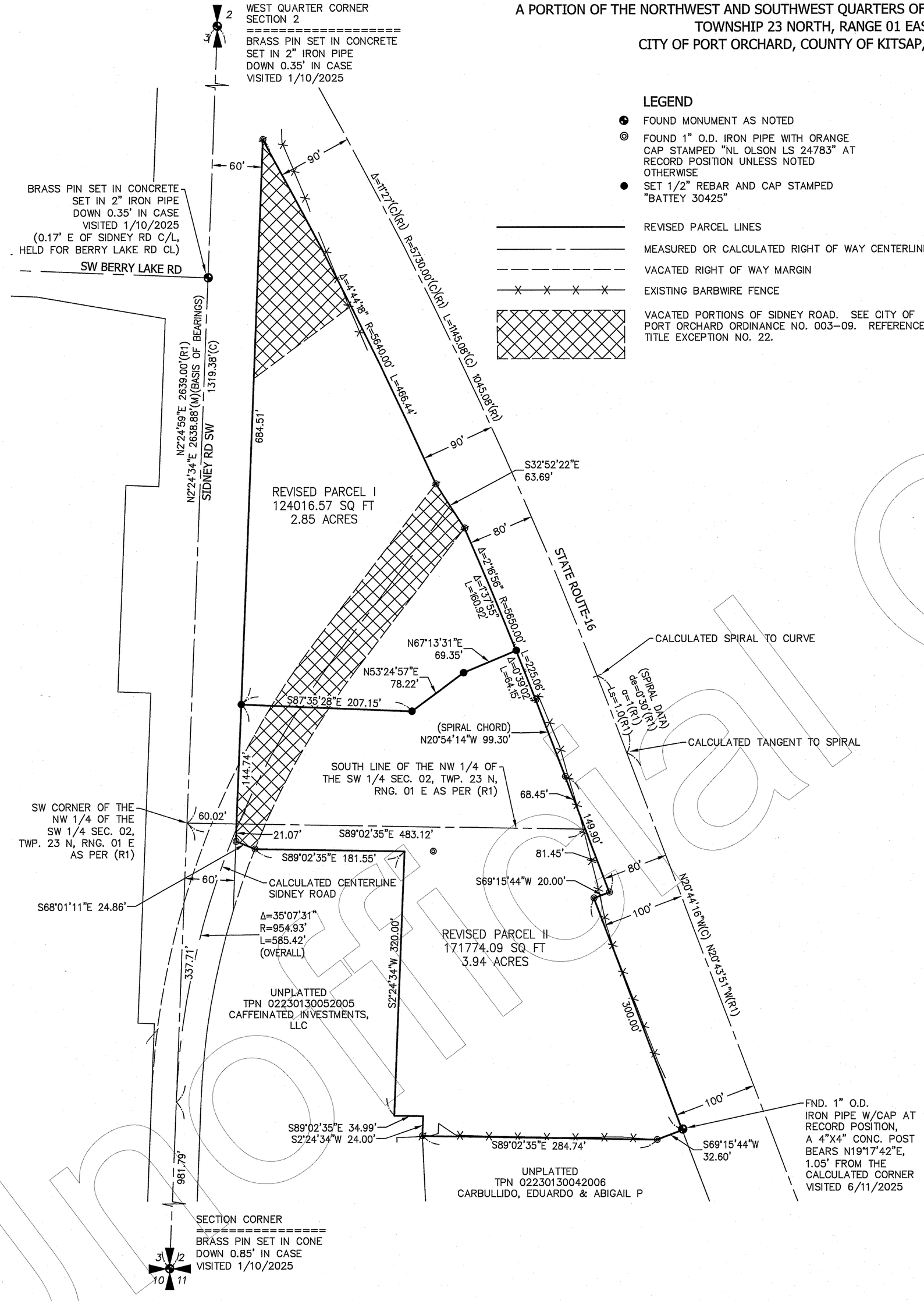
FOR BOUNDARY LINE ADJUSTMENT FOR
SIDNEY ROAD INVESTMENTS, LLC

DRAWN BY: LOW	DATE: 09/16/2025	JOB NO. 10187
CHECKED BY: TEB	SCALE: 1" = 100'	SHEET 3 OF 4

Uncertified

REVISED BOUNDARY CONFIGURATION AND REVISED LEGAL DESCRIPTIONS

A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 02,
TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE W.M.
CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND 1" O.D. IRON PIPE WITH ORANGE CAP STAMPED "NL OLSON LS 24783" AT RECORD POSITION UNLESS NOTED OTHERWISE
- SET 1/2" REBAR AND CAP STAMPED "BATTEY 30425"
- REVISED PARCEL LINES
- MEASURED OR CALCULATED RIGHT OF WAY CENTERLINE
- VACATED RIGHT OF WAY MARGIN
- EXISTING BARBWIRE FENCE
- VACATED PORTIONS OF SIDNEY ROAD. SEE CITY OF PORT ORCHARD ORDINANCE NO. 003–09. REFERENCE TITLE EXCEPTION NO. 22.

100 0 100 200
SCALE: 1" = 100'

REVISED LEGAL DESCRIPTIONS

REVISED PARCEL I

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET;
THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET;
THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.

REVISED PARCEL II

THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THENCE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET;
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THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALSO EXCEPT ANY PORTION LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02, A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE SOUTH 02°24'34" WEST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 21.07 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THENCE SOUTH 68°01'11" EAST, A DISTANCE OF 24.86 FEET, MORE OR LESS, AS TO THE INTERSECT THE NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200411080293;
THENCE ALONG THE NORTH LINE OF SAID TRACT OF LAND, SOUTH 89°02'35" EAST, A DISTANCE OF 181.55 FEET, TO THE NORTHEAST CORNER OF SAID TRACT;
THENCE ALONG THE EASTERLY LINE OF SAID TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 320.00 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE SOUTH 89°02'35" EAST, A DISTANCE OF 34.99 FEET, TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO MIST VENTURES, LLC, BY DEED RECORD UNDER AUDITOR'S FILE NUMBER 200811120188, RECORDS OF KITSAP COUNTY, WASHINGTON;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 24.00 FEET, TO THE SOUTHWEST CORNER OF SAID MIST VENTURES, LLC TRACT;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 89°02'35" EAST, A DISTANCE OF 284.74 FEET;
THENCE NORTH 69°15'44" EAST, A DISTANCE OF 32.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.

THOMAS E BATTEY
STATE OF WASHINGTON
9-22-25
30425
REGISTERED
PROFESSIONAL LAND SURVEYOR

LARSON AND ASSOCIATES
LAND SURVEYORS
ENGINEERS
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9027 PACIFIC AVENUE, SUITE 4
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(253)474-3404 / FAX (253)472-7358

RECORD OF SURVEY
FOR BOUNDARY LINE ADJUSTMENT FOR SIDNEY ROAD INVESTMENTS, LLC

DRAWN BY: LOW	DATE: 09/16/2025	JOB NO. 10187
CHECKED BY: TEB	SCALE: 1" = 100'	SHEET 4 OF 4

Unofficial Document

REVISED PARCEL I

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH, RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

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THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02,
A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THE SOUTH 87°35'28" EAST, A DISTANCE OF 207.15 FEET;
THENCE NORTH 53°24'57" EAST, A DISTANCE OF 78.22 FEET;
THENCE NORTH 67°13'31" EAST, A DISTANCE OF 69.35 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.

REVISED PARCEL II

THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 23 NORTH,
RANGE 01 EAST, OF THE WILLAMETTE MERIDIAN;

TOGETHER WITH SIDNEY ROAD, AS VACATED PER ORDINANCE NUMBER 003-09, RECORDED UNDER AUDITOR'S FILE NUMBER 20090120102, RECORDS OF KITSAP COUNTY, WASHINGTON;

EXCEPT THE WEST 60 FEET THEREOF;

ALSO EXCEPT STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION OF AFOREMENTIONED NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 02, LYING NORTHEASTERLY OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14);

ALSO EXCEPT ANY PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02,
A DISTANCE OF 60.02 FEET, TO A LINE 60 FEET EASTERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 02, BEING THE CURRENT EASTERLY RIGHT OF WAY MARGIN OF SIDNEY ROAD SOUTHWEST;
THENCE NORTH 02°24'34" EAST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 144.74 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
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(REVISED PARCEL II CONT)

ALSO EXCEPT ANY PORTION LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST SECTION CORNER OF AFOREMENTIONED SECTION 02;
THENCE NORTH 02°24'59" EAST, ALONG THE WEST LINE OF SAID SECTION 02, A DISTANCE OF 1319.50 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST OF SAID SECTION 02;
THENCE SOUTH 89°02'35" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST OF SECTION 02,
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THENCE SOUTH 02°24'34" WEST, ALONG SAID 60 FEET EASTERLY AND PARALLEL LINE, A DISTANCE OF 21.07 FEET, TO THE BEGINNING OF THIS LINE DESCRIPTION;
THENCE SOUTH 68°01'11" EAST, A DISTANCE OF 24.86 FEET, MORE OR LESS, AS TO THE INTERSECT THE NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CLOISE ORAND II AND MICHELLE ORAND, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200411080293;
THENCE ALONG THE NORTH LINE OF SAID TRACT OF LAND, SOUTH 89°02'35" EAST, A DISTANCE OF 181.55 FEET, TO THE NORTHEAST CORNER OF SAID TRACT;
THENCE ALONG THE EASTERLY LINE OF SAID TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF 320.00 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE SOUTH 89°02'35" EAST, A DISTANCE OF 34.99 FEET, TO THE WEST LINE OF A TRACT OF LAND CONVEYED TO MIST VENTURES, LLC, BY DEED RECORD UNDER AUDITOR'S FILE NUMBER 200811120188, RECORDS OF KITSAP COUNTY, WASHINGTON;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 02°24'34" WEST, A DISTANCE OF
24.00 FEET, TO THE SOUTHWEST CORNER OF SAID MIST VENTURES, LLC TRACT;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID MIST VENTURES, LLC TRACT, SOUTH 89°02'35" EAST, A DISTANCE OF
284.74 FEET;
THENCE NORTH 69°15'44" EAST, A DISTANCE OF 32.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY MARGIN OF STATE HIGHWAY NUMBER 16 (FORMERLY PRIMARY STATE HIGHWAY NUMBER 14), SAID POINT ALSO BEING THE TERMINUS OF THIS LEGAL DESCRIPTION.

ALL SITUATE IN THE CITY OF PORT ORCHARD, COUNTY OF KITSAP, STATE OF WASHINGTON.

Memorandum

TO: Connor Dahlquist

FROM: K. Chris Hammer, PE - City Engineer KCH

DATE: 10/24/2025

REGARDING: LU25-Rezone-02; Sidney Storage Facility

At Issue: Port Orchard Municipal Code section 20.180.006 requires that a capacity evaluation for water, sewer, and transportation be performed for certain rezones in comprehensive plan amendments. The City is asked to consider a legislative zoning map amendment to change zoning from Commercial Corridor (CC) to Commercial Mixed Use (CMU). While the proposed redesignation of property alludes to a multifamily development in this location, the impacts and requirements of any development activity would be considered when an application is filed. As such, this review is limited to a comparison of the current vacant use and potential highest and best multifamily use which under the proposed zoning is thought to accommodate commercial and residential multi-family developments.

Transportation: The proposed Commercial Mixed-Use (CMU) designation does not allow uses that would generate any more intense trip generation than those of the existing Commercial Corridor (CC) designation.

The proposed access to Sidney Road is expected to have significant impact on the City's transportation facilities. There is potential for intersection improvements to be required along the Pottery and Sidney corridors, including Berry Lake Rd. and Kitsap Blvd. Generated trip impacts will be fully evaluated upon submittal of a development activity permit.

Future development activity proposals will be evaluated in more detail with review of applicable permits. Based on what is conceptually proposed through the site-specific rezone, mitigation in the form of frontage improvements including bicycle facilities and sidewalks is anticipated through review of a Transportation Impact Analysis accompanying a Capacity Reservation Certificate application. However, for the purpose of this capacity analysis, no level of service failure is foreseen that would not otherwise exist under the current zoning designation and the expected development which may occur in the CC district.

Water: The water evaluation for the proposed rezone is limited to whether the City has available water rights to serve the area. City water is available on Sidney Rd.

LU25-Rezone-02
EXHIBIT 18

PUBLIC WORKS
216 PROSPECT ST PORT ORCHARD, WA 98366

PHONE (360)876.4991 | FAX (360) 876.4980
EMAIL: PUBLICWORKS@PORTORCHARDWA.GOV
WWW. PORTORCHARDWA.GOV

Future development activity applications will be evaluated in more detail with review of applicable permits.

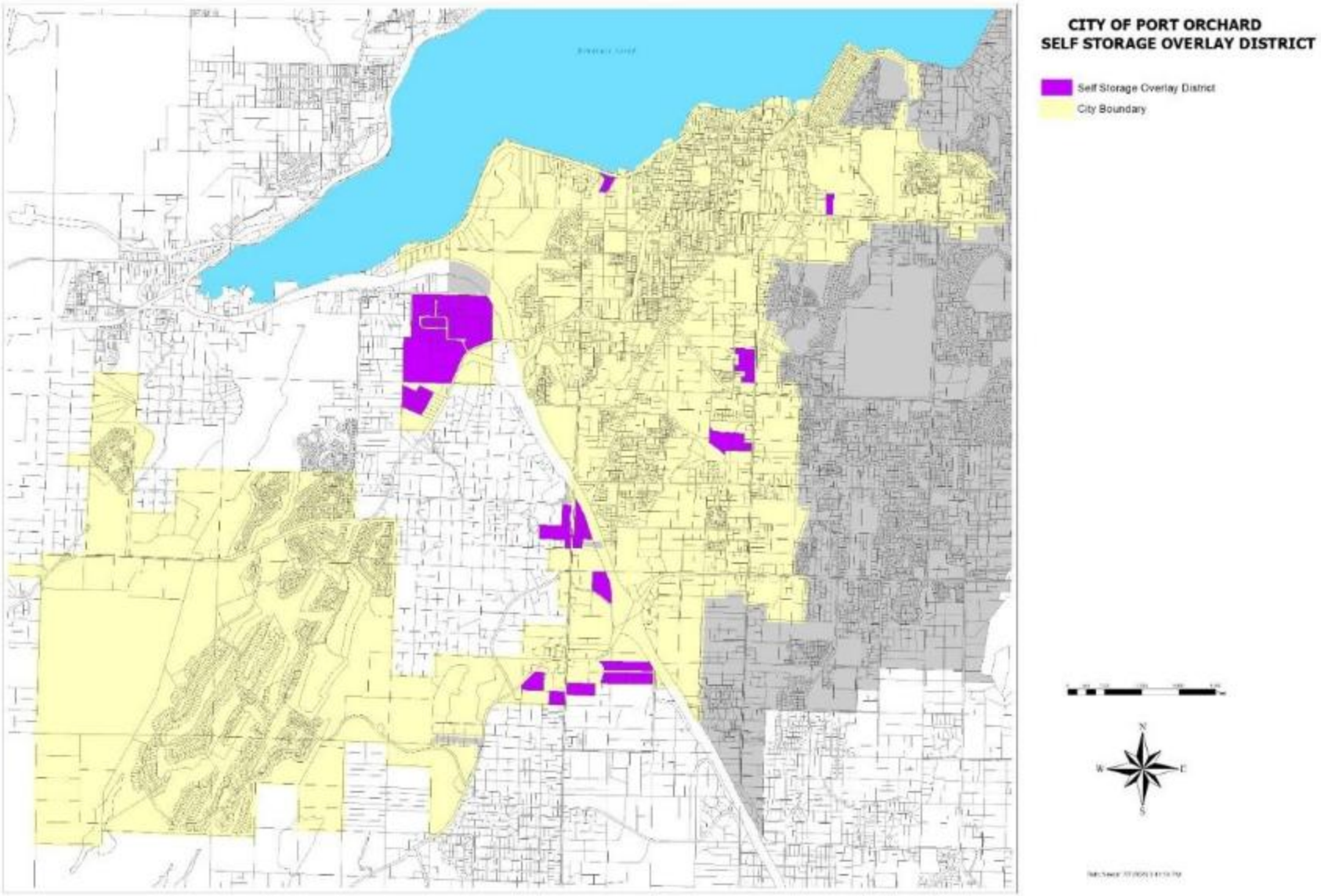
There is currently adequate water capacity to serve this and other locations served by the City water system. Future water supply is dependent on completing planned water system capital improvement projects including bringing additional wells online, new reservoirs, and integrating the water systems. As the City is experiencing more rapid growth than assumed in the water plan the Public Works as of this year is planning to look more closely at capacity to accommodate growth annually.

It is possible the City may not have adequate water supply to serve development of this site should planned water system improvements do not proceed. The City has been unable to bring new wells online due to the Foster Decision affecting the ability to perfect new water rights. There is increasing concern that we could run out of water to support growth before the water system plan, ten-year planning period ends in 2034

Sewer: The sewer evaluation of the proposed rezone is limited to whether the City has available sewer treatment plant capacity to serve the area. It appears that the site can be served by gravity by connecting to existing lift station near Hovde. A sewer extension is being constructed by the developer to the site.

From review of the current sewer system plan, the treatment plant should have adequate capacity to serve this and other developments for the planning period (20 years).

Conclusion and Recommendation: The Public Works Department's review of the proposed rezone does not present capacity concerns as proposed. Public Works recommends that the Hearing Examiner not approve or deny the application based on concerns about transportation, water, or sewer capacity.



LU25-Rezone-02
EXHIBIT 19

Fundación Agronómica Forense

December 5 2024

Jeff Oldright
Sidney Road Investments LLC.
601 Valley Ave NE, Ste A
Puyallup WA 98372
P: 253.564.2121 Ext 111
F: 253.770.3264
Jeff@daffodilstorage.com

RE: Sidney Road Investments LLC.
4343 Sidney Road, SW
Port Orchard, WA 98376

Dear Jeff:

This letter serves as a wetland report to confirm no wetlands are on or near enough to the proposed project to encumber the site with a wetland or buffer. A self storage and apartment project is proposed. The depression to the south and west of the site is listed on maps as a wetland. It does not meet wetland criteria per this report.

The depression on the parcel to the southwest is shown as a wetland on the City and County maps. It was evaluated in June of 2017 in the summer months and no hydric soils were present. The site was visited again March 21, 2018 to verify no wetland hydrology was present. It was the early growing season with more than normal rainfall. The wetland evaluation per City Code procedures was used and the report submitted to the city (copy attached).

The site of the proposed storage facility was evaluated on November 13, 2024 to confirm the previous findings and verify no wetlands or buffers are on or near the proposed project.

Four data plots were established on the first visit and verified on the most recent visit. The original holes were dug over 28 inches and no water was present in any of the holes. None of the holes showed hydric soils. Wetland vegetation was present at that time. However, vegetation has changed as the hard hack dominating the canopy in 2018 has been shaded out and traces of it remain. The attached data sheets reflect current conditions.

Parcel 3-005 contains a closed depression with no outlet. The NWI map and City Wetland map show the area as a wetland (maps attached). County Lidar shows the depression and it matches field conditions. A December 2017 letter used the outline of the depression to assume a wetland boundary and a 50 foot buffer put around that line.

LU25-Rezone-02
EXHIBIT 20
205
Page 207 of 482

This allowed the 2017 project submittal without delay or need to verify off-site wetlands. The site was revisited in the early growing season to confirm no wetland hydrology. The depression lacked hydric soil indicators, however if it had been ponded or flooded for over 2 weeks in the growing season, it could have been considered a hydric soil and wetland. The March site visit confirmed no ponding or flooding, no hydric soils and no wetland.

We now know from the wet season review and most recent review that no wetland is present on the parcel to the southwest or on the parcels shown on the attached site plans.

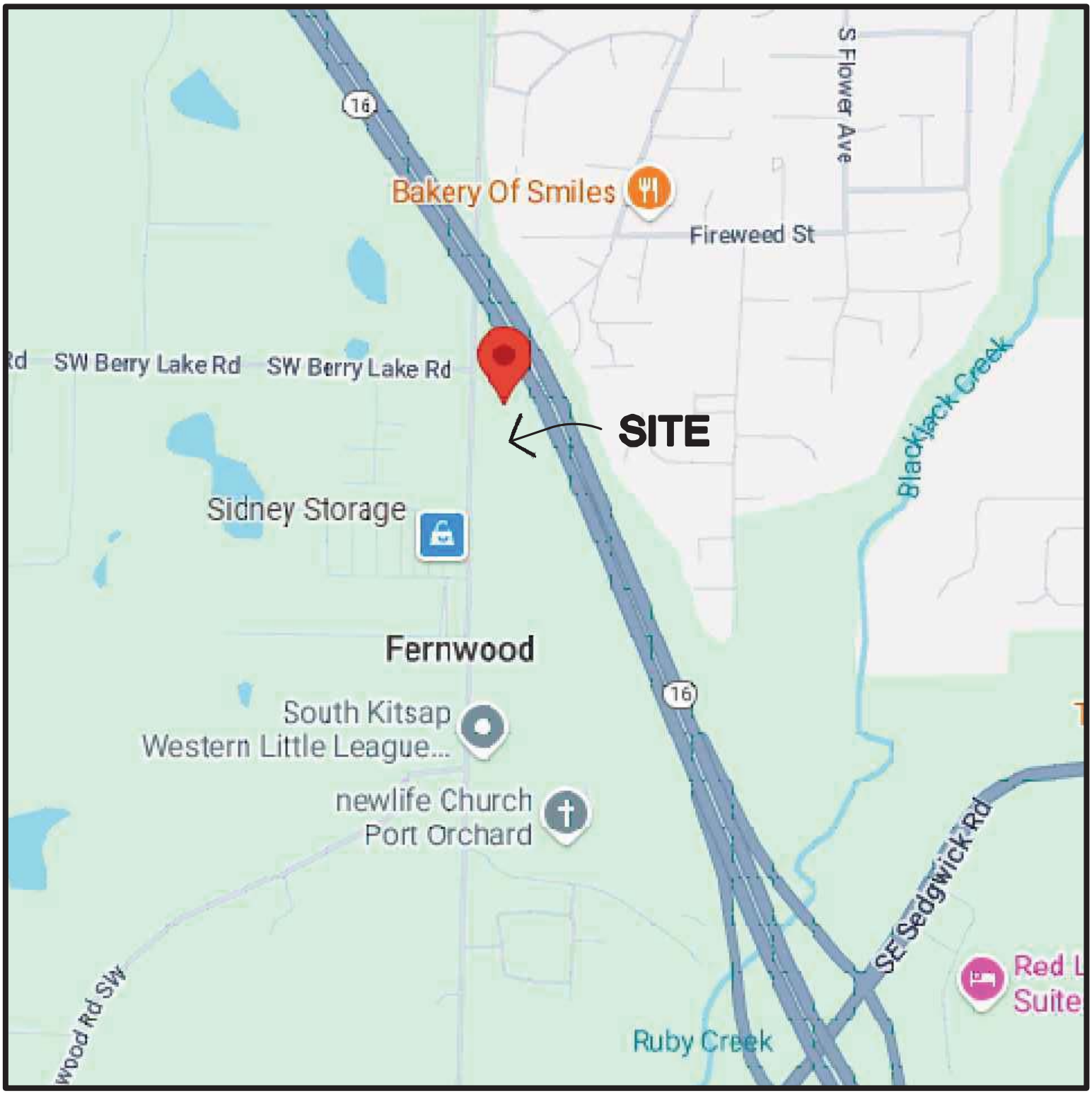
Thank you again,

s AJ Bredberg, CEO
electronic signature

Forensic Agronomic Research, Inc.
3303 43rd St., Gig Harbor, WA 98335
253.858.7055 ajb@wa.net

Figures/Attachments

Location Map
NWI Map
City Wetland Map
County Wetland Map
County Topography
LIDAR
Parcel Map
Soil Map
Test Hole Map
Data Sheets
March 29, 2018 Letter
December 27, 2017 Letter
Site Plans



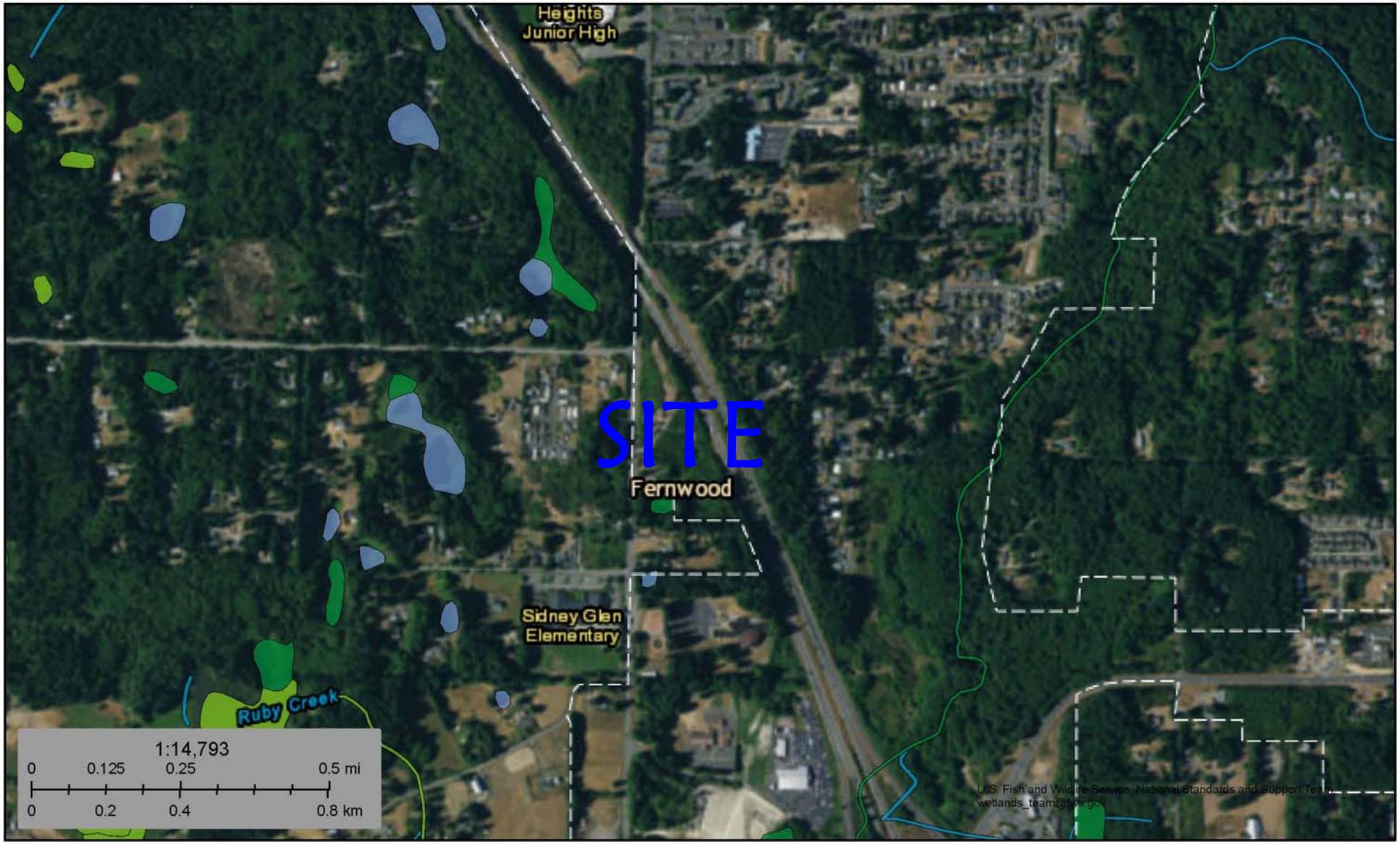
N

VICINITY MAP

SCALE: N.T.S.

U.S. Fish and Wildlife Service
National Wetlands Inventory

Wetlands



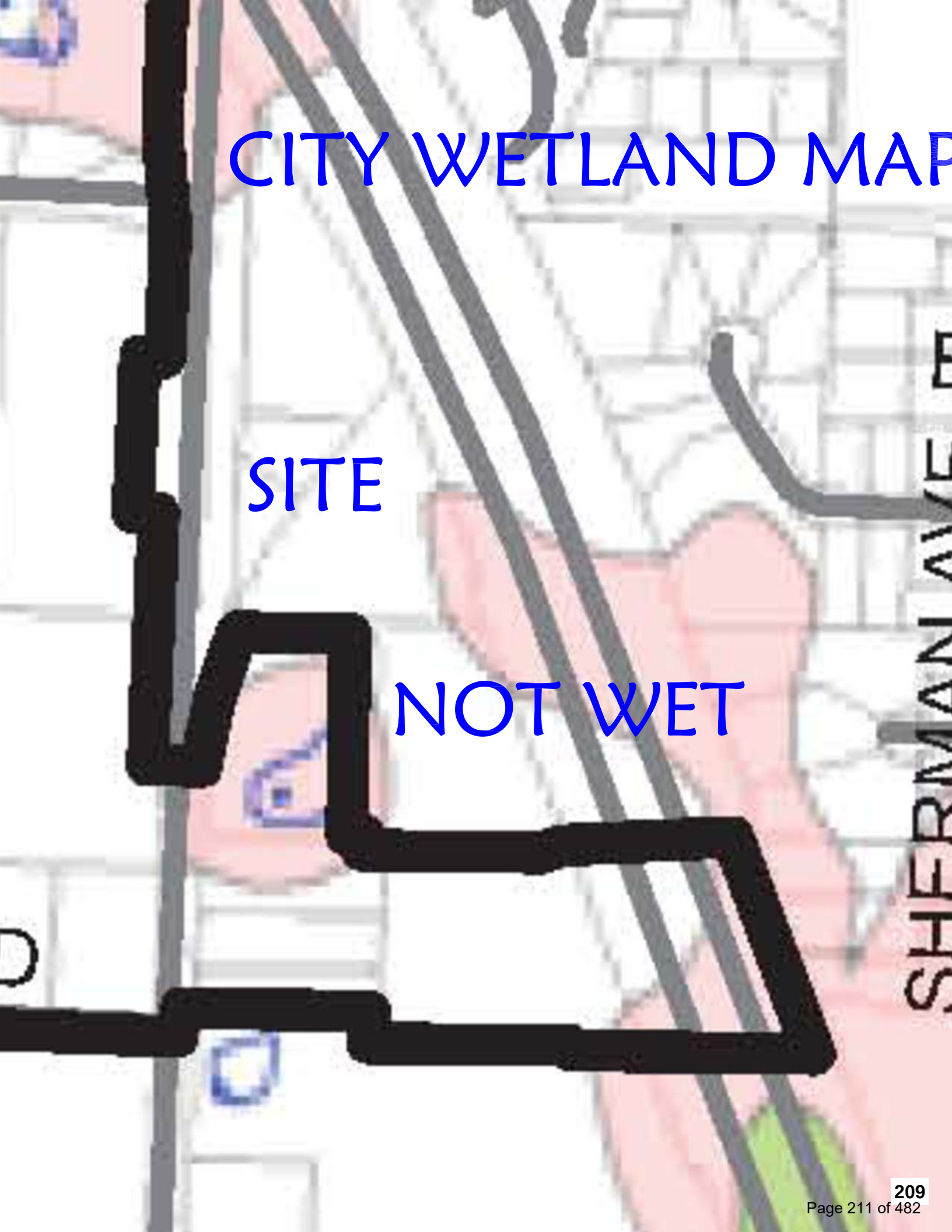
June 2, 2017

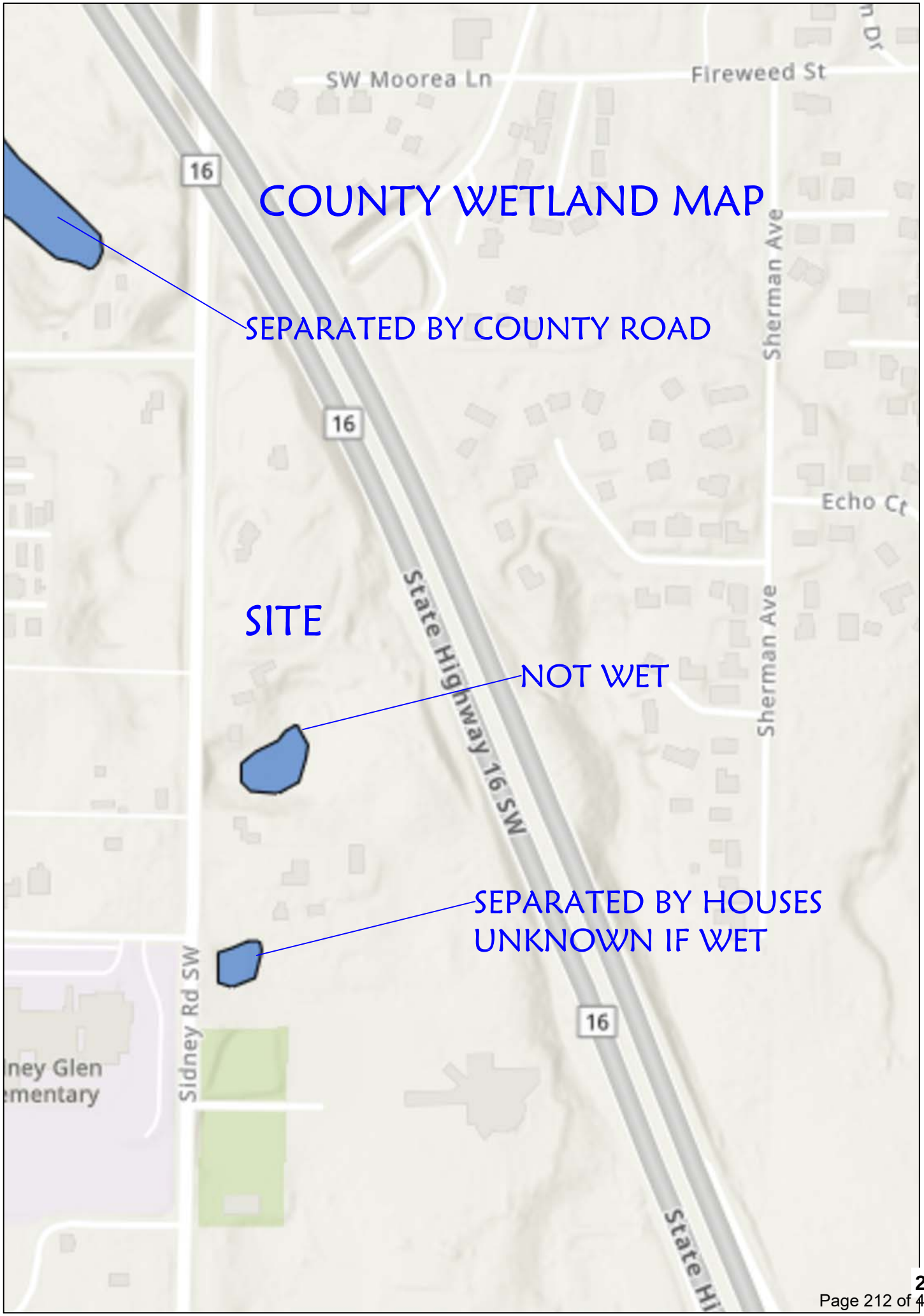
Wetlands

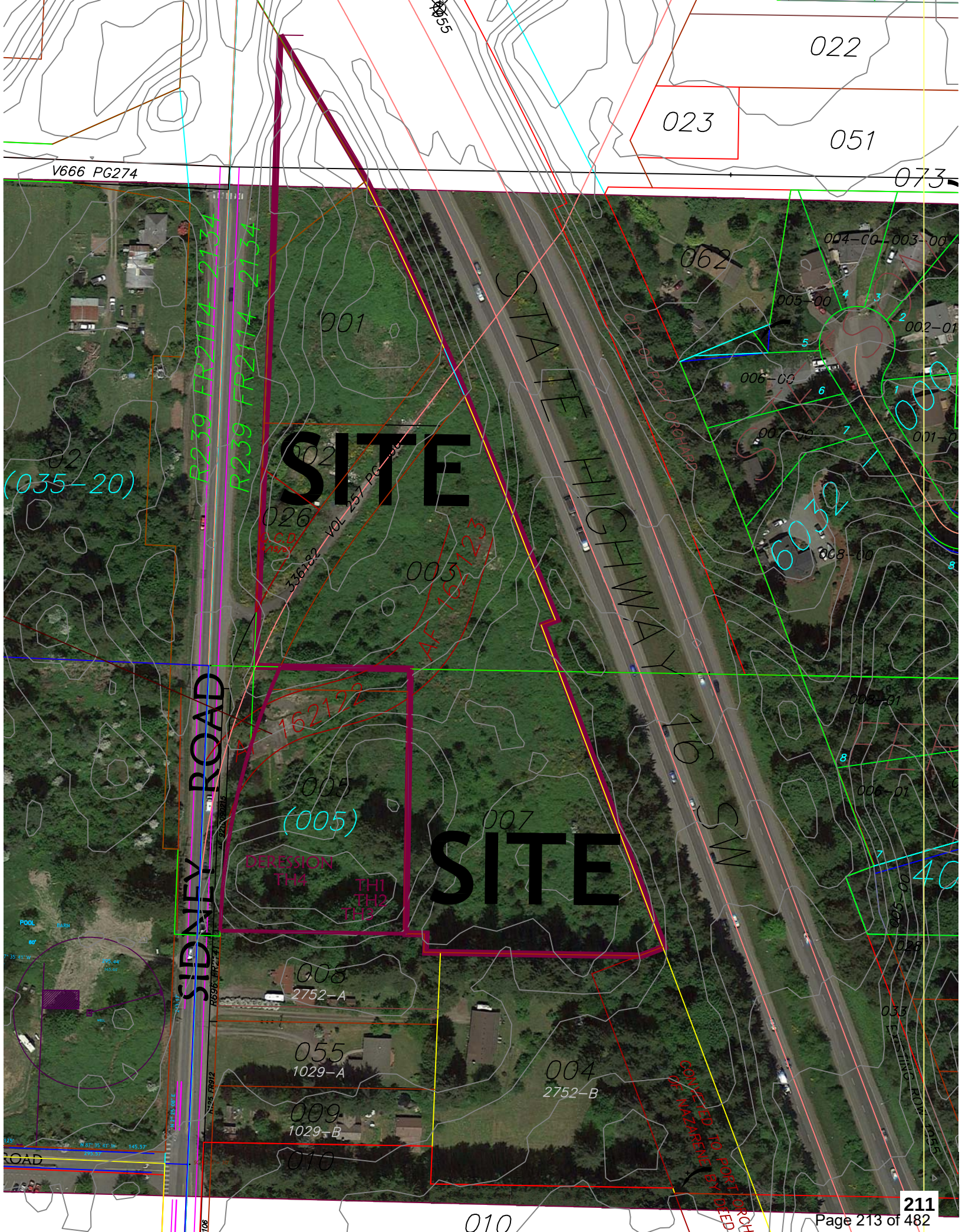
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

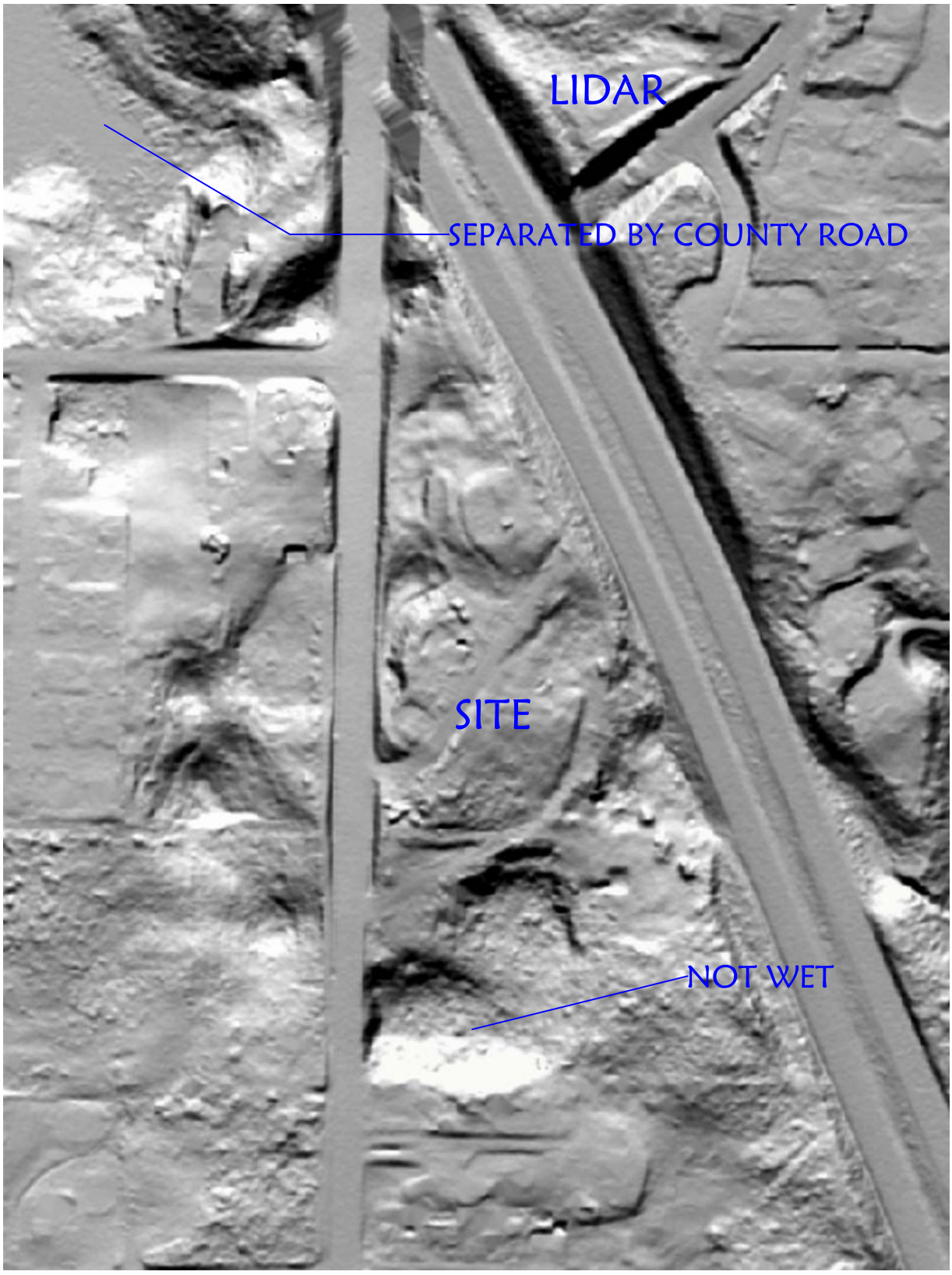
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

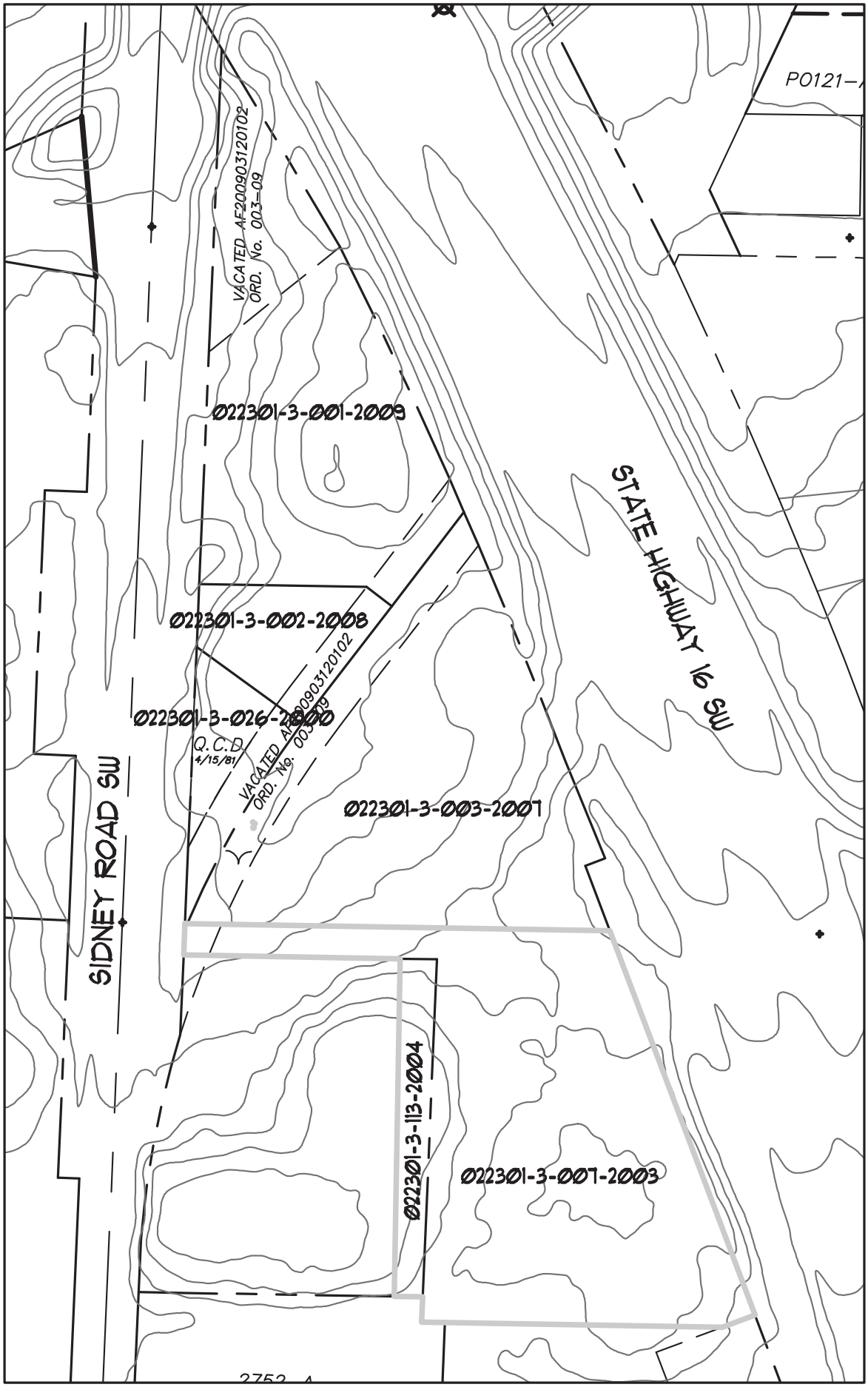
National Wetlands Inventory (NWI)
This page was produced by the NWI mapper


CITY WETLAND MAP
SITE
NOT WET
SHERMAN AVE

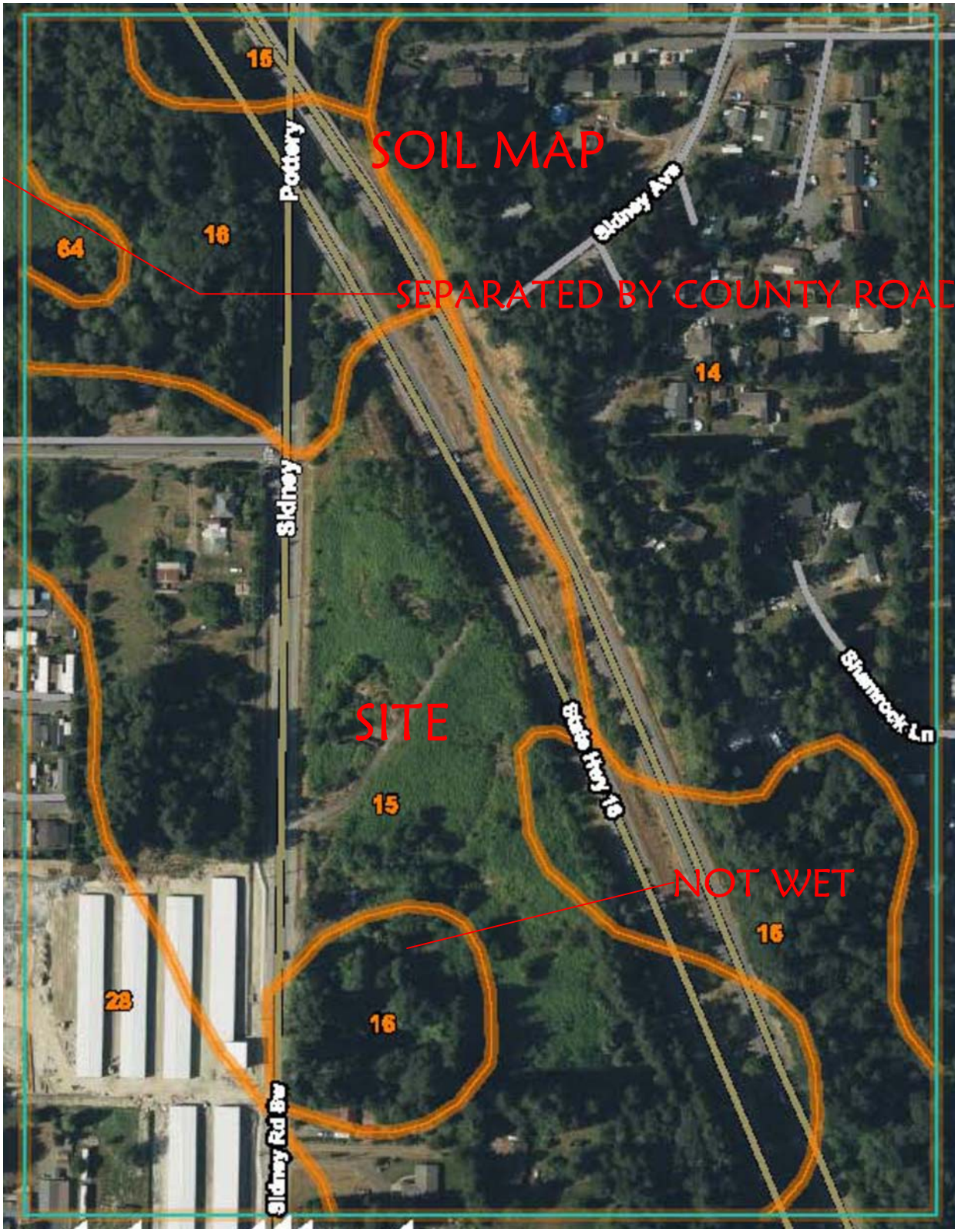

COUNTY WETLAND MAP
SEPARATED BY COUNTY ROAD
SITE
NOT WET
SEPARATED BY HOUSES
UNKNOWN IF WET
SW Moorea Ln
Fireweed St
Sherman Ave
Echo Ct
State Highway 16 SW
Sidney Rd SW
16

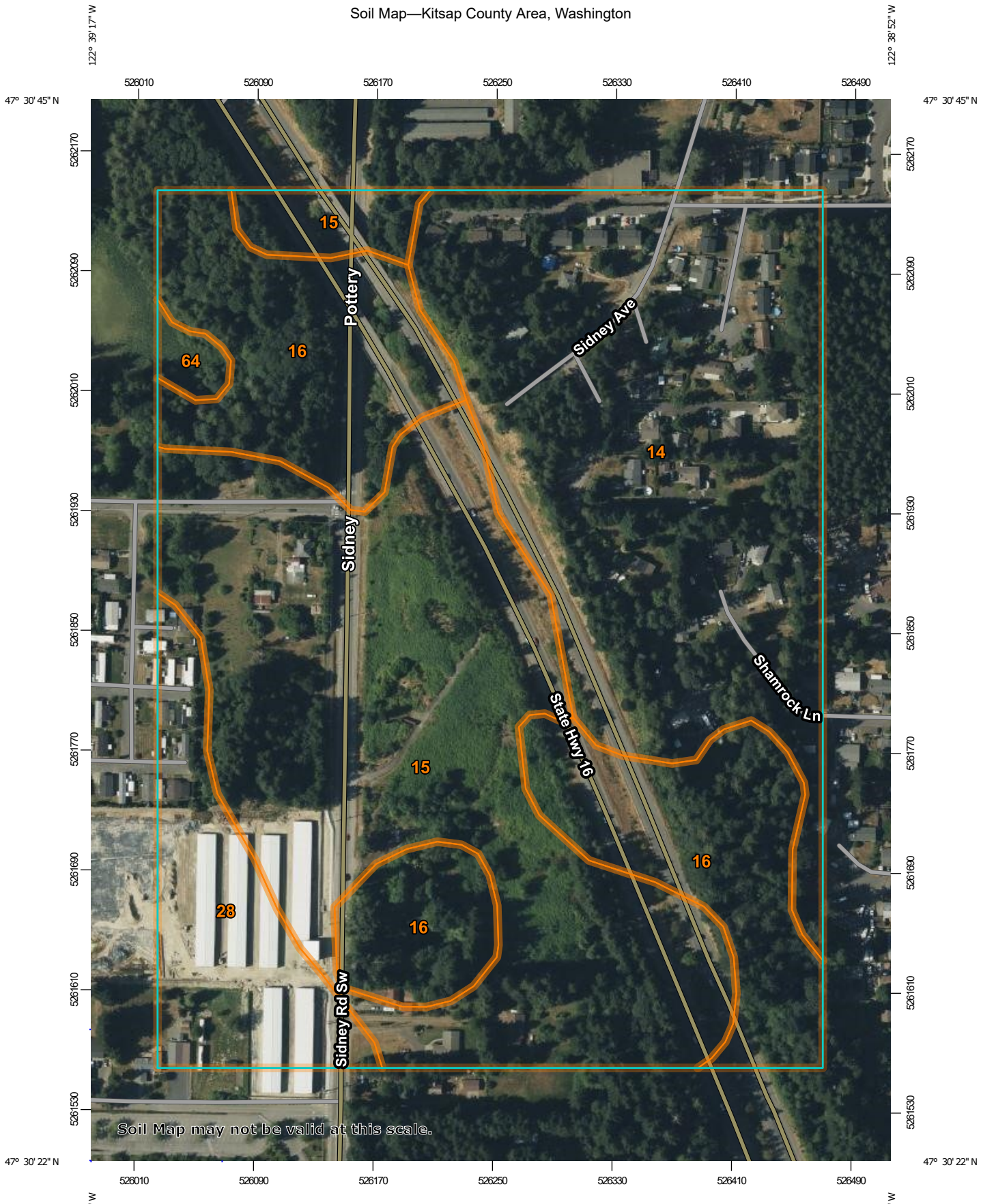

SITE
SITE
SIDNEY ROAD
STATE HIGHWAY 16 (SW
R239 FR2114-2134
R239 FR2114-2134
V666 PG274
022
023
051
073
062
001
021
(035-20)
026
003
002
005
(005)
007
008
2752-A
055
1029-A
004
2752-B
009
1029-B
010
004-00
003-00
005-00
002-01
006-00
007-00
001-00
008-00
008-01
006-01
035
AF 152123
AF 152172
DERESSION
TH4
TH1
TH2
TH3
POOL
BARN
ROAD
010


LIDAR
SEPARATED BY COUNTY ROAD
SITE
NOT WET



PARCEL NUMBERS AND LOCATIONS


SOIL MAP
SEPARATED BY COUNTY ROAD
SITE
NOT WET
15
Pottery
Sidney Ave
64
18
14
Sidney
Shamrock Ln
State Hwy 19
15
16
28
16
Sidney Rd Bar



Map Scale: 1:3,450 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kitsap County Area, Washington
Survey Area Data: Version 20, Aug 27, 2024

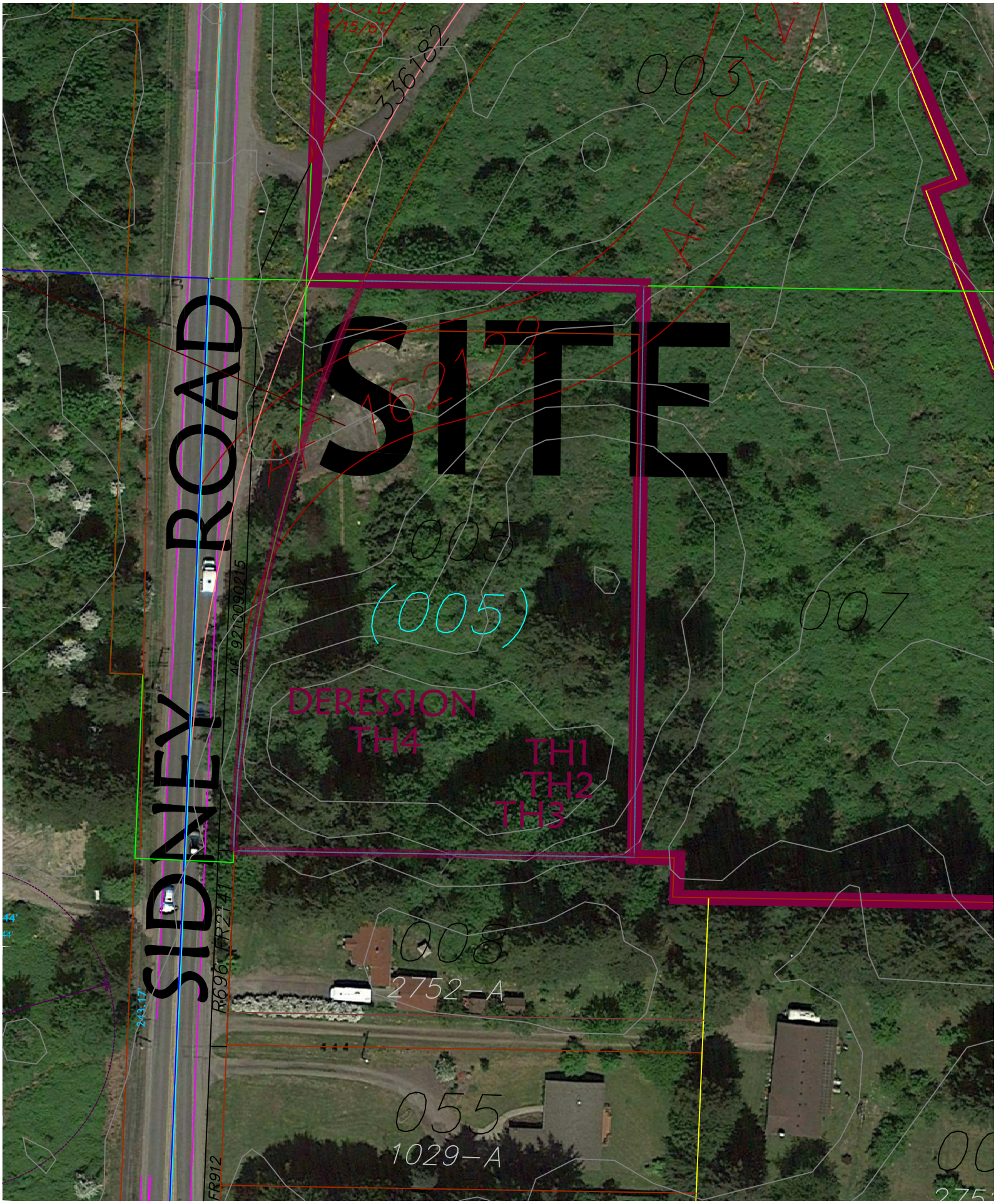
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 31, 2022—Aug 8, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
14	Harstine gravelly ashy sandy loam, 0 to 6 percent slopes	21.0	32.4%
15	Harstine gravelly ashy sandy loam, 6 to 15 percent slopes	23.4	36.1%
16	Harstine gravelly ashy sandy loam, 15 to 30 percent slopes	14.6	22.6%
28	Kitsap silt loam, 2 to 8 percent slopes	5.2	8.1%
64	Water	0.5	0.8%
Totals for Area of Interest		**64.7**	**100.0%**


SITE
SIDNEY ROAD
003
005
(005)
007
008
2752-A
055
1029-A
DERESSION
TH4
TH1
TH2
TH3
336182
AE 1621.72
AE 1621.72
R696' FR2141
243.17'
FR912

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Sidney Road Investments LLC. City/County: Port Orchard/Kitsap Sampling Date: 11/13/24
Applicant/Owner: Jeff Oldright State: WA Sampling Point: TH1
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	50		FACW
2. *Salmonberr*	tr		FAC
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. _____			
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: Sidney Road Investments LLC.

SOIL

Sampling Point: th1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2						SiL	
6-12	10YR 3/3						L	
12-28	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Sidney Road Investments LLC. City/County: Port Orchard/Kitsap Sampling Date: 11/13/24
Applicant/Owner: Jeff Oldright State: WA Sampling Point: TH2
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐	No ☒	**Is the Sampled Area within a Wetland?**	**Yes ☐ No ☒**
Hydric Soil Present?	Yes ☐	No ☒		
Wetland Hydrology Present?	Yes ☐	No ☒		

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hazel nut*	100	yes	UPL
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. *English ivy*	100	yes	FACU
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes ☐ No ☒**

Remarks:

Project Site: Sidney Road Investments LLC.

SOIL

Sampling Point: TH2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2						SiL	
6-12	10YR 3/3						L	
12-28	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Sidney Road Investments LLC. City/County: Port Orchard/Kitsap Sampling Date: 11/13/24

Applicant/Owner: Jeff Oldright State: WA Sampling Point: TH3

Investigator(s): AJB Section, Township, Range: _____

Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0

Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220

Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐	No ☒	**Is the Sampled Area within a Wetland?**	**Yes ☐ No ☒**
Hydric Soil Present?	Yes ☐	No ☒		
Wetland Hydrology Present?	Yes ☐	No ☒		

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. _____			
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

- ☐ 1 – Rapid Test for Hydrophytic Vegetation
- ☐ 2 - Dominance Test is >50%
- ☐ 3 - Prevalence Index is ≤3.0[1]
- ☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ 5 - Wetland Non-Vascular Plants[1]
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes ☐ No ☒**

Remarks:

Project Site: Sidney Road Investments LLC.

SOIL

Sampling Point: TH3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-9	10YR 3/2						SiL	
9-14	10YR 3/3						L	RELICT MOTTLES
14-24	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Sidney Road Investments LLC. City/County: Port Orchard/Kitsap Sampling Date: 11/13/24
Applicant/Owner: Jeff Oldright State: WA Sampling Point: TH4
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	TR		FACW
2. *Vine Maple*	50		FAC
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. *Himalayan blackberry*	TR		FACU
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: Sidney Road Investments LLC.

SOIL

Sampling Point: TH4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/2						SiL	
6-18	10YR 3/3						L	
18-30	2.5Y5/2						S	Lithochromic no redox

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

March 29, 2018

Steve Ryan
Discount Storage Express, LLC
3377 SE Bethel Road, Ste. 103
Port Orchard, Washington 98366
[360] 710-4481 sryan57794@aol.com

RE: Wetland Review of the former Habitat for Humanity Site

Dear Steve:

The attached maps show the storage site between SR16 and Sidney Rd. A letter dated December 28, 2017 used off-site methodology to show that if a wetland is on the 3-005 parcel, it would be no higher value than a Category 3 wetland with a 50 foot buffer.

The subject site was evaluated in June of 2017 in the summer months and no hydric soils were present. The site was visited again March 21, 2018 to verify that no wetlands are present. It was the early growing season with more than normal rainfall. Wetland evaluation per City Code procedures was used.

Four data plots were established, holes were dug over 28 inches and no water was present in any of the holes. None of the holes showed hydric soils. Wetland vegetation was present and the attached data sheets confirm the absence of wetlands on the parcel.

