



City of Port Orchard Council Meeting Agenda December 21, 2021, 6:30 p.m.

The City is conducting its public meetings remotely to prevent the spread of COVID. The City is providing options for the public to attend through telephone, internet or other means of remote access, and also provides the ability for persons attending the meeting (not in-person) to hear each other at the same time. Therefore;

Mayor:

Rob Putaansuu
Administrative Official

Councilmembers:

Bek Ashby (Mayor Pro-Tempore)
Finance Committee
Economic Development & Tourism Committee
Transportation Committee, **Chair**
KRCC/KRCC PlanPol-alt /KRCC TransPol
PSRC-alt/PSRC TransPOL-Alt/PRTPO

Shawn Cucciardi
Finance Committee
E/D & Tourism Committee, **Chair**
Kitsap Economic Development Alliance

Fred Chang
Economic Development & Tourism Committee
Land Use Committee

Jay Rosapepe
Utilities/Sewer Advisory Committee
Land Use Committee, **Chair**
Transportation Committee
Lodging Tax Advisory Committee, **Chair**
KRCC-alt

John Clauson
Finance Committee, Chair
Utilities/Sewer Advisory Committee
Kitsap Public Health District-alt

Cindy Lucarelli
Festival of Chimes & Lights Committee, **Chair**
Utilities/Sewer Advisory Committee, **Chair**
Kitsap Economic Development Alliance

Scott Diener
Land Use Committee
Transportation Committee

Department Directors:

Nicholas Bond, AICP
Development Director

Mark Dorsey, P.E.
Director of Public Works/City Engineer

Tim Drury
Municipal Court Judge

Noah Crocker, M.B.A.
Finance Director

Matt Brown
Police Chief

Brandy Rinearson, MMC, CPRO
City Clerk

Meeting Location:

Council Chambers, 3rd Floor
216 Prospect Street
Port Orchard, WA 98366

Contact us:

(360) 876-4407
cityhall@cityofportorchard.us

Remote access only

Link: <https://us02web.zoom.us/j/83792547158>

Zoom Webinar ID: 837 9254 7158

Zoom Call-In: 1 253 215 8782

Guiding Principles

- Are we raising the bar?
- Are we honoring the past, but not living in the past?
- Are we building connections with outside partners?
- Is the decision-making process positively impacting diversity, equity, and inclusion?

1. CALL TO ORDER

A. Pledge of Allegiance

2. APPROVAL OF AGENDA

3. CITIZENS COMMENTS

*(Please limit your comments to 3 minutes for items listed on the Agenda and that are not for a Public Hearing. When recognized by the Mayor, please state your name for the official record. If you are attending remotely via telephone, enter *9 from your keypad to raise your hand.)*

4. CONSENT AGENDA

(Approval of Consent Agenda passes all routine items listed below, which have been distributed to each Councilmember for reading and study. Consent Agenda items are not considered separately unless a Councilmember so requests. In the event of such a request, the item is returned to Business Items.)

A. Approval of Vouchers and Electronic Payments

B. Approval of Payroll and Direct Deposits

C. Approval of the December 7, 2021, Special City Council Meeting Minutes *Page 3*

5. PRESENTATION

6. PUBLIC HEARING

7. COLLECTIVE BARGAINING Pursuant to RCW 42.30.140(4), the City Council will hold a collective bargaining session. The session duration will be announced prior to the collective bargaining session.

8. BUSINESS ITEMS

- A. Approval of Collective Bargaining Agreement with the Teamsters Representing Public Works Employees for 2022-2025 (Lund) **Page 6**
- B. Approval of Collective Bargaining Agreement with the Teamsters Representing Municipal Court Employees for 2022-2025 (Lund) **Page 7**
- C. Approval of Collective Bargaining Agreement with the Teamsters Representing Police Support Staff for 2022-2025 (Lund) **Page 8**
- D. Adoption of an Ordinance Amending the 2021-2022 Biennial Budget Salary Table (Crocker) **Page 9**
- E. Adoption of an Ordinance Repealing Port Orchard Municipal Code Chapter 20.204 and Amending Chapters 20.200, 15.28, and 5.60 Concerning 2018 Building Code and Fire Codes (Bond) **Page 14**
- F. Adoption of an Ordinance Adopting the 2021 Amendments to the City Comprehensive Plan (Bond) **Page 76**
- G. Adoption of a Resolution Approving Mayoral Appointment for Boards, Committee, Commissions (Rinearson) **Page 128**

9. DISCUSSION ITEMS (No Action to be Taken)

- A. Continued: Veterans Park
- B. Recognition of Councilmember Bek Ashby

10. REPORTS OF COUNCIL COMMITTEES

11. REPORT OF MAYOR

12. REPORT OF DEPARTMENT HEADS

13. CITIZEN COMMENTS

*(Please limit your comments to 3 minutes for any items not up for Public Hearing. When recognized by the Mayor, please state your name for the official record. If you are attending remotely via telephone, enter *9 from your keypad to raise your hand.)*

14. 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.

15. CITY COUNCIL GOOD OF THE ORDER

16. ADJOURNMENT

COMMITTEE MEETINGS	Date & Time	Location
Economic Development and Tourism	TBD, 2022	Remote Access
Utilities	January 11, 2022; 5:00pm	Remote Access
Finance	December 21, 2021; 5:00pm	Remote Access
Transportation	January 25, 2022; 5:00pm	Remote Access
Festival of Chimes & Lights	TBD	Remote Access
Land Use	TBD, 2022	Remote Access
Lodging Tax Advisory	February, 2022	Remote Access
Sewer Advisory	February 16, 2022; 6:30pm	Remote Access
Outside Agency Committees	Varies	Varies

Please turn off cell phones during meeting and hold your questions for staff until the meeting has been adjourned.

The Council may consider other ordinances and matters not listed on the Agenda, unless specific notification period is required.

Meeting materials are available on the City's website at: www.cityofportorchard.us or by contacting the City Clerk's office at (360) 876-4407.

The City of Port Orchard does not discriminate on the basis of disability. Contact the City Clerk's office should you need special accommodations.



**City of Port Orchard
Special Council Meeting Minutes
December 7, 2021**

1. CALL TO ORDER AND ROLL CALL

Mayor Putaansuu called the meeting to order at 6:00 p.m.

Roll call was taken by the City Clerk as follows:

Mayor Pro-Tem Ashby	Present via Remote Access
Councilmember Chang	Present via Remote Access
Councilmember Clauson	Present via Remote Access
Councilmember Cucciardi	Present via Remote Access
Councilmember Diener	Present via Remote Access
Councilmember Lucarelli	Present via Remote Access
Councilmember Rosapepe	Present via Remote Access
Mayor Putaansuu	Present via Remote Access

Staff present via remote access: Police Chief Brown, Code Enforcement Officer Quesada, City Clerk Rinearson, Deputy City Clerk Floyd, and City Attorney Archer.

Kitsap County Commissioners present via remote access: Commissioner Rob Gelder and Commissioner Charlotte Garrido.

Kitsap County staff present via remote access: Doug Washburn, Human Services Director, and Alex Wisniewski, Parks Director.

The meeting streamed live to YouTube.

A. Pledge of Allegiance

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

2. EXECUTIVE SESSION

At 6:02 p.m., Mayor Putaansuu recessed the meeting for a 25-minute executive session pursuant to RCW 42.30.110(1)(i) related to agency enforcement action. City Attorney Archer and Police Chief Brown were invited to attend, and City Attorney Archer noted potential action to follow.

3. DISCUSSION ITEMS

A. Public Health and Safety Issues at Veterans Park Discussion with the Kitsap County Commissioners

Councilmember Diener pointed out he works for Kitsap County. He does not believe this is a conflict of interest but if anyone disagrees, please let him know.

No one voiced any concerns.

Mayor Putaansuu asked if there were any citizens who would like to comment.

Jade H. asked what is going to be done about vehicles being stolen in Kitsap County and asked if there would be any upcoming meetings about enforcement.

In response to **Jade H.**, Rob Putaansuu noted this is a comment portion regarding the Veterans Park issue, but said we have not defunded our police, and is not aware of any upcoming meetings regarding enforcement.

Mayor Putaansuu explained we are here tonight because of a serious situation at Veterans Park. There are more than 100 people living within the park, which is a county park within City limits. Enforcement action has started due to health and public safety concerns. The County has also implemented new polices, but they are not the actions we are looking for to address these concerns. The County has installed a couple sani-cans and there is a dumpster located at the site. There are rodent problems, and the trash sits for up to a week on the ground. Our code enforcement officer visited the park today and there has been some cleanup, but there is much more to be done.

Several photos of debris and trash were shown.

Councilmember Cucciardi thanked the county commissioners and staff for attending this meeting. He would like to hear what can be done, not what can't be done.

Commissioner Garrido spoke to what they have done which is cleanups, assistance from the church community and drug court graduates. We need to figure out opportunities for the homeless.

Additional discussion was held regarding the garbage and sanitation concerns, the wellhead within the park, neighbors, facility on Mile Hill to house the homeless, concerns for staff safety, large volunteer cleanup events, brush clearing, providing sharp containers for needle collection, County policy regarding unauthorized encampment response plan, timelines, concerns by West Sound Utility District, differences between being homeless and those that choose to live a life of criminal activity, deaths that have occurred in the park, looking into what Olympia has done for their homeless, waste occurring near the water, fires within the park, closing parks at dusk similar to what the City of Port Orchard implements, putting up a fence along the right-of-way on Mile Hill, asking the County to make the park more active to help discourage people from living there, and redevelopment of the property.

Councilmembers and Mayor Putaansuu asked the County to come up with a specific timeline of when things can be accomplished at the park, provide more porta-potties, remove the trash more frequently than weekly and take off site, and stop the criminal activity by enforcement.

In response to Mayor Putaansuu, Commissioner Garrido noted regarding the timeline, they will touch base within a couple weeks.

Councilmember Cucciardi explained it would be great to have the County provide a memo regarding the timeline by the City Council meeting on December 21st.

Mayor Putaansuu asked if there were any citizens who would like to comment.

Tom said people are taking this seriously. He understands there are difficulties and likes the long-term plan but thinks there should be more temporary housing facilities. He believes there are many people who think this is the right way to go by building these facilities. He also spoke about the Mile Hill location listening session.

At 7:29 p.m., Mayor Putaansuu recessed the meeting for a 15-minute executive session pursuant to RCW 42.30.110(1)(i) to discuss legal risk of an agency enforcement action for a property. City Attorney Archer and Code Enforcement Officer Quesada were invited to attend, and City Attorney Archer noted no action to follow.

At 7:44 p.m., Mayor Putaansuu extended the meeting for 10 more minutes.

At 7:54 p.m., Mayor Putaansuu reconvened the meeting back into session.

4. ADJOURNMENT

The meeting adjourned at 7:54 p.m. No other action was taken. Audio/Visual was successful.

Brandy Rinearson, MMC, City Clerk

Robert Putaansuu, Mayor



City of Port Orchard

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

Agenda Staff Report

Agenda Item No.: Business Item 8A
Subject: Approval of Collective Bargaining
Agreement with the Teamsters Representing
Public Works Employees for 2022-2025

Meeting Date: December 21, 2021
Prepared by: Debbie Lund
HR Manager
Atty Routing No.: 366922-0008
Atty Review Date: December 14, 2021

Summary: The current contract between the City and Teamsters Local 589 representing Public Works employees expires December 31, 2021. The City and representatives from the Teamsters have been meeting since August to negotiate a successor agreement. The parties reached a tentative agreement and the Teamsters have voted and ratified the agreement.

The City Council has been briefed on the proposed changes and provided the complete, draft agreement under attorney-client privilege.

Recommendation: Staff recommends the City Council authorize the Mayor to sign the 2022-2025 agreement with the Teamsters Local 589 representing the Public Works Employees.

Relationship to Comprehensive Plan: N/A

Motion for consideration: "I move to authorize the Mayor to sign the 2022-2025 contract between the City of Port Orchard and Teamsters Local 589 representing the Public Works Employees."

Fiscal Impact: Provided for in the 2021-2022 budget.

Alternatives: Do not approve the contract and provide alternative guidance.

Attachments: The draft 2022-2025 contract under consideration tonight is not a public document until approved by Council and signed by the parties; it is, therefore, not attached.



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Agenda Staff Report

Agenda Item No.: Business Item 8B
Subject: Approval of Collective Bargaining
Agreement with the Teamsters Representing
Municipal Court Employees for 2022-2025

Meeting Date: December 21, 2021
Prepared by: Debbie Lund
HR Manager
Atty Routing No.: 366922-0008
Atty Review Date: December 14, 2021

Summary: The current contract between the City and Teamsters Local 589 representing Municipal Court employees expires December 31, 2021. The City and representatives from the Teamsters have been meeting since August to negotiate a successor agreement. The parties reached a tentative agreement and the Teamsters have voted and ratified the agreement.

The City Council has been briefed on the proposed changes and provided the complete, draft agreement under attorney-client privilege.

Recommendation: Staff recommends the City Council authorize the Mayor to sign the 2022-2025 agreement with the Teamsters Local 589 representing the Municipal Court Employees.

Relationship to Comprehensive Plan: N/A

Motion for consideration: "I move to authorize the Mayor to sign the 2022-2025 contract between the City of Port Orchard and Teamsters Local 589 representing the Municipal Court Employees."

Fiscal Impact: Provided for in the 2021-2022 budget.

Alternatives: Do not approve the contract and provide alternative guidance.

Attachments: The draft 2022-2025 contract under consideration tonight is not a public document until approved by Council and signed by the parties; it is, therefore, not attached.



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Agenda Staff Report

Agenda Item No.: Business Item 8C
Subject: Approval of Collective Bargaining
Agreement with the Teamsters Representing
Police Support Staff for 2022-2025

Meeting Date: December 21, 2021
Prepared by: Debbie Lund
HR Manager
Atty Routing No.: 366922-0008
Atty Review Date: December 14, 2021

Summary: The current contract between the City and Teamsters Local 589 representing Police Support Staff expires December 31, 2021. The City and representatives from the Teamsters have been meeting since August to negotiate a successor agreement. The parties reached a tentative agreement and the Teamsters have voted and ratified the agreement.

The City Council has been briefed on the proposed changes and provided the complete, draft agreement under attorney-client privilege.

Recommendation: Staff recommends the City Council authorize the Mayor to sign the 2022-2025 agreement with the Teamsters Local 589 representing the Police Support Staff.

Relationship to Comprehensive Plan: N/A

Motion for consideration: "I move to authorize the Mayor to sign the 2022-2025 contract between the City of Port Orchard and Teamsters Local 589 representing the Police Support Staff."

Fiscal Impact: Provided for in the 2021-2022 budget.

Alternatives: Do not approve the contract and provide alternative guidance.

Attachments: The draft 2022-2025 contract under consideration tonight is not a public document until approved by Council and signed by the parties; it is, therefore, not attached.



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Agenda Staff Report

Agenda Item No.:	<u>Business Item 8D</u>	Meeting Date:	<u>December 21, 2021</u>
Subject:	<u>Adoption of an Ordinance</u>	Prepared by:	<u>Noah D. Crocker</u>
	<u>Amending the 2021-2022</u>		<u>Finance Director</u>
	<u>Biennial Budget Salary Table</u>	Atty Routing No:	<u>366922-0007</u>
		Atty Review Date:	<u>December 16, 2021</u>

Summary: The City Budget is written to capture revenue and expenses over the fiscal period. During the biennial period, changes to the budget in both revenue and expenditures need to be recognized by Budget Amendment. Exhibit A of the 2021-2022 Biennial Budget identifies the Personnel positions of the City as well as pay ranges.

By this Ordinance, the City Council would amend Exhibit A of the 2021 – 2022 Biennial Budget, as adopted by Ordinance No. 035-20 and amended by Ordinance No.015-21, Ordinance No. 032-21, Ordinance No. 050-21, Ordinance No. 056-21

The proposed budget amendment is intended to amend Exhibit A to add 1 FTE for a Senior Planner position for a total of 2 FTE’s and reduce the long-range associate planner position by 1 FTE to 0 FTE’s. As both positions have the same salary schedule there is no impact to the current budget. Furthermore, this amendment will add 1 FTE for an Accounting Assistant I position for a total of 1 FTE and reduce the Accounting Assistant II position by 1 FTE to 4 FTE’s. As this is a reduction in cost, there is no additional expenditure authority being requested. The amended budget table reflects a cost of living adjust for non-represented employees of 4.0% which will be absorbed within the 2021-2022 biennial budget. Lastly, in conjunction with the Council’s approval of the three collective bargaining agreements for a portion of the City’s represented employees, the amended budget incorporates wage rates as approved by the Council for those represented employees.

Recommendation: The Finance Director recommends adoption of an Ordinance amending Exhibit A of the 2021–2022 Biennial Budget.

Relationship to Comprehensive Plan: N/A

Motion for consideration: I move to adopt an, amending Exhibit A to Ordinance No. 035-20 and amended by Ordinance No.015-21, Ordinance No. 032-21, Ordinance No. 050-21, Ordinance No. 056-21, the 2021 – 2022 Biennial Budgets for the City of Port Orchard.

Fiscal Impact: These adjustments are already funded within the currently approved biennial budget.

Alternatives: Do not authorize and provide alternative guidance

Attachments: Ordinance. Exhibit A under consideration tonight is not a public document until approved by Council, therefore, not attached.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING THE 2021–2022 BIENNIAL BUDGET AS ADOPTED BY ORDINANCE NO. 035-20, AND AMENDED BY ORDINANCE NO'S. 015-21, 032-21, 050-21 and 056-21, TO RECOGNIZE EXPENDITURES AND REVENUES NOT ANTICIPATED AT THE TIME OF THE ADOPTION OF THE 2021–2022 BIENNIAL BUDGET INCLUDING ESTABLISHING A COST-OF-LIVING ADJUSTMENT (COLA) INCREASE FOR NON-UNION EMPLOYEES; PROVIDING FOR TRANSMITTAL TO STATE; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard adopted its 2021 – 2022 Biennial Budget via Ordinance No. 035-20, which was previously amended by Ordinance Nos. 015-21, 032-21, 050-21, and 056-21; and

WHEREAS, the City desires to keep current on budget amendments; and

WHEREAS, it is necessary to consider adjustments to accounts and/or funds by means of appropriation adjustments that could not have been anticipated at the time of passage of the 2021 – 2022 Biennial Budget; and

WHEREAS, the City desires to fund an additional 1 Full Time Equivalent (1 FTE) for Senior Planner position; and

WHEREAS, the City desires to defund the 1 Full Time Equivalent (1 FTE) Long Range Associate Planner position; and

WHEREAS, the City desires to fund 1 Full Time Equivalent (1 FTE) Accounting Assistant I; and

WHEREAS, the City desires to defund (1 FTE) Accounting Assistant II position leaving (4 FTE's); and

WHEREAS, the City Council deems it in the best interest of the City and City employees to periodically review and update employment wages and benefits, and, in so doing, has determined it is appropriate to adjust the established rates of pay for non-union employees by providing a cost of living adjustment; and

WHEREAS, effective January 2, 2022, the rates of pay for all Non-Union Employees shall be increased by four percent (4.00%); and

WHEREAS, the City Council has approved agreements with Teamsters Local 589 representing Public Works, Municipal Court, and Police Support Staff and those agreements set out wages for those covered positions and modify position titles; and

WHEREAS, the City Council has considered the proposed budget amendments and finds that amendments authorized by this Ordinance are consistent with applicable laws and financial policies, and further the public's health, safety and welfare; now, therefore:

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Exhibit A to the 2021 – 2022 Biennial Budget is amended as shown on the Exhibit A attached hereto.

SECTION 2. Transmittal. The City Clerk shall transmit a complete, certified copy of the amended budget as adopted to the state auditor and to the Association of Washington Cities per RCW 35.34.130.

SECTION 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 4. Corrections. Upon approval of the city attorney, the city clerk and the codifiers of this ordinance are authorized to make necessary technical corrections to this ordinance, including, without limitation, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

SECTION 5. This Ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

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 21st day of December 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlie A. Archer, City Attorney

John Clauson, Councilmember

PUBLISHED:

EFFECTIVE DATE:



City of Port Orchard

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Agenda Staff Report

Agenda Item No.: Business Item 8E
Subject: Adoption of an Ordinance Repealing Port Orchard Municipal Code Chapter 20.204 and Amending Chapters 20.200, 15.28, and 5.60 Concerning 2018 Building Code and Fire Codes

Meeting Date: December 21, 2021
Prepared by: Nicholas Bond, AICP
DCD Director
Atty Routing No.: 366922.0011 – Dev
Atty Review Date: December 14, 2021

Summary: On December 14, 2021 the City of Port Orchard City Council authorized the execution of an Interlocal Agreement (ILA) between the City and South Kitsap Fire and Rescue (SKFR) with an effective date of January 1, 2022. The ILA allows the City Building Official to perform permit review, inspections and other fire prevention services which were historically handled by SKFR. SKFR will continue with certain fire prevention services which include burn permit review, special events consultation, and on-call permit review for special permits.

Certain amendments are required to the Building Code, inclusive of the International Fire Code, which clarify the roles and responsibilities of the City and SKFR related to the implementation of the ILA. These amendments remedy inconsistencies regarding the responsibilities of the Fire Authority created through execution of the ILA. Specifically, the repeal of Port Orchard Municipal Code (POMC) 20.204 in its entirety, amending POMC 20.200, 15.28, and 5.60 as described in the attached Ordinance’s Exhibit A, B, and C respectively are necessary for the clarification of roles and responsibilities.

