



CITY OF PORT ORCHARD
Department of Community Development
Permit Center

Office Located at 720 Prospect Street
Mailing Address: 216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • permitcenter@cityofportorchard.us

PUBLIC NOTICE OF
REVISED SEPA DETERMINATION

This is a public notice that a revision has been issued to a SEPA determination for a development proposal that may affect you as the owner of neighboring property or affected agency. You have the right to comment on this application, receive notice and request a copy of the decision. A public hearing is part of this process, however a hearing date has not been determined at this time. The lead agency for this proposal has made a determination that this project does not have a probable significant adverse impact on the environment. A Mitigated Determination of Nonsignificance has been issued and is attached to this letter for your review. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(9c). This 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.

Please note, no project information has changed. This revised Notice is provided to clarify the appeals process and provide guidance should an interested party choose to file an appeal of this SEPA MDNS.

Applicant: Amherst Holdings, Greg Krabbe, 805 Kirkland Ave, Suite 200, Kirkland WA 98033

Representative: Contour Engineering, PO Box 949, Gig Harbor WA 98335

Location: Parcel 042301-3-010-2006; East of the intersection of SW Old Clifton Rd and McCormick Woods Drive.

Project Description: The proposed project is a subdivision of approximately 19.98 acres into 53 single family building lots, two future development tracts, four open space tracts, and one stormwater tract. The parcel is located in an area designated Residential Medium Density in the Comprehensive Plan and zoned Residential 2 (R2). There are no critical areas identified on the site.

Lead Agency: City of Port Orchard

Documents Used to Evaluate Proposal: Traffic Impact Analysis, Infiltration Assessment, Infiltration Test, Stormwater Site Plan, Water Level Study, Tree Plan, SEPA checklist, Wetland and Fish Habitat Assessment, Geotechnical Report, Landscape Plans

Applicable Regulations: POMC Title 12, 13, 20, Public Works Engineering Standards, WAC 197-11

Application Received: November 15, 2019

Required Permits: SEPA Review, Preliminary Plat, Land Disturbing Activity Permit (LDAP), Stormwater Drainage Permit (SDP), National Pollutant Discharge Elimination System Permit, Final Plat, Building Permits

Comment Period: You are invited to review the documents prepared for this proposal and provide comments on the MDNS. The Environmental Checklist has been prepared by the applicant for the proposal and is available at the Permit Center, 720 Prospect Street, Port Orchard WA 98366 or by email at permitcenter@cityofportorchard.us.

Appeals: You may appeal this determination to the City of Port Orchard Clerk's Office at 216 Prospect Street, Port Orchard, WA no later than July 13, 2020 at 4:30pm in accordance with POMC 20.160.240(6)(b). Appeals shall be submitted in writing, and must include the following:

(a) The applicable appeal fee, as established by resolution of the city council (\$450);

(b) Appellant's name, address and phone number;

(c) A statement describing the appellant's standing, or why the appellant believes that he or she is aggrieved by the decision appealed from;

(d) Identification of the application and decision which is the subject of the appeal;

(e) Appellant's statement of grounds for appeal and the facts upon which the appeal is based with specific references to the facts in the record;

(f) The specific relief sought;

(g) A statement that the appellant has read the appeal and believes the content to be true, followed by the appellant's signature.

Full appeal procedures can be reviewed under POMC 20.160.240. Contact Associate Planner Stephanie Andrews in the Department of Community Development at sandrews@cityofportorchard.us or 360-874-5533 to ask about the procedures for SEPA appeals.

Comments on the proposal will be accepted until 4:30 p.m. July 3, 2020.

(As July 3, 2020 was an observed City holiday, comments are accepted until the close of business the following business day)

Documents can also be viewed at <https://www.cityofportorchard.us/pending-land-use-actions/>.

Submit Comments To: By Mail: Department of Community Development, 216 Prospect Street, Port Orchard WA 98366.