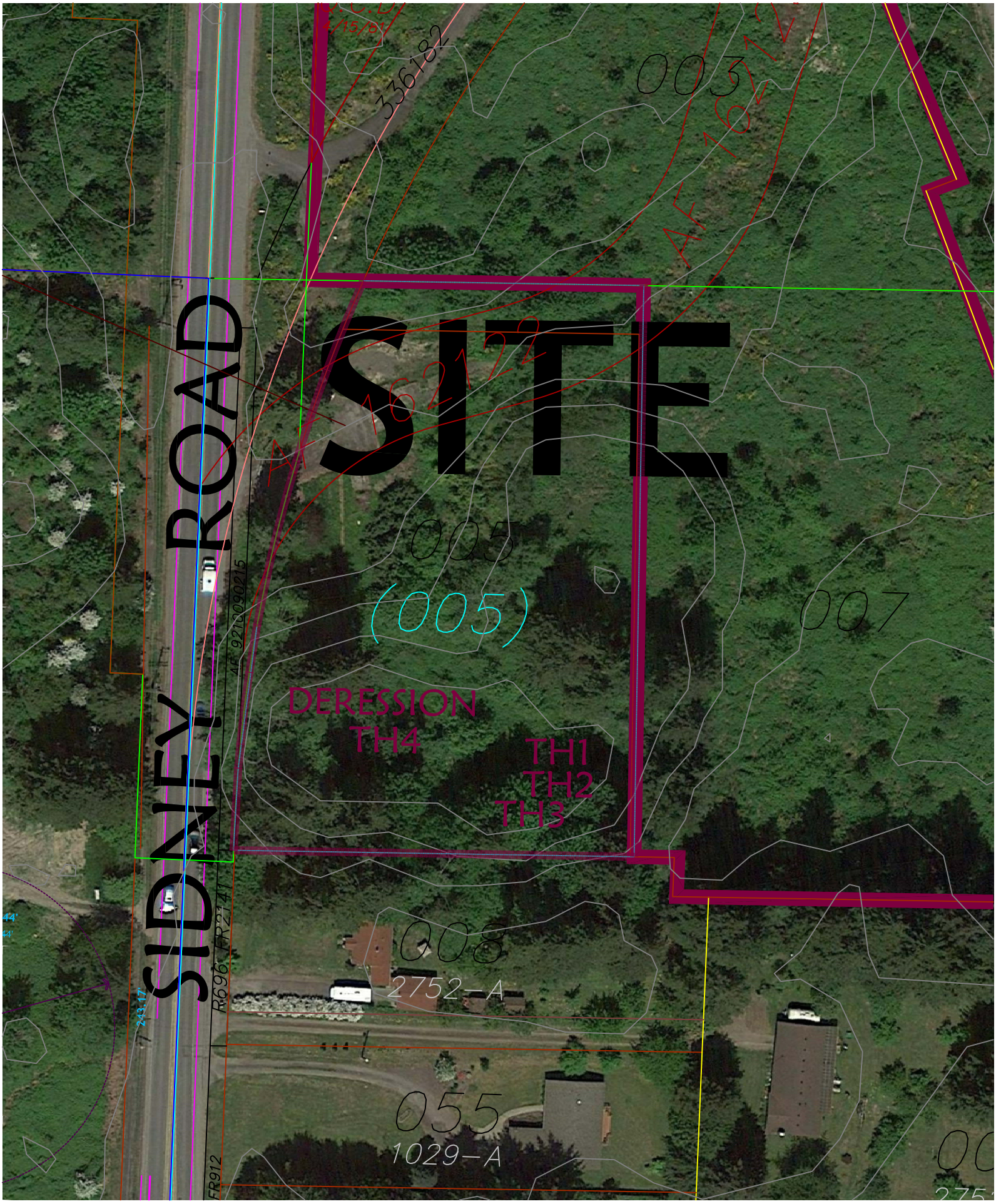
Parcel 3-005 contains a closed depression with no outlet. The vegetation is almost 100% hard hack in the depression. The NWI map and City Wetland map show the area as a wetland (maps attached). County Lidar shows the depression and it matches field conditions. The December 2017 letter used the outline of the depression to assume a wetland boundary and a 50 foot buffer put around that line. This allowed the project submittal without delay or need to verify off-site wetlands.

You now own the property and a timely on-site review in the early growing season confirms that no wetlands are on or near this property. If you have any questions or need additional information please contact me.

Regards,

AJ Bredberg

Attachments


SITE
SIDNEY ROAD
003
005
(005)
007
008
2752-A
055
1029-A
DERESSION
TH4
TH1
TH2
TH3
336182
AE 1621.72
AE 1621.72
R696' FR2141
243.17'
FR912

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Ryan | City/County: Port Orchard/Kitsap | Sampling Date: 3/21/18

Applicant/Owner: Ryan | State: WA | Sampling Point: TH4

Investigator(s): AJB | Section, Township, Range: _____

Landform (hillslope, terrace, etc.): DEPRESSION | Local relief (concave, convex, none): concave | Slope (%): 0

Subregion (LRR): 1 | Lat: _____ | Long: _____ | Datum: 220

Soil Map Unit Name: Harstene mapped/ Indianola actual | NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	100		FACW
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. *Himalayan blackberry*	10		FACU
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

- ☐ 1 – Rapid Test for Hydrophytic Vegetation
- ☐ 2 - Dominance Test is >50%
- ☐ 3 - Prevalence Index is ≤3.0[1]
- ☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ 5 - Wetland Non-Vascular Plants[1]
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: ryan

SOIL Sampling Point: TH4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/2						SiL	
6-18	10YR 3/3						L	
18-30	2.5Y5/2						S	Lithochromic no redox

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Ryan City/County: Port Orchard/Kitsap Sampling Date: 3/21/18
Applicant/Owner: Ryan State: WA Sampling Point: TH3
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	100		FACW
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. _____			
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: ryan

SOIL Sampling Point: TH3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 3/2						SiL	
	10YR 3/3						L	RELICT MOTTLES
	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Ryan City/County: Port Orchard/Kitsap Sampling Date: 3/21/18
Applicant/Owner: Ryan State: WA Sampling Point: TH2
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	100		FACW
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. _____			
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: ryan

SOIL Sampling Point: TH2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2						SiL	
6-12	10YR 3/3						L	
12-28	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project Site: Ryan City/County: Port Orchard/Kitsap Sampling Date: 3/21/18
Applicant/Owner: Ryan State: WA Sampling Point: TH1
Investigator(s): AJB Section, Township, Range: _____
Landform (hillslope, terrace, etc.): DEPRESSION Local relief (concave, convex, none): concave Slope (%): 0
Subregion (LRR): 1 Lat: _____ Long: _____ Datum: 220
Soil Map Unit Name: Harstene mapped/ Indianola actual NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☐ (If no, explain in Remarks.)
Are Vegetation ☐, Soil ☐, or Hydrology ☐, significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
Are Vegetation ☐, Soil ☐, or Hydrology ☐, naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	☒	No	☐	
Hydric Soil Present?	Yes	☐	No	☒	**Is the Sampled Area within a Wetland?** **Yes** ☐ **No** ☒
Wetland Hydrology Present?	Yes	☐	No	☒	

Remarks:

VEGETATION – Use scientific names of plants

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
50% = _____, 20% = _____		= Total Cover	
Sapling/Shrub Stratum (Plot size: _____)			
1. *Hard hack*	100		FACW
2. _____			
3. _____			
4. _____			
5. _____			
50% = _____, 20% = _____		= Total Cover	
Herb Stratum (Plot size: _____)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
50% = _____, 20% = _____		= Total Cover	
Woody Vine Stratum (Plot size: _____)			
1. _____			
2. _____			
50% = _____, 20% = _____		= Total Cover	
% Bare Ground in Herb Stratum _____			

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	_____	x1 =	_____
FACW species	_____	x2 =	_____
FAC species	_____	x3 =	_____
FACU species	_____	x4 =	_____
UPL species	_____	x5 =	_____
Column Totals:	_____ (A)		_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

☐ 1 – Rapid Test for Hydrophytic Vegetation
☐ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0[1]
☐ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
☐ 5 - Wetland Non-Vascular Plants[1]
☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks:

Project Site: ryan

SOIL Sampling Point: th1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2						SiL	
6-12	10YR 3/3						L	
12-28	2.5Y 3/3						SL	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
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- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soils Present? **Yes** ☐ **No** ☒

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stresses Plants (D1) **(LRR A)**
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) **(LRR A)**
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	☐	No	☒	Depth (inches):	
Water Table Present?	Yes	☐	No	☒	Depth (inches):	
Saturation Present? (includes capillary fringe)	Yes	☐	No	☒	Depth (inches):	

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

December 28, 2017

Steve Ryan
Discount Storage Express, LLC
3377 SE Bethel Road, Ste. 103
Port Orchard, Washington 98366
[360] 710-4481
sryan57794@aol.com

RE: Wetland Letter for Discount Storage site

Dear Steve:

The attached maps show the storage site between SR16 and Sidney Rd. This letter uses off-site methodology to show that if a wetland is on the 3-005 parcel, it would be no higher value than a Category 3 wetland with a 50 foot buffer.

The subject site was evaluated in June of 2017. The area in question on parcel 3-005 was viewed from off-site and Sidney Rd... It is a closed depression with no outlet. The vegetation is almost 100% hard hack in the depression. The NWI map and City Wetland map show the area as a wetland (maps attached).

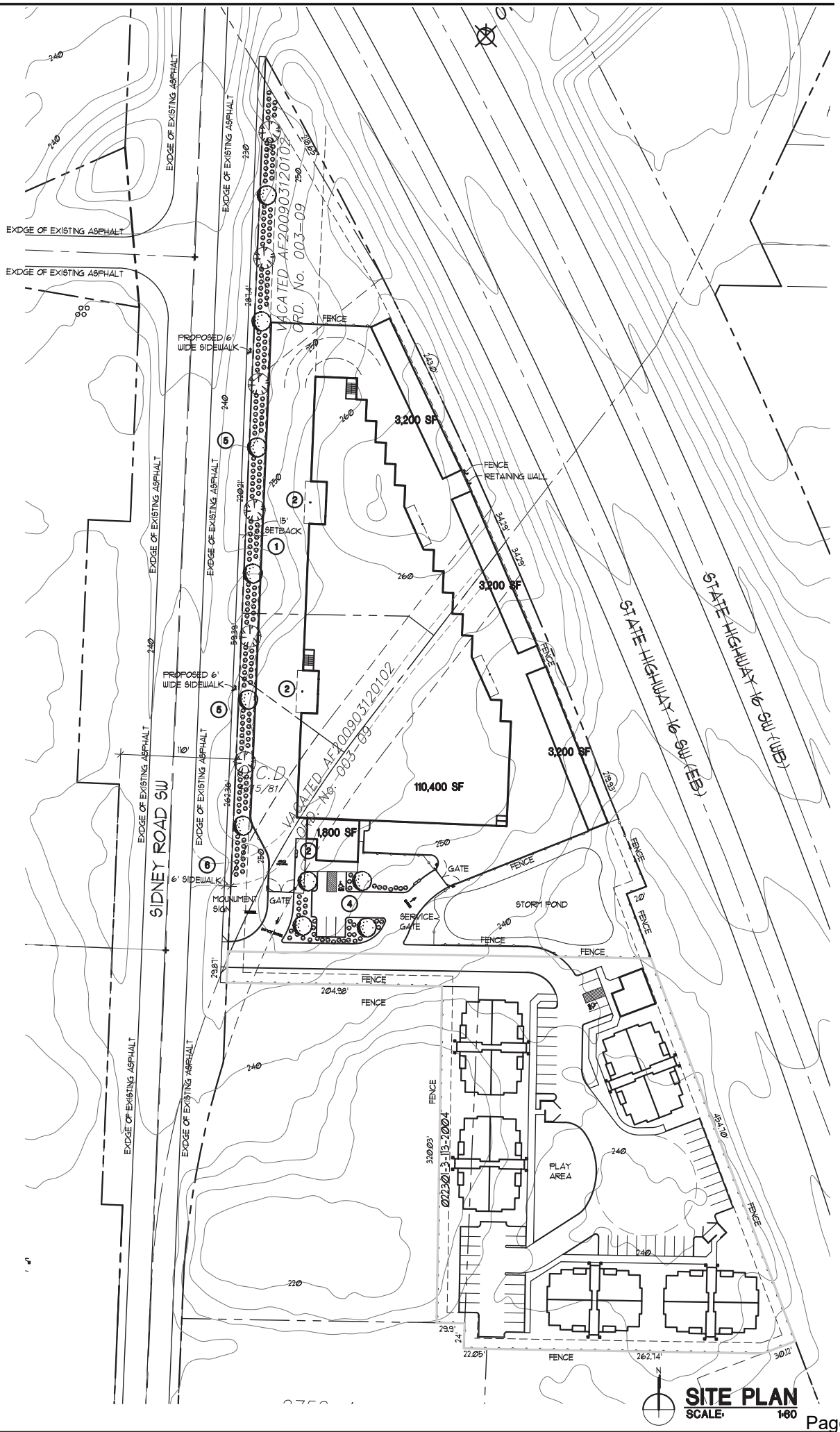
County Lidar shows the depression and it matches field conditions. The contour matching the outline of the depression is used as a wetland boundary and a 50 foot buffer put around that line. There is no way this wetland could rate a Category 2 and thus the Category 3 buffer of 50 feet was used.

If you have any questions or need additional information please contact me.

Regards,

A.J Bredberg
253-858-7055
ajb@wa.net

Attachments


EXDGE OF EXISTING ASPHALT
PROPOSED 6' WIDE SIDEWALK
FENCE
VACATED AF200903120102 ORD. No. 003-09
3,200 SF
FENCE
RETAINING WALL
15' SETBACK
110,400 SF
1,800 SF
GATE
SERVICE GATE
STORM POND
MONUMENT SIGN
6' SIDEWALK
SIDNEY ROAD SW
STATE HIGHWAY 16 SW (EB)
STATE HIGHWAY 16 SW (WB)
PLAY AREA
Ø22301-3-113-2004
SITE PLAN
SCALE: 1:60

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 5.A. Council Review and Potential Action on LU25-Rezone-02 Sidney Rd Investments Storage Facility rezone and the Consideration of the Recommendation of Hearing Examiner
Meeting Date: March 24, 2026
Presenter: Nick Bond, Community Development Director

Summary and Background:
In 2025, the City received an application for a site-specific rezone of 6.9 acres from Commercial Corridor (CC) to Commercial Mixed-Use for two adjoining parcels located at 4385 Sidney Road SW in the City of Port Orchard. Pursuant to Port Orchard Municipal Code 20.40.040 and Chapter 20.24, the application was routed to the Hearing Examiner to hold a noticed public hearing on proposed site-specific rezones and make a recommendation to the city council as to whether the proposed rezone meets the criteria in POMC § 20.42.030. On January 28, 2026, the City's Hearing Examiner held an duly-noticed open-record public hearing on the Sidney Rd Investments Storage Facility Rezone. Notice for the public hearing was provided consistent with POMC 20.40 and 20.24. At this hearing, staff presented a staff report to the Hearing Examiner. Please refer to this staff report for information pertaining to the proposed rezone. No members of the public provided testimony on the application at the public hearing, as noted in the Hearing Examiner's recommendation. The Council held a closed-record hearing on the proposed rezone and with making the final decision on the rezone application at the March 24, 2026 City Council meeting. The public was notified of the closed-record hearing on the Sidney Rd Investments Storage Facility Rezone by noticing disseminated on March 10, 2026. Only the parties, including staff and the applicant, were permitted to provide testimony at the closed-record hearing.

Relationship to Comprehensive Plan: N/A

Recommendation: Following the closed record public hearing and the City Council's closed session held pursuant to RCW 42.30.140(2), the City Council may deliberate and provide direction to staff to draft an ordinance approving or denying the rezone application for approval at the next City Council meeting.

Motion for Consideration: "I move to [affirm / reject] the recommendation of the Hearing Examiner to approve the site specific rezone, and direct staff to prepare an ordinance

consistent with this direction."

Has item been presented to Committee/Work Study? No
If so, which one: N/A

Fiscal Impact: None foreseen.

Alternatives: Provide direction to staff to prepare an ordinance approving the rezone, provide direction to staff to prepare an ordinance denying the rezone.

Attachments:
None

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 7.C. Adoption of a Resolution Updating the City's Fee Resolution (Bond)
Meeting Date: March 24, 2026
Presenter: Nick Bond, Community Development Director

Summary and Background:
The City periodically updates its adopted fee schedule to ensure that permittees are covering the costs of Permit Center operations. The current fee schedule was adopted through Resolution 022-25 on April 22, 2025. Following staff review of permitting practices for Temporary Tent or Membrane Structures, an opportunity was identified to improve fairness and administrative efficiency by establishing an economy of scale fee structure for this type of activity. This approach changes the full base fee for the first Temporary Tent or Membrane Structure on a site and applies a reduced fee to additional structures when they are permitted concurrently and located on the same site. The proposed update to the fee resolution implements this new structure to better align fees with actual review workload and support streamlined processing for multi-structure events. The City Council Finance Committee reviewed the proposed change at their March 17, 2026 meeting.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends that the City Council approve the updated City Fee Resolution, as presented.

Motion for Consideration: "I move to adopt a Resolution establishing a revised Fee Resolution for the Departments of Community Development and Public Works, as presented."

Has item been presented to Committee/Work Study? Yes
If so, which one: Finance Committee

Fiscal Impact: Decreased revenue in permitting fees for Temporary Tent or Membrane Structures where mutistructure activity occurs. This decrease is anticipated to be insignificant and better aligns fees with actual review workload and supports streamlined processing for multistrucutre events.

Alternatives: Do not approve.

Attachments:

1. 01_Res_XXX-26_Dev_Fees
2. Exhibit_A_-_DCD_and_PW_Fee_Schedules_03-24-26

RESOLUTION NO. XXX-26

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON REPEALING AND REPLACING RESOLUTION NO. 022-25 AND ESTABLISHING NEW FEE SCHEDULES FOR THE DEPARTMENTS OF COMMUNITY DEVELOPMENT AND PUBLIC WORKS

WHEREAS, the City of Port Orchard is responsible for implementing land use regulations, planning and public works requirements, administering the building code, and other administrative duties; and

WHEREAS, the City incurs administrative costs associated with the implementation of City regulations and policies; and

WHEREAS, the City Council has adopted, through ordinance, regulations calling for the establishment of administrative fees to offset these administrative costs, to be set by resolution of the Council; and

WHEREAS, the City's current Community Development and Public Works Departments administrative fees were adopted by Resolution No. 022-25 on April 22, 2025, with an effective date of May 3, 2025; and

WHEREAS, the City Council deems it in the best interest of the City of Port Orchard to periodically review and update the City's administrative fees to ensure the fees are consistent with the services provided and cover the public cost of providing these services so that the public is not subsidizing individual benefits derived from public services; and

WHEREAS, staff has reviewed the adopted fee schedule and identified an opportunity to improve fairness and administrative efficiency by establishing an economy-of-scale fee structure for Temporary Tent or Membrane Structure permits, such that the first structure permitted on a site is charged the full base fee and any additional Temporary Tents or Membrane Structures installed concurrently on the same site are assessed a reduced fee, thereby aligning permit costs with actual review workload and supporting streamlined processing for multi-structure events now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

THAT: Resolution No. 022-25 is hereby repealed in its entirety.

THAT: The rates, fees and charges charged by the Community Development and Public Works Departments for the specified services are here by adopted as set forth on Exhibit "A" attached hereto, which is adopted by this reference.

THAT: This Resolution shall become effective immediately upon passage, but the rates, fees and charges set forth on Exhibit "A" shall be levied beginning on April 1, 2026. The rates, fees and charges attached as Exhibit A to Resolution No. 022-25, which is repealed and replaced by this Resolution, shall remain in force and effect as set out prior to this Resolution until the effective date of this Resolution, as set forth herein. Such repealer shall not be construed as affecting any existing right acquired under the

laws repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder.

THAT: Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, numbering, section/subsection numbers and any reference thereto.

THAT: Provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 24th Day of March, 2026.

_____
Robert Putaansuu, Mayor

ATTEST:

_____
Brandy Wallace, City Clerk

FEE SCHEDULES FOR
DEPARTMENTS OF COMMUNITY DEVELOPMENT AND PUBLIC WORKS
Res. No. _____ – Effective March 24, 2026

A. General

1. No permit shall be issued, application accepted, service provided, or appeal filed without payment of the applicable fee set forth herein.
2. Time of collection of fees.
    a. Fees shall be collected at the times specified in the City Code or this Fee Schedule. If not specified, the minimum fee shall be collected at the time of application submittal. No application will be deemed "counter complete" until the fee due with the application has been received by the City.
    b. The City may bill an applicant and require payment for accrued fees at any time in the permit review process.
    c. The final fees will be recalculated during review, and any additional amount due shall be collected prior to the issuance of the permit, approval, denial, decision or recommendation.
    d. At the time an application or permit is denied or canceled, the final fee shall be determined and collected.
    e. Any fee collected but in excess of the final calculated fee shall be refunded pursuant to Refunds Table 25.
    f. All outstanding fees shall be paid prior to scheduling or performing final inspections.
3. References to the director refer to the director of the Department of Community Development or his/her designee.
4. Some projects require more than one permit. A project may require the payment of numerous fees from the tables below.

B. Building, Plumbing, and Mechanical Fee Policies

1. No temporary or final certificate of occupancy will be approved or issued for a project with any outstanding fees on any permit associated with the project.
2. Some signs require a building permit in addition to a land use (sign) permit. In these instances, the permit fees are additive. When an applicant is required to obtain a sign permit and a building permit, separate fees are required for each permit.
3. The applicant for a permit shall provide an estimated construction cost at the time of application. The amount shall be the contractor's bid price, rounded up to the next whole dollar. For work not done by a contractor, the construction cost shall include the price of materials, plus the fair market value of any donated, contributed or found materials, multiplied by two (2). Construction costs calculated on 100 square feet shall be rounded up to the next 100 square feet for any portion thereof.
4. Single family detached house, accessory dwelling unit, townhouse, and duplex builders who wish to reuse a plan set to construct more than one housing unit using the same plan set under the IRC may do so by utilizing a "basic plan" review process. When an applicant wishes to establish a basic plan set for reuse, the plans shall initially be reviewed upon payment of the city's standard plan review fee (Except for the plans being used as part of the pre-approved accessory dwelling unit program). Once plan review is complete and if the City finds that the plans conform to the requirements of the

Building Code, the plans shall be approved as a basic plan set and marked as such for reuse. For each use of the plan, the applicant shall pay a reduced plan review fee as established in Table 3 in lieu of the full plan review fee. The use of an approved basic plan set shall have no effect on the building permit fee (only the building permit plan review fee). Plans may not be reused if the city's building code has been updated unless the plans have been re-reviewed (upon payment of the full plan review fee) and approved for conformance with the updated building code.

TABLE 1: Fee Calculations.

Permit fees and Plan Review fees shall be determined by using the calculations found in Table 1. Valuations shall be determined using the IBC Building Valuation Data Table (BVD) (currently, the February 2025 table, as attached hereto) except as noted in the BVD Table and as otherwise set in Tables 2 and 3.

Fee calculations and set fees found in Tables 2 and 3 apply to:

1. Alterations or repairs to existing buildings, based on the construction cost as determined by either the contractor's bid price or construction materials x 2.
2. Processes with a fixed fee.
3. Processes with a fixed fee plus inspection fees.
4. Valuations base on square footage calculations which are not in the BVD Table.
5. Fees as a percentage of permit fee.

Total Valuation	**FEES (Permit Fee = 100% Plan Review Fee = 65%)**
$1 to $500	$36.00
$501 to $2,000	$36.00 for the first $500 plus $4.00 for each additional $100, or fraction thereof, to and including $2,000
$2,001 to $25,000	$96.00 for the first $2,000 plus $17.00 for each additional $1,000, or fraction thereof, to and including $25,000
$25,001 to $50,000	$487.00 for the first $25,000 plus $12.00 for each additional $1,000, or fraction thereof, to and including $25,000
$50,001 to $100,000	$787.00 for the first $50,000 plus $9.00 for each additional $1,000, or fraction thereof, to and including $100,000
$100,001 to $500,000	$1,237.00 for the first $100,000 plus $7.00 for each additional $1000, or fraction thereof, to and including $500,000
$500,001 to $1,000,000	$4,037.00 for the first $500,000 plus $6.00 for each additional $1,000, or fraction thereof, to and including $1,000,000
$1,000,001 and up	$7,037.00 for the first $1,000,000 plus $5.00 for each additional $1,000, or fraction thereof

TABLE 2:

Residential		
Building Permit Type	**Amount**	**Unit of Measure**
Unfinished Basement (Group R-3)	Apply construction cost to Table 1	Calculate construction cost at $31.50 per Square foot
Finish an existing basement	Apply construction cost to Table 1	Construction cost (contract price or materials x 2)
Conversion of an existing garage to residential space	Apply construction cost to Table 1	Construction cost (contract price or materials x 2)
New Foundation only or under existing structure	Apply construction cost to Table 1	Calculate construction cost at $13.04 per square foot
New covered porch, covered deck;	Apply construction cost to Table 1	Calculate construction cost at $21.07 per square foot
New deck, uncovered	Apply construction cost to Table 1	Calculate construction cost at $13.04 per square foot
Alteration or addition to deck, uncovered	Apply construction cost to Table 1	Construction cost (contract price or materials x 2)
Alteration, repair, or addition to an existing covered porch or covered deck	Apply construction cost to Table 1	Construction cost (contract price or materials x 2)
New freestanding roof structures and carports, other than porch or deck	Apply construction cost to Table 1	Calculated construction cost at $21.07 per square foot
Residential Interior Remodel	Apply construction cost to Table 1	Construction cost (contract price or materials x 2)

TABLE 3:

Miscellaneous Permit fees:		
Building Permit Type	**Amount**	**Unit of Measure**
Shoreline bulkhead walls	Apply construction cost to Table 1	Calculate construction cost at $118.00 per Linear Foot
Demolition	$75	Each
Fences over 6 feet in height	Apply construction cost to Table 1	Calculate construction cost at $11.74 per Linear Foot
Retaining walls	Apply construction cost to Table 1	Calculate construction cost at $19.67 per Linear Foot
Roof : Hot Mop/Cold Mop (flat roof)	Apply Construction Cost to Table 1	Calculate construction cost at $90 per 100 SQ FT
Roof: Composition, Metal	Apply Construction Cost to Table 1	Calculate construction cost at $70 per 100 SQ FT
Roof: Wood Shake	Apply Construction Cost to Table 1	Calculate construction cost at $140 per 100 SQ FT
Roof: Concrete, Tile, Slate	Apply Construction Cost to Table 1	Calculate construction cost at $140 per 100 SQ FT
Roof: Torch Down	Apply Construction Cost to Table 1	Calculate construction cost at $90 per 100 SQ FT
Residential Misc.	Apply Construction Cost to Table 1	Construction cost (contract price or materials x 2)
Commercial Tenant Improvement and Misc.	Apply Construction Cost to Table 1	Construction cost (contract price or materials x 2)
Tenant Certificate of Occupancy for new business; All other C of O included in building permit fee.	$75	Each
Revised Certificate of Occupancy for business name change, or business ownership change, or property ownership change.	$60	Each
Manufactured or mobile home (Does not include porches, decks, or other added work covered under the IRC)	$750	Each
Modular Units, Field Assembly	$75.00. Inspection fees at the hourly rate will apply.	

Table 3. Miscellaneous Permit fees, continued:		
Building Permit Type	**Amount**	**Unit of Measure**
Reactivation fee, for permit expired for less than one year, no plan changes	50% of original permit fee	
Work without a permit – penalty;	Double the permit fee, $75 minimum.	Violator must obtain the required permit and pay double the permit fee, or a $75.00 minimum penalty if the permit fee is less than $75.00. Due with submittal.
Sign (when a building permit is required)	Apply Construction Cost to Table 1	Construction cost (contract or materials x 2)
Carport or Canopy, pre-fab kit installation	$100	Each
Residential siding replacement: permit required when over 1000 sq. ft. or if any structural work is required (POMC 20.200.014)	Apply Construction Cost to Table 1	Calculate construction cost at $70 per 100 SQ FT
Commercial siding replacement	Apply Construction Cost to Table 1	Calculate construction cost at $70 per 100 SQ FT
Detached house, accessory dwelling unit (including the use of pre-approved ADU plans), townhouse, and duplex Residential plan review using a basic plan on a site specific lot	$225	For each use
Detached house, accessory dwelling unit, townhouse, and duplex basic plan review, additional elevation(s) after the first one	$225	Each additional elevation
Underground plumbing only	$75.00. Inspection fees at the hourly rate will apply.	
Windows or Doors	Apply Construction Cost to Table 1	Construction cost (contract price or materials x 2)
Adult Family Home Plan Review and Inspection (outside of a remodel permit)	$300	Per adult family home

Fire Code Permits

Fire Code permit projects may be reviewed by a consultant under contract services, depending on city staff workload.

Plan review fee submitted with the application may cover the consultant cost.

TABLE 4:

Fire Code Permit Fees:		
Fire Construction	**Amount**	**Calculation**
Fire Alarm, new	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Alarm, minor modifications to existing	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Sprinkler, new or major modification	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Sprinkler, modifications 20 heads or fewer	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Suppression System, Class 1 Hood and Duct	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Solar Panels: Solar energy/photovoltaic panel system roof mounted install per WAC 51-51-2300 Sec. M2302	$235	each
Standpipe System	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Tank: Underground or Above Ground, Installation or Removal	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Construction permits, other	Construction cost (contract price or materials x 2)	Apply Table 1 to construction cost
Fire Operational	**Amount**	**Calculation**
High Piled Storage	$75.00 + An inspection fee at the hourly rate applies when an inspection is required.	
Temporary Tent or Membrane Structure (except for Firework Stands pursuant to RCW 70.77.555)	$225 for the first tent and $50 for each additional tent permitted, installed, and inspected together with the first tent.	Per tent or membrane structure
Fire operational permits, other	$75.00 + An inspection fee at the hourly rate applies when an inspection is required.	
Fireworks Display Permit	Pass thru from Kitsap County	Per ILA
Mobile Food Preparation Vehicle	Technology fee applies.	

Plumbing Permit Fees

Plumbing permit fees shall be calculated using the commercial and residential schedules in Tables 5 and 6.

TABLE 5:

Commercial Plumbing Permit Fees		
Commercial Plumbing Fixtures	**Fee**	**Per**
Base Fee Applied to All Plumbing Permits	$23.50	Flat Fee
Backflow protective device 2 inches or less	$9.80	Each
Backflow protective device larger than 2 inches	$15.00	Each
Clothes Washing Machine	$9.80	Each
Dish Washer	$9.80	Each
Drainage Pipe or Vent Pipe Repair or Alteration	$9.80	Each
Drinking Fountain	$9.80	Each
Floor Drain	$9.80	Each
Hose Bibbs, each	$1.00	Each
Industrial/Sand Oil Interceptor	$9.80	Each
Grease Interceptor	$9.80	Each
Lawn Sprinkler System with Backflow Device	$9.80	Each
Medical Equipment / Kidney Machine	$9.80	Each
Medical Gas, each additional outlet in excess of first 5	$5.00	Each
Medical gas system up to 5 outlets	$50.00	Each
Misc. Plumbing fixtures on one trap	$9.80	Each
Roof Drain	$9.80	Each
Sewer Line Repair and/or Replace, Exterior	$50.00	Each
Sewer Pipe Change, Interior	$9,80	Each
Sink (Lavatory, Kitchen, Mop, or Bar Sink)	$9.80	Each
Floor Sink and /or Indirect Waste	$9.80	Each
Multi - Compartment Sink	$9.80	Each
Shampoo Sink w/interceptor	$9.80	Each
Toilet, Water Closet, Bidet, or Urinal	$9.80	Each
Tub with or without Shower, or Shower	$9.80	Each
Water Heater	$9.80	Each
Water Line Repair and/or Replace, Exterior	$50.00	Each
Water Pipe Change, Interior	$9.80	Each
Other	$9.80	Each

TABLE 6:

Residential and Multi-Family Plumbing Permit Fees		
Residential Plumbing Fixtures	**Fee**	**Per**
Base Fee applied to all Plumbing Permits	$23.50	Flat Fee
Clothes Washer	$7.00	Each
Dishwasher	$7.00	Each
Floor Drain	$7.00	Each
Hose Bibb	$1.00	Each
Hot Tub	$14.80	Each
Lawn Sprinkler with backflow preventer	$7.00	Each
Sewer Line Repair and/or Replace, Exterior	$50.00	Each
Sewer Pipe Change, Interior	$7.00	Each
Sink (Lavatory, Kitchen, Mop)	$7.00	Each
Tub with or without shower, or shower	$7.00	Each
Toilet, Bidet or Urinal	$7.00	Each
Water Heater	$7.00	Each
Water Line Repair and/or Replace, Exterior	$50.00	Each
Water Pipe Change, Interior	$7.00	Each
Other	$7.00	Each

Mechanical Permit Fees

Mechanical permit fees shall be calculated using the commercial and residential schedules in Tables 7 and 8.

TABLE 7:

Commercial Mechanical Permit Fees		
Commercial Mechanical Fixtures	**Fee**	**Per**
Mechanical Permit Base Fee	$23.50	Flat Fee
Air-Handling Unit < 10,000 CFM	$14.80	Each
Air-Handling Unit > 10,000 CFM	$18.10	Each
Type 1 Hood & Duct Systems	$10.65	Each
Type 2 Hood & Duct Systems	$10.65	Each
Clothes Dryer with exhaust	$10.65	Each
Compressors	$14.70	Each
Cook stove only	$10.65	Each
Ducting Change without New Furnace	$13.70	Each
Evaporative Coolers, permanently installed	$10.65	Each
Fan for Bath and/or Exhaust Fan	$7.25	Each
Commercial Furnace & Ducting < 100,000 btu	$14.80	Each
Commercial Furnace & Ducting > 100,000 btu	$18.20	Each
Combo Gas pipe / Water Heater / Furnace	$35.45	Each
Fuel System Outlets in excess of the first 4	$2.00	Each
Fuel Pipe System LPG, Natural Gas, OIL (first 4 outlets)	$10.65	Each
Miscellaneous Mechanical Equipment	$10.65	Each
Mechanical System Pumps (Misc.)	$10.65	Each
Radiant Heat Units (wall, ceiling, floor, recessed, etc.)	$10.65	Each
Unit Heater, Suspended or Floor Mount	$14.80	Each
Gas Water Heater Vent & Combustion Air	$10.65	Each
Propane tank over 2000 gallons	$10.65	Each

TABLE 8:

Residential and Multi-Family Mechanical Permit Fees		
Residential Mechanical Fixtures	**Fee**	**Per**
Air conditioning, separate install from furnace	$14.80	Each
Base Fee applied to all Mechanical Permits	$23.50	Flat Fee
Bath Fan and/or Exhaust Fan	$7.25	Each
Clothes Dryer w/exhaust	$10.65	Each
Cook Stove w/exhaust	$10.65	Each
ERV (Energy Recovery Ventilator)	$10.65	Each
Fireplace - Gas or Gas log inserts	$12.00	Each
Fireplace - Wood or Wood Stove	$12.00	Each
Furnace – Electric, +/- AC, Heat Pump, ducting	$14.80	Each
Furnace Natural Gas +/- Ducting	$14.80	Each
Furnace Propane +/- Ducting	$14.80	Each
Fuel Pipe System LPG, Natural Gas, Oil	$10.00	Each
Gas pipe stub-out	$10.65	Each
Gas Water heater, Vent and Combustion Air	$10.65	Each
Generator	$10.65	Each
Heater, Wall or Baseboard	$10.65	Each
Heat Pump	$10.65	Each
Mini Split System, AC and/or Heat	$14.80	Each
Misc. Mechanical Equipment	$10.65	Each
Propane Fuel Tank Under 2000 Gallons	$10.65	Each

C. Planning and Land Use Fees

The planning and land use permit fees listed in the tables below shall be paid at the time an application is submitted to the city unless otherwise specified.

TABLE 9:

Subdivisions	
Short Subdivision, Preliminary	$1,200
Short Subdivision, Final	$700
Short Subdivision, Preliminary, or Alteration	$600
Short Subdivision, Final, Vacation or Alteration	$500
Preliminary Subdivision Plats 10-20 lots	$2,100 plus Hearing Examiner Fees
Preliminary Subdivisions Plats 21+ Lots	$2,100 + $50 Per Lot plus Hearing Examiner Fees
Minor Modifications to a Preliminary Plat	$600
Major Modifications to a Preliminary Plat, 5-20 lots	$2,100 + Hearing Examiner fees
Major Modifications to a Preliminary Plat, 21+ lots	$2,100 + $50 per lot + Hearing Examiner fees
Boundary Line Adjustment	$300
Final Plat	$1,100 + 50 Per Lot
Final Plat, vacation or alteration	$1,100 + $50 per lot + Hearing Examiner fees
Binding Site Plan, Preliminary	$1,200
Binding Site Plan, Preliminary, Alteration	$500
Binding Site Plan, Final	$700
Binding Site Plan, Final, Alteration or Vacation	$500

TABLE 10:

SEPA	
Project Checklist Review and Threshold Determination	$300
Non-Project Checklist Review and Threshold Determination	$300
Environmental Impact Statement Preparation	Actual Cost, See SEPA Ord.
Environmental Impact Statement Review	Actual Cost, See SEPA Ord.

TABLE 11:

Shoreline Permits	
Administrative Shoreline Substantial Development Permit	$600
Shoreline Substantial Development Permit	$900 plus Hearing Examiner Fee
Shoreline Exemption (Letter)	$150
Shoreline Conditional Use Permit	$1,275 plus Hearing Examiner Fee
Administrative Shoreline Conditional Use Permit	$600
Shoreline Variance	$1,275 plus Hearing Examiner Fee
Administrative Shoreline Variance	$600

TABLE 12:

Land Use Permits	
Conditional Use Permit	$1,375 plus Hearing Examiner Fee
Critical Areas Exemption Request	$135
Critical Areas Exception	$1,275 plus Hearing Examiner Fee
Critical Areas Variance	$1,275 plus Hearing Examiner Fee
Modification to Overlay District Boundaries	$1,275 plus Hearing Examiner Fee
Rezone (without Comp Plan Amendment)	$1,375 plus Hearing Examiner fee
Temporary Use Permit	$150
Temporary Use Permit Extension	$150
Variance, Administrative	$300
Variance	$1,275 plus Hearing Examiner Fee
Variance, View Protection Overlay District	$1,275 plus Hearing Examiner fee

TABLE 13:

Other Review	
Request for a statement of restrictions per RCW 35.21.475	$75
Accessory Dwelling Units	$75
Administrative Interpretation (POMC Chapter 20.10)	$75 minimum. An additional deposit may be required if city attorney review is required. Any city attorney expenses related to an application for an administrative application shall be paid by the applicant prior to issuance of a decision.

Table 13 Other Review, continued.	
Nonconforming Use	$150
Pre-Application Meeting	$150
Development Agreements	$1,000
Comp Plan Amendment (Text)	$500
Comp Plan Amendment (Map)	$1,875
Land Use and Development Regulations Amendment (Text)	$500
Forest Practices Application (Local Approval)	$300
Pre-Submittal Design Review	$150
Tax Abatement Exemption Application	$1,500
Zoning Verification Letter	$75

Signs Permits

Signs may also require a building permit. See Section B.2 and Table 3.

TABLE 14:

Sign Permits	
A-Board Sign	$25
Permanent Sign	$50
Master Sign Plan Permit	$300
Placement of WSDOT directional sign	$75
Sign Variance	$300

D. Public Works Department Fees

The Public Works Department permit fees listed in the tables below shall be paid at the time an application is submitted to the city unless otherwise specified.

TABLE 15:

Public Works Department Permits and Fees		
Public Works	**Cost**	**Note**
Minor Land Disturbing Activity Review and Permit (disturbances of less than 1,000 square feet)	$50	No more than one minor LDAP may be issued for the same property (parcel and/or address) in any 365 day period using this fee.
Land Disturbing Activity Permit Plan Review	$100 base fee, plus $100 for the first acre of disturbance + $25 for each additional acre of disturbance above 1 acre. Area to be rounded up to the next higher acre. $100 minimum fee.	(Paid at the time of application submittal – covers Land Disturbing Activity plan review costs). Acres of disturbance should be rounded up to the nearest acre.
Land Disturbing Activity Permit	$100 for the first acre of disturbance + $50 for each additional acre of Disturbance above 1 acre. Area to be rounded up to the next higher acre. $100 minimum fee.	(Paid at time of permit issuance – covers Land Disturbing inspection costs). Acres of disturbance rounded up to the nearest acre.
Stormwater Drainage Permit Plan Review	$100 for the first 3,000 square feet of new and replaced hard surface to be constructed + $25 for each additional 3,000 square feet or fraction thereof of hard surface to be constructed. $100 minimum fee.	(Paid at the time of application submittal – covers hard surface and stormwater improvement plan review costs).
Stormwater Drainage Permit	$100 for the first 3,000 square feet of new and replaced hard surface to be constructed + $50 for each additional 3,000 square feet or fraction thereof of hard surface to be constructed. $100 minimum fee.	Stormwater Drainage Permit (Paid at time of permit issuance – covers hard surface and stormwater inspection costs)
Street Use Permit Application Fee	$50	
Tree cutting permit	$50	

Public Works Department Permits and Fees		
Public Works	**Cost**	**Note**
Latecomer Agreement Review Fee	$500 Deposit	The applicant shall pay the actual fee, including city attorney costs, for preparing the latecomer agreement.
ROW Permit, Tier 1	$50	For uses which do not include the physical disturbance of the right-of-way.
ROW Permit, Tier 2	$230	For activities which alter the appearance, or disturb the surface or sub-surface, or allow long term use of the right-of-way.
Work without a Permit – Penalty	Double the permit fee, or $75 minimum.	Violator must obtain the required permit and pay double the permit fee or a $75.00 minimum penalty if the permit fee is less than $75.00.

TABLE 16:

Street Vacations	
Street Vacation Petition Fee	$120
Street Vacation Appraisal Fee (Refundable Deposit)	$500 Deposit, Petitioner shall pay the actual cost of the appraisal.

TABLE 17:

Impact Fee Deferrals (POMC 20.182.110(4))	
Application for Impact Fee Deferral	$300 minimum
Lien release for Impact Fee Deferral	$300 minimum

TABLE 18:

Residential Parking Permits	
Residential Parking Permit	$10
Replacement Parking Permit	$5
Temporary Residential Parking Permit	$10
Bed and Breakfast Parking Permit	$10

Concurrency Review (See POMC 20.180 to determine application)

1. Concurrency (Capacity Reservation Certificate) applications fees shall be based on the following table. Each type of application (Transportation, Water, or Sewer) shall include payment of an application fee (A) plus any consultant fees charged to the city (B) for concurrency review as applicable.
2. The Director of Public Works shall make all determinations as to whether an application is to be reviewed by the city or to be sent to the consultant for review.
3. When consultant review is required, the applicant shall pay the actual fee incurred by the city. Any balance owed shall be paid prior to the issuance of a concurrency certificate.

TABLE 19: Concurrency Review

Type of Review	A Application Fee (also the total review fee for applications reviewed in house by the City)	B Review Performed by Consultant: A scope and fee shall be obtained from the Consultant after the application is received.
Transportation	$150	Either Tier 1 (limited review) or Tier 2 (full review) fixed fees listed in consultant fee schedule. For projects that do not fit the categories, the fee will be determined on PM peak hour trip generation, or as determined in a not-to-exceed task order.
Water	$150	The applicant shall pay the amount shown in the scope and fee provided by the City's Consultant.
Sewer	$150	The applicant shall pay the amount shown in the scope and fee provided by the City's Consultant.

E. Hourly Rates.

A minimum of one hour shall be charged per staff member (including outside consultants) when using the hourly rates. Additional charges shall be by the quarter hour per staff member.

Plan review fees shall apply to the third and any subsequent submittals when plans are revised prior to approval. The fee shall be equal to the hourly rate for all staff processing and performing the review, or the full permit plan review fee, whichever is less.

Plan review fees shall apply to revisions to plans or documents which were previously reviewed and approved. The fee shall be equal to the hourly rate for all staff processing and performing the review, or the full permit plan review fee, whichever is less.

When an inspection fee is designated in the fee tables as additional on a permit, the fee shall be equal to the hourly rate for reinspection, with a minimum of one hour. Additional charges shall be by the quarter hour per inspection.

The hourly rates shall be used to calculate deductions to refunds.

A Reinspection fee is charged at the hourly rate for reinspection after the same inspection fails for the second time.

TABLE 20.

Type	Hourly Rate	Notes
Plan Review, Building/Fire	$75	
Plan Review, Planning - DCD	$75	
Plan Review, Engineering – Public Works	$100	
Administrative, Permit Center	$60	
Reinspection, Building/Fire	$75	After two prior inspections for same work
Reinspection, Public Works	$75	After two prior inspections for same work
Reinspection, Planning	$75	After two prior inspections for same work
Inspections outside of normal business hours, Public Works	Hourly rate x 1.5 $75	Minimum charge: 2 hours
Inspections outside of normal business hours, Building / Fire	Hourly rate at $75.00 x 1.5	Minimum charge: 2 hours
Alternate methods and materials review, Building	$75	

F. Work by Outside Consultants: Building and Fire Codes.

1. The city may, at its sole discretion, send permit applications to third-party consultants for plan review. The plan review fee paid as described in Section B covers the City's consultant cost, except for the following reviews:

    a. Third and subsequent submittals. The applicant shall pay the actual hourly costs as listed in table 21 for all 3rd and subsequent submittals.

    b. Projects with total valuation exceeding $10,000,000, or projects of a significant complexity that require outside review such as courthouses, schools, hospitals as determined by the Building Official. For projects as described in this subsection, the initial plan review fee shall be applied to the 3rd party consultant review fee. If that fee is inadequate to fully pay the actual plan review fee then the applicant shall be billed for the additional cost as described in subsection 3 below.

2. The city may provide inspections through contracted services. Permit fees cover the consultant's inspection charges except for afterhours inspection when requested by the applicant.

3. The plan review fees and afterhours inspection fees as described in Sections 1 and 2 shall be billed at the rates provided in table 21.

4. The fees charged listed in table 21 shall are based on an hourly rate must be paid in full prior to the issuance of the permit, approval, denial, decision or recommendation, final inspection, or issuance of Certificate of Occupancy, as applicable to the type of permit and when the work is performed.

5. When the hourly rate is used for consultants, the fee may be rounded to the quarter hour.

TABLE 21. Building and Fire Code: Consultant Services Hourly Rates.

Types listed represent the most frequently used rates. Note that a Technician's time is often included with plan review, and will be reflected when billing at an hourly rate.

Type	Rate
Plan Review, 3rd and subsequent reviews	Subject to current contract
Plan Review, revisions to approved plans	Subject to current contract
Fire Code Plan Review: Reviewer	Subject to current contract
Technician	Subject to current contract
Inspections, outside of normal business hours	Subject to current contract

G. Work by Outside Consultants: Other Services.

The city may, at its sole discretion, send permit applications and associated materials to third-party consultants for review. The applicant shall be required to pay the actual cost of 3rd party review by qualified consultants under contract with the city.

1. **Special Reports Review.**

    a. When an application includes the submittal of special reports and/or plans such as habitat management plans, geotechnical reports, or traffic impact analyses requiring review beyond the capabilities of city staff, the city will obtain a fee estimate from its consultant for the scope of work, provide that estimate to the applicant for payment to the city, and authorize the consultant to proceed.

b. If additional special review by the consultant is required, an amended scope of work and new estimate shall be obtained by the city for payment by the applicant.

c. If the consultant's fee total is less than the full amount paid by the applicant, the remainder shall be refunded according to section K. and table 25.

2. **Alternative Forms Review.**

When the applicant proposes to use an alternative form instead of the city's standard approved form, the city may request review by the city attorney of the alternative form if a legal determination is required to ensure that the language in the proposed form adequately addresses the city's interests. The cost of review shall be paid by the applicant at the attorney's hourly rate.

H. Appeal Fees.

Fees are collected when the appeal is filed. Any appeal statement must be filed on the deadline established in the City's code relating to the specific appeal, together with a certified check in the amount of the appeal fee.

If the City Council is the decision-maker on the appeal, only the appeal fee shall be charged.

If any appellant believes that the payment of the appeal fee creates a financial hardship, it shall submit a request for an appeal waiver with the appeal statement on or before the deadline established in the City's code relating to the specific appeal. This request for an appeal waiver shall describe the appellant's financial situation and why payment of the appeal fee creates a financial hardship. As an example, the appellant may provide evidence that the appellant resides in a low-income household, which would include a single person, family or unrelated persons living together, whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for Kitsap County.

TABLE 22:

Appeal Type	**Appeal Body**	**Amount**
Abatement	Hearing Officer	$100
Building Code	Building Board of Appeals (BBOA)	$450
Concurrency Denial	Public Works Director	$100
Development Agreement	Same as underlying permit or associated legislative approval	Depends on underlying permit.
Director's Code Interpretation	Superior Court	Appeals and any associated fees go directly to Superior Court.
Fire Authority's Decision	Building Board of Appeals (BBOA)	$450
Illicit Discharge Detection and Elimination (IDDE) Notice and Order, revocation of permit, or assessment of costs of abatement	City Council	$450

Table 22 Appeal Fees , continued.		
Appeal Type	**Appeal Body**	**Amount**
IDDE Appeal, independent consultant services	City Council	Consultant services, actual costs to be paid. See Section F for consultant fees.
Impact Fee Amount Reconsideration	Director	$100
Impact Fee Amount Established Upon Reconsideration by the Director	Hearing Examiner	$450
Impact Fee Credit Reconsideration	Director	$100
Impact Fee Credit Established Upon Reconsideration by the Director	Hearing Examiner	$450
SEPA Appeal	Same as underlying permit	$450
Street Use Permit	Hearing Examiner	$100
Type I, Director's Decision	Superior Court	The rules governing appeals and any associated fees are set by the Superior Court.
Type II Permit	Hearing Examiner	$450.
Type II Permit, Deposit for a certified transcription of hearing for appeal from Hearing Examiner's decision	Hearing Examiner	Deposit is based on fee estimate from transcription service. After the final invoice, any remainder of the deposit shall be refunded. Any fees in excess of the deposit shall be paid by the applicant.
Type II Permit, appeal of Hearing Examiner's appeal decision	Superior Court	Appeals and any associated fees go directly to Superior Court.
Type III permit, appeal of Hearing Examiner's decision	Superior Court	Appeals and any associated fees go directly to Superior Court.

I. Hearing Examiner Fees.

Hearing Examiner fees (excluding appeals to the Hearing Examiner) shall be the Hearing Examiner's actual costs, plus an administrative fee.

Fees and deposits are required to be paid when the application is submitted.

Hearing examiner fees will be secured from the deposited amount and any remainder shall be refunded to the applicant at the end of the appeal period.

Hearing Examiner fees in excess of the deposit amount will be billed to the applicant. The outstanding Hearing Examiner fees shall be paid by the applicant after notification of the amount due. Subsequent permits related to the hearing examiner decision may be withheld until hearing examiner fees are paid.

City projects which require Hearing Examiner services are exempt from the deposit requirement. Instead, the bill from the Hearing Examiner shall be routed to the appropriate department for payment.

TABLE 23:

Type	**Amount**
TYPE III Hearing, Administrative fee	$250 (non-refundable)
Type III Hearing, deposit	$3,000 deposit
Appeal fee, for appeal of Hearing Examiner decision	See Table 22. Appeal Fees
Appeal fee, for appeals to the Hearing Examiner	See Table 22. Appeal Fees.

J. Other Fees.

TABLE 24:

Other Fees	
Type	**Amount**
Electronic documents on digital storage media or devices	Actual cost
Photocopies, 8 ½ x 11	$0.15 per page
Public Notice signs	Actual cost + 25%
Published Notice in the city's official newspaper for Notice of Application, Notice of Hearing, SEPA Notice	$300 each
Mailing fee for Developer's issued permit package	USPS Priority Flat Rate + 25%
Technology Fee, for each permit application entered in the electronic permitting system.	$10 (non-refundable, unless due to city oversight)
The applicant is responsible for paying recording fees for permit-related documents required to be recorded with the Kitsap County Auditor.	Actual cost of recording is paid directly to the County Auditor.

Table 24: Other Fees, continued	
Type	**Amount**
Notary Service for signatures on permit application documents, including sureties.	$10 per stamp
Cabaret License	Daily $20.00; Annual $100
Carnival License	$100 per day
Circus License	$100 per day
Event Permit	$100
Liquor or Marijuana License	$100
Pawn Broker	$100
Fire Flow Report review	$150 for each report review

K. Refunds.

The applicant may request a refund when an application or permit is cancelled or withdrawn. Refunds may also be requested when a fee is overpaid. Refund requests must be submitted using the Permit Center's refund request form

Refund requests must be made within one year of the original payment date.

Refund requests must be made prior to the expiration of the permit or application.

Overpayment of a fee or fees paid on a cancelled or withdrawn application shall not be credited to another fee owed on the subject application or other associated applications or permits.

Refunds shall be issued as authorized by the director.

Prior to release of any refund,

- All fees or charges owed on the subject application or permit will be deducted.
- Expended staff hours for application review, processing or inspection will be deducted.

  Staff hours shall be calculated at the hourly rate in Table 20.

The following items shall not be eligible for refund, unless applied incorrectly:

- Technology fee.
- Plan review fees once the permit has been issued.
- Charges for work without a permit.
- Convenience fee for credit/debit card payment.
- Public Notice signs if posted on the property.
- Consultant fee after work has been performed.
- When an application is denied prior to permit issuance.

TABLE 25:

Type	Amount
Plan Review fees for withdrawn, cancelled or returned building or fire permit application prior to issuing a permit:	Expended staff hours shall be deducted. No refund shall exceed 80% of the plan review fee.
Building or Fire Permit Fees:	If the permit fee was paid and the application cancelled or withdrawn prior to issuance, 100% of the permit fee may be refunded provided no staff hours have been expended for inspections or preparing the permit for issuance. Expended staff hours shall be deducted after a permit has been issued. No refund shall exceed 80% of the permit fee after a permit has been issued.
Land Use Permit/Application Fees:	Expended staff hours shall be deducted. No refund shall exceed 80% of the initial application fee.
Plan Review fees for withdrawn, cancelled or returned Public Works LDAP or SDP permit applications prior to issuing a permit:	Expended staff hours shall be deducted. No refund shall exceed 80% of the plan review fee.
LDAP or SDP Permit Fees:	If the permit fee was paid and the application cancelled or withdrawn prior to issuance, 100% of the permit fee may be refunded. Expended staff hours shall be deducted after a permit has been issued. No refund shall exceed 80% of the permit fee after a permit has been issued.
Consultant Fees	If consultant fees are less than the initial estimate, the remainder shall be refunded after the consultant work is completed.

L. Bonds.

Processing fees for performance bonds associated with final plats, short plats, binding site plans, landscaping, or other performance bonds in lieu of construction.

Table 26:

Type	Amount
Performance Bond Processing (per performance bond)	$750.00
Performance Bond Inspection	Hourly
Performance Bond Inspection for each additional after failed inspection	Hourly

Building Valuation Data – February 2025

Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Square Foot Construction Costs [a, b, c]

Group (International Building Code)	IA	B	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	337.41	325.40	315.80	303.35	283.46	275.24	292.98	264.14	254.04
A-1 Assembly, theaters, without stage	309.77	297.76	288.16	275.71	256.07	247.85	265.35	236.75	226.65
A-2 Assembly, nightclubs	269.42	261.52	253.31	243.65	228.21	222.01	235.29	207.53	199.66
A-2 Assembly, restaurants, bars, banquet halls	268.42	260.52	251.31	242.65	226.21	221.01	234.29	205.53	198.66
A-3 Assembly, churches	314.40	302.40	292.80	280.35	260.82	252.61	269.98	241.51	231.40
A-3 Assembly, general, community halls, libraries, museums	264.03	252.03	241.42	229.98	209.33	202.12	219.61	190.01	180.91
A-4 Assembly, arenas	308.77	296.76	286.16	274.71	254.07	246.85	264.35	234.75	225.65
B Business	298.43	287.83	277.50	265.76	242.70	234.06	255.55	216.90	206.96
E Educational	282.06	272.26	263.65	252.74	235.87	223.82	244.04	206.65	200.02
F-1 Factory and industrial, moderate hazard	164.17	156.25	146.41	140.89	125.45	119.36	134.33	104.02	96.87
F-2 Factory and industrial, low hazard	163.17	155.25	146.41	139.89	125.45	118.36	133.33	104.02	95.87
H-1 High Hazard, explosives	153.17	145.25	136.41	129.89	115.76	108.67	123.33	94.33	N.P.[c]
H234 High Hazard	153.17	145.25	136.41	129.89	115.76	108.67	123.33	94.33	86.17
H-5 HPM	298.43	287.83	277.50	265.76	242.70	234.06	255.55	216.90	260.96
I-1 Institutional, supervised environment	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
I-2 Institutional, hospitals	469.18	458.58	448.25	436.51	411.45	N.P.[c]	426.30	385.65	N.P.[c]
I-2 Institutional, nursing homes	323.68	313.08	302.75	291.01	269.45	N.P.[c]	280.80	243.65	N.P.[c]
I-3 Institutional, restrained	314.93	304.33	294.00	282.26	261.70	252.06	272.05	255.55	223.96
I-4 Institutional, day care facilities	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
M Mercantile	201.08	193.18	183.97	175.31	159.52	154.32	166.95	138.84	131.97
R-1 Residential, hotels	278.14	268.29	258.82	249.16	227.83	221.78	248.64	205.46	198.22
R-2 Residential, multiple family	232.26	222.41	212.94	203.28	183.19	177.15	202.77	160.82	153.58
R-3 Residential, one- and two-family[d]	215.90	210.16	205.11	200.73	194.02	187.11	204.78	180.41	169.09
R-4 Residential, care/assisted living facilities	274.98	265.13	255.66	246.00	225.17	219.12	245.49	202.80	195.56
S-1 Storage, moderate hazard	152.17	144.25	134.41	128.89	113.76	107.67	122.33	92.33	85.17
S-2 Storage, low hazard	151.17	143.25	134.41	127.89	113.76	106.67	121.33	92.33	84.17
U Utility, miscellaneous	117.65	110.72	103.00	98.58	87.79	82.02	93.83	69.49	66.20

a. Private Garages use Utility, miscellaneous
b. For shell only buildings deduct 20 percent
c. N.P. = not permitted
d. Unfinished basements (Group R-3) = $31.50 per sq. ft.

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 7.D. Approval of Special Event Street Closure: 29th Annual Cruisin' Sunday Car, Truck & Bike Show (Wallace)
Meeting Date: March 24, 2026
Presenter: Brandy Wallace, City Clerk

Summary and Background:
Staff received a special event application for the 29th Annual Cruisin' Sunday Car, Truck & Bike Show, scheduled for Sunday, August 30, 2026. The application states the following:

EVENT: 29th Annual Cruisin' Sunday Car, Truck, and Bike Show
TYPE: Car, Truck, and Bike Show
DATE: Sunday, August 30, 2026
TIME: Setup starts Saturday, August 29, 2026 and is open to public on August 30, 2026 at 8:00 AM until 4PM
LOCATION: Christian Life Center, 1780 SE Lincoln Avenue
CLOSURE(S): Mitchell Road SE from Bethel to the Lincoln Avenue intersection, and Lincoln Avenue SE from Mitchell Road SE to the Northeast corner of the church property.

The required notice, pursuant to POMC 5.94.050(3), allowing citizens to provide written comments regarding how allowing the special event will impact their property, business, or quality of life has been published and to-date, the City has received no written concerns regarding this event taking place. Staff and outside agencies have reviewed the application and are working towards ensuring safety measures and traffic control are in place.

The applicant is requesting closure of several streets. Pursuant to Port Orchard Municipal Code 5.94.050(4), staff shall bring forward the special event application to the City council for approval when the event requires a street or highway closure.

Staff is in support of the road closures, as presented, and is continuing to work on the final details of the event with the applicant, ensuring street closures are to the safety and traffic control standards outlined in City, State, and Federal codes.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends the approval of the road closures, as presented.

Motion for Consideration: I move to approve the road closures for Cruisin' Sunday Car, Truck, and Bike Show, event scheduled for Sunday, August 30, 2026, as presented.

Has item been presented to Committee/Work Study? No
If so, which one:

Fiscal Impact: Revenue of $100 from applicant for a processing fee; General Fund.
Possible staff and equipment cost associated with closing the road; General Fund.

Alternatives: Deny the road closures and provide direction to staff.

Attachments:
1. Cruisin_Sunday_Special_Event_Application
2. Cruisin_Sunday_-_Site_Plans
3. 02.14.2024_TCP

Port ORCHARD

RECEIVED
FEB 04 2026
CITY OF PORT ORCHARD
CITY CLERK'S OFFICE

SPECIAL EVENT PERMIT APPLICATION

(PORT ORCHARD MUNICIPAL CODE 5.94 AND 5.96 and Resolution No. 022-25)
STANDARD PROCESSING FEE: $100.00

Event Information

Event Name:
29TH ANNUAL CRUISIN' SUNDAY CAR TRUCK & BIKE SHOW (CRUISE-FOR-FOOD DRIVE)

Type of Event: ☐ Festival ☐ Walk/Run ☐ Parade ☐ Vendor Fair ☐ Concert
☐ Block Party ☒ Other: COMMUNITY EVENT

Event or Organization Website:
CRUISIN'SUNDAY.COM OR FACEBOOK: CRUISIN' SUNDAY

Description of event:
IT'S A COMMUNITY EVENT FOR ALL SEE ATTACHED LETTER

Event Date and Time

Event Dates: Indicate Dates/Times OPEN to attendees			**Hours:** Open until closing each day		**Expected Daily Attendance:**
Day 1	Day: SUNDAY	Date: 08/30/26	Start Time: 8:00 AM	End Time: 4:00 PM	EST. 5000 THROUGHOUT THE DAY
Day 2	Day:	Date:	Start Time:	End Time:	
Day 3	Day:	Date:	Start Time:	End Time:	
Day 4	Day:	Date:	Start Time:	End Time:	
Day 5	Day:	Date:	Start Time:	End Time:	
Event Setup Starts:			**Event Take Down Complete:**		***Total Attendance:*** *(add all rows and columns)* 5000 THROUGHOUT THE DAY
Start Day/Date: SATURDAY AUG 29 2026		*Start Time:* 8:00 AM	*End Day/Date:* SUN. / 30	End Time: 4:00 PM TEAR DOWN	
Event Location:	Describe the location that your event will be located at. Include street names and/or parks. Attached required map.				

CHRISTIAN LIFE CENTER 17801 LINCOLN AVE SE.
SEE ATTACHMENTS FOR STREET NAME & AREAS AROUND THE CHURCH -

Applicant Information*

Sponsoring Organization Name: CHRISTIAN LIFE CENTER					
Do you have an active City Business License? ☐ Yes ☒ No What is your UBI number?					
Applicant Contact Name: LARRY RUBID Title: EVENT COORDINATOR					
Physical Address: SAME AS CHURCH 1780 LINCOLN AVE SE. PORT ORCHARD WA			Mailing Address: (if different from street address) SAME		
City: PORT ORCHARD	State: WA	Zip: 98366	City: SAME	State:	Zip:
Phone: 360-876-5595	Alternate Phone: 360-710-4076		Email: CRUISINSUNDAY@GMAIL.COM		

Please note the applicant information provided may be shared for inquires made on event details

Admission Fees:

Does your event require a paid fee for participants and/or spectators?	☐ Yes	☒ No
Does your event require minimum or suggested donation for participants and/or spectators?	☐ Yes ASK	☐ No
Admission/participation fee/ suggest donations amount(s): • SHOW VEHICLE PARTICIPATION OF $10.00 IS ASKED BUT NOT REQUIRED • ADMISSION FOR THE PUBLIC IS FREE		

Use of City Streets and/or State Highway

STATE HIGHWAY:

Will this event require closure of a State Highway (most common is Bay Street/SR166)? ☐ **Yes** ☒ **No**

If yes, which highway: ☐ **Bay Street/SR 166** ☐ **Sedgwick Road** ☐ **Mile Hill Drive**

For State Highway Closures, the sponsoring organization must submit the application to the city at least 120 calendar days before the event date. Upon city approval of the event, the sponsoring organization shall seek permission from the Washington State Department of Transportation (WSDOT) by completing an online application. Once permission is granted from WSDOT, a copy of the Letter of Acknowledgment or an Agreement will need to be provided to the city 45 days prior to the event. WSDOT's online application is located at: https://www.wsdot.wa.gov/contact/events/spe

CITY PROPERTY/STREETS (Right-of-way): Port Orchard Municipal Code 5.94.020(7) states "Right-of-way (ROW)" means any road, public parking lot, city street, highway, boulevard or place in the city open as a matter of right to public travel and shall include arterials, neighborhood streets, alleys, bicycle paths and pedestrian ways; including streets or portions thereof which are designated as portions of the state highway system."