In addition, the City has worked with SKFR to clean up the local amendments to the Building and Fire Codes. Many code requirements previously located in POMC 20.204 (to be repealed) are being integrated into POMC 20.200. Other changes are being made to correct internal inconsistencies. These local amendments have been reviewed by the Land Use Committee at various meetings in 2021. The proposed amendments are detailed in the attached redline copy of POMC 20.200.

The City and SKFR have not reached agreement on how to amend all these code sections. As much as possible, the City has advocated for following the State’s adopted code language except where there is good justification for increasing requirements. The City has generally not increased any requirements beyond those adopted by Kitsap County. Areas where the City Department of Community Development has recommendations that differ from SKFR are as follows:

1. IFC Section 503.2.1: SKFR is requesting that mountable curbs be excluded from minimum fire apparatus road widths. City Staff is recommending that flat and mountable curbs be included in establishing widths to be consistent with the Bethel Sedgwick Corridor Plan which called for mountable curbs on the center medians. The City requires vertical curbs on all streets which are not considered mountable.
2. IFC section 503.7. SKFR wishes to require fire sprinklers for all homes accessed from private roads. City staff is recommending that this local amendment be amended because the City’s private road standards

require that private roads meet public road standards for width. For instance, in the Magnolia Ridge subdivision, all roads are private but meet public road standards. These homes will be more expensive to construct solely because the roads are private despite that they provide equivalent fire access in terms of widths, weight limits, and grades. This section will remain in part to ensure that existing non-standard private roads still trigger a fire sprinkler requirement one- and two-family homes.

3. IFC Section 903. SKFR is recommending that the City not repeal the local amendments to section 903. The State adopted section 903 specifically to allow fire walls to define separate buildings and avoid requirements for additional fire sprinkler systems. SKFR has asked that the City not allow fire walls to define separate buildings and instead require fire sprinklers based on square footages without considering fire walls. City Staff recommends that the City use that standards IFC language as adopted by the State.

4. IFC Section 907. The City passed a local amendment to IFC section 907 that appears to be a holdover from the 1990's era Kitsap County UBC. SKFR has requested this language remain as is, rather than defaulting to the standard language adopted by the State. The City's building consultant states (and the City's building official agrees):

The 4,000 square foot provision below appears to be a hold-over from 1990's era Kitsap County amendments to the UBC. As with sprinkler systems, the I-Codes have progressed significantly during this time period. While it is recognized that there is benefit to requiring fire alarm systems based on some pre-determined square footage, the IBC currently requires far more buildings to be sprinkled compared to the old UBC provisions. Along with sprinkler systems comes the NFPA 13 requirements for system supervision and alarms. Essentially, most every fire sprinkler system that exceeds 20 heads requires supervision and an alarm connection, and include references to NFPA 72. So many of these occupancies are already covered and include alarm systems by default of having sprinkler systems. The local amendment is outdated and somewhat obsolete, and is unfortunately based on an arbitrary square footage number that can no longer be justified. Most jurisdictions in the State utilize the State code fire alarm sections without amendment. While there may be a few instances where the 4,000 square foot limitation may be missed, the 2018 edition of the code, along with any Washington State amendments, appears sufficiently safe; amendments to these particular sections become more difficult to justify.

5. IFC Section 107.3.1 and 107.3.2. The City previously amended the IFC to add a section 107.3.1 and 107.3.2. However, these code numbers are now utilized in the IFC and include unrelated requirements that have been inadvertently repealed by the City. Furthermore, the IFC now requires fire protection systems maintenance under IFC section 108, a section that is more thorough than the City's current local amendments. SKFR has asked that the existing language in section 107.3.1 and 107.3.2 remain and be moved but has not provided proposed language to fit into the default State language under section 108. City staff is willing to make changes to section 108 if it is provided with an acceptable proposal.

6. IFC Section D104. IFC section D104 is part of Appendix D which is not adopted by the State nor Kitsap County. The City previously adopted Appendix D at SKFR's request, but now proposes to repeal portions including D104. Section D 104 deals with access to commercial and industrial development, requiring multiple means of fire access to sites spaced a specified distance apart. City staff recommends that this section not be adopted because it may make some sites undevelopable by requiring a certain minimum distance between two fire apparatus entrances and because the City's design guidelines, public works standards, and subdivision standards already require a high degree of connectivity. Port Orchard has

unique topographic constraints and existing patterns of ownership that may make compliance with this optional element impossible.

7. IFC Section D106. This is similar to the section D104 issue above but applies to multi-family development.

8. IFC Section D107. This issue is similar to the section D104 issue above but applies to one- or two-family development.

Recommendation: City staff recommends approval of an ordinance repealing POMC 20.204 and amending POMC 20.200, 15.28 and 5.60 as presented.

Motion for consideration: “I move to adopt an ordinance repealing POMC 20.204 and amending POMC Chapters 20.200, 15.28 and 5.60 to remedy inconsistencies in the Port Orchard Municipal Code related to the execution of the City of Port Orchard and South Kitsap Fire and Rescue Interlocal Agreement and their respective roles and responsibilities.”

Fiscal Impact: None.

Alternatives: To not adopt the ordinance and provide alternative direction.

Attachments: Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, REGARDING FIRE PREVENTION AND BUILDING CODES; REPEALING CHAPTER 20.204 OF THE PORT ORCHARD MUNICIPAL CODE (POMC), FIRE PREVENTION CODE; AMENDING POMC CHAPTER 20.200, CITY BUILDING CODE; AMENDING POMC CHAPTER 15.28, FIRE HYDRANT INSTALLATION; AND AMENDING POMC CHAPTER 5.60, FIREWORKS; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, consistent with the requirements of the State Building Code Council, the City has adopted and codified the International Building Code, International Fire Code (IFC), and International Residential Code, with permitted local amendments thereto; and

WHEREAS, these regulations are in need of reorganization and updating to best service the interests of the City and the public interests; and

WHEREAS, the City annexed to the Kitsap County Fire Protection District No. 7, also known as South Kitsap Fire and Rescue (SKFR) in 2001, and SKFR provides fire protection to the City, pursuant to Chapter 52.04 RCW and Port Orchard Municipal Code (POMC) 2.12; and

WHEREAS, pursuant to an Interlocal Agreement (ILA) between the City and SKFR, the City has historically utilized SKFR staff for fire prevention services and permitting under the IFC, and the applicable regulations governing those services were adopted by ordinance and codified in the Port Orchard Municipal Code; and

WHEREAS, to meet the needs of the residents of Port Orchard, the City recently hired a Building Official with certification in the International Fire Code to perform permit review, inspections and other fire prevention services; and

WHEREAS, accordingly, SKFR will no longer perform these services pursuant to an agreement between the agencies, but will perform other fire prevention services, including burn permit review, special events consultation, and on-call permit review for special permits; and

WHEREAS, SKFR and the City recently authorized the execution of a new ILA, effective January 1, 2022, to memorialize the change in responsibilities and services; and

WHEREAS, as part of the reorganization and updating of the building code, inclusive of the IFC, amendments thereto are necessary to clarify the roles and responsibilities of the City and the SKFR; and

WHEREAS, amendments are necessary to other code provisions pertaining to the services provided by SKFC, to clarify these roles and responsibilities; and

WHEREAS, the City Council finds adoption of this Ordinance and the amendments herein to be in the best interest of the City, its employees and residents; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Repealer. Port Orchard Municipal Code Chapter 20.204 is hereby repealed in its entirety.

SECTION 2. Amendment. Port Orchard Municipal Code Chapter 20.200 is hereby amended to read as attached as Exhibit A hereto and incorporated herein by this reference.

SECTION 3. Amendment. Port Orchard Municipal Code Chapter 15.28, Fire Hydrant Installation, is hereby amended to read as attached as Exhibit B hereto and incorporated herein by this reference.

SECTION 4. Amendment. Port Orchard Municipal Code Chapter 5.60, Fireworks, is hereby amended to read as attached as Exhibit C hereto and incorporated herein by this reference.

SECTION 5. Savings Clause. The ordinances and portions of resolution which are repealed by this Ordinance remain in force and effect until the effective date of this Ordinance. Such repeals must not be construed as affecting any existing right acquired under the ordinances and resolution repealed or amended, nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor the administrative action taken thereunder. Notwithstanding the foregoing actions, obligations under such ordinances in effect on the effective date of this Ordinance continue in full force and effect, and no liability thereunder, civil or criminal, is in any way modified. Further, it is not the intention of these actions to reenact any ordinances or parts of ordinances previously repealed or amended, unless this Ordinance specifically states such intent to reenact such repealed or amended ordinances.

SECTION 6. 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 7. Publication. This Ordinance shall be published by an approved summary consisting of the title.

SECTION 8. Effective Date. This Ordinance shall take effect and be in full force and effect on January 1, 2022, as provided by law.

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 21st day of December 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte A. Archer, City Attorney

John Clauson, Councilmember

PUBLISHED:
EFFECTIVE DATE:

Chapter 20.200
CITY CONSTRUCTION CODE

Sections:

- 20.200.001 Purpose.
- 20.200.005 Administration.
- 20.200.008 State Building Code Adopted
- 20.200.010 Conflicts between codes.
- 20.200.012 Local amendments of International Building Code.
- 20.200.014 Local amendments of International Residential Code.
- 20.200.016 Local amendments of the International Fire Code
- 20.200.018 Appeals.
- 20.200.020 Violations
- 20.200.022 Penalties and Other Relief.

20.200.001 Purpose.

The purpose of the codes and regulations adopted in this subtitle is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city of Port Orchard. It is not the purpose or intent to create or designate any class or group of persons to be especially protected or benefited, nor is it intended to create any special relationship with any individual.

20.200.005 Administration.

All permits issued pursuant to the codes adopted by reference in this chapter shall follow a Type I permit process pursuant to Chapter 20.22 POMC.

20.200.008 State Building Code Adopted.

Pursuant to RCW 35A.12.140, the city of Port Orchard hereby adopts the following codes of technical compliance by reference, which are incorporated herein; provided, that the amendments, deletions, and additions thereto as provided in this chapter shall govern over the published provisions of the respective adopted code:

1. The 2018 edition of the International Building Code as published by the International Code Council (ICC), including Appendix E, as adopted and amended by the Washington State Building Code Council (WSBCC) in Section [51-50-003 WAC](#) is hereby adopted by reference. Additionally, Appendix B of the 2018 International Building Code is adopted by reference by the City of Port Orchard.

2. The 2018 edition of the International Residential Code as published by the ICC and as adopted and amended by the WSBC in Section [51-51-003 WAC](#), Additionally, Appendix M of the International Residential Code is adopted by reference by the City of Port Orchard.
3. The 2018 edition of the International Mechanical Code, as published by the ICC, as adopted and amended by the WSBC in Section [51-52-003 WAC](#) is hereby adopted by reference by the City of Port Orchard;
4. The 2018 edition of the International Fire Code, as published by the ICC, as adopted by the WSBC in Section [51-54A WAC](#) is hereby adopted by reference. Additionally, Appendix B of the International Fire Code is adopted by reference by the City of Port Orchard and portions of Appendix D are adopted as shown in POMC 20.200.016;
5. The 2018 edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, and as adopted and amended by the WSBC in Section [51-56-003 WAC](#) is hereby adopted by reference;
6. The 2018 Edition of the International Energy Conservation Code, Commercial, as adopted and amended by the Washington State Building Code Council in Chapter [51-11C WAC](#);
7. The 2018 edition of the International Energy Conservation Code, Residential, as adopted and amended by the Washington State Building Code Council in Chapter [51-11R WAC](#);
8. The current edition of the International Property Maintenance Code, as published by the ICC; and
9. The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings together with the appendices, as published by the International Conference of Building Officials, is hereby adopted, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A copy of the codes referenced herein shall be kept on file with the city clerk.

20.200.010 Conflicts between codes.

In case of conflict among any of the codes referenced in POMC [20.200.008](#) as adopted and subsequently amended by this chapter the first named code as located in POMC [20.200.008](#) and the amendments thereto shall govern over those following. In case of conflicts between other codes and provisions adopted by this chapter, the code or provision that is most specific, as determined by the building official, shall apply.

20.200.012 Local amendments of International Building Code.

1. IBC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Building Code herein referred to as “this code.”

2. IBC Section 105.2, entitled "Work exempt from permit," subsection "Building:" is hereby amended to read as follows:

Building:

- (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
- (2) Fences not over 6 feet high.
- (3) Oil derricks.
- (4) Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- (5) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (6) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
- (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
- (10) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- (11) Swings and other playground equipment accessory to detached one- and two-family dwellings.
- (12) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.
- (13) Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

3. IBC Section 105.5, entitled "Expiration," is hereby amended to read as follows:

105.5 Expiration.

A. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

B. Notwithstanding the above, if the City has issued a Land Disturbing Activity Permit and/or Stormwater Drainage Permit under Chapters 20.140 and/or [20.150](#) POMC in conjunction with a building permit for the same site, then the building permit shall expire concurrent with and under the same terms as set forth in Chapters 20.140 and/or [20.150](#) POMC as the issued Land Disturbing Activity Permit and/or Stormwater Drainage Permit.

4. IBC Section 111.1 is amended to read as follows:

111.1 Use and Occupancy.

A. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

B. When a building is constructed with future tenant spaces to be finished or occupied at a later date, a shell only certificate of occupancy shall be issued. A separate tenant improvement permit is required for each tenant space prior to any tenant occupancy.

C. A certificate of occupancy shall be required prior to occupancy when there is a change in tenant whether or not construction or alterations are performed or proposed and regardless of the use or occupancy classification.

Exceptions:

1. R-3 occupancies.
2. Group U occupancies.
3. Individual dwelling units of R-1 and R-2 occupancies.
4. Individual rental units of mini-storage buildings with S occupancy classification.
5. A second business in the same location as another tenant with the same use classification which already has a Certificate of Occupancy for the space.
6. Individual business license holders within a space with a current Certificate of Occupancy.
7. A business that changes ownership but does not change location, business name, use, or make any structural changes. The new owner is required to provide ownership and business license information to the Department of Community Development Permit Center. An updated certificate will be issued to the new owner.

8. A business that changes its name but does not change location, ownership, use, or make any structural changes. The owner is required to provide updated business license information showing the name change to the Department of Community Development Permit Center. An updated certificate will be issued with the new business name.

D. When a Certificate of Occupancy is required, or a business's ownership or name is changed, an application shall be submitted to the Department of Community Development Permit Center using the applicable city form, along with supporting documentation as required. The fee shall be as adopted under the city's current fee schedule resolution.

5. IBC 903.2.1.1 is hereby adopted to read as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than the level of exit discharge; or
4. The fire area contains a multi theater complex.

6. IBC Section 903.2.1.3 is hereby adopted to read as follows:

903.2.1.3 Group A-3.

An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

7. IBC Section 903.2.1.4 is hereby adopted to read as follows:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

8. IBC Section 903.2.13 is hereby adopted to read as follows:

903.2.13 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 10,000 square feet.

9. IBC Section 903.2.4 is hereby adopted to read as follows:

903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancy where one of the following conditions exists:

1. Where a Group F fire area exceeds 10,000 square feet (929 m²);
2. Where a Group F fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

10. IBC Section 903.2.7 is hereby adopted to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 10,000 square feet (929 m²);
2. Where a Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).

20.200.014 Local amendments of International Residential Code.

1. IRC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Residential Code for One- and Two-Family dwellings and will be referred to herein as “this code.”

2. IRC Section 105.2, entitled “Work exempt from permit,” subsection “Building:” is hereby amended to read as follows:

Building:

(1) One-story detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58 m²).

(2) Fences not over 6 feet (2134 mm) high.

(3) Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

(4) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

(5) Sidewalks and driveways.

(6) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

(7) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

(8) Swings and other playground equipment.

(9) Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

(10) Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling do not serve the exit door required by Section R311.4.

(11) Roof covering replacement (re-roofing) provided the roof area does not exceed 2100 square feet (21 squares) and further provided the existing sheathing remains in place and no structural work is performed.

(12) Residential siding replacement providing the area does not exceed 1000 square feet and further provided the existing sheathing remains in place and no structural work is performed.

... The remainder of section 105.2 remains unamended.

(2) IRC Table R301.2(1) is hereby amended by adding the following into the corresponding table blanks:

(i) Ground Snow Load = 25 lbs psf

(ii) Wind Speed = 110 mph

Topographic Effects = No

Special Wind Region = No

Wind-Born Debris Zone = No(iii) Seismic Design Category = D2

(iv) Weathering = Moderate

(v) Frost Line Depth = 12 inches

(vi) Termite = Slight to Moderate

(vii) Decay = Moderate to Severe

(ix) Winter Design Temp = 26

(x) Ice Shield Underlayment Required = No

(xi) Flood Hazards = (a) 1980, (b) 1980

(xii) Air Freezing Index = 148

(xiii) Mean Annual Temp = 51.4

3. R313.2One- and two-family dwellings automatic fire sprinkler systems is hereby amended to read as follows:

R313.2One- and two-family dwellings automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings where the fire area exceeds 4999 square feet.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

4. R313.2 Is hereby amended to add the following new subsection R313.2.1 as follows:

R313.2.1Design and installation.

Automatic residential fire sprinkler systems for one -and two- family dwellings shall be designed and installed in accordance with Section P2904 or NFPA 13D.

20.200.016 Local Amendments to the International Fire Code.

1. IFC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Fire Code and will be referred to herein as “this code.”

2. IFC Section 202 is amended as follows:

(1) Whenever “municipality” is used in the International Fire Code, it means the city of Port Orchard.

(2) Whenever “jurisdiction” is used in the International Fire Code, it means the City of Port Orchard.

(3) Whenever “department of fire prevention” is used in the international Fire Code, it means the fire department serving the jurisdiction.

(4) Whenever “Fire Code Official” is used in the international Fire Code it means the Building Official or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.

(5) Whenever “counsel” is used in the code, it means the city attorney.

(6) Whenever “police” is used in the code, it means the city of Port Orchard police department.

(7) Whenever “fire area” is used in the International Fire Code, it means the total floor area of all floor levels within the exterior walls and under the horizontal projections of the roof of a building.

(8) Whenever “governing body” is used in the International Fire Code, it means the city council of Port Orchard.

3. IFC Section 503 is hereby adopted to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every building, facility or portion of building or facility hereafter constructed or moved into or within the jurisdiction. The fire apparatus access shall comply with the requirements of this section and shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45720 mm) where any of the following conditions occur:

1.1 The building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2 Fire apparatus access roads cannot be installed because of location on property, topography, critical areas, waterways, non-negotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

1.3 There are not more than two (2) Group R-3 (single-family dwellings) or Group U occupancies.

1.4 Where the fire apparatus access road serves only residential accessory building/occupancies (private garages, carports, sheds, agricultural buildings), as defined by the International Building Code.

2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), inclusive of bike lanes, shoulders, flat and mountable curbs, except for approved security gates in accordance with [Section 503.6](#), and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds (34 050 kg).

503.2.4 Turning Radius: The required turning radius of a fire apparatus access road shall be consistent with the city's public works standards and where no standard is specified in the public works standards, shall be determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with [AASHTO HB-17](#). Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7. Grade. The grade (slope) of fire apparatus access roads shall not exceed 12% as measured from the roadway centerline. At no point along the centerline shall the road grade exceed 12%.

Exception: The grade of the fire apparatus access road may be increased if buildings or facilities are equipped with an approved automatic fire sprinkler system when approved by the fire district chief and Fire Code Official.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstructions of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. When posted in accordance with section 503.3, owners or operators of vehicles shall be liable for a fine in accordance with The Police Department may assist the Fire Code Officials with enforcement of this section.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the Public Works Director after soliciting input on the proposed device from the Fire Chief and Fire Code Authority.

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with [UL 325](#). Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of [ASTM F2200](#).

503.5.1 Secured gates and barricades. Where required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by [Section 503.5](#) shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with [UL 325](#). Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of [ASTM F2200](#).

503.7 Residential Non-Conforming Existing Private Access . Group R-3, R-4, or Group U occupancies allowed on an existing, non-conforming private access if a residential sprinkler system is installed in each new structure.

Exception: There are not more than two Group R-3, R-4, or Group U occupancies.

4. 903.2.1.1 Group A-1 is hereby adopted to read as follows.

An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than the level of exit discharge; or
4. The fire area contains a multi theater complex.

5. 903.2.1.3 Group A-3 is hereby adopted to read as follows.

An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

6. 903.2.1.4 Group A-4 is hereby adopted to read as follows.

An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

7. 903.2.13 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 10,000 square feet.

8. 903.2.4 Group F is hereby adopted to read as follows. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancy where one of the following conditions exists:

1. Where a Group F fire area exceeds 10,000 square feet (929 m²);
2. Where a Group F fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

9. 903.2.7 Group M is hereby adopted to read as follows. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 10,000 square feet (929 m²);
2. Where a Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).

10. 903.2.9 Group S-1 is hereby adopted to read as follows.

An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 10,000 square feet (929 m²).
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines exceeds 24,000 square feet (2230 m²).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).
5. A group S-1 occupancy used for self-storage where the fire area exceeds 2,500 square feet (232 m²).