By Email: permitcenter@cityofportorchard.us

Contact Person: Stephanie Andrews, Associate Planner

**REVISED MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS) FOR
MCCORMICK PARCEL A PRELIMINARY PLAT**

DESCRIPTION OF PROPOSAL: The proposed project is a subdivision of approximately 19.98 acres into 53 single family building lots, two future development tracts, four open space tracts, and one stormwater tract. The parcel is located in an area designated Residential Medium Density in the Comprehensive Plan and zoned Residential 2 (R2). There are no critical areas identified on the site.

This determination is revised on July 6, 2020 to provide clarification on the appeals process as included at the bottom of this Determination. Modified portions of this MDNS are underlined in italics for emphasis.

PROPONENT: Amherst Holdings, Greg Krabbe, 805 Kirkland Ave, Suite 200, Kirkland WA 98033

REPRESENTATIVE: Contour Engineering, PO Box 949, Gig Harbor WA 98335

LOCATION OF PROPOSAL: Parcel 042301-3-010-2006; East of the intersection of SW Old Clifton Rd and McCormick Woods Drive.

LEAD AGENCY: City of Port Orchard

DETERMINATION: The 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 43.21C.030 (2(c)). This 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.

Impact: Erosion

Erosion has been identified as a potential impact of the proposed development. The Environmental Checklist states that erosion could occur depending on the time of year that construction occurs.

Mitigation:

1. In order to mitigate the potential for erosion, all clearing and grading activity 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. The site shall be stabilized by October 1st in the absence of a sufficient erosion and sedimentation control plan.
2. Earthwork at the site shall conform to the City of Port Orchard grading and drainage requirements.
3. For any clearing, grading, excavating, or stockpiling of fill material, the applicant shall employ Best Management Practices (BMP) including but not limited to: silt fencing, stabilized construction entrance, sediment trap and similar measures and stabilize any exposed soils in accordance with City Stormwater requirements.
4. A construction stormwater general permit from the Department of Ecology must be obtained for any disturbance one acre (43,560 Square feet) or more of land through clearing, grading, excavating, or stockpiling of fill material. Department of Ecology permit information may be obtained at: <http://www.ecy.wa.gov/programs/wq/stormwater/index.html>
5. Erosion control measures must be installed and inspected by City Staff prior to any site development activity.

Impact: Stormwater

The proposed development will create new impervious surfaces and stormwater runoff.

Mitigation:

All subdivision improvements to be constructed shall be designed in accordance with the applicable City of Port Orchard Stormwater Management Manual.

Impact: Loss of wildlife habitat and associated aesthetic impact from clearing has been identified as a project impact by numerous commenters. A Fish and Wildlife Habitat Assessment was submitted with the application indicating that there are no critical or endangered species inhabiting the site, however the SEPA checklist does identify other species (songbirds, deer, etc.) that inhabit the site.

Mitigation:

City code requires that a 53-lot subdivision provide 15,250 square feet of open space, with 7,625 square feet of that space designed as active open space. The project shall provide an additional 15,250 square feet (double the code requirement) of open space to remain as passive open space.

This Mitigated Determination of Non-Significance (MDNS) is issued June 19, 2020 under WAC 197-11-350 the lead agency will not act on this proposal for 14 days from the date of issue.

Comments must be submitted no later than 4:30 p.m., on July 3, 2020, 14 days from the date of this notice. **As this comment deadline falls on an observed holiday, comments are accepted until the close of business on the following business day.*

Appeal: You may appeal this determination to the City of Port Orchard Clerk's Office at 216 Prospect Street, Port Orchard, WA no later than **July 13, 2020 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 (\$450);

Full appeal procedures can be reviewed under POMC 20.160.240. Contact Associate Planner Stephanie Andrews in the Department of Community Development at sandrews@cityofportorchard.us or 360-874-5533 to ask about the procedures for SEPA appeals.

RESPONSIBLE OFFICIAL: Nick Bond, AICP
Director of Community Development
216 Prospect Street
Port Orchard, WA 98366
(360) 874-5533

SIGNATURE: *Nicholas Bond* **DATE:** July 6, 2020