Will this event require closure of any of the below public property/ right-of-way? ☐ Yes ☒ No

If yes, indicate what type of public property is requested to be closed and the location (select all that apply):

A. City Park(s):

☐ Van Zee Park ☐ McCormick Village Park ☐ Central Park ☐ Givens Park

☐ Paul Powers Park ☐ Etta Turner Park ☐ Rockwell Park

B. Parking Lot(s):

☐ Lot 2, which lies between Frederick Street and Sidney Avenue, north of Bay Street.

☐ Lot 5: all parking on City Hall property in front of the Police department

☐ Lot 8: employee parking lot east of City Hall adjacent to Prospect Alley which is between Kitsap Street and Prospect Street.

C. Sidewalk(s) describe the location of the sidewalk being closed: NONE WILL BE CLOSED

D. Street(s): ***please fill out the "Details of Closure" section below and provide a traffic control plan of the area impacted.***

1) Details of Closure(s):

Street Name:	Between (cross street):	And (cross street):	Start Date:	Start Time:	End Date:	End Time:
Example Sidney Ave	*Kitsap Street*	*Division Street*	*00/00/0000*	*00:00 am*	*00/00/0000*	*00:00 pm*

Additional details: (attach additional pages as needed for more streets and/or more details about use.)

SEE ATTACHMENT FOR DETAIL INFO.

2) Traffic Control Plan: PREPARE THROUGH RCE TRAFFIC CONTROL INC. BOX 726 PORT ORCHARD

A traffic control plan is required for all street and highway closures and **must be submitted with this application.** See https://fi.portorchard.com. The following is required to be on the plan(s):

☑ **Detour route(s)** ☑ NONE **Pedestrian and Bicycle routes** ☑ **Volunteers:** how many, where, how long, etc.

☑ **Signs/Barriers:** How many, what kind of signs, were will they be located, who is putting them up, who will be taking them down, etc. SEE ATTACHMENT

☐ **Certified flaggers:** how many will there be, where will they be stationed, what time will they be there, what time will they be gone, etc. NO FLAGGERS REQUIRED ONLY FOR SETUP OF SIGNS

Should your event require traffic control and certified flaggers to manage the road closures, provide the following information:

Name of the Traffic Control company:		
Point of Contact Name: BRANDY AMES / SHERYL DUNN		
Phone: 360-874-9661	Alternate Phone: BRANDY 360-710-0019	Email: rcetrafficcount@aol.com

Public Works and Police Services

Special events may require the use of public works and police officers for public safety. This may result in additional costs to the organizer. The organizer will be notified if coordination with the Public Works and Police is required.

The following are services that will be required to be charged to the organizer: DONE REQUIRED

Public Works:
- Setting up street closure signs
- Setting up barricades

Police:
- Setting up command center on event site
- Officers providing security

Please provide who the invoice should be sent to:

Name company:		
Name: —— N/A		
Address:		
Phone:	Alternate Phone:	Email:

Parking Impacts

Have parking impacts been coordinated with neighbors (residential/business)? ☒ Yes ☐ No EVERY YEAR

If yes, how will parking be provided for participants and visitors (including handicapped parking)? You may submit a map to show the available parking for this event in place of providing a written description below.

SEE ATTACHMENT / MAP

**The City of Port Orchard cannot grant permission for the use of private property for parking. It is the event sponsor's responsibility to contact property owner (business, residential, schools) if you want permission to park on their property.*

Neighborhood – Business Notification

The city clerk's office shall notify the public of each special event proposed to allow citizens to provide written comments regarding how allowing the special event will impact their property, business or quality of life. The city clerk will consider any information provided and may deny the special event permit application if a showing is made of severe financial impact or other undue hardship on a citizen's property, business or quality of life.

Alcohol Sales/Services

The sale, service and consumption of alcoholic beverages are subject to Washington State Liquor & Cannabis Board (WSLCB) regulations, licensing, and permit requirements. WSLCB Special Occasion and other Licenses and related fees for alcohol sales/service at events are not included in the City's Special Event Permit. Visit the WSLCB website, https://lcb.wa.gov/ for additional information and to apply for the appropriate license / Permit.

Will alcohol be sold or consumed at your event? ☐ **Yes*** ☒ **No**

If yes, you must contact the Washington State Liquor and Cannabis Board for a special liquor license.

Food Sales/Service

You will need to reach out to the Kitsap Public Health District as they may require a temporary food establishment permit. Visit their website at https://kitsappublichealth.org/FoodSafety/FoodSafety.php or call (360) 728-2235 for information.

Will your event have any food service and/or sales? ☒ **Yes** ☐ **No** If yes, how many: CHURCH PROVIDING ONLY

Will your event have professional catering? ☐ **Yes** ☒ **No** If yes, how many: VOLUNTEERS LICENSED FOOD HANDLERS THAT RUN OUR CAFE KITCHEN

Will your event have food truck(s)? ☐ **Yes** ☒ **No** If yes, how many: _____

Washington State Fire Code section 105.6.30 Mobile food preparation vehicles is defined as:

An operational permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors or utilize LP-gas systems or CNG systems. Contact Community Development.

- https://fireportorchard.com/
- https://fireportorchard.com/wp-content/uploads/2021/12/Mobile-Food-Preparation-Vehicle-Operational-Permit-Application.pdf

Garbage and Recycling

Collection Stations: How many bins are you providing as collection containers at your event?

Recycle _____ Garbage 20-30 THROUGHOUT THE AREAS

2- LOYARD DUMPSTERS WILL BE PROVIDED BY WM

Will you manage your own recycling and garbage collection or will it be managed by a vendor?	
Self-Haul: ☐ Yes ☐ No	List vendor/company, if applicable: WM
Detail your plan for waste management within the event area and surrounding neighborhood: WE HAVE A BEAUTIFICATION CREW (CHURCH VOLUNTEERS) THAT WILL COLLECTING TRASH THROUGHOUT THE DAY AND DUMPING THE TRASH INTO THE "WM DUMPSTER FOR COLLECTION BY "WM" ON THE FOLLOWING TUESDAY WM WILL COLECT THE DUMPSTER	

Restrooms

Prove the number of restrooms that will be available to the public for your event: ✓ Males ✓ Females ✓ Handicap

Below is an example of the estimated amounts needed per number of users recommended in the *FEMA Special Events Contingency Planning: Job Aids Manual March 2005 (updated May 2010).*

Toilet facilities for events where alcohol is not available

	Males			Females	
Patrons	Toilets	Urinals	Sinks	Toilets	Sinks
<500	1	2	2	6	2
<1,000	2	4	4	9	4
<2,000	4	8	6	12	6
<3,000	6	15	10	18	10
<5,000	8	25	17	30	17

Toilet facilities for events where alcohol is available

	Males			Females	
Patrons	Toilets	Urinals	Sinks	Toilets	Sinks
<500	3	8	2	13	2
<1,000	5	10	4	16	4
<2,000	9	15	7	18	7
<3,000	10	20	14	22	14
<5,000	12	30	20	40	20

These figures may be reduced for shorter duration events as follows:

Duration of event	Quantity required
More than 8 hours	100%
6-8 hours	80%
4-6 hours X	75%
Less than 4 hours	70%

Master Multi-Vendor Event License

Will your event have vendors? ☐ Yes ☒ No NO SELLING DURING EVENT

If so, how many anticipated exhibitors/vendors will be at your event? 9

If so, will they be selling merchandise and/ or food? ☐ Yes ☒ **No** – If you indicated Yes, please see the **Food** section on Page 4 of this application.

POMC 5.96, if your event has two or more vendors engaged in public property vending, you are required to have a Master Multi-Vendor Event License (MMVEL). The MMVEL fee is $15.00 per day or $200 per month. POMC 5.96.020(3)(a) states the sponsor of the master event shall provide a list of participating vendors, their business names, their addresses and their State Tax Revenue Identification Numbers to the city clerk within three working days after the first day of the operation.

- No public vending is allowed within twenty-five (25) feet of any municipal building, monument, or fountain, OR within ten (10) feet of intersection sidewalks.
- Vending devices must be removed from vending sites daily between the hours of 10:00 p.m. and 6:00 a.m.
- Vending devices and vending sites must always be clean and orderly. The vendor must furnish a suitable refuse container and is responsible for the daily disposal of refuse deposited therein. Refuse containers must be removed each day along with vending devices.
- Vendors may engage in public property vending only in the location specified in the public property license. The location shall be deemed the vending site.
- Utility service connections are not permitted, except electrical when provided with written permission from the adjacent property owner. Electrical lines are not allowed overhead or lying in the pedestrian portion of the sidewalk.
- No mechanical audio or noisemaking devices are allowed, and no hawking is allowed.
- A vinyl or canvas umbrella may be added to the vending device, but its open diameter may not exceed eight and one-half feet. Any part of the umbrella must have a minimum of seven feet of vertical clearance to the area on which the vending device stands.
- Individual vendor advertising signs may be placed only upon the vending device. Temporary master event advertising signs may be placed as approved by the city engineer; and
- No conduct shall be permitted which violates any other section of the Port Orchard Municipal Code.

Tents

Does your event include a tent or membrane structure? ☒ **Yes** ☐ **No** ☐ **Not Applicable**

If yes, what is the tent size: SEE ATTACHMENT 1 Does the tent have sides? ☐ **Yes** ☒ **No** ☐ **N/A**

May be required to obtain a permit per POMC 20.200.016.Pplease contact Community Development (360) 874-5533.

Event Signage

Are you planning to put up temporary signs? ☐ Yes ☑ No

POMC 20.132.290 **"Temporary sign" (which may include special event sign) means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of nondurable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20-ounce fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this chapter. Please contact the Community Development Department at (360) 874-5533 if you have questions or if you need to apply for a sign permit.**

Amplified Sound

Does your event have any amplified sound? ☒ Yes ☐ No

Indicate dates/time of any amplified sound below:			
Day: AUG SAT. SUNUP	Date: AUG 29	Start Time: 11:00 AM	End Time: 3:00 PM
Day: SUNDAM EVENT	Date: AUG 30	Start Time: 8:00 AM	End Time: 4:00 AM
Day:	Date:	Start Time:	End Time:
Describe what sound will be amplified, and at what hours (e.g., 7:00am announcements, 8:00am background music, etc.): 8:00 AM - ANNOUNCEMENTS START SEE ATTACHMENT			
Describe what equipment will be used for amplified sound, and at what locations (show in maps): SEE ATTACHMENT			
Describe schematics and direction of amplified sound (show in maps, attach supporting documents as needed SEE ATTACHMENT			

Noise levels generated shall not be in excess of allowable levels, consistent with POMC 9.24.050. For more information please contact the Port Orchard Police Department (360) 876-1700.

Site Map

A site map is **required** to be submitted to include the following when applicable:

- Vendors
- Beer Garden
- Signage
- Canopies/Tents
- Public entrances and exits
- Road closures and detours
- Traffic patterns with directional arrows/routes
- Fire Lanes

- Surrounding street names
- Garbage/Recycling
- Barricades
- Food trucks
- Generators
- Cooking areas
- First Aid
- Parking
- Restrooms
- Wash stations
- If event is a run/walk, list start and stop locations and water/rest stations:

Insurance

The sponsoring organization must submit proof of liability insurance naming the City of Port Orchard as an additional insurec by endorsement. Coverage shall remain in force throughout the event. The policy shall have primary coverage limits of at least the following:

$1,000,000 Liability and $1,000,000 Bodily Injury

Additional insurance may be required where alcohol is bing served. Special Event Insurance for events held at city-owned facilities can be purchased at http://eventinsurancehubintern ational.com/.

Release

I certify that the event for which this permit is to be used will not be in violation of any City of Port Orchard ordinance.

By applying for this special event permit, the organization or entity obtaining such permit agrees to defend, indemnify, and hold harmless the City, its officers, officials, employees and volunteers from all claims, injuries, damages, losses, or suits, including attorney fees and costs, arising out of or in conjunction with the activities or operations performed by the applicant or on the applicant's behalf resulting from the issuance of this permit, except for injuries and damages caused by the sole negligence of the City.

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

I, as the President or Chair of my organization, agree to the terms and conditions listed above.

Signature of President/Chair of Organization	Larry Rubio	2/3/2026
	Print Name	Date

FOR CITY CLERK'S OFFICE USE ONLY

Date Special Event Fee Paid ($100):_____ Receipt No.:_____

Insurance Certificate(s) Received: _____

Does event require a Master Multi-Vendor License: ☐ Yes ☒ No

If Yes: ☐ $15/day fee ☐ $200/monthly fee

Number of days: _____ Total Amount: _____ Date paid: _____ Receipt No.:_____

Department/Agency Routing:

☐ Police ☐ Public Works ☐ Finance ☐ Community Development ☐ Kitsap Transit ☐ Clerk's Office ☐ Health District

Public Notice Dates: _____ Council Action Date:_____

SPECIAL EVENT PERMIT APPLICATION INSTRUCTIONS

(PORT ORCHARD MUNICIPAL CODE 5.94 AND 5.96)

Thank you for your interest in holding a special event in the City of Port Orchard. This application contains information you need to apply for a special event permit. Included is a checklist designed to help you when submitting this application, and tips for a successful event.

What are the fees associated with a special event?

- There is a **$50** non-refundable administrative fee to process each application.
- If two or more vendors are engaged in public property vending, you are required to have a master multi-vendor event license. The fee is **$15** per event day.
- Closure of Lots 3 and 4 commonly known as waterfront parking, during a weekday and excluding federal holidays, the applicant shall compensate the city for lost revenue for use of the parking lots.

When should the special event application be submitted to the City?

- The application shall be filed with the city clerk's office no less than 90 calendar days, nor more than one calendar year, before the date when the proposed special event is to take place. A Special Event Reservation Form can be submitted by February 1st of each year to reserve your proposed special event, if the event was held on the same day and location as the previous year. Please note that it provides no guarantee that your event will be approved.
- **If your event requires any road closures, the application must be submitted at least 120 calendar days before the event date.**

What is a special event?

A special event is defined in the Port Orchard Municipal Code (POMC) as "any organized formation of an activity proposed to occur that affects the public's ordinary use of rights-of-way or public parks, including but not limited to runs, street dances, block parties and parades".

Can I hold a special event in a City owned park?

City parks are available on a first-come, first-served basis. The City does not reserve parks for events. However, POMC 9.60 'Park Rules' states in part that no person can solicit, or offer for sale any article or thing, or use any stand, cart or vehicle for the sale or display without authorization from the City Council. In addition, no animals are allowed in City parks other than dogs or cats.

What types of events are considered special events?

- Parades
- Runs/Walks
- Festivals
- Block Parties
- Car Shows
- Vendor Fairs
- Concerts
- Community awareness events
- Outdoor movies
- Street dances
- Other similar event

What if my event is outside Port Orchard City limits or on property not owned by the City?

If your event is outside Port Orchard city limits, you will need to contact Kitsap County at 360.337.5777. If your event is on private property, you will need to contact the property owner and Port Orchard Department of Community Development to learn if the event triggers permitting requirements under the adopted fire code. If your event is utilizing the property of the Port of Bremerton, you will need to contact the Port of Bremerton. If your event is utilizing both City property and property that is NOT owned/leased by the City, written approval is required by the owner/manager of the private property and must be included with your application.

Can I ask for road closures or detours for a 5K run/walk or similar event?

If the event is a parade or run, the following information and/or documentation are required:

- A traffic control plan.
- Provide evidence that the appropriate number of Certified flaggers described in the traffic control plan will be provided.

What is the special event application process?

- Submit to the City Clerk's office a Special Event Reservation form (if applicable).
- Submit the completed application to the City Clerk's office with required fee(s), 90 days before the event. If the application and/or additional documents are not completed or submitted, the application will not be accepted until fully completed.
- The City will forward the event application to other departments and agencies for review and comment.
    - If the event requires closure of City streets, the application is also required to be brought before the City Council during a regular City Council meeting. The applicant will be notified of the date of the meeting and the City Council's decision.
    - If the event requires closure of a State Highway, POMC 5.94.030(4) states a completed application shall be filed no less than 120 days before the proposed special event is to take place. POMC 5.94.040(13) states upon council approval, the applicant must provide to the City Clerk's office, no more than 45 days after submitting the application, at least one of the following three documents: (a) event agreement with WSDOT; (b) letter of acknowledgement from WSDOT; or (c) written proof that the event organizer has submitted the completed application to WSDOT.

- If the event requires closure of City streets, a traffic control plan may be required.
- If your event is utilizing the downtown parking lots (lots 3 and 4), commonly known as waterfront parking, for two or more consecutive days it will require council approval and the applicant shall compensate the city for lost revenue for use of the parking lots.
- If there are questions or concerns by the other departments or jurisdictions, the applicant will be contacted to address these concerns.

- Depending upon the event, other licenses or permits may be required.
- The City will notify the public of the event and ask if there are any concerns regarding impact to property, business, or quality of life.

Special Event Permit Application Checklist

Please use this list to ensure you have included all supporting documentation with your special event application.

☐ If your event coincides with another organizations event in the same location, please provide written approval from the event organizer that indicates their approval of your event.

☐ Reviewed Special Event Tool Kit

☐ Written approval from property owner if location is on non-City owned property (if applicable) (**Page 2**)

☐ Special Event Fee (Check, Cash, Credit Card) (**Page 3**)

☐ Insurance Certificate, with endorsement, provided at least 30 days prior to event date (Page 4)

☐ If there are road closures, have you attached a traffic control plan (Page 6)

☐ Special Liquor License (if applicable) (**Page 7**)

☐ Contact Department of Community Development for sign permit or food trucks (if applicable) (**Page 7 and 9**)

☐ Master Multi-Vendor Event License fee (if applicable) (**Page 8**)

☐ Contact Department of Community Development for tent permit (if applicable) (**Page 9**)

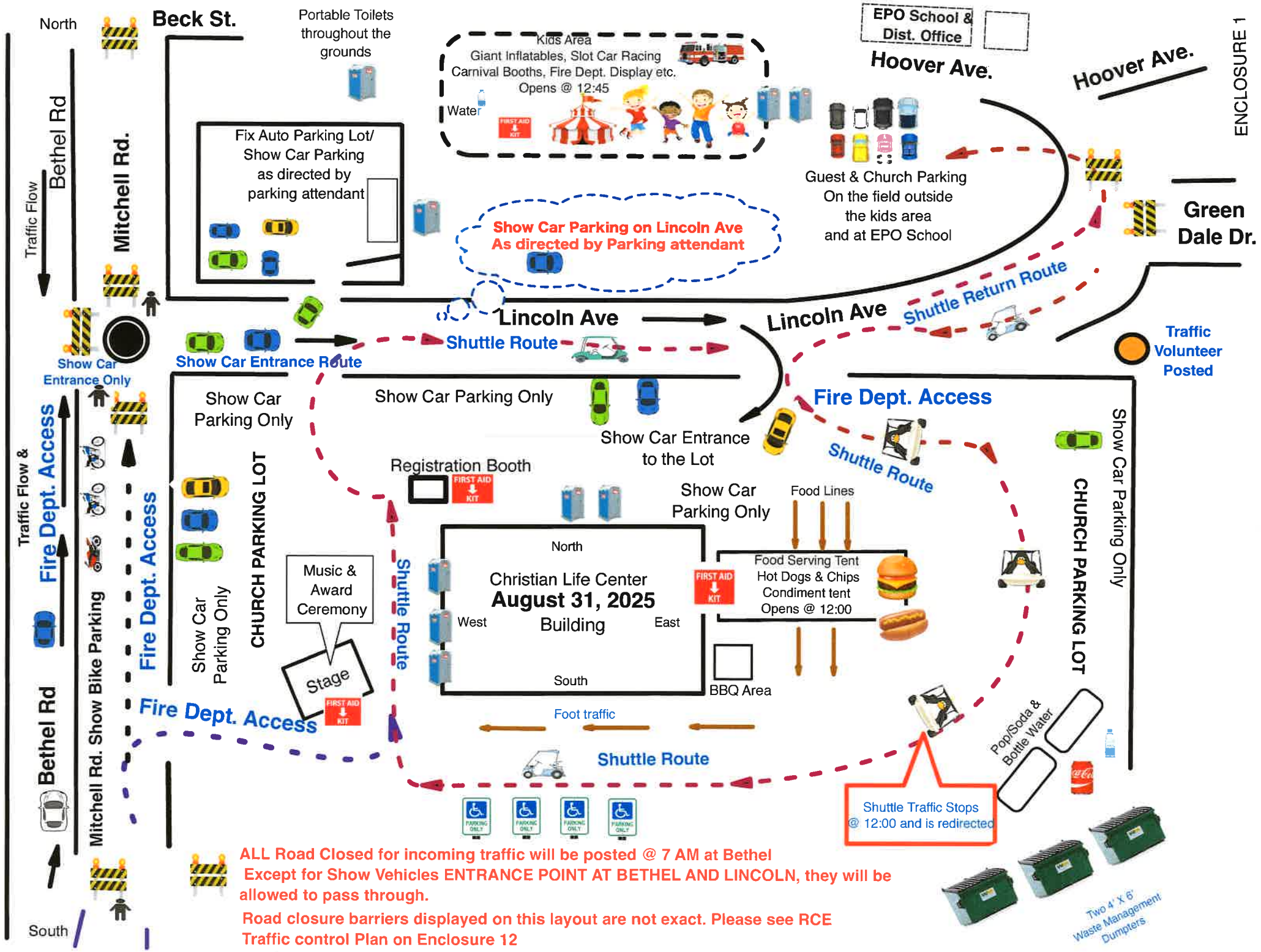
☐ Completed site map (**Page 10**)

☑ Special Event Application/Release is completed and signed by the President or Chair of organization (**Page 10**)

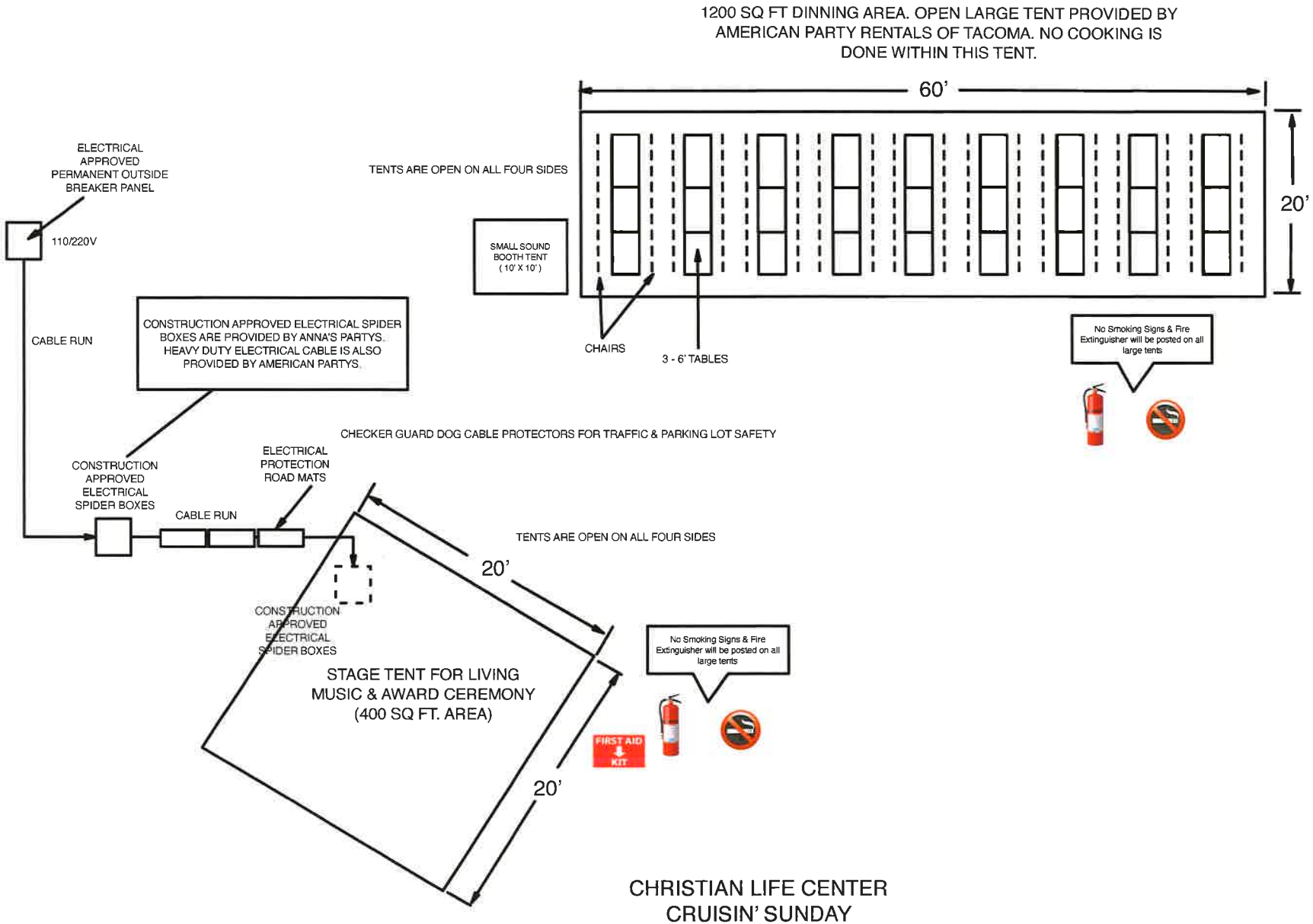
☐ Upon event approval, use of State Highway Letter of Acknowledgment or an Agreement that is received from the Department of Transportation if State Highway is requested to be closed (**Page 5**)

Tips for a successful event

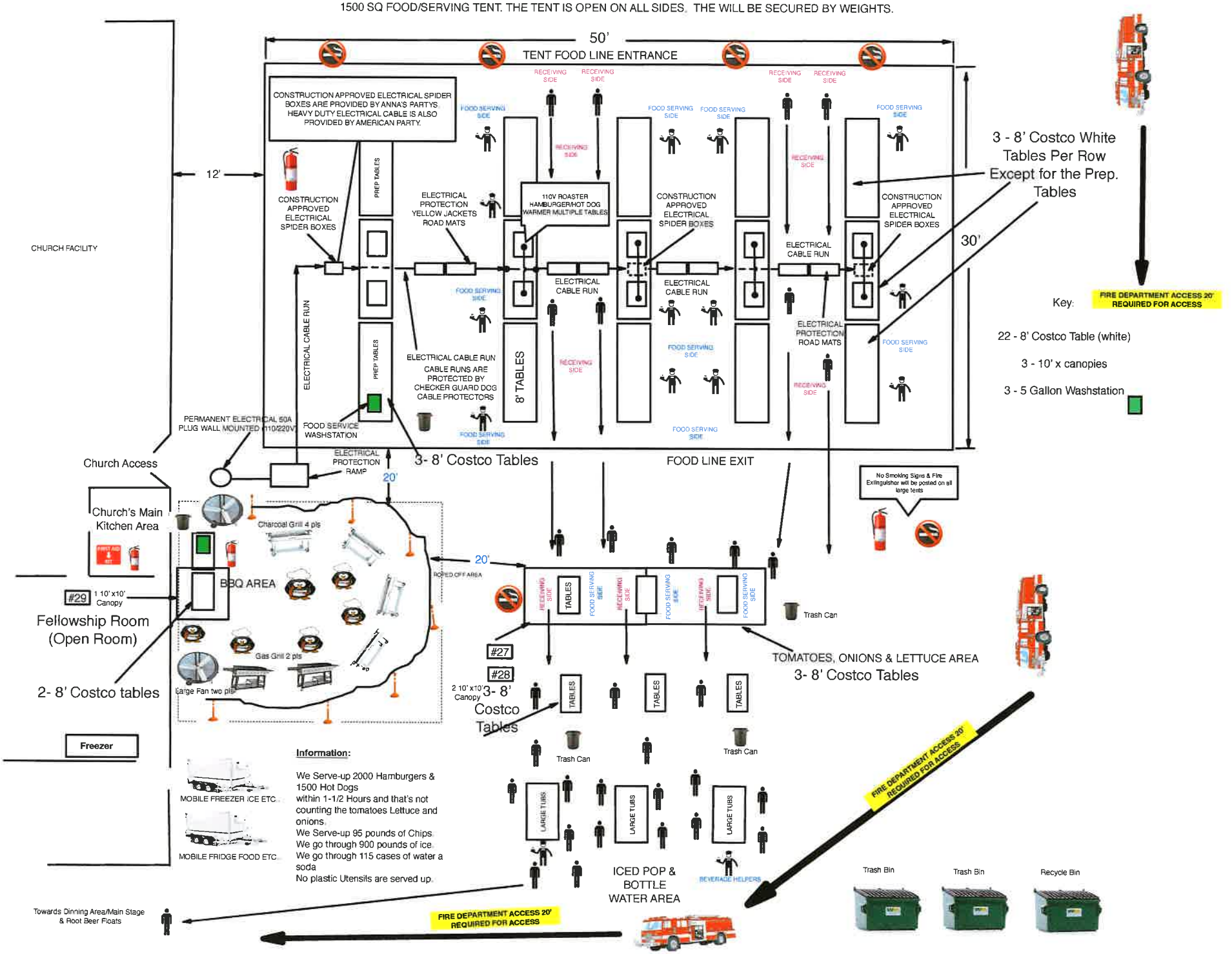
- ❖ Contact the local media (Kitsap Sun, Port Orchard Independent, etc.).
- ❖ Post information on your social media site.
- ❖ Contact the Port Orchard Chamber of Commerce or Port Orchard Bay Street Association.
- ❖ Attend a City Council meeting to speak during citizen comments letting council and public know of your event.


ENCLOSURE 1
North
Beck St.
Portable Toilets throughout the grounds
Kids Area
Giant Inflatables, Slot Car Racing
Carnival Booths, Fire Dept. Display etc.
Opens @ 12:45
Water
EPO School & Dist. Office
Hoover Ave.
Hoover Ave.
Traffic Flow
Bethel Rd
Mitchell Rd.
Fix Auto Parking Lot/
Show Car Parking
as directed by
parking attendant
Show Car Parking on Lincoln Ave
As directed by Parking attendant
Guest & Church Parking
On the field outside
the kids area
and at EPO School
Green Dale Dr.
Lincoln Ave
Lincoln Ave
Shuttle Return Route
Shuttle Route
Traffic Volunteer Posted
Show Car Entrance Only
Show Car Entrance Route
Show Car Parking Only
Show Car Parking Only
Show Car Entrance to the Lot
Fire Dept. Access
Shuttle Route
Traffic Flow &
Fire Dept. Access
Fire Dept. Access
Registration Booth
Show Car Parking Only
Food Lines
CHURCH PARKING LOT
Show Car Parking Only
North
Christian Life Center
August 31, 2025
Building
West
East
South
Food Serving Tent
Hot Dogs & Chips
Condiment tent
Opens @ 12:00
Music & Award Ceremony
Stage
Shuttle Route
BBQ Area
Foot traffic
Shuttle Route
Fire Dept. Access
Bethel Rd
Mitchell Rd. Show Bike Parking
Pop/Soda & Bottle Water
Shuttle Traffic Stops
@ 12:00 and is redirected
Two 4' X 6' Waste Management Dumpters
South
ALL Road Closed for incoming traffic will be posted @ 7 AM at Bethel
Except for Show Vehicles ENTRANCE POINT AT BETHEL AND LINCOLN, they will be allowed to pass through.
Road closure barriers displayed on this layout are not exact. Please see RCE Traffic control Plan on Enclosure 12

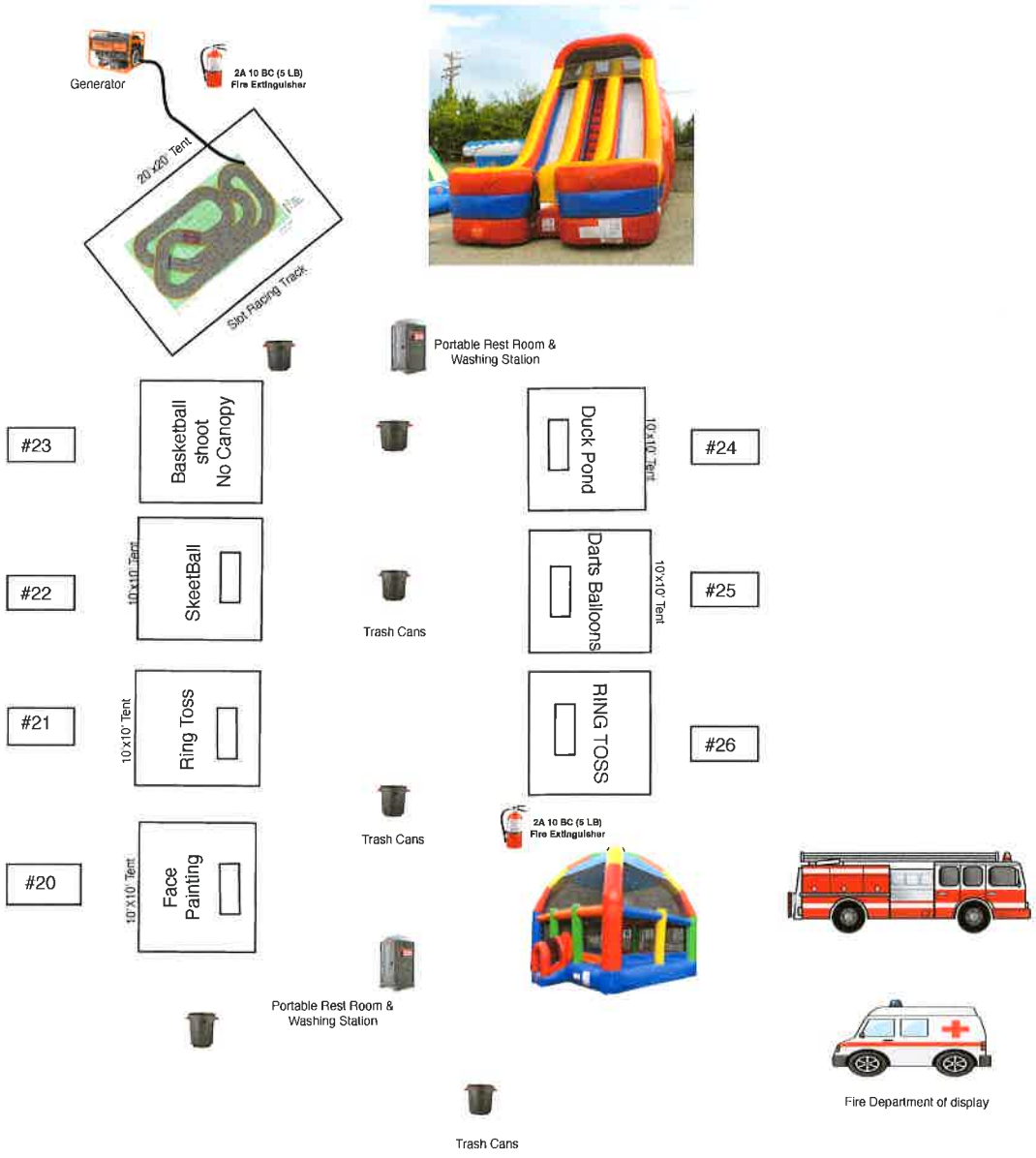
THIS TEMPORARY TENT SETUP IS ON THE CHURCH'S PROPERTY



CHRISTIAN LIFE CENTER
CRUISIN' SUNDAY
COMMUNITY EVENT


1500 SQ FOOD/SERVING TENT. THE TENT IS OPEN ON ALL SIDES. THE WILL BE SECURED BY WEIGHTS.
50'
TENT FOOD LINE ENTRANCE
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES ARE PROVIDED BY ANNA'S PARTYS. HEAVY DUTY ELECTRICAL CABLE IS ALSO PROVIDED BY AMERICAN PARTY.
12'
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
PREP TABLES
ELECTRICAL PROTECTION YELLOW JACKETS ROAD MATS
110V ROASTER HAMBURGER/HOT DOG WARMER MULTIPLE TABLES
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
ELECTRICAL CABLE RUN
ELECTRICAL CABLE RUN
ELECTRICAL CABLE RUN
ELECTRICAL CABLE RUN
ELECTRICAL PROTECTION ROAD MATS
8' TABLES
ELECTRICAL CABLE RUN CABLE RUNS ARE PROTECTED BY CHECKER GUARD DOG CABLE PROTECTORS
RECEIVING SIDE
FOOD SERVING SIDE
3 - 8' Costco White Tables Per Row Except for the Prep. Tables
30'
Key:
FIRE DEPARTMENT ACCESS 20' REQUIRED FOR ACCESS
22 - 8' Costco Table (white)
3 - 10' x canopies
3 - 5 Gallon Washstation
CHURCH FACILITY
PERMANENT ELECTRICAL 50A PLUG WALL MOUNTED 110/220V
FOOD SERVICE WASHSTATION
ELECTRICAL PROTECTION RAMP
3- 8' Costco Tables
FOOD LINE EXIT
Church Access
20'
Church's Main Kitchen Area
FIRST AID KIT
Charcoal Grill 4 pls
BBQ AREA
ROPED OFF AREA
#29
1 10' x10' Canopy
Fellowship Room (Open Room)
Gas Grill 2 pls
Large Fan two pls
2- 8' Costco tables
Freezer
No Smoking Signs & Fire Extinguisher will be posted on all large tents
20'
TABLES
Trash Can
#27
#28
2 10' x10' Canopy
3- 8' Costco Tables
TOMATOES, ONIONS & LETTUCE AREA
3- 8' Costco Tables
Trash Can
Trash Can
MOBILE FREEZER ICE ETC.
MOBILE FRIDGE FOOD ETC.
Information:
We Serve-up 2000 Hamburgers & 1500 Hot Dogs within 1-1/2 Hours and that's not counting the tomatoes Lettuce and onions.
We Serve-up 95 pounds of Chips.
We go through 900 pounds of ice.
We go through 115 cases of water a soda
No plastic Utensils are served up.
LARGE TUBS
LARGE TUBS
LARGE TUBS
ICED POP & BOTTLE WATER AREA
BEVERAGE HELPERS
Towards Dinning Area/Main Stage & Root Beer Floats
FIRE DEPARTMENT ACCESS 20' REQUIRED FOR ACCESS
FIRE DEPARTMENT ACCESS 20' REQUIRED FOR ACCESS
Trash Bin
Trash Bin
Recycle Bin

Proposed Kid's Area Setup



ONE WOODEN TABLES
& CHAIRS PER
CANOPY

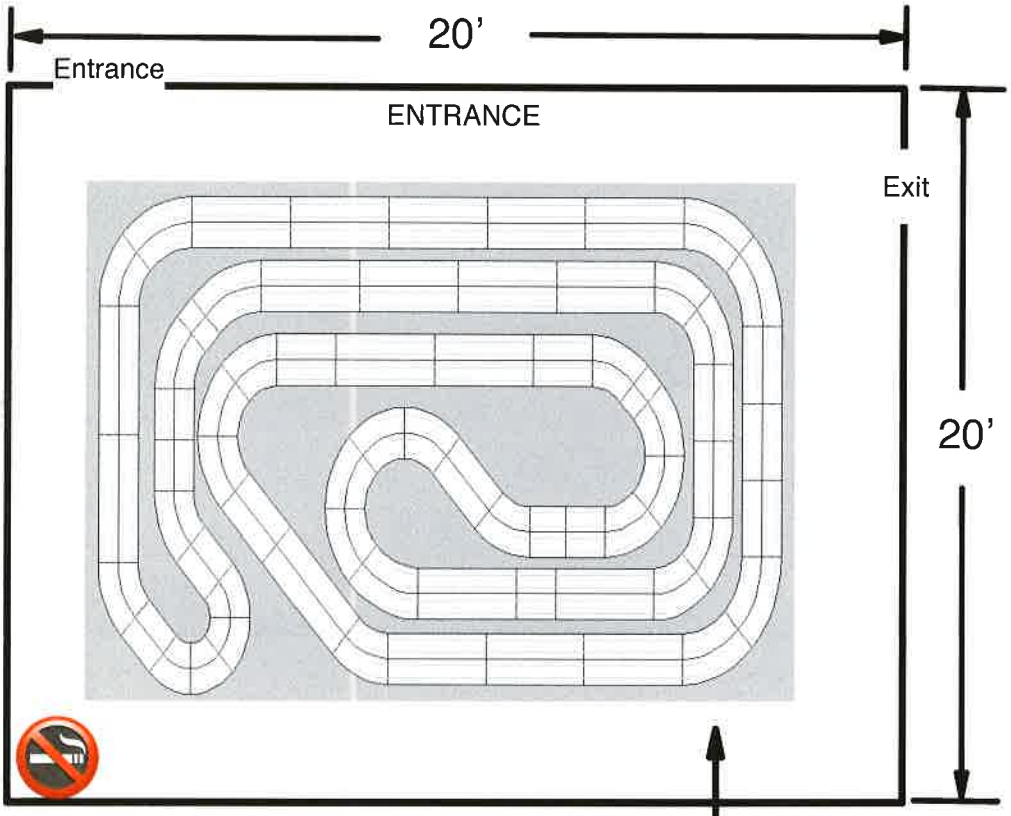
Key:

8 Wooden Tables (Rentals)
10 black folding chairs (Rentals)

This will be posted at each booth

SETUP IN KID'S AREA

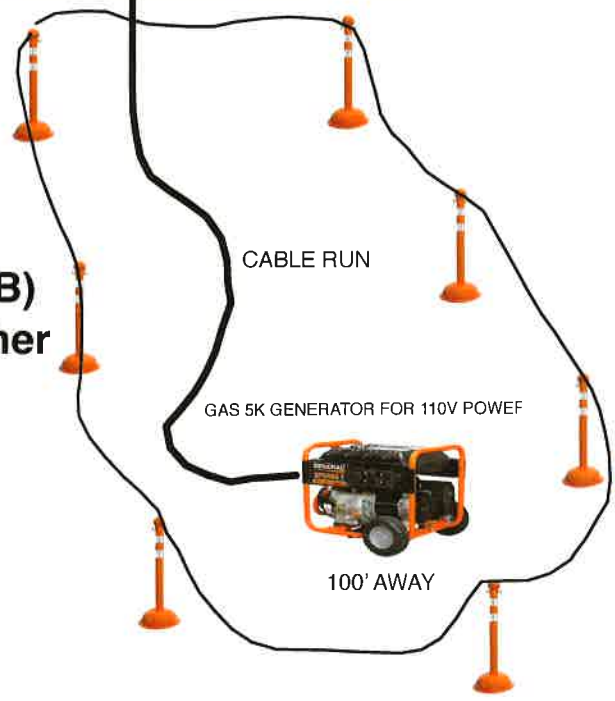
SLOT CAR TRACK RACING TENT 400 SQ FT'



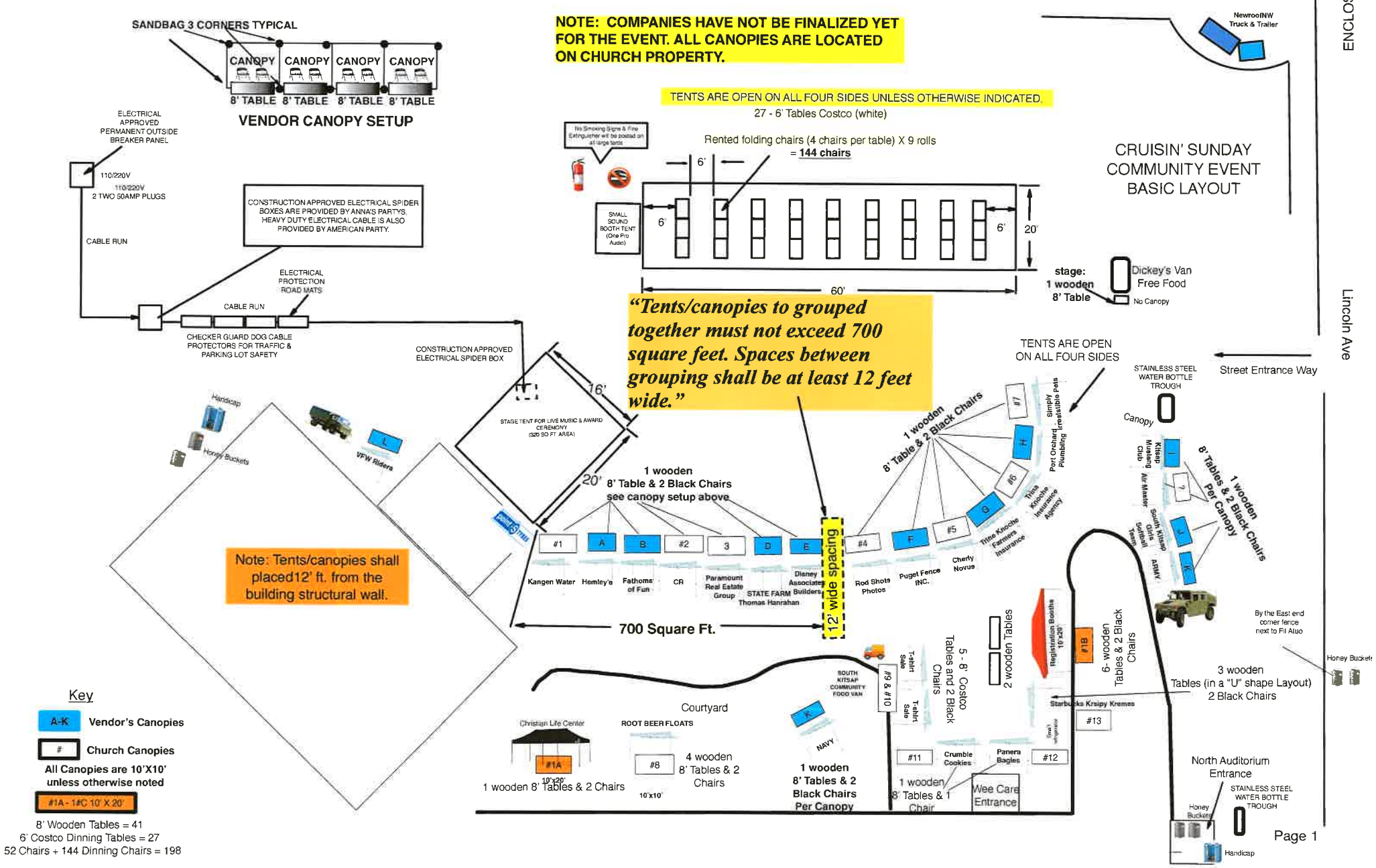
OPEN ON THREE SIDES
(But Roped off)

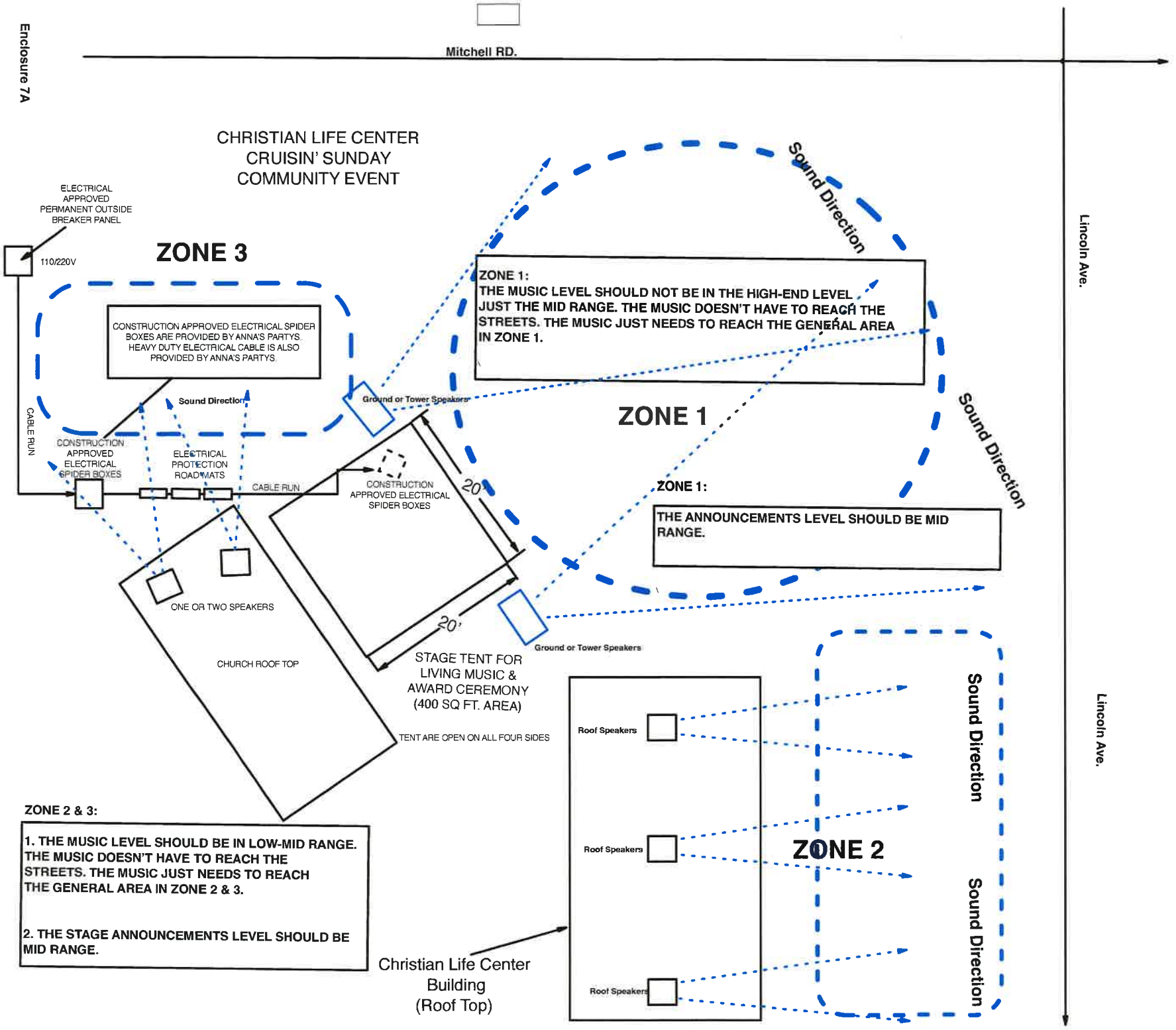


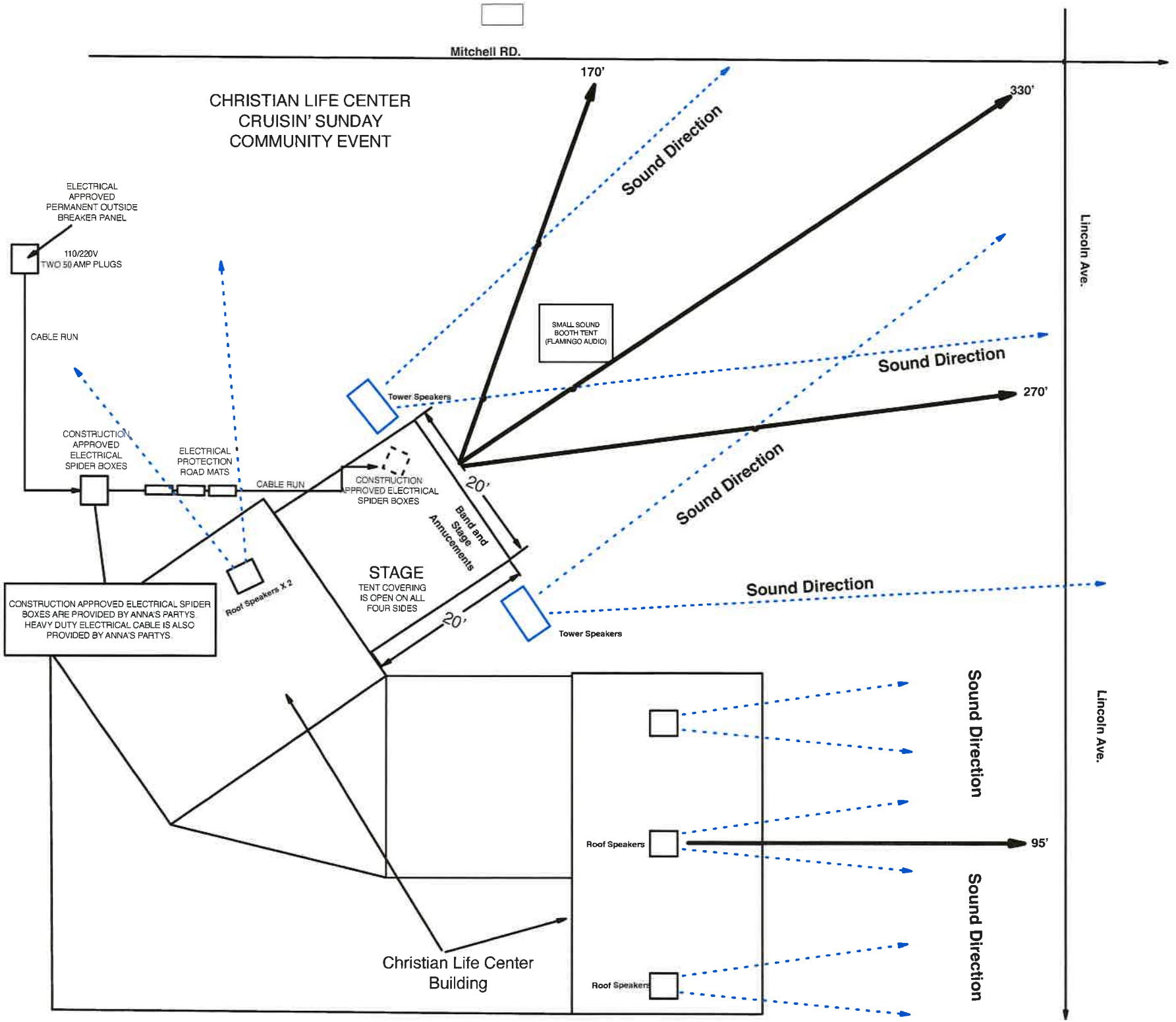
2A 10 BC (5 LB)
Fire Extinguisher



GENERATOR WILL BE PLACED IN AREA THAT ISN'T ACCESSIBLE BY THE PUBLIC, NEAR VEHICLES OR FOOD AREAS (OPEN FIELD AREA)


SANDBAG 3 CORNERS TYPICAL
CANOPY CANOPY CANOPY CANOPY
8' TABLE 8' TABLE 8' TABLE 8' TABLE
VENDOR CANOPY SETUP
NOTE: COMPANIES HAVE NOT BE FINALIZED YET FOR THE EVENT. ALL CANOPIES ARE LOCATED ON CHURCH PROPERTY.
NewrooINW Truck & Trailer
TENTS ARE OPEN ON ALL FOUR SIDES UNLESS OTHERWISE INDICATED.
27 - 6' Tables Costco (white)
Rented folding chairs (4 chairs per table) X 9 rolls = 144 chairs
CRUISIN' SUNDAY COMMUNITY EVENT BASIC LAYOUT
ELECTRICAL APPROVED PERMANENT OUTSIDE BREAKER PANEL
110/220V
110/220V 2 TWO 50AMP PLUGS
CABLE RUN
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES ARE PROVIDED BY ANNA'S PARTYS. HEAVY DUTY ELECTRICAL CABLE IS ALSO PROVIDED BY AMERICAN PARTY.
ELECTRICAL PROTECTION ROAD MATS
CABLE RUN
CHECKER GUARD DOG CABLE PROTECTORS FOR TRAFFIC & PARKING LOT SAFETY
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOX
SMALL SOUND BOOTH TENT (One Pro Audio)
6' 6' 6' 20' 60'
stage: 1 wooden 8' Table
Dickey's Van Free Food
No Canopy
"Tents/canopies to grouped together must not exceed 700 square feet. Spaces between grouping shall be at least 12 feet wide."
TENTS ARE OPEN ON ALL FOUR SIDES
Street Entrance Way
Lincoln Ave
STAINLESS STEEL WATER BOTTLE TROUGH
Canopy
STAGE TENT FOR LIVE MUSIC & AWARD CEREMONY (320 SQ FT AREA)
16' 20'
1 wooden 8' Table & 2 Black Chairs see canopy setup above
1 wooden 8' Table & 2 Black Chairs
8' Tables & 2 Black Chairs Per Canopy
Handicap
Honey Buckets
VFW Riders
Note: Tents/canopies shall placed12' ft. from the building structural wall.
#1 A B #2 3 D E #4 F #5 G #6 H #7 I J K
Kangen Water Hemley's Fathoms of Fun CR Paramount Real Estate Group STATE FARM Thomas Hanrahan Disney Associates Builders Rod Shots Photos Puget Fence INC. Cherly Novus Trine Knoche Farmers Insurance Trine Knoche Insurance Agency Port Orchard Plumbing Simply Irresistible Pets Kitsap Mustang Club Air Master South Kitsap Girls Softball Team ARMY
12' wide spacing
700 Square Ft.
Courtyard
Christian Life Center
#1A 10'x20'
1 wooden 8' Tables & 2 Chairs
ROOT BEER FLOATS
#8 10'x10'
4 wooden 8' Tables & 2 Chairs
NAVY
1 wooden 8' Tables & 2 Black Chairs Per Canopy
SOUTH KITSAP COMMUNITY FOOD VAN
#9 & #10
T-shirt Sale
5 - 8' Costco Tables and 2 Black Chairs
2 wooden Tables
Registration Booths 10'x20'
#11 Crumble Cookies Panera Bagels #12
1 wooden 8' Tables & 1 Chair
Wee Care Entrance
6- wooden Tables & 2 Black Chairs
Starbucks Krispy Kremes
#13
3 wooden Tables (in a "U" shape Layout) 2 Black Chairs
By the East end corner fence next to Fil Atuo
Honey Buckets
North Auditorium Entrance
STAINLESS STEEL WATER BOTTLE TROUGH
Honey Buckets
Handicap
Key
A-K Vendor's Canopies
Church Canopies
All Canopies are 10'X10' unless otherwise noted
#1A - 1#C 10' X 20'
8' Wooden Tables = 41
6' Costco Dinning Tables = 27
52 Chairs + 144 Dinning Chairs = 198


Mitchell RD.
Lincoln Ave.
Lincoln Ave.
CHRISTIAN LIFE CENTER
CRUISIN' SUNDAY
COMMUNITY EVENT
ELECTRICAL APPROVED PERMANENT OUTSIDE BREAKER PANEL
110/220V
ZONE 3
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES ARE PROVIDED BY ANNA'S PARTYS. HEAVY DUTY ELECTRICAL CABLE IS ALSO PROVIDED BY ANNA'S PARTYS.
Sound Direction
CABLE RUN
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
ELECTRICAL PROTECTION ROAD MATS
CABLE RUN
ONE OR TWO SPEAKERS
CHURCH ROOF TOP
Ground or Tower Speakers
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
20'
20'
STAGE TENT FOR LIVING MUSIC & AWARD CEREMONY (400 SQ FT. AREA)
TENT ARE OPEN ON ALL FOUR SIDES
ZONE 1:
THE MUSIC LEVEL SHOULD NOT BE IN THE HIGH-END LEVEL JUST THE MID RANGE. THE MUSIC DOESN'T HAVE TO REACH THE STREETS. THE MUSIC JUST NEEDS TO REACH THE GENERAL AREA IN ZONE 1.
ZONE 1
Sound Direction
ZONE 1:
THE ANNOUNCEMENTS LEVEL SHOULD BE MID RANGE.
Ground or Tower Speakers
ZONE 2 & 3:
1. THE MUSIC LEVEL SHOULD BE IN LOW-MID RANGE. THE MUSIC DOESN'T HAVE TO REACH THE STREETS. THE MUSIC JUST NEEDS TO REACH THE GENERAL AREA IN ZONE 2 & 3.
2. THE STAGE ANNOUNCEMENTS LEVEL SHOULD BE MID RANGE.
Christian Life Center Building (Roof Top)
Roof Speakers
Roof Speakers
Roof Speakers
ZONE 2
Sound Direction
Sound Direction


Mitchell RD.
CHRISTIAN LIFE CENTER
CRUISIN' SUNDAY
COMMUNITY EVENT
ELECTRICAL APPROVED PERMANENT OUTSIDE BREAKER PANEL
110/220V TWO 50 AMP PLUGS
CABLE RUN
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
ELECTRICAL PROTECTION ROAD MATS
CABLE RUN
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES
CONSTRUCTION APPROVED ELECTRICAL SPIDER BOXES ARE PROVIDED BY ANNA'S PARTYS. HEAVY DUTY ELECTRICAL CABLE IS ALSO PROVIDED BY ANNA'S PARTYS.
Roof Speakers X 2
STAGE
TENT COVERING IS OPEN ON ALL FOUR SIDES
Band and Stage Announcements
20'
20'
Tower Speakers
Tower Speakers
SMALL SOUND BOOTH TENT (FLAMINGO AUDIO)
170'
330'
270'
95'
Sound Direction
Sound Direction
Sound Direction
Sound Direction
Sound Direction
Sound Direction
Lincoln Ave.
Lincoln Ave.
Roof Speakers
Roof Speakers
Christian Life Center Building

425.771.7257
425.670.1656 fax
2004 196th Street SW, Ste 2
Lynnwood, WA 98036
www.morgansound.com

Morgan Sound

Quotation

Job Reference: J15823
Job Title: Christian Life Ctr-Crusin' Sunday 8-30-25
Job Date Out: August 30, 2025 6:00 AM
Job Date Back: September 1, 2025 6:00 AM
Client: Christian Life Center
1780 SE Lincoln Avenue
Port Orchard, WA 98366-3054

Quote Date: January 15, 2025
Salesperson: Steve Boyce
Handler: Kris Schmitt

Thank you for giving me the opportunity to send you this quotation. Enclosed are the specifications as requested. If you have any questions, do not hesitate to ask.