All other subsections of IFC 903.2.9 remain unamended.

11. Appendix D. The following sections of IFC Appendix D are hereby adopted to read as follows:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code as adopted and amended in this chapter.

D102.1 Access and Loading. [This section is not adopted].

D103.1 Access road width with a hydrant. [This section is not adopted]

D103.2. Grade. [This section is not adopted]

D103.3 Turning Radius. [This section is not adopted]

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with [Table D103.4](#).

D103.5. Fire apparatus access gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with [UL 325](#).
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of [ASTM F2200](#).

D103.6. Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with [Figure D103.6](#). Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by [Section D103.6.1](#) or [D103.6.2](#).

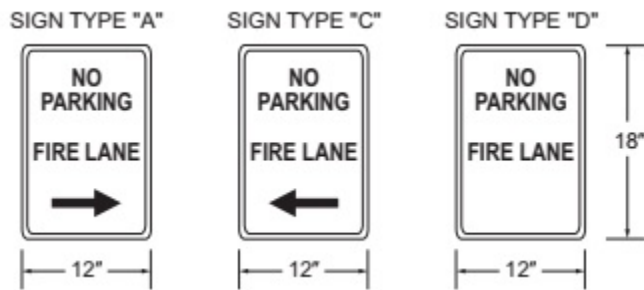


FIGURE D103.6 FIRE LANE SIGNS

D104. [This section is not adopted]

D105. Aerial Fire Apparatus Access Road. This section shall not apply to the

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 20 feet (7925 mm), inclusive of bike lanes, shoulders, flat and mountable curbs, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

D106 [This section is not adopted]

D107 [This section is not adopted]

20.200.018 Appeals.

Whenever the fire code authority shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the codes do not apply or that the true intent and meaning of the codes have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire authority within 30 days from the date of the decision in accordance with Section 108 of the 2018 Edition of the International Fire Code, as adopted herein.

20.200.020 Violations.

(1) Any person who shall violate any of the provisions of the codes hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall for each and every such violation and noncompliance respectively be subject to the penalties and provisions specified in POMC [20.200.022](#).

(2) Each day or portion of a day in which a violation occurs or is allowed to continue shall constitute a separate offense and may be punished as such.

20.200.022 Penalties and other relief.

(1) Civil Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC [20.200.020](#), shall constitute a civil infraction subject to a penalty in the amount of \$250.00, not including statutory penalties, per violation;

(2) Criminal Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC [20.204.060](#), shall constitute a misdemeanor, punishable by a fine of not more than \$1,000, or by imprisonment for not more than 90 days, or by both such fine and imprisonment;

(3) Nuisance, Abatement, and Injunctive Relief. In addition or alternative to any other provision of this chapter, any violations of this chapter, or of any lawful notice or order issued hereunder shall constitute a public nuisance. The fire code authority or designee shall have the right to seek injunctive relief in a court of competent jurisdiction, to abate such violation as a public nuisance or dangerous building, or to exercise any and all other legal remedies to stop and/or correct such violations.;

(4) Other Legal or Equitable Relief. Notwithstanding the existence or use of any other remedy, the director or his/her designee may seek legal or equitable relief to enjoin any acts or practices or abate any conditions which constitute or will constitute a violation of the provisions of this chapter;

(5) Other Remedies. In addition or as an alternative to any other remedies provided herein, the fire code authority or designee may issue stop work orders, notices to vacate and/or keep out, and other lawful

notices and orders. Any person removing such notices and orders without the permission of the fire authority or designee shall be guilty of a misdemeanor; and

(6) Recovery of Expenses. All expenses incurred by the City in correcting the violation shall be billed to the property owner and/or person responsible for the violation, and shall become due and payable to the City within 10 calendar days. Such costs may include, but are not limited to, the following:

(a) "Legal expenses," which shall include, but are not limited to:

(i) Personnel costs, both direct and indirect, including attorney's fees and all costs incurred by the City attorney's office or its designee;

(ii) Actual and incidental expenses and costs incurred by the City in preparing notices, contracts, court pleadings, and all other necessary documents; and

(iii) All costs associated with retention and use of expert witnesses or consultants.

(b) "Abatement expenses," which shall include, but are not limited to:

(i) Costs incurred by the City for preparation of notices, contracts, and related documents;

(ii) All costs associated with inspection of the abated property and monitoring of said property consistent with orders of compliance issued by the City's hearing examiner or a court of competent jurisdiction;

(iii) All costs incurred by the City for hauling, storage, disposal, or removal of vegetation, trash, debris, dangerous structures or structures unfit for occupancy, potential vermin habitat or fire hazards, junk vehicles, obstructions to public rights-of-way, and setback obstructions;

(iv) All costs incurred by law enforcement or related enforcement agencies;

(v) All costs incurred by the City during abatement of nuisance and code violations may include interest in an amount as prescribed by law; and

(c) The City shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this chapter, and all other related costs including attorney and expert witness fees, against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and county taxes, with which it shall be on parity.

Chapter 15.28

FIRE HYDRANT INSTALLATION

Sections:

- 15.28.010 Applicability.
- 15.28.020 Definitions and abbreviations.
- 15.28.030 Plans.
- 15.28.040 Timing of installation.
- 15.28.050 Number of hydrants required.
- 15.28.060 Location of hydrants.
- 15.28.070 Materials and installation.
- 15.28.080 Water mains.
- 15.28.090 Hydrant workmanship.
- 15.28.100 Hydrant obstructions.
- 15.28.110 Hydrant protection.
- 15.28.120 Prohibited installation.
- 15.28.130 Exemption.
- 15.28.140 Interpretation, purpose and conflict.
- 15.28.150 Violation – Penalty.

15.28.010 Applicability.

(1) All buildings constructed within the city shall be served by fire hydrants installed in accordance with the requirements of this chapter. In addition, existing fire hydrants which do not conform with the requirements and standards of this chapter, when replaced, shall be replaced with hydrants which conform to the standards and requirements of this chapter.

(2) No building shall be constructed within the city unless there is an approved water supply system with hydrants capable of supplying the required fire flow for the classification of the building to be constructed. Any cost incurred to bring the system up to required standards shall be the responsibility of the property owner.

15.28.020 Definitions and abbreviations.

(1) Whenever a reference is made to any portion of this code or any other applicable law or ordinance, the reference applies to all amendments and additions now or hereafter made.

(2) For the purpose of this chapter, the following words, terms, phrases and their derivations shall have the meaning given in this section unless the context otherwise indicates. Words used in the present tense include the future; words in the plural include the singular, and the singular the plural. The word “shall” is always mandatory.

(a) “AWWA” means the American Water Works Association.

(b) “Fire authority” means the Building Official ~~fire authority~~ or their designee for the purposes of the code section appointee.

(c) “Flush hydrant” means a hydrant installed entirely below grade.

(d) “LID” means a local improvement district as authorized by RCW 57.16.060.

(e) “Standard specifications” means the “Standard Specifications for Municipal Public Works Construction” prepared by Washington State Chapter, American Public Works Association, current edition.

(f) “~~U~~IBC” means the Uniform-International Building Code as adopted, including amendments, by the city of Port Orchard.

(g) “~~U~~IFC” means the Uniform-International Fire Code as adopted, including amendments, by the city of Port Orchard.

(h) “Water authority” means the city engineer, his appointee or any other approved entity distributing water to fire hydrants within the city of Port Orchard.

15.28.030 Plans.

Two copies of detailed plans or drawings, accurately indicating the location of all valves and fire hydrants to be installed, shall be submitted to and approved by the fire authority prior to the commencement of any construction.

15.28.040 Timing of installation.

(1) The UFC shall govern. The developer shall provide written notification to the appropriate water authority and fire authority of the date of installation and expected date of serviceability of fire hydrants.

(2) The developer shall provide written notification to the fire authority when all newly installed hydrants or mains are placed in service.

15.28.050 Number of hydrants required.

The fire authority will determine the number of fire hydrants to be installed in accordance with UFC.

15.28.060 Location of hydrants.

(1) The fire authority shall determine the location of the hydrants based upon a determination of utility, topography and building location.

(2) The UFC shall govern the location of fire hydrants required by this chapter. All provisions of this code shall govern unless specifically excluded or modified by statements in the body of this chapter.

(3) Fire hydrants shall be within 400 feet of each other. Where this is not feasible, the distance between fire hydrants shall be determined by the fire authority and approved by the water authority.

(4) Hydrants shall be a minimum of 50 feet away from the building or structure. Where that is impossible, they shall be set where chance of injury by falling walls is small and from which men are not likely to be driven by smoke or heat.

15.28.070 Materials and installation.

(1) The document entitled “Standard Specification for Municipal Public Works Construction” shall be the specification which shall govern the material and installation of hydrants and water lines required by this chapter.

(2) All provisions of these specifications as they relate to the activities required by this chapter shall govern unless specifically excluded or modified by statements in the body of this chapter.

15.28.080 Water mains.

(1) All newly installed mains shall be a minimum of eight inches in diameter. All new mains shall be constructed as loop systems where appropriate as determined by the water authority. A minimum 10-foot easement will be required for mains constructed on private property.

(2) The leads from the service main to the hydrant shall be no less than six inches in diameter. Any hydrant leads over 50 feet in length from the water main to the hydrant shall be no less than eight inches in diameter.

15.28.090 Hydrant workmanship.

(1) All hydrants shall stand plumb and be set with the lowest outlet of the hydrant not less than 18 inches above grade.

(2) Each hydrant shall be equipped with two-and-one-half-inch outlets and a steamer port with four-and-one-half-inch outlet National Standard Thread. The steamer port shall also be equipped with five-inch Storz quarter turn coupling complete with cover.

Exception: When it is determined by the fire authority and the city engineer that the Storz coupling is no benefit to the fire authority, this requirement may be waived, and a standard four-and-one-half-inch National Standard Thread steamer port be allowed.

(3) The steamer port shall face the street. Where the street cannot be clearly defined, the fire authority will determine the appropriate alignment of the ports.

(4) There shall be a cleared and level area around the hydrant with a minimum radius of 36 inches.

15.28.100 Hydrant obstructions.

Hydrants shall not be obstructed by any structure or vegetation that would impair sight visibility of the hydrant within a distance of 150 feet in any direction of vehicular approach to the hydrant.

15.28.110 Hydrant protection.

Fire hydrants shall be adequately protected against vehicular damage, when deemed necessary by the fire authority.

15.28.120 Prohibited installation.

The installation of flush-type hydrants is prohibited unless approved by the fire authority.

15.28.130 Exemption.

Where the fire authority determines that practical difficulties, unnecessary hardships, or results inconsistent with the general intent of this chapter would occur from its strict literal interpretation and enforcement, an exemption from the requirements of this chapter may be granted, provided:

(1) The structure is entirely surrounded and adjoined by public space, street or yards not less than 60 feet in width;

(2) The owner agrees to sign a “no protest agreement” to take part in an LID when one is proposed for the installation of fire mains and hydrants. This agreement shall be a covenant running with the land and shall be binding upon all parties and their heirs and assigns until the permanent water main and hydrants conform to the standards and requirements of this chapter.

15.28.140 Interpretation, purpose and conflict.

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public safety. It is not intended by the chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this chapter imposes a greater restriction, the provisions of this chapter shall govern. It is to be noted, however, that where private restrictions are greater than those imposed by this chapter, they are not superseded by the provision of this chapter.

15.28.150 Violation – Penalty.

A violation of any section or provision of this chapter is a misdemeanor punishable by a fine of not more than \$250.00 for each offense. Each day upon which a violation occurs or continues constitutes a separate offense.

Chapter 5.60 FIREWORKS

Sections:

- 5.60.005 Definitions.
- 5.60.010 Permit and state license required – Fee.
- 5.60.015 Fireworks permits – Forms and deadlines.
- 5.60.020 Conditions for sales of fireworks and public display – Permit issuance.
- 5.60.030 Temporary stands.
- 5.60.040 Number of licenses and stands limited.
- 5.60.050 Exploding fireworks legal period designated.
- 5.60.055 Prohibition due to extreme fire danger.
- 5.60.060 Chapter supplementary to state law.
- 5.60.070 Violations – Penalty.
- 5.60.080 Enforcement ~~by fire authority~~.

5.60.005 Definitions.

(1) “Fireworks” means any composition or device designed to produce a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of “articles pyrotechnic” or “consumer fireworks” or “display fireworks” as set forth in Chapter 70.77 RCW.

(2) “Consumer fireworks” means smaller fireworks designed primarily for use by consumers, as further defined by RCW 70.77.136 and WAC 212-17-025.

(3) “Display fireworks” means larger fireworks designed primarily for display and classified as such by the U.S. Department of Transportation, as further defined by RCW 70.77.131 and WAC 212-17-025.

(4) “Public display” means an entertainment feature where the public is or could be invited, admitted and/or permitted to view the display or discharge of display fireworks.

(5) “Extreme fire danger” means a period of hot, dry weather accompanied by low fuel moistures. It is during this period that wildland fires can be expected, and fire growth will be accelerated.

(6) “Fire authority” means the fire ~~chief marshal~~ of the South Kitsap Fire and Rescue District or his/her designee for the purposes of this Chapter.

(7) “Retail sales” means any person who, at a fixed location or place of business, offers for sale, sells, or exchanges for consideration consumer fireworks to a consumer or user.

5.60.010 Permit and state license required – Fee.

No person, firm or corporation shall import, manufacture, transport (except as a public carrier delivering to a licensee), possess, store, sell or offer to sell at retail or wholesale or discharge fireworks inside the city limits of the city of Port Orchard without first obtaining a permit from the city and a license from the state of Washington. The fee for obtaining a city permit shall be \$100.00 per year payable in advance.

5.60.015 Fireworks permits – Forms and deadlines.

(1) Applications for permits required by this chapter shall be submitted to the City in such form and detail as prescribed by the City, in consultation with the fire authority. A separate application shall be required for each site and activity. Applications shall include, at a minimum:

- (a) The application fee;
- (b) Copy of appropriate state licenses;
- (c) A site or discharge plan;

- (d) The names, addresses and telephone numbers of the applicant(s) and responsible party(ies); and
- (e) When applicable, a description of the proposed activity detailing how it satisfies the conditions set forth under POMC 5.60.020.

(2) Permit applications shall be received by the DCD permit center for review by the fire authority:

- (a) No later than 4:30 p.m. on the last official city work day in May for retail sales;
- (b) No later than 4:30 p.m. at least 40 business days prior to the date of an intended public display; and
- (c) Prior to commencing a permitted activity for all other uses.

~~(3) Pursuant to RCW 70.77.280, the city council hereby designates the chief of the fire authority or his or her designee as the person with the authority to grant or deny permits that are sought pursuant to this chapter.~~

(4) Permits issued pursuant to this chapter are nontransferable.

5.60.020 Conditions for sales of fireworks and public display – Permit issuance.

A permit for the sale of fireworks or for public display shall be issued only upon the following terms and conditions:

- (1) The applicant shall have a valid and subsisting license issued by the state of Washington authorizing the holder thereof to engage in the fireworks business, a copy of which shall be filed with the DCD permit center.
- (2) For sales of fireworks, the applicant shall obtain a business license from the city.
- (3) The applicant shall have and keep in full force and effect a policy of insurance approved by the city attorney saving the city harmless for any acts of the licensee in the following amounts: \$500,000 or more for injury to any one person in one accident or occurrence, \$1,000,000 for injury to more than one person for any one accident or occurrence, \$300,000 for injury to property in any one accident or occurrence. Proof of insurance coverage shall be included with the application for a permit and shall be filed with the DCD permit center.
- (4) For sales of fireworks, the location of the proposed place of business shall comply with the zoning ordinances of the city.
- (5) Applicant shall post a \$50.00 deposit conditioned upon the prompt removal of the temporary stand and/or the cleaning up of all debris from the site. If the applicant removes such temporary stand and cleans up all the debris before the tenth day of July each year, he shall be entitled to the return of his \$50.00 deposit.
- (6) Public displays of fireworks shall comply with the provisions of RCW 70.77.280 in that the City, in consultation with the fire authority, shall determine whether the proposed display would pose a hazard to property or a danger to persons. The City, in consultation with the fire authority, shall prepare a written report detailing the findings and recommendations for or against the issuance of the permit. The fire authority report shall be filed with the DCD permit center.

5.60.030 Temporary stands.

All safe and sane consumer fireworks shall be sold only from temporary stands and must conform to the written rules and regulations of the City and fire authority.

5.60.040 Number of licenses and stands limited.

(1) Fourth of July Holiday Period. Each permittee shall be issued a fireworks permit annually and is entitled to only one retail sales outlet.

5.60.050 Exploding fireworks legal period designated.

No person shall use or explode any fireworks within the city except from 11:00 a.m. to 11:00 p.m. on the fourth day of July of any year and except where public displays are authorized pursuant to the laws of the state of Washington.

5.60.055 Prohibition due to extreme fire danger.

The mayor, after consulting with the fire authority, and other officials as may be deemed appropriate, may prohibit the discharge of all fireworks during periods of extreme fire danger. In addition, the city council may, after conducting a public hearing, adopt by resolution emergency limitations or prohibitions on the sale of fireworks during periods of extreme fire danger. Such emergency limitations or prohibitions shall be temporary and the reasons necessitating the emergency limitations or prohibitions shall be clearly defined in the resolution.

5.60.060 Chapter supplementary to state law.

This chapter is intended to implement Chapter 70.77 RCW and shall be construed in connection with the law and any and all rules or regulations issued pursuant thereto.

5.60.070 Violations – Penalty.

(1) Any person failing to comply with Chapter 70.77 RCW or any rules or regulations of the State Fire Marshal, the City, or the fire authority shall be guilty of a violation of this chapter.

(2) Any person violating any of the provisions or failing to comply with the mandatory requirements of this chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor shall be punished by a fine not to exceed \$1,000 or by imprisonment not to exceed 90 days, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation or any provision of this chapter is committed, continued or permitted by any such person.

5.60.080 Enforcement ~~by fire authority.~~

The City Building Official ~~fire authority~~ or ~~his~~ duly authorized representative is designated as the enforcing officer of this chapter.

Chapter 20.200
BUILDING-CITY CONSTRUCTION CODE

Sections:

- 20.200.001 Purpose.
- 20.200.005 Administration.
- 20.200.008 ~~Building codes adopted by reference.~~ [State Building Code Adopted](#)
- 20.200.010 Conflicts between codes.
- 20.200.012 Local amendments of International Building Code.
- 20.200.014 Local amendments of International Residential Code.
- [20.200.016 Local amendments of the International Fire Code](#)
- [20.200.018 Appeals.](#)
- [20.200.020 Violations](#)
- [20.200.022 Penalties and Other Relief.](#)

20.200.001 Purpose.

The purpose of the codes and regulations adopted in this subtitle is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city of Port Orchard. It is not the purpose or intent to create or designate any class or group of persons to be especially protected or benefited, nor is it intended to create any special relationship with any individual.

20.200.005 Administration.

All permits issued pursuant to the codes adopted by reference in this chapter ~~and Chapter 20.204 POMC~~ shall follow a Type I permit process pursuant to Chapter 20.22 POMC.

20.200.008 ~~Building codes adopted by reference.~~ [State Building Code Adopted.](#)

[Pursuant to RCW 35A.12.140,](#) ~~t~~The city of Port Orchard hereby adopts the following codes [of technical compliance](#) by reference, which are incorporated herein; provided, that the amendments, deletions, and additions thereto as provided in this chapter shall govern over the published provisions of the respective adopted code:

- [1. The 2018 edition of the International Building Code as published by the International Code Council \(ICC\), including Appendix E, as adopted and amended by the Washington State Building Code Council \(WSBCC\) in Section 51-50-003 WAC is hereby adopted by reference. Additionally, Appendix B of the 2018 International Building Code is adopted by reference by the City of Port Orchard.](#)

2. The 2018 edition of the International Residential Code as published by the ICC and as adopted and amended by the WSBC in Section 51-51-003 WAC, Additionally, Appendix M of the International Residential Code is adopted by reference by the City of Port Orchard.
3. The 2018 edition of the International Mechanical Code, as published by the ICC, as adopted and amended by the WSBC in Section 51-52-003 WAC is hereby adopted by reference by the City of Port Orchard;
4. The 2018 edition of the International Fire Code, as published by the ICC, as adopted by the WSBC in Section 51-54A WAC is hereby adopted by reference. Additionally, Appendix B of the International Fire Code is adopted by reference by the City of Port Orchard and portions of Appendix D are adopted as shown in POMC 20.200.016;
5. The 2018 edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, and as adopted and amended by the WSBC in Section 51-56-003 WAC is hereby adopted by reference, ~~provided that chapters 12 and 14 of this code are not adopted and provided further that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in chapter 5 and those portions of the code addressing building sewers are not adopted;~~
6. The 2018 Edition of the International Energy Conservation Code, Commercial, as adopted and amended by the Washington State Building Code Council in Chapter 51-11C WAC;
7. The 2018 edition of the International Energy Conservation Code, Residential, as adopted and amended by the Washington State Building Code Council in Chapter 51-11R WAC;
8. The current edition of the International Property Maintenance Code, as published by the ICC; and
9. The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings together with the appendices, as published by the International Conference of Building Officials, is hereby adopted, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A copy of the codes referenced herein shall be kept on file with the city clerk.

~~(1) International Building Code. The 2015 Edition of the International Building Code, published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-50 WAC.~~

~~(a) The following appendices of the International Building Code are specifically adopted in their entirety:~~

~~(i) Appendix B: Board of Appeals;~~

~~(ii) Appendix E: Supplementary Accessibility Requirements; and~~

~~(iii) Appendix F: Rodentproofing.~~

~~(2) International Residential Code. The 2015 Edition of the International Residential Code, published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-51 WAC.~~

~~(a) The following appendices of the International Residential Code are specifically adopted in their entirety:~~

~~(i) Appendix H: Patio Covers; and~~

~~(ii) Appendix M: Home Daycare—R-3 Occupancy.~~

~~(b) The following chapters of the International Residential Code are specifically excluded in their entirety:~~

~~(i) Chapter 41: Appliance Installation;~~

~~(ii) Chapter 42: Swimming Pools.~~

~~(3) International Mechanical Code. The 2015 Edition of the International Mechanical Code, published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-52 WAC.~~

~~(a) The following appendix of the International Mechanical Code is specifically adopted in its entirety:~~

~~(i) Appendix A: Chimney Connector Pass Throughs.~~

~~(4) International Fuel Gas Code. The 2015 Edition of the International Fuel Gas Code published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-52 WAC.~~

~~(5) International Fire Code. (See Chapter 20-204 POMC.)~~

~~(6) Uniform Plumbing Code. Except as provided in RCW 19.27.170, the 2015 Edition of the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials, as adopted by the Washington State Building Code Council in Chapters 51-56 and 51-57 WAC.~~

~~(7) The Washington State Energy Code. The 2015 International Energy Conservation Code/Washington State Energy Code for Commercial and Residential as amended and adopted in Chapter 51-11 WAC.~~

~~(8) The 2015 International Existing Building Code.~~

~~(9) Uniform Code for Abatement of Dangerous Buildings. The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings together with the appendices, as published by the International Conference of Building Officials, is hereby adopted, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the city. A copy of the code referenced herein is on file with the city clerk.~~

20.200.010 Conflicts between codes.

In case of conflict among any of the codes referenced in POMC 20.200.008 as adopted and subsequently amended by this chapter ~~or by Chapter 20-204 POMC, Fire Prevention Code,~~ the first named code as

located in POMC [20.200.008 and the amendments thereto](#) shall govern over those following. In case of conflicts between other codes and provisions adopted by this chapter, the code or provision that is most specific, as determined by the building official, shall apply.

20.200.012 Local amendments of International Building Code.

1. IBC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Building Code herein referred to as "this code."

The International Building Code adopted by reference in this chapter is hereby amended as follows:

2. IBC Section 105.1.1 entitled "Annual Permit," is hereby amended to read as follows:

~~105.1.1 Annual permit:~~

~~105.1.1 Permit Required Prior to Occupancy, Shell Building. When a building is constructed with future suites, units, or tenant spaces which are unfinished and are intended to be occupied at a later date, a separate building permit is required for each space prior to occupancy of any suite, unit or tenant space.~~

~~EXCEPTION: Individual rental units of mini-storage buildings. (c)~~

(2) IBC Section 105.1.2 entitled "Annual Permit Records," is amended to read as follows:

~~105.1.2 Permit Required Prior to Occupancy, Existing Building. A building permit is required and shall be obtained prior to use or occupancy of an existing building or portion thereof.~~

~~EXCEPTIONS:~~

~~1. No building permit is required for the continuous occupancy or use of a building or portion thereof if there is no new construction or change in use, provided the building or portion thereof has previously obtained a building permit, has passed a final inspection, has been issued a certificate of occupancy, and has been continuously occupied in accordance with such permit and certificate of occupancy.~~

~~2. No building permit is required for occupancies in existence prior to the first adoption of the Uniform Building Code in the City of Port Orchard, provided the original use or occupancy has been continuously maintained.~~

~~3. All R-3, and Group U occupancies.~~

~~4. Individual dwelling units of R-1 and R-2 occupancies.~~

~~5. Individual rental units of mini-storage buildings.~~

(1)3. IBC Section 105.2, entitled "Work exempt from permit," subsection "Building:" is hereby amended to read as follows:

Building:

(1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m2).

- (2) Fences not over 6 feet high.
- (3) Oil derricks.
- (4) Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- (5) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (6) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
- (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
- (10) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- (11) Swings and other playground equipment accessory to detached one- and two-family dwellings.
- (12) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.
- (13) Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

~~4-3. (2)~~ IBC ~~Sub~~Section 105.5, entitled "Expiration," is hereby amended to read as follows:

105.5 Expiration.

A. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

B. Notwithstanding the above, if the City has issued a Land Disturbing Activity Permit and/or Stormwater Drainage Permit under Chapters 20.140 and/or 20.150 POMC in conjunction with a building permit for the same site, then the building permit shall expire concurrent with and under the same terms as set forth in Chapters 20.140 and/or 20.150 POMC as the issued Land Disturbing Activity Permit and/or Stormwater Drainage Permit.

4. IBC Section 111.1 is amended to read as follows:

111.1 Use and Occupancy.

A. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

B. When a building is constructed with future tenant spaces to be finished or occupied at a later date, a shell only certificate of occupancy shall be issued. A separate tenant improvement permit is required for each tenant space prior to any tenant occupancy.

C. A certificate of occupancy shall be required prior to occupancy when there is a change in tenant whether or not construction or alterations are performed or proposed and regardless of the use or occupancy classification.

Exceptions:

1. R-3 occupancies.

2. Group U occupancies.

3. Individual dwelling units of R-1 and R-2 occupancies.

4. Individual rental units of mini-storage buildings with S occupancy classification.

5. A second business in the same location as another tenant with the same use classification which already has a Certificate of Occupancy for the space.

6. Individual business license holders within a space with a current Certificate of Occupancy.

7. A business that changes ownership but does not change location, business name, use, or make any structural changes. The new owner is required to provide ownership and business license information to the Department of Community Development Permit Center. An updated certificate will be issued to the new owner.

8. A business that changes its name but does not change location, ownership, use, or make any structural changes. The owner is required to provide updated business license information showing the name change to the Department of Community Development Permit Center. An updated certificate will be issued with the new business name.

D. When a Certificate of Occupancy is required, or a business's ownership or name is changed, an application shall be submitted to the Department of Community Development Permit Center using the applicable city form, along with supporting documentation as required. The fee shall be as adopted under the city's current fee schedule resolution.

5. IBC 903.2.1.1 is hereby adopted to read as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than the level of exit discharge; or
4. The fire area contains a multi theater complex.

6. IBC Section 903.2.1.3 is hereby adopted to read as follows:

903.2.1.3 Group A-3.

An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m2);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

7. IBC Section 903.2.1.4 is hereby adopted to read as follows:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m2);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

8. IBC Section 903.2.13 is hereby adopted to read as follows:

903.2.13 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 10,000 square feet.

9. IBC Section 903.2.4 is hereby adopted to read as follows:

903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancy where one of the following conditions exists:

1. Where a Group F fire area exceeds 10,000 square feet (929 m2);
2. Where a Group F fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m2).
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m2).

10. IBC Section 903.2.7 is hereby adopted to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 10,000 square feet (929 m²);

2. Where a Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).

B. Notwithstanding the above, if the City has issued a Stormwater Management Permit (or site development activity permit (SDAP) under Chapter 20.150 POMC) and building permit for water, wastewater, stormwater, or street improvement structures or fixtures, then the building permit shall expire concurrent with and under the same terms as set forth in Chapter 20.150 POMC as the issued Stormwater Management Permit.

(3) IBC Section 109, entitled "Fees," is hereby amended to add the following new subsection 109.7 as follows:

The Building Official is authorized to waive the Permit Fee and Plan Review specified in the International Building Code and in the Uniform Plumbing Code upon satisfaction of the following conditions:

(1) The permit is for a residential unit of an owner/occupier who is 60 years or older with a maximum annual income, together with all persons in the household, below the poverty line as established by the Office of Management and Budget in Washington D.C.

(2) The work is for essential repairs and improvements, such as insulation, weatherization, roof repairs, structural repairs or essential plumbing repairs.

(3) The owner/occupant of the home completes a form supplied by the Building Official requesting exception from the Building Permit Fees.

(4) IBC Subsection 111.1, entitled "Use and Occupancy," is hereby amended to read as follows:

111.1 Use and Occupancy.

A. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official

has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

B. When a building is constructed with future tenant spaces to be finished or occupied at a later date, a shell only certificate of occupancy shall be issued. A separate tenant improvement permit is required for each tenant space prior to any tenant occupancy.

C. A certificate of occupancy shall be required prior to occupancy when there is a change in tenant whether or not construction or alterations are performed or proposed and regardless of the use or occupancy classification.

Exceptions:

1. R-3 occupancies.

2. Group U occupancies.

3. Individual dwelling units of R-1 and R-2 occupancies.

4. Individual rental units of mini-storage buildings with S occupancy classification.

5. A second business in the same location as another tenant with the same use classification which already has a Certificate of Occupancy for the space.

6. Individual business license holders within a space with a current Certificate of Occupancy.

7. A business that changes ownership but does not change location, business name, use, or make any structural changes. The new owner is required to provide ownership and business license information to the Department of Community Development Permit Center. An updated certificate will be issued to the new owner.

8. A business that changes its name but does not change location, ownership, use, or make any structural changes. The owner is required to provide updated business license information showing the name change to the Department of Community Development Permit Center. An updated certificate will be issued with the new business name.

D. When a Certificate of Occupancy is required, or a business's ownership or name is changed, an application shall be submitted to the Department of Community Development Permit Center using the applicable city form, along with supporting documentation as required. The fee shall be as adopted under the city's current fee schedule resolution.

20.200.014 Local amendments of International Residential Code.

1. IRC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Residential Code for One- and Two-Family dwellings and will be referred to herein as "this code."

[The International Residential Code adopted by reference in this chapter is hereby amended as follows:](#)

[\(1\)2.](#) IRC Section 105.2, entitled "Work exempt from permit," subsection "Building:" is hereby amended to read as follows:

Building:

- (1) One-story detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58 m²).
- (2) Fences not over 6 feet (2134 mm) high.
- (3) Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- (4) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (5) Sidewalks and driveways.
- (6) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (7) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
- (8) Swings and other playground equipment.
- (9) Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- (10) Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling do not serve the exit door required by Section R311.4.
- (11) Roof covering replacement (re-roofing) provided the roof area does not exceed 2100 square feet (21 squares) and further provided the existing sheathing remains in place and no structural work is performed.

[\(12\) Residential siding replacement providing the area does not exceed 1000 square feet and further provided the existing sheathing remains in place and no structural work is performed.](#)

[... The remainder of section 105.2 remains unamended.](#)

(2) IRC Table R301.2(1) is hereby amended by adding the following into the corresponding table blanks:

- (i) Ground Snow Load = ~~30-25~~ lbs psf
- (ii) Wind Speed = ~~85-110~~ mph

[Topographic Effects = No](#)

[Special Wind Region = No](#)

[Wind-Born Debris Zone = No](#)

- (iii) Seismic Design Category = D2
- (iv) Weathering = Moderate
- (v) Frost Line Depth = 12 inches
- (vi) Termite = Slight to Moderate
- (vii) Decay = Moderate to Severe
- (ix) Winter Design Temp = 26
- (x) Ice Shield Underlayment Required = No
- (xi) Flood Hazards = (a) 1980, (b) 1980
- (xii) Air Freezing Index = 148
- (xiii) Mean Annual Temp = 51.4

(3) R313.2 One- and two-family dwellings automatic fire sprinkler systems is hereby amended to read as follows:

R313.2 One- and two-family dwellings automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings where the fire area exceeds 4999 square feet.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

(4) R313.2 is hereby amended to add the following new subsection R313.2.1 as follows:

R313.2.1 Design and installation.

Automatic residential fire sprinkler systems for one -and two- family dwellings shall be designed and installed in accordance with Section P2904 or NFPA 13D.

20.200.016 Local Amendments to the International Fire Code.

1. IFC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Port Orchard Fire Code and will be referred to herein as "this code."

2. IFC Section 202 is amended as follows: [20.204.030 Definitions.](#)

(1) Whenever "municipality" is used in the International Fire Code, it means the city of Port Orchard.

~~(2) Whenever "jurisdiction" is used in the International Fire Code, it means the City of Port Orchard.~~

~~(4) Whenever "Fire Code Official" is used in the international Fire Code it means the Building Official or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.~~

~~(3) Whenever "department of fire prevention" is used in the international Fire Code, it means the fire department serving the jurisdiction.~~

~~(2) Whenever "jurisdiction" or "department of fire prevention" is used in the International Fire Code, it means the fire authority~~

~~(43) Whenever "counsel" is used in the code, it means the city attorney.~~

~~(54) Whenever "police" is used in the code, it means the city of Port Orchard police department.~~

~~(5) Whenever "fire chief" or "fire code official" or "fire department" is used in the code, it means the fire authority.~~

(6) Whenever "fire area" is used in the ~~code~~ International Fire Code, it means the total floor area of all floor levels within the exterior walls and under the horizontal projections of the roof of a building.

(7) Whenever "governing body" is used in the International Fire Code, it means the city council of Port Orchard.

2. IFC Section 202 is amended as follows:

a. The definition of Fire Code Official is amended as follows:

FIRE CODE OFFICIAL: The Fire Code Official shall be designated by Resolution of the City Council.

3. IFC Section 308.1.6.3 Sky Lanterns is amended as follows:

A person shall not release or cause to be released an untethered sky lantern. In addition, ~~t. Sky Lanterns are any unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.~~ The sale and/or distribution of Sky Lanterns is prohibited in the City of Port Orchard.

4. IFC Section 503 is hereby adopted to read as follows:

503. Section 503, ~~including those provisions that are not adopted by the Washington State Building Code in WAC 51-54A-0503,~~ is hereby adopted ~~in its entirety~~ by Port Orchard as IFC Section 503 amended

[to read as set forth in the 2015 International Fire Code and as amended in subsections \(A\) through \(D\) of this section follows:-](#)

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every building, facility or portion of building or facility hereafter constructed or moved into or within the jurisdiction. The fire apparatus access shall comply with the requirements of this section and shall extend to within 150 [feet](#) (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45720 mm) where [any of the following conditions occur](#):

1.1 The building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2 Fire apparatus access roads cannot be installed [in conformance with these Standards due because of location on property, to](#) topography, [critical areas](#), waterways, non-negotiable grades, ~~[critical areas](#)~~ or other similar conditions, and an approved alternative means of fire protection is provided.

1.3 There are not more than two (2) Group R-3 (single-family dwellings) [or Group U](#) occupancies.

1.4 Where the fire apparatus access road serves only residential accessory building/occupancies (private garages, carports, sheds, agricultural buildings), as defined by the International Building Code.

[2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.](#)

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), inclusive of bike lanes, shoulders, flat and mountable curbs exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds (34 050 kg), and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning Radius: The required turning radius of a fire apparatus access road shall be consistent with the city's public works standards and where no standard is specified in the public works standards, shall be determined by the fire code official.

~~Turning Radius. Fire apparatus access roads serving single-family residential buildings shall have a minimum 25-foot inside radius. Access roads serving commercial buildings and facilities shall have a minimum 35-foot inside radius. All turning radius dimensions shall be made to the edge of the roadway surface.~~

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with [AASHTO HB-17](#). Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7. Grade. The grade (slope) of fire apparatus access roads shall not exceed 12% as measured from the roadway centerline. At no point along the centerline shall the road grade exceed 12%.

Exception: The grade of the fire apparatus access road may be increased if buildings or facilities are equipped with an approved automatic fire sprinkler system when approved by the fire district chief and Fire Code Official.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstructions of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. When posted in accordance with section 503.3, owners or operators of vehicles shall be liable for a fine in accordance with ~~Kitsap County Code 2.116. Sheriff Deputies~~[The Police Department](#) may assist the Fire Code Officials with enforcement of this section.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the ~~fire code official~~[Public Works Director after soliciting input on the proposed device from the Fire Chief and Fire Code Authority](#).

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with [UL 325](#). Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of [ASTM F2200](#).

503.5.1 Secured gates and barricades. Where required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by [Section 503.5](#) shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with [UL 325](#). Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of [ASTM F2200](#).

~~503.7 Residential Private Access. Group R-3, R-4, or Group U occupancies allowed on a private access if a residential sprinkler system is installed in each new structure.~~

~~Exception: There are not more than two Group R-3, R-4, or Group U occupancies~~

[503.7 Residential Non-Conforming Existing Private Access . Group R-3, R-4, or Group U occupancies allowed on an existing, non-conforming private access if a residential sprinkler system is installed in each new structure.](#)

[Exception: There are not more than two Group R-3, R-4, or Group U occupancies.](#)

5. IFC Section 903 is amended to read as follows:

~~903.1.2 For the purpose of this section, for determining fire-extinguishing system requirements, fire-walls shall not define separate buildings.~~

~~903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section:~~

~~Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire resistance-rated floor/ceiling assemblies.~~

~~1. Where this code requires the installation of an automatic sprinkler system to protect an occupancy within an otherwise non-sprinkler building, then automatic sprinkler protection will be required throughout the entire building.~~

~~2. Portions of buildings which are separated by one or more four-hour area-separation walls constructed in accordance with the International Building Code, without openings and provided with a 30-inch (762 mm) parapet, are allowed to be considered as separate fire areas.~~

5. 903.2.1.1 Group A-1 is hereby amended/adopted to read as follows. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than the level of exit discharge; or
4. The fire area contains a multi theater complex.

6. 903.2.1.3 Group A-3 is hereby amended/adopted to read as follows. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);

2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

7. 903.2.1.4 Group A-4 is hereby amended adopted to read as follows. ~~An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:~~

An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

903.2.13 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 10,000 square feet.

8. 903.2.4 Group F is hereby amended adopted to read as follows. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancy where one of the following conditions exists:

1. Where a Group F fire area exceeds 10,000 square feet (929 m²);
2. Where a Group F fire area is located more than three stories above grade plane.

3.The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

4.A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

9. 903.2.7 Group M is hereby amended adopted to read as follows. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 10,000 square feet (929 m²);
2. Where a Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m2).

4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m2).

~~903.2.8 Group R. An automatic sprinkler system in accordance with Section 903 shall be provided throughout buildings containing a Group R occupancy;~~

~~1. The fire area exceeds 10,000 square feet (929 m2);~~

~~903.2.9 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exist:~~

~~1. Where a Group S fire area exceeds 10,000 square feet (929 m2);~~

~~2. Where a Group S fire area is located more than three stories above grade plane.~~

10. 903.2.9 Group S-1 is hereby amended/adopted to read as follows.

An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 10,000 square feet (929 m2).

2. A Group S-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines exceeds 24,000 square feet (2230 m2).

4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m2).

5. A group S-1 occupancy used for self-storage where the fire area exceeds 2,500 square feet (232 m2).

~~903.2.9.2 Bulk storage of tires.~~

Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m3) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. All other subsections of IFC 903.2.9 remain unamended.

903.2.9.3 Group S-1 upholstered furniture and mattresses.

An automatic sprinkler system shall be provided throughout a Group S-1 fire area where the area used for the storage of upholstered furniture exceeds 2,500 square feet (232m²).

Exception: Self-service storage facilities no greater than one story above grade plane where all storage spaces can be accessed directly from the exterior.

5. IFC Section 907 is amended to read as follows: [From 20.204.100]

Section 907:

907.2 Where required—new buildings and structures. An approved manual and automatic fire alarm system shall be provided in all Group A, B, F, M and S occupancies having 4,000 square feet or greater of total floor area. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. Where automatic sprinkler protection installed in accordance with Section 903.3 is provided and connected to the building fire alarm system, automatic detection required by this section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.3. The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be allowed.

6. IFC Section 107.3.1 and 107.3.2 are hereby added to ... [From POMC 20.204.100]

107.3.1 Required Maintenance. All installed fire protection systems regardless of whether or not such system is required by this code shall be maintained in an approved operable condition at all times and shall be immediately repaired or replaced when found to be defective.

107.3.2 Registration and system reporting. Any firm, corporation or individual doing fire protection system testing, repair or maintenance shall register with the Inspection Reporting Online (IROL) program administered by South Kitsap Fire and Rescue. Within 30 days of performing any testing, repair or maintenance the firm, corporation or individual performing the work shall report such work through the IROL system.

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~~EXCEPTION: The fire code official may reduce requirements for the fire alarm system for buildings protected by an approved automatic sprinkler system.~~

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7. Appendix B Section B104.2 is hereby amended as follows:

~~B104.2 Area separation. Portions of buildings which are separated by one or more four-hour area separation walls, constructed in accordance with the Building Code, without openings and provided with a 30-inch (762 mm) parapet, are allowed to be considered as separate fire flow calculation areas.~~

8. Appendix D. The following sections of IFC Appendix D are hereby adopted to read as follows:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code as adopted and amended in this chapter.

D102.1 Access and Loading. [This section is not adopted].