Equipment Title: Main Stage PA
Equipment Ref: J15823EQ01

Venue: Christian Life Center
1780 SE Lincoln Avenue
Port Orchard, WA 98366-3054

Start Date: Aug-30-25 6:00 am **End Date:** Sep-1-25 6:00 am
Setup: Aug-30-25 11:00 am **Show Start:** Aug-31-25 8:00 am
Show End: Aug-31-25 3:15 pm **Strike:** Aug-31-25 3:15 pm

Qty	Description

Main Stage PA

SOUND

SPEAKERS

16	JBL VTX A6 - Dual 6.5" Line Array Loudspeaker-110 deg
1	JBL VTX A6 Loudspeaker Kit w/ Rigging
8	JBL VTX B15 - 15" Sub-Compact Arrayable Subwoofer
6	Yamaha DHR12M - 12" Powered Wedge *RENTALS*

AMPLIFIERS

2	VTX Single 3500 Amp Rack

CABLING - SPEAKER

1	JBL VTX A6 Cable Trunk

CONSOLES / MIXERS

1	Allen & Heath SQ6 Digital Mixing Console
1	Allen & Heath GX4816 Stage box

WIRED MICROPHONES

1	Wired mics and DI's as needed

MIC STANDS & ACCESSORIES

1	XLR/Mic Stand - Kit

NETWORK

1	Netgear N600 Wireless Dual Band Router
1	Apple iPad 64GB
1	Network Cable - CAT6 - 150' Shielded [For SQ6]

Total for SOUND [redacted]

WIRELESS

IEM

1	Point to Point Wireless Kit (G1 470-530 & G6 470-506)

Total for WIRELESS [redacted]

RIGGING

ARRAY FRAMES

EXAMPLE ONLY

Qty **Description**

Main Stage PA

RIGGING

ARRAY FRAMES

2 JBL VTX A6 MF Mini Array Frame

RIGGING HARDWARE

4 Kuzar AGR-1 Line Array System Support

GROUND SUPPORT

2 Kuzar K-57 23' Lift

Total for RIGGING $[redacted]

Discount $[redacted]

Summary For J15823EQ01

Discount $[redacted]

Equipment SubTotal $[redacted]

Equipment Title: Roof Speakers
Equipment Ref: J15823EQ02

Venue: Christian Life Center
1780 SE Lincoln Avenue
Port Orchard, WA 98366-3054

Start Date: Aug-30-25 6:00 am **End Date:** Sep-1-25 6:00 am

Qty **Description**

Roof Speakers

SOUND

SPEAKERS

4 Yamaha DXR12 - 12" Powered Speaker *RENTALS*

1 Cabling and AC as needed

Total for SOUND $[redacted]

Discount $[redacted]

Summary For J15823EQ02

Discount $[redacted]

Equipment SubTotal $[redacted]

EXAMPLE DNU

Event Crew

All crew pricing is considered an estimate until the event schedule is finalized
Crew rates are hourly w/Overtime (1.5x hourly after 10hrs)

Driver to

Start	End
Aug-30-25 9:00 am	Aug-30-25 11:00 am

Qty.	Crew Member	Position	Rate	
1	Driver	Drive	$[redacted]	Total $[redacted]

Set Up Techs - 8 hr minimum

Start	End
Aug-30-25 11:00 am	Aug-30-25 7:00 pm

Qty.	Crew Member	Position	Rate	
1	A1	Setup	[redacted]	Total [redacted]
1	A2	Setup	[redacted]	Total [redacted]
1	A3	Setup	[redacted]	Total [redacted]

Event Day Techs

Start	End
Aug-31-25 7:00 am	Aug-31-25 5:00 pm

Qty.	Crew Member	Position	Rate	
1	A3	Show + Strike	[redacted]	Total [redacted]
1	A1	Show + Strike	[redacted]	Total [redacted]
1	A2	Show + Strike	[redacted]	Total [redacted]

Driver - from

Start	End
Aug-31-25 5:00 pm	Aug-31-25 7:00 pm

Qty.	Crew Member	Position	Rate	
1	Driver	Drive	[redacted]	Total [redacted]

EXAMPLE ONLY

Crew Total: [redacted]

Transportation

Trucking

Start	End	Destination
Aug-30-25 6:00 am	Sep-1-25 6:00 am	Christian Life Center

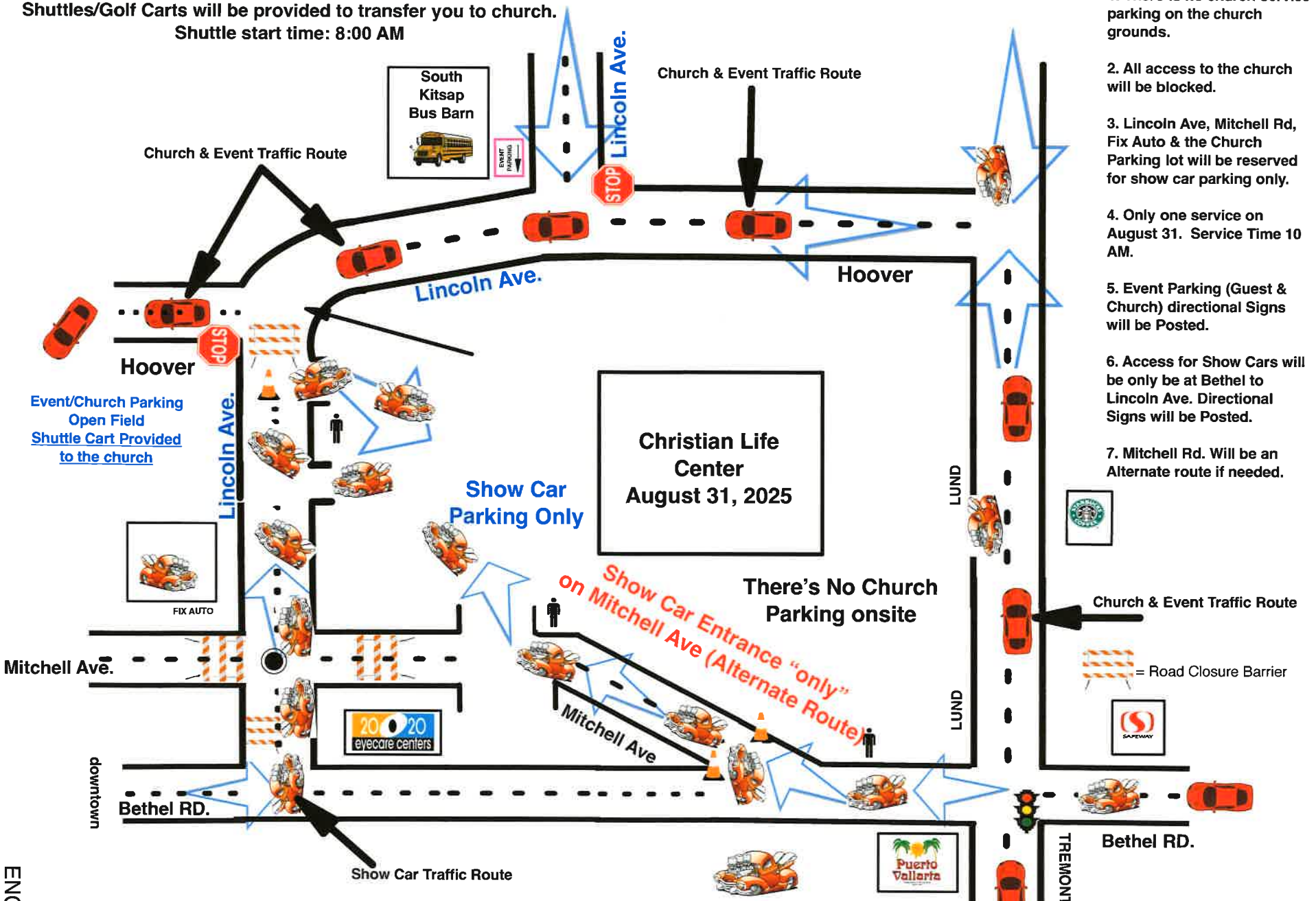
Qty	Vehicle Description	Daily Rate	Cost per mile	
1	Cube Truck	[redacted]	[redacted]	[redacted]

Total [redacted]

Miscellaneous Costs

Per Diems 3 x $68	[redacted]
Hotel Rooms - 3 one night	[redacted]
Total	[redacted]

Main Traffic Route for Show Entrance, Guest & Church Parking.
Shuttles/Golf Carts will be provided to transfer you to church.
Shuttle start time: 8:00 AM



1. There is no church service parking on the church grounds.

2. All access to the church will be blocked.

3. Lincoln Ave, Mitchell Rd, Fix Auto & the Church Parking lot will be reserved for show car parking only.

4. Only one service on August 31. Service Time 10 AM.

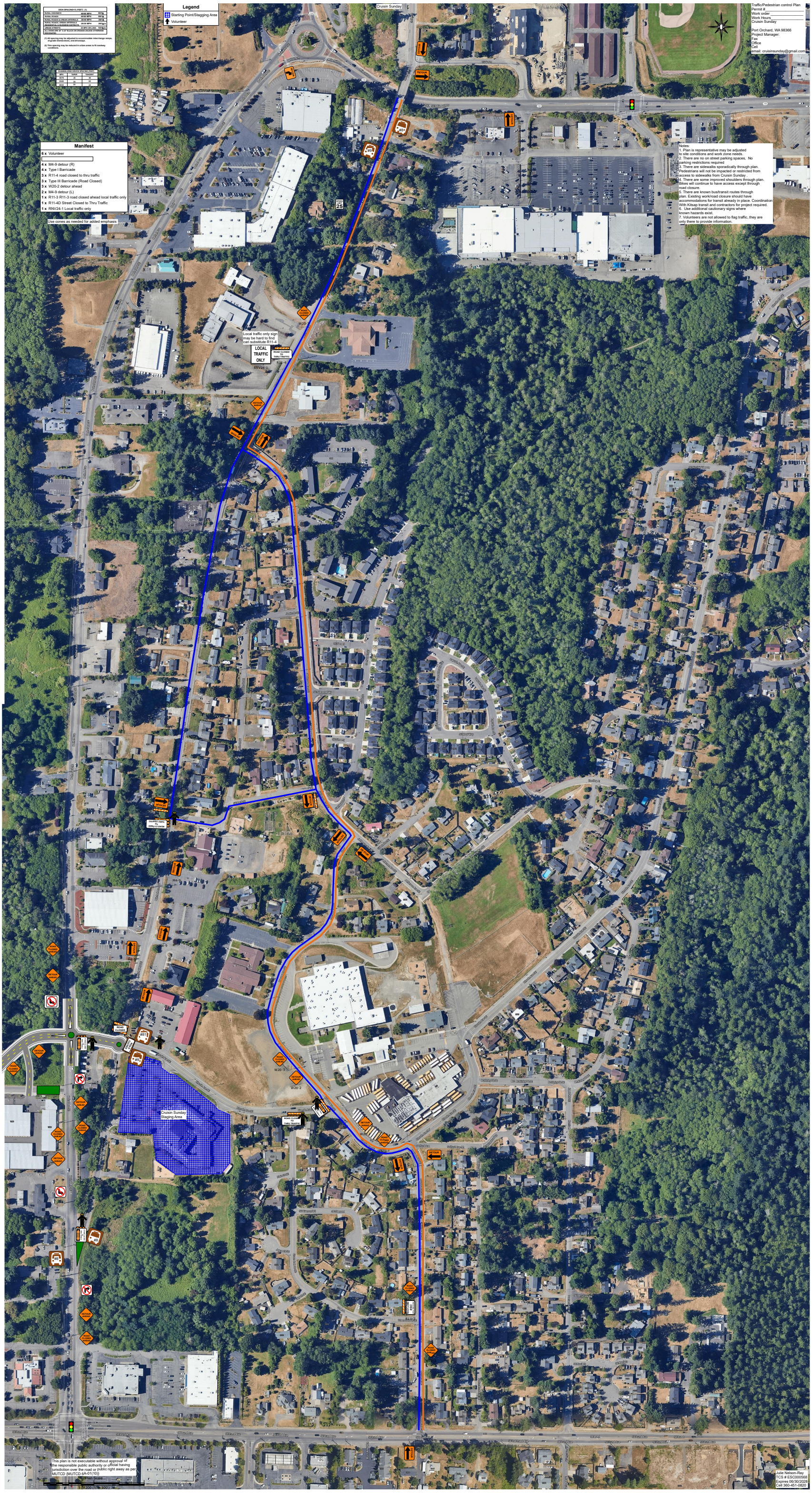
5. Event Parking (Guest & Church) directional Signs will be Posted.

6. Access for Show Cars will be only be at Bethel to Lincoln Ave. Directional Signs will be Posted.

7. Mitchell Rd. Will be an Alternate route if needed.

Bethel RD & Mitchell Ave are shutdown for local traffic access on event day, but Only Show Car access will allowed by the road barriers. **This year however, Show Car access will be allowed on Mitchell and onto the church's parking lot. Once the church parking is full, we will start parking cars on the streets.**

ENCLOSURE 10


Legend
Starting Point/Stagging Area
Volunteer
Manifest
6 x Volunteer
4 x M4-9 detour (R)
4 x Type I Barricade
3 x R11-4 road closed to thru traffic
3 x Type III Barricade (Road Closed)
3 x W20-2 detour ahead
2 x M4-9 detour (L)
1 x R11-3 R11-3 road closed ahead local traffic only
1 x R11-4D Street Closed to Thru Traffic
1 x RNV24-1 Local traffic only
Use cones as needed for added emphasis
Local traffic only sign may be hard to find can substitute R11-4
LOCAL TRAFFIC ONLY
RNV24-1
Cruisin Sunday
Cruisin Sunday Staging Area
Traffic/Pedestrian control Plan
Permit # _____
Work order _____
Work Hours _____
Cruisin Sunday
Port Orchard, WA 98366
Project Manager:
Fax
Office
Cell
email: cruisinsunday@gmail.com
Notes:
1. Plan is representative may be adjusted to site conditions and work zone needs.
2. There are no on street parking spaces, No parking restrictions required
3. There are sidewalks sporadically through plan. Pedestrians will not be impacted or restricted from access to sidewalks from Cruisin Sunday.
4. There are some improved shoulders through plan. Bikes will continue to have access except through road closure.
5. There are known bus/transit routes through plan. Existing work/road closure should have accommodations for transit already in place. Coordination With Kitsap transit and contractors for project required.
6. Use additional cautionary signs where known hazards exist.
7. Volunteers are not allowed to flag traffic, they are only there to provide information.
This plan is not executable without approval of the responsible public authority or official having jurisdiction over the road or public right away as per MUTCD (MUTCD 6A-01(10))
Julie Nelson-Ray
TCS # ESC000568
Expires 06/30/2028
Cell 360-451-0820

Meeting Location:
Council Chambers
216 Prospect Street
Port Orchard, WA 98366

Contact us:
Phone (360) 876-4407
cityhall@portorchardwa.gov
www.portorchardwa.gov

City Council
Minutes
Regular Meeting of Tuesday, February 24, 2026

Mayor Putaansuu called the meeting to order at 6:30 p.m.

Roll Call was taken by the City Clerk as follows:

Present: John Morrissey, Mayor Pro-tem, Position No. 2
Scott Diener, Councilmember, Position No. 3
Jay Rosapepe, Councilmember, Position At-Large
Shirah Dedman, Councilmember, Position No. 6
Mark Trenary, Councilmember, Position No. 1
Eric Worden, Councilmember, Position No. 4
Heidi Fenton, Councilmember, Position No. 5
Robert Putaansuu, Mayor

Staff present: Public Works Director Ryan, Finance Director Crocker, Community Development Director Bond, HR Director Lund, City Attorney Archer, City Clerk Wallace, and Deputy City Clerk Floyd.

Visual was successful. Audio had technical issues.

1. CALL TO ORDER

A. Pledge of Allegiance

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

2. APPROVAL OF AGENDA

Moved by Shirah Dedman; seconded by Heidi Fenton to Remove Consent Agenda Item C Adoption of a Resolution Authorizing the Mayor to Execute a Conservation Grant Agreement with Puget Sound Energy for the Completed Relight Washington Street Lighting Work under the TIB Phase 5 Project, and move to Business Items.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

Moved by Jay Rosapepe; seconded by Mark Trenary to Approve the agenda as amended.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

3. CITIZEN COMMENTS

City Attorney Archer explained no more public testimony is allowed during the first citizen comments regarding Business Item 7A Adoption of an Ordinance amending the Official Zoning Map of the City of Port Orchard reclassifying property located at 1061 and 1083 Hull Avenue (LU25-Rezone-01), from Residential 2 to Residential 3, as the public hearing was closed at the last meeting. Comments will be allowed at the end of the meeting during second Citizen Comments.

Steve Sego, Coreen Haydock, Ray Cline, Nate Cline, Sarah Butler, Clancy Donlin, Mike Anderson, Dave Montour, Kristi McGee, Katie Hudkins, Jamie Williams, Kane Fenner, a citizen (no name), Gary Anderson, and Brian Lyman, voiced concerns with the Community Development Department and Permit Center, explaining issues with permitting, inconsistent inspections, processing, and customer service.

Robert McGee explained the Washington Survey and Rating Bureau classification for the City of Port Orchard has increased from level 3 to level 4 and how it affects city residents. He also spoke about the City cancelling fire marshal jurisdictional services with South Kitsap Fire and Rescue.

4. CONSENT AGENDA

Moved by John Morrissey; seconded by Jay Rosapepe to Accept the Consent Agenda as amended.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

A. Approval of Vouchers and Electronic Payments

Approval of Voucher Nos. 90061 through 90082 including bank drafts in the amount of $75,516.02 and EFT's in the amount of $205,582.18 totaling $281,098.20.

B. Approval of Payroll and Direct Deposits

Approval of Payroll Check Nos. 90055 through 90059 including bank drafts and EFT's in the amount of $297,380.12 and Direct Deposits in the amount of $297,574.04 totaling $594,954.16.

~~**C. Adoption of a Resolution Authorizing the Mayor to Execute a Conservation Grant Agreement with Puget Sound Energy for the Completed Relight Washington Street Lighting Work under the TIB Phase 5 Project**~~

D. Authorizing the Mayor to Execute a Cybersecurity Grant Agreement with the Homeland Security Administration (HSA)/Cybersecurity and Infrastructure Security Agency (CISA) for the Implementation of a Secure Enterprise Password Management System under the 24SLCGP Grant Program

E. Approval of the January 27, 2026, City Council Regular Meeting Minutes

5. PRESENTATION

There were no presentations.

6. PUBLIC HEARING

There were no public hearings.

7. BUSINESS ITEMS

A. Adopting an Ordinance amending the Official Zoning Map of the City of Port Orchard reclassifying property located at 1061 and 1083 Hull Avenue (LU25-Rezone-01), from Residential 2 to Residential 3

Moved by Mark Trenary; seconded by Scott Diener to Adopt an Ordinance amending the Official Zoning Map of the City of Port Orchard, reclassifying the property located at 1061 and 1083 Hull Avenue from Residential 2 to Residential 3.

Councilmembers Fenton and Dedman voiced their concerns with the rezone ordinance.

City Attorney Archer pointed out the dais microphones are not all working. A handheld microphone was suggested to be used for recording purposes.

Moved by Shirah Dedman; seconded by Heidi Fenton to allow Councilmember Dedman to reread her speech due to technical difficulties.

Motion Carried: 4- 3

Voting For: Scott Diener, Eric Worden, Heidi Fenton, Shirah Dedman

Voting Against: Mark Trenary, Jay Rosapepe, John Morrissey

Councilmember Dedmen restated her concerns with the rezone ordinance.

Original Motion: Motion Carried: 5- 2

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, John Morrissey

Voting Against: Heidi Fenton, Shirah Dedman

B. Adoption of a Resolution Approving a Memorandum of Understanding with the Washington State Department of Transportation for WSDOT Fish Passage Program Coordination

Moved by Eric Worden; seconded by Jay Rosapepe to Adopt authorizing the Mayor to execute a Memorandum of Understanding with the Washington State Department of Transportation for coordination on the WSDOT Fish Passage Program.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

C. Adopting a Resolution Fixing the Date of a Public Hearing on a Petition from Kitsap County to Vacate City Rights-of-way for the City Council's Regular Meeting on March 24, 2026

At 7:48 p.m., Councilmembers Diener and Worden recused themselves from the discussion and vote.

Moved by Heidi Fenton; seconded by Jay Rosapepe to Adopt setting a Public Hearing for March 24, 2026, at 6:30 PM, on a petition from Kitsap County to vacate a portion of alleys and streets as described.

Motion Carried: 5- 0

Voting For: Mark Trenary, Jay Rosapepe, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

Recused: Scott Diener, Eric Worden

At 7:54 p.m., Councilmembers Diener and Worden returned to the meeting.

At 7:54 p.m., Mayor Putaansuu recessed the meeting for a 5-minute break.

At 7:59 p.m., Mayor Putaansuu reconvened the meeting

D. Adoption of a Resolution Authorizing the Mayor to Execute a Professional Services Agreement for the Annapolis Creek Fish Passage Project

At 7:59 p.m., Councilmember Worden recused himself from the discussion and vote.

Moved by Scott Diener; seconded by Mark Trenary to Adopt authorizing the Mayor to execute a Professional Services Agreement for a design consultant for the Annapolis Creek Fish Passage Project in an amount not to exceed $735,041.

Motion Carried: 6- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

Recused: Eric Worden

At 8:05 p.m., Councilmember Worden returned to the meeting.

E. Approval of a Resolution authorizing a Permitting Pilot Program and Associated Agreement with PermittableAI

Moved by Scott Diener; seconded by Jay Rosapepe to Adopt a resolution creating the PermittableAI pilot program and authorizing the Mayor to execute an agreement with PermittableAI.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

F. Adoption of a Resolution Granting Final Plat Approval for McCormick West Division 15, Phase I Final Plat

Moved by Mark Trenary; seconded by Scott Diener to Adopt a resolution as presented, granting final plat approval for McCormick West, Division 15, Phase 1.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

G. Approval of the February 2, 2026, Special City Council Meeting Minutes

Moved by Jay Rosapepe; seconded by Mark Trenary to Approve the Special Meeting Minutes of February 2, 2026, with a scrivener's error, Councilmember Morrissey is the Mayor Pro-tem, not Councilmember Diener.

Councilmember Worden also pointed out that Councilmember Diener attended this meeting, and the minutes will need to be updated accordingly.

Motion : 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

H. Adoption of a Resolution Authorizing the Mayor to Execute a Conservation Grant Agreement with Puget Sound Energy for the Completed Relight Washington Street Lighting Work under the TIB Phase 5 Project

Moved by Shirah Dedman; seconded by John Morrissey to Adopt a Resolution authorizing the Mayor to execute a Conservation Grant Agreement with Puget Sound Energy.

Councilmember Dedman voiced concerns with the City switching to LED street lights.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

8. DISCUSSION ITEMS

A. Tremont 2 and 3 Recommended Alternatives

Mayor Putaansuu and Public Works Director Ryan provided a presentation which included Tremont Street, Port Orchard Blvd to Sidney Avenue-Connections & Crossings, Proposed Cross Section and Tremont & Sidney Intersection-Roundabout Alternatives.

Additional discussion was held which included needing to align this with the City's comprehensive plan, multimodal pathway, acquiring right-of-way, Transportation Committee recommendation, bike lanes, sidewalks, grant funding and approval of the proposed cross section.

9. REPORTS OF COUNCIL COMMITTEES

A. Council Advisory Committees

Councilmember Trenary reported on the February 17th Finance committee meeting.

Councilmember Rosapepe reported on the February 18th Land Use committee meeting.

10. REPORT OF MAYOR

The Mayor reported on the following:

- Town hall meetings.
- Decision needs to be made on the SR166/Bay Street project and when it is going to take place.

Mayor and Council briefly discussed, with a consensus reached to start construction in 2027. Additionally, the Bethel project would be pushed to 2028.

- Community Events Center updates; Interior lettering and fundraising/philanthropic giving.
- Legislative session updates.
- Acknowledged challenges in the building department and permitting department.

11. REPORT OF DEPARTMENT HEADS

Public Works Director Ryan reported on augmentation station for the foster pilot program.

Community Development Director Bond reported on parking enforcement vehicle and license plate reader system. Additionally, he presented his plan on how to fix processes in the permit center.

Council and staff discussed the process, building code, and customer service.

Moved by John Morrissey; seconded by Jay Rosapepe to extend the meeting for 10 minutes.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

12. CITIZEN COMMENTS

Ron Rider shared concerns regarding the permitting process and code enforcement, noted little has changed since his time as a Councilmember from 2000-2004, and asked the Council to provide a formal response to the many concerns expressed during the meeting.

13. GOOD OF THE ORDER

No Good of the Order was held.

14. EXECUTIVE SESSION

There was no executive session.

15. ADJOURNMENT

The meeting adjourned at 9:40pm. No other action was taken.

_____ _____

Brandy Wallace, MMC, City Clerk Robert Putaansuu, Mayor

Meeting Location:
Council Chambers
216 Prospect Street
Port Orchard, WA 98366

Contact us:
Phone (360) 876-4407
cityhall@portorchardwa.gov
www.portorchardwa.gov

City Council
Minutes
Regular Meeting of Tuesday, March 10, 2026

Mayor Putaansuu called the meeting to order at 6:30pm

Roll Call was taken by the City Clerk as follows:

Present: John Morrissey, Mayor Pro-tem, Position No. 2
Scott Diener, Councilmember, Position No. 3
Jay Rosapepe, Councilmember, Position At-Large
Shirah Dedman, Councilmember, Position No. 6
Mark Trenary, Councilmember, Position No. 1
Eric Worden, Councilmember, Position No. 4
Heidi Fenton, Councilmember, Position No. 5
Robert Putaansuu, Mayor

Staff present: Public Works Director Ryan, Finance Director Crocker, Police Chief Brown, City Attorney Archer, City Clerk Wallace, Deputy City Clerk Floyd, and Communications Specialist Hansen.

Audio/Visual was successful.

1. CALL TO ORDER

A. Pledge of Allegiance

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

2. APPROVAL OF AGENDA

Moved by Shirah Dedman; seconded by Scott Diener to Remove Consent Agenda Item C Adoption of a Resolution Authorizing the City of Port Orchard to Participate in The Interlocal Purchasing System, and Consent Agenda Item F Approval of the February 10, 2026, City Council Regular Meeting Minutes, and place under Business Items.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

Moved by Jay Rosapepe; seconded by Scott Diener to Approve the agenda as amended.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

3. CITIZEN COMMENTS

Daniel Potts, on behalf of First Baptist Church, voiced concerns with their stormwater rates.

John Underhill, representing Mrs. Sparkles Laundry, voiced concerns about their sewer rates.

4. CONSENT AGENDA

Moved by Jay Rosapepe; seconded by Heidi Fenton to Approve the Consent Agenda as amended.

Motion Carried: 7 - 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

A. Approval of Vouchers and Electronic Payments
Approval of Voucher Nos. 90088 through 90095 including bank drafts in the amount of $186,824.69 and EFT's in the amount of $1,244,132.04 totaling $1,430,956.73.

B. Approval of Payroll and Direct Deposits
Approval of Payroll Check Nos. 90083 through 90087 including bank drafts and EFT's in the amount of $295,812.23 and Direct Deposits in the amount of $297,069.61 totaling $592,881.84.

~~**C. Adoption of a Resolution Authorizing the City of Port Orchard to Participate in The Interlocal Purchasing System (TIPS)**~~

D. Authorizing the Mayor to Execute a Cybersecurity Grant Agreement with the Homeland Security Administration (HSA)/Cybersecurity and Infrastructure Security Agency (CISA) for the implementation of an Immutable Backup System under the 24SLCGP Grant Program

E. Approval of Road Closures for a Special Event: The Unforgotten: Run to Tahoma

~~**F. Approval of the February 10, 2026, City Council Regular Meeting Minutes**~~

5. PRESENTATION

A. Recognition of the volunteer service of Reserve Police Officer Dustin McClure

Chief of Police Brown recognized Dustin McClure who has been a reserve officer with the Port Orchard police department since 2014.

B. Port Orchard Farmers Market

Erika Anderson, president of the Port Orchard Farmers Market, provided a presentation '2025 State of the Market' which included their Mission, Vision, Purpose, Food Access Allies, Meet our Employees, 2026 Board of Directors, Thank You Season & Event Sponsors, Volunteer Impact, Market Operations & Financial Performance, Vendor Sales, Vendor Sales Year to Year, Attendance, Food Assistance, Community Engagement, Power of Produce Kids Club, Digital Outreach, Community Booths, Music at the Market, and DOT Survey Results.

6. PUBLIC HEARING

There were no public hearings.

7. BUSINESS ITEMS

A. Adoption of a Resolution Authorizing the Mayor to Execute a Contract with Baumwelt, PLLC for the Givens Park Master Plan Project

Moved by Scott Diener; seconded by John Morrissey to Adopt a Resolution authorizing the Mayor to execute a Professional Services Agreement in a form acceptable to the City Attorney with Baumwelt, PLLC for the development of the Givens Park Master Plan in the amount of $149,925.00.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

B. Approval of the February 17, 2026, City Council Work Study Meeting Minutes

Moved by John Morrissey; seconded by Mark Trenary to Approve the work study meeting minutes of February 17th as presented.

Motion Carried: 5- 0

Voting For: Mark Trenary, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

Abstaining: Jay Rosapepe, Scott Diener

C. Adoption of a Resolution Authorizing the City of Port Orchard to Participate in The Interlocal Purchasing System (TIPS)

Councilmember Dedman explained she had questions about this being a Texas based cooperative, but Public Works Director Ryan said they will be using a Tukwila vendor.

Moved by Jay Rosapepe; seconded by John Morrissey to Adopt a Resolution authorizing the City of Port Orchard to participate in The Interlocal Purchasing System (TIPS) for the procurement of materials, equipment, supplies, and services.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

D. Approval of the February 10, 2026, City Council Regular Meeting Minutes

Mayor Putaansuu noted the minutes had been amended and sent out in an email earlier in the day.

Moved by John Morrissey; seconded by Heidi Fenton to Approve the minutes of February 10th as amended.

Motion Carried: 7- 0

Voting For: Mark Trenary, Jay Rosapepe, Scott Diener, Eric Worden, Heidi Fenton, John Morrissey, Shirah Dedman

Voting Against: None

8. DISCUSSION ITEMS

There were no discussion items.

9. REPORTS OF COUNCIL COMMITTEES

A. Council Advisory Committees

Councilmember Rosapepe reported on the March 10th Utilities Committee meeting.

10. REPORT OF MAYOR

The Mayor reported on the following:

- City's new Communications Specialist.

Communications Specialist Megan Hansen introduced herself and spoke to her background and experience.

- Downtown mural updates.
- Philanthropic giving/fundraising for the Community Events Center.
- Downtown improvements.
- Discussed permit processes and customer service within the Community Development Department.

Discussion was held which included permit process, customer service, state code, projects, enforcement and education.

11. REPORT OF DEPARTMENT HEADS

Public Works Director Ryan reported on Well No. 7; SR16 water realignment of transmission line associated with the fish passage culvert for WSDOT [Washington State Department of Transportation]; and the National Association of Public Works recognized the Marina Pump Station as Environmental Project of the Year.

City Attorney Archer reminded the Council that she is available all day, usually on Tuesdays for Council meetings and always available for coffee or chats, or just to answer any questions.

City Clerk Wallace reported on the Clerk's office tasks for the first quarter of the year, new website timeline, and gave an update on public disclosure requests.

12. CITIZEN COMMENTS

There were no citizen comments.

13. GOOD OF THE ORDER

Councilmember Trenary acknowledged the public works department for the fresh landscaping near Cedar Heights, and residents have shared appreciation for improved road maintenance, especially the timely cold patch repairs that are preventing damage to vehicles.

Brief discussion was held which included road patches, work on Lund Avenue, and receiving relevant information from Kitsap County.

Councilmember Worden addressed the community members who attended the last Council meeting and voiced concerns about the permitting process and noted people have lost trust in the Mayor's office, City Council, and permitting process.

Councilmember Rosapepe reported on a training session he attended and questions he received regarding serving on City Council. He also mentioned having all background information on complaints.

In response to Councilmember Rosapepe, Mayor Putaansuu noted the discussion for Town Hall Format is on the next work study agenda [March 17, 2026].

Councilmember Diener noted it is important to understand how many successful permits are processed by DCD [Department of Community Development]. He also asked if growth has been planned for the Community Events Center and the Orchard Street Plaza. Lastly, he questioned if Good of the Order was the right time to reach back out to the public.

Councilmember Morrissey reported on the legislative session and said to pay attention to what is going on between now and the end of the week.

14. EXECUTIVE SESSION

No executive session was held.

15. ADJOURNMENT

The meeting adjourned at 8:22 p.m. No other action was taken.

_____	_____
Brandy Wallace, MMC, City Clerk	Robert Putaansuu, Mayor



City of port orchard

2026 Legislative Session

GORDON THOMAS HONEYWELL
GOVERNMENT RELATIONS



purpose

- Overview of the 2026 Legislative Session
- Outcomes of City’s Legislative Priorities
- Additional Legislative Issues
- Next steps



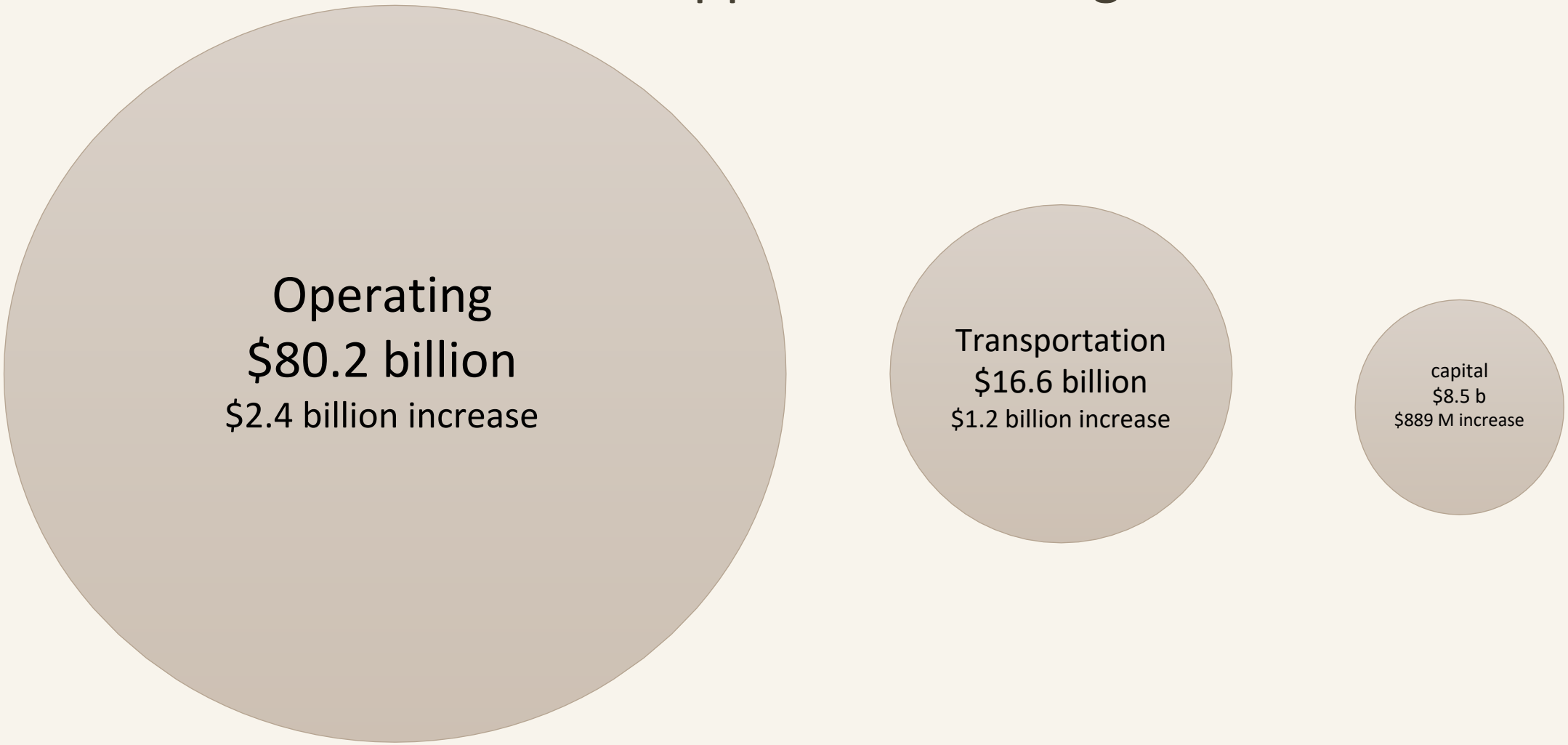
Overview

2026 Legislative Session

- 60-day session
- Second year of the biennium
- Democrats held strong majorities
- Major themes: response to federal actions, affordability, tax/budget reform
- Supplemental budgets
- 1,238 bills introduced, 267 passed into law

Overview

2026 Supplemental Budgets





Outcomes

Cities across the state

Key Takeaway: There's room for improvement

- More unfunded mandates, but not as bad as previous years
- No relief for city budgets, but fiscal flexibility
- Maintained most – but not all – state-shared revenues
- New impacts from sales and use tax exemption in millionaire's tax



Outcomes

Port orchard Priorities

Old Clifton Road Water Intertie	• Requested $1 million from supplemental capital budget • $1 million included in final capital budget
Sedgwick Roundabouts	• Requested $8 million from supplemental transportation budget • $8 million included in Senate proposal, nothing included in the final budget
Derelict Vessels	• Maintenance of Derelict Vessel Removal funds • Passage of House Bill 2199, sponsored by Rep. Richards



Additional Legislative issues

Infrastructure Funding	• $375 million from PWAA to state general fund
Transportation Revenue	• Support for Senate Bill 6262 regarding transportation benefit district weight limits – did not pass
Housing & Homelessness Mandates	• Passage of House Bill 2266 regarding STEP housing • Failure of House Bill 2489 regarding encampments



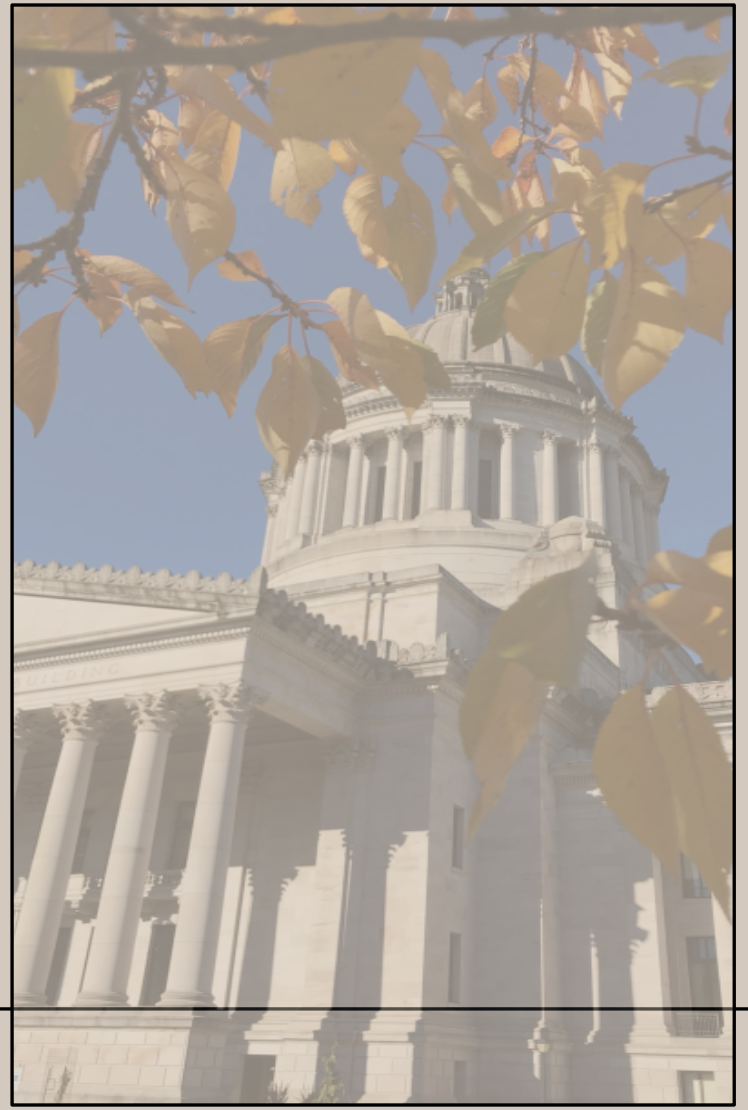
Next steps

- Express gratitude
- Implement projects and policies
- Plan and educate
- 2027 Legislative Session begins January 11

Questions?

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City of Port Orchard

2026 End of Session Legislative Report

March 20, 2026

Dear City of Port Orchard,

It was a pleasure to advocate on behalf of the City of Port Orchard throughout the 2026 Washington State legislative session.

The 2026 session marked the second year of the 2025–27 biennium and was largely defined by the Legislature's responsibility to adopt supplemental operating, capital, and transportation budgets. Similar to previous years, this proved to be a challenging task. Lawmakers entered the short, 60-day session confronting a projected multi-billion-dollar budget gap driven by rising maintenance-level costs, caseload growth, inflationary pressures, and new obligations from recent policy expansions, even as revenue growth remained modest.

In response, the Legislature focused heavily on budget-balancing strategies, including targeted spending reductions, use of reserves, and adjustments to the tax code. A significant portion of the session was devoted to debates over tax fairness and affordability. Lawmakers also grappled with the downstream fiscal impacts of recent federal actions, as well as ongoing needs related to infrastructure, disaster response, housing affordability, and public safety.

Despite these headwinds, we were successful in advancing priorities important to the City, including securing **$1 million for the Old Clifton Road Water Intertie Project**. Just as importantly, we worked to ensure the City's perspective was well understood by legislators as they weighed difficult tradeoffs in an election-year environment.

With session now adjourned, legislators will turn their attention to the November 2026 elections, with all House seats and approximately half of the Senate on the ballot. This political dynamic will shape both the interim and the policy landscape heading into next year.

Looking ahead, the 2027 legislative session will be a 105-day session and the first year of the 2027–29 biennium. The Legislature will shift its focus to developing full biennial budgets and considering more expansive policy proposals. In an evolving fiscal and political climate, consistent, strategic advocacy will be essential. I look forward to continuing to work with the City of Port Orchard during the interim to advance its priorities, strengthen legislative relationships, and ensure we are well positioned for the 2027 session.

Thank you,

Shelly Helder
State Lobbyist
Gordon Thomas Honeywell Government Relations

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Attachments:

1. AWC Budget Matrix
2. 2026 Bills Impacting Cities

A. Session Overview

The 2026 legislative session convened on January 12 and adjourned on schedule on March 12. During the 60-day short session, lawmakers focused on two primary responsibilities: adopting biennial operating, capital, and transportation budgets, and debating and advancing legislation.

From a city perspective, the results of the 2026 Session show there is still significant room for progress. During the session, the Legislature:

- Continued its pattern of passing land-use mandates without attached funding. However, in refining several proposals, lawmakers incorporated more city input than they have in recent years.
- Declined to offer broad financial support for cities facing budget pressures, though it did pass a modest fiscal-flexibility measure (House Bill 2442) that introduces a few new revenue options that may help a small number of municipalities.
- Preserved most, though not all, state accounts that share funds with cities, but did not fully compensate for the expected financial losses that will occur once tax exemptions tied to the millionaire's tax go into effect.

The session was largely defined by Democrats' push to overhaul the state's tax structure. That effort culminated in final legislative approval of Senate Bill 6346, which imposes a new 9.9% tax on household income above $1 million. The bill passed the Senate late on the final night of the session and now heads to Governor Ferguson, who has indicated he will sign it. Supporters argued the measure begins to address Washington's long-standing reliance on regressive revenue sources, while Republicans warned it could open the door to broader income taxation.

Democratic leaders also advanced a slate of bills aimed at insulating the state from shifting federal policies. Lawmakers approved measures restricting the release of voter data, prohibiting law enforcement officers from concealing their identities while performing official duties, and anchoring vaccine guidance to state-level health authorities rather than federal directives. Party leaders described these actions as necessary to protect civil rights and public health.

In total, legislators introduced 1,238 bills during the session and enacted 276 into law.

Despite declaring the short session largely successful, Democratic leaders acknowledged that several major issues remain unresolved and are likely to resurface next year. These include regulating data centers more comprehensively, managing rising legal costs facing the state, stabilizing funding for public defense, revisiting public school funding, and securing long-term funding for ferry construction.

For Republicans, the session was largely defined by opposition. With limited leverage as the minority party, lawmakers relied heavily on procedural tactics and amendment strategies to slow or challenge Democratic priorities. That approach was most visible during the marathon House debate over the income tax bill, which stretched more than 24 hours and ranked among the longest floor debates in state history.

B. Legislative Agenda Items

Old Clifton Road Water Intertie Project

The City's top priority for the 2026 session was a $1 million request from the supplemental capital budget to help fund the Old Clifton Road Water Intertie Project. The total project cost is closer to $6.5 million so the City will need to borrow funds to complete the project. The funds requested from the state will reduce the total loan amount and lessen the financial burden on ratepayers. All three members of the City's legislative delegation were supportive of the request. The Senate budget funded the project at $1 million; the House funded it at $458,000. The final budget includes $1 million for the project! The average appropriation for the 38 projects funded in the Local and Water Infrastructure program is $423,000. The City's project received well above the average investment and was one of seven projects on the list that received over $1 million.

Sedgwick Roundabouts at SR-16/SR-160 Intersections

The City requested state investment to improve the intersections of State Route 16 and Sedgwick Road. These intersections are vital regional and local corridors, yet they are increasingly strained by traffic congestion and safety challenges. The City requested $8 million be allocated to WSDOT for the state to construct two compact roundabouts to improve traffic flow and safety. The Senate transportation budget included $8 million and the House budget did not allocate anything. The final budget does not include funding for the project. As a compromise between the House and Senate, the budget did not including any new projects, and it was agreed that a more comprehensive plan for how to address the state's transportation needs would be worked out during the interim in preparation for 2027. It will be in the city's best interest to continue to advocate for this project during the interim to prepare for the 2027 session.

Derelict Vessels

The City had a twofold request related to derelict vessels. The first request was to maintain current funding levels for the Derelict Vessel Removal Program (DVRP). Both the Governor and the Senate budgets proposed sweeping a portion of these funds to balance the general fund. The City urged the Legislature to protect these dedicated funds throughout session. Ultimately, the final budget maintained the current funding levels of the program.

The City also requested a streamlined process for the timely removal of hazardous vessels. Rep. Adison Richards introduced House Bill 2199, which amends procedures for managing and disposing of derelict and abandoned vessels by updating and expanding the definition of a derelict vessel, including allowing a vessel to be classified as derelict if it has been in violation of state registration requirements for at least two full annual registration periods and is prioritized for removal by the Department of Natural Resources or another authorized public entity. Councilmember Trenary and Councilmember Morrissey testified during the public hearings on

the bill. The bill passed the Legislature, was signed by the Governor on March 9, and goes into effect on June 11, 2026.

C. Budget Summaries

Operating Budget

The 2026 legislative session commenced with lawmakers confronting a persistent multi-year challenge - balancing the state's Operating Budget. Expenditures associated with state programs, many of which were expanded in recent years, continued to rise, while revenue growth softened. Additionally, changes to federal policies meant fewer resources were available for state services. The primary task of the short session was updating the 2025-27 biennial budget to account for these changes.

Although the February revenue forecast offered slightly improved expectations due to stronger-than-anticipated early collections from tax measures enacted in 2025, state economists cautioned that growth in K–12 education, health care, and long-term care costs continues to outpace projected revenues.

The supplemental operating budget authorizes an additional $2.3 billion in spending, bringing the biennial budget to $80.2 billion. To achieve a balanced Operating Budget, legislators relied on a combination of targeted program reductions, inter-account transfers, and new revenues generated by eliminating select tax preferences, including those affecting data centers, prescription drug wholesalers, and insurance carriers. The enacted budget uses $880 million from the Budget Stabilization Account and transfers an additional $375 million from the Public Works Assistance Account to the state general fund. It further assumes $2.23 billion in new revenue over the four-year outlook from the recently adopted millionaire's tax and incorporates the fiscal impacts of repealing the estate-tax increase approved during the 2025 session. The Budget Stabilization Account is backfilled using funds from the LEOFF 1 retirement system. For a full list of account transfers and legislation impacting revenue, click here.

Despite these adjustments, the state faces a projected $878 million deficit in fiscal year 2027—a challenge for next year's legislature, pending updated revenue forecasts. This deficit would significantly expand if the millionaire's tax were invalidated by the courts or overturned by voters. The only reason the state is not required to have a four-year balanced budget is that it utilized the Budget Stabilization Account during this biennium, which temporarily exempts it from the statutory four-year balance requirement.

Local Government Fiscal Health

In the four-year outlook, the budget includes intent to transfer $200 million from the state's general fund to a new account called Local Government Fiscal Health. The intent of this allocation is to help offset some of the local tax reductions from the implementation of the sales tax exemptions included in Senate Bill 6346, the millionaire's tax. The $200 million would be shared between cities, counties and transit agencies.

Other notable expenditures in the supplemental operating budget include:

- Roughly $1 billion to cover the state's self-insurance liability costs
- $15 million for grants to permanent supportive housing providers for operations, maintenance and service costs
- $25 million for Immigrant, Refugee, and New Arrival Supports
- $18 million for state employee collective bargaining agreements
- $82.4 million to the Disaster Response Account

To view the summary of expenditures and reductions included in the supplemental operating budget, click here. To view the text of the supplemental budget, click here.

Transportation Budget

Transportation Budget writers faced another challenging year in developing a balanced budget that meets the state's transportation needs now and into the future. In the 2025 session the Legislature adopted a 6-cent fuel tax increase and a variety of other fee increases. That resulted in an estimated $4.4 billion increase for the next three biennia. However, in the last three revenue forecasts, that estimate has been lowered by $843 million. In other words, 20% of the projected increase in resources from the 2025 session have been offset by decreases since then. The primary reason for the lower projection is declining fuel consumption. Fuel tax collections represent 40% of the total forecasted revenues, which limits overall available transportation resources.

In developing the supplemental transportation budget, the top priority for both parties and both chambers was increasing investments in preservation and maintenance of the state's highway system. Additionally, to provide clarity and certainty for long-term planning, the supplemental budget plans for the next 3-biennia, through 2031.

The supplemental budget appropriates $16.6 billion, an increase of $1.2 billion over the biennial budget. Of the total, $10.2 billion (61%) is dedicated to capital projects and programs and $6.4 billion (39%) to operating programs. The budget includes $1.5 billion in new bond authority, sufficient to provide capacity for $200 million in highway maintenance, $1.3 billion in highway preservation and $28 million in ferries preservation through the 2029-31 biennium. Click here to access Supplemental Transportation Budget documents.

Highway Preservation and Maintenance

For the current biennium, the supplemental budget allocates an additional $40 million for the WSDOT Highway Maintenance Program, $300 million for the Highway Preservation Program. In addition to these amounts, there is $65 million in federal funding for state highway flood recovery and $45 million for local highway flood recovery ($30 million for county and $15 million for city). These funds are specified for transportation infrastructure damaged during the December 2025 weather events.

Ferries

The state's ferry system includes 20 marine terminals and 21 car and passenger ferries with an average age of over 33 years. The supplemental budget allocates an additional $4 million for preservation of ferries in the current biennium and doubles that amount in each subsequent

biennia, for a total of $28 million over 6 years. The budget advances $29 million of previously allocated Climate Commitment Act resources to complete the construction of new hybrid electric ferries, with the first ferry anticipated to be delivered by 2030.

In contrast to the Governor's budget which provided funding for three new ferries, the supplemental budget allocates $750,000 to the Joint Transportation Committee to convene a work group to consider options for long-term, financially sustainable vessel preservation and replacement. The work group's initial report is due to the Governor and Legislature by December 15, 2026. The budget also includes $500,000 for a feasibility study regarding the establishment of state owned or leased dry dock facilities which would enable WSDOT to control scheduling for maintenance of the ferry fleet.

Local Project Impacts

The supplemental budget makes relatively no new investments in capital projects at the state or local level. However, the budget includes intent to increase funding by $107 million for the Regional Mobility Grant Program and the Rideshare Grant Program in the next two biennia. The application window for the Regional Mobility Grant Program is already open, and the signal of increased investment means there will be additional funding awarded in the upcoming cycle. Click here to learn more about the Regional Mobility Grant Program.

The final budget also incorporates the budgeting tool referred to as "resource smoothing" which assumes a $180 million underspend of the Local Programs project list for the current biennium. This amount is invested elsewhere in the budget.

Traffic Safety & Enforcement

The biennial budget reduced funding for the WA State Patrol (WSP) due to staff vacancies and the supplemental budget restores $2.7 million of that reduction. An additional $11 million is provided to WSP for capital and operational improvements. Other traffic safety-related investments include:

- $250,000 for WSDOT to develop an implementation plan for a new Megaproject Safety Program
- $234,000 to report crash data and wrong-way driving violations at locations where wrong-way driving prevention strategies have been implemented
- Establishment of an older driver reduced fee identicard program for currently licensed drivers aged 70 years or older who wish to replace their driver's license with an identicard or an enhanced identicard

Looking Ahead

The supplemental budget makes relatively few changes to the underlying budget and signals intent to make more sweeping changes in the 2027-29 budget. Minimal funding is provided to complete studies and provide recommendations on a variety of issues, including:

- $100,000 for the Joint Transportation Committee to facilitate review of the long-term financial sustainability of the transportation budget.

- $640,000 for the Joint Transportation Committee to continue to oversee a Climate Emission Reduction Account investments tracking tool.
- $400,000 for a report on the state's maintenance and preservation needs, including recommendations for a sustainable and integrated delivery plan and a public education program on investment needs and options.

Capital Budget

The state's Capital Budget funds infrastructure and building construction for state and local communities through direct appropriations and grant programs. A percentage of the operating budget is dedicated to paying bonds issued to fund the budget. Of the three budgets, revenues in the capital budget were the most stable although not as ample as in previous years when there was an influx of federal funding from the American Rescue Plan Act (ARPA). The 2026 supplemental capital budget relies on debt limit bond capacity, Climate Commitment Act (CCA) accounts, and minimal other cash resources.

The supplemental Capital Budget authorizes $889 million in new expenditures for a total of $8.5 billion over the 2025-27 biennium. To help balance the operating budget, the capital budget transferred roughly $1 billion in cash resources typically dedicated to capital purposes. These resources included capital gains, public works and higher education building accounts, described in more detail below. To view the supplemental budget and the associated project lists and grant programs, click here.

Notable investments in the final Capital Budget include:

- The operating budget utilized $375 million of the Public Works Assistance Account (PWAA) resources and the capital budget backfills the account with $279.5 million of bond funding. There is $100 million in existing bond backfill and the capital budget allocates $10 million for emergency grants to local governments for public works projects impacted by the December 2025 flooding event. This brings the total amount of funding available in PWAA to $389.5 million.
- An additional $123 million in Housing Trust Fund investments which includes $50 million for multifamily/rental units, $40 million for preservation and $55 million for homeownership.

D. Policy Area Outcomes

Fiscal Sustainability

While the Legislature has been focused on establishing a more stable and progressive fiscal structure for the state budget, local government budgets have not received the same level of prioritization or attention.

During the first year of the legislative biennium, significant energy was invested in a proposal to lift the 1% property tax cap. However, at the very end of the legislative session, Governor Ferguson indicated that he was not interested in signing such a proposal into law. Instead, the Legislature approved a councilmanic sales tax increase for public safety. This change makes the local tax code more regressive and more vulnerable to the ups and downs of economic downturns and broader fiscal uncertainty.

During the 2026 legislative session, the Legislature continued this trend by approving yet another councilmanic sales tax increase—this time for children, youth, and families (House Bill 2442).

Additionally, if the proposed millionaire's tax is upheld, several sales and use tax exemptions will take effect as the tax is implemented. While these exemptions are widely recognized as an opportunity to reduce cost burdens on low- and middle-income households, they will negatively impact local government revenues. The Legislature acknowledged this impact in a brief intent section that recognizes the potential reduction in local revenues and references $200 million in mitigation funding in the four-year budget outlook. However, this amount would only partially offset the fiscal impacts of the proposal.

In the third and fourth quarters of 2026, cities will begin collecting sales tax revenues on services that became taxable under legislation enacted during the 2025 session. Many cities—though not all—will experience a modest increase in sales tax collections as a result. However, this revenue increase is temporary and will likely be repealed in 2029 if the millionaire's tax is upheld.

Infrastructure Funding

Local governments have the responsibility of constructing and maintaining infrastructure for public services like water, sewer, and stormwater. The state's primary method of supporting local governments with this obligation is through the Public Works Assistance Account (PWAA). However, it is commonly an attractive option for operating budget writers to raid the PWAA when facing budget challenges. This year was no exception. The supplemental operating budget transfers $375 million from the PWAA to the general fund, while the final capital budget provides an additional $279.5 million in bond revenue to backfill the reduction. Combined with $100 million in *existing* bond revenue backfill and $10 million in new funding for emergency grants to public works projects impacted by extreme weather events in 2025, this gives the Public Works Board authority to award up to $389.5 million in grants and loans for infrastructure projects in FY 2027. Overall, this results in an increase of $14.5 million compared to the appropriations to the PWAA in the biennial budget. The capital budget also cuts in half an existing diversion from the PWAA to the Water Pollution Control Revolving Account, eliminating a $20.5 million transfer that was scheduled for FY 2027.

As an alternative to the PWAA, legislators have proposed creating a Washington State Public Bank to lower the borrowing costs and provide financing for infrastructure and housing. Senate Bill 5754 was originally introduced in the 2025 session and had a public hearing this session. However, the concept continues to lack the support needed to advance.

To streamline the process and reduce costs for smaller projects, the legislature passed House Bill 2420, sponsored by Rep. Janice Zahn (D-Bellevue). The bill incrementally raises the maximum contract amount eligible for small works roster procurement, allowing the limit to increase from $350,000 to $650,000 over a phased period while clarifying that the thresholds are based on estimated cost not including sales tax and retaining existing documentation, direct contracting, and public access provisions.

Land Use

The Legislature has continued its trend of preempting local governments in the name of increasing housing supply. During the first year of the biennium, lawmakers limited cities' authority to require housing developers to provide parking to reduce development costs. In the second year of the biennium, the Legislature advanced a similar proposal limiting cities' authority to require ground-floor retail or commercial space in new developments. The bill—requested by Governor Ferguson and Lieutenant Governor Heck—was supported by major employers such as Microsoft and Amazon, along with the Master Builders Association and the Sightline Institute. After several rounds of negotiations, the Legislature approved a final version of Senate Bill 6026, which the Governor signed into law. While the bill limits local authority, the final version retained some ability for cities to require ground-floor commercial or retail uses in certain circumstances. Unless there is a significant political shift, legislative mandates affecting local land use authority in the name of increasing housing supply are likely to continue in future sessions.

For the second consecutive session, lawmakers considered legislation that would have significantly limited cities' authority to regulate or remove individuals occupying public rights-of-way, including individuals experiencing homelessness who are living in encampments. House Bill 2489 was approved by the House Housing Committee but did not advance further in the legislative process. Despite not passing, the proposal generated significant attention and opposition. Each year this policy is introduced and debated, it draws substantial interest from local governments, advocacy groups, and legislators due to its potential impact on cities' ability to manage public spaces and address encampments within the public right-of-way.

The Legislature has also continued to focus on the regulation and siting of "step housing" types, including shelters, transitional housing, emergency housing, and permanent supportive housing. In 2021, the Legislature adopted House Bill 1220, which required cities to allow these housing types in areas where hotels are permitted. The bill was influenced in part by events in Renton, where a Red Lion hotel was converted into a shelter and generated significant public debate about public safety impacts. At the time, cities were allowed to adopt reasonable occupancy, spacing, and health and safety regulations. However, local regulations adopted across the state have varied widely, and in some cases have been written narrowly enough to effectively prevent shelters from locating in a community.

To address these concerns, the Legislature adopted House Bill 2266 this session. The bill modifies existing law by requiring cities to allow permanent supportive housing and transitional housing in all residential zones and requiring shelters and emergency housing in all zones where hotels are allowed. It also narrows the types of spacing, occupancy, and health and safety regulations that cities may adopt. One notable provision allows cities to impose additional

operational requirements when a jurisdiction contributes general fund dollars or public land to a project. Proponents believe the bill will create greater statewide consistency in how these housing types are regulated.

Another provision of House Bill 1220 requires cities to accommodate housing needs at all income levels within their comprehensive plans—may also see further legislative attention. The Department of Commerce and regional planning entities have provided jurisdictions with housing need allocations across income levels. As cities adopt updated comprehensive plans, disputes over compliance with these requirements have resulted in litigation, with inconsistent court decisions. As a result, the Legislature may revisit the statute to clarify what it means for jurisdictions to adequately accommodate housing across income levels.

In addition to land use mandates, lawmakers have also focused on local permitting processes. In 2021, the Legislature adopted Senate Bill 5290, establishing permit review timelines for local governments. While jurisdictions may set their own timelines, they must meet statutory performance requirements. The law also requires the Department of Commerce to study permitting timelines statewide. Commerce released its first report shortly before the start of the legislative session, establishing baseline data and indicating that permit review timelines vary widely among jurisdictions.

This session, the Legislature adopted House Bill 2418, which makes modest changes to local permitting requirements, including clarifying when an application is considered complete and requiring jurisdictions to designate a permit review office or point of contact. Lawmakers also considered Senate Bill 5729, which would have required cities to accept architectural or engineering plans approved by licensed professionals, but that proposal did not advance. Governor Ferguson and other stakeholders have indicated that additional permit reform will likely be pursued in future sessions as part of ongoing efforts to reduce housing development timelines and costs.

Public Defense

Public defense remained one of the most unresolved pressures on local governments this year, driven largely by the Washington Supreme Court's June 2025 order requiring a two-thirds reduction in public-defender caseloads over the next decade. There were two bills introduced this session that aimed to reduce pressure on local governments. The first was House Bill 2163/Senate Bill 5913, which would clarify that the Court's 10-year phase-in takes precedence over the three-year timeline proposed by the Washington State Bar Association. Cities strongly supported this clarification, as the shorter timeline is widely viewed as unworkable given current workforce shortages and the absence of state funding. The second was Senate Bill 5914, which restructured how the Office of Public Defense distributes state funding by moving to a pro rata formula tied to documented costs. The bills did not receive public hearings and did not make any progress this session.

In the final days before the first fiscal cutoff, House Bill 1592, was unexpectedly scheduled for a public hearing. Originally introduced in 2025 and focused solely on counties, the bill was amended this year to create a city funding distribution based on misdemeanor case counts, eliminating the grant-application process. The bill also added new reporting requirements for

the Office of Public Defense (OPD) and the Administrative Office of the Courts (AOC) to track caseloads, backlogs, and staffing needs. Despite the last-minute surge of attention, the bill did not pass.

Public Safety

In recent years, legislative discussions have often been dominated by public safety issues. While the topic received considerable rhetorical attention during this session, relatively few significant policy changes were enacted.

Two bills passed this session with notable implications for public safety. The first, Senate Bill 5974, establishes minimum qualifications for elected sheriffs creating background check requirements. The second, Senate Bill 6002, regulates the use of automated license plate reader (ALPR) cameras, often referred to as "Flock cameras," which are increasingly used by local law enforcement agencies to investigate and prevent crime.

The Legislature also monitored—but did not take action on—the implementation of House Bill 2015, adopted last year. That law created a $100 million grant program and authorized a councilmanic sales tax to support local public safety investments. Several jurisdictions have expressed concern that the eligibility criteria and certification requirements established by the Criminal Justice Training Commission have been burdensome and difficult to meet, limiting access to the funding. Approximately one month into the legislative session, the Commission approved the first jurisdictions for certification under the program. Click here to view the CJTC program page.

In recent years, the Legislature has also considered proposals aimed at reducing the number of individuals entering the criminal justice system, including efforts to decriminalize certain offenses or modify detention standards. Several such proposals were introduced this session but did not ultimately pass into law. One worth mentioning is House Bill 2389, which expands alternatives to confinement and adjusts sentencing rules for juvenile offenders.

Transportation

Lawmakers have been prioritizing policies that aim to increase safety for all road users. This session, the legislature passed Senate Bill 6066, authorizing and defining crash prevention zones, and Senate Bill 6110, addressing the increase of e-motos use and developing a workgroup to define e-motos. Introduced in 2025, Senate Bill 5067 lowers the blood alcohol concentration (BAC) limit for the operator of a vehicle or watercraft from 0.08% to 0.05%. This effort continued into the 2026 legislative session, making its way through the Senate but ultimately stalling in the House.

To support communities with maintenance and preservation funding, Senate Bill 6262 increased the maximum weight of vehicles subject to a transportation benefit district fee from 6,000 pounds to 9,000 pounds. However, the bill did not pass. The Association of Washington Cities and others hope to see this bill reintroduced in the 2027 session.