D103.1 Access road width with a hydrant. [This section is not adopted]

D103.2. Grade. [This section is not adopted]

D103.3 Turning Radius. [This section is not adopted]

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

D103.5. Fire apparatus access gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

D103.6. Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

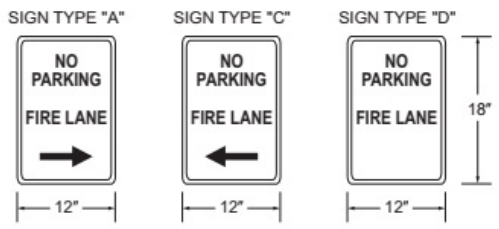


FIGURE D103.6 FIRE LANE SIGNS

D104. [This section is not adopted]

D105. Aerial Fire Apparatus Access Road. This section shall not apply to the

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 20 feet (7925 mm), inclusive of bike lanes, shoulders, flat and mountable curbs, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

D106 [This section is not adopted]

D107 [This section is not adopted]

20.200.018 Appeals.

Whenever the fire code authority shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the codes do not apply or that the true intent and meaning of the codes have been misconstrued or wrongly interpreted, the applicant may appeal from the

[decision of the fire authority within 30 days from the date of the decision in accordance with Section 108 of the 2018 Edition of the International Fire Code, as adopted herein.](#)

20.200.020 Violations.

[\(1\) Any person who shall violate any of the provisions of the codes hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall for each and every such violation and noncompliance respectively be subject to the penalties and provisions specified in POMC 20.200.022.](#)

[\(2\) Each day or portion of a day in which a violation occurs or is allowed to continue shall constitute a separate offense and may be punished as such.](#)

20.200.022 Penalties and other relief.

[\(1\) Civil Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC 20.200.020, shall constitute a civil infraction subject to a penalty in the amount of \\$250.00, not including statutory penalties, per violation;](#)

[\(2\) Criminal Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC 20.204.060, shall constitute a misdemeanor, punishable by a fine of not more than \\$1,000, or by imprisonment for not more than 90 days, or by both such fine and imprisonment;](#)

[\(3\) Nuisance, Abatement, and Injunctive Relief. In addition or alternative to any other provision of this chapter, any violations of this chapter, or of any lawful notice or order issued hereunder shall constitute a public nuisance. The fire code authority or designee shall have the right to seek injunctive relief in a court of competent jurisdiction, to abate such violation as a public nuisance or dangerous building, or to exercise any and all other legal remedies to stop and/or correct such violations.;](#)

(4) Other Legal or Equitable Relief. Notwithstanding the existence or use of any other remedy, the director or his/her designee may seek legal or equitable relief to enjoin any acts or practices or abate any conditions which constitute or will constitute a violation of the provisions of this chapter;

(5) Other Remedies. In addition or as an alternative to any other remedies provided herein, the fire code authority or designee may issue stop work orders, notices to vacate and/or keep out, and other lawful notices and orders. Any person removing such notices and orders without the permission of the fire authority or designee shall be guilty of a misdemeanor; and

[\(6\) Recovery of Expenses. All expenses incurred by the City in correcting the violation shall be billed to the property owner and/or person responsible for the violation, and shall become due and payable to the City within 10 calendar days. Such costs may include, but are not limited to, the following:](#)

[\(a\) "Legal expenses," which shall include, but are not limited to:](#)

(i) Personnel costs, both direct and indirect, including attorney's fees and all costs incurred by the City attorney's office or its designee;

(ii) Actual and incidental expenses and costs incurred by the City in preparing notices, contracts, court pleadings, and all other necessary documents; and

(iii) All costs associated with retention and use of expert witnesses or consultants.

(b) "Abatement expenses," which shall include, but are not limited to:

(i) Costs incurred by the City for preparation of notices, contracts, and related documents;

(ii) All costs associated with inspection of the abated property and monitoring of said property consistent with orders of compliance issued by the City's hearing examiner or a court of competent jurisdiction;

(iii) All costs incurred by the City for hauling, storage, disposal, or removal of vegetation, trash, debris, dangerous structures or structures unfit for occupancy, potential vermin habitat or fire hazards, junk vehicles, obstructions to public rights-of-way, and setback obstructions;

(iv) All costs incurred by law enforcement or related enforcement agencies;

(v) All costs incurred by the City during abatement of nuisance and code violations may include interest in an amount as prescribed by law; and

(c) The City shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this chapter, and all other related costs including attorney and expert witness fees, against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and county taxes, with which it shall be on parity.

Chapter 20.204 FIRE PREVENTION CODE

Sections:

20.204.010 International Fire Code, 2018 Edition, adopted.

20.204.020 Enforcement.

20.204.030 Definitions.

20.204.040 District limits for storage of flammable and combustible liquids, liquefied petroleum gases, and explosives.

20.204.050 Appeals.

20.204.060 Violations.

20.204.090 Penalties and other relief.

20.204.100 Local amendments to the 2018 Edition of the International Fire Code.

20.204.130 Reserved.

20.204.140 Reserved.

20.204.150 Reserved.

20.204.010 International Fire Code, 2018 Edition, adopted.

The 2018 Edition of the International Fire Code, as adopted by the Washington State Building Code Council, including amendments, is hereby adopted, together with Appendices B and D, except as to local amendments as set forth in POMC [20.204.100](#), as the official fire prevention code of the city of Port Orchard, as though fully set forth herein. One copy is on file in the office of the city clerk. (004-21 § 2; Ord. 019-17 § 18 (Exh. 1)).

20.204.020 Enforcement.

The codes hereby adopted or now in effect shall be enforced by the fire authority. (Ord. 019-17 § 18 (Exh. 1)).

20.204.030 Definitions.

- (1) Whenever “municipality” is used in the International Fire Code, it means the city of Port Orchard.
- (2) Whenever “jurisdiction” or “department of fire prevention” is used in the International Fire Code, it means the fire authority.
- (3) Whenever “counsel” is used in the code, it means the city attorney.
- (4) Whenever “police” is used in the code, it means the city of Port Orchard police department.
- (5) Whenever “fire chief” or “fire code official” or “fire department” is used in the code, it means the fire authority.
- (6) Whenever “fire area” is used in the code, it means the total floor area of all floor levels within the exterior walls and under the horizontal projections of the roof of a building.
- (7) Whenever “governing body” is used in the International Fire Code, it means the city council of Port Orchard. (Ord. 019-17 § 18 (Exh. 1)).

20.204.040 District limits for storage of flammable and combustible liquids, liquefied petroleum gases, and explosives.

The limits referred to in Chapter 57 of the fire prevention code in which storage of flammable and combustible liquids in outside aboveground storage tanks is prohibited, the limits referred to in Chapter 61 of the fire prevention code in which bulk storage of liquefied petroleum gas is restricted, and the limits referred to in Chapter 56 of the fire prevention code, in which storage of explosives and blasting agents is prohibited, are established as follows:

Beginning at the intersection of the outer harbor line and the west boundary of the city; thence southerly along the west boundary to the southerly margin of Bay Street thence northeasterly along the southerly margin to the projected centerline of alley in Block 2, original plat of Sidney; thence east along the centerline of the alley to the intersection with the centerline at Cline Street; thence north to the centerline of the alley in Block 7, original plat of Sidney; thence east to the centerline of Austin Avenue; thence north to the centerline of Kitsap Street; thence east to the centerline of Seattle Street; thence north to a point two hundred feet south of the centerline of Bay Street; thence parallel to the centerline of Bay Street easterly to the centerline of Blackjack Creek to the west line of Maple Street Waterway projected southerly; thence northerly along the west line of Maple Street Waterway to the outer harbor line; thence southwesterly along the outer harbor line to the point of beginning.

(Ord. 019-17 § 18 (Exh. 1)).

20.204.050 Appeals.

Whenever the fire authority shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the codes do not apply or that the true intent and meaning of the codes have been misconstrued or wrongly interpreted, the applicant may appeal from the decision

of the fire authority within 30 days from the date of the decision in accordance with Section 108 of the 2015 Edition of the International Fire Code, as adopted herein. (Ord. 019-17 § 18 (Exh. 1)).

20.204.060 Violations.

(1) Any person who shall violate any of the provisions of the codes hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall for each and every such violation and noncompliance respectively be subject to the penalties and provisions specified in POMC [20.204.090](#).

(2) Each day or portion of a day in which a violation occurs or is allowed to continue shall constitute a separate offense and may be punished as such. (Ord. 019-17 § 18 (Exh. 1)).

20.204.090 Penalties and other relief.

(1) Civil Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC [20.204.060](#), shall constitute a civil infraction subject to a penalty in the amount of \$250.00, not including statutory penalties, per violation;

(2) Criminal Penalty. In addition or alternative to any other penalty provided herein or by law, any violation of this chapter, as specified in POMC [20.204.060](#), shall constitute a misdemeanor, punishable by a fine of not more than \$1,000, or by imprisonment for not more than 90 days, or by both such fine and imprisonment;

(3) Nuisance, Abatement, and Injunctive Relief. In addition or alternative to any other provision of this chapter, any violations of this chapter, or of any lawful notice or order issued hereunder shall constitute a public nuisance. The fire authority or designee shall have the right to seek injunctive relief in a court of competent jurisdiction, to abate such violation as a public nuisance or dangerous building, or to exercise any and all other legal remedies to stop and/or correct such violations. In all such proceedings, the business, agency, property owner, and/or other person or entity responsible for the violation(s) shall be required to pay all of the fire authority's or designee's legal costs, including reasonable attorney's fees accrued in bringing and enforcing such legal action;

(4) Other Legal or Equitable Relief. Notwithstanding the existence or use of any other remedy, the director or his/her designee may seek legal or equitable relief to enjoin any acts or practices or abate any conditions which constitute or will constitute a violation of the provisions of this chapter; or

(5) Other Remedies. In addition or alternative to any other remedies provided herein, the fire authority or designee may issue stop work orders, notices to vacate and/or keep out, and other lawful notices and orders. Any person removing such notices and orders without the permission of the fire authority or designee shall be guilty of a misdemeanor. (Ord. 019-17 § 18 (Exh. 1)).

20.204.100 Local amendments to the 2018 Edition of the International Fire Code.

The city of Port Orchard adopts, as local amendments, and further amends the following sections of the 2018 Edition of the International Fire Code as adopted by the Washington State Building Code Council, including amendments to Appendices B and D as follows:

Section 102.7:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference as interpreted by the fire code official. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

Section 105.6:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.2, except for 105.16.

Section 105.7:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.18.

308.1.6.3 Sky Lanterns. Sky Lanterns are any unmanned device with a fuel source that incorporates an open flame in order to make the device airborne. The sale, use or distribution of Sky Lanterns is prohibited.

Section 503:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 35ft. inside radius and 48ft. outside radius for commercial and 25ft. inside and 40ft. outside radius for residential.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The gradient of the fire apparatus access road shall not exceed 12%.

Exception: Gradient of the fire apparatus access road may be increased up to 15% if all buildings are protected by an approved auto-

matic fire sprinkler system. Gradients of fire apparatus access road in excess of 15% will require the approval of the Fire Chief.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based upon the department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words FIRE LANE – NO PARKING shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official.

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

503.7 Residential Private Access. Group R-3, R-4, or Group U occupancies allowed on a private access if a residential sprinkler system is installed in each new structure.

Exception: There are not more than two Group R-3, R-4, or Group U occupancies.

Section 903:

903.1.2 For the purpose of this section, for determining fire extinguishing system requirements, fire walls shall not define separate buildings.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section:

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire resistance-rated floor/ceiling assemblies.

1. Where this code requires the installation of an automatic sprinkler system to protect an occupancy within an otherwise non-sprinkler building, then automatic sprinkler protection will be required throughout the entire building.
2. Portions of buildings which are separated by one or more four-hour area separation walls constructed in accordance with the International Building Code, without openings and provided with a 30-inch (762 mm) parapet, are allowed to be considered as separate fire areas.

903.2.1.1 Group A-I. An automatic sprinkler system shall be provided for Group A-I occupancies where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more;

3. The fire area is located on a floor other than the level of exit discharge; or
4. The fire area contains a multi theater complex.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 10,000 square feet (929 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

903.2.13 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 10,000 square feet.

903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing Group F occupancy where one of the following conditions exists:

1. Where a Group F fire area exceeds 10,000 square feet (929 m²);
2. Where a Group F fire area is located more than three stories above grade plane.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 10,000 square feet (929 m²);
2. Where a Group M fire area is located more than three stories above grade plane.

903.2.8 Group R. An automatic sprinkler system in accordance with Section 903 shall be provided throughout buildings containing a Group R occupancy:

1. The fire area exceeds 10,000 square feet (929 m²);

903.2.9 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exist:

1. Where a Group S fire area exceeds 10,000 square feet (929 m²);

2. Where a Group S fire area is located more than three stories above grade plane.

Section 907:

907.2 Where required – new buildings and structures. An approved manual and automatic fire alarm system shall be provided in all Group A, B, F, M and S occupancies having 4,000 square feet or greater of total floor area. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. Where automatic sprinkler protection installed in accordance with Section 903.3 is provided and connected to the building fire alarm system, automatic detection required by this section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.3. The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be allowed.

107.3.1 Required Maintenance. All installed fire protection systems regardless of whether or not such system is required by this code shall be maintained in an approved operable condition at all times and shall be immediately repaired or replaced when found to be defective.

107.3.2 Registration and system reporting. Any firm, corporation or individual doing fire protection system testing, repair or maintenance shall register with the Inspection Reporting Online (IROL) program administered by South Kitsap Fire and Rescue. Within 30 days of performing any testing, repair or maintenance the firm, corporation or individual performing the work shall report such work through the IROL system.

EXCEPTION: The fire code official may reduce requirements for the fire alarm system for buildings protected by an approved automatic sprinkler system.

Appendix B:

B104.2 Area separation. Portions of buildings which are separated by one or more four-hour area separation walls, constructed in accordance with the Building Code, without openings and provided with a 30-inch (762 mm) parapet, are allowed to be considered as separate fire-flow calculation areas.

Appendix D:

D103.2 Grade. New fire apparatus access roads shall not exceed 12 percent in grade.

Exception: Grades steeper than 10 percent as approved by the fire chief. Gradient of the fire apparatus access road may be increased up to 15% if all buildings are protected by an approved automatic fire sprinkler system. Gradients of fire apparatus access roads in excess of 15% will require approval of the fire chief.

(Ord. 004-21 § 3; Ord. 019-17 § 18 (Exh. 1)).

20.204.130 Schedule of bails.

Reserved.

20.204.140 Smoke detection devices in dwelling units.

Reserved.

20.204.150 Automatic fire sprinklers.¹

Reserved.

¹Code reviser's note: For fire sprinkler provisions, see Chapter [20.206](#) POMC.



City of Port Orchard

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

Agenda Staff Report

Agenda Item No.: Business Item 8F
 Subject: Adoption of an Ordinance Adopting the
2021 Amendments to the City
Comprehensive Plan

Meeting Date: December 21, 2021
 Prepared by: Nicholas Bond, AICP
Development Director
 Atty Routing No: N/A
 Atty Review Date: N/A

Summary: The City initiated and received several amendments to the Comprehensive Plan by the deadline of January 31, 2021. The following amendments were approved to be placed on the docket by the City Council:

City-Initiated Text Amendments

- Capital Facilities Element. This element has been amended to include information about the City Hall space analysis prepared by Rice Fergus Miller in 2016, and to include a new policy regarding the development of the South Kitsap Community Events Center (SKCEC).
- Utilities Element. This element has been amended with updated tables for the Sewer System Capital Improvement Plan and the Water System Capital Improvement Plan.
- Parks Element. The Parks Element will be replaced by a new Parks, Recreation and Open Space Plan. ***At this time the Parks Plan and revision to the parks element is not finished. Staff has removed this proposed amendment from the 2021 comprehensive plan amendment package.
- Appendix B (Plans Adopted by Reference). Appendix B has been updated to include the 2016 City Hall Space Analysis, as well as updates to the City’s Capital Facilities Plan, Water System Plan, Sanitary Sewer Plan, and 6 Year/20 Year Transportation Improvement Plan (TIP). The 2017 Blackjack Creek Watershed Assessment and Protection & Restoration Plan has replaced the 1987 Blackjack Creek Comprehensive Management Plan.
- 6-Year TIP. The updated 2021 TIP will extend 6-year funded transportation projects on the TIP to 2022-2027, and adopt a long-range (2028-2041) unfunded TIP.

He Site-Specific (Land Use Map) Amendment

- A private-party amendment to the Comprehensive Plan land use map was submitted by He Development LLC, to request that a 1.94-acre parcel located at 1932 SE Salmonberry Rd be redesignated/rezoned from Residential Low Density/R1 to Residential Medium Density/R3. The intent of the request is to provide a driveway access and parking for a proposed multifamily development on an adjoining Commercial Corridor-zoned property to the south.

The City Council reviewed the Comprehensive Plan amendments at their November 16 work-study meeting, and directed staff to bring the amendments to the full Council for review after the Planning Commission had held a public hearing. The Planning Commission held a public hearing at its December 7,

2021 meeting, and voted to recommend that the City Council approve the amendments as presented with the exception of the parks plan and element which remain unfinished.

Relationship to Comprehensive Plan: Pursuant to RCW 36.70A.470 and 36.70A.106, the City may annually adopt amendments to the City's Comprehensive Plan.

Recommendation: City staff recommends that the City Council approve an Ordinance adopting the 2021 amendments to the City's Comprehensive Plan, as presented.

Motion for consideration: "I move to adopt an Ordinance adopting the 2021 amendments to the City's Comprehensive Plan, as presented."

Fiscal Impact: The amendments to the water, sewer, and transportation improvement programs relates to impact fee and CFC rates and proposed future spending by and revenue to the city.

Alternatives: Revise the proposed Comprehensive Plan amendments; do not adopt amendments to the Comprehensive Plan.

Attachments:

1. Ordinance
2. Amended Capital Facilities Element
3. Amended Utilities Element
4. Amended Appendix B
5. Amended TIP
6. He Site-Specific Amendment Application

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO THE PORT ORCHARD COMPREHENSIVE PLAN ADOPTED UNDER THE STATE OF WASHINGTON'S GROWTH MANAGEMENT ACT, CHAPTER 36.70A RCW; ADOPTING AMENDMENTS TO THE CAPITAL FACILITIES AND UTILITIES ELEMENTS OF THE COMPREHENSIVE PLAN; ADOPTING AN AMENDMENT TO THE CITY'S SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; ADOPTING AN AMENDMENT TO APPENDIX B OF THE PORT ORCHARD COMPREHENSIVE PLAN; ADOPTING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN LAND USE MAP; ADOPTING AN AMENDMENT TO THE CITY ZONING MAP; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, with the passage of the Washington State Growth Management Act in 1990 (GMA), Chapter 36.70A RCW, local governments are required to adopt a comprehensive plan that outlines strategies to accommodate the needs of a growing population; and

WHEREAS, in June 1995, the City Council adopted a Comprehensive Plan for the City of Port Orchard and its urban growth area pursuant to the requirements set forth in the GMA; and

WHEREAS, the City of Port Orchard completed its most recent periodic update of its comprehensive plan in June 2016, as required by the GMA; and

WHEREAS, the City may annually adopt amendments to the City's Comprehensive Plan pursuant to RCW 36.70A.470 and 36.70A.106; and

WHEREAS, the City initiated and received submittals for Comprehensive Plan amendments by the required deadline date of January 31, 2021; and

WHEREAS, the amendment submittal proposes revisions and updates to the City's transportation improvement program (TIP), Capital Facilities and Utilities Elements of the Comprehensive Plan, Appendix B of the Comprehensive Plan, the Comprehensive Plan Land Use Map, and the City Zoning Map; and

WHEREAS, on July 13, 2021, notice of the proposed amendments to the City's Comprehensive Plan was sent to the Washington State Department of Commerce at least sixty days before the amendments were adopted, in accordance with RCW 36.70A.106; and

WHEREAS, on October 20, 2021, a SEPA Determination of Non-Significance was issued, and provided to the public, agencies and other interested parties in accordance with the requirements of POMC Chapter 20.04.080, and published in the newspaper and on the City website, and

emailed to the Washington Department of Ecology; and

WHEREAS, on November 29, 2021, a Notice of Hearing was published in the City's newspaper of record advertising a public hearing to be held by the Planning Commission on the proposed 2021 Comprehensive Plan amendments, and the notice was provided to the public, agencies and other interested parties in accordance with the requirements of POMC Chapter 20.04.080; and

WHEREAS, on November 16, 2021, the City Council held a public work-study meeting to review the 2020 Comprehensive Plan amendments and consider the recommendation of the Planning Commission; and

WHEREAS, on December 7, 2021, the Planning Commission held a public hearing on the 2021 Comprehensive Plan amendments, and voted unanimously to recommended approval of the amendments to City Council; and

WHEREAS, on December 21, 2021, the City Council held a Regular Meeting and considered the Planning Commission's recommendation and find it in the public interest to adopt the proposed amendments to the City's Comprehensive Plan; now, therefore

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby adopts the above recitals as findings in support of this Ordinance.

SECTION 2. The City Council finds that the amendments adopted by this Ordinance are consistent with the goals and policies of the City's adopted 2016 Comprehensive Plan, and are consistent with the state Growth Management Act and other applicable law.

SECTION 3. The City Council finds that the amendments adopted by this Ordinance will not, individually or cumulatively, result in adverse effects to the public health, safety or welfare.

SECTION 4. The City Council finds that no adverse impacts to the environment are anticipated to result from the amendments adopted by this Ordinance.