E. Bill Tracking List

Below is the list of bills that the City took a position on during the 2026 session. This list includes the bills that died and those that passed into law and is organized by pertinent policy topics.

General Government

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Position
SHB 1380 (Dead)	Public property regulations	Allowing objectively reasonable regulation of the utilization of public property.	H Housing	Gregerson	Oppose
2SHB 1622 (Dead) (SSB 5422)	Collective bargaining/AI use	Allowing bargaining over matters related to the use of artificial intelligence.	H Rules R	Parshley	Oppose
2SHB 1923 (Dead)	Passenger-only ferries	Increasing the availability of passenger-only ferries by establishing the mosquito fleet act.	S insists	Nance	Support
ESB 5775 (Dead)	Public safety/local tax	Expanding local taxing authority to fund public safety and community protection focused programs and services.	S Ways & Means	Slatter	Support
SB 6042 (Dead) (HB 2328)	School maps	Requiring the creation and maintenance of school maps in safe school plans.	S EL/K-12	Wellman	Support
SSB 6096 (Dead)	Delayed utility conn. fees	Concerning delayed utility connection fees for residential construction.	S Rules X	Goehner	Oppose

Housing & Homelessness Mandates

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Position
2SHB 1443 (Dead) (SSB 5332)	Mobile dwellings	Concerning mobile dwellings.	H Rules X	Gregerson	Oppose
ESHB 2266 (SSB 6069)	Supportive & emerg. housing	Encouraging permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters.	Del to Gov	Peterson	Oppose
SHB 2489 (Dead)	Public space/local use laws	Establishing statewide standards for when local governments may enforce laws regulating the use of public space for life-sustaining activities.	H Rules R	Gregerson	Oppose

Transportation Revenue

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Position
HB 2722 (Dead) (ESSB 6262)	Vehicle fees/maximum weight	Increasing the maximum weight of certain vehicles subject to transportation benefit district vehicle fees.	H Rules R	Reed	Support
ESSB 6262 (Dead) (HB 2722)	Vehicle fees/maximum weight	Increasing the maximum weight of certain vehicles subject to transportation benefit district vehicle fees.	H 2nd Reading	Valdez	Support

Washington final supplemental budgets FY 2025-27: Selected impacts on cities

For more information, please visit the fiscal.wa.gov website for legislative budget proposals and the Office of Financial Management website at ofm.wa.gov for the Governor's proposed budget.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Operating budget – Shared revenues		
Liquor profits (Liquor Revolving Account)	$98.9 million	No change
Liquor taxes (Liquor Excise Tax Account)	$88 million	No change.
Cannabis Excise Tax	$44.2 million	Reduces by $5.1 million.
Municipal Criminal Justice Assistance Account	• $60.3 million • $266,000 for reimbursement for mandatory arrest for repeat offenders.	No change.
City-County Assistance Account (6050)	$43.8 million	Adds $1.3 million.
Fire Insurance Premium Tax	$16.9 million	Adds $1.6 million.
Local Government Fiscal Health (SB 6346)		Intent to transfer $200 million from general fund to new account beginning in 2027-29 for local impacts of millionaire tax (**SB 6346**).
Operating budget – Programs		
General Government		
Pensions	• Select Committee on Pension Policy to study implications of possible Plans 1 merger (as suggested by **SB 5085**) or LEOFF 1 restatement (as suggested by **HB 2034**). Report by January 9, 2026. • Pension rates adjusted to take into account **SB 5357**. New employer rates: ▪ PERS 5.38% ▪ PSERS 6.91% ▪ LEOFF 2 employer rate: 5.32%	• Transfers $880 million from pension funding stabilization account to budget stabilization account by Jun 30, 2029 (**HB 2034**). • Transfers $539 million from Pension Surplus Holding Account to Climate Commitment Account in 2027-29.
PERS 1 COLA	No PERS 1 COLA included.	Adds $10,000 for PERS plan 1 COLAs (**SB 5862**).

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Paid Family & Medical Leave Program	• $10.8 million for additional staff to process PFML customer and employer inquiries. • $8.9 million completing statutorily required PFML implementation. • $5 million to implement changes to PFML job protections.	Adds $1.2 million to implement paid leave contributions (**HB 2345**).
Miscellaneous HR & labor provisions of interest	• $851,000 to implement restriction on including unnecessary driver requirements in job applications (**SB 5501**). • $852,000 to implement UI benefits for striking workers (**SB 5041**). • $102,000 to implement changes to public employee bargaining (**SB 5503**).	Adds $19 million to support unemployment program due to projected federal revenue shortfall.
Municipal Research and Services Center	$6.8 million	No change.
Municipal Revolving Account	Sweep of $5 million from State Auditor municipal revolving account balance of local audit fees.	No change.
Elections	$500,000 to UW to study local government compliance with voting and elections laws and recommend best practices.	No change.
Public Safety & Criminal Justice		
Training for law enforcement	• Funds 23 BLEA classes per year in 2026 and 2027, with two per year in each of four regional academies in Arlington, Pasco, Spokane, and Vancouver. Remaining classes in Burien. • Reinstates 25% local match for BLEA and basic corrections officer training programs.	No change.
Crisis intervention training	$1.8 million for *Trueblood* phase 1-3 regions.	No change.
Co-responder team funding	$5.2 million for cities/counties alternative response, including: • $4 million to AWC to provide funds to cities to create alternative response team programs around the state. • $1.2 million to support Whatcom County alternative response team.	• Reduced AWC alternative response grants by $600,000. • Reduced Whatcom alternative response team by $176,000.
Law enforcement behavioral health & suicide prevention program	$5 million to the CJTC for officer wellness programs, including: • $3 million for grants to local law enforcement agencies for wellness programs. • $2 million for a wellness app.	No change.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Public safety funding	• $100 million for public safety funding grants to support recruiting, hiring, retaining, and training officers and co-responders (**HB 2015**). • $635,000 to CJTC to administer grants.	No change.
Organized retail crime program		Adds $500,000 for statewide organization to conduct a retail crime pilot program focused on diversion-oriented programs.
Auto theft prevention authority	Transfers $1.8 million to general fund.	Transfers an additional $2.1 million to general fund.
Drug & gang prevention	$1 million grant program.	No change.
Impaired driver safety account	$1.2 million	No change.
Small & rural court grants for increased security	$1 million for grant matching funds to increase small rural court security.	No change.
Public defense grants	• $900,000 for grants to cities. • Additional $2.7 million for public defense grants to cities.	Reduced public defense grants to cities by $180,000 due to state budget drafting error.
Vacating & resentencing under *State v. Blake* decision & refunding LFOs	• $5.9 million to AOC to refund legal financial obligations vacated under *Blake* and an additional $1.7 million for the activities of the AOC including contracting with cities and counties to disburse legal financial obligations. • $7.6 million to AOC to assist cities and counties with costs to comply with *Blake*. • $8.6 million to the Office of Public Defense to assist cities and counties with public defense services related to *Blake,* including SPAR grants.	No change.
Human Services		
Community Behavioral Health	Continued investments in the community behavioral health system, including: • $78.5 million for community treatment (PACT) teams. • $4.1 million for mental health services for mentally ill offenders in county or city jails and connection to services after release from confinement. • $38.1 million for clubhouse programs. • $17 million for substance use disorder peer support. • $61.2 million to support the housing needs of individuals with behavioral health disorders. • $9.5 million for health engagement hub pilot program sites (**SB 5536**). • $5.3 million to continue behavioral health street	Reduces investments in the community behavioral health system, including: • $5.7 million reduction for clubhouse programs. • $1.2 million reduction for health engagement hub pilot program sites (**SB 5536**). • $1 million reduction to distribution of naloxone to community health programs and community settings. • Adds Clallam County to street medicine team eligibility.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
	medicine teams for homeless individuals in Tacoma, Everett, and Spokane, plus King and Kitsap Counties. • $6.9 million to expand distribution of naloxone to community health programs and other community settings.	
Forensic mental health	• $18.3 million to phase-in *Trueblood* settlement competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development. • $14.3 million to improve the timeliness of competency evaluations for individuals in local jails. • $8 million, including $7 million for *Trueblood* phase one and phase two regions. • $10.3 million to expand efforts to provide opioid use disorder and alcohol use disorder medication in city, county, regional, and tribal jails.	$1.3 million reduction for phase-in *Trueblood* settlement competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.
Foundational public health	$300.2 million	Adds language directing $2.5 million of existing funding to maintain core infrastructure and staff.
Housing & Homelessness		
Housing and homelessness	• $200 million for covenant homeownership program. • $137 million for HEN program. • $117.6 million for grants to local governments to maintain programs impacted by loss of document recording fees. • $111 million for grants for local governments and NGOs for homeless housing programs and services. • $90 million to transition those living in encampments to safer housing. • $30.4 million for homeless families, youth prevention and diversion. • $25 million for grants to support building operations, maintenance and service costs of permanent supportive housing projects. • $22.5 million for housing assistance, including rental subsidies, permanent supportive housing, and low- and no-barrier housing beds for unhoused individuals. • $6.5 million for Consolidated Homeless Grant Program. • $1.2 million for foreclosure prevention assistance. • $1 million for diversions services for those at risk of	• $4.5 million reduction in permanent supportive housing for families that are chronically homeless with a disability. • Adds $15 million for grants to permanent supportive housing providers for O&M. • Adds $313,000 to support a task force to establish a state department of housing.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
	losing stable housing or are homeless that are determined to have a high probability of returning to stable housing.	
Land Use & Environment		
Stormwater nonpoint pollution	$8.5 million for Ecology to address and mitigate 6PPD (tire chemical lethal to salmonids), including to identify effective management practices for stormwater treatment. Including: • $4.4 million to identify effective best management practices to treat 6PPD in stormwater. • $2.7 million to develop a strategy and recommendations to eliminate 6PPD in consumer products.	No change.
PFAS and water quality	• $4 million to investigate and monitor sources and impacts of PFAS, including a study of how to manage discharges at municipal wastewater treatment facilities. • $196,000 to implement **SB 5033**, required PFAS testing of biosolids.	No change.
Growth Management Act Planning Grants	• $22.5 million for local government climate planning implementation. • $18 million for updating comprehensive plans and development regulations to comply with the Growth Management Act. • $3.8 million to support implementation of various land use bills (**HB 1096** (lot splitting), **HB 1183** (development regulations), **HB 1491** (transit density), **SB 5148** (housing element audits), **SB 5509** (childcare zoning), **SB 5559** (subdivision reform), & **SB 5587** (housing gaps report & infill housing). • $1.7 million to increase middle housing.	• Reduces 2027 GMA periodic update formula planning grants by $2.9 million and repealed proviso allowing for a competitive grant cycle for unallocated funds. • Adds $500,000 for grants to local government to update permit review processes.
Clean energy technologies	• $5 million to support local governments in siting and permitting clean energy projects. • $13 million to assist owners of public buildings conduct energy audits. • $10 million to assist local governments, local organizations, and tribes to access federal tax incentives and grants.	• Reduces assistance to local governments, local organizations, and tribes to access federal tax incentives and grants by $2.5 million. • Reduces assistance to owners of public buildings for conducting energy audits by $1.6 million.
Climate mitigation and resiliency	$1.9 million for coastal hazard monitoring and resilience, including grant technical assistance to local governments and tribes.	Adds $10 million for community wildfire resilience per RCW 76.04.511(3)(c).

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Urban and Community Forest Grant Program	$3 million.	No change.
Public Works & Infrastructure		
Public Works Assistance Account (PWAA)	$288 million transfer from PWAA to state general fund in FY 2026. *See also PWAA under **Capital Budget.***	Adds $375 million transfer from PWAA to state general fund on June 30, 2027.
Local Solid Waste Financial Assistance	$24 million for Local Solid Waste Financial Assistance grants.	No change.
Utility assistance	$25 million for grant funding through existing network of federal low-income home energy assistance.	Adds $30 million for grant funding through existing network of federal low-income home energy assistance.
Capital budget		
Public Works & Infrastructure		
Public Works Assistance Account (PWAA)	• $365 million in new funding • $468 million in new and existing diversions: - $288 million to general fund (new) - $114 million ($57 million/year) transfer to general fund (temporary redirection of existing transfers to the Move Ahead WA Account). - $41 million to Water Pollution Control Revolving Account. - $25 million to Drinking Water Assistance Account. *See also PWAA under **Operating Budget.***	Adds $14.5 million • $279.5 million in new bond revenue (backfilling sweeps) • $10 million for emergency grants to local governments impacted by 2025 weather events. • $381.9 in new diversions. - $375 million transfer to general fund in FY 2027. - $6.9 million transfer to Drinking Water Assistance Account. - Reduces existing diversion to Water Pollution Control Revolving Account to $20.5 million *See also PWAA under **Operating Budget.***
Stormwater Financial Assistance Program	$60 million	No change.
Puget Sound Nutrient Reduction WWTP Grant Program	$10 million	No change.
Drinking Water State Revolving Fund Loan Program (DWSRF)	• $120 million for water system infrastructure construction projects through DWSRF. • $25 million for DWSRF state match dollars from PWAA.	Adds: • $3 million for DWSRF preconstruction loans. • $6.9 million for DWSRF state match dollars from PWAA.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Water Pollution Control Revolving Loan Program	$614 million: • $214 million federal • $400 million state $41 million PWAA	No change.
Centennial Clean Water Grant Program	$40 million	No change.
Community Economic Revitalization Board (CERB)	$81.3 million for CERB Capital Construction.	No change.
Broadband grants and loans	$1.3 billion, including: • $114 million as match for Broadband Equity, Access, and Deployment state grants program from IIJA. • $1.2 billion federal.	No change.
Regional Approaches Grant Program	$2 million	No change.
Land Use & Environment		
Puget Sound Restoration and Salmon Recovery Grants	• $105 million for Salmon Recovery Funding Board (SRF) grants, plus an additional $20 million for riparian area grants. • $60.5 million for Puget Sound acquisition and restorations. • $9.6 million for Washington Coastal Restoration & Recovery.	No change.
PFAS & Water Quality	$14.5 million to address PFAS cleanup.	No change.
Remedial Action Grants	$84.4 million	No change.
Urban and Community Forest Grant Program	$6.2 million	Adds $3 million.
Floodplains by Design Grant Program	$75.7 million	No change.
Aquatic Lands Enhancement Account	$4.3 million	No change.
Washington Wildlife & Recreation Program	$120 million	No change.
Youth recreational facilities	$7.6 million for specific projects.	No change.
Youth and community outdoor athletic facilities	$19.8 million for specific projects.	No change.
Fish Barrier Removal Board	$32.5 million to fund identified projects and agency administration.	No change.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Air quality & greenhouse gas reduction	• $10.1 million for landfill methane capture grants. • $4.1 million for community participatory budgeting program for mitigating climate change impacts on overburdened communities.	No change.
Clean energy & climate resilience and mitigation	• $35 million for Weatherization Plus Health grants. • $26 million for Clean Energy Fund program. • $23 million for Community EV charging grants. • $20 million for Solar and Energy Storage grants. • $11 million for Energy Retrofits for Public Buildings grants. • $10 million for Clean Energy Community grants. • $5 million for Clean Buildings Performance grants. *Extended 2023-25 appropriation of clean energy retrofit dollars for grants (administered by AWC) for energy audits of city-owned tier 1 & 2 buildings into FY 2026.*	Adds $11 million for Weatherization Plus Health grants.
Housing & Homelessness		

Housing Trust Fund	$605 million, including:
	• $536 million for housing to benefit low-income and special needs populations, including permanent supportive housing, including:
	  • $215 million multifamily rental housing.
	  • $100 million for Apple Health & Homes.
	  • $75 million for first-time low-income homeownership.
	  • $62 million for identified projects.
	  • $50 million for housing for those with developmental disabilities.
	  • $50 million for affordable housing preservation.
	  • $30 million for mobile home park preservation.
	  • $10 million for rapid conversion or acquisition of housing to address extremely low-income and unhoused populations.
	  • $5 million for farmworker housing.
	  • $5 million for urgent repair grants.
		Adds $123 million, including:
		• $96 million, for housing to benefit low-income and special needs populations, including permanent supportive housing, including:
		  • Reduction in Apple Health & Homes by $57 million.
		  • $55 million for first-time low-income homeownership.
		  • $49 million for multifamily rental housing projects.
		• $40 million for affordable housing preservation. Projects impacted by December 2025 atmospheric river and winter weather event are eligible.
		• $8 million for farmworker housing.
		• $21 million for identified projects.
		• $5 million for urgent repair grants or risk mitigation for affordable housing.
		•

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Additional investments in housing and shelters	• $90 million for Connecting Housing to Infrastructure (CHIP) grants to local governments. • $22 million for identified projects. • $14.7 million for recovery residences grants. • $9 million for youth shelters and housing. • $8 million for identified transit-oriented housing projects. • $5 million for low-income home rehabilitation grants.	• Adds proviso to allow CHIP to fund deferred loans. • Adds $37 million for identified projects. • Adds $17 million for grants and technical assistance for mobile home communities. • Adds $5 million for projects impacted by December 2025 atmospheric river and winter weather event.
Human Services		
Behavioral Health Community Capacity	$119.8 million, including: • $70 million for competitive community behavioral health grants to address regional needs, including preventing closure of existing facilities, youth and adult bed capacity, facilities that serve specialized populations, and crisis relief centers. • $49.8 million for 11 specific local crisis stabilization projects.	Reduced to $74.3 million and allocated differently: • Reduces $60 million from the competitive community behavioral health grants. • Adds $14.5 million for 10 additional specific local crisis stabilization projects
Transportation budget		
WSDOT Local Programs Capital budget	$962.7 million	$180 million temporary diversion from existing legislative appropriations to local projects; assumes delay in delivery of projects.
Statutory transfers to local governments	• $494 million • Additional $36.2 million over next 3 biennia for city distribution of 6-cent increase to motor vehicle fuel tax.	Adds $14.5 million.
Transportation Improvement Board (TIB)	$310.8 million, including: • $3.9 million to Small City Pavement and Sidewalk Program. • $24.6 million for Complete Streets grants. • $9.3 in preservation funding for cities. Legislature intends to provide an additional $21 million in 2027-29 for the Complete Streets Program.	Adds $15 million in assistance for cities recovering from 2025 weather events.
Recovery from 2025 weather events	-	See ***Transportation Improvement Board***.
Safe Routes to Schools Grants	$83.4 million	Adds $34 million.
Pedestrian and Bicycle Safety Programs & Grants	$81.7 million	Adds $33.4 million.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Safety and Active Transportation	• $33.2 million for the Sandy Williams Connecting Communities Pilot Program for projects to reconnect communities bifurcated by state highways. • $500,000 for grants to local jurisdictions to implement network-wide traffic conflict screening programs.	Adds: • $13.2 million for the Sandy Williams Connecting Communities Program. • $500,000 for local jurisdictions to implement network-wide traffic conflict screening programs. • $6.5 million for the Reducing Rural Roadway Departures Program, to which cities are now eligible to apply.
Freight Mobility Strategic Investment Board	• $44.2 million for FMSIB recommended projects. • $35.5 million in federal funds for recommended local preservation projects.	Adds: • $4.9 million for FMSIB recommended projects. • $8 million in federal funds for recommended local preservation projects.
Fish passage	• Retains proviso language to coordinate with Fish Barrier Removal Board on watershed approach to include local culverts. • Includes language allowing partnerships to leverage state and local funds to match opportunity for federal funding under BIL.	No change.
Homeless encampments	$9.2 million to address homeless encampments on WSDOT-owned rights-of-way in coordination with local governments and social service organizations to direct people to housing and prevent future encampments. • A minimum of $2 million dedicated to litter removal. • $1 million in coordination with the City of Spokane. • $1 million for safety improvements and debris cleanup in Seattle. • $1 million in coordination with the City of Tacoma. • $1.2 million to contract with the City of Fife. *See also Housing and Homelessness in **Operating budget***	No change.
Rural mobility grant	$32.2 million	No change.
Alternative fuel and electric vehicle infrastructure	• $25 million for clean alternative fuel vehicle charging and refueling infrastructure program. • $3.5 million for an e-bike lending library and ownership program offering competitive grants.	No change.
Federal fund exchange pilot program	$17.5 million for a federal fund exchange pilot program of Transportation Block Grant population funding and state funds at an exchange rate of 95 cents in state funds per $1 in federal funds.	No change.

	Final 2025-27 Budget	Final passed Supplemental 2025-27 budget
Studies	• $250,000 to update the 2013 memorandum of understanding between AWC and WSDOT for the construction, operations and maintenance responsibilities for city streets as part of state highways. • $140,000 for the JTC to update the 2019 assessment of city transportation funding needs. • $200,000 for the JTC to study alternative new methods for local governments to fund sidewalk improvements.	No change.
FHA bridge load rating	$5 million for the County Road Administration Board to provide grant dollars to counties and cities for the costs associated with obtaining a new federal highway administration load rating.	No change.

GORDON THOMAS HONEYWELL
GOVERNMENT RELATIONS

Bills Impacting Cities
2026 Legislative Session

Below is a list of bills that passed this session that impact city operations and interests or will likely require a change in city code. We encourage you to review and prepare for the requirements outlined in the following bills. For reference, click here to view all bills approved by the Legislature, even those without a nexus to city government.

Child Care

Child Care Operational Flexibility: House Bill 2219, sponsored by Rep. Lillian Ortiz-Self (D-Mukilteo), allows licensed child care centers to use limited mixed-age staffing ratios each day and permits returning or experienced staff to waive repeat completion of the state's early learning orientation when certain conditions are met.

Early Learning Licensing Exemption: House Bill 2317, sponsored by Rep. Carolyn Eslick (R-Sultan), revises the definition of "agency" under state early learning licensing law to exclude certain school-day Early Childhood Education and Assistance Program (ECEAP) and Head Start programs that are located in a public school building or community or technical college building, or on the premises of a public school or community or technical college. This change narrows which early learning programs require state child care licensing, reducing regulatory requirements for specified school- and college-based early childhood programs and aligning them more closely with K-12 and higher education facility oversight.

Courts

Court System Unification Task Force: House Bill 1909, sponsored by Rep. Jamila Taylor (D-Federal Way), creates a statewide Court Unification Task Force to evaluate how disparate local rules, technology, and funding create inefficiencies and inequities, and to recommend more unified approaches to improve access and consistency statewide. The task force must convene by October 1, 2026, report preliminary findings by June 30, 2027, submit a final strategic plan by June 30, 2028, hold at least one additional full meeting before June 30, 2029, and then sunset on December 31, 2029.

Court Procedures Update: House Bill 2178, sponsored by Rep. My-Linh Thai (D-41st LD), updates civil infraction timelines by extending the response period to 30 days for personally served notices and 33 days for notices served by mail, changes the filing deadline for notices of infraction to five days excluding weekends and holidays and requires untimely notices to be dismissed without prejudice absent good cause shown, increases the damage threshold for aggregating certain malicious mischief charges to second degree from $250 to $750, enhances access to payment plans for civil infraction monetary obligations by allowing requests at any

time and requiring courts to enter into payment plans in specified circumstances while permitting discretionary plans after referral to collections, corrects a technical cross-reference related to litter penalties, repeals an obsolete legal financial obligations collection and distribution statute, and requires annual state treasurer distributions to counties for clerk collection budgets based on a formula recommended by the Washington Association of County Officials.

Energy

Clean Energy Tax Preferences: House Bill 1210, sponsored by Rep. Stephanie Barnard (R-8th LD), seeks to extend targeted urban area property tax exemptions to clean energy transformation businesses and facilities requiring federal regulatory commission certification to promote economic growth and carbon-free energy goals. The bill defines "clean energy transformation business" to include businesses that create a product for sale that will aid in lowering Washington's carbon emissions, while excluding government agencies and tribal nations. It introduces new requirements for tax exemption applications and post-construction documentation for facilities requiring federal regulatory commission certification, including community workforce or project labor agreements, compliance with labor standards, and consultation with the Department of Labor and Industries to confirm wage, apprenticeship, and labor law compliance, and allows for extended project completion deadlines specifically for those facilities. The bill also exempts the tax preferences from certain performance review provisions.

Renewable Energy Taxation and Siting: House Bill 1960, sponsored by Rep. Alex Ramel (D-Bellingham), establishes a new state excise tax framework for large wind, solar, and battery storage facilities that replaces the existing renewable energy excise regime and property tax treatment, paired with optional local excise taxes, property tax exemptions for renewable energy personal property, a local community investment account with matching grants for jurisdictions hosting projects, tribal capacity grants funded in part from climate policy accounts, and minimum siting and wind facility decommissioning standards that counties and cities must meet to qualify for grant funding.

Coal Plant Greenhouse Gas and Tax Regulation: House Bill 2367, sponsored by Rep. Joe Fitzgibbon (D-West Seattle), would end special greenhouse gas protections and coal sales and use tax exemptions for a specific coal-fired power plant, bringing its post-2025 emissions under the state cap-and-invest program and allowing additional state or local greenhouse gas requirements after 2025.

Finance

Affordable Housing Revenue Flexibility: Senate Bill 6027, sponsored by Sen. Emily Alvarado (D-West Seattle), expands eligible uses of sales and use tax authority and local state credit sales and use tax to include operations, maintenance, and rehabilitation of existing affordable and supportive housing, and revises document recording fee distributions and eligible activities to

prioritize households below 30% of area median income while directing Commerce to maintain stability for existing permanent supportive housing projects.

Tax Increment Financing Revisions: House Bill 2451, sponsored by Rep. Davina Duerr (D-Bothell), addresses special district concerns while maintaining and tightening the tax increment financing (TIF) tool. The bill is the result of a stakeholder workgroup convened by AWC last year to discuss how TIF works, what the impacts are, and potential revisions to the tool. It makes multiple changes to local TIF rules to clarify project eligibility, require mitigation for affected taxing districts, restructure revenue apportionment, and limit the use of the mandatory multifamily property tax exemption in increment areas taking effect on or after June 2, 2026. The bill applies its changes prospectively, so existing increment areas are not modified.

Senior and Disabled Property Tax Relief and State Levy Consolidation: Senate Bill 6162, sponsored by Sen. Deborah Krishnadasan (D-Gig Harbor), expands senior, disabled, and veteran property tax exemptions and deferrals by raising benefit tiers, redefining income eligibility with a standard deduction and rental income exclusions, and tying thresholds to higher percentages of county median income, while consolidating the state school property tax into a single "state school levy" that is subject to regular levy growth limits beginning with taxes levied for collection in 2028.

Fire Service

Wildfire Alleviation Support Funding: House Bill 2089, sponsored by Rep. Shaun Scott (D-43rd LD) and titled the "Wildfire Alleviation Support Act," modifies Washington's business and occupation tax treatment of certain mortgage interest by redefining when interest earned by high volume mortgage lenders is taxed, with the additional general fund revenue annually transferred into the state's wildfire response, forest restoration, and community resilience account to restore and support ongoing preparedness, mitigation, and community resilience activities beginning July 1, 2026. The bill responds to a reduction in the previously planned biennial investment in the wildfire response account by directing the Department of Revenue to estimate the increased general fund revenue attributable to the revised tax structure by October 15, 2027, and annually thereafter, and requiring the State Treasurer to transfer that amount to the wildfire response, forest restoration, and community resilience account by November 1 each year.

Wildland Firefighting Aviation: House Bill 2104, sponsored by Rep. Tom Dent (R-13th LD) and Rep. Larry Springer (D-Kirkland), makes permanent the state's aviation assurance funding program for wildland fire response, converting a successful pilot into an ongoing mechanism to support local firefighting aviation resources. The bill removes the prior sunset and affirms continued financial support through the Department of Natural Resources for local and tribal suppression efforts using aviation assets under trained air operations commanders, solidifying the program as a standing component of the state's wildland fire strategy.

Ambulance Personnel Requirements: House Bill 2110, sponsored by Rep. Joe Schmick (R-9th LD), allows qualified registered nurses, even without EMT certification, to staff interfacility

specialty care ambulance transports under specified conditions when paramedics or nurse-EMTs are unavailable, clarifying definitions of interfacility and specialty care transports to better address workforce shortages and providing that the sending hospital must coordinate with the ambulance service to ensure the nurse is familiar with the ambulance's equipment and supplies before participating in a transport.

Fire Sprinkler Enforcement: House Bill 2472, sponsored by Rep. Dan Bronoske (D-Lakewood), enhances enforcement of existing fire protection sprinkler licensing laws by authorizing investigations, stop work orders, documentation checks, payroll record reviews, and safety-based system replacement determinations to ensure only properly licensed contractors and certified fitters perform sprinkler work, including residential systems, and requiring contractors and fitters to provide proof of licensure or certification upon request from a fire code official.

EMT Recertification Intervals: House Bill 2540, sponsored by Rep. Dan Bronoske (D-Lakewood), extends the recertification period for emergency medical technicians from three to six years for practitioners who have been certified in Washington for at least ten years, while retaining the three-year interval as the standard requirement for all others.

Wildfire Home Hardening in Common Interest Communities: Senate Bill 6054, sponsored by Sen. Victoria Hunt (D-Issaquah), prohibits homeowner and condominium association governing documents from unreasonably restricting an owner's installation, use, or maintenance of qualified fire-hardened building materials that meet specified wildfire safety standards, including ignition-resistant construction under the International Wildland Urban Interface Code, relevant NFPA wildland construction standards, or Insurance Institute for Business and Home Safety wildfire-prepared home criteria. Associations may adopt reasonable aesthetic or design regulations regarding the design, dimensions, placement, or appearance of these materials as long as such rules do not make their use impractical or significantly increase their cost compared to alternative fire-hardened materials, and the bill clarifies that owners do not gain any right to construct on property owned by others, on leased property without lessor permission, or in common areas. Any conflicting existing provisions are rendered unenforceable until the bill's sunset on January 1, 2028.

Housing Affordability

Social Housing Framework: House Bill 1687, sponsored by Rep. Julia Reed (D-36th LD), amends Washington's housing cooperation statute to explicitly recognize social housing public development authorities (SHPDAs) and social housing within existing authority for state and local government support of housing projects. The bill defines "social housing" as subsidized and cross-subsidized rental housing available to households of any income level, publicly owned in perpetuity by a social housing developer, and adds related income and cross-subsidization definitions. SHPDAs are treated as housing authorities for cooperation purposes, allowing state public bodies to aid SHPDAs on the same basis as traditional housing authorities, including conveying or leasing property, providing adjacent public facilities and services, purchasing bonds or other obligations, entering into long-term agreements, making payments in lieu of

taxes or no payments, and lending or donating money and support to boards of commissioners. Key provisions include the introduction of cross-subsidization, where rents from high-income households offset lower rents for low- and moderate-income households, and streamlined procedural requirements for state public bodies to authorize housing-related actions.

Religious Organization Affordable Housing Density Bonuses: House Bill 1859, sponsored by Rep. Osman Salahuddin (D-Redmond), modifies the current requirement that cities and counties must grant increased residential density for affordable housing developments on property owned or controlled by religious organizations by lowering the affordability set-aside threshold from 100% of units to either 50% of units to be affordable to low-income households or 20% of units to be affordable to very low-income households, and clarifies that affordability is based on monthly housing costs not exceeding 30% of a qualifying household's income. The bill also requires local jurisdictions to develop policies to implement these density bonus provisions upon request from a religious organization and allows them to require higher affordability set-asides as a condition of receiving the increased density bonus.

Homeless Youth Advisory Committee Membership: Senate Bill 5957, sponsored by Sen. Tina Orwall (D-Des Moines), expands and diversifies the Office of Homeless Youth Prevention and Protection Programs advisory committee by specifying broader representation, clarifying appointment and staffing roles, and allowing young adult members who turn 25 to complete their terms, thereby strengthening the committee's capacity to advise on funding, policy, and practice to reduce youth homelessness.

Condominium Warranty Changes: House Bill 2304, sponsored by Rep. Jamila Taylor (D-Federal Way), expands the types of small condominium buildings that can substitute insured express warranties for statutory implied warranties of quality by allowing this option for buildings with up to twelve units and four or fewer stories.

Nonprofit Housing Property Tax Exemptions Alignment: House Bill 2610, sponsored by Rep. Chipalo Street (D-Seattle), revises property tax exemptions for nonprofit homeownership and affordable housing by aligning them with general nonprofit standards, clarifying exclusive-use requirements, and coordinating expiration dates through 2038.

Eviction Notice Service: House Bill 2664, sponsored by Rep. April Connors (R-Kennewick), standardizes service of eviction and related notices by eliminating the certified mail requirement, directing mailed notices to the tenant's place of residence rather than their last known address, and clarifying that service by mail is complete when the notice is deposited in the U.S. mail from within Washington state, properly addressed with postage prepaid.

Flood Risk Disclosures for Rentals: Senate Bill 6237, sponsored by Sen. Jessica Bateman (D-Olympia), expands landlord duties under the Residential Landlord-Tenant Act by requiring, for residential leases entered into after December 31, 2026, disclosure that a property may be

located in a special flood hazard area or area of potential flooding, that the landlord's insurance does not cover loss of the tenant's personal possessions and that tenants should consider renter's and flood insurance, and that information about hazards affecting the property, including potential flood risk, is available from the county government in which the property is located, and makes conforming renumbering changes to existing landlord duties without otherwise altering them.

Human Resources

Employee Information Sharing Expansion: House Bill 2091, sponsored by Rep. Julia Reed (D-Seattle), expands the requirement to provide employee contact information to unions from a limited set of higher education institutions to all public employers covered under the state employee collective bargaining statute, standardizing disclosure obligations statewide by eliminating the prior limitation that applied only to certain four-year universities so that all employers subject to the chapter must provide specified employee information to exclusive bargaining representatives upon request; the bill also temporarily limits employer liability for failing to provide required information when an employer is unable to do so due to limitations of its current technological systems until the state's One Washington human resources Phase 2 subproject is completed and fully implemented.

Workers' Compensation Rate Transparency: Senate Bill 6136, sponsored by Senator Curtis King (R-Yakima), requires the Department of Labor and Industries to publish actuarially indicated workers' compensation premium rates and disclose any director-imposed limitations that cause cross-subsidization among risk classes. The bills also require this information to be posted online and transmitted to legislative committees and the workers' compensation advisory committee to support more informed oversight of the program.

Workers' Compensation Medical Access and Claims Management: Senate Bill 5847, sponsored by Sen. Rebecca Saldaña (D-Seattle), expands injured workers' access to workers' compensation medical treatment and provider choice, eases access to nonnetwork providers when network access fails, tightens utilization review timelines, and authorizes additional claims managers to reduce caseloads and improve claim oversight. The bill also clarifies employer conduct standards around provider coercion, updates treatment duration and post-closure care rules including ongoing monitoring for accepted cancer conditions, modernizes provider network guidelines and appeal rights, and phases in these changes across all claims regardless of injury date through staggered effective dates.

Voluntary Layoff Unemployment Eligibility: House Bill 2264, sponsored by Rep. Liz Berry (D-Seattle), clarifies that employees who volunteer for employer-initiated layoffs or reductions in force under a written workforce reduction plan are treated as unemployed through no fault of their own and may receive unemployment benefits if separated on or after June 14, 2026. The bill limits eligibility to situations meeting specified written notice and volunteer criteria, excluding early retirement or separation incentive programs that do not follow the formal

reduction plan framework, while allowing employers to let workers rescind a volunteer offer without jeopardizing eligibility as long as the core conditions are met.

Mandatory Microchip Ban: House Bill 2303, sponsored by Rep. Brianna Thomas (D-West Seattle), prohibits employers from requesting, requiring, or coercing employees or job applicants to receive an implanted microchip and establishes a private right of action for violations. The bill adds a new section to employment law to regulate the use of implanted microchips in the workplace and authorizes courts to award injunctive relief, actual and punitive damages, and reasonable attorneys' fees and costs to aggrieved employees.

Paid Family and Medical Leave Premium Allocation: House Bill 2345, sponsored by Rep. Suzanne Schmidt (R-Spokane Valley), adjusts how paid family and medical leave premiums are split between employers and employees by reversing which portions of the premiums may be deducted from employee wages so that employers may now deduct up to the full amount of the required medical leave premium from employee wages and redefining the maximum employee-deductible share of the family leave premium through a new cross-referenced formula designed to keep the overall employer-employee split of the total premium unchanged, while leaving unchanged the overall premium rate structure and the ability of employers to cover part or all of the employee share.

PTSD Workers' Compensation Pilot and Behavioral Health Grants: House Bill 2405, sponsored by Rep. Suzanne Schmidt (R-Spokane Valley), expands workers' compensation law by authorizing Labor and Industries to fund workplace behavioral health initiatives for trauma-exposed occupations and establishing a time-limited PTSD pilot program that provides pre-adjudication and limited post-closure treatment while easing administrative burdens and protecting certain treatment records from disclosure. House Bill 2405 further specifies use of existing Safety and Health Investment Project return-to-work funds for behavioral health workplace grants and clarifies how nonnetwork providers may deliver short-term PTSD care within the pilot.

Electronic Labor & Industries Communications Modernization: Senate Bill 6039, sponsored by Sen. Curtis King (R-Yakima), authorizes the Department of Labor & Industries and related entities to use trackable electronic or nonelectronic methods for notices, standardizes deadlines when service is electronic versus nonelectronic, and modernizes notice requirements for workplace safety rulemaking.

Expanded Shared Leave Protections: House Bill 2411, sponsored by Rep. Osman Salahuddin (D-Redmond), expands the state employee shared leave program to cover hate crime victims and absences related to immigration enforcement actions involving employees or their families, with confidentiality protections for immigration-related verification and updates to the definitions of eligible family members and victims.

LEOFF Survivor Medical Benefits: House Bill 2441, sponsored by Representative Sam Low (R-Lake Stevens), expands and clarifies that surviving spouses, domestic partners, and dependent

children of LEOFF members killed in the course of employment are entitled to reimbursement of medical and Medicare Part A and Part B premiums, including coverage for premiums paid while a line-of-duty determination is pending and retroactive reimbursement for eligible premiums paid after June 10, 2010.

Wage Complaint Enforcement Discretion: Senate Bill 6058, sponsored by Sen. Rebecca Saldaña (D-Seattle), aligns and modernizes the Department of Labor and Industries' wage enforcement authority by broadening recoverable "wages" to "amounts," capping administrative recoveries to three years, adding interest and penalties through a clearer administrative order framework, and making complaint investigations discretionary under a publicly documented prioritization process tied to complaint acceptance and clarified tolling of limitation periods.

Wage Recovery Program: House Bill 2479, sponsored by Rep. Mary Fosse (D-Everett), revises wage complaint enforcement by changing the Department of Labor and Industries' obligation from investigating all wage complaints to investigating complaints consistent with a publicly available prioritization process, expanding its authority to initiate and consolidate investigations, increasing and indexing civil penalties for wage violations beginning in 2030, and redirecting collected penalties into a new wage recovery account funded by civil penalties under wage and transportation network company statutes. The bill also creates a wage recovery program that can advance up to 85% of anticipated unpaid wages, capped at $2,500 per employee, to qualifying low-wage workers beginning the later of July 1, 2028, or when the wage recovery account reaches $130,000, and requires a long-term program and fiscal review by the Joint Legislative Audit and Review Committee; the bill repeals the existing statute addressing mandatory civil penalties for repeat willful violators and, under a new penalty framework, narrows penalty waivers while directing the Department to adopt a penalty matrix with enhanced penalties for repeat willful and other repeat violators.

Expanding Public Sector Employment Eligibility: Senate Bill 5068, sponsored by Sen. John Lovick (D-44th LD), seeks to expand eligibility for certain public safety and prosecutorial positions in Washington state to all individuals legally authorized to work in the United States under federal law. The bill revises several sections of state law to ensure that roles in prosecuting attorneys' offices and corrections officer positions in state correctional facilities and local jails are accessible to a broader pool of candidates, provided they meet federal work authorization requirements, while preserving existing citizenship, lawful permanent residence, or Deferred Action for Childhood Arrivals standards for peace officer positions. It maintains existing qualifications, such as language proficiency and suitability for specific roles, while requiring compliance with federal regulations, including verification of work authorization, and specifies that these standards must be applied consistently with federal law and may not be used to bypass federal employment verification requirements; it also clarifies that certain weapons prohibitions based solely on immigration status cannot, by themselves, be used to deny or revoke certification where federal law would otherwise allow lawful possession in an official capacity. The bill applies its new work-authorization requirements retroactively to individuals employed on and after the act's effective date and takes effect immediately upon enactment as an emergency measure.

PFML Premium Rate Methodology: Senate Bill 5292, sponsored by Sen. Steve Conway (D-Tacoma), replaces the current formula-based approach to calculating Paid Family and Medical Leave (PFML) premiums with actuarially determined rates aimed at ensuring long-term solvency and establishing a four-month reserve by the end of 2030, without changing the existing statutory cap of 1.2% on the total premium rate and with the changes taking effect January 1, 2028.

Retirement Benefits Adjustment: Senate Bill 5862, sponsored by Sen. Perry Dozier (R-16th LD), provides a one-time 3% cost-of-living increase, capped at $110 per month, to beneficiaries of Teachers' Retirement System Plan 1 and Public Employees' Retirement System Plan 1 who are receiving a monthly benefit on July 1, 2025, with the act taking effect July 1, 2026 and the increase effective that same date.

Unemployment Reporting Amendments: Senate Bill 5874, sponsored by Sen. Drew MacEwen (R-35th LD), modernizes unemployment insurance tax and wage reporting penalty provisions by standardizing how monetary amounts and percentages are expressed in statute and expanding the Employment Security Department commissioner's authority to waive penalties for minor or insignificant reporting errors, including inadvertent errors caused by software failures to correctly produce required job classification information. The bill clarifies that employers are subject to penalties for missing standard occupational classification or job title data only when they knowingly fail to report that information.

Layoff Notice Requirements and Tribal Exemption: Senate Bill 6106, sponsored by Sen. Annette Cleveland (D-Vancouver), exempts Indian tribes from state layoff-notice requirements by excluding them from the definition of "employer" under the Securing Timely Notification and Benefits for Laid-Off Employees Act, and creates a new public records exemption shielding employee names and addresses submitted to the Employment Security Department for layoff notifications from disclosure. The bill also clarifies that written layoff notices must be provided to both the Employment Security Department and the affected employees or, if applicable, their bargaining representative, and that the names and addresses of employees in a mass layoff or business closure notice are required only in notices sent to the department and, if applicable, the employees' bargaining representative.

Land Use/Permitting

Factory Built Housing Standards Modernization: House Bill 2151, sponsored by Rep. Deb Manjarrez (R-Wapato), aligns factory built housing and commercial structure rules with updated international building, mechanical, and plumbing codes, clarifies approval and oversight of nongovernmental qualified inspection agencies, and exempts certain utility-owned prefabricated energy and electrical enclosures from state approval when tightly controlled by the utility and not used for occupancy.

Scissor Stair Code Study: Substitute House Bill 2228, sponsored by Rep. Janice Zahn (D-Mercer Island), temporarily directs the State Building Code Council to convene a technical advisory

group to recommend 2027 code changes allowing scissor stairs in multi-unit, primarily permanent residential occupancies.

Permitting of STEP (Shelter, Transitional Housing, Emergency Housing, and Permanent Supportive Housing): House Bill 2266, sponsored by Rep. Strom Peterson (D-Edmonds), standardizes statewide zoning and permitting rules to require most cities and counties planning under the Growth Management Act to allow transitional and permanent supportive housing in any urban growth area zones where residential dwelling units or hotels are allowed, and to allow indoor emergency shelters and indoor emergency housing in any urban growth area zones where hotels are allowed, while limiting local development, operating, and permitting standards for these uses to those that are no more restrictive than those applied to comparable lodging or residential development in the same zone. It also allows cities to impose additional operational requirements when a jurisdiction contributes general fund dollars or public land to a project.

Residential Required to Be Allowed in Commercial Zones: Senate Bill 6026, sponsored by Sen. Emily Alvarado (D-West Seattle), is Governor-request legislation that requires jurisdictions with a population of 30,000 or more that plan under the Growth Management Act, and counties that plan under the Act and are not rural counties, to allow residential uses in most commercial and mixed-use zones and limits a city or county's ability to require ground-floor commercial. Under the latest version, a jurisdiction generally cannot impose ground-floor commercial or mixed-use requirements in more than 40% of the total area zoned for commercial or mixed use (with specified exceptions, including industrial areas, certain historic and Main Street areas, business improvement areas, and additional allowances in station areas and higher-height zones) and may not impose such requirements on publicly subsidized affordable housing projects; covered cities and counties must also provide an administrative process for applicants to seek reductions or waivers of ground-floor commercial or retail requirements, while grandfathering any jurisdiction that has a process already in place. Local governments have 18 months after the bill's effective date to adopt required ordinances and, if they do not, the state standards automatically preempt conflicting local regulations; they are not obligated to update growth and development assumptions until their first comprehensive plan update after January 1, 2031.

Sound Transit Permitting Streamlining: Senate Bill 6309, sponsored by Sen. Marko Liias (D-Lynnwood), makes changes to local permitting, land use, and subdivision requirements for regional transit authorities, including Sound Transit, to expedite project delivery and reduce project costs. The bills allow earlier permit applications and exemptions for partial parcel acquisitions needed for transit facilities. The bills also clarify that local governments must accept land use, construction, or technical permit applications from a regional transit authority for projects on property the authority does not yet own, while requiring the authority to independently secure necessary property rights or permissions before proceeding with permitted work.

Elevator Safety Standards: Senate Bill 5156, sponsored by Sen. Jesse Salomon (D-32nd LD), directs the State Building Code Council to adopt standards in the 2027 technical codes that will allow cities and counties to permit smaller passenger elevators in small apartment buildings, defined as buildings with up to six stories and no more than 24 units. The bill requires the State Building Code Council to adopt new rules ensuring that all passenger elevators in these buildings are minimally sized to meet federal accessibility requirements, while convening an expert technical advisory group to review hoistway opening protection and two-way visual emergency communication requirements and evaluate elevator safety and cost standards for small apartment buildings and to align state policy with national and international model code and competitiveness efforts.

Kit Home Building Codes: Senate Bill 5552, sponsored by Sen. Jeff Wilson (R-19th LD), establishes a new category of building codes for "kit homes" to promote affordable introductory housing in Washington State. The bill defines kit homes as prefabricated residential structures of 800 square feet or smaller, comprised of prefabricated walls, floors, and roofs that are assembled on-site, and directs the State Building Code Council to perform rulemaking on the state building codes applicable to kit homes and to update those provisions over time, with rulemaking to be completed no later than March 31, 2027.

Miscellaneous

Derelict Vessel Management: House Bill 2199, sponsored by Rep. Adison Richards (D-Gig Harbor), amends procedures for managing and disposing of derelict and abandoned vessels by updating and expanding the definition of a derelict vessel, including allowing a vessel to be classified as derelict if it has been in violation of state registration requirements for at least two full annual registration periods, and by removing ownership status and owner control as conditions for classifying a vessel as derelict.

Statewide Food Security Strategy: House Bill 2238, sponsored by Rep. Kristine Reeves (D-Federal Way), modifies the Department of Agriculture's responsibilities to monitor food system performance, coordinate statewide food security efforts, and lead a time-limited, multiagency planning effort to end hunger, reduce diet-related health disparities, and improve agricultural viability and supply chain resilience through 2028. The department must submit the finalized statewide food security strategy to the appropriate legislative committees by December 1, 2027, and, beginning June 30, 2030, must report to the Legislature at least once every four years on the competitiveness of Washington's agricultural regulatory landscape, including metrics that monitor and quantify regulatory costs imposed by the state on fuel, packaging, and labor.

Restrictive Real Estate Agreements: House Bill 2294, sponsored by Rep. Darya Farivar (D-Seattle), prohibits most new private real estate agreements that restrict otherwise-allowed use of property for grocery stores or pharmacies, declares such restrictions void as against public policy, and treats entering into or maintaining such agreements as unlawful practices. The bill

provides limited exceptions for preexisting agreements, certain relocation arrangements within specified distance and time limits that may be extended by local governments for good cause, and specified retail center covenants that lose enforceability if the use is discontinued beyond a set period, while authorizing enforcement by local governments and the Attorney General and requiring parties entering covered agreements to provide notice to the Attorney General and the relevant local government within ten days.

Commercial Truck Safety and Education Council: House Bill 2410, sponsored by Rep. Jake Fey (D-Tacoma), creates the Washington State Commercial Truck Safety and Education Council within the Washington Traffic Safety Commission to address rising large-truck collisions and support coordinated public-private safety, training, and education initiatives, funded in part by increasing the commercial vehicle safety enforcement fee from $16 to $32 and directing a share of the revenue to a new commercial truck safety and education account overseen by the council.

Behavioral Health Training in the Trades: House Bill 2492, sponsored by Rep. Greg Nance (D-Bainbridge Island), adds optional behavioral health and wellness content to existing continuing education requirements for plumbers and electricians and creates a mandatory behavioral health and wellness training component in all state-approved building and construction apprenticeships.

Community Reinvestment Governance and Planning: House Bill 2523, sponsored by Rep. Kristine Reeves (D-Federal Way), revises Washington's community reinvestment framework to add long-term planning, outcome reporting, and independent evaluation for funding targeted to communities disproportionately harmed by past drug laws.

Alien Terminology Replacement: House Bill 2632, sponsored by Rep. My-Linh Thai (D-Bellevue), standardizes state law by defining "noncitizen," replacing existing references to "alien" and related terms across multiple statutory titles without changing eligibility rules or program structures, and authorizing expedited rulemaking to implement those technical language updates. The bill also directs that, beginning July 1, 2026, new state and local enactments use "noncitizen" or another context-appropriate term instead of "alien," unless federal law or funding conditions require the term "alien."

Rural County Eligibility Expansion: Senate Bill 6149, sponsored by Sen. Jeff Wilson (R-Longview), broadens the definition of "rural county" used for Community Economic Revitalization Board programs and the rural county public facilities sales and use tax by allowing eligibility for counties that either have a population density below 100 persons per square mile, have a population density of 100 persons per square mile or greater but no city larger than 45,000 people, or are smaller than 225 square miles.

Procurement

Small Works Roster Expansion: House Bill 2420, sponsored by Rep. Janice Zahn (D-Bellevue), incrementally raises the maximum contract amount eligible for small works roster procurement, allowing the limit to increase from $350,000 to $650,000 over a phased period

while clarifying that the thresholds are based on estimated cost not including sales tax and retaining existing documentation, direct contracting, and public access provisions.

Public Works Independent Contractors: Senate Bill 6302, sponsored by Sen. Steve Conway (D-Tacoma), creates a mandatory Department of Labor & Industries misclassification investigation process for certain finishing-trade independent contractors on public works projects by requiring the department to investigate potential misclassification when a contractor or subcontractor uses three or more independent contractors to perform the same type of covered finishing work—defined as drywall, flooring, tiling, painting, and glazier and glasswork—simultaneously on a public works project, upon referral from specified public entities, contractors or subcontractors on the project, labor organizations representing covered workers, or affected individuals performing covered finishing work, and, if misclassification is found, to apply all applicable prevailing wage requirements, liabilities, and penalties and refer the matter for appropriate industrial insurance and unemployment insurance actions.

Public Safety (Police and Corrections)

AI-Generated Child Sexual Exploitation Depictions: Senate Bill 5105, sponsored by Senator Tina Orwall (D-Des Moines), expands existing child sexual exploitation crimes to clearly cover AI-generated and other digitally fabricated depictions of minors in sexually explicit conduct, including images where the minor is not identifiable but the material is obscene.

Transgender Jail Searches: House Bill 1604, sponsored by Rep. Osman Salahuddin (D-48th LD), establishes specific statewide standards and procedures for searches and physical examinations of transgender, intersex, and gender nonconforming individuals in local jails and aligns related strip search laws with these requirements. Local jails are required to develop policies that comply with the federal Prison Rape Elimination Act (PREA) and include training for staff to ensure searches are conducted respectfully and in the least intrusive manner consistent with security needs. Key provisions include prohibiting searches solely to determine genital status, allowing individuals to choose the gender of the staff conducting strip searches or have them conducted by a medical professional, clarifying that lack of available trained female staff is not an exigent circumstance justifying cross-gender searches, and ensuring privacy protections during searches and daily activities such as showering, toileting, and changing clothes.

Attorney General Investigators: House Bill 2156, sponsored by Rep. Edwin Obras (D-33rd LD), authorizes specially trained Attorney General's Office investigators who handle economic and financial crime investigations to be designated as limited authority Washington peace officers for narrowly defined economic and financial crime investigations, while explicitly denying them detention, arrest, or firearms authority, limiting their search warrant authority to electronic service on businesses after judicial approval, prohibiting them from physically serving search warrants for business records, and preserving existing law enforcement powers.

Attorney General Civil Investigative Demands: Senate Bill 5925, sponsored by Sen. Drew Hansen (D-Bainbridge Island), authorizes the Attorney General to issue civil investigative demands for specified civil rights, labor, and law enforcement oversight investigations, with

confidentiality protections, judicial review, and limits to civil, noncriminal matters. The bill further narrows use by excluding federal agencies and the Attorney General's criminal justice division, and adds a four-year legislative reporting requirement on how the civil investigative demand authority is used.

False Identification as Peace Officers: House Bill 2165, sponsored by Rep. Edwin Obras (D-SeaTac), is Governor-request legislation that creates a new gross misdemeanor offense for falsely identifying as a peace officer and removes peace officer impersonation from the existing criminal impersonation statute.

Law Enforcement Facial Covering Restrictions: Senate Bill 5855, sponsored by Sen. Javier Valdez (D-Seattle), prohibits law enforcement officers from wearing facial coverings while interacting with the public in the performance of their duties, while allowing limited exceptions for officers working as undercover operatives or as part of a special weapons and tactics (SWAT) team, and establishes a civil cause of action for individuals detained in violation of these requirements. The bill also clarifies that personal protective equipment required or authorized under federal or state workplace safety rules, helmets used on certain vehicles, and religious head or face coverings are not subject to the ban.

Digital Firearm Manufacturing Restrictions: House Bill 2320, sponsored by Rep. Osman Salahuddin (D-Redmond), expands Washington's regulation of ghost guns by defining digital firearm manufacturing code and three-dimensional printers, expressly covering 3D printing and CNC milling within existing prohibitions on manufacturing untraceable and certain prohibited firearms and components. The bill further restricts who may possess, distribute, or use firearm-related digital design files and equipment.

Blue Envelope Program: House Bill 2323, sponsored by Rep. Carolyn Eslick (R-Sultan), creates a voluntary "blue envelope program" to support safer traffic-stop interactions by providing drivers and passengers with disabilities or conditions that may affect interactions, including neurodiverse individuals, with a distinct envelope containing key documents, safety tips, and communication guidance for law enforcement. The program requires the Department of Licensing, in collaboration with stakeholders, to make blue envelopes available free of charge at driver licensing offices and to maintain program information on an existing website.

Automated License Plate Privacy Regulations: Senate Bill 6002, sponsored by Sen. Yasmin Trudeau (D-Tacoma), establishes comprehensive limits on when agencies may use automated license plate reader (ALPR) systems, including exempting ALPR data from public records disclosure and tightly limiting authorized uses, retention, sharing, and enforcement to protect driver privacy. The bill clarifies that existing automated traffic safety, school bus, and toll camera systems that do not interface with ALPR beyond their current statutory purposes are excluded from the new rules, restricts agencies from using ALPR systems except in specified circumstances such as investigations involving stolen vehicles, missing or endangered persons, persons with felony or gross misdemeanor warrants, vehicles related to felonies or gross misdemeanors, commercial vehicle enforcement, and parking enforcement, and generally

limits data retention to 21 days except in certain circumstances. The bill also prohibits specified surveillance practices and collection in sensitive locations, requires agencies to register ALPR systems with the Attorney General, adopt policies consistent with model policies to be developed by 2027, conduct annual audits, and provide public reporting and oversight, with violations subject to gross misdemeanor penalties and civil remedies, including treatment as unfair trade practices under the consumer protection act and inadmissibility of unlawfully obtained ALPR data in court.

Police Use of Force Investigations: House Bill 2508, sponsored by Rep. Debra Entenman (D-Kent), broadens and clarifies the Office of Independent Investigations' jurisdiction over police use-of-force deaths and in-custody death cases, strengthens its authority over scene control and access to records (including certain fire and ambulance records, subject to consent or court order where they contain health care information), and narrows certain definitional references. The bill makes Office of Independent Investigations investigative records confidential until referral to a prosecutor for a charging decision and limits disclosure of certain non-investigative records to protect personal privacy through new exemptions under the Public Records Act.

Wrongful Conviction Compensation Expansion: Senate Bill 5520, sponsored by Sen. Tina Orwall (D-Des Moines), broadens eligibility for wrongful conviction claims by tying compensation to an "actually innocent" standard based on a preponderance of the evidence, clarifies key definitions including "actually innocent," "significant new exculpatory information," and "wrongly convicted," restructures filing and merits standards, increases and clarifies compensation and attorney fee provisions by setting attorneys' fees at 10% of a claimant's confinement- and community-custody-related monetary damages and capping fees and expenses at $75,000, extends the statute of limitations and notice-related filing windows, authorizes structured settlements, and expands educational and reentry benefits and tuition waivers for exonerated individuals and their families.

DUI Toxicology Testing: Senate Bill 5880, sponsored by Sen. Keith Wagoner (R-39th LD), expands who may conduct DUI toxicology testing by authorizing ISO/IEC 17025-accredited forensic toxicology laboratories to perform blood analyses as an alternative to individuals permitted by the state toxicologist, while retaining the toxicologist's authority to approve testing methods and issue individual permits; the bill also clarifies that local governments may, but have no duty to, accept private donations to fund such analysis and includes delayed transition language with one section expiring June 30, 2027, and a successor section taking effect on that date to align with future statutory updates, and requires cities and counties that choose to use private laboratories for analysis of evidence previously submitted to the state toxicological laboratory to reimburse the Washington State Patrol for the cost of returning the evidence and prohibits the laboratory from releasing evidence unless a contract governing the release is in place, and further requires cities and counties that use private laboratories for blood analysis to contract with those laboratories in advance and mandates that such contracts include provisions for free, timely defense interviews with laboratory personnel, which may be conducted remotely, and acceptance by the laboratory of electronic service of pleadings,

discovery, and subpoenas.

Law Enforcement Qualifications: Senate Bill 5974, sponsored by Sen. John Lovick (D-Mill Creek), modernizes eligibility, certification, background investigation, and accountability standards for sheriffs, police chiefs, town marshals, and sheriff candidates, and regulates the use of volunteers, youth cadets, specially commissioned officers, and deputized process servers by law enforcement agencies in cities, code cities, and counties. The bill restores the right of officers, their attorneys, or representatives to review and copy confidential records held by the Criminal Justice Training Commission, updates eligibility and background check rules for sheriffs, police chiefs, and marshals by clarifying that non-vacated gross misdemeanors can disqualify candidates while vacated gross misdemeanors do not, adding experience and grandfathering provisions, requiring state and federal criminal history checks, and authorizing the Washington State Patrol to treat sheriff candidates as peace officer certification applicants to accelerate fingerprint-based eligibility verification processes. The changes specify that decertification or failure to meet eligibility requirements creates a vacancy in office for sheriffs, police chiefs, and marshals, adjust volunteer firearm restrictions for qualified retired officers, permit fixed cameras in facilities, allow limited supervisor data sharing, clarify that specially commissioned peace officers are not subject to volunteer limits and that deputized process servers may only perform non-law-enforcement-authority tasks unless they are certified peace officers, require sheriff, police chief, and marshal candidates to undergo a pre-appointment background investigation equivalent to peace officer certification standards, with an attestation of eligibility and suitability submitted to the Commission before appointment, and prohibit volunteers and youth cadets who are not fully trained and certified peace officers from exercising core law enforcement powers, including pursuits, arrests, use of force, carrying weapons, certain surveillance activities beyond fixed internal cameras, use of tracking or apprehension dogs, and immigration enforcement.

Transportation and Traffic Safety

Transit Lane Access: House Bill 1980, sponsored by Rep. Janice Zahn (D-41st LD), allows private employer transportation services to use certain business access and transit-only lanes in counties with populations over 2,000,000 under a fee-for-use, two-year pilot permit system initiated before 2035, contingent on public transportation provider approval and performance standards to protect transit operations. The bill requires public transportation providers, in consultation with local authorities and representatives of one or more labor organizations representing transit employees, to establish operational performance measures for affected lanes, jointly prepare annual performance reports with labor input, and revoke permits if those standards are not met, with permit revenues first covering local administrative costs and any remaining revenues supplementing rather than replacing existing funding for transit-only lane maintenance and improvements.

Crash Prevention Zones: Senate Bill 6066, sponsored by Sen. Nikki Torres (R-Pasco), authorizes and defines “crash prevention zones,” adjusts related enforcement, and links fine revenue to targeted safety improvements. The bill allows the creation of crash prevention zones on

specified high-collision segments of US 395 and SR 12 prior to January 1, 2029, and beginning in 2029 authorizes counties, cities, towns, and the Washington State Department of Transportation to designate additional zones on high-collision road segments, require public hearings and engineering and traffic investigations to identify safety improvements (including potential speed limit changes), and direct increased law enforcement presence within the zones. Monetary penalties for personal electronic device violations and automated camera-based speed violations committed within crash prevention zones may be doubled, with resulting revenues dedicated to zone-related engineering and traffic investigations, signage, and safety improvements, including deposits to local crash prevention zone accounts and, for certain state-established zones, the highway safety fund. The bill also authorizes the use of automated traffic safety cameras for speed enforcement in crash prevention zones and requires that any remaining camera revenue after program costs be spent only on safety purposes within the zone.

Traffic Fatality Review Confidentiality and Data Access: House Bill 2192, sponsored by Representative Sam Low (R-Lake Stevens), expands the Washington Traffic Safety Commission's role as a public health authority by authorizing confidential traffic fatality review committees, protecting related crash and health data from public disclosure, and enabling broader access to law enforcement, licensing, and medical records to analyze serious and fatal collisions and recommend safety improvements, while shifting detailed review and confidentiality functions from the Cooper Jones Active Transportation Safety Council to the commission.

Electric Motorcycle Regulations: Senate Bill 6110, sponsored by Sen. Sharon Shewmake (D-Bellingham), clarifies that high-speed or easily modified electric bicycles are treated as motorcycles rather than electric-assisted bicycles, and establishes a temporary work group process to develop a new statutory framework for electric motorcycles, including enforcement tools and potential penalties related to youth operation and deceptive marketing or tampering, while also directing the work group to assess the regulatory landscape for other micromobility devices such as electric unicycles, scooters, and tricycles. An emergency clause allows the work group section of the bill to take effect immediately, with an interim report due by December 15, 2026, and a final recommendation, including any draft legislation, due by October 31, 2027.

Utilities

Industrial Symbiosis Incentives: House Bill 1302, sponsored by Rep. Julio Cortes (D-38th LD), allows local utilities to waive or delay utility connection charges for organizations practicing industrial symbiosis, defined as collaboration among businesses or organizations to exchange materials, energy, water, and byproducts to optimize resource use and achieve measurable reductions in resource consumption or greenhouse gas emissions while supporting sustainable development and long-term community benefits. The bill requires that waived charges be covered by general funds or other revenue sources and mandates repayment if the property no longer qualifies.

Clean Energy Compliance Expansion: Senate Bill 5982, sponsored by Sen. Victoria Hunt (D-

Issaquah), broadens the Clean Energy Transformation Act to cover ports and nonresidential electricity consumers that self-generate or procure power outside traditional utilities, requiring affected market customers to report their retail electric load and comply with clean energy standards enforced by the Utilities and Transportation Commission. Senate Bill 5982 additionally directs the Department of Commerce to tailor reporting for port districts and phases in enhanced contract disclosure requirements for consumer-owned utilities starting in 2026, with later timelines for port districts.