SECTION 5. The City Council finds that the amendments adopted by this Ordinance are consistent with the land uses and growth projects which were the basis of the adopted Comprehensive Plan, are compatible with neighboring land uses and surrounding neighborhoods, and are not anticipated to cause adverse impacts to public services or facilities.

SECTION 6. Adoption of Amendments to Comprehensive Plan. In accordance with the above-described Findings and Conclusions, the City Council hereby amends the Port Orchard Comprehensive Plan by approving and adopting the 2021 amendments to the Port Orchard Comprehensive Plan. Such amendments are attached to this Ordinance as Exhibit 1 and incorporated herein by this reference as if set forth in full. The amendments include revisions to the following sections and elements: Capital Facilities Element; Utilities Element; Six-Year Transportation Improvement Program (TIP); Appendix B to the Comprehensive Plan; and the Comprehensive Plan Land Use Map.

SECTION 7. Adoption of Amended City of Port Orchard Zoning Map. The City of Port Orchard Zoning Map is hereby amended and adopted as set forth in Exhibit 2, which is attached hereto and incorporated herein by this reference as if set forth in full.

SECTION 8. Severability. If any sentence, section, provision, or clause of this Ordinance or its application to any person, entity or circumstance is for any reason held invalid or unconstitutional, the remainder of the Ordinance, or the application of the provision to other persons, entities, or circumstances is not affected.

SECTION 9. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

SECTION 10. Publication and Effective Date. This Ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by state law.

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 21st day of December 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte A. Archer, City Attorney

Scott Diener, Councilmember

PUBLISHED:
EFFECTIVE DATE:

ATTACHMENTS:

Exhibit 1: 2021 Amendments to the Comprehensive Plan including:

1. Capital Facilities Element
2. Utilities Element
3. Appendix B
4. Land Use Map
5. TIP

Exhibit 2: 2021 Amended City Zoning Map

Chapter 9. Capital Facilities

9.1. Introduction

This Capital Facilities Element of the 2016 Comprehensive Plan provides information about the City's existing public facilities, and the need for future facilities to address the requirements of a growing population. The Capital Facilities Element, in conjunction with the City's Capital Facilities Plan (CFP) and Capital Improvements Program (CIP), provide guidance for the City to achieve its goals of providing the appropriate public facilities and desirable levels of public services to its residents and businesses.

Capital Facilities Vision

Provide outstanding community facilities that serve the needs of a growing and changing city. Maintain existing community facilities and develop additional facilities to address the city's growth and evolving needs. New facilities should address multiple objectives, such as creating new open space and enhancing neighborhood character, even as they serve basic functional requirements.

Ensuring that public facilities are available when growth occurs is critical to the quality of life for Port Orchard's residents. The implementation of the Capital Facilities Element and related plans will help realize the community's vision for outstanding community facilities, as well as the vision and goals of the Land Use Element. This Element also functions in coordination with the Comprehensive Plan's Utilities, Parks and Transportation elements and functional system plans for water, wastewater and stormwater. These are discussed in more detail in Section 9.3.

The state requires the City to demonstrate that all capital facilities serving its population have been considered and that planning is done in a coordinated and comprehensive fashion. The Public Facilities and

Services Goal of the Growth Management Act (GMA) requires that the level of service ("LOS") of public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use, without decreasing current service levels below locally established minimum standards ("the concurrency requirement"). Kitsap County's Countywide Planning Policies also require the City to ensure that its growth plans are consistent with the CIP and that adequate public facilities and services are or will be available to serve the City's population allocation through the planning period. If limited funding or other circumstances would prevent the city from providing adequate facilities and services, the Growth Management Act requires the city to re-evaluate the Land Use Element and make sure that capital facilities plans and land use plans are consistent.

The City of Port Orchard owns and manages a variety of capital facilities, including roads, parks, utility systems, police facilities, and administrative buildings. In addition to the facilities owned and managed by the City, there are publicly-owned capital facilities managed by other entities which meet some of Port Orchard's capital facility needs. These include, but are not limited to, schools, library, sewage treatment, and public transit. Privately owned utilities (electrical, natural gas, and telecommunications) conduct their own planning processes and maintain their own system plans. The City influences private system

planning through its authority to regulate land uses and its obligation to develop and maintain a Comprehensive Plan.

The City uses its capital facilities and functional plans, with guidance from the Comprehensive Plan, to make planning and budgetary decisions about the need and timing for construction of new facilities, improvements to existing facilities, the levels of service provided by those facilities, and how to fund and maintain these needs. Planning decisions should also address the evolving and adaptive role of technology in the provision of capital facilities.

The complete list of capital facility improvements planned in the next seven years is provided in the City's Capital Improvements Program (CIP), which is described in Section 9.3. The CIP and the functional plans provide a complete facility inventory, as well as needs, projected costs, and funding sources.

9.2. Inventory and Identified Needs

9.2.1 Administration and Service Facilities

Facility	Location	Size (sq ft)
City Hall (includes Police Station and Municipal Court)	216 Prospect Street	28,370
Public Works Shop	1535 Vivian Court	6,000
South Shed	2051 Sidney Avenue	3,811
Active Club	1026 Tacoma Avenue	7,500
Police Shooting Range	1278 Lloyd Parkway	N/A
Library	87 Sidney Avenue	8,586
Community Development Department Building	720 Prospect Street	2,925

The City's Capital Facilities Plan provides a detailed description and analysis of the City's current capital facilities, as summarized below:

City Hall

The primary municipal building is the City Hall, which was built in 1999. It contains all of the City's departments and staff, except for the Public Works crew.

The CFP established the level of service for administrative space (including police and courts) at 2,408 sq ft per 1,000 residents. The state's Office of Financial Management estimated the City's 2015 population at 9,950. The City's 2036 target population



allocation is 20,558. City Hall also requires some maintenance and improvements, as identified in the CFP. In 2016, the City contracted with Rice Fergus Miller, Inc to prepare a facilities space analysis for the City Hall. This analysis, which has been included in Appendix B of the City's Comprehensive Plan (Plans Adopted by Reference), found that the Port Orchard City Hall's net usable area was approximately 64% of the area provided in the city halls for Gig Harbor and Poulsbo, which are smaller cities. The analysis recommended that approximately 10,592 gross square feet be added to City Hall through 2025, based on the City's projected population growth, in order to maintain and improve work space and customer service. Parking should also be provided for an expansion.

The Police Department currently occupies approximately 5,500 sq ft on the ground floor of City Hall. The Police Department has indicated that it requires approximately 10,000-15,000 additional square feet of office space with 3,000-5,000 sq ft of storage to meet its needs for the next 20 years. The City should review options for providing the additional space needed to maintain an appropriate level of police services.

Public Works – Shop and South Shed

The Public Works shop houses this department's foreman and crew and a majority of the City's maintenance vehicles and equipment.

The shop has sufficient capacity to support staff throughout the capital facilities planning period. There is a current level of service for enclosed maintenance facilities of 833 sq ft per 1,000 residents. However, there is not enough covered parking for City vehicles and equipment, and the City has identified the need for a second four-bay carport to cover and protect City vehicles and equipment from the elements.

The south shed is anticipated to continue being used as a storage facility and staging area through the planning period. No construction, remodeling or expansion need is anticipated.



Active Club

The Active Club is the only community recreational building owned by the City. It provides space for a number of recreational, sports and civic organizations to conduct activities.

Police Shooting Range

The police shooting range provides a convenient and safe location for officers to train and practice with firearms.

Library

The library building is owned by the City and houses the local branch of the Kitsap Public Library.

9.2.2 Parks and Recreational Facilities

The City has a number of parks and recreational facilities, listed below.

Current Parks Facilities

Park Name	Size	Facilities
Van Zee	8.3 Acres	Picnic Areas and shelters, trails, two baseball diamonds, playground, sports field, lighted tennis courts, horseshoe court, restroom
Clayton Park	1.4 Acres	Picnic tables, playground, sports field, basketball court, picnic shelter
Givens Field	6.7 Acres	2 Baseball Diamonds (under lease, not available for public use), lighted tennis courts, lighted horseshoe courts, restrooms, picnic area, playground, Active Club
Lundberg Park	4.8 Acres	Not open to the public, no facilities
Paul Powers, Jr. Park	3.75 Acres	Field, playground, basketball court
Boat Ramp	0.3 Acres	Municipal boat ramp, restroom, parking
DeKalb Pedestrian Pier	4.1 Acres	169 feet of pier, 359 feet of floats, picnic tables
Etta Turner Park	0.6 Acres	Gazebo, benches, view of Sinclair Inlet, trail connection
McCormick Village Park	28.6 Acres	Trails, restrooms
Seattle Ave Waterway Property	1.88 Acres *tidelands included	Trail connection
Waterfront Park	1.9 Acres	Sidewalks, picnic table, bench, viewing platform
Westbay Easements	N/A	Trail connection, beach access
Bethel South Property	5.3 Acres	Not open to the public, no facilities; a portion planned for construction of dog park

In addition to the properties in the above table, which are owned and operated by the City, Port Orchard residents also have a number of non-City parks and private facilities that are available for public recreational use.

The City's Parks Plan provides a comparison of current recreational facilities and services within the City against the recommended levels of service used by the state's Interagency Council for Outdoor Recreation and by Kitsap County. This comparison is used to establish the LOS for recreational needs of the City's existing and future population. City-owned, non-City publicly owned, and private recreational facilities are all considered by the City when determining levels of service.



In general, the City has adequate park and recreational facilities to serve the population during the planning period, with existing deficits in bike paths, boat launches and pedestrian trails, and projected deficits in community and neighborhood parks. Additional information on the City's parks and more detailed planning strategies can be found in the City's Parks Plan and in the Parks Element of this Comprehensive Plan.

9.2.3 Utilities and Transportation

The City owns, maintains and manages its water system and wastewater collection system. It is also responsible for City roads and other aspects of the City's transportation system. More information on these facilities is provided in the City's functional plans and other Elements of the Comprehensive Plan (Utilities, Transportation).

9.3. Planning and Policy Connections

A complete list of capital facility improvements planned in the next seven years is included in the city's Capital Improvements Program (CIP), which is described in this section. The CIP and the functional plans listed in the following table identify facility inventories, needs, projected costs, and funding sources.

Capital improvement recommendations are drawn primarily from functional plans specific to each capital facility or City department. Utilities such as water, sewer, and stormwater have specific requirements according to state and federal law. Each City department forecasts needed improvements for at least a twenty-year. Each plan contains an inventory of the system and a forecast of system demand and capacity based on population and regulatory mandates. The functional plans identify capital investments required to meet future demand and to replace or maintain existing facilities for continued service. The plans also define the customer service level for each facility provide and system-specific operating policies.



The CIP uses many revenue sources to fund the capital improvement projects identified in the plan, including sales tax, business and occupation tax, utility rates, state revenues, bonds, and grants. Impact fees¹ and other specific revenues allowed under the Growth Management Act also offer potential funding sources.

Coordinating City Functional Plans and Capital Improvements Program

<p><u>Capital Improvements Program</u></p> <p>This is the city’s seven-year financing and implementation plan in which needed capital improvements to the city’s public facilities and infrastructure are identified and prioritized.</p>	<p>Funding: plan updated biennially.</p>
<p><u>Water System Plan</u></p> <p>This plan provides a basis for capital improvement planning for six years and forecasts anticipated needs to a 20-year planning horizon.</p>	<p>Functional Plan: updated on a 6-10 year cycle, as needed.</p>
<p><u>Wastewater System Plan</u></p> <p>This plan addresses aging infrastructure, system expansion to accommodate development, revised policies and practices, data, finances, revised growth forecasting, and recommended improvements.</p>	<p>Functional Plan: updated on a 6-10 year cycle, as needed.</p>
<p><u>Storm and Surface Water System Plan</u></p> <p>This plan establishes the city’s storm and surface water policy.</p>	<p>Functional Plan: updated on a 6-10 year cycle, as needed.</p>
<p><u>Parks Plan</u></p> <p>This plan is the primary tool to guide the long-term growth and development of Bellevue’s parks and open space system. The core of the plan is a set of 20-year capital project recommendations, which are reviewed and updated approximately every six years.</p>	<p>Functional Plan: updated on a 6-10 year cycle, as needed.</p>
<p><u>Transportation Plan</u></p> <p>This six-year plan indicates needs for maintenance and improvement of the City’s transportation network.</p>	<p>Functional Plan: updated every two years.</p>

9.4. Future Needs

A key feature of the capital facilities planning process is asset management, which continually monitors the condition of existing facilities and infrastructure, identifies the levels of maintenance needed, and determines when facilities need to be replaced. The city’s capital facilities policies ensure that the city plans in advance for maintenance and infrastructure replacement to maintain levels of service. These policies also tie capital facilities planning to land use, making sure that assumptions about future growth are consistent.

The City of Port Orchard owns, operates, and maintains over \$3.5 billion of infrastructure to provide drinking water, wastewater, and stormwater and surface water services to its residents and businesses. Continued investment in this infrastructure is necessary for continued delivery of utility services that are critical for human health and safety, economic development, as well as supporting a sustainable, healthy environment. Capital facility investment helps to ensure that the City can continue to deliver the high quality municipal utility services customers expect.

The City of Port Orchard has a rapidly growing population. To provide adequate capital facilities, the City is working to address substandard infrastructure and comply with new regulations.

While there are unique challenges to specific capital facility services, several issues apply broadly to Port Orchard:

Accommodating Increased Demand. Increased demand will require investment for building and maintaining facilities for services like water, wastewater, stormwater, parks, fire, police, transportation, and municipal buildings. Non-city providers, such as school districts, libraries and solid waste processors, will also experience increased demand for services and will need to plan for new or improved facilities.

Aging Infrastructure. Some of Port Orchard’s capital facilities are aging or inadequate for current service needs, and will require repairs and replacement over the next twenty years. The costs of replacing utility infrastructure and roads are substantial and take years for planning and implementation. Likewise, facilities such as parks and municipal buildings require ongoing maintenance, improvements, or replacement. City departments maintain plans and strategies for funding and building necessary improvements, which are scheduled and assigned funding in the city’s seven-year CIP.

Compliance with New Laws and Regulations. Changing state and federal mandates governing capital facilities systems require the city to monitor and review its systems to ensure compliance. For example, compliance with the city’s National Pollutant Discharge Elimination System Municipal Stormwater Permit (NPDES), a Federal Clean Water Act mandate that affects programs citywide, will have significant long-term impacts on the way the city does business, on city expenses, and on private development costs. In February 2010, stormwater regulations were significantly expanded under the NPDES Phase II permit. These new regulations, along with associated stormwater requirements that must be incorporated into City code by 2017, places significant additional requirements on the City’s planning and regulatory functions.

The City of Port Orchard benefits from its proximity to centers for recreation, open space, and sports fields outside City Limits and/or held by other agencies or groups, such as the South Kitsap School District and Kitsap County. Creating and strengthening regional partnerships will enable Port Orchard and its partners to provide greater facilities and opportunities than would be possible alone. The City of Port Orchard is already working with Kitsap County and other nearby jurisdiction to create and expand a regional water trail including shoreline access with launch points, rest areas, parking facilities.

9.5. Goals and Policies

Goal I. Provide an efficient distribution and mixture of public facilities, including parks, parking areas, non-motorized transportation connections, and other facilities and services.

Policy CF-1 The City should explore opportunities for acquisition of surface parking areas within the downtown core to serve the general public and municipal purposes.

Policy CF-2 The City should consider development of multi-use facilities that can serve more than one public need. The City should coordinate with other jurisdictions and agencies that also provide public facilities, such as Kitsap County, Kitsap Transit and the Port of

Bremerton, to encourage cooperative planning of future facilities and reduce redundancy. The City should also explore opportunities for public/private partnerships and funding sources that could provide a mix of public facilities and other uses such as commercial and residential within the same development, where appropriate.

- Policy CF-3 Encourage public awareness and consider public input when considering the need for and proposed locations of new public facilities. Develop public facilities according to the specific needs, locations and levels of service identified in the City's functional plans and capital improvements program.
- Policy CF-4 Encourage the joint use of utility corridors for open space and non-motorized pathways and trails, provided that such joint use is consistent with limitations prescribed by applicable law and prudent utility practice.
- Policy CF-5 Encourage private property owners and developers to donate public trail access and parcels for park development in areas identified for future municipal parks and trail connections.

Goal 2. The City shall establish minimum levels of service for provision of urban services (i.e. fire, police, garbage disposal, parks, library, and other appropriate services).

- Policy CF-6 It is the City's intent that adequate school facilities be provided for the community. Individual school levels of service should be maintained as adopted and funded by the South Kitsap School District School Board.

Goal 3. Ensure that infrastructure, facilities, and services are adequate to serve new projects at the time buildings are available for occupancy and use, without decreasing service levels below locally established minimum standards.

- Policy CF-7 Require that urban level facilities and services are provided prior to or concurrent with development. These services include, but are not limited to, transportation infrastructure, parks, potable water supply, sewage disposal, stormwater and surface water management, and solid waste management.
- Policy CF-8 Facilitate adequate planning for services and facilities by coordinating with utility providers on annual updates of population, employment and development projections.
- Policy CF-9 Regularly monitor and update LOS standards for public facilities to reflect community preferences for quality of service delivery.

- Policy CF-10 Encourage providers to improve accessibility to public services by making information available, convenient and complete.
- Policy CF-11 Maintain an inventory of existing capital facilities owned by public entities.
- Policy CF-12 The City should acquire property sufficient to provide capital facility services at established levels of service, according to the identified deficiencies and future needs for such services as provided in the City's functional plans.

Goal 4. Ensure that the provision of capital facilities meets the needs of the present without compromising the ability of future generations to meet their own needs.

- Policy CF-13 Provide public facilities and services conveniently and equitably throughout the community and do not unduly affect any one group of people or geographic area by the siting or expansion of essential public facilities.
- Policy CF-14 Ensure that the provision of capital facilities is environmentally sensitive, safe and reliable, aesthetically compatible with surrounding land uses, and economical to consumers.
- Policy CF-15 Ensure that new growth and development pay a fair, proportionate share of the cost of new facilities needed to serve such growth and development.
- Policy CF-16 Direct growth within the community where adequate public facilities exist or can be efficiently provided.
- Policy CF-17 Seek to reduce the per unit cost of public facilities and services by encouraging urban intensity development within the City and adjacent Urban Growth Areas.
- Policy CF-18 Coordinate the construction of public facility improvements such as utility and road improvements to help minimize project costs.
- Policy CF-19 Ensure the efficient and equitable siting of capital facilities through cooperative and coordinated planning.
- Policy CF-20 Coordinate and cooperate with other jurisdictions in the implementation of multijurisdictional utility facility expansions and improvements.
- Policy CF-21 Provide meaningful opportunities for community involvement in the planning of capital facilities.

Goal 5: Support provision of adequate, timely and efficient fire protection and emergency medical service within the City.

Policy CF-22 Coordinate with South Kitsap Fire and Rescue on planning for the location of new fire stations to ensure that they are dispersed throughout the City and located near areas of high population concentration.

Policy CF-23 Encourage consolidation of duplicate services between Fire Districts to use resources more effectively.

Goal 6: Reduce crime risks within the City.

Policy CF-24 Design and locate capital facility improvements to optimize public safety through increased visibility at joint use facilities (e.g., streets, public buildings, etc.)

Policy CF-25 Ensure that there are enough commissioned officers and support staff to support the established LOS in the City.

Goal 7. Coordinate land use and school district capital facilities planning.

Policy CF-26 Recognize that schools provide a unifying social and physical amenity that are key foci for successful neighborhoods. Encourage elementary schools to be located in or near neighborhood centers and middle schools, junior high schools and senior high schools to be located near community centers.

Policy CF-27 Coordinate with the South Kitsap School District to develop strategies to ensure that students are not forced to attend a school outside their neighborhood.

Policy CF-28 Coordinate with the South Kitsap School District to develop strategies to provide and enhance safe multi-modal access to the schools.

Policy CF-29 Review and update school impact fees at least every 4 years.

Policy CF-30 Explore opportunities to develop joint use facilities with the South Kitsap School District, such as recreational and community center facilities.

Goal 8: Develop and maintain adequate and convenient parks, recreation, and open space areas and facilities for all age groups to serve both the existing and future population of Port Orchard and surrounding areas.

Policy CF-31 Preserve open space considered scenic in value by :

- a. enhancing and expanding park facilities.
- b. discouraging obstructions of scenic views.

Policy CF-32 Increase the size and number of parks and open spaces by:

- a. establishing partnerships with other agencies to jointly utilize public facilities.
- b. promoting through public and private investments, the acquisition of open space facilities and assuring proper maintenance thereof.
- c. providing for public input when developing plans for public parks.
- d. providing for a mixture of active and passive open spaces within residential and commercial areas with consideration of nearby public facilities.
- e. providing input on development plans for public parks within Port Orchard's Urban Growth Boundary.

Policy CF-33 Monitor and maintain the LOS for park facilities as established in the City's comprehensive Parks Plan.

Policy CF-34 The Active Club should continue to be maintained and improved.

Policy CF-35 Reevaluate the City's established park impact fee at least every four years to ensure that the fee is appropriate based on the City's LOS for parks acquisition, improvement and maintenance.

Policy CF-36 Correct LOS deficiencies in park facilities through capital improvements.