Energy Reporting Requirements: House Bill 2575, sponsored by Rep. Zach Hall (D-Issaquah), reduces utility and energy strategy reporting requirements by shifting qualifying utilities' renewable portfolio compliance reports to the Department of Commerce from annual to biennial, lengthening state energy strategy reporting intervals, and eliminating multiple heat-related utility disconnection and energy planning-related reporting obligations while retaining underlying customer protections and disconnection rules, and adds nonbinding encouragement for utilities to use savings from the reduced reporting requirements to support low-income energy assistance programs.

Fish Barrier Coordination: Senate Bill 5690, sponsored by Sen. Drew MacEwen (R-35th LD), directs the Washington State Department of Transportation (WSDOT) to adopt and maintain policies to proactively coordinate with utility owners and to maximize federal funding for utility relocation in state highway fish barrier removal projects. The bill requires WSDOT to provide utility owners with information about planned state highway fish barrier removal projects, with at least one year of advance notice where feasible, and to adopt agency procedures to ensure this coordination consistent with applicable federal rules and regulations. Additionally, WSDOT is directed to adopt policies aimed at maximizing the amount of federal funding available for fish barrier removal projects where such funding can also be used for utility relocation costs, whether incurred by WSDOT or by utilities, and is encouraged to deposit eligible federal awards into the multimodal transportation account and report recommendations to the Legislature and the Office of Financial Management on changes that would improve access to federal funding.

Utility Procurement Streamlining: Senate Bill 6076, sponsored by Sen. Keith Goehner (R-Dryden), streamlines procurement processes for public utility districts and other consumer-owned utilities to more quickly procure and construct clean energy generation, storage, transmission, and distribution projects through 2045. The bill raises competitive bidding thresholds for specified clean energy projects to $500,000, authorizes an intermediate quotation-based procurement pathway for certain mid-range purchases, clarifies that bids must be awarded to the lowest responsible and responsive bidder, increases from 15% to 25% the maximum amount by which an awarded contract may exceed the estimated cost, and adds temporary exemptions allowing a municipality's governing body to waive competitive bidding for proprietary or specialized technologies needed to meet reliability standards or for projects that are common facilities.

On-site Sewage Inspections: Senate Bill 6291, sponsored by Sen. Liz Lovelett (D-Anacortes), extends from two to four years the period during which noncertified individuals may review designs and conduct inspections of on-site wastewater treatment systems under the supervision of a certified individual, while leaving all other qualification and oversight requirements unchanged.

KITSAP COMMUNITY RESOURCES
Creating Hope | Restoring Lives

KITSAP COMMUNITY RESOURCES 60th Anniversary

KITSAP COMMUNITY RESOURCES

60 Community Action 60 Years

SINCE 1965, KITSAP COMMUNITY RESOURCES (KCR) HAS BEEN A STEADFAST PILLAR OF SUPPORT FOR KITSAP COUNTY.

KCR IS A COMMUNITY ACTION AGENCY THAT IS DEDICATED TO ENSURING THAT EVERY INDIVIDUAL IN OUR COUNTY FEELS THE WARMTH OF ASSISTANCE AND THE EMBRACE OF OPPORTUNITY.



OUR LOCATIONS

2819 Kitsap Place
Silverdale, WA 98383

(360)692-6530

845 8th Street
Bremerton, WA 98337

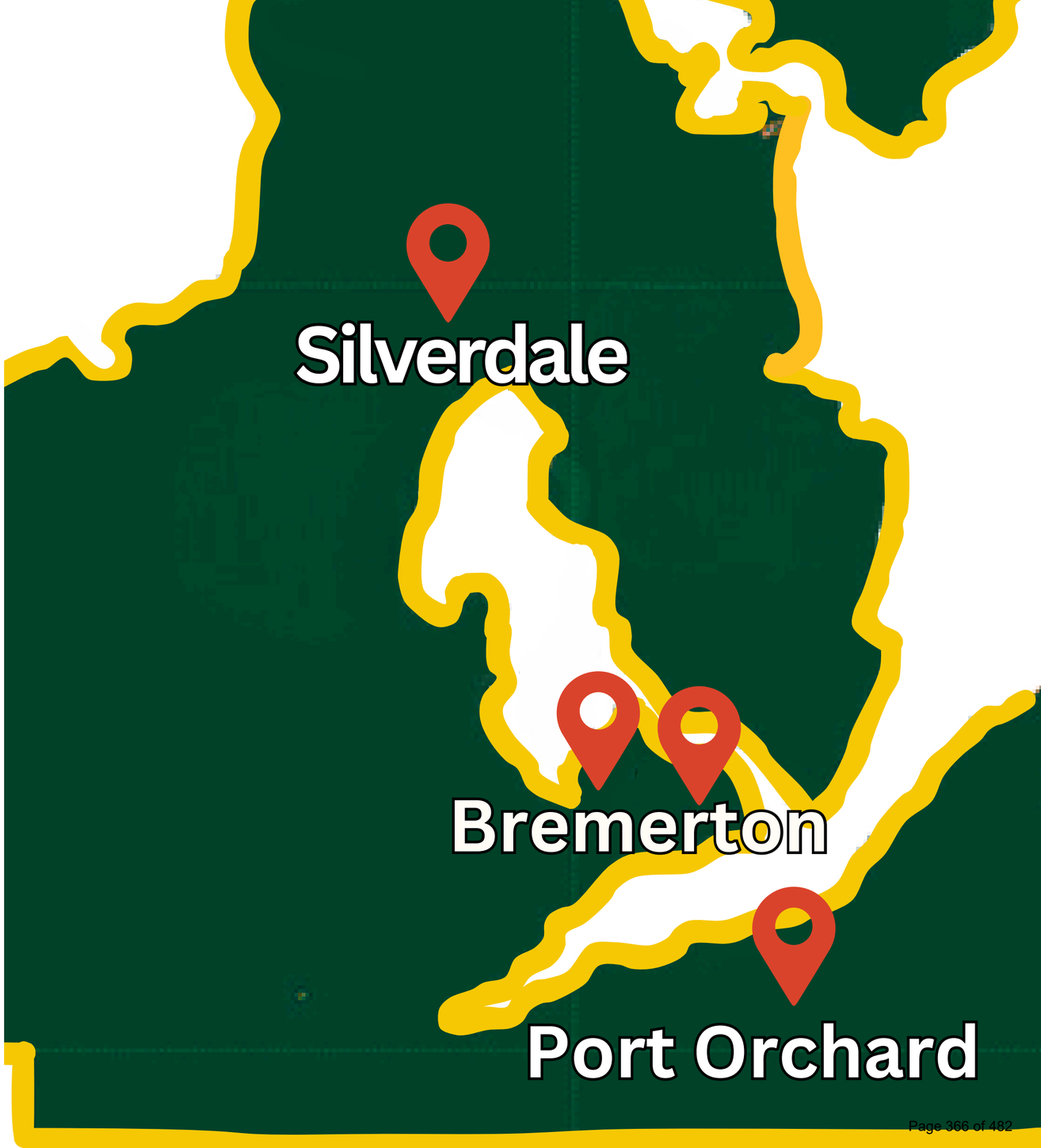
(360)478-2301

1201 Park Ave
Bremerton, WA 98337

(360)473-2056

3200 SE Rainshadow Ct
Port Orchard, WA 98366

(360)473-2102



OUR DIVISIONS

I. HOUSING & COMMUNITY SERVICES

KCR's Housing Division serves the needs of families and individuals in Kitsap County who are homeless or at risk of becoming homeless. We provide services that can help you prevent eviction, find affordable housing options, and we work to help stabilize families who are in crisis situations.

- Coordinated Entry & Housing Solutions Center
- Energy Assistance
- Weatherization
- Veterans Assistance





OUR DIVISIONS

2. EARLY LEARNING & FAMILY SERVICES

KCR ELFS provides family-centered preschools, childcare, and home visitation services that offer quality education, health, and social services to prepare your child for future success. These programs are offered at little to no cost to qualifying families.

- Early Learning
- Head Start
- The Parenting Place
- Empowering Youth Mentor Program
- Food Services
- Kinship Caregiver & Navigator
- WIC (Woman, Infants & Children)



OUR DIVISIONS

3. EMPLOYMENT & TRAINING

Our Employment & Training Program offers free career planning and training opportunities for adults ages 18 and older. Participants can receive support through our BE$T program, financial decision-making resources, and free GED preparation tutoring. We also help individuals explore career pathways, build job readiness skills, and connect with training opportunities that support long-term employment and financial stability.

- Business Education
- Business Education in Spanish
- GED
- Community Reinvestment Project
- Asset Building Coalition
- Financial Education
- Free Tax Preparation program
- Job Readiness Workshops

OTHER PROGRAMS WE OFFER

CHRISTMAS ANGEL

The Christmas Angel KCR Program provides holiday gifts and support to families in need, bringing joy and cheer during the festive season. Last year we were able to support 900 families and more than 2300 children.







OUR IMPACT IN THE COMMUNITY DURING 2025

YEAR IN review 2025

Kitsap Community Resources' impact across Kitsap County for 2024.

50 people
were helped with Employment Services and Assistance

110 veterans
received help with support services

30 caregivers
received help through our Kinship program

8,783 households
were helped through our Energy & Weatherization programs

2300 children
received Christmas gifts through our Christmas Angel program

796 people
were supported through our Employment & Training Division

3663 families
received help every month through our Woman, Infants & Childrens program

19 youth
were mentored through ou Empowering Youth Mentor program

298 children
were part of our Early Learning & Family services program

75,000 meals
were served in the community through our Food Services department

1089+ people
obtained shelter referrals; safe shelter; transitional housing; avoided eviction o foreclosure

500+ people
donated to support Kitsap Community Resources programs

2025 KCR IMPACT IN SOUTH KITSAP

RENTAL ASSISTANCE

- Through a $30,000 rental assistance initiative from the City of Port Orchard, KCR supported 11 residents, distributing $18,818 to help maintain housing stability.

- 8 other SK residents were helped with other funds bringing the total to 25K spent in rental assistance for PO.

HOUSING SERVICES (PORT ORCHARD OFFICE)

- Housing Services provides coordinated entry, case management, and support for individuals and families experiencing or at risk of homelessness.

- Current caseload is 121 individuals/families as of February 2026, compared to 40 individuals/families in February 2025, reflecting significant growth in demand and service reach.



2025 KCR IMPACT IN SOUTH KITSAP

SCHOLARSHIPS, ENTREPRENEURSHIP & SMALL BUSINESS GROWTH

- 27 individuals completed the 8-week Business Education Support & Training (BE$T) Program
- KCR invested $45,000 to strengthen 9 Port Orchard based businesses, enabling them to acquire essential assets and expand their operations.
- KCR awarded $15,000 in scholarships to 3 Port Orchard students, supporting their educational and career advancement.

FINANCIAL EDUCATION, GED & ASSET BUILDING

- 18 financial education classes in Port Orchard, serving 105 participants
- 22 students enrolled in our GED program



2025 KCR IMPACT IN SOUTH KITSAP

WEATHERIZATION

- Served 14 units / 31 individuals
- Completed 10 Weatherization and 4 HEAP projects
- Invested $263,100.15 total

ENERGY / LIHEAP

- 1,630 Port Orchard households were served through KCR's energy assistance program.

EARLY LEARNING & FAMILY SERVICES

- 20 families from Port Orchard are currently enrolled in our programs for families and kids.

WIC (WOMAN, INFANTS & CHILDREN)

- 1,002 Port Orchard families are served monthly.



STRATEGIC PLANNING



KITSAP COMMUNITY RESOURCES

Strategic Plan 2024-27

Our Programs

HOUSING AND COORDINATED ENTRY	EARLY LEARNING & FAMILY SERVICES	WOMEN, INFANTS, AND CHILDREN	EMPLOYMENT & TRAINING	WEATHERIZATION AND ENERGY	VETERANS
One-stop Resource for housing, shelters, rental assistance, landlord referrals, and other community service needs in Kitsap County.	Early Learning, Early Head Start, The Parenting Place, Food Services. A nurturing and stimulating environment where little minds flourish and families thrive.	A place where families get healthy food along with nutrition tips and referrals. WIC is for pregnant women, postpartum, breastfeeding moms, and children under five.	Provides personalized resources and economic solutions for Kitsap County residents seeking business education, job skills training and personal finance education.	Energy Assistance and Utility Discount Programs. Weatherization and related Minor Home Repair.	This program provides eligible veterans and/or immediate family members with emergency financial assistance.

Community Services



Kinship Caregiver Support & Resources

The Kinship Caregiver program is designed to support kin caregivers, while also supporting children in Kitsap County.

Christmas Angel

The Christmas Angel program aims to provide holiday gifts for families in need in Kitsap County. Families receive a few gifts and clothing per child.

KCR HISTORY

Kitsap Community Resources was established in 1965 as Kitsap Community Action Program (KCAP). It was authorized through passage of the Economic Opportunity Act of 1964, in conjunction with President Lyndon Johnson's "War On Poverty" legislation.

As a result of Johnson's directive to end poverty, community action agencies were formed and charged with the task of ending poverty through strategies designed by local communities.

KCR was born of this bold, creative movement where for the first time in history a nation seriously attempted to end poverty. Our mission, vision and core values form the foundation of the work KCR does to impact poverty in Kitsap County.



www.kcr.org 845 8th Street, Bremerton, WA (360) 478 2301



Creating Hope, Restoring Lives since 1965

What helped us determine our strategic goals?

- Kitsap Community Needs Assessment with over 4,200 responses, 10 focus groups and engagement of 40 community partners
- Employee survey and focus groups
- KCR Board member survey, focus groups and Leadership Planning Retreat



Our guiding principle: Serve every person that walks through our doors

We will conduct a comprehensive assessment to identify each client's specific needs, goals, and aspirations. This assessment helps us develop a tailored plan to support each individual's journey toward stability and success.

1. Improve and streamline access to services

By unifying processes and providing our clients with a coordinated single point of entry into services through Foundational Community Supports (FCS).

2. Increase funding to sustain and build programs

Through innovation, diversification of funding sources, increased fundraising activities and marketing.

3. Invest in people

With improved information sharing tools, better data access, targeted training and professional development.



4. Foster a strong, diverse community through collaboration with partners

By leveraging KCR's role as a facilitator and advocate in Kitsap County to meet and increase community partnerships with a focus on reaching previously underserved communities.

5. Increase employee satisfaction

With increased transparency and improved internal communications. Build employee engagement framework by developing focus and work groups, and wellness programs.

6. Improve internal systems

Through automation and modernization of information systems including cybersecurity, centralized data and development of meaningful metrics. Assess and improve KCR facilities to ensure safe and accessible workspaces.

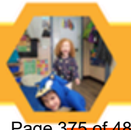


Our vision inspires us!

We envision a community in which everyone has the opportunity to thrive.

Our mission defines us!

Kitsap Community Resources is committed to creating hope and opportunity for low-income Kitsap County residents by providing resources that promote self-sufficiency and stability.



UPCOMING PROJECT - CNA



Kitsap Community Needs Assessment

Community Survey & Focus Group Discussions

Conducted June – December 2022

Prepared by the Kitsap Public Health District

& Kitsap Community Resources

April 2023

KITSAP COMMUNITY RESOURCES
Creating Hope | Restoring Lives

KITSAP PUBLIC HEALTH DISTRICT

Results

Who is our survey population?

A total of 4,205 responses were included in the analysis. The majority of survey participants identified as female (68%), and most participants identified as White (81%). When compared to the total Kitsap population, survey response rates were higher among the 65+ age group (32% of participants, 21% of the total population) and among Bremerton residents (24% of participants, 18% of the total population).

Table 1. Selected demographic characteristics of survey participants (4,205 participants). For additional demographic characteristics, please visit the community survey public dashboard at ow.ly/tbvZ50Naanp.

Characteristics		*Survey Population, n (%)*	*Kitsap County, % of total population*
Age	*Under 18*	9 (0%)	20%
	18-24	153 (4%)	9%
	25-34	565 (13%)	13%
	35-44	711 (17%)	12%
	45-54	561 (13%)	11%
	55-64	760 (18%)	14%
	65+	1,337 (32%)	21%
	Prefer not to answer	109 (3%)	NA
Race/Ethnicity[4]	*African American/Black*	124 (3%)	3%
	Asian/Asian American	210 (5%)	5%
	Hispanic/Latino/Latinx	233 (6%)	9%
	Native American/American Indian	201 (5%)	1%
	Native Hawaiian or Other Pacific Islander	76 (2%)	1%
	White	3,405 (81%)	72%
	Middle Eastern or North African	35 (1%)	NA
	Prefer not to answer	371 (9%)	NA
	Multiracial	357 (9%)	8%
	Single Race or Ethnicity	3,477 (91%)	92%
School District of Residence	*Bainbridge Island*	446 (11%)	9%
	Bremerton	1,023 (24%)	18%
	Central Kitsap	691 (16%)	27%
	North Kitsap	1,017 (24%)	19%
	South Kitsap	893 (21%)	27%
	Outside of Kitsap	62 (1%)	NA
	Prefer not to answer	73 (2%)	NA

[4] Survey participants were counted toward each race/ethnicity category they selected on the survey. This means individuals can be in multiple categories, category counts will not add up to 100%, and survey population race/ethnicity categories are not directly comparable to Kitsap County race/ethnicity population estimates, where individuals who identify as multiple races are categorized as multiracial.

THANK YOU



ANTHONY IVES
KCR EXECUTIVE DIRECTOR

KITSAP COMMUNITY RESOURCES
Creating Hope | Restoring Lives

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 9.A. Public Hearing on a Petition from Kitsap County to Vacate City Rights-of-way (Wallace)
Meeting Date: March 24, 2026
Presenter: Brandy Wallace, City Clerk

Summary and Background:
Petitioner Kitsap County has filed a petition to vacate City rights-of-ways as the owner of the following Kitsap County Tax Parcel Nos. (included in attachments). The petitioners together own more than two thirds of the abutting property, as required by RCW 35.79.010 and POMC 12.08.010. The requested areas are grouped in Sections, described as follows: 1) a portion of an alley off of Taylor Street near Sidney Avenue (Section 2;a. Approximately 2,450 square feet2) most of Austin Avenue from Taylor Street and Smith Street (Section 8)a. Approximately 8,434 square feet3) most of an alley off of Austin Avenue from Taylor Street and Smith Street (Sections 6 and 7)a. Approximately 8,434 square feet4) a portion of an alley off Division Street near Sidney Avenue (Section 3);a. Approximately 3,054 square feet5) most of an alley from Smith Street to Taylor Street (Section 9);a. Approximately 1,540 square feet6) a portion of Sweany Street off of Sidney Avenue (Section 4);a. Approximately 4,667 square feet7) most of an alley from Cline Street to Austin Avenue (Section 10);a. Approximately 3,897 square feet8) a portion of an alley off of Sweany Street and Sidney Avenue (Section 5); anda. Approximately 4,667 square feet9) a portion of an alley off of Cline Avenue near Taylor Street (Section 1).a. Approximately 1,498 square feet The rights of way and alleys proposed for vacation total approximately 38,641 square feet. The petitioner owns all adjoining property therefore they own more than two thirds of the abutting property, as required by RCW 35.79.010 and POMC 12.08.010. POMC 12.08.017 and POMC 12.08.050 authorizes the City to obtain an appraisal of the area proposed for vacation to assist the City Council in evaluating proposed adequate compensation for proposed vacations. Compensation can include an in-lieu transfer of real property, as well as other contributions of a monetary value. Following an appraisal, Kitsap County provided a statement of proposed compensation for the areas to be vacated, including the payment to the City of $30,000, the transfer of Veterans Park (48-acres of real property located within the City), and dedicated public parking on the County's Campus for special event parking (where an event is sponsored or promoted by the City). A copy of Kitsap County's proposal to compensate the City is included in the packet for tonight's meeting and cannot be acted upon until after the public hearing and associated action by the City Council, if any.

On February 24, 2026, the Council adopted Resolution No. 019-26, setting a public hearing on this petition to vacate the City's ROW. On March 3, 2026, the City posted the required public notice in conspicuous places near the alley/street sought to be vacated and on March 3, 2026, placed a copy of the adopted Resolution in three of the most public places in the City: (1) City Hall Bulletin Board, (2) Kitsap County Administrative Building Bulletin Board, and (3) Port Orchard Library Bulletin Board. As required, notice was given to the abutting property owners, of which all are owned by the Petitioner, of the petition and the public hearing. These actions meet the posting and noticing requirements outlined in RCW 35.79.020 and POMC 12.08.020. As of today, staff has received no inquiries nor any written objections to this proposed vacation. Pursuant to RCW 35.79.020 and POMC 12.08.030(1), the Council is prohibited from proceeding with the Public Hearing if fifty percent (50%) of the abutting property owners file written objection to the proposed vacation with the Clerk, prior to the time of the hearing; therefore, with no written objections, the Council shall proceed with the Public Hearing.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends the Mayor open the public hearing to take public testimony on the petition to vacate a portion of City rights-of-ways as described.

Motion for Consideration:

Has item been presented to Committee/Work Study? No
If so, which one:

Fiscal Impact:

Alternatives:

Attachments:
1. 019-26
2. County_Campus_Vacate_Maps_Exhibit_B

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RESOLUTION NO. 019-26

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, FIXING THE DATE OF PUBLIC HEARING ON A PETITION TO VACATE CITY RIGHT OF WAY, A PORTION OF AN ALLEY OFF OF TAYLOR STREET NEAR SIDNEY AVENUE; MOST OF AUSTIN AVENUE FROM TAYLOR STREET AND SMITH STREET; A PORTION OF AN ALLEY OFF DIVISION STREET NEAR SIDNEY AVENUE; MOST OF AN ALLEY FROM SMITH STREET TO TAYLOR STREET; A PORTION OF SWEANY STREET OFF OF SIDNEY AVENUE; MOST OF AN ALLEY FROM CLINE STREET TO AUSTIN AVENUE; MOST OF AN ALLEY OFF OF AUSTIN AVENUE FROM TAYLOR STREET AND SMITH STREET; A PORTION OF AN ALLEY OFF OF SWEANY STREET AND SIDNEY AVENUE; AND A PORTION OF AN ALLEY OFF OF CLINE AVENUE NEAR TAYLOR STREET.

WHEREAS, petitioners, Kitsap County and Steve Tyner of KMT LLC owners of the adjacent properties, submitted petitions to vacate City rights-of-way (ROW); and

WHEREAS, the petition is to vacate unopened portions of allies and streets as described below:

1) a portion of an alley off of Taylor Street near Sidney Avenue (Section 2;
    a. Approximately 2,450 square feet
2) most of Austin Avenue from Taylor Street and Smith Street (Section 8)
    a. Approximately 8,434 square feet
3) most of an alley off of Austin Avenue from Taylor Street and Smith Street (Sections 6 and 7)
    a. Approximately 8,434 square feet
4) a portion of an alley off Division Street near Sidney Avenue (Section 3);
    a. Approximately 3,054 square feet
5) most of an alley from Smith Street to Taylor Street (Section 9);
    a. Approximately 1,540 square feet
6) a portion of Sweany Street off of Sidney Avenue (Section 4);
    a. Approximately 4,667 square feet
7) most of an alley from Cline Street to Austin Avenue (Section 10);
    a. Approximately 3,897 square feet
8) a portion of an alley off of Sweany Street and Sidney Avenue (Section 5); and
    a. Approximately 4,667 square feet
9) a portion of an alley off of Cline Avenue near Taylor Street (Section 1).
    a. Approximately 1,498 square feet

WHEREAS, the petitioners have submitted the petitions, copy attached hereto as Exhibit A and incorporated herein by this reference, which meets the requirements set out in Port

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Orchard Municipal Code (POMC) 12.08.010, and have paid the applicable fees required by the City; and

WHEREAS, the petitioners constitute the owners of more than two-thirds (2/3) of the property abutting the area proposed for vacation pursuant to RCW 35.79.010; and

WHEREAS, the petitioners have requested that proceedings be had hereon for the vacation of said portion of the city right-of-way in the manner prescribed by RCW 35.79; and

WHEREAS, the total proposed area for vacation is approximately 38,641 square feet, legally described as follows and depicted in the survey contained in Exhibit B hereto:

ALL THOSE PORTIONS OF STREETS, AVENUES, AND ALLEYS LYING WITHIN THE PLAT OF "SWEANY'S ADDITION TO SIDNEY", RECORDED IN KITSAP COUNTY AUDITOR'S OFFICE VOLUME 1, PAGE 55 OF PLATS, LYING WITHIN SECTION 26, TOWNSHIP 24 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORT ORCHARD, WASHINGTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 3, AND LOTS 10 THROUGH 12 OF BLOCK 4 (SECTION 1);

TOGETHER WITH,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 2 THROUGH 9 OF BLOCK 3 {SECTION 2);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 10 OF BLOCK 2 (SECTION 3);

ALSO,
THAT PORTION OF SWEANY STREET ADJOINING LOT 6 OF BLOCK 2 AND LOT 10 OF BLOCK 3, EXTENDING TO THE WESTERN MARGIN OF ALLEY WAY WITHIN RESPECTIVE BLOCKS (SECTION 4 AND 5);

ALSO,
ALL THAT PORTION OF AUSTIN STREET BETWEEN BLOCKS 7 AND 8 (SECTION 6, 7, AND 8);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 20 OF BLOCK 8 {SECTION 9);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 24 OF BLOCK 7 {SECTION 10);

WHEREAS, the street vacation is requested to be part of the Kitsap County new Courthouse expansion and remodel project; now, therefore,

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THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: A Public Hearing upon said proposed street vacation shall be held in person and via the online platform Zoom on Tuesday, March 24, 2026, at 6:30 p.m., at which hearing all persons interested in said street vacation are invited to appear in person or via the Zoom platform. Access information for Zoom shall be included in the notices required herein.

THAT: The City Clerk is directed to post notice of the petition in three of the most public places in the city and a like notice in a conspicuous place on the street and/or alley sought to be vacated, pursuant to RCW 35.79.020. The Clerk shall also post the notice on the City's website.

THAT: The Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 24th day of February 2026.

Signed by:
Rob Putaansuu
3B96492E3E5847D...
Robert Putaansuu, Mayor

ATTEST:
Signed by:
Brandy Wallace
46A5A54BBD00418...
Brandy Wallace, MMC, City Clerk



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City of Port Orchard
City Clerk's Office
216 Prospect Street, Port Orchard, WA 98366
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RECEIVED
DEC 17 2025
CITY OF PORT ORCHARD
CITY CLERK'S OFFICE

PETITION TO VACATE CITY RIGHT-OF-WAY APPLICATION

(POMC 12.08 / Resolution No. 030-17)

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner's Name(s): Kitsap County

Mailing Address: 614 Division Street, MS-4, Port Orchard WA 98366
Street City State Zip

Contact Information: Torie Brazitis VBrazitis@kitsap.gov
Phone Email

Address of Requested Vacation: Various Rights of Way (See Exhibits A & B)
Street or nearest cross street

Parcel Number of Requested Vacation: N/A (Rights of Way)

1. The undersigned, owner of real property abutting upon that public street/alley described below, does hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

Described in Exhibit A and Depicted in Exhibit B

all situated in the City of Port Orchard, County of Kitsap, State of Washington; declares that this petition is supported by the signatures of the owners of more than two-thirds of the real property abutting the requested vacation area; and requests that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. State the proposed use of the vacated right-of-way: The requested rights of way are needed for the Kitsap County Courthouse Expansion Project, which will include County facilities and parking lots for the public and employees.

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3. Provide a map of the proposed right-of-way area to be vacated with the following information:

   a. Approximate width of the area to be vacated
   b. Approximate length of the area to be vacated
   c. Approximate total square footage of the area to be vacated

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing information and attached documentation is true and correct, and that I/We are the true and correct owner(s) of real property abutting the requested vacation of City right-of-way.

Signature of Applicant — Date: 12-17-2025

Signature of Applicant — Date

When submitting this application, please make sure the following requirements are completed and documents are submitted:

- Support for Vacation of City Right-of-Way Petition form(s) signed by the owners of real property abutting upon the part of the street or alley sought to be vacated (these owners must, along with the Petitioner, constitute the owners of at least two-thirds of the real property abutting such area);
- New legal description to include the requested right-of-way;
- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the application of the Non-User Statute, if applicable;
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of $120; and
- $500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

$120 Vacation Fee Received ____Yes ____No Receipt No.:_____

$500 Vacation Appraisal Fee (Refundable Deposit) Received ____Yes ____No Receipt No.:_____

Support for Vacation Petition By Abutting Property Owners form(s) Received ____Yes ____No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the City Council _____Yes _____No

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE

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SUPPORT FOR VACATION OF RIGHT-OF-WAY
PETITION BY ABUTTING PROPERTY OWNERS

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Torie Brazitis, Kitsap County Administrator
First and Last Name

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

Street or Nearest Cross Street of Requested Vacation: Various rights of way (see Exhibits A & B)

Parcel Number of Requested Vacation: N/A (Rights of Way)

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

- I/We are the true and correct owner(s) of real property abutting the street or alley sought to be vacated.
- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Torie Brazitis
First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 1

Kitsap County
Name of Corporation *(if applicable)*

(Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 2

Name of Corporation *(if applicable)*

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 614 Division Street, MS-4, Port Orchard WA 98366
Street City State Zip

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE

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First and Last Name

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

Street or Nearest Cross Street of Requested Vacation: Various rights of way (see Exhibits A & B)

Parcel Number of Requested Vacation: N/A (Rights of Way adjacent to Tax Parcel Nos.4059-007-021-0101 & 4059-007-018-0106)
Section 10

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

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- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Steve Tyner — First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 1

KMT LLC — Name of Corporation (*if applicable*)

President — (Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 2

Name of Corporation (*if applicable*)

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 1412 NE Paulson Road, Poulsbo WA 98370
Street City State Zip

Contact Information: (360) 710-8130 stevetyner1@gmail.com
Phone Email

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE



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First and Last Name

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Phone Email

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- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Thomas Gilbert
First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 1

Name of Corporation (*if applicable*)

(Signature and/or Title)

Elaine Gilbert
First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 2

Name of Corporation (*if applicable*)

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 24091 Gilbert Avenue NE, Poulsbo WA 98370
Street City State Zip

Contact Information: (360) 779-5327 e13152024@gmail.com
Phone Email

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE

EXHIBIT "A"
ROAD VACATION

ALL THOSE PORTIONS OF STREETS, AVENUES, AND ALLEYS LYING WITHIN THE PLAT OF "SWEANY'S ADDITION TO SIDNEY", RECORDED IN KITSAP COUNTY AUDITOR'S OFFICE VOLUME 1, PAGE 55 OF PLATS, LYING WITHIN SECTION 26, TOWNSHIP 24 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORT ORCHARD, WASHINGTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 3, AND LOTS 10 THROUGH 12 OF BLOCK 4 (SECTION 1);

TOGETHER WITH,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 2 THROUGH 9 OF BLOCK 3 (SECTION 2);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 10 OF BLOCK 2 (SECTION 3);

ALSO,
THAT PORTION OF SWEANY STREET ADJOINING LOT 6 OF BLOCK 2 AND LOT 10 OF BLOCK 3, EXTENDING TO THE WESTERN MARGIN OF ALLEY WAY WITHIN RESPECTIVE BLOCKS (SECTION 4 AND 5);

ALSO,
ALL THAT PORTION OF AUSTIN STREET BETWEEN BLOCKS 7 AND 8 (SECTION 6, 7, AND 8);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 20 OF BLOCK 8 (SECTION 9);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 24 OF BLOCK 7 (SECTION 10);



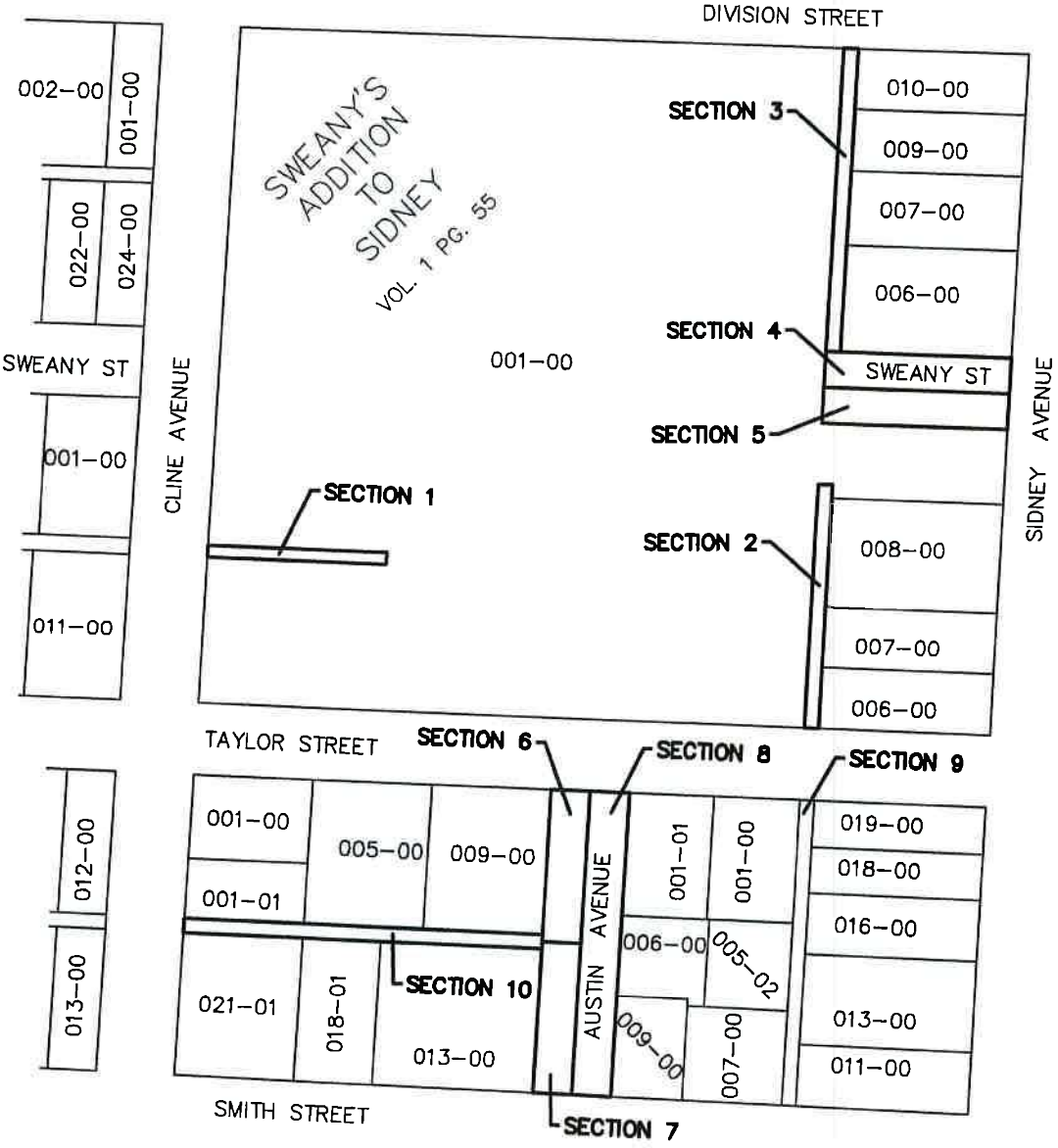
Original signature with blue ink

Kitsap County Department of Public Works
614 Division Street, MS-26, Port Orchard, WA 98366

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE

EXHIBIT "B"

VICINITY MAP



SEE SHEETS 2 AND 3 OF 3 SHEETS FOR DETAILED VIEW

N.T.S.

KENNETH W. SWINDAMAN
STATE OF WASHINGTON
24130
REGISTERED PROFESSIONAL LAND SURVEYOR

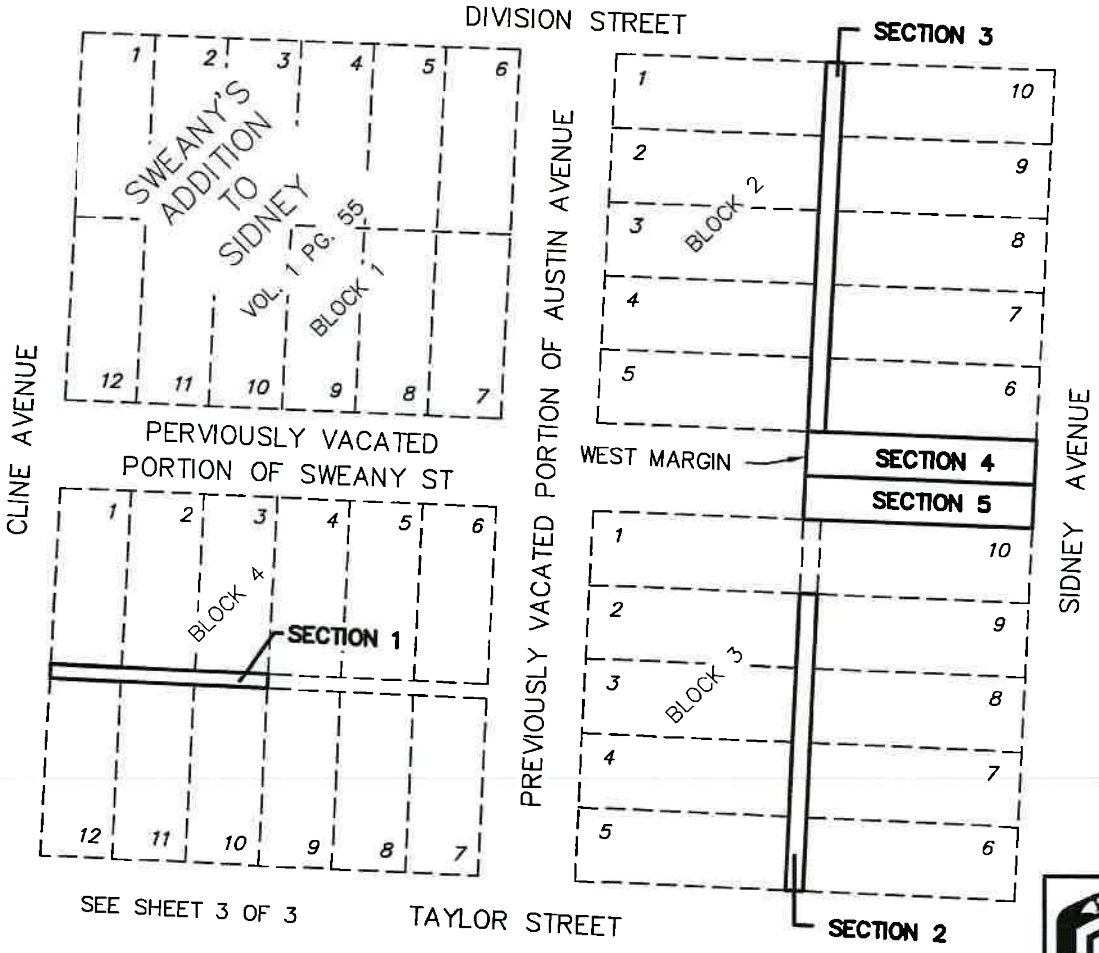
SHEET 1 OF 3

KITSAP COUNTY
DEPT. OF PUBLIC WORKS
614 DIVISION STREET MS-28
PORT ORCHARD, WA 98366
TEL: (360) 337-5777

Docusign Envelope ID: B7ECBE0F-0DB1-40F4-A00B-7F9D6BEE81CE

EXHIBIT "B"

PROPOSED VACATION DETAIL



HISTORICAL PLAT

PROPOSED VACATION

N.T.S.

KENNETH W. SWINDAMAN
STATE OF WASHINGTON
34130
REGISTERED PROFESSIONAL LAND SURVEYOR

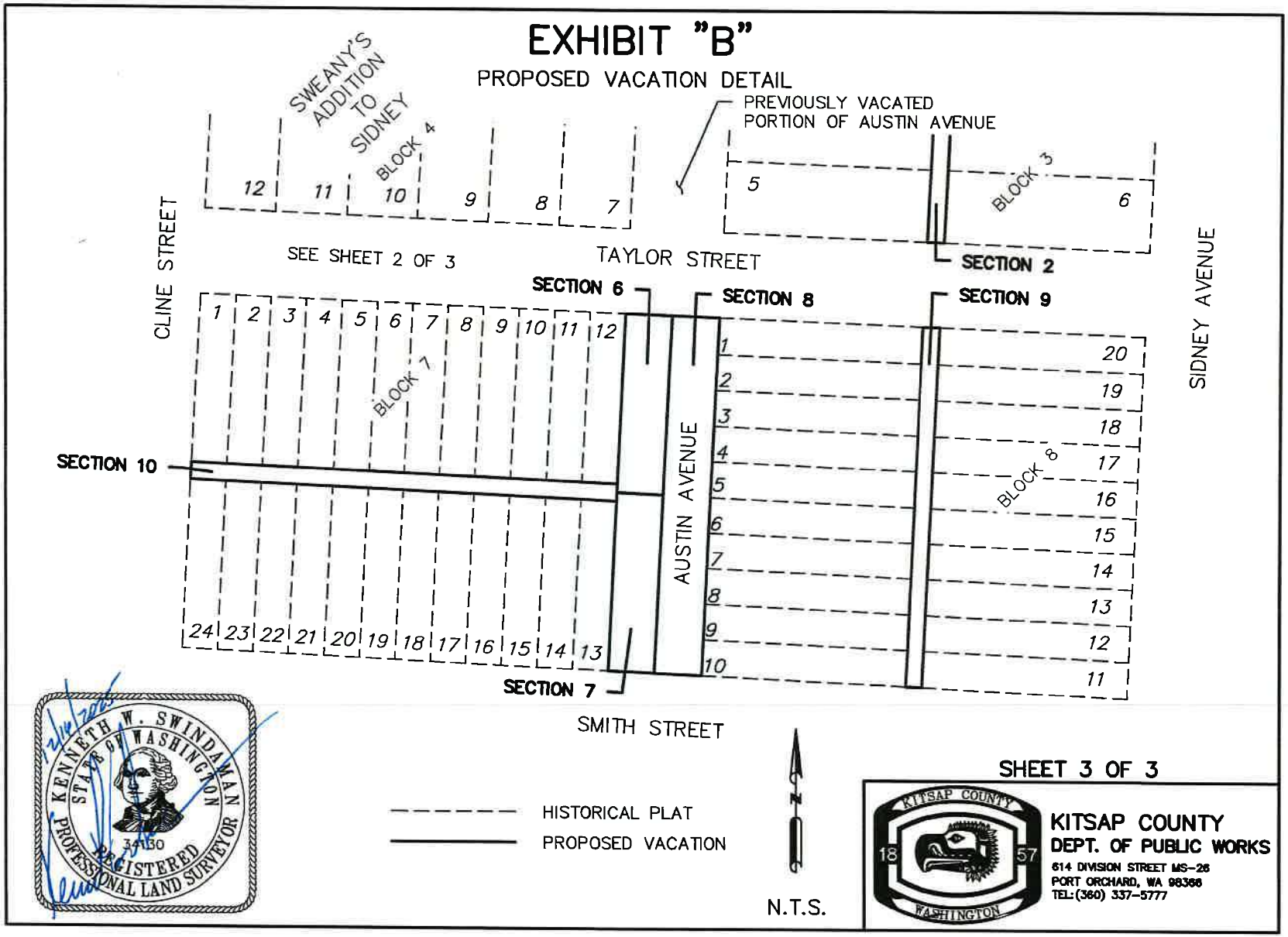
SHEET 2 OF 3

KITSAP COUNTY
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EXHIBIT "B"

PROPOSED VACATION DETAIL



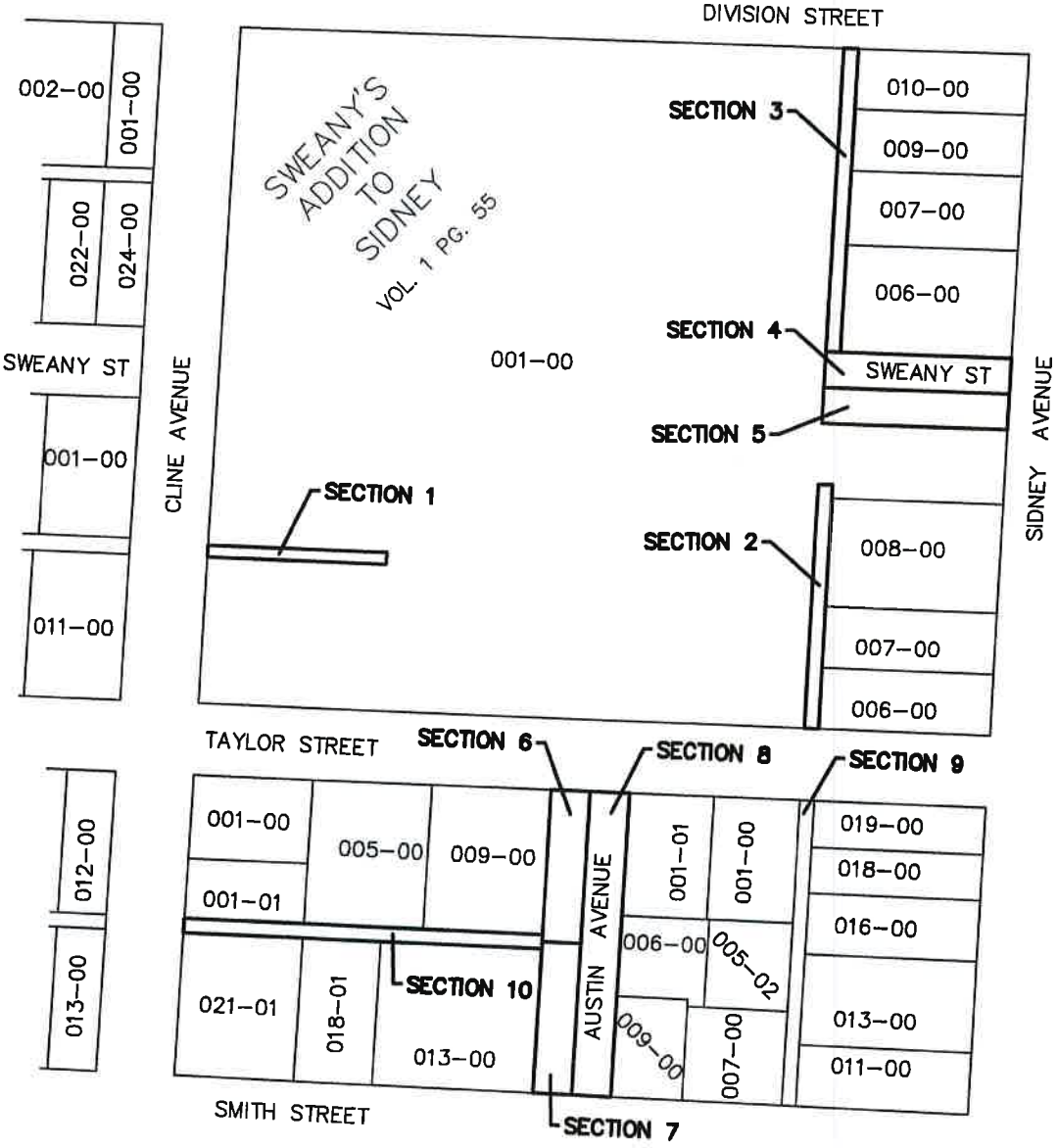
KENNETH W. SWINDAMAN
STATE OF WASHINGTON
34130
REGISTERED
PROFESSIONAL LAND SURVEYOR

SHEET 3 OF 3

KITSAP COUNTY
DEPT. OF PUBLIC WORKS
614 DIVISION STREET MS-26
PORT ORCHARD, WA 98366
TEL:(360) 337-5777

EXHIBIT "B"

VICINITY MAP



SEE SHEETS 2 AND 3 OF 3 SHEETS FOR DETAILED VIEW

N.T.S.

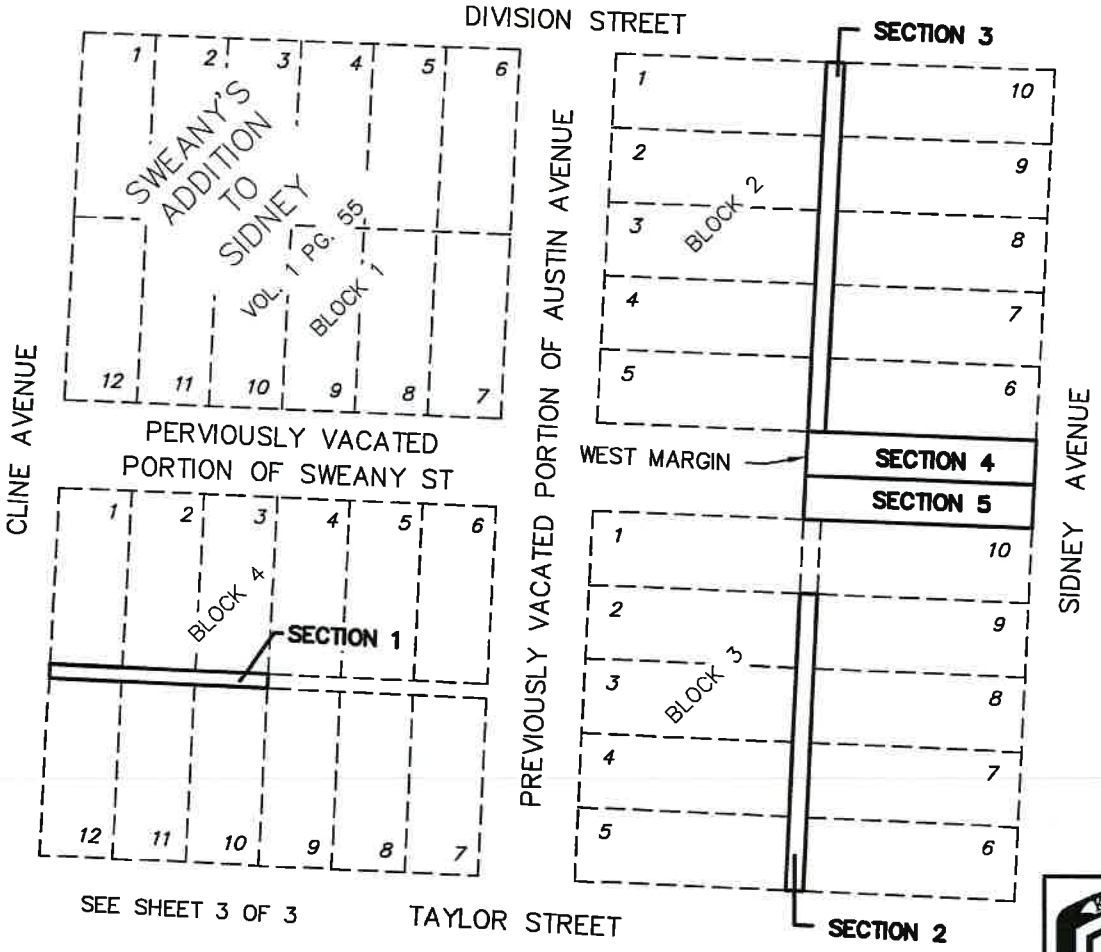
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SHEET 1 OF 3

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EXHIBIT "B"

PROPOSED VACATION DETAIL



HISTORICAL PLAT

PROPOSED VACATION

N.T.S.

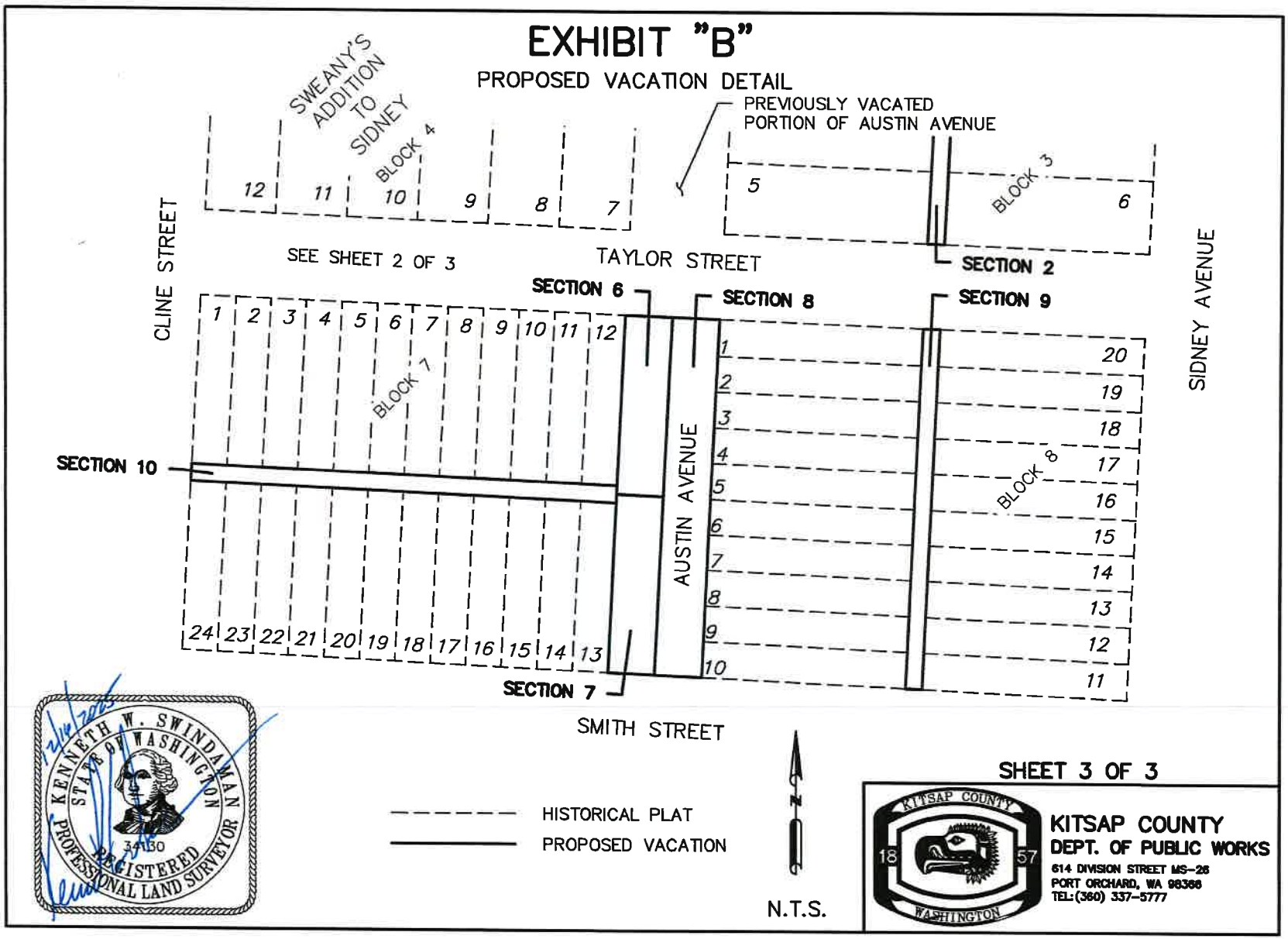
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SHEET 2 OF 3

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EXHIBIT "B"

PROPOSED VACATION DETAIL



SHEET 3 OF 3

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TEL:(360) 337-5777

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 10.A. Adoption of an Ordinance Vacating City Rights-of-Way (Wallace)
Meeting Date: March 24, 2026
Presenter: Brandy Wallace, City Clerk

Summary and Background:
On December 17, 2025, the City received petition materials to vacate City rights-of-way from Kitsap County ("Petitioner"). along with Steve Tyner of KMT, LLC. The purpose of the vacations are for the construction of new surface parking lots to serve a future courthouse expansion and remodel project. The project is phased and the first phase includes the construction of these parking lots, subject to all necessary permits. The petitioners, together, own more than two thirds of the abutting property, as required by RCW 35.79.010 and POMC 12.08.010. The requested areas are grouped in Sections, described as follows: 1) a portion of an alley off of Taylor Street near Sidney Avenue (Section 2;a. Approximately 2,450 square feet2) most of Austin Avenue from Taylor Street and Smith Street (Section 8)a. Approximately 8,434 square feet3) most of an alley off of Austin Avenue from Taylor Street and Smith Street (Sections 6 and 7)a. Approximately 8,434 square feet4) a portion of an alley off Division Street near Sidney Avenue (Section 3);a. Approximately 3,054 square feet5) most of an alley from Smith Street to Taylor Street (Section 9);a. Approximately 1,540 square feet6) a portion of Sweany Street off of Sidney Avenue (Section 4);a. Approximately 4,667 square feet7) most of an alley from Cline Street to Austin Avenue (Section 10);a. Approximately 3,897 square feet8) a portion of an alley off of Sweany Street and Sidney Avenue (Section 5); anda. Approximately 4,667 square feet9) a portion of an alley off of Cline Avenue near Taylor Street (Section 1).a. Approximately 1,498 square feet The rights of way and alleys proposed for vacation total approximately 38,641 square feet. Pursuant to POMC Section 12.08, on March 24, 2026, the City held a public hearing to take testimony on whether the City Council should vacate City Right-of-Way (ROW). The City and County have prepared utility easements to allow the City access to the underground utilities. Those agreements will be prepared and signed by both parties upon the approval of the City Council authorizing the vacation. POMC 12.08.017 and POMC 12.08.050 authorizes the City to obtain an appraisal of the area proposed for vacation to assist the City Council in evaluating proposed adequate compensation for proposed vacations. Compensation can include an in-lieu transfer of real property, as well as other contributions of a monetary value. Following an appraisal, Kitsap County provided a statement of proposed compensation for the areas to be vacated, including the payment to the City of $30,000, the transfer of Veterans Park (48-acres of real property located within the City), and dedicated public parking on the County's Campus for special event parking (where an event is sponsored

or promoted by the City). A copy of Kitsap County's proposal to compensate the City is included in the packet for tonight's meeting, referenced in the draft Ordinance, and cannot be acted upon until after the public hearing and associated action by the City Council, if any. As set out in the Ordinance, if approved, the monetary compensation would be paid prior to recording of the Ordinance, with the non-monetary compensation set out in an Agreement, in a form acceptable to the City Attorney. Lastly, consistent with the requirements of POMC Chapter 12.08, Staff has determined the following with regards to the proposed street vacation: The area sought to be vacated was part of the incorporation of the Town of Sidney in 1890. The City Engineer has reviewed the street vacation petition and has indicated the following: The area sought to be vacated is not needed for public travel now or in the foreseeable future. The functionality of the area sought to be vacated for public purposes is nonexistent. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm, provided there will be an easement required from the County to providing access to the City's existing utilities in the area. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property. The Community Development Director stated the following: Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Relationship to Comprehensive Plan: N/A

Recommendation:

Motion for Consideration: I move to adopt an Ordinance, vacating the City's right-of-way as presented.

Has item been presented to Committee/Work Study? No
If so, which one: N/A

Fiscal Impact: Pursuant to the Council's action, the City would receive an amount not to exceed the fair market value of the area to be vacated.

Alternatives: Deny the street vacation and provide alternative guidance.

Attachments:

1. County_Campus_Vacate_Peition
2. County_Campus_Vacate_Lega_Description_Exhibit_A
3. County_Campus_Vacate_Maps_Exhibit_B
4. 2025_11_13_PO_Letter_ROW_Vacations_Agreement
5. Draft_ORD_Kitsap_County_campus_Street_vacation_11210096.1_

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(POMC 12.08 / Resolution No. 030-17)

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Property Owner's Name(s): Kitsap County

Mailing Address: 614 Division Street, MS-4, Port Orchard WA 98366
Street City State Zip

Contact Information: Torie Brazitis VBrazitis@kitsap.gov
Phone Email

Address of Requested Vacation: Various Rights of Way (See Exhibits A & B)
Street or nearest cross street

Parcel Number of Requested Vacation: N/A (Rights of Way)

1. The undersigned, owner of real property abutting upon that public street/alley described below, does hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

Described in Exhibit A and Depicted in Exhibit B

all situated in the City of Port Orchard, County of Kitsap, State of Washington; declares that this petition is supported by the signatures of the owners of more than two-thirds of the real property abutting the requested vacation area; and requests that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. State the proposed use of the vacated right-of-way: The requested rights of way are needed for the Kitsap County Courthouse Expansion Project, which will include County facilities and parking lots for the public and employees.

3. Provide a map of the proposed right-of-way area to be vacated with the following information:

   a. Approximate width of the area to be vacated
   b. Approximate length of the area to be vacated
   c. Approximate total square footage of the area to be vacated

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing information and attached documentation is true and correct, and that I/We are the true and correct owner(s) of real property abutting the requested vacation of City right-of-way.

Signature of Applicant — Date: 12-17-2025

Signature of Applicant — Date

When submitting this application, please make sure the following requirements are completed and documents are submitted:

- Support for Vacation of City Right-of-Way Petition form(s) signed by the owners of real property abutting upon the part of the street or alley sought to be vacated (these owners must, along with the Petitioner, constitute the owners of at least two-thirds of the real property abutting such area);
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- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the application of the Non-User Statute, if applicable;
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of $120; and
- $500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

$120 Vacation Fee Received ____Yes ____No Receipt No.:_____

$500 Vacation Appraisal Fee (Refundable Deposit) Received ____Yes ____No Receipt No.:_____

Support for Vacation Petition By Abutting Property Owners form(s) Received ____Yes ____No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the City Council _____Yes _____No

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SUPPORT FOR VACATION OF RIGHT-OF-WAY
PETITION BY ABUTTING PROPERTY OWNERS

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Property Owner Seeking Vacation (Petitioner): Torie Brazitis, Kitsap County Administrator
First and Last Name

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

Street or Nearest Cross Street of Requested Vacation: Various rights of way (see Exhibits A & B)

Parcel Number of Requested Vacation: N/A (Rights of Way)

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

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- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Torie Brazitis
First and Last Name (Printed) of Property Owner/Corporate Officer
Managing Member No. 1

Kitsap County
Name of Corporation *(if applicable)*

(Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer
Managing Member No. 2

Name of Corporation *(if applicable)*

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 614 Division Street, MS-4, Port Orchard WA 98366
Street City State Zip

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

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First and Last Name

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
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Street or Nearest Cross Street of Requested Vacation: Various rights of way (see Exhibits A & B)

Parcel Number of Requested Vacation: N/A (Rights of Way adjacent to Tax Parcel Nos.4059-007-021-0101 & 4059-007-018-0106)
Section 10

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

- I/We are the true and correct owner(s) of real property abutting the street or alley sought to be vacated.
- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Steve Tyner — First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 1

KMT LLC — Name of Corporation (*if applicable*)

President — (Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 2

Name of Corporation (*if applicable*)

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 1412 NE Paulson Road, Poulsbo WA 98370
Street City State Zip

Contact Information: (360) 710-8130 stevetyner1@gmail.com
Phone Email

City of Port Orchard
City Clerk's Office
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
www.cityofportorchard.us

SUPPORT FOR VACATION OF RIGHT-OF-WAY
PETITION BY ABUTTING PROPERTY OWNERS

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Torie Brazitis, Kitsap County Administrator
First and Last Name

Contact Information: (360) 337-4403 VBrazitis@kitsap.gov
Phone Email

Street or Nearest Cross Street of Requested Vacation: Various rights of way (see Exhibits A & B)

Parcel Number of Requested Vacation: N/A (Rights of Way)

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

- I/We are the true and correct owner(s) of real property abutting the street or alley sought to be vacated.
- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Thomas Gilbert
First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 1

Name of Corporation (*if applicable*)

(Signature and/or Title)

Elaine Gilbert
First and Last Name (Printed) of Property Owner/Corporate Officer Managing Member No. 2

Name of Corporation (*if applicable*)

(Signature and/or Title)

Property Address

Tax Parcel Number

Mailing Address: 24091 Gilbert Avenue NE, Poulsbo WA 98370
Street City State Zip

Contact Information: (360) 779-5327 e13152024@gmail.com
Phone Email

EXHIBIT "A"
ROAD VACATION

ALL THOSE PORTIONS OF STREETS, AVENUES, AND ALLEYS LYING WITHIN THE PLAT OF "SWEANY'S ADDITION TO SIDNEY", RECORDED IN KITSAP COUNTY AUDITOR'S OFFICE VOLUME 1, PAGE 55 OF PLATS, LYING WITHIN SECTION 26, TOWNSHIP 24 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORT ORCHARD, WASHINGTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 3, AND LOTS 10 THROUGH 12 OF BLOCK 4 (SECTION 1);

TOGETHER WITH,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 2 THROUGH 9 OF BLOCK 3 (SECTION 2);

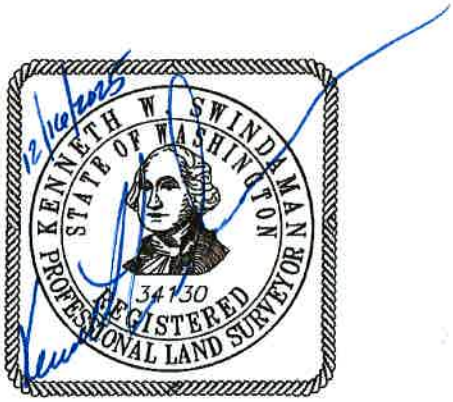
ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 10 OF BLOCK 2 (SECTION 3);

ALSO,
THAT PORTION OF SWEANY STREET ADJOINING LOT 6 OF BLOCK 2 AND LOT 10 OF BLOCK 3, EXTENDING TO THE WESTERN MARGIN OF ALLEY WAY WITHIN RESPECTIVE BLOCKS (SECTION 4 AND 5);

ALSO,
ALL THAT PORTION OF AUSTIN STREET BETWEEN BLOCKS 7 AND 8 (SECTION 6, 7, AND 8);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 20 OF BLOCK 8 (SECTION 9);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 24 OF BLOCK 7 (SECTION 10);

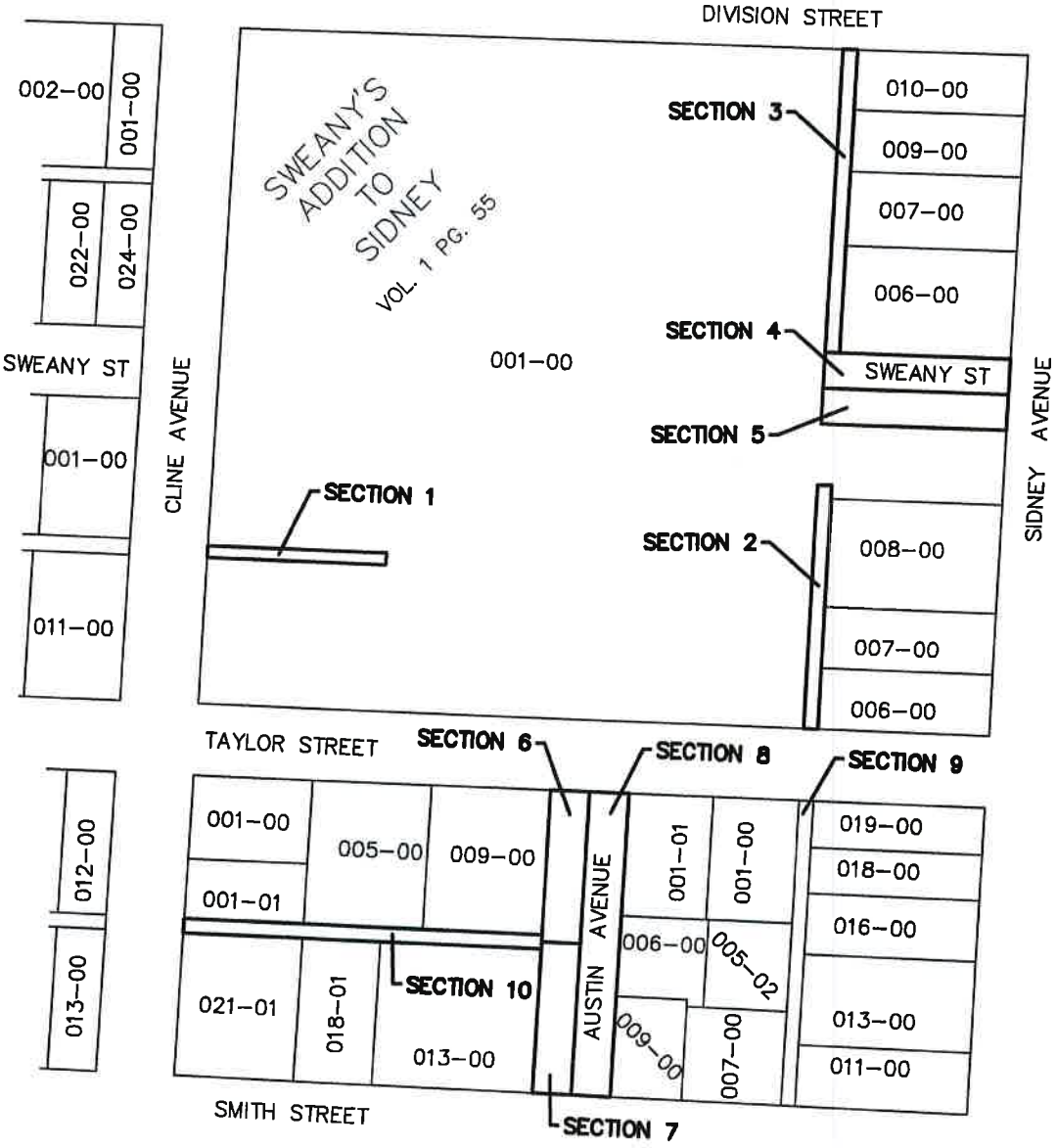


Original signature with blue ink

Kitsap County Department of Public Works
614 Division Street, MS-26, Port Orchard, WA 98366

EXHIBIT "B"

VICINITY MAP



SEE SHEETS 2 AND 3 OF 3 SHEETS FOR DETAILED VIEW

SHEET 1 OF 3

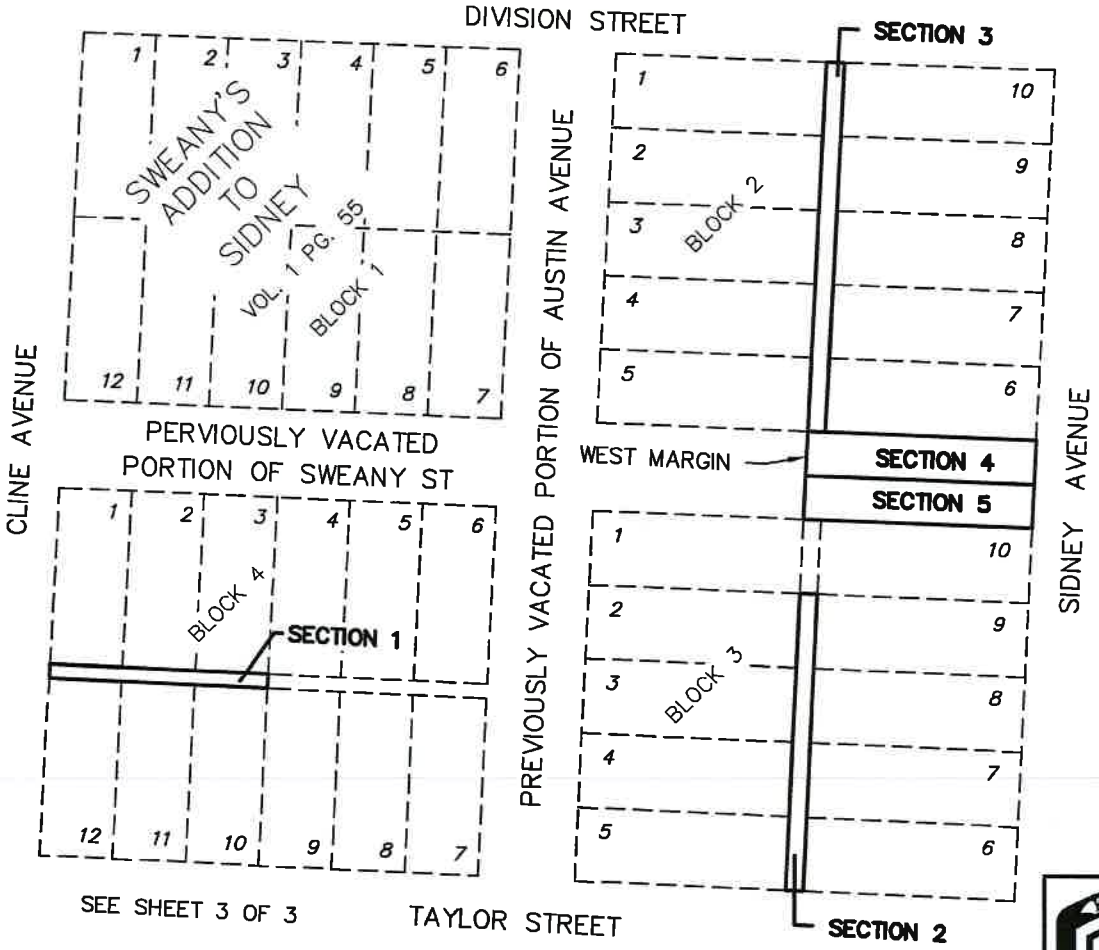
KENNETH W. SWINDAMAN
STATE OF WASHINGTON
34130
REGISTERED PROFESSIONAL LAND SURVEYOR

KITSAP COUNTY
18 57
WASHINGTON

KITSAP COUNTY
DEPT. OF PUBLIC WORKS
614 DIVISION STREET MS-28
PORT ORCHARD, WA 98366
TEL: (360) 337-5777

EXHIBIT "B"

PROPOSED VACATION DETAIL



HISTORICAL PLAT

PROPOSED VACATION

N

N.T.S.

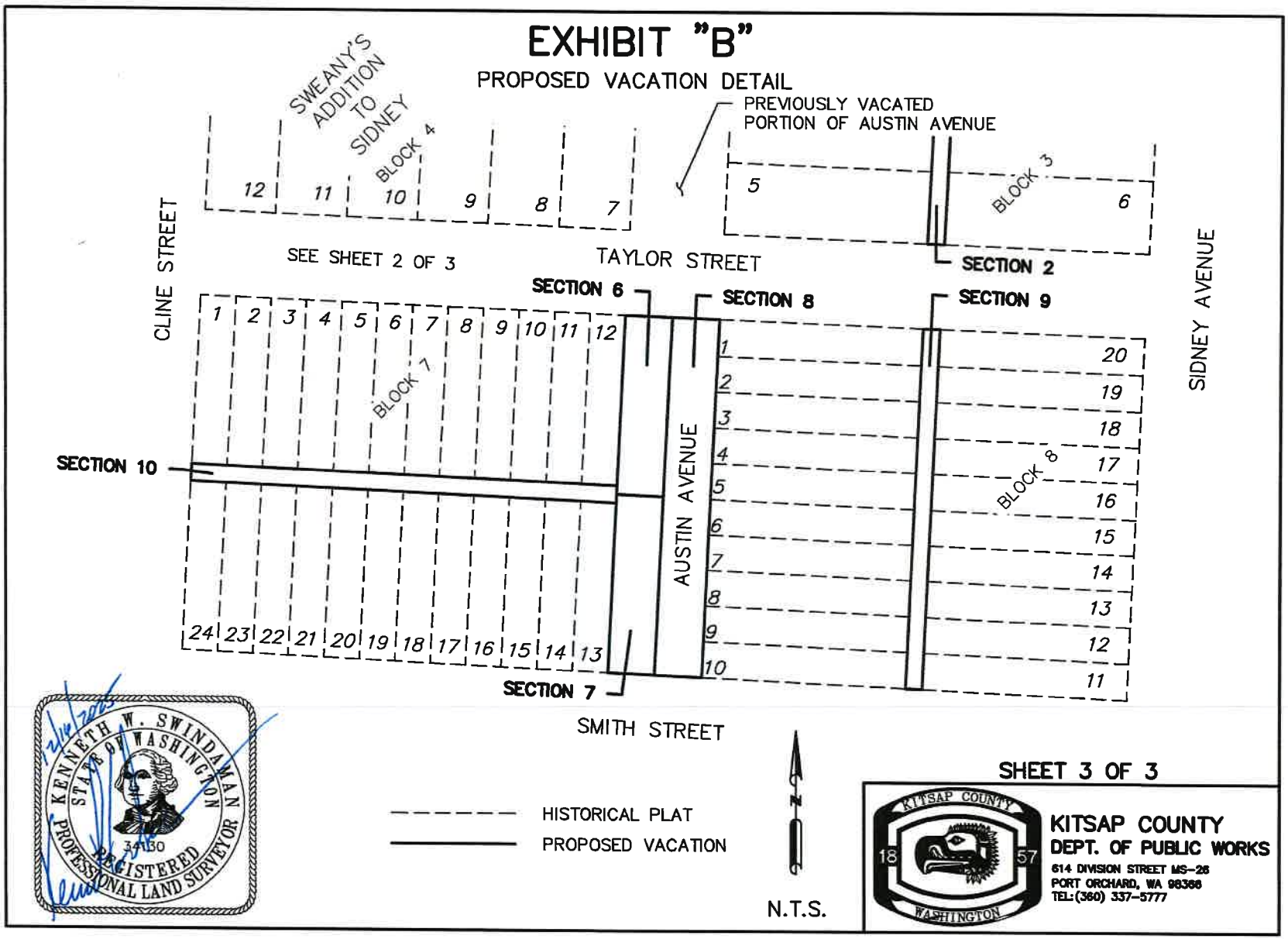
KENNETH W. SWINDAMAN
STATE OF WASHINGTON
34130
REGISTERED
PROFESSIONAL LAND SURVEYOR

SHEET 2 OF 3

KITSAP COUNTY
DEPT. OF PUBLIC WORKS
614 DIVISION STREET MS-26
PORT ORCHARD, WA 98366
TEL: (360) 337-5777

EXHIBIT "B"

PROPOSED VACATION DETAIL



KENNETH W. SWINDAMAN
STATE OF WASHINGTON
34130
REGISTERED
PROFESSIONAL LAND SURVEYOR

SHEET 3 OF 3

KITSAP COUNTY
DEPT. OF PUBLIC WORKS
614 DIVISION STREET MS-26
PORT ORCHARD, WA 98366
TEL:(360) 337-5777

KITSAP COUNTY BOARD OF COMMISSIONERS

Accessible, efficient, effective, and responsive county services

Victoria Brazitis
County Administrator

November 13, 2025

Mayor Rob Putaansuu
City of Port Orchard
216 Prospect Street
Port Orchard, WA 98366

RE: Kitsap County Courthouse Project - ROW Vacations for Phase 0A and 0B

Dear Mayor Putaansuu:

Commissioner Root and I appreciated the collaborative efforts at our meeting on October 24, 2025 with Councilmembers Morrissey and Trenary and yourself, as well as various County Courthouse elected officials. We trust that working through solutions for this Courthouse Project ROW will serve as a promising foundation for moving forward amiably on the rest of the Project as well as other intergovernmental efforts.

As discussed at that meeting and in recent correspondence, the County presents the following agreement points relative to City ROW within the Project site:

City of Port Orchard Commitment:

1. The City will initiate and complete the vacation of all necessary rights-of-way (ROW) for Kitsap County to complete Courthouse Phase 0 (including Phases 0A and 0B), for the mutual benefit of the City, the County, and the public. The City will ensure that all required areas identified in the attached map and legal descriptions are included in the vacation process.

Kitsap County Commitment:

1. Veterans Park Transfer: The County agrees to transfer to the City of Port Orchard the 48-acre Veterans Park (Park) at a date of the City's choosing but no later December 31, 2035. The parties recognize that the Park is wholly surrounded within the City of Port Orchard, is a fully developed park with six baseball fields, restrooms, a walking trail with a display of historic military equipment and a creek, is uniquely located next to South Kitsap High School on a major transportation corridor and has thus been historically used by City residents. Acquisition by the City will allow the City to control the use and improvements to the Park in ways that will align with the vision and goals of the City for its residents, including its use in the future for events, programs, and development of other amenities that the City may want. In recognition of the importance of this asset to the City, the County agrees to maintain the Park in its current condition until the transfer is complete.

2. Parking:

    a. As a sign of its appreciation for the community's support of the campus, the County will provide public access to the County's new surface parking lot, free of charge, for up to six days per calendar year for special events sponsored or promoted by the City.

        - To ensure County operations are uninterrupted, special event parking lot use will not overlap with regular County operating hours or require spaces needed for County evening and/or weekend operations (such as the Jail).

- The City must provide the County with an annual schedule of requested event dates no later than January 31 each year, or at least ninety (90) days prior to any event date not included in the annual schedule.

- The City has committed to the County that event holders will be responsible for ensuring that all vehicles are removed from the lot by midnight following each event to avoid conflict with regular County business.

b. Once County parking needs are met for all operations, functions, and shifts at Campus facilities, members of the public, including City residents, will have 24-hr paid parking access to the remaining available spaces.

c. To operate the parking lot, known as Phase 0 of the Kitsap County Courthouse Project, the County plans to contract with a parking management service. In its negotiations for this contract, Kitsap County will evaluate whether weekend parking can be offered at rates lower than those charged during weekdays without impact to County operations or its finances. Should these terms not be achievable, the County will report to the City why that could not be obtained and provide any solutions that would enable it in the future.

3. Cash: The County will pay the City a one-time sum of $30,000 as additional consideration for the City's fees and administrative costs related to the ROW vacation, as well as the public benefit, value, and past improvements associated with the vacated ROW.

If this is agreeable in principle by the City, please sign and return this letter. We will then proceed with drafting a more formal agreement that can be signed by both parties.

Sincerely,

Victoria "Torie" Brazitis
County Administrator

Cc: Board of County Commissioners

Attachments: Map and legal description of ROW for Phase 0A and 0B

Dated: _____
Approval recognized by

_____
Mayor Rob Putaansuu

ORDINANCE NO. _____-26

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, VACATING CITY RIGHTS-OF-WAY, A PORTION OF AN ALLEY OFF OF TAYLOR STREET NEAR SIDNEY AVENUE; MOST OF AUSTIN AVENUE FROM TAYLOR STREET AND SMITH STREET; A PORTION OF AN ALLEY OFF DIVISION STREET NEAR SIDNEY AVENUE; MOST OF AN ALLEY FROM SMITH STREET TO TAYLOR STREET; A PORTION OF SWEANY STREET OFF OF SIDNEY AVENUE; MOST OF AN ALLEY FROM CLINE STREET TO AUSTIN AVENUE; MOST OF AN ALLEY OFF OF AUSTIN AVENUE FROM TAYLOR STREET AND SMITH STREET; A PORTION OF AN ALLEY OFF OF SWEANY STREET AND SIDNEY AVENUE; AND A PORTION OF AN ALLEY OFF OF CLINE AVENUE NEAR TAYLOR STREET.AND APPROVE EASEMENTS WITH KITSAP COUNTY, IN PORT ORCHARD, WASHINGTON; ESTABLISHING THE CONDITIONS OF SUCH VACATION; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Kitsap County and Steve Tyner of KMT LLC, owners of the adjacent properties, submitted petitions to vacate City rights-of-way (ROW) ("Petitioners"); and

WHEREAS, the petitions are to vacate unopened portions of allies and streets as described below:

1) a portion of an alley off of Taylor Street near Sidney Avenue (Section 2;
    a. Approximately 2,450 square feet
2) most of Austin Avenue from Taylor Street and Smith Street (Section 8)
    a. Approximately 8,434 square feet
3) most of an alley off of Austin Avenue from Taylor Street and Smith Street (Sections 6 and 7)
    a. Approximately 8,434 square feet
4) a portion of an alley off Division Street near Sidney Avenue (Section 3);
    a. Approximately 3,054 square feet
5) most of an alley from Smith Street to Taylor Street (Section 9);
    a. Approximately 1,540 square feet
6) a portion of Sweany Street off of Sidney Avenue (Section 4);
    a. Approximately 4,667 square feet
7) most of an alley from Cline Street to Austin Avenue (Section 10);
    a. Approximately 3,897 square feet
8) a portion of an alley off of Sweany Street and Sidney Avenue (Section 5); and
    a. Approximately 4,667 square feet
9) a portion of an alley off of Cline Avenue near Taylor Street (Section 1).
    a. Approximately 1,498 square feet**; and**

WHEREAS, the total proposed area for vacation is approximately 38,641 square feet, legally described as follows and depicted in the survey contained in Exhibit A & B hereto:

ALL THOSE PORTIONS OF STREETS, AVENUES, AND ALLEYS LYING WITHIN THE PLAT OF "SWEANY'S ADDITION TO SIDNEY", RECORDED IN KITSAP COUNTY AUDITOR'S OFFICE VOLUME 1, PAGE 55 OF PLATS, LYING WITHIN SECTION 26, TOWNSHIP 24 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORT ORCHARD, WASHINGTON, DESCRIBED AS FOLLOWS:

THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 3, AND LOTS 10 THROUGH 12 OF BLOCK 4 (SECTION 1);

TOGETHER WITH,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 2 THROUGH 9 OF BLOCK 3 {SECTION 2);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 10 OF BLOCK 2 (SECTION 3);

ALSO,
THAT PORTION OF SWEANY STREET ADJOINING LOT 6 OF BLOCK 2 AND LOT 10 OF BLOCK 3, EXTENDING TO THE WESTERN MARGIN OF ALLEY WAY WITHIN RESPECTIVE BLOCKS (SECTION 4 AND 5);

ALSO,
ALL THAT PORTION OF AUSTIN STREET BETWEEN BLOCKS 7 AND 8 (SECTION 6, 7, AND 8);

ALSO,
THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 20 OF BLOCK 8 {SECTION 9);

ALSO,

THAT PORTION OF ALLEY WAY ADJOINING LOTS 1 THROUGH 24 OF BLOCK 7 {SECTION 10);

WHEREAS, the Petitioner sought signatures to join the petition by adjoining property owners, which collectively represent the owners of more than two thirds of the abutting property, and all have signed and are in support of the petition; and

WHEREAS, on February 24, 2026, the City Council adopted Resolution No. 0**-26, fixing March 24, 2026, as the date for a public hearing on the street vacation petition, which is not more than 60 days or less than 20 days after passage of the Resolution (POMC Section 12.08.010(3) and RCW 35.79); and

WHEREAS, the City Clerk provided public notice of the pending street vacation petition and public hearing thereon as required by law (POMC Section 12.08.020(1) and RCW 35.79); and

WHEREAS, staff reviewed the petition and, in light of the provisions of POMC chapter 12.08.060, determined this proposed street vacation is not subject to the 1889-1890 Laws of Washington, Chapter 19, Section 32 (the nonuser statue) as it was part of the original creation of the City boundaries in 1890; and

WHEREAS, the City Council held a public hearing on March 24, 2026, on the proposed street vacation; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Non-user Statute. Under POMC Section 12.08.060(5), staff has determined the area proposed for vacation has not been vacated by lapse of time under the non-user statute.

Section 2. Public Notice. The City Council finds that the City Clerk provided at least 20 days' and not more than 60 days' notice of the public hearing on this street vacation petition, as required by POMC Section 12.08.020 and RCW 35.79, including notice being posted on the street or alley sought to be vacated.

Section 3. Staff Report. Staff has prepared a report and recommendation on the proposed vacation, which is dated *****. A copy of this report was available to the public prior to the public hearing.

Section 4. Public Hearing. The public hearing was held on the petition for street vacation on March 24, 2026.

Section 5. Testimony at Public Hearing. The Public Hearing was held and no one from the public commented on this street vacation.

Section 6. City Council Findings. After hearing the testimony of the public, if any, and considering the staff report and all other relevant facts, the City Council finds as follows:

a. The area sought to be vacated was the original incorporated of the Town of Sidney, in 1890.
b. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
c. The functionality of the area sought to be vacated for public purposes is nonexistent.
d. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm. However, a utility easement between the City and Kitsap County will be required for the City to access the underground utilities.
e. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.
f. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Section 7. City Council Conclusions. The City Council has determined that the area proposed for vacation may be vacated and hereby approves the street vacation petition.

Section 8. Compensation. Pursuant to Port Orchard Municipal Code 12.08.050, the approval of a street vacation is contingent on the payment of compensation in an amount that does not exceed the full appraised value of the area vacated. Compensation may include in-lieu transfers of real property. The Petitioner shall compensate the City with: (1) transfer of Kitsap County Tax Parcel No. 252401-4-002-2008 (commonly known as "Veteran's Park"); (2) free public access to a County parking lot, on terms and conditions; and (3) $30,000. The monetary compensation shall be paid to the City prior to the recording of this Ordinance. The payment terms for the non-monetary compensation shall be memorialized in an agreement, in a form acceptable to the City Attorney. The Mayor is authorized to execute the agreement without further action by this Council. This Ordinance shall not be recorded until the agreement is mutually executed.

Section 9. Recording. A certified copy of this Ordinance vacating the proposed area shall be recorded by the City Clerk with the Kitsap County Auditor's office, as required by RCW 35.79.030, upon receipt by the City of compensation set out in Section 8 of this Ordinance.

Section 10. Reservation of Easement. As a condition of this vacation, the abutting receiving property owners receiving the vacated right-of-way shall grant to the

City an easement in the vacated land for the construction, repair, and maintenance of public utilities and services, in a form acceptable to the City Attorney. The Mayor is authorized to execute the easement and any documents necessary to effectuate this reservation.

Section 11. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 12. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 13. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 24th day of March 2026.

_____
Robert Putaansuu, Mayor

ATTEST:

_____
Brandy Wallace, MMC, City Clerk

APPROVED AS TO FORM:

_____
Charlotte Archer, City Attorney

PUBLISHED:
EFFECTIVE DATE:

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 10.B. Adoption of a Resolution Approving Purchase of Furnishings for the Downtown Beautification Project (Ryan)
Meeting Date: March 24, 2026
Presenter: Denis Ryan, Public Works Director

Summary and Background:
The City Council adopted the 2025-2026 Biennial Budget, which includes funding to support improvements associated with the Downtown Beautification Project. The project includes the installation of new public use amenities to support the long term revitalization of downtown public spaces. In accordance with the City's Procurement Policies, purchases of $35,000 or more require City Council approval. Public Works issued an Invitation to Bid (ITB) for the procurement of outdoor furniture, including picnic tables and benches, to be installed as part of the beautification project. The ITB was publicly advertised in the Kitsap Sun and the Daily Journal of Commerce on March 5 and March 12, 2026. The deadline for bid submissions was March 19, 2026. The City received one responsive proposal by the deadline. Following review staff recommends awarding the purchase of $42,244.45 to Smith Metal Works in accordance with the proposal received. The purchase includes a total of seven (7) picnic tables and five (5) benches meeting the project's durability, accessibility, and design specifications. The proposed Resolution is intended to provide the City Council's approval for the purchase in accordance with the City's procurement procedures.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends adopting the Resolution approving the purchase, as proposed.

Motion for Consideration: I move to approve the Resolution providing City Council approval of the purchase of picnic tables and benches for the Downtown Beautification Project in the amount of $42,244.45.

Has item been presented to Committee/Work Study? No
If so, which one: N/A

Fiscal Impact: During the 2025-2026 Mid-Biennial Budget Review the City Council added

$100,000 for Waterfront Beautification Improvements under 001.05.576.80.40.

Alternatives: Do not approve and provide further guidance.

Attachments:

1. RESOLUTION_-_Downtown_Furnishings_11208882.1_ (1)

RESOLUTION NO.

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, APPROVING THE PURCHASE OF FURNISHINGS FOR THE DOWNTOWN BEAUTIFICATION PROJECT AND DOCUMENTING PROCUREMENT

WHEREAS, the City Council adopted the 2025-2026 Biennial Budget, which includes funding to support improvements associated with the Downtown Beautification Project; and

WHEREAS, the Downton Beautification Project includes the installation of new public-use amenities intended to support the long-term revitalization and enhancement of downtown public spaces; and

WHEREAS, in accordance with the City's Procurement Policies, purchases of $35,000 or more require approval by the City Council; and

WHEREAS, Public Works Issued an Invitation to Bid (ITB) for the procurement of outdoor furniture, including picnic tables and benches, consistent with the design, durability, and accessibility requirements; and

WHEREAS, the ITB was publicly advertised in the Kitsap Sun and the Daily Journal of Commerce on March 5, 2026, and March 12, 2026, and the deadline for the bid submission was March 19, 2026; and

WHEREAS, the city received one responsive proposal by the deadline and after review, staff recommends awarding the purchase in the amount of $42,244.45 to Smith Metal Works, and

WHEREAS, the recommended purchase includes seven (7) picnic tables and five (5) benches that meet all project specifications and support the overall goals of the Downtown Beautification Project; and

WHEREAS, the Port Orchard City Council, in alignment with the State Auditor's Office recommendation, wishes to document the procurement process for this purchase by Resolution. Now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution**.**

THAT: The City Council approves and authorizes the Mayor to execute a purchase of seven (7) picnic tables and five (5) benches from Smith Metal Works~~XXXX~~ in the amount of $~~XXXXX~~42,244.45, in accordance with the proposal received and the City's procurement procedures. The Mayor or designee is authorized to execute any necessary documents to complete these purchases in accordance with City policies and applicable laws.

THAT: This Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 24th day of March 2026.

_____
Robert Putaansuu, Mayor

ATTEST:

_____
City Clerk, Brandy Wallace, MMC

City of Port Orchard
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Business Item: 10.C. Approval of Utility Relocation Agreement No. 9 with Kiewit Infrastructure West Co. for Design and Construction of City Water Utility Relocation – Gorst Vicinity Fish Barrier Removal Project (Ryan)
Meeting Date: March 24, 2026
Presenter: Denis Ryan, Public Works Director

Summary and Background:
The Washington State Department of Transportation (WSDOT) is advancing the SR 3/SR 16/SR 166 - Gorst Vicinity Remove Fish Barriers Project as part of statewide compliance with a federal injunction requiring the removal of state-owned culverts that impede salmon and steelhead passage. As part of this work, WSDOT identified "site D" (WDFW Site 990270) along SR 16, where existing City of Port Orchard water utility facilities are located within WSDOT right-of-way. To complete the highway and culvert replacement, these City water facilities must be removed, relocated, and reconstructed. To support coordination on this project, the City Council previously approved a Memorandum of Understanding (MOU) with WSDOT establishing a collaborative framework for project-by-project utility coordination. Building on that approved MOU, the State has temporarily assigned and delegated to Kiewit Infrastructure West Co. – WSDOT' s design-build contractor- certain rights and obligations under utility permits and franchises for the purpose of implementing required utility relocations. This makes Kiewit Infrastructure West Co. the sole vendor situated to perform this work within WSDOT's right-of-way for the City, and on the timeline dictated by WSDOT. To carry out this work, the City and Kiewit have negotiated Utility Relocation Agreement No. 9, which defines the responsibilities of both parties for the engineering design and relocation of the City's buried water main at Site D. The Agreement incorporates WSDOT's Assignment/Delegation (Exhibit A) and the design plans and specifications prepared for the relocation (Exhibit B). 23 Under the Agreement, Kiewit will complete the design and construction necessary to relocate the utility, while the City will review the work for compliance with City standards, issue approvals, and perform the inspections required for acceptance. All design and construction must meet both City of Port Orchard water system standards and applicable WSDOT project requirements. The Agreement establishes that design must be completed by March 20, 2026, with construction to follow on a mutually agreed schedule aligned with WSDOT's project delivery. The City is responsible for the lump sum cost of $85,000 for design and $515,000 for construction as identified in Recital 6. Execution of Utility Relocation Agreement No. 9 will allow the City to meet its responsibilities under the previously approved WSDOT MOU, ensure proper protection and relocation of City water infrastructure, and maintain compliance with state and federal

project requirements while enabling WSDOT's fish passage improvement work to proceed.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends the City Council authorize the Mayor to execute Utility Relocation Agreement No. 9 with Kiewit Infrastructure West Co. for the design and construction of the City's water utility relocation required by WSDOT for the Gorst Vicinity Fish Barrier Removal Project.

Motion for Consideration: I move to authorize the Mayor to execute Utility Relocation Agreement No. 9 with Kiewit Infrastructure West Co. for the relocation of City water facilities associated with the Gorst Vicinity Fish Barrier Removal Project, in the amount of $85,000 for design and $515,000 for construction, for a total authorized amount of $600,000.

Has item been presented to Committee/Work Study? No
If so, which one: N/A

Fiscal Impact: Utility Relocation Agreement No. 9 establishes a lump sum cost of $85,000 for design services and $515,000 for construction services, for a total project cost of $600,000, which is the responsibility of the City. Any additional costs associated with unforeseen conditions will be managed under the Agreement's change-in-work provisions. A budget amendment will be required. The Finance Department has identified the funds to cover this $600,000 will come from a combination of adjustments to Fund 411 (Water Operations). For FY 2025, the revenue exceeded its budget by ~ $240,000 and its operational administrative expenses were less than budgeted by ~ $500,000. The saving in expenses and the additional revenue will be sufficient to cover this new unforeseen expense.

Alternatives: Do not approve and provide further guidance.

Attachments:

1. RESOLUTION_-_Downtown_Furnishings_11208882.1_ (1)
2. Relocation_Agreement__9_-_City_of_Port_Orchard
3. Exhibit_A_-_Delegation
4. Exhibit_B_-_Design_
5. Exhibit_D
6. RESOLUTION_-_Kiewitt_11209874.1_
7. CONTRACT_-_Kiewit_Construction
8. CONTRACT_-_Kiewit_Design

RESOLUTION NO.

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, APPROVING THE PURCHASE OF FURNISHINGS FOR THE DOWNTOWN BEAUTIFICATION PROJECT AND DOCUMENTING PROCUREMENT

WHEREAS, the City Council adopted the 2025-2026 Biennial Budget, which includes funding to support improvements associated with the Downtown Beautification Project; and

WHEREAS, the Downton Beautification Project includes the installation of new public-use amenities intended to support the long-term revitalization and enhancement of downtown public spaces; and

WHEREAS, in accordance with the City's Procurement Policies, purchases of $35,000 or more require approval by the City Council; and

WHEREAS, Public Works Issued an Invitation to Bid (ITB) for the procurement of outdoor furniture, including picnic tables and benches, consistent with the design, durability, and accessibility requirements; and

WHEREAS, the ITB was publicly advertised in the Kitsap Sun and the Daily Journal of Commerce on March 5, 2026, and March 12, 2026, and the deadline for the bid submission was March 19, 2026; and

WHEREAS, the city received one responsive proposal by the deadline and after review, staff recommends awarding the purchase in the amount of $42,244.45 to Smith Metal Works, and

WHEREAS, the recommended purchase includes seven (7) picnic tables and five (5) benches that meet all project specifications and support the overall goals of the Downtown Beautification Project; and

WHEREAS, the Port Orchard City Council, in alignment with the State Auditor's Office recommendation, wishes to document the procurement process for this purchase by Resolution. Now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution**.**

THAT: The City Council approves and authorizes the Mayor to execute a purchase of seven (7) picnic tables and five (5) benches from Smith Metal Works~~XXXX~~ in the amount of $~~XXXXX~~42,244.45, in accordance with the proposal received and the City's procurement procedures. The Mayor or designee is authorized to execute any necessary documents to complete these purchases in accordance with City policies and applicable laws.

THAT: This Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 24th day of March 2026.

_____
Robert Putaansuu, Mayor

ATTEST:

_____
City Clerk, Brandy Wallace, MMC

Utility Relocation Agreement No. 9 SR 3/SR 16/SR 166, Gorst Vicinity – Remove Fish Barriers Project (Contract No. 9920)		Utility Name & Address: City of Port Orchard 216 Prospect Street Port Orchard, WA 98366
Design Responsibility:	City of Port Orchard	Contractors Name & Address: Kiewit Infrastructure West Co. 33930 Weyerhaeuser Way, Suite 300 Federal Way, WA 98001
Construction Responsibility:	City of Port Orchard	
Cost Responsibility:	City of Port Orchard	WSDOT #9920 RFP Utility Designation: ☒ Type 1 ☐ Type 2

This Utility Relocation Agreement (the Agreement) is made and entered into between Kiewit Infrastructure West Co. (KIEWIT) and the above-named Utility (UTILITY), collectively the "Parties" and individually the "Party."

Recitals

1. The Washington State Department of Transportation (WSDOT) is planning an improvement along SR 3/SR 16/SR 166 which consists of the removal and replacement of five existing culverts with fish passage structures (referred to as sites), per the project titled above; and has contracted with KIEWIT to perform the necessary improvements (the Project). The project site included as part of this agreement is as follows:

Site ID	WDFW Site ID	US / SR	Name	County
Site D	990270	SR 16	UNT to Ross Creek	Kitsap County

2. The WSDOT has granted an "Assignment/Delegation of Utility Permit/Franchise Rights and Obligations" dated 02/26/2024 to KIEWIT regarding WSDOT Utility Permit/Franchise Numbers below and as shown in Exhibit A.

Site ID	WDFW Site ID	Utility Owner	Utility Facility	Franchise Number
D	990270	City of Port Orchard	Buried Water	N/A

3. In connection therewith, it is necessary to design and remove and/or relocate and/or construct certain UTILITY facilities (the Work) to facilitate the Project.

4. In order to facilitate the completion of the Work, KIEWIT will provide all materials, equipment, labor, contract administration, and any other efforts required to perform the following for facilities owned by UTILITY:

☒ Design ☐ Design Review ☒ Protect in Place ☒ Removal
☒ Relocation ☒ Construction ☐ Field Inspection ☐ Betterments
☒ As-Built Survey ☐ As-Built Review ☐ Franchise/Permit Application/ Amendment
☒ Permanent Material Supply for Construction

5. In order to facilitate the completion of the Work, UTILITY will provide all materials, equipment, labor, contract administration, and any other efforts required to perform the following for facilities owned by UTILITY:

☐ Design	☒ Design Review	☐ Protect in Place	☐ Removal
☐ Relocation	☐ Construction	☒ Field Inspection	☒ Betterments
☐ As-Built Survey	☒ As-Built Review	☒ Franchise/Permit Application/ Amendment	
☐ Permanent Material Supply for Construction			

6. As defined in the conformed Request for Proposals (RFP) of WSDOT Project 9920 dated October November 26, 2024, the following Party is of the Type noted above and is entirely responsible for the cost to complete all aspects of the work for UTILITY facilities:

☐ KIEWIT ☒ UTILITY

7. Both KIEWIT and UTILITY will perform their respective duties in a timely manner so that the design is completed by Site D: Mach 20, 2026, and the remaining work identified in Sections 4 & 5 is completed by Site D upon mutually agreeable date between parties.

Now, therefore, in consideration of the terms, conditions, covenants, and performances contained herein, as well as the attached Exhibits which are incorporated and made a part hereof,

IT IS MUTUALLY AGREED AS FOLLOWS:

1. Plans and Special Provisions

1.1. Program Guide: The "Utility Relocation and Accommodation on Federal Aid Highway Projects" shall determine and establish the definitions and applicable standards for this Agreement. By this reference this document is adopted and made a part of this Agreement as if fully contained herein.

1.2. Betterment: A betterment is an improvement to UTILITY facilities not required by code, regulation, standard industry practice, or any other applicable regulation. If any of the Work constitutes a betterment as defined in the "Utility Relocation and Accommodation on Federal Aid Highway Projects", the UTILITY is solely responsible for the costs of such improvement.

1.3. The Party performing the construction agrees to perform the work in accordance with:

☒ The Plans identified in Exhibit B
☐ The Special Provisions in Exhibit C (if applicable)

UTILITY agrees that is solely responsible for ensuring that all Plans and Special Provisions meet UTILITY's standards, codes, and regulations. In the event of a discrepancy between UTILITY's standards, codes, and regulations and those of WSDOT, those of UTILITY shall prevail unless it is determined by WSDOT that this condition will present a hazard to the safety and comfort of the traveling public.

2. Construction, Inspection, and Acceptance

2.1. UTILITY agrees to disconnect/reconnect and or deactivate/activate its facilities upon reasonable notice to UTILITY as requested by KIEWIT when such action is required to be performed by UTILITY. The Parties agree to define disconnect/reconnect and or deactivate/activate requirements, including notification and response, in Exhibit C. UTILITY facilities not removed pursuant to this Agreement shall remain the ownership, operation and maintenance responsibility of UTILITY.

2.2. Salvage: All materials removed from UTILITY's facilities shall become the property of UTILITY and disposed of by UTILITY, unless otherwise specified in Exhibit C. Arrangements to salvage certain materials for later usage by either Party shall be specified in Exhibit C.

2.3. If KIEWIT is to perform the Work, UTILITY shall furnish an inspector in a timely manner to observe the Work and verify that all standards, codes, and regulations are being met as described in Section 1.3. If UTILITY is to perform the Work, KIEWIT shall supply an inspector in a timely manner to observe the Work and verify that all improvements are compatible with the overall design, phasing, and construction of the Project.

2.4. The Party performing the construction agrees to promptly notify the other Party upon completion of the Work.

2.5. If KIEWIT is performing the Work, UTILITY shall, within five (5) working days of being notified that the Work is completed:

(a) deliver a letter of acceptance to WSDOT, or

(b) deliver to WSDOT written reasons why the Work does not comply with the previously approved Plans and Special Provisions. UTILITY agrees to work diligently and in good faith with KIEWIT to resolve any issues so as not to delay the Project. If all issues are resolved, UTILITY agrees to deliver to WSDOT a letter of acceptance as provided herein.

2.6. If UTILITY is performing the Work, KIEWIT shall, within five (5) working days of being notified that the Work is completed:

(a) deliver a letter of acceptance to UTILITY, or

(b) deliver to UTILITY written reasons why the Work does not comply with the previously approved Plans and Special Provisions. KIEWIT agrees to work diligently and in good faith with UTILITY to resolve any issues so as not to delay the Project. If all issues are resolved, KIEWIT agrees to deliver to UTILITY a letter of acceptance as provided herein.

2.7. If either Party does not respond within five (5) working days as provided in Sections 2.5 and 2.6, the Work and the administration thereof will be deemed accepted by the other Party, and the Party performing the Work shall be released from all future claims and demands except for latent defects to the extent allowed by Washington Law.

2.8. Upon completion and acceptance of the Work pursuant to Sections 2.5, 2.6, or 2.7, to the extent allowed by Washington law, UTILITY agrees that it shall be solely responsible for all future ownership, operation, and maintenance costs of its facilities, without KIEWIT or WSDOT liability or expense.

2.9. KIEWIT will prepare the final construction “as-built” survey and documentation in general conformance with WSDOT’s Construction Manual. KIEWIT will maintain one set of plans as the official “as-built” set, then make notations in red of all plan revisions typically recorded per standard WSDOT practice, as directed by WSDOT’s Construction Manual. Once the approving Party has accepted the Work per Section 2.5, 2.6, or 2.7, KIEWIT will provide one (1) reproducible set of “as-builts” to UTILITY.

3. Payment

3.1. The Party identified in Recital 6 of this Agreement agrees that it shall be responsible for the actual direct and related indirect costs of the efforts to perform the Work by the Party(ies) identified in the following Recitals:

☐ Recital 4 (KIEWIT) ☒ Recital 5 (UTILITY)

3.2. The total Lumpsum cost to achieve completion of the Design:

☐ Unspecified

☒ $____85,000_____

A scoping document with inclusions and exclusions for the Design is:

☐ Not included

☒ Included in Exhibit D

3.3. The total Lumpsum cost to achieve completion of the Construction Work:

☐ Unspecified

☒ $_____$515,000____

A scoping document with inclusions and exclusions for the Construction Work is:

☐ Not included

☒ Included in Exhibit D

3.4. If monies are deemed to be due from one Party to the other as required by the terms of this Agreement, the Party identified in Recital 6 of this Agreement agrees to pay the other Party the actual cost for its participation in the completion of the Work for UTILITY. The Party identified in Recital 6 shall make any payments due to the other Party within thirty (30) calendar days after receiving request for payment.

3.5. Should the Party identified in Recital 6 of this Agreement fail to make payment to the other Party according to the terms of this Agreement, the Party owed unpaid monies shall have the right to terminate this Agreement after reasonable notice to the defaulting Party and an opportunity to cure.

4. Change in Work or Cost Increase

4.1. Increase in Cost: In the event unforeseen conditions, not caused by the negligence or willful misconduct of KIEWIT, WSDOT, its or their agents, or a third party, require an increase in the cost of the Work as specified in Section 3.2, a change in the agreed total cost will:

☐ Be paid One Hundred Percent (100%) by KIEWIT

☒ Be paid One Hundred Percent (100%) by UTILITY

☐ Be paid at a split cost as identified below:

KIEWIT: _____ Percent (____%)

UTILITY: _____ Percent (____%)

A change to the total cost of the Work identified in Section 3.2 will only be considered if the actual cost to complete the Work is equal to or more than the following percentage over the value identified in Section 3.2

☐ _____ Percent (____%)

☒ Not Applicable

4.2. If it is determined by the Party performing the Work that additional Work or a change in the Work is required, prior written approval must be secured from the Party identified in Recital 6. However, where the change is required to mitigate a Project emergency or safety threat to the traveling public, the Party performing the Work may direct the change without the approval of the Party identified in Recital 6. Proper notifications shall be made between both Parties of such changes as soon as possible thereafter.

4.3. Regardless of the Party performing the Work, UTILITY may request additions to the Work in writing. KIEWIT will review the request and accommodate the requested changes as elective changes, provided that a change does not negatively impact WSDOT's transportation system and complies with the Standard Specifications, Project permits, state and/or federal law, applicable rules and/or regulations, and/or WSDOT design policies, and does not unreasonably delay critically scheduled Project contract activities. Costs to construct UTILITY facilities above and beyond the cost required for the scope of the Work will be paid for solely by UTILITY, regardless of the Party performing these additional activities.

5. Franchise of Permit

5.1. UTILITY shall apply for a new permit, franchise, or amendment to its current franchise for those new or modified UTILITY facilities that will be located within WSDOT's right of way. After receiving the application, WSDOT will issue a new permit or a new or amended franchise, as applicable.

6. Right of Entry/Permits

6.1. KIEWIT agrees to provide copies of its Right of Entry Permits and Temporary Construction Easements with all privately owned lands, as requested by UTILITY. UTILITY may elect to perform its Work within the limits and restrictions of KIEWIT temporary construction easement.

If UTILITY does not elect to perform its Work within the limits of KIEWIT temporary construction easements; UTILITY agrees to arrange for rights of entry upon all privately owned lands upon which UTILTY has a claimed property rights and which are necessary to perform the Work. UTILITY also agrees to obtain all necessary permissions for KIEWIT to perform the Work on such lands, which may include reasonable use restrictions on those lands. UTILITY agrees to provide the rights of entry and applicable permissions under this section to KIEWIT within ten (10) calendar days of entering into this Agreement. Upon completion of the Work on such lands, those rights of entry and permissions beyond the rights of entry and permissions granted by the WSDOT permit or franchise shall terminate.

6.2. KIEWIT agrees to provide copies of applicable permits that it has received to perform the work outside of this agreement, as requested. If applicable, UTILITY may elect to perform its Work under KIEWIT permits with the understanding all permit restrictions and conditions are met. It is the responsibility of the UTILITY to fully understand and comply with all KIEWIT permit conditions and requirements, including; but not limited to, performing the work within the identified boundaries and providing all necessary reports and documentation to support permit requirements and provide to KIEWIT in a timely manner after completion of Work.

If UTILITY does not elect to perform its Work under KIEWIT permits; UTILITY agrees to obtain all necessary permits to perform the Work. If UTILITY elects for KIEWIT to perform any of the Work, UTILITY also agrees to obtain all necessary permit for KIEWIT to perform the Work. UTILITY agrees to provide the applicable permits under this section to KIEWIT within ten (10) calendar days of entering into this Agreement. Upon completion of the Work, those permits beyond the permissions granted by the issuing agencies shall terminate.

7. General Provisions

7.1. Indemnification: To the extent authorized by law, UTILITY and KIEWIT shall indemnify and hold harmless one another and their employees and/or officers from and shall process and defend at its own expense any and all claims, demands, suits at law or equity, actions, penalties, losses, damages (both to persons and/or property), or costs, of whatsoever kind or nature, brought against the one Party arising out of, in connection with, or incident to the other Party's

performance or failure to perform any aspect of this Agreement, provided, however, that if such claims are caused by or result from the concurrent negligence of (a) UTILITY and (b) KIEWIT, their respective employees and/or officers, or involves those actions covered by RCW 4.24.115, this indemnity provision shall be valid and enforceable only to the extent of the negligence of UTILITY or KIEWIT, and provided further, that nothing herein shall require the UTILITY or KIEWIT to hold harmless or defend the other or its employees and/or officers from any claims arising from that Party's sole negligence or that of its employees and/or officers. The terms of this section shall survive the termination of this Agreement.

7.2. Disputes: If a dispute occurs between the UTILITY and KIEWIT at any time during the prosecution of the Work, the Parties agree to negotiate at the management level to resolve any issues. Should such negotiations fail to produce a satisfactory resolution, the Parties agree to enter into arbitration and/or mediation before proceeding to any other legal remedy. Each Party shall be responsible for its own fees and costs. The Parties agree to equally share the cost of a mediator or arbiter.

7.3. Venue: In the event that either Party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this Agreement, the Parties hereto agree that any such action or proceedings shall be brought in the State of Washington. Each Party shall be responsible for its own attorney's fees and costs.

7.4. Termination:

7.4.1. Unless otherwise provided herein, KIEWIT my terminate this Agreement upon thirty (30) calendar days written notice to UTILITY.

7.4.2. KIEWIT acknowledges and agrees that should it terminate this Agreement, such termination shall not relieve the Party identified in Recital 6 from its responsibility to ultimately pay for the design, removal, relocation and/or construction of UTILITY facilities so as not to delay or conflict with the Project.

7.5. Amendments: This Agreement may be amended by the mutual agreement of both Parties. Such amendments or modifications shall not be binding unless put in writing and signed by persons authorized to bind each of the Parties.

7.6. Independent Contractor: Both Parties shall be deemed independent contractors for all purposes, and the employees of each Party and any of its contractors, subcontractors, consultants, and the employees thereof, shall not in any manner be deemed to be the employees of the other Party.

7.7. Audit and Records: During the progress of the Work and for a period of not less than six (6) years from the date of final payment, both Parties shall maintain the records and accounts pertaining to the Work and shall make them available upon reasonable notice during normal business hours and as often as necessary, for inspection and audit by the other Party, Washington State, and/or Federal Government and copies of all records, accounts, documents or other data pertaining to the Work will be furnished upon request. The requesting Party shall pay the cost of copies produced. If any litigation, claim, or audit is commenced, the record, accounts along with supporting documentation shall be retained until any litigation, claim, or audit finding has been resolved even though such litigation, claim, or audit continues past the six-year retention period.

8. Waiver of Consequential Damages

8.1. Neither party will be liable to the other party for consequential damages of any nature or kind, including loss of profits/revenue and use. Damages based on actual costs incurred as a result of inexcusable delays on the reference Project are not consequential damages.

8.2. WAIVER OF CONSEQUENTIAL AND PUNITIVE DAMAGES.

In no event shall either party hereto be liable to the other or obligated in any manner to pay to the other any special, incidental, consequential, punitive or similar losses or damages (including loss of profits, loss of production, loss of business opportunity or other consequential or indirect loss) based upon claims arising out of or in connection with the performance or non-performance of its obligations or otherwise under this Agreement, or the material inaccuracy of any representation made in this Agreement, whether such claims are based upon contract, tort, negligence, warranty or other legal theory; provided, however, that the waiver of this foregoing damages under this Section is intended to apply only to disputes and claims as between UTILITY and KIEWIT. Nothing in this Section shall limit the obligation of the UTILITY to indemnify, defend and hold harmless the KIEWIT Indemnitees, or the obligation of KIEWIT to indemnify, defend and hold harmless the UTILITY Indemnitees, for any consequential or punitive damages payable to third parties resulting from any act or circumstance for which the UTILITY or KIEWIT, as applicable, is obligated to indemnify hereunder.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT AS OF THE DAY AND YEAR LAST WRITTEN BELOW.

UTILITY	**KIEWIT**
_____	_____
Signature	Signature
_____	_____
By (Print Name)	By (Print Name)
_____	_____
Title	Title
_____	_____
Date	Date

ATTACHMENTS:

- ☒ Exhibit A – Assignment/Delegation of Utility Permit/Franchise Rights & Obligations
- ☒ Exhibit B – Plans (as designed by KPFF)
- ☐ Exhibit C – Special Provisions (Not Applicable)
- ☒ Exhibit D – Design & Construction – scoping

Assignment/Delegation of Utility Franchise/Permit Rights and Obligations

This is a Limited Assignment of Rights and Delegation of Obligations ("Assignment") by and between the Washington State Department of Transportation ("WSDOT") and Kiewit Infrastructure West Co. ("Design-Builder").

RECITALS

1. WSDOT entered into a design-build contract with Design-Builder, for a highway improvement project within the following locations in Kitsap County, Washington for the SR 3/SR 104/SR 303/SR 307/SR 308 Kitsap County – Remove Fish Barriers Project:
    a. State Route 3, Mile Post 41.52 to 59.55;
    b. State Route 104, Mile Post 16.55 to 22.95;
    c. State Route 303, Mile Post 6.63 to 6.90;
    d. State Route 307, Mile Post 1.34 to 1.45;
    e. State Route 308, Mile Post 0.94 to 2.16

2. The Project requires the relocation of utilities that are located on WSDOT right of way pursuant to certain Utility Permits or Franchises.

3. WSDOT determined that it is in the best interest of the State of Washington and the traveling public to temporarily assign certain rights and delegate certain obligations under the Utility Permits and Franchises to the Design-Builder for the orderly, efficient, and effective relocation of utility facilities for the Project.

4. Design-Builder agrees that WSDOT's temporary assignment of rights and delegation of obligations under the Permits and Franchises will facilitate the orderly, efficient, and effective relocation of utility facilities for the Project.

NOW, THEREFORE, IT IS MUTUALLY AGREED THAT:

In consideration of the orderly, efficient, and effective relocation of utility facilities located within state highway right of way in support of the Project, WSDOT does hereby assign, transfer, and delegate unto Design-Builder the Utility Permits and Franchises identified in Exhibit A, subject to the terms and conditions set forth below.

1. This Assignment includes only those rights and obligations under the Permit or Franchise (and the General Provisions, Special Provisions, and Exhibits of the Permit or Franchise, if any) that are necessary or convenient for the Design-Builder to execute the Project.

2. This Assignment includes any amendment to, or replacement of, the Permit or Franchise (and the General Provisions, Special Provisions, and Exhibits thereto, if any) issued by WSDOT after the date of execution of this Assignment.

3. This Assignment does not include the right to amend, revoke, cancel, issue or otherwise modify the Permit or Franchise.

4. This Assignment is non-exclusive and WSDOT retains the right to exercise all rights and obligations under the Permit or Franchise.

5. This Assignment shall automatically terminate upon completion of the Project, unless terminated earlier by WSDOT in writing.

6. Design-Builder agrees that it shall be solely responsible for any causes of action or claims, if any, that arise between the Design-Builder and the Utility during the term of this Assignment; therefore, Design-Builder, its agents, employees, contractors, successors or assigns, will protect, save and hold harmless WSDOT, its authorized agents and employees, from all claims, actions, costs, damages (both to persons and property), injuries or expenses of any nature whatsoever by reason of the acts or omissions of Design-Builder, its agents, employees, contractors, successors or assigns, arising out of or in connection with Design-Builder's or its agents', employees', contractors', successors', or assigns' acts or omissions related to this Assignment; provided, that if the claims or damages are caused by or result from the concurrent acts or omissions of (a) WSDOT's authorized agents or employees and (b) Design-Builder, its agents, employees, contractors, successors or assigns, this indemnity provision shall be valid and enforceable only to the extent of the acts or omissions of Design-Builder, its agents, employees, contractors, successors or assigns. This provision shall survive the termination of this Assignment.

7. The Design-Builder shall not assign or transfer the rights or obligations granted in this Assignment in any manner whatsoever, unless WSDOT consents thereto in writing.

8. WSDOT shall provide a copy of this Assignment to the Utility after it is executed by WSDOT and Design-Builder.

9. The Design-Builder shall exercise its rights and obligations granted in this Assignment in a reasonable and prudent manner.

Design-Builder hereby accepts the rights and assumes the obligations from WSDOT as set forth above.

Justin O'Brien

Title: Area Manager

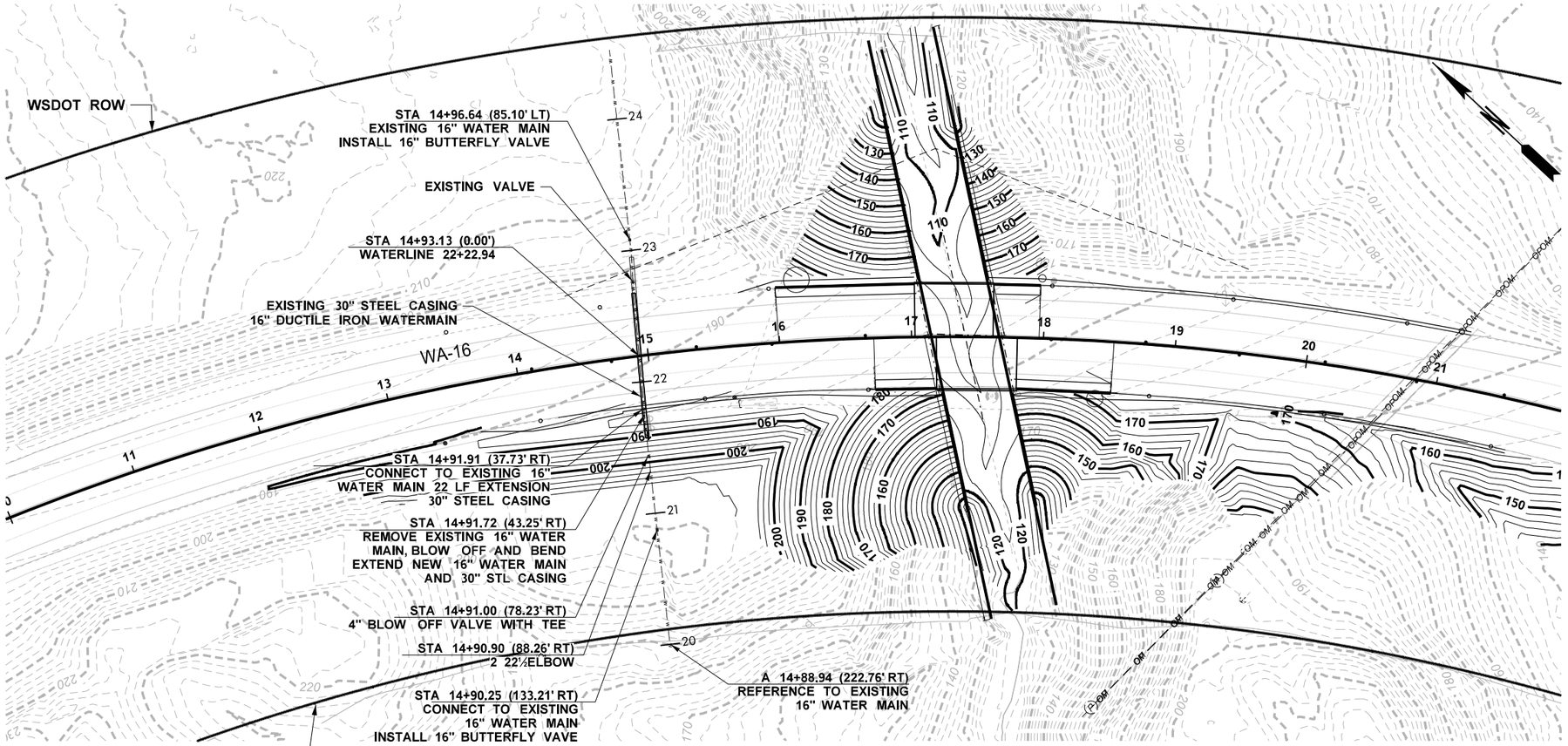
Dated: 2/20/2024

WSDOT hereby assigns the rights and delegates the obligations as set forth above to Design-Builder.

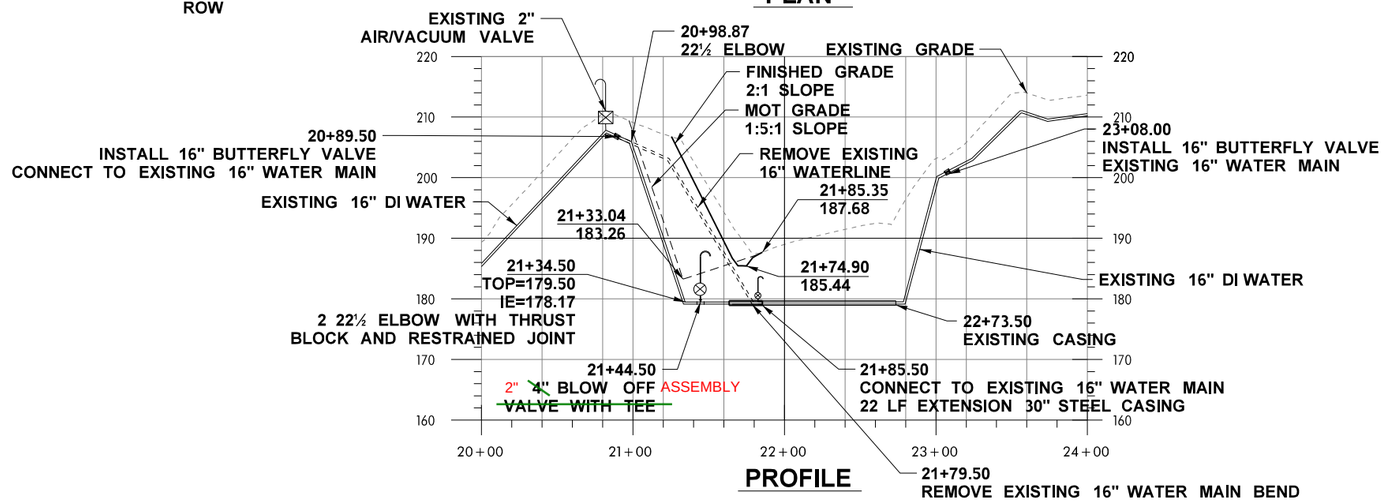
Devin Maher

Title: Olympic Region Utility Manager

Dated: 2/26/2024



PLAN



PROFILE

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CURRENTLY ADOPTED WSDOT AND APWA SPECIFICATIONS AND PLANS, AND THE CITY OF PORT ORCHARD MUNICIPAL CODE.
2. THE DESIGN ELEMENTS WITHIN THESE PLANS HAVE BEEN REVIEWED ACCORDING TO THE PORT ORCHARD DESIGN STANDARDS. SOME ELEMENTS MAY HAVE BEEN OVERLOOKED OR MISSED BY THE CITY OF PORT ORCHARD CITY ENGINEER. ANY DEVIATION FROM ADOPTED STANDARDS IS NOT ALLOWED UNLESS SPECIFICALLY APPROVED BY THE CITY OF PORT ORCHARD CITY ENGINEER, PRIOR TO CONSTRUCTION.
3. WATER MAINS 16 INCHES IN DIAMETER AND SMALLER MUST BE IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR ROAD, BRIDGE , AND MUNICIPAL CONSTRUCTION DEVELOPED BY THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (WSDOT), SPECIFICALLY SECTION 7-09 WATER MAINS. ANY DEVIATION FROM THESE STANDARD SPECIFICATIONS WILL BE CLEARLY NOTED IN THESE STANDARDS.
4. ALL NEW LINES MUST BE PRESSURE TESTED AND DISINFECTED PRIOR TO CONNECTING TO THE EXISTING WATER MAIN. ONLY CITY REPRESENTATIVES ARE ALLOWED TO OPERATE EXISTING AND NEW TIE IN VALVES.
5. MAINTAIN MINIMUM COVER OF 4 FT OVER WATER LINE. DEPTH OF COVER IN EXCESS OF 7-FEET REQUIRES CITY APPROVAL.
6. PIPE BEDDING, TAPPING, CONCRETE THRUST BLOCKS, TIE BACKS, AND RESTORATION PER COPO STANDARD DRAWINGS 801, 802, 803-A, AND 803-B.
7. ~~BLOW OFF VALVE INSTALLED PER COPO DRAWING 880.~~

LEGEND

LOCATE WIRE INSTALLED WITH LENGTH OF PROJECT.