Policy CF-37 Collaborate with Kitsap County to explore formation of a Municipal Parks District to help fund and develop community and neighborhood scale parks throughout the city and the Urban Growth Area.

Policy CF-38 Develop neighborhood parks adjacent to school sites whenever possible in order to promote facility sharing. Facilities on the neighborhood park site should supplement uses that the school does not provide such as trails, open space, picnic areas, playground equipment, and multi-purpose paved sport courts.

Policy CF-39 Encourage implementation of the County's Greenways Plan that outlines a citywide system of trails that will serve park, recreation, and open space needs. Link a system of trails between neighborhoods and parks, school sites, and other public property. Utilize public lands and existing rights-of-way for trail purposes whenever feasible.

- Policy CF-40 Place interpretive signs along trails to encourage community, historical, and environmental awareness and place distance markers along the trail for walkers and runners.
- Policy CF-41 The City should maximize the use of state and federal grants for future parks improvements whenever possible.
- Policy CF-42 Create new parks in recently annexed areas or update existing parks within newly annexed portions of the City.
- Policy CF-43 In conjunction with partners, develop the South Kitsap Community Events Center as a recreational and civic amenities hub for Port Orchard and the South Kitsap region.

Goal 9. Ensure that an adequate water supply is available to support the level of population growth and land development projected within the City.

- Policy CF-44 Maintain drinking water quality in accordance with State and Federal standards to ensure the quality of drinking water delivered to customers of the water system.
- Policy CF-45 Provide high quality domestic and fire protection service to all areas within the retail service area.
- Policy CF-46 Utilize City-owned and operated sources of supply to maximize efficiency and cost effectiveness of the water system.
- Policy CF-47 Maintain water system facilities to ensure a high level of service is provided to all customers and maximize the life of facilities to protect the investment of ratepayers.
- Policy CF-48 Construct new facilities as required to serve the existing and future populations of the established water service area and South Kitsap Urban Growth Area.
- Policy CF-49 Interconnect the City's main water system with the independent facilities serving the City's 580 and 660 Pressure Zones (McCormick Woods System). This will allow for combining the two existing systems under one water system identification number.
- Policy CF-50 Implement and maintain water use efficiency and conservation programs to discourage water waste, promote the prudent use of water resources and support protection of habitat and the environment.
- Policy CF-51 Work with neighboring water utilities, participate in regional water planning efforts to establish common goals of uniform water system standards and facilitate coordination of efforts toward the adequate provision of water service throughout the region.

- Policy CF-52 Conduct water system operations in a manner that insures high quality service in accordance with all applicable rules and regulations, at the lowest reasonable cost.
- Policy CF-53 Encourage land uses and programs that promote water conservation.
- Policy CF-54 Revise water service boundaries in cases where the designated water service provider cannot provide timely or reasonable service.
- Policy CF-55 Ensure that land uses permitted in aquifer recharge areas do not lead to contamination of water resources.
- Policy CF-56 Encourage new developments adjacent to properties with private wells or existing septic systems to connect to the City's water system or, if not feasible, ensure that adverse impacts to existing wells or septic systems from new development is avoided or mitigated.

Goal 10. Provide safe, reliable and timely sewer service to consumers at a fair and reasonable price.

- Policy CF-57 Coordinate construction of sewage improvements with other utilities.

The City shall require all new development to connect to public sewer and water systems, unless physically or financially infeasible.

Goal 11. Ensure that all utility infrastructure expansion provides an adequate level of public service to support new development consistent with the City's policies, criteria, and standards. In addition, utility expansion should also be consistent with current land use plans and development regulations of the State of Washington, Kitsap County, and appropriate local planning agencies.

- Policy CF-58 Utilize best construction methods and practices and innovative techniques in the design and construction of utilities.
- Policy CF-59 Whenever possible, utility construction should be scheduled to minimize disruption of access to area residences and businesses.
- Policy CF-60 Schedule utility construction activities to avoid sensitive times in the lifecycle of fish and wildlife, such as spawning, nesting, and migration.

Goal 12. Minimize development related impacts to existing hydrologic conditions and functions, and strive to correct current deficiencies

resulting from past development practices such as stormwater-related flooding.

- Policy CF-61 Identify areas within and adjacent to the City and its UGA which are highly sensitive to changes in hydrologic conditions and functions. Within these highly sensitive areas, establish standards that provide for near zero change in hydraulic and hydrologic function on a property, such as no net increase in the peak flow or volume of runoff or erosion products leaving a site post- development.
- Policy CF-62 Ensure development regulations adequately prevent new development from increasing flooding and minimize the possibility of damage from flooding events.
- Policy CF-63 Encourage Low Impact Development (LID) strategies for stormwater management through incentives and flexibility in application of regulatory requirements.
- Policy CF-64 Utilize new inventories of flood hazard-prone properties in the decision making process to prioritize stormwater system improvements.
- Policy CF-65 Coordinate the basin planning process with the community planning process to address surface water runoff and flooding issues.
- Policy CF-66 Integrate public regional stormwater detention and retention facilities into the natural environment.
- Policy CF-67 Recognize that regional facilities can provide aesthetics, recreation, and fish and wildlife habitat in a community park-like or open space setting.
- Policy CF-68 Implement planned activities and continue current activities in the 2014 Stormwater Management Plan.

Chapter 7. Utilities

7.1. Introduction

This Utilities Element of the 2016 Comprehensive Plan provides direction and guidance, based on consultant research and analysis in collaboration with City staff, to improve and maintain the City's existing utility system and develop additional utility infrastructure and capacity to meet the City's growth needs. This Element is based on 2015 data, facilities, population and projected growth patterns, with the planning horizon projected to 2036.

Utilities Vision

Develop and maintain public and private utilities to meet the needs of a growing population and a 21st century economy. Services are efficiently provided and available to the entire community. Utilities are sited, designed and operated in a manner that is consistent with surrounding land uses and maintains community character.

The state Growth Management Act (GMA) requires that comprehensive plans include a utilities element that indicates the general location of existing facilities, the proposed location of future facilities, and capacity of all existing and proposed utilities. The GMA also requires that public utilities shall be adequate to serve development at the time the development is available for occupancy and use, without decreasing current service levels below locally-established minimum standards.

Over the next twenty years, the City expects that utilities will need to be provided to approximately 24,000 residents of the incorporated City and urban growth area (UGA). Public and private utility providers must plan for the necessary infrastructure to rehabilitate aging systems, respond to growth, and adapt the changing technology and consumer behavior. Although the City does not control non-City managed utilities, such as telecommunications, natural gas and electrical service, it does regulate how private utilities are developed and managed within Port Orchard.

The Utilities Element, in conjunction with the City's functional plans for water, sewer and storm water management, is the guiding or strategy document that the City will use to achieve its goals of providing utilities at the appropriate levels of service to the City's existing and future residents and businesses. The Utilities Element serves as a policy guide for general maintenance and improvement of the utility system, and the City's functional plans include more detailed inventory and analysis, and specific recommendations for utility maintenance, improvement and future development. The City's regulatory and non-regulatory decisions and programs, as well as budget decisions related to utilities, should be consistent with this Element and with the City's functional plans.

Additionally, this element works in tandem with the Land Use Element and the Capital Facilities Element to ensure that Port Orchard will have adequate utilities available for projected growth, concurrent with the impacts of growth and development. Policies in this

Element also address environmental impacts, facilities siting and construction, economics, and design aesthetics.

7.2. City-Managed Utilities

Sewer

The City of Port Orchard owns, operates and maintains wastewater collection and conveyance facilities that take wastewater to the South Kitsap Water Reclamation Facility (SKWRF). The City has an interlocal agreement for wastewater treatment with the West Sound Utility District (WSUD), which operates the SKWRF. WSUD also provides sewer collection and conveyance to the eastern portion of the City and the City's UGA.

There are approximately 70 miles of sewer lines ranging from 2 to 24 inches in diameter. These lines include approximately 49 miles of gravity sewers, 8 miles of force mains, and 14 miles of septic tank effluent pumping (STEP) mains. There are 16 pump stations within the system. The City also maintains a telemetry system to monitor the operating conditions of system components.

The City's current service area is approximately 2,100 acres, with a population of about 11,550. Over the next twenty years, the City's sewer service area is expected to grow to approximately 5,700 acres to serve the estimated population of about 24,000.



Water

The City provides drinking water within the city limits and selected adjacent areas, supplied primarily by six active wells. There are two interties with the City of Bremerton's water system and an emergency intertie with the WSUD. Eight reservoirs provide 4.8 million gallons of storage. There are three booster pump stations, and over 300,000 feet of pipe ranging from 4 to 18 inches in diameter.

Other water suppliers within the City include Berry Lake Manors, which serves a 30-unit mobile home park, and the WSUD, which serves selected areas on the eastern boundary of the City and are outside the City water service area.

Stormwater

The City manages stormwater conveyance facilities that collect runoff, and provides treatment and discharge in accordance with federal and state requirements for water quality protection.

Much of the City's stormwater system discharges to Sinclair Inlet through a system of more than 50 outfalls along the waterfront that vary from 12 to 24 inches in diameter. The piped and ditched portions of the system are primarily within the older, more commercial areas of the city, while the outlying, more residential areas are largely composed of the remaining elements of the region's original natural drainage system (i.e., lakes, streams and wetlands) and are supported by a widely distributed system of culverts, ditches, pipes and ponds.

7.3. Non-City Managed Utilities

The Washington Utilities and Transportation Commission (WUTC) regulates the services and defines the costs that a utility can recover, to ensure that the utility acts prudently and responsibly. Under the GMA, both the WUTC and the City of Port Orchard have jurisdiction over the activities of electric, gas and telephone utilities within the City. The City has the authority to regulate land use and, under the GMA, the requirement to consider the locations of existing and proposed utilities and potential utility corridors in land use planning and permit decisions.

The Telecommunications Act of 1996 established the role and responsibilities of the Federal Communications Commission in licensing wireless communication providers. The licenses allow the right to use a block or blocks of the radio frequency spectrum to provide wireless services. The Act recognizes the authority of state and local governments over decisions regarding siting of wireless communication facilities, subject to certain limitations.



Solid Waste and Recycling

Solid waste and recyclable materials collection is contracted to Waste Management Northwest.

Electrical Service

Puget Sound Energy (PSE) builds, operates and maintains the electrical system serving Port Orchard.

Natural Gas Service

Cascade Natural Gas builds, operates and maintains the natural gas distribution system that serves Port Orchard. Cascade has indicated that their service area covers all of the City and its UGA.

Telecommunications

Telecommunications is the transmission of information in the form of electronic signals or similar means. Telecommunications services generally include the following categories:

- Landline telephone. CenturyLink provides landline telephone service to Port Orchard.
- Wireless communications (cell towers or antennae). A variety of cellular communication and wireless data services are available in Port Orchard (Verizon, Sprint, etc). Currently, these services rely on ground-based antennae located on towers or buildings.
- Cable television and broadband internet. There are several providers that serve Port Orchard, such as Wave Broadband, CenturyLink and DIRECTV.



7.4. Existing Conditions

Sewer

The condition and capacity of the City's wastewater collection system, including gravity sewer lines and lift stations, was analyzed by the City's consultant in 2015. The conveyance system was analyzed using the InfoSWMM computer modeling platform. This hydraulic model simulated the performance of the major collection system components, including all pump stations and the major sewer mains within the City's collection system. The model indicated minor capacity issues under existing flow conditions at the Flower Meadows pump station, and in the gravity sewer in McCormick Woods Drive SW.

Discussions with maintenance staff indicate some necessary upgrades at Bay Street Pump Station, Marina Pump Station, McCormick Woods #1 Pump Station, McCormick Woods #2 Pump Station, Eagle Crest Pump Station, and Albertsons Pump Station. These are included in the 6-year Capital Improvements Plan (CIP) and are described in more detail in the 2015 General Sewer Plan Update.

Water

The City's water supply and distribution system is examined on a regular basis, as required by State and Federal requirements. The current Water System Plan, which is in progress, indicates that the water system capably meets the City's domestic drinking water requirements. Water supply is reliant on a combination of both City wells and the low-pressure intertie with the City of Bremerton water supply. Additional wells will be necessary

for the City to become self-reliant, which would allow the higher-cost Bremerton supply to be used on a standby basis.

The analysis also determined that continued treatment of current and future well supplies will be required, primarily for disinfection and removal of naturally occurring compounds. Larger size pipelines will be needed both to replace existing and aging water mains, primarily in older sections of the City, and to improve the flow of water during projected fire events.

Stormwater

The City is required to comply with the National Pollutant Discharge Elimination System (NPDES) Phase II permit, which is a federal Environmental Protection Agency permit program administered by the state Department of Ecology (Ecology). As part of compliance measures, the City is required to develop and administer a stormwater management program that reduces discharge of both point source and nonpoint source pollution carried by stormwater. One requirement of this program is that by January 1, 2017, the City must adopt the minimum stormwater design standards of Ecology's 2012 Stormwater Management Manual for Western Washington, and apply these standards to all new permit applications and to approved projects that have not started construction by January 1, 2017. The 2012 manual also requires use of Best Management Practices to reduce pollutant discharges and encourages low-impact development measures that minimize creation of impervious surfaces and disturbance of native vegetation and soils.

For many years, the Sinclair/Dyes Inlet water bodies have had reduced water quality, partially due to longstanding discharges of industrial, agricultural and septic system discharges within the contributing watersheds. The City is required to monitor water quality for fecal coliform bacteria and respond to any illicit discharges, including accidental spills, illegal connections, and illegal dumping into the storm sewer system, with the long-term goal of eliminating these discharges and improving the overall health of these inlets of Puget Sound.

7.5 Relationship to Centers

In accordance with VISION 2040 and the Countywide Planning Policies, several centers have been established within the City. Local centers serve important roles as sub-regional hubs and secondary concentrations of development, with a dense mix of housing and services such as stores, medical offices, and libraries.

One purpose of centers is to enable the City to deliver services more cost-efficiently and equitably, within a development pattern that is environmentally and economically sound. Through subarea planning, the City will designate desired development types, locations and

patterns within each Center. Provision of utilities and improvements to utility services within Centers should be a City priority.

7.6 Future Needs

Sewer

Future needs for the City’s sewer collection system primarily arise from a need to address deficiencies that have been identified in the City’s existing wastewater system, generally due to aging and insufficient capacity. If not corrected, these deficiencies will be exacerbated as the City continues to grow. In addition, future needs include the provision of the needed infrastructure to accommodate future growth.



In the near-term future (0-6 years), the focus of the CIP for the sewer collection system is the replacement and/or retrofitting of key components for several pump stations. Long-term improvements (7-20 years) will be required for conveyance pipelines throughout the City, including the McCormick Woods Drive SW, Bay Street and Port Orchard Boulevard gravity sewer lines. These issues are discussed in the City’s sewer plan in greater detail. Table 7-1, which was prepared by the City’s consultant, provides an overview of the near-term future improvements.

Table 7-1

** Dependent on the scope of the upgrade

City of Port Orchard				
Sewer System Capital Improvement Plan				
Project	Description	Cost Estimate	% CFC	Financing
1	Marina Pump Station	13,000,000	50	CFC / rates
2	Bay Street Pump Station	1,300,000	25	CFC/ rates
3	McCormick Pump Station 2	4,500,000	100	CFC
4	Eagle Crest Generator Set	300,000	0	rates
5	Albertson's Pump Station Upgrade	**	0	developer
SA	Bravo Terrace Lift Station and Force Main	5,000,000	75	CFC
SB	South Sidney Lift Station	2,500,000	100	CFC
SC	North Sidney Lift Station	2,500,000	100	CFC
SD	Sidney 2nd Force Main	1,600,000	100	CFC
6	McCormick Woods Pump Station 3	1,000,000	100	CFC
Total CIP		31,700,000		

Water

The initial planning and analysis efforts have identified a series of projects that will be required to maintain and strengthen the performance of the City's water supply system. To improve the water supply system reliability, the City intends to develop additional well supply(ies) to provide sufficient capacity for the City to become self-sufficient, thus using the Bremerton intertie as a standby/emergency source of drinking water rather than a continuous source of water supply. New pipelines will also be installed to improve the system's capability to move water throughout the system. In addition, new storage reservoir(s) will be needed to optimize system performance and provide water to meet operational and fire fighting capacity requirements. There are multiple projects required in the near-term future, as shown in Table 7-2.

Table 7-2

CITY OF PORT ORCHARD				
Water System Capital Improvement Plan				
CIP No.	Project	Estimated Project Cost	Percent CFC	CFC Future Improvements
<u>1</u>	<u>580 Zone Storage</u>	<u>2,850,000</u>	<u>100%</u>	<u>\$2,850,000</u>
<u>2</u>	<u>CIP No. 2 Combined</u>	<u>11,200,000</u>	<u>75%</u>	<u>\$8,400,000</u>
<u>2A</u>	<u>Well 13 Development & Treatment</u>	<u>n/a</u>		
<u>2B</u>	<u>Maple Ave Improvements and Water Main Replacement</u>	<u>n/a</u>		
<u>2C</u>	<u>390 to 260 Rezone PRVs (4 each)</u>	<u>n/a</u>		
<u>3</u>	<u>Well 11 Development, Treatment, and Booster Pump</u>	<u>\$8,000,000</u>	<u>25%</u>	<u>\$2,000,000</u>
<u>4</u>	<u>580 Zone Transmission & Distribution Main</u>	<u>\$1,235,000</u>	<u>100%</u>	<u>\$1,235,000</u>
<u>5</u>	<u>390 Zone Storage</u>	<u>\$3,000,000</u>	<u>100%</u>	<u>\$3,000,000</u>
<u>6</u>	<u>Telemetry Upgrades</u>	<u>\$100,000</u>	<u>25%</u>	<u>\$25,000</u>
<u>7</u>	<u>390 to 580 Zone Booster Station (Old Clifton)</u>	<u>750,000</u>	<u>75%</u>	<u>\$562,500</u>
<u>8</u>	<u>580 to 390 Zone Transmission Main (580/390 PRV)</u>	<u>\$1,325,000</u>	<u>75%</u>	<u>\$993,750</u>
<u>9</u>	<u>Well 12 Development, Treatment, and Booster Pump</u>	<u>\$7,000,000</u>	<u>100%</u>	<u>\$7,000,000</u>
<u>10</u>	<u>Melcher Pump Station Upgrade</u>	<u>\$500,000</u>	<u>25%</u>	<u>\$125,000</u>
<u>11</u>	<u>PRV Improvements per Hydraulic Model</u>	<u>\$350,000</u>	<u>50%</u>	<u>\$175,000</u>
<u>12</u>	<u>390 to 580 Zone Booster Station (Glenwood – 1st Lift)</u>	<u>\$900,000</u>	<u>100%</u>	<u>\$900,000</u>
<u>13</u>	<u>390 to 580 Zone Booster Station (Glenwood – 2nd Lift)</u>	<u>\$725,000</u>	<u>0%</u>	<u>\$0</u>
<u>14</u>	<u>390 to 580 Zone Transmission Main (to Glenwood PS)</u>	<u>\$2,750,000</u>	<u>75%</u>	<u>\$2,062,500</u>
<u>15</u>	<u>580 to 660 Zone Booster Station</u>	<u>\$750,000</u>	<u>100%</u>	<u>\$750,000</u>
<u>16</u>	<u>660 Zone Storage</u>	<u>\$2,850,000</u>	<u>100%</u>	<u>\$2,850,000</u>

<u>17</u>	<u>Well 7 Treatment/Pump Station Upgrades</u>	<u>\$750,000</u>	<u>0%</u>	<u>\$0</u>
<u>18</u>	<u>Main Replacements per Hydraulic Model</u>	<u>\$2,000,000</u>	<u>25%</u>	<u>\$500,000</u>
<u>19</u>	<u>Annual Main Replacement Program (Upsize 1"-4")</u>	<u>\$250,000</u>	<u>0%</u>	<u>\$0</u>
<u>20</u>	<u>Annual Valve Replacement Program</u>	<u>\$80,000</u>	<u>0%</u>	<u>\$0</u>
<u>21</u>	<u>Annual Hydrant Replacement Program</u>	<u>\$50,000</u>	<u>0%</u>	<u>\$0</u>
<u>22</u>	<u>Foster Pilot Mitigation Projects</u>	<u>\$1,000,000</u>	<u>100%</u>	<u>\$1,000,000</u>
<u>23</u>	<u>390 Zone Low Pressure Booster Pumps for Existing Water Services</u>	<u>\$600,000</u>	<u>100%</u>	<u>\$600,000</u>
<u>24</u>	<u>Blackjack Creek Crossing at Kendall St</u>	<u>\$750,000</u>	<u>\$0</u>	<u>\$0</u>
<u>25</u>	<u>Well 10 Rehab, Activation, and Water Main</u>	<u>\$3,092,000</u>	<u>100%</u>	<u>\$3,092,000</u>
	<u>Total Six-Year Water Improvements:</u>	<u>\$52,857,000</u>		<u>\$38,120,750</u>

Stormwater

The City's CIP identifies 14 capital projects for stormwater that are intended to address localized flooding, stabilize stream bank erosion, protect habitat and water quality, resolve conveyance capacity issues, and protect public and private roads and other infrastructure from flood damage. A new stormwater decant facility for processing and disposal of material removed from the City's catch basins during maintenance is also included.