ATTACH UPDATED DRAWING

- BUTTERFLY VALVE
- VALVE
- WATERLINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- 45 ALIGNMENT & STATION
- RIGHT OF WAY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- OP OVERHEAD UTILITY

0 50 100
SCALE IN FEET

FILE NAME	Z:\2400001-2409999\2400142 Gorst VIcInIty\CADD\DesIgn\XL6547_BP-WA.dgn				REGION NO. 10	STATE WASH	FED.AID PROJ.NO.
TIME	6:26:49 PM				JOB NUMBER XL6547		
DATE	3/6/2026				CONTRACT NO. XXXXXX		LOCATION NO.
PLOTTED BY	CharitiZ						
DESIGNED BY	C. ZLATEFF						
ENTERED BY	M. VU						
CHECKED BY	J. PETERS						
PROJ. ENGR.							
REGIONAL ADM.		REVISION	DATE	BY			

P.E. STAMP BOX DATE

Washington State Department of Transportation

Kiewit

kpff

GORST VINICITY
REMOVE FISH BARRIERS
OLNEY CREEK

UTILITY PLAN AND PROFILE

PLAN REF NO WA1

SHEET XX OF XX SHEETS

James.Robinson

From: Chariti Zlateff <Chariti.Zlateff@kpff.com>
Sent: Tuesday, March 10, 2026 4:41 PM
To: Scott Wolf
Cc: James.Robinson; Patrick.Sloan-PTR; Trevor.Lighty-PTR; Tim.Knighton-PTR
Subject: [External]Gorst Meeting - Site D - Waterline Plan
Attachments: XL6547_BP-WA_notes.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Gorst Meeting – Notes – March 10, 2026

- Pressure Test – 250 PSI for an hour
  - City of Port Orchard, Chapter 8 – Design Standards for Water Extensions
    - 20. Water Main Inspection and Testing

- System Appurtenances – COPO Drawing 880 - Alter
  - Do not drill hole is 90
    - REMOVE drill hole direction
  - ADD LOCATE WIRE
  - Attach altered drawing to plan to use for this installation

- ADD LOCATE WIRE Along top of installed PIPE for project

- Sand - Casing material
  - City of Port Orchard, Chapter 8 – Design Standards for Water Extensions
    - D. Special Construction (Pipeline Casing)
    - 9. Sand

      Unless specifically required by the City Engineer, sand shall not be used in a casing for filling between the casing and carrier pipe. In those instances where the City Engineer does require sand, it shall be clean and 90-100 percent will pass the No. 4 sieve. Not more than 5 percent will pass the No. 200 sieve. Sand shall be free from clay and organic material.

Please see the attached notes updated on the plan. Let me know if you have any questions

Thank you,
Chariti

kpff

Chariti Zlateff, PE
Civil Engineer, PE (ID, WA and NV)

O 986.860.8452 Cell 509.434.4042
509 West Hanley Avenue, Suite 203
Coeur d'Alene, ID 83815

GORST VICINITY - REMOVE FISH BARRIERS
UTILITY RELOCAITON DESIGN & CONSTRUCTION – WATERLINE, SITE D

Site D - Overview

The Anderson Creek Transmission line runs parallel to the WSDOT ROW on the inside curve (south and west of alignment) crossing perpendicular to the SR16 alignment near the creek crossing. Main is 16" ductile iron encased beneath the highway which traverses the terrain area in a valley within the limit of the utility crossing. A widening is proposed to accommodate a temporary bypass road for MOT which will require an extension of the main and casing and relocation to the southwest. The current concept to be progressed to final design includes relocating the 16" water main below the lowered temporary widening for MOT and permanently leaving the relocated pipe in place. This work is being proposed as the utility is in direct conflict with work to be performed as part of WSDOT Contract C9920 – Gorst Vicinity Fish Passage; and to meet conditions in franchise agreement between WSDOT and City of Port Orchard

Design Services

Include:

- Meetings – as identified in the attached fee worksheet, shall include:
    - Bi-weekly meetings with WSDOT, akin to Task Force meetings to keep them informed on design development.
    - Owner Meetings – City of Port Orchard to work through technical issues.
    - Kiewit and Team Meetings
- Preparation of utility plans, profiles, details and specifications. Refer to fee spreadsheet for assumed number of plans.
- Owner is responsible for submission to WSDOT.
- Plan reviews will be limited to a constructability review performed by Kiewit prior, an over-the-shoulder review with WSDOT at the 60% design level. KPFF to resolve all comments from WSDOT and the utility owners and provide a formal submittal to WSDOT at 100%. Comments from the 100% review will be resolved prior to RFC.

Assumptions

- KPFF assumes no alternatives analysis or geotechnical coordination will be required at Site D.
- KPFF assumes no utility variance will be required at Site D.
- The Site D 16" water main can be shut down for the relocation without any water sequencing plans or details and no special provisions for construction staging of the 16" water main.
- City of Port Orchard Standard Detail for Thrust Blocking may be utilized without custom thrust block design and calculations.

Exclusions

- Updates to plans beyond what is scoped herein to be addressed by others. This scope does not include any revisions to the current plans such as Site Preparation, TESC, or to address conflicts with drainage, for example. The RFC plans for other disciplines are already completed and work doesn't cover updates to other RFC sheets.
- This scope of services does not include calculations or modeling of the water distribution system. It is assumed that the main will be replaced in kind and any modifications will not have an appreciable impact on the performance of the system. Necessary modeling or calculations will be performed by the utility owner.

Construction Work

Include:

- Mobilization & Demobilization
- Remove Water System as shown
- Install new 16” butterfly valves
- Extend new 30” split casing to be seem welded after installation
- Installation of new 16” pipe extending out of new slope cut
- Test and flush system per Port Orchard Water
- Backfill with bedding per Port Orchard Water details

Assumptions

- Final design, dated March 6, 2026; and meeting minutes prior to March 17, 2026
- All lane closures of SR16 per C9920 allowable hours
- Allowable outage up to 10-calendar days
- As-Built survey
- Working hours include both day and night; along with weekends
- Illumination required to complete work at night
- Assumed existing line is in good working condition with no leaks
- Potholing and verification of utility
- Utility within proximity to as-builts
- Testing of new line prior to testing of old line
- Temporary work including shoring to support excavation
- Quality Control Testing

Exclusions

- Quality Assurance to be provided by City
- Hazardous or contaminated material testing
- Abatement or handling of any contaminated or hazardous material
- Utility permits or franchise agreements
- Water for testing to be provided by City
- No permanent pavement rehabilitation of WSDOT owned road
- Damage or leaks of existing line due to testing
- Any changes from final design to released for construction drawings/specifications
- Any permit fees
- Logging, clear & Grub, and site restoration as part of WSDOT Contract C9920
- Bond

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE UTILITY RELOCATION AGREEMENT NO. 9 WITH KIEWIT INFRASTRUCTURE WEST CO. FOR THE DESIGN AND CONSTRUCTION OF CITY WATER UTILITY RELOCATION ASSOCIATED WITH THE SR 3/SR 16/SR 166 – GORST VICINITY FISH BARRIER REMOVAL PROJECT.

WHEREAS, the Washington State Department of Transportation (WSDOT) is advancing the SR 3/SR 16/SR 166 – Gorst Vicinity Remove Fish Barriers Project to comply with a federal injunction requiring the replacement of state-owned culverts that impede fish passage; and

WHEREAS, at Site D (WDFW Site 990270) along SR 16, existing City of Port Orchard water utility facilities are located within WSDOT right-of-way and require removal, relocation, and reconstruction to accommodate WSDOT's project; and

WHEREAS, the City Council previously approved a Memorandum of Understanding with WSDOT establishing a cooperative framework for utility coordination for the Fish Passage Program; and

WHEREAS, WSDOT has assigned and delegated certain utility permit and franchise rights to Kiewit Infrastructure West Co., WSDOT's design-build contractor selected by competitive procurement compliant with applicable laws by WSDOT, for the purpose of implementing necessary utility relocations; and

WHEREAS, the City's required relocation is subject to all required approvals by WSDOT, including the use of Kiewit as the selected and authorized contractor by WSDOT for this work in WSDOT right of way; and

WHEREAS, the City and Kiewit have negotiated Utility Relocation Agreement No. 9, which defines responsibilities, incorporates WSDOT's Assignment/Delegation (Exhibit A) and the applicable design plans (Exhibit B), and establishes cost, schedule, inspection, and acceptance requirements for relocating the City's water facilities; and

WHEREAS, the Agreement establishes a lump-sum cost of $85,000 for design and $515,000 for construction, for a total not-to-exceed amount of $600,000, with the City responsible for these costs consistent with Recital 6; and

WHEREAS, the City desires to enter into Utility Relocation Agreement No. 9 to ensure proper coordination with WSDOT and Kiewit and to protect City infrastructure during WSDOT's fish passage improvement project. Now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution**.**

THAT: The City Council hereby authorizes the Mayor to execute Utility Relocation Agreement No. 9 with Kiewit Infrastructure West Co. in the amount of $85,000 for design and $515,000 for construction, for a total contract amount of $600,000, together with all necessary and related documents required to complete the City's water utility relocation for the SR 3/SR 16/SR 166 – Gorst Vicinity Fish Barrier Removal Project.

THAT: This Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 24th day of March 2026.

_____
Robert Putaansuu, Mayor

ATTEST:

_____
City Clerk, Brandy Wallace, MMC

Port Orchard Contract #:_____
Authorized Amount: $515,000
Date Start: 3/24/2026
Date End: 3/24/2028

CONTRACT

CITY OF PORT ORCHARD
WATER UTILITY RELOCATION – GORST VICINITY FISH BARRIER REMOVAL PROJECT CONTRACT NO. _____

THIS CONTRACT ("Contract") is made and entered into this 24th day of March, 2026, by and between the City of Port Orchard, a municipality incorporated and existing under the laws of the State of Washington, hereinafter called the "City," and Kiewit Infrastructure West Co., hereinafter called the "Contractor."

WITNESSETH:

I. General Provisions.

A. Description of Work.

The Contractor, in consideration of the covenants, agreements and payments to be performed and made by the City, hereby covenants and agrees to furnish all labor, tools, materials, equipment and supplies required for, and to execute, construct and finish in full compliance with the Contract Documents, **Water Utility Relocation – Gorst Vicinity Fish Barrier Removal Project.** The Contractor further agrees to perform all such work for the Contract Price stated in the Contractor's **Relocation Agreement #9** attached hereto and incorporated herein by this reference as if set forth in full. Contractor further represents that the services furnished under this Agreement will be performed in accordance with and as described in the attached plans and specifications and with the Port Orchard Municipal Code, the City's Public Works Standards, which includes (but is not limited to) the 2021 edition of the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction (which shall apply except where noted otherwise). All of these standards are by this reference incorporated herein and made a part hereof. Contractor further represents that the services furnished under this Agreement will be performed in accordance with generally accepted professional practices within the Puget Sound region in effect at the time such services are performed.

The Contract Documents include:

Relocation Agreement #9
Exhibit A - Delegation
Exhibit B – Design
Exhibit D – Overview

All Exhibits to this Contract are by this reference incorporated herein and made a part hereof as if set forth in full.

B. Time of Completion.

Time is of the essence of this Contract. The Contractor shall begin work within fourteen (14) calendar days after the City issues the Notice to Proceed. All work covered by this Contract shall be completed in accordance with the project schedule established for the WSDOT Project 9920 utility relocation work and as coordinated with WSDOT and Kiewit. Completion shall be determined upon acceptance of the Work as described in Section 2 of the relocation Agreement #9.

C. Liquidated Damages.

It is further agreed that the City will suffer damage and be put to additional expense in the event that the Contractor shall not have the specified portions of the work completed in all its parts in the time specified, and as it may be difficult to accurately compute the amount of such damage, the Contractor expressly covenants and agrees to pay to the City liquidated damages, the sum as calculated by the equation shown in Section 1-08.9 of the WSDOT Standard Specifications, for each and every working day said work is not complete beyond the time shown in the Proposal.

II. Non-Discrimination.

During the performance of this Contract, the Contractor, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities; including but not limited to compliance with the following Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U .S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 C.F.R. Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 C.F.R. Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U .S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC§ 471, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of

the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub- recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Title VI of the Civil Rights Act of 1964

The City of Port Orchard, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, must affirmatively ensure that its contracts comply with these regulations.

Also, in accordance with Title VI, the City is required to include the following clauses in every contract subject to Title VI and its related regulations.

Therefore, during the performance of this Contract, the Contractor, for itself, its assignees, and successors in interest agrees as follows:

1. **Compliance with Regulations:** The Contractor will comply with the Acts and the regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this Contract.

2. **Nondiscrimination:** The Contractor, with regard to the work performed by it during this Contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth herein, including employment practices when this Contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, **including** procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this Contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.

4. **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of the Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the City or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the Non-discrimination provisions of this Contract, the City will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
    1. withholding payments to the Contractor under the Contract until the Contractor complies; and/or
    2. cancelling, terminating, or suspending the Contract, in whole or in part.

6. **Incorporation of Provisions:** The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the City or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the City to enter into any litigation to protect the interests of the City. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

III. Public Records Act Chapter 42.56 RCW

Contractor understands that her/his bid response documents, and any contract documents may be subject to release under the Public Records Act Chapter 42.56 RCW and the City may be required to disclose such documents upon a request. Contractor acknowledges that they have been advised to mark any records believed to be trade secrets or confidential in nature as "confidential." If records marked as "confidential" are found to be responsive to the request for records, the City as a courtesy to the Contractor, may elect to give notice to Contractor of the request so as to allow Contractor to seek a protective order from a Court. Contractor acknowledges and agrees that any records deemed responsive to a public records request may be released at the sole discretion of, and without notice by, the City.

IV. Termination

The City may terminate this contract for cause or for convenience.

1. **Termination for Cause.** The City may, upon 7 days written notice to Contractor and to its surety, terminate (without prejudice to any right or remedy of the City) the contract, or any part of it, for cause upon the occurrence of any one or more of the following events: Contractor fails to complete the work or any portion thereof with sufficient diligence to ensure substantial completion of the work within the contract time; Contractor is adjudged bankrupt, makes a general assignment for the benefit of its creditors, or a receiver is appointed on account of its insolvency; Contractor fails in a material way to replace or correct work not in conformance with the Contract Documents, Contractor repeatedly fails to supply skilled workers or proper materials or equipment; Contractor materially disregards or fails to comply with laws, ordinances, rules, regulations, or orders of any public authority having jurisdiction; or Contractor is otherwise in material breach of any provision of the contract. Upon termination, the City may, at its option, take possession of or use all documents, materials, equipment, tools, and construction equipment and machinery thereon owned by Contractor to maintain the orderly progress of, and to finish, the work, and finish the work by whatever other reasonable method it deems expedient.

2. **Termination for Convenience.** The City may, upon written notice, terminate (without prejudice to any right or remedy of the City) the contract, or any part of it, for the convenience of the City.

3. **Settlement of Costs.** If the City terminates for convenience, Contractor shall be entitled to make a request for an equitable adjustment for its reasonable direct costs incurred prior to the effective date of the termination, plus a reasonable allowance for overhead and profit on work performed prior to termination, plus the reasonable administrative costs of the termination, but shall not be entitled to any other costs or damages,

whatsoever, provided however, the total sum payable upon termination shall not exceed the Contract Sum reduced by prior payments.

V. Corporate Surety Bond

With this Contract, Contractor is furnishing a Corporate Surety Bond in the amount of

_____ Dollars ($_____) with _____ as Surety, to ensure full compliance, execution and performance of this Contract by the Contractor in accordance with all its terms and provisions.

VI. Independent Contractor.

The parties intend that an Independent Contractor-Employer Relationship will be created by this Agreement and that the Contractor has the ability to control and direct the performance and details of its work, the City being interested only in the results obtained under this Agreement.

VII. Changes.

The City may issue a written change order for any change in the Contract work during the performance of this Agreement. If the Contractor determines, for any reason, that a change order is necessary, Contractor must submit a written change order request to the person listed in the Notice provision section of this Agreement, within fourteen (14) calendar days of the date Contractor knew or should have known of the facts and events giving rise to the requested change. If the City determines that the change increases or decreases the Contractor's costs or time for performance, the City will make an equitable adjustment. The City will attempt, in good faith, to reach agreement with the Contractor on all equitable adjustments. However, if the parties are unable to agree, the City will determine the equitable adjustment as it deems appropriate. The Contractor shall proceed with the change order work upon receiving either a written change order from the City or an oral order from the City before actually receiving the written change order. If the Contractor fails to require a change order within the time specified in this paragraph, the Contractor waives its right to make any claim or submit subsequent change order requests for that portion of the contract work. If the Contractor disagrees with the equitable adjustment, the Contractor must complete the change order work; however, the Contractor may elect to protest the adjustment as provided in subsections A through E of Section IX entitled, “Claims,” below.

The Contractor accepts all requirements of a change order by: (1) endorsing it, (2) writing a separate acceptance, or (3) not protesting in the way this section provides. A change order that is accepted by Contractor as provided in this section shall constitute full payment and final settlement of all claims for contract time and for direct, indirect and consequential costs, including costs of delays related to any work, either covered or affected by the change.

VIII. Claims. If the Contractor disagrees with anything required by a change order, another written order, or an oral order from the City, including any direction, instruction, interpretation, or determination by the City, the Contractor may file a claim as provided in this section. The Contractor shall give written notice to the City of all claims within fourteen (14) calendar days of the occurrence of the events giving rise to the claims, or within fourteen (14) calendar days of the date the Contractor knew or should have known of the facts or events giving rise to the claim, whichever occurs first. Any claim for damages, additional payment for any reason, or extension of time, whether under this Agreement or otherwise, shall be conclusively deemed to have been waived by the Contractor unless a timely written claim is made in strict accordance with the applicable provisions of this Agreement.

At a minimum, a Contractor's written claim shall include the information set forth in subsections A, items 1 through 5 below.

FAILURE TO PROVIDE A COMPLETE, WRITTEN NOTIFICATION OF CLAIM WITHIN THE TIME ALLOWED SHALL BE AN ABSOLUTE WAIVER OF ANY CLAIMS ARISING IN ANY WAY FROM THE FACTS OR EVENTS SURROUNDING THAT CLAIM OR CAUSED BY THAT DELAY.

A. Notice of Claim. Provide a signed written notice of claim that provides the following information:

1. The date of the Contractor's claim;

2. The nature and circumstances that caused the claim;

3. The provisions in this Agreement that support the claim;

4. The estimated dollar cost, if any, of the claimed work and how that estimate was determined; and

5. An analysis of the progress schedule showing the schedule change or disruption if the Contractor is asserting a schedule change or disruption.

B. Records. The Contractor shall keep complete records of extra costs and time incurred as a result of the asserted events giving rise to the claim. The City shall have access to any of the Contractor's records needed for evaluating the protest.

The City will evaluate all claims, provided the procedures in this section are followed. If the City determines that a claim is valid, the City will adjust payment for work or time by an equitable adjustment. No adjustment will be made for an invalid protest.

C. Contractor's Duty to Complete Protested Work. In spite of any claim, the Contractor shall proceed promptly to provide the goods, materials and services required by the City under this Agreement.

D. Failure to Protest Constitutes Waiver. By not protesting as this section provides, the Contractor also waives any additional entitlement and accepts from the City any written or oral order (including directions, instructions, interpretations, and determination).

E. Failure to Follow Procedures Constitutes Waiver. By failing to follow the procedures of this section, the Contractor completely waives any claims for protested work and accepts from the City any written or oral order (including directions, instructions, interpretations, and determination).

IX. Limitation Of Actions.

CONTRACTOR MUST, IN ANY EVENT, FILE ANY LAWSUIT ARISING FROM OR CONNECTED WITH THIS AGREEMENT WITHIN 120 CALENDAR DAYS FROM THE DATE THE CONTRACT WORK IS COMPLETE OR CONTRACTOR'S ABILITY TO FILE THAT CLAIM OR SUIT SHALL BE FOREVER BARRED. THIS SECTION FURTHER LIMITS ANY APPLICABLE STATUTORY LIMITATIONS PERIOD.

X. Warranty.

Upon acceptance of the contract work, Contractor must provide the City a two-year warranty bond in the amount of twenty percent (20%) of the contract price a form and amount acceptable to the City. The Contractor shall correct all defects in workmanship and materials within two (2) years from the date of the City's acceptance of the Contract work, including replacing vegetation that fails to thrive. In the event any parts are repaired or replaced, only original replacement parts shall be used—rebuilt or used parts will not be acceptable. When defects are corrected, the warranty for that portion of the work shall extend for one (1) additional year from the date such correction is completed and accepted by the City. The Contractor shall begin to correct any defects within seven (7) calendar days of its receipt of notice from the City of the defect. If the Contractor does not accomplish the corrections within a reasonable time as determined by the City, the City may complete the corrections and the Contractor shall pay all costs incurred by the City in order to accomplish the correction.

XI. Indemnification.

Contractor shall defend, indemnify, and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and attorney fees, arising out of or in connection with the Contractor's performance of this Agreement, except for that portion of the injuries and damages caused by the sole negligence of the City.

The City's inspection or acceptance of any of Contractor's work when completed shall not be grounds to avoid any of these covenants of indemnification.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or

damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, agents and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. The parties further acknowledge that they have mutually negotiated this waiver.

THE PROVISIONS OF THIS SECTION SHALL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

XII. Insurance.

The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representative, employees or subcontractors.

No Limitation. Contractor's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

A. Minimum Scope of Insurance. Contractor shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 11 85. There shall be no endorsement or modification of the Commercial General Liability insurance for liability arising from explosion, collapse or underground property damage. The City shall be named as an insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing equivalent coverage.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

4. Builders Risk insurance covering interests of the City, the Contractor, Subcontractors, and Sub-subcontractors in the work. Builders Risk insurance shall be on a all-risk policy form and shall insure against the perils of fire and extended coverage and physical loss or damage including flood and earthquake, theft, vandalism, malicious mischief, collapse, temporary buildings and debris removal. This Builders Risk insurance covering the work will have a deductible of $5,000 for each occurrence, which will be the responsibility of the Contractor. Higher deductibles for flood and earthquake perils may be accepted by the City upon written request by the Contractor and written acceptance by the City. Any increased deductibles accepted by the City will remain the responsibility of the Contractor. The Builders Risk insurance shall be maintained until final acceptance of the work by the City.

B. Minimum Amounts of Insurance. Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate and a $2,000,000 products-completed operations aggregate limit.

3. Builders Risk insurance shall be written in the amount of the completed value of the project with no coinsurance provisions.

C. Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Commercial General Liability and Builders Risk insurance:

1. The Contractor's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

2. The Contractor's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

D. Contractor's Insurance for Other Losses. The Contractor shall assume full responsibility for all loss or damage from any cause whatsoever to any tools, Contractor's employee-owned tools, machinery, equipment, or motor vehicles owned or rented by the Contractor, or the Contractor's agents, suppliers or contractors as well as to any temporary structures, scaffolding and protective fences.

E. Waiver of Subrogation. The Contractor and the City waive all rights against each other any of their Subcontractors, Sub-subcontractors, agents and employees, each of the other, for damages caused by fire or other perils to the extend covered by Builders Risk insurance or other property insurance obtained pursuant to the Insurance Requirements Section of this Contract or other property insurance applicable to the work. The policies shall provide such waivers by endorsement or otherwise.

F. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

G. Verification of Coverage. Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the Automobile Liability and Commercial General Liability insurance of the Contractor before commencement of the work. Before any exposure to loss may occur, the Contractor shall file with the City a copy of the Builders Risk insurance policy that includes all applicable conditions, exclusions, definitions, terms and endorsements related to this Project.

H. Subcontractors. Contractor shall ensure that each subcontractor of every tier obtain at a minimum the same insurance coverage and limits as stated herein for the Contractor (with the exception of Builders Risk insurance). Upon request the City, the Contractor shall provide evidence of such insurance.

XIII. WORK PERFORMED AT CONTRACTOR'S RISK. Contractor shall take all necessary precautions and shall be responsible for the safety of its employees, agents, and subcontractors in the performance of the contract work and shall utilize all protection necessary for that purpose. All work shall be done at Contractor's own risk, and Contractor shall be responsible for any loss of or damage to materials, tools, or other articles used or held for use in connection with the work.

XIV. <u>Miscellaneous Provisions</u>.

A. Non-Waiver of Breach. The failure of the City to insist upon strict performance of any of the covenants and agreements contained in this Agreement, or to exercise any option conferred by this Agreement in one or more instances shall not be construed to be a waiver or relinquishment of those covenants, agreements or options, and the same shall be and remain in full force and effect.

B. Resolution of Disputes and Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If the parties are unable to settle any dispute, difference or claim arising from the parties' performance of this Agreement, the exclusive means of resolving that dispute, difference or claim, shall only be by filing suit exclusively under the venue, rules and jurisdiction of the Kitsap County Superior Court, Kitsap County, Washington, unless the parties agree in writing to an alternative dispute resolution process. In any claim or lawsuit for damages arising from the parties' performance of this

Agreement, each party shall pay all its legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit, including all appeals, in addition to any other recovery or award provided by law; provided, however, nothing in this paragraph shall be construed to limit the City's right to indemnification under Section XII of this Agreement.

C. Written Notice. All communications regarding this Agreement shall be sent to the parties at the addresses listed on the signature page of the Agreement, unless notified to the contrary. Any written notice hereunder shall become effective three (3) business days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

D. Assignment. Any assignment of this Agreement by either party without the written consent of the non-assigning party shall be void. If the non-assigning party gives its consent to any assignment, the terms of this Agreement shall continue in full force and effect and no further assignment shall be made without additional written consent.

E. Modification. No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and Contractor.

F. Entire Agreement. The written provisions and terms of this Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner this Agreement. All of the above documents are hereby made a part of this Agreement. However, should any language in any of the Exhibits to this Agreement conflict with any language contained in this Agreement, the terms of this Agreement shall prevail.

G. Compliance with Laws. The Contractor agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or in the future become applicable to Contractor's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of those operations.

H. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute an original, and all of which will together constitute this one Agreement.IN WITNESS WHEREOF the parties hereto have caused these presents to be duly executed.

CITY OF PORT ORCHARD

By: _____
Robert Putaansuu, Mayor

CONTRACTOR

By: _____

Title: _____

Address: _____

_____

ATTEST:

_____
Brandy Wallace, MMC, City Clerk

APPROVED AS TO FORM:

_____
Charlotte Archer, City Attorney

NOTICES TO BE SENT TO:

CONTRACTOR:	**CITY**
NAME: _____	**NAME: _____**
ADDRESS: _____	**216 Prospect Street, Port Orchard, WA 98366**
TELEPHONE: _____	**TELEPHONE: _____**
EMAIL: _____	**EMAIL:_____@portorchardwa.gov**

With a copy to the City Clerk at the same address

EXHIBIT _C

5% RETAINAGE INVESTMENT OPTION[1]

Contractor: _____

Project Name: **SR 3/SR 16/SR 166, Gorst Vicinity – Remove Fish Barriers Project (Contract No. 9920)**

Date: _____ Project Number: _____

Pursuant to RCW 60.28.010, as amended, you may exercise an option as to how the 5% retainage under this contract will be invested. Please complete and sign this form indicating your preference. If you fail to do so you will miss the benefit of any interest earned. Select one of the following options:

☐ 1. **Savings Account:** Money will be placed in an interest-bearing account. The interest will be paid to you directly, rather than kept on deposit. If this is your choice, then please complete attached *SAVINGS ACCOUNT AGREEMENT.* Please state the name of your bank.

Bank:_____

☐ 2. **Escrow/Investments:** The City will deliver retainage checks to a selected bank, pursuant to an escrow agreement. The bank will then invest the funds in securities or bonds selected by you, and interest will be paid to you as it accrues. If this is your choice, then please complete attached *ESCROW AGREEMNT.*

Preferred Bank: _____

Securities/Bonds: _____

☐ 3. **Guarantee Deposit:** Retainage will be held by the City. No interest is payable to the Contractor

Retainage is normally released 45 days after final acceptance of the work or following receipt of Labor and Industries/Department of Revenue clearance, whichever date is the later. Retainage on landscaping work may be longer, due to its seasonal nature. However, if this project is subject to grant funding, then the retainage may also be held until such time as the Contractor meets its obligations to the City to provide required information and documentation for compliance with the grant funding requirements.

State law allows for limited early release of retainage in certain circumstance.

_____
Contractor's Signature

_____
Title

[1] If the Contractor opts to post a retainage bond under RCW 60.28.011, such bond shall be in a form acceptable to the City, shall be with a surety with a minimum of A.M. Best financial strength rating of a minimum of A-.

SAVING ACCOUNT AGREEMENT

TO BANK: _____ SAVINGS ACCOUNT NO: _____

BANK'S ADDRESS: _____

_____

AGENCY: CITY OF PORT ORCHARD
216 Prospect Street
Port Orchard WA 98366

CONTRACT NO: _____

PROJECT TITLE:_____

The estimated completion date of contract is: _____

The undersigned, _____, herein referred to as the CONTRACTOR, has directed the CITY OF PORT ORCHARD, Washington, hereinafter referred to as the AGENCY, to deliver to you its warrants which shall be payable to you and the CONTRACTOR jointly. Such warrants are to be held and disposed of by you in accordance with the following instructions and upon the terms and conditions hereinafter set forth.

INSTRUCTIONS

1. Warrants or checks made payable to you and the CONTRACTOR jointly upon delivery to you shall be endorsed by you and forwarded for collection. The moneys will then be placed by you in an interest-bearing savings account.
2. When and as interest on the savings account accrues and is paid, you shall collect such interest and forward it to the CONTRACTOR at its address designated below unless otherwise director by the CONTRACTOR.
3. You are not authorized to deliver to the CONTRACTOR all or any part of the principal held by you pursuant to this agreement, except in accordance with written instruction from the AGENCY. Compliance with such instructions shall relieve you of any further liability related thereto.
4. The CONTRACTOR agrees to pay you as compensation for your services hereunder as follows:

   Payment of all fees shall be the sole responsibility of the CONTRACTOR and shall not be deducted from any moneys placed with you pursuant to this agreement until and unless the AGENCY directs the release to the CONTRACTOR, whereupon you shall be granted a first lien upon such moneys released and shall be entitled to reimburse yourself from such moneys for the entire amount of your fees as provided for herein above. In the event that you are made a party to any litigation with respect to the moneys held by you hereunder, or in the event that the conditions of this agreement are not promptly fulfilled, or that you are required to render any service not provided for in these instructions, or that there is any assignment of the interests of this agreement, or any modification

hereof, you shall be entitled to reasonable compensation for such extraordinary services from the CONTRACTOR and reimbursement from the CONTRACTOR for all costs and expenses, including attorney fees occasioned by such default, delay, controversy or litigation.

5. This agreement shall not be binding until executed by the CONTRACTOR and the AGENCY and accepted by you.
6. This instrument contains the entire agreement between you, the CONTRACTOR and the AGENCY. You are not a party to nor bound by any instrument or agreement other than this. You shall not be required to take notice of any default or any other matter nor be bound by nor required to give notice or demand, nor required to take any action whatever except as herein expressly provided. You shall not be liable for any loss or damage not caused by your own negligence or willful misconduct.
7. The foregoing provisions shall be binding upon the assigns, successors, personal representative and heir of the Parties hereto.

_____	CITY OF PORT ORCHARD
Contractor	*Agency*
BY: _____	BY:_____
Title: _____	
Date: _____	Date: _____
Address: _____	

The above savings account agreement and instruction received and accepted this _____ day of _____, 20___

_____

Bank Name

_____

Authorized Bank Officer

ESCROW AGREEMENT

TO BANK: _____ ESCROW NO.: _____

BANK'S ADDRESS: _____

_____

AGENCY: CITY OF PORT ORCHARD
216 Prospect Street
Port Orchard WA 98366

CONTRACT NO.: _____

PROJECT TITLE: _____

The estimated completion date of contract is: _____

The undersigned, _____, herein referred to as the CONTRACTOR, has directed the CITY OF PORT ORCHARD, Washington, hereinafter referred to as the AGENCY, to deliver to you its warrants which shall be payable to you and the CONTRACTOR jointly. Such warrants are to be held and disposed of by you in accordance with the following instructions and upon the terms and conditions hereinafter set forth.

INSTRUCTIONS

1. Warrants or checks made payable to you and the CONTRACTOR jointly upon delivery to you shall be endorsed by you and forwarded for collection. The moneys will then be used by you to purchase, as directed by the CONTRACTOR, bonds or other securities chosen by the CONTRACTOR and approved by the AGENCY. Attached is a list of such bonds, or other securities approved by the AGENCY. Other bonds or securities, except stocks may be selected by the CONTRACTOR, subject to express written approval of the AGENCY. Purchase of such bonds or other securities shall be in a form which shall allow you alone to reconvert such bonds or other securities into money if you are required to do so by the AGENCY as provided in Paragraph 4 of this Escrow Agreement.
2. When and as interest on the securities held by you pursuant to this agreement accrues and is paid, you shall collect such interest and forward it to the CONTRACTOR at its address designated below unless otherwise directed by the CONTRACTOR.
3. You are not authorized to deliver to the CONTRACTOR all or any part of the securities held by you pursuant to this agreement (or any moneys derived from the sale of such securities, or the negotiation of the AGENCY'S warrants) except in accordance with written instructions

from the AGENCY. Compliance with such instruction shall relieve you of any further liability related thereto.

4. In the event the AGENCY orders you to do so in writing, you shall within thirty-five (35) days of receipt of such order, reconvert into money the securities held by you pursuant to this agreement and return such money together with any other moneys held by you hereunder, to the AGENCY.
5. The CONTRACTOR agrees to pay you as compensation for your services hereunder as follows:

   Payment of all fees shall be the sole responsibility of the CONTRACTOR and shall not be deducted from any property placed with you pursuant to this agreement until and unless the AGENCY directs the release to the CONTRACTOR of the securities and moneys held hereunder whereupon you shall be granted a first lien upon such property released and shall be entitled to reimburse yourself from such property for the entire amount of your fees as provided for herein above. In the event that are made a party to any litigation with respect to the property held by you hereunder, or in the event that the conditions of this escrow are not promptly fulfilled or that you are required to render any service not provided for in these instructions, or that there is any assignment of the interest of this escrow or any modification hereof, you shall be entitled to reasonable compensation for such extraordinary services from the CONTRACTOR and reimbursement from the CONTRACTOR for all costs and expenses, including attorney fees occasioned by such default, delay, controversy or litigation.
6. This agreement shall not be binding until executed by the CONTRACTOR and the AGENCY and accepted by you.
7. This instrument contains the entire agreement between you, the CONTRACTOR and the AGENCY with respect to this escrow and you are not a party to nor bound by any instrument or agreement other than this; you shall not be required to take notice of any default or any other matter nor be bound by nor be bound by nor required to give notice or demand , nor required to take action whatever except as herein expressly provided; you shall not be liable for any loss or damage not caused by your own negligence or willful misconduct.

The foregone provision shall be binding upon the assigns, successors, personal representative, and heir of the Parties hereto.

_____	CITY OF PORT ORCHARD
Contractor	*Agency*
By: _____	By: _____
Title: _____	
Date: _____	Date: _____
Address: _____	

The above escrow agreement and instruction received and accepted this _____ day of _____, 20__.

_____

Bank Name

_____

Authorized Bank Officer

SECURITIES AUTHORIZED BY AGENCY

1. Bills, certificates, notes or bonds of the United States;
2. Other obligations of the United States or its agencies;
3. Obligation of any corporation wholly-owned by the government of the United States;
4. Indebtedness of the Federal Nation Mortgage Association; and
5. Time deposits in commercial banks.

PERFORMANCE AND PAYMENT BOND

CITY OF PORT ORCHARD
Water Utility Relocation – Gorst Vicinity Fish Barrier Removal Project
PUBLIC WORKS PROJECT NO. PW2026-005
Bond to City of Port Orchard, Washington
Bond No. _____

We, _____, and_____
(Principal) (Surety)

a _____ Corporation, and as a surety corporation authorized to become a surety upon Bonds of Contractors with municipal corporations in Washington State, are jointly and severally bound to the City of Port Orchard, Washington ("Owner"), in the penal sum of _____ Dollars ($_____), the payment of which sum, on demand, we bind ourselves and our successors, heirs, administrators, executors, or personal representatives, as the case may be. This Performance Bond is provided to secure the performance of Principal in connection with a contract dated_____, 20___, between Principal and Owner for a project entitled _____ ("Project") – Public Works Project No. _____ ("Contract"). The initial penal sum shall equal 100 percent of the Total Bid Price, including all applicable state sales tax, as specified in the Proposal submitted by Principal.

NOW, THEREFORE, this Performance and Payment Bond shall be satisfied and released only upon the condition that Principal:

Faithfully performs all provisions of the Contract and changes authorized by Owner in the manner and within the time specified as may be extended under the Contract;

Pays all laborers, mechanics, subcontractors, lower tier subcontractors, material-persons, and all other persons or agents who supply labor, equipment, or materials to the Project;

Pays the taxes, increases and penalties incurred on the Project under Titles 50, 51 and 82 RCW on: (A) Projects referred to in RCW 60.28.011(1)(b); and/or (B) Projects for which the bond is conditioned on the payment of such taxes, increases and penalties; and

Posts a two-year warranty/maintenance bond to secure the project. Such bond shall be in the amount of twenty percent (20%) of the project costs.

Provided, further that this bond shall remain in full force and effect until released in writing by the City at the request of the Surety or Principal.

The surety shall indemnify, defend, and protect the Owner against any claim of direct or indirect loss resulting from the failure:

Of the Principal (or any of the employees, subcontractors, or lower tier subcontractors of the Principal) to faithfully perform the Contract, or

Of the Principal (or any subcontractor or lower tier subcontractor of the Principal) to pay all laborers, mechanics, subcontractors, lower tier subcontractors, material person, or any other person who provides supplies or provisions for carrying out the work.

The liability of Surety shall be limited to the penal sum of this Performance and Payment Bond.

No change, extension of time, alteration, or addition to the terms of the Contract or to the Work to be performed under the Contract shall in any way affect Surety's obligation on the Performance Bond. Surety hereby waives notice of any change, extension of time, alteration, or addition to the terms of the Contract or the Work, with the exception that Surety shall be notified if the Contract time is extended by more than twenty percent (20%).

If any modification or change increases the total amount to be paid under the Contract, Surety's obligation under this Performance and Payment Bond shall automatically increase in a like amount. Any such increase shall not exceed twenty-five percent (25%) of the original amount of the Performance and Payment Bond without the prior written consent of Surety.

This Performance and Payment Bond shall be governed and construed by the laws of the State of Washington, and venue shall be in Kitsap County, Washington.

IN WITNESS WHEREOF, the parties have executed this instrument in two (2) identical counterparts this _____ day of _____, 20 ___.

_____	_____
Principal	Surety
_____	_____
Signature of Authorized Official	Signature of Authorized Official
_____	By_____
Printed Name and Title	Attorney in Fact (Attach Power of Attorney)
Name and address of local office of Agent and/or Surety Company:	_____ _____ _____

Surety companies executing bonds must appear on the current Authorized Insurance List in the State of Washington per Section 1-02.7 of the Standard Specifications.

ACKNOWLEDGEMENT
Corporation, Partnership, or Individual

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of_____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared_____, to me known to be the (check one of the following boxes):

☐ _____ of _____, the corporation,

☐ _____ of _____, the partnership,

☐ individual,

that executed the foregoing instrument to be the free and voluntary act and deed of said ☐ corporation, ☐ partnership, ☐ individual for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary Seal with Ink Stamp

_____
Print or type name

NOTARY PUBLIC,
in and for the State of Washington

Residing at _____

My Commission expires: _____

SURETY ACKNOWLEDGEMENT

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of_____, 20_____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared_____, to me known to be the _____ of_____, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary Seal With Ink Stamp

_____
Print or type name

NOTARY PUBLIC,
in and for the State of Washington
Residing _____
My Commission expires: _____

CITY OF PORT ORCHARD
MAINTENANCE/WARRANTY BOND

NOTE: <u>This form must be completed at Contract Completion.</u> Before the Performance Bond or the retainage can be released, the City must receive the two year Maintenance /Warranty Bond

Project #: PW2026-005
Surety Bond #: _____
Date Posted: _____
Expiration Date:_____

RE: Project Name: _____
Owner/Developer/Contractor:_____
Project Address: _____

KNOW ALL PERSONS BY THESE PRESENTS: That we, _____ (hereinafter called the "Principal"), and _____, a corporation organized under the laws of the State of _____, and authorized to transact surety business in the State of Washington (hereinafter called the "Surety"), are held and firmly bound unto the City of Port Orchard, Washington, in the sum of _____ dollars ($_____) 20% of the total contract amount, lawful money of the United States of America, for the payment of which sum we and each of us bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents. THE CONDITIONS of the above obligation are such that:

WHEREAS, the above named Principal has constructed and installed certain improvements on public property in connection with a project as described above within the City of Port Orchard; and

WHEREAS, the Principal is required to post a bond for the twenty-four (24) months following written and final acceptance of the project in order to provide security for the obligation of the Principal to repair and/or replace said improvements against defects in workmanship, materials or installation during the twenty-four (24) months after written and final approval/acceptance of the same by the City;

NOW, THEREFORE, this Maintenance Bond has been secured and is hereby submitted to the City. It is understood and agreed that this obligation shall continue in effect until released in writing by the City, but only after the Principal has performed and satisfied the following conditions:

A. The work or improvements installed by the Principal and subject to the terms and conditions of this Bond are as follows: (insert complete description of work here)

B. The Principal and Surety agree that the work and improvements installed in the above-referenced project shall remain free from defects in material, workmanship and installation (or,

in the case of landscaping, shall survive,) for a period of twenty-four (24) months after written and final acceptance of the same and approval by the City. Maintenance is defined as acts carried out to prevent a decline, lapse or cessation of the state of the project or improvements as accepted by the City during the twenty-four (24) month period after final and written acceptance, and includes, but is not limited to, repair or replacement of defective workmanship, materials or installations.

C. The Principal shall, at its sole cost and expense, carefully replace and/or repair any damage or defects in workmanship, materials or installation to the City-owned real property on which improvements have been installed and leave the same in as good condition or better as it was before commencement of the work.

D. The Principal and the Surety agree that in the event any of the improvements or restoration work installed or completed by the Principal as described herein, fail to remain free from defects in materials, workmanship or installation (or in the case of landscaping, fail to survive), for a period of twenty-four (24) months from the date of approval/acceptance of the work by the City, the Principal shall repair and/replace the same within ten (10) days of demand by the City, and if the Principal should fail to do so, then the Surety shall:

1. Within twenty (20) days of demand of the City, make written commitment to the City that it will either:

a). remedy the default itself with reasonable diligence pursuant to a time schedule acceptable to the City; or

b). tender to the City within an additional ten (10) days the amount necessary, as determined by the City, for the City to remedy the default, up to the total bond amount.

Upon completion of the Surety's duties under either of the options above, the Surety shall then have fulfilled its obligations under this bond. If the Surety elects to fulfill its obligation pursuant to the requirements of subsection D(1)(b), the City shall notify the Surety of the actual cost of the remedy, upon completion of the remedy. The City shall return, without interest, any overpayment made by the Surety, and the Surety shall pay to the City any actual costs which exceeded the City estimate, limited to the bond amount.

2. In the event the Principal fails to make repairs or provide maintenance within the time period requested by the City, then the City, its employees and agents shall have the right at the City's sole election to enter onto said property described above for the purpose of repairing or maintaining the improvements. This provision shall not be construed as creating an obligation on the part of the City or its representatives to repair or maintain such improvements.

E. Corrections. Any corrections required by the City shall be commenced within ten (10) days of notification by the City and completed within thirty (30) days of the date of notification. If the work is not performed in a timely manner, the City shall have the right, without recourse to legal action, to take such action under this bond as described in Section D above.

F. Extensions and Changes. No change, extension of time, alteration or addition to the work to be performed by the Principal shall affect the obligation of the Principal or Surety on this bond, unless the City specifically agrees, in writing, to such alteration, addition, extension or change. The Surety waives notice of any such change, extension, alteration or addition thereunder.

G. Enforcement. It is specifically agreed by and between the parties that in the event any legal action must be taken to enforce the provisions of this bond or to collect said bond, the prevailing party shall be entitled to collect its costs and reasonable attorney fees as a part of the reasonable costs of securing the obligation hereunder. In the event of settlement or resolution of these issues prior to the filing of any suit, the actual costs incurred by the City, including reasonable attorney fees, shall be considered a part of the obligation hereunder secured. Said costs and reasonable legal fees shall be recoverable by the prevailing party, not only from the proceeds of this bond, but also over and above said bond as a part of any recovery (including recovery on the bond) in any judicial proceeding. The Surety hereby agrees that this bond shall be governed by the laws of the State of Washington. Venue of any litigation arising out of this bond shall be in Kitsap County Superior Court.

H. Bond Expiration. This bond shall remain in full force and effect until the obligations secured hereby have been fully performed and until released in writing by the City at the request of the Surety or Principal.

DATED this ____ day of _____, 20__.

SURETY COMPANY **(Signature must be notarized)**	DEVELOPER/OWNER **(Signature must be notarized)**
By:_____ Its:_____	By:_____ Its: _____
Business Name: _____	Business Name: _____
Business Address:_____	Business Address: _____
City/State/Zip Code: _____	City/State/Zip Code: _____
Telephone Number: _____	Telephone Number: _____

CHECK FOR ATTACHED NOTARY SIGNATURE

_____Developer/Owner (Form P-1)

_____Surety Company (Form P-2)

FORM P-1 / NOTARY BLOCK

(Developer/Owner)

STATE OF WASHINGTON)

) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that_____is the person who appeared before me, and said person acknowledged as the _____ of _____that they signed this instrument, on oath stated that they are authorized to execute the instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

_____

_____

(print or type name)

NOTARY PUBLIC in and for the
State of Washington, residing
at: _____

My Commission expires: _____

FORM P-2/NOTARY BLOCK

(Surety Company)

STATE OF WASHINGTON)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that _____is the person who appeared before me, and said person acknowledged as the _____ of _____that they signed this instrument, on oath stated that they are authorized to execute the instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

_____

_____
(print or type name)

NOTARY PUBLIC in and for the
State of Washington, residing
at: _____
My Commission expires: _____

Port Orchard Contract #:_____
Authorized Amount: $85,000
Date Start: 3/24/2026
Date End: 3/24/2027

CONSULTANT SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the City of Port Orchard, Washington, a municipal corporation organized under the laws of the State of Washington ("City") and Kiewit Infrastructure West Co., ("Consultant") organized under the laws of the State of Washington, located and doing business at 33930 Weyerhaeuser Way, Suite 300 Federal Way, WA 98001 (hereinafter the "Consultant").

RECITALS:

WHEREAS, the City desires to have certain services performed for its residents; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions; and

WHEREAS, the City complied with the requirements for hiring Consultant contained in Chapter 39.80 RCW;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties agree as follows:

AGREEMENT:

1. Scope of Services to be Performed by Consultant.

The Consultant shall perform those services described on Exhibit "A," which is attached hereto and incorporated herein by this reference as if set forth in full. In performing such services, the Consultant shall at all times comply with all federal, state, and local statutes, rules and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith. The Consultant shall perform the services diligently and completely and in accordance with professional standards of conduct and performance. The Consultant shall request and obtain prior written approval from the City if the scope or schedule is to be modified in any way.

If the services provided hereunder are funded in whole or in part under a Grant Funding Agreement, then Consultant will comply with the terms of such Grant Funding Agreement to ensure that the City is able to obtain the maximum funding under such Grant Funding Agreement. If this applies, the City will provide the Consultant with a copy of the Grant Funding Agreement.

2. Compensation.

The City shall pay the Consultant for services rendered according to the rates and methods set forth below.

X **LUMP SUM. Compensation for these services set forth in Exhibit A shall be a Lump Sum of $85,000.00.**

☐ **TIME AND MATERIALS NOT TO EXCEED. Compensation for these services shall not exceed $_____** without written authorization and will be based on the list of billing rates and reimbursable expenses attached hereto as Exhibit "B."

☐ **TIME AND MATERIALS. Compensation for these services shall** be on a time and materials basis according to the list of billing rates and reimbursable expenses attached hereto as Exhibit "B."

☐ **OTHER**_____

3. Payment.

A. The Consultant shall maintain time and expense records and provide them to the City monthly after services have been performed, along with monthly invoices in a format acceptable to the City for work performed to the date of the invoice.

B. All invoices shall be paid by City warrant within thirty (30) days of receipt of a proper invoice. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the Parties shall immediately make every effort to settle the disputed portion.

C. The Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Copies shall be made available on request.

D. On the effective date of this Agreement (or shortly thereafter), the Consultant shall comply with all federal and state laws applicable to independent contractors, including, but not limited to, the maintenance of a separate set of books and records that reflect all items of income and expenses of the Consultant's business, pursuant to Revised Code of Washington (RCW) 51.08.195, as required by law, to show that the services performed by the Consultant under this Agreement shall not give rise to an employer-employee relationship between the parties, which is subject to Title 51 RCW, Industrial Insurance.

E. If the services rendered do not meet the requirements of the Agreement, the Consultant will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement. The City shall pay the Consultant for

services rendered within ten (10) days after City Council voucher approval. However, if the City objects to all or any portion of an invoice, it shall notify Consultant and reserves the option to only pay that portion of the invoice not in dispute. In that event, the Parties will immediately make every effort to settle the disputed portion.

F. The City reserves the right to direct the Consultant's compensated services before reaching the maximum amount.

4. Duration of Agreement.

A. This Agreement shall be in full force and effect for a period commencing on 3/24/2026 and ending 3/24/2027 unless sooner terminated under the provisions of this Agreement. The City reserves the right to offer two (2) one-year extensions prior to expiration of the Agreement to retain the Consultant's services.

B. Time is of the essence of this Agreement in each and all of its provisions in which performance is required. If delays beyond the Consultant's reasonable control occur, the Parties will negotiate in good faith to determine whether an extension is appropriate.

C. The Consultant shall obtain a City of Port Orchard business license prior to commencing work pursuant to a written Notice to Proceed.

D. The Consultant is authorized to proceed with services upon receipt of a written Notice to Proceed.

5. Standard of Care.

The Consultant represents and warrants that it has the requisite training, skill, and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by the Consultant under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

6. Ownership and Use of Documents.

A. *Ownership.* Any records, files, documents, drawings, specifications, data, or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

B. *Records preservation.* Consultant understands that this Agreement is with a government agency and thus all records created or used in the course of Consultant's work for the City are considered "public records" and are subject to disclosure by the City under the Public Records Act, Chapter 42.56 RCW ("the Act"). Consultant agrees to safeguard and preserve records in accordance

with the Act. The City may be required, upon request, to disclose the Agreement, and the documents and records submitted to the City by Consultant, unless an exemption under the Public Records Act applies. If the City receives a public records request and asks Consultant to search its files for responsive records, Consultant agrees to make a prompt and thorough search through its files for responsive records and to promptly turn over any responsive records to the City's public records officer at no cost to the City.

7. Relationship of the Parties; Independent Consultant.

The Parties intend that an independent contractor-client relationship will be created by this Agreement. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Consultant, or any employee of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives, and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

8. Indemnification.

Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, agents, and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorneys' fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THIS WAIVER HAS BEEN MUTUALLY NEGOTIATED BY THE PARTIES.

The provisions of this section shall survive the expiration or termination of this Agreement.

9. Insurance.

The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. *Minimum Scope of Insurance*. Consultant shall obtain insurance of the types described below:

i. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

ii. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent Consultants and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

iii. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

iv. Professional Liability insurance appropriate to the Consultant's profession.

B. *Minimum Amounts of Insurance.* Consultant shall maintain the following insurance limits:

i. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

ii. Commercial General Liability insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate.

iii. Professional Liability insurance shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

C. *Other Insurance Provision.* The Consultant's Automobile Liability, Commercial General Liability, and Professional Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

D. *Acceptability of Insurers*. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A-VII.

E. *Verification of Coverage*. The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

F. *Notice of Cancellation.* The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

G. *Failure to Maintain Insurance.* Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

H. *No Limitation*. Consultant's maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

10. <u>Record Keeping and Reporting</u>.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

11. <u>City's Right of Inspection and Audit.</u>

A. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

B. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement. All work products, data, studies, worksheets, models, reports, and other materials in support of the performance of the service, work products, or outcomes fulfilling the contractual obligations are the products of the City.

12. Work Performed at the Consultant's Risk.

The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and sub-consultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

13. Termination.

A. *Termination without cause*. This Agreement may be terminated by the City at any time for public convenience, for the Consultant's insolvency or bankruptcy, or the Consultant's assignment for the benefit of creditors.

B. *Termination with cause*. This Agreement may be terminated upon the default of the Consultant and the failure of the Consultant to cure such default within a reasonable time after receiving written notice of the default.

C. *Rights Upon Termination*.

i. With or Without Cause. Upon termination for any reason, all finished or unfinished documents, reports, or other material or work of the Consultant pursuant to this Agreement shall be submitted to the City, and the Consultant shall be entitled to just and equitable compensation for any satisfactory work completed prior to the date of termination, not to exceed the total compensation set forth herein. The Consultant shall not be entitled to any reallocation of cost, profit or overhead. The Consultant shall not in any event be entitled to anticipated profit on work not performed because of such termination. The Consultant shall use its best efforts to minimize the compensation payable under this Agreement in the event of such termination. Upon termination, the City may take over the work and prosecute the same to completion, by contract or otherwise.

ii. Default. If the Agreement is terminated for default, the Consultant shall not be entitled to receive any further payments under the Agreement until all work called for has been fully performed. Any extra cost or damage to the City resulting from such default(s) shall be deducted from any money due or coming due to the Consultant. The Consultant shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained, by the City by reason of such default.

D. *Suspension*. The City may suspend this Agreement, at its sole discretion. Any reimbursement for expenses incurred due to the suspension shall be limited to the Consultant's reasonable expenses, and shall be subject to verification. The Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

E. *Notice of Termination or Suspension*. If delivered to the Consultant in person, termination shall be effective immediately upon the Consultant's receipt of the City's written notice or such date as stated in the City's notice of termination, whichever is later. Notice of suspension shall be given to the Consultant in writing upon one week's advance notice to the Consultant. Such notice shall indicate the anticipated period of suspension. Notice may also be delivered to the Consultant at the address set forth in the "Notices" Section herein.

F. Nothing in this Subsection shall prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

14. <u>Discrimination Prohibited</u>.

A. The Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

B. Violation of this Section shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension of the Agreement by the City, in whole or in part, and may result in ineligibility for further work for the City.

15. <u>Force Majeure</u>.

Notwithstanding anything to the contrary in this Agreement, any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, acts of war, terrorist acts, inability to obtain services, labor, or materials or reasonable substitutes therefor, governmental actions, governmental laws, regulations or restrictions, civil commotions, casualty, actual or threatened public health emergency (including, without limitation, epidemic, pandemic, famine, disease, plague, quarantine, and other significant public health risk), governmental edicts, actions, declarations or quarantines by a governmental entity or health organization, breaches in cybersecurity, and other causes beyond the reasonable control of the Party obligated to perform, regardless of whether such other causes are (i) foreseeable or unforeseeable or (ii) related to the specifically enumerated events in this paragraph (collectively, a "**Force Majeure**"), shall excuse the performance of such Party for a period equal to any such prevention, delay or stoppage. To the extent this Agreement specifies a time period for performance of an obligation of either Party, that time period shall be extended by the period of any delay in such Party's performance caused by a Force Majeure. Provided however, that the current COVID-19 pandemic shall not be considered a Force Majeure unless constraints on a Party's performance that result from the pandemic become substantially more onerous after the effective date of this Agreement.

16. Assignment and Subcontract.

The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City. Any assignment made without the prior approval of the City is void.

17. Conflict of Interest.

The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit "A." In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

18. Confidentiality.

All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

19. Non-Appropriation of Funds.

If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

20. Entire Agreement.

This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. If there is a conflict between the terms and conditions of this Agreement and the attached exhibits, then the terms and conditions of this Agreement shall prevail over the exhibits. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

21. Non-waiver of Breach.

The failure of either party to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein contained in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be in full force and effect.

22. Modification.

No waiver, alteration, modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Consultant.

23. Notices.

All notices or other communications required or permitted under this Agreement shall be in writing and shall be (a) personally delivered, in which case the notice or communication shall be deemed given on the date of receipt at the office of the addressee; (b) sent by registered or certified mail, postage prepaid, return receipt requested, in which case the notice or communication shall be deemed given three (3) business days after the date of deposit in the United States mail; or (c) sent by overnight delivery using a nationally recognized overnight courier service, in which case the notice or communication shall be deemed given one business day after the date of deposit with such courier. In addition, all notices shall also be emailed, however, email does not substitute for an official notice. Notices shall be sent to the following addresses:

Notices to the City of Port Orchard shall be sent to the following address:

City Clerk
City of Port Orchard
216 Prospect Street
Port Orchard, Washington 98366
Bwallace@cityofportorchard.us
Phone: 360.876.4407 Fax: 360.895.9029

Notices to the Consultant shall be sent to the following address:

Kiewit Infrastructure West Co.
33930 Weyerhaeuser Way, Suite 300
Federal Way, WA 98001

_____
Phone No.:_____
Email:_____

24. Resolution of Disputes; Governing Law.

A. Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the Mayor, who shall determine the term or provision's true intent or meaning. The Mayor shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the Mayor's determination in a reasonable time, or if the Consultant does not agree with the Mayor's decision on a disputed matter, jurisdiction of any

resulting litigation shall be filed in Kitsap County Superior Court, Kitsap County, Washington.

C. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In any suit or action instituted to enforce any right granted in this Agreement, the substantially prevailing party shall be entitled to recover its costs, disbursements, and reasonable attorneys' fees from the other Party.

25. Compliance with Laws.

The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or in the future become applicable to Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of those operations.

26. Title VI.

The City of Port Orchard, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, must affirmatively insure that its contracts comply with these regulations.

Therefore, during the performance of this Agreement, the Consultant, for itself, its assignees, and successors in interest agrees as follows:

A. *Compliance with Regulations.* The Consultant will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this Agreement.

B. *Nondiscrimination*. The Consultant, with regard to the work performed by it during this Agreement, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Consultant will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix A, attached hereto and incorporated herein by this reference, including employment practices when this Agreement covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.

C. S*olicitations for Subcontracts, Including Procurements of Materials and Equipment.* In all solicitations, either by competitive bidding, or negotiation made by the Consultant for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Consultant of the Consultant's obligations under this Agreement and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.

D. *Information and Reports*. The Consultant will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of the Consultant is in the exclusive possession of another who fails or refuses to furnish the information, the Consultant will so certify to the City or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

E. *Sanctions for Noncompliance*. In the event of the Consultant's noncompliance with the non- discrimination provisions of this Agreement, the City will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

i. withholding payments to the Consultant under the Agreement until the contractor complies; and/or
ii. cancelling, terminating, or suspending the Agreement, in whole or in part.

F. *Incorporation of Provisions.* The Consultant will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Consultant will take action with respect to any subcontract or procurement as the City or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Consultant becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Consultant may request the City to enter into any litigation to protect the interests of the City. In addition, the Consultant may request the United States to enter into the litigation to protect the interests of the United States.

27. <u>Counterparts.</u>

This Agreement may be executed in any number of counterparts, each of which shall constitute an original, and all of which will together constitute this one Agreement.

28. <u>Severability</u>.

Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

IN WITNESS WHEREOF, the City and the Consultant have executed this Agreement as of the dates listed below.

CONSULTANT

By: _____

Title: _____

Date: _____

CITY OF PORT ORCHARD

By: _____
Robert Putaansuu, Mayor

Date: _____

ATTEST/AUTHENTICATE

_____
Brandy Wallace, MMC, City Clerk

APPROVED AS TO FORM

_____
Port Orchard City Attorney's Office

EXHIBIT A

Scope of Services to be Provided by Consultant. The Consultant shall furnish services including, but not limited to, the following outlined here or attached separately.

EXHIBIT B

Rates for Services to be Provided by Consultant. The Consultant shall furnish the services in accordance with the rates specified below or attached hereto, as Exhibit B.

[NOTE: If this is a multi-year contract and the rates may be increased after the first or second year, then Exhibit B should contain a minimum of a 60-day advance notice provision for raising rates with a limitation, i.e., no more than annual CPI-U for Seattle/Tacoma/Bellevue. If this circumstance is present, please run the adjustment language through the City Attorney's Office.]

APPENDIX A

During the performance of this Agreement, the Consultant, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U .S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 C.F.R. Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 C.F.R. Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U .S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC§ 471, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub- recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes

discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

CITY COUNCIL ADVISORY COMMITTEE MEETING DATES

STANDING COMMITTEE	Date & Time	Location
Economic Development and Tourism	April 13, 2026; 9:30am; 2nd Monday of the month	Remote Access
Utilities	April 14, 2026; 4:30pm; 2nd Tuesday of the month	Remote Access
Finance	April 21, 2026; 4:30pm; 3rd Tuesday of the month	Remote Access
Transportation	March 24; 2026; 4:45pm 4th Tuesday of the month	Remote Access
Land Use	April 15, 2026; 4:45pm; 3rd Wednesday of the month	Remote Access
Lodging Tax Advisory	TBD; 2026	City Hall
Sewer Advisory	June 16, 2026; 3:30pm	WSUD
Outside Agency Committees	Varies	Varies
Ad-hoc Review of POMC 2.04	TBD; 2026	City Hall

*Dates subject to change

MAYOR

Robert (Rob) Putaansuu
Mayor
Administrative Official

CITY COUNCIL

Scott Diener
Councilmember Position 3
Land Use Committee
Transportation Committee

Mark Trenary
Councilmember Position 1
Finance Committee, **Chair**
Transportation Committee
KRCC-alt
KEDA-alt

Jay Rosapepe
Councilmember Position At-Large
Utilities/Sewer Advisory Committee, **Chair**
Land Use Committee, **Chair**
Kitsap Public Health District
PSRC-alt
Kitsap Transit

John Morrissey
Councilmember Position 2
Mayor Pro-Tem
Finance Committee
E/D & Tourism Committee, **Chair**
Lodging Tax, **Chair**
Kitsap Economic Development Alliance

Eric Worden
Councilmember Position 4
Transportation Committee, **Chair**
Finance Committee

Heidi Fenton
Councilmember Position 5
Utilities/Sewer Advisory Committee
E/D & Tourism Committee
KRCC
911-alt

Shirah Dedman
Councilmember Position 6
E/D & Tourism Committee
Utilities/Sewer Advisory Committee
Land Use Committee

DEPARTMENT DIRECTORS

Tim Drury
Municipal Court Judge

Debbie Lund, CEBS SPHR SHRM-SCP
Human Resources Director

Noah Crocker, M.B.A.
Finance Director

Brandy Wallace, MMC, CPRO
City Clerk

Matt Brown
Police Chief

Nicholas Bond, AICP
Community Development Director

Denis Ryan, CPWP-M, CPRP
Public Works Director