These planned improvements and priority rankings are accurate at the time of issuance of this plan, but may be revised as facility conditions and other situations change.

**Table 7-3
Planned Stormwater Facility Improvements**

CIP No.	Project	Opinion of Probable Project Cost (\$Million)
1	Ruby Creek Crossing/Shoulder Stabilization	\$0.1 M
2	West Street/Port Orchard Boulevard	\$1.0 M
3	City Decant Facility Retrofit	\$0.5 M
4	Annapolis Creek Box Culvert	\$0.3 M
5	Perry Avenue Storm Drainage	\$0.3 M
6	Prospect Alley Drainage and Outfall	\$0.5 M
7	Sidney Parkway/Waterfront Parking Outfall	\$1.0 M
8	Downtown Port Street Drainage Improvement Pre-Design	\$0.5 M
9	High Point Shopping Center Drainage Improvement	\$0.8 M
10	Sidney Avenue Improvements	\$0.3 M
11	South Sidney Neighborhood Regional Drainage Improvement	\$5.0 M
12	Rockwell Avenue Improvements	\$0.1 M
13	Cline Avenue Improvements	\$0.4 M
14	Hull Avenue Improvements	\$0.3 M
15	Bethel Sedgwick Corridor Stormwater Improvements	\$5.1 M
16	Old Clifton Corridor Stormwater Improvements	\$1.0 M

Non-city utility providers will experience increased demand for services as the City grows, and will need to plan for new or improved facilities. As new technologies for Internet, wireless telephone, and other telecommunications systems are implemented, these improvements will further the City's goal of economic growth and competitiveness. Through its land use regulation and permitting authority, the City should ensure that these utilities are broadly available to residents and businesses throughout the City, and that there are not excessive visual impacts within existing neighborhoods and local centers.

7.5. Goals and Policies

Goal I. Ensure utilities are provided in a timely manner to meet the needs of Port Orchard's future population.

Policy UT-1 Facilitate planning for utility improvements by providing utility purveyors with population and employment projections on a regular basis.

Policy UT-2 Improvements and additions to utility facilities shall be planned and constructed so that utility services are sufficient to serve anticipated growth.

- Policy UT-3 Encourage the designation and development of utility corridors and facilities in a manner consistent with the needs and resources of the City.
- Policy UT-4 Coordinate provision of utilities with future development by designating appropriate sites for utility facilities and ensuring their availability and consider future annexations in developing coordinated strategies for supplying future utilities to the city
- Policy UT-5 Coordinate provision of utility services with planned development by improving mechanisms to process development permits and approvals in a fair and timely manner.
- Policy UT-6 Consider impacts and timing of future phases of development when permitting large utility projects.
- Policy UT-7 Ensure that development regulations allow timely development of utility facility additions and improvements.
- Policy UT-8 The City shall establish capacity and levels of service for City managed utilities.
- Policy UT-9 The City shall not allow for the extension of municipal utilities outside City limits except within, or transmission to serve Urban Growth Boundaries, except extensions in those circumstances necessary to protect public health and safety and the environment and when they are financially supportable at rural densities and do not permit urban development.
- Policy UT-10 The City shall prioritize the provision of utilities and improvements to existing utilities within designated centers of local importance. Ensure utility services are provided in an efficient and coordinated manner.
- Policy UT-11 City decisions regarding utility corridors and facilities should consider regional utility needs as well as City interests.
- Policy UT-12 Enhance efficiency of planning for utilities by facilitating coordination between the City of Port Orchard, WUTC and utilities regulated by the WUTC during development of comprehensive utility plans.
- Policy UT-13 Coordinate collection, integration and maintenance of Geographic Information System (GIS) utility data among utility providers to ensure consistent and up-to-date information on facility locations and capacities.
- Policy UT-14 Enhance efficiency by coordinating the implementation of utility facility additions and improvements affecting multiple jurisdictions.
- Policy UT-15 Coordinate land use, transportation and utility planning and development.

- Policy UT-16 Ensure that utility policies and regulations are consistent with, and complementary to, utility public service obligations.
- Policy UT-17 Ensure that utilities are provided consistent with applicable rules, regulations, and prudent utility practice.
- Policy UT-18 Ensure all chapters of the Port Orchard Comprehensive Plan (and implementing development regulations) are consistent with, and do not otherwise impair the fulfillment of, public service obligations imposed upon the utility provider by federal and state law.

Goal 2. Maintain and enhance utility service quality.

- Policy UT-19 Encourage utility providers to protect and enhance the performance, reliability and stability of their utility systems.
- Policy UT-20 Encourage utilities to incorporate new and improved technologies to enhance the quality and cost effectiveness of their services consistent with the provider’s public service obligations.

Goal 3. Minimize environmental and aesthetic impacts of utility facilities.



Policy UT-21 Place utility facilities along public rights-of-way and encourage underground distribution lines in accordance with state rules and regulations.

Policy UT-22 Encourage siting of large, above ground utilities (e.g. antennas, towers) in industrial or commercial areas or along appropriate transportation and utility corridors.

Policy UT-23 Minimize the visual impact of utility facilities on view corridors, vistas and adjacent properties by developing design guidelines for cellular towers, antennas and other types of utility facilities.

Policy UT-24 For new development, retrofitting and major remodels, including upgrades to site utilities, the City shall require the undergrounding of future or existing utility lines including gas, cable television, electric distribution lines, and telephone as appropriate during the design review process and in accordance with local, regional and state rules, regulations and tariffs.

Goal 4. Support and promote energy conservation.

Policy UT-25 Encourage and support development of renewable energy projects and technologies.

Policy UT-26 Support renewable energy incentives to businesses and groups for comprehensive renewable energy effort.

Policy UT-27 Establish incentives to lessen use of resources.

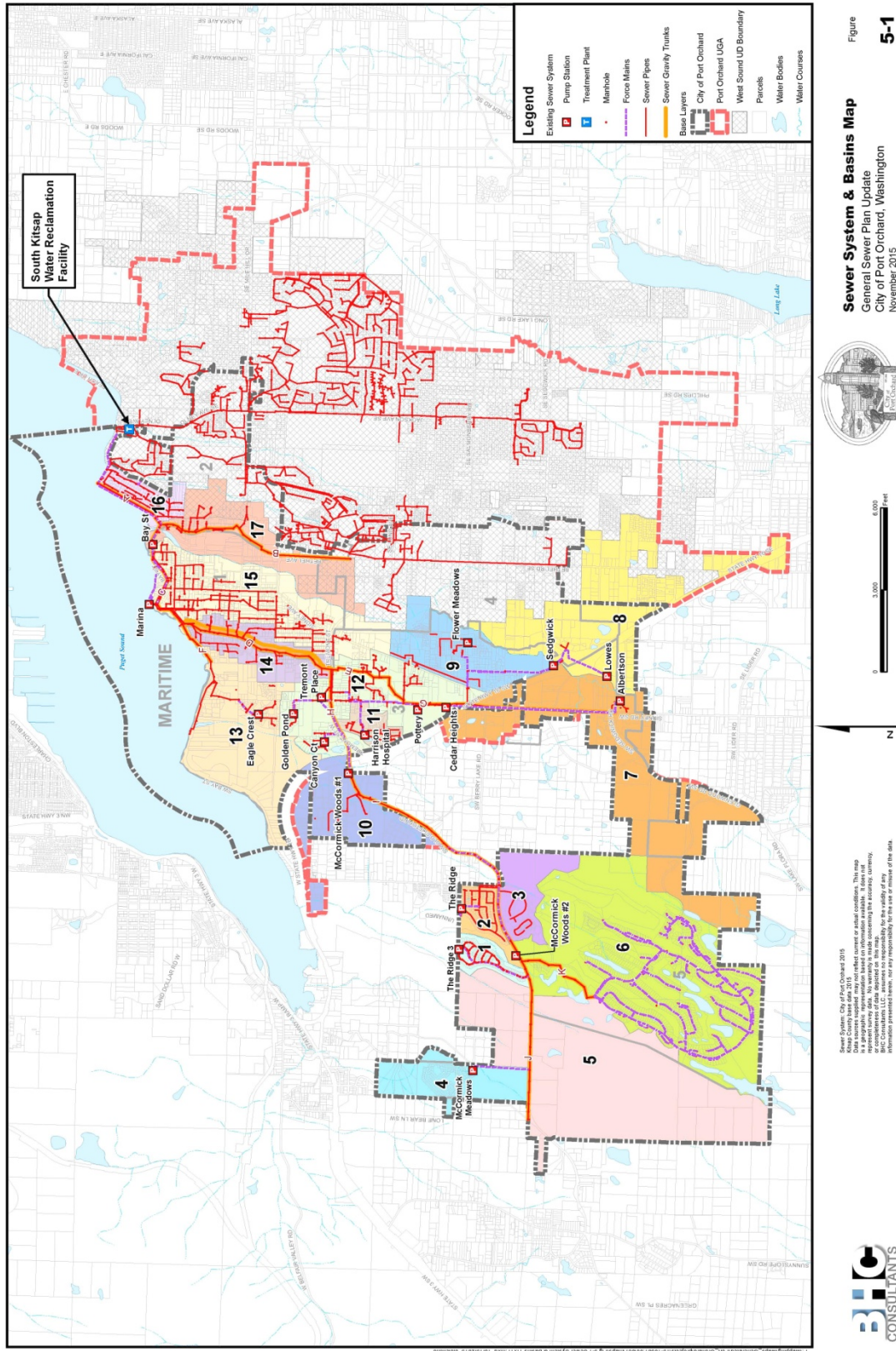
Policy UT-28 Encourage programs to educate utility users on the benefits and means of conservation.

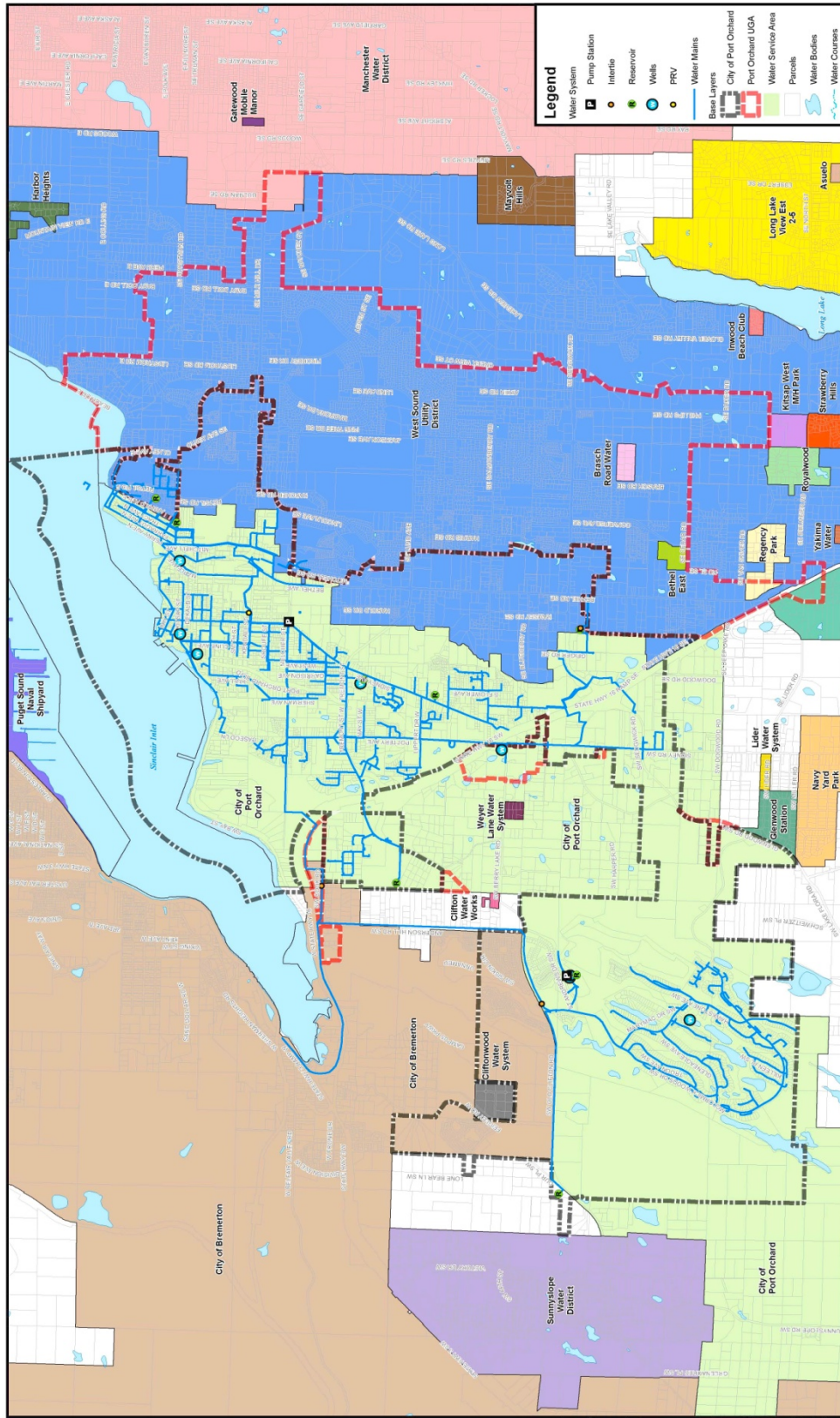
Goal 5. Support the extension of fiber optic cable in the City of Port Orchard.

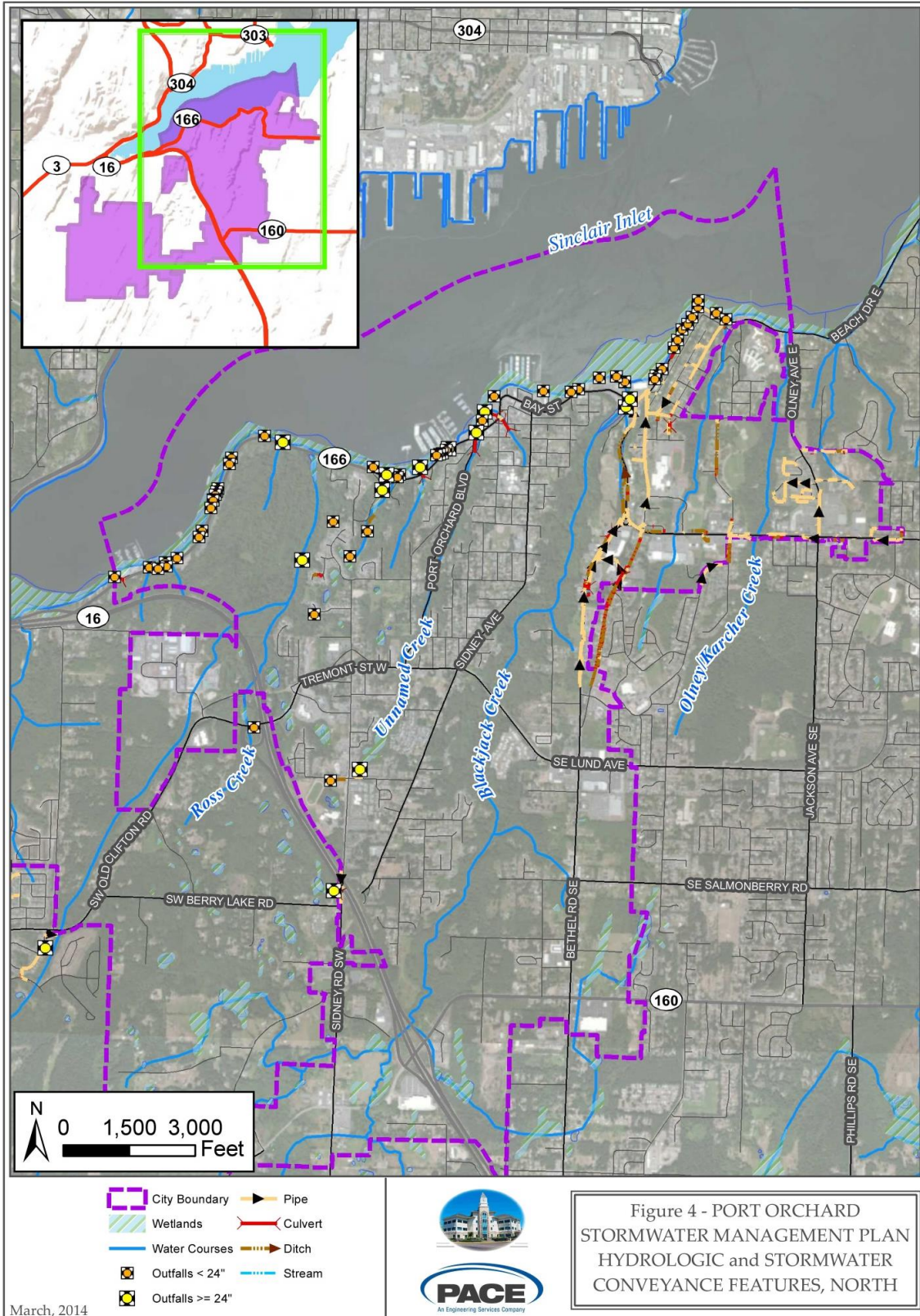
Policy UT-29 Recognize broadband’s influence and importance to economic diversification in Port Orchard.

Policy UT-30 Encourage installation of broadband infrastructure in all new residential subdivisions, economic development projects, and arterial improvements.









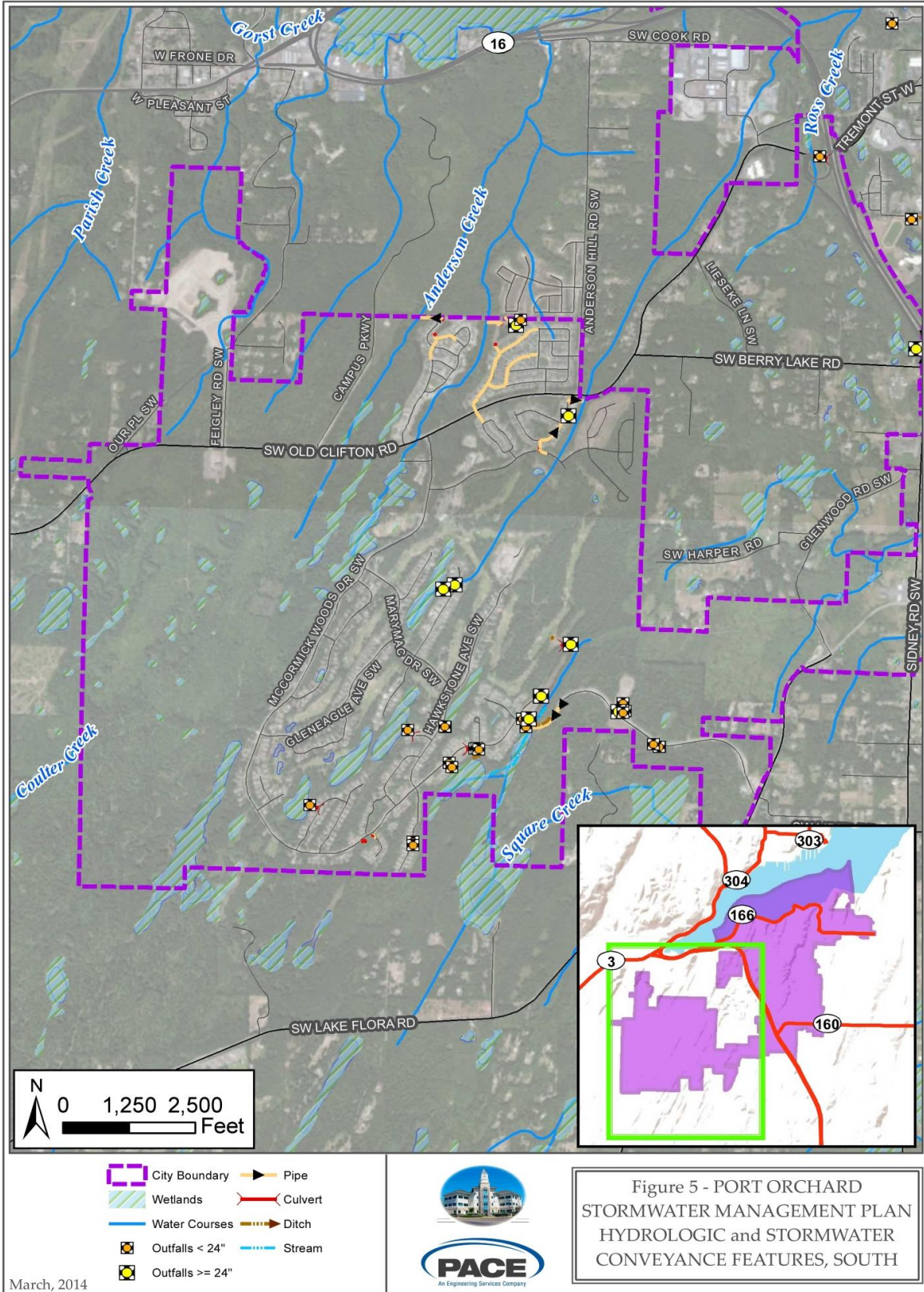


Figure 5 - PORT ORCHARD
STORMWATER MANAGEMENT PLAN
HYDROLOGIC and STORMWATER
CONVEYANCE FEATURES, SOUTH

March, 2014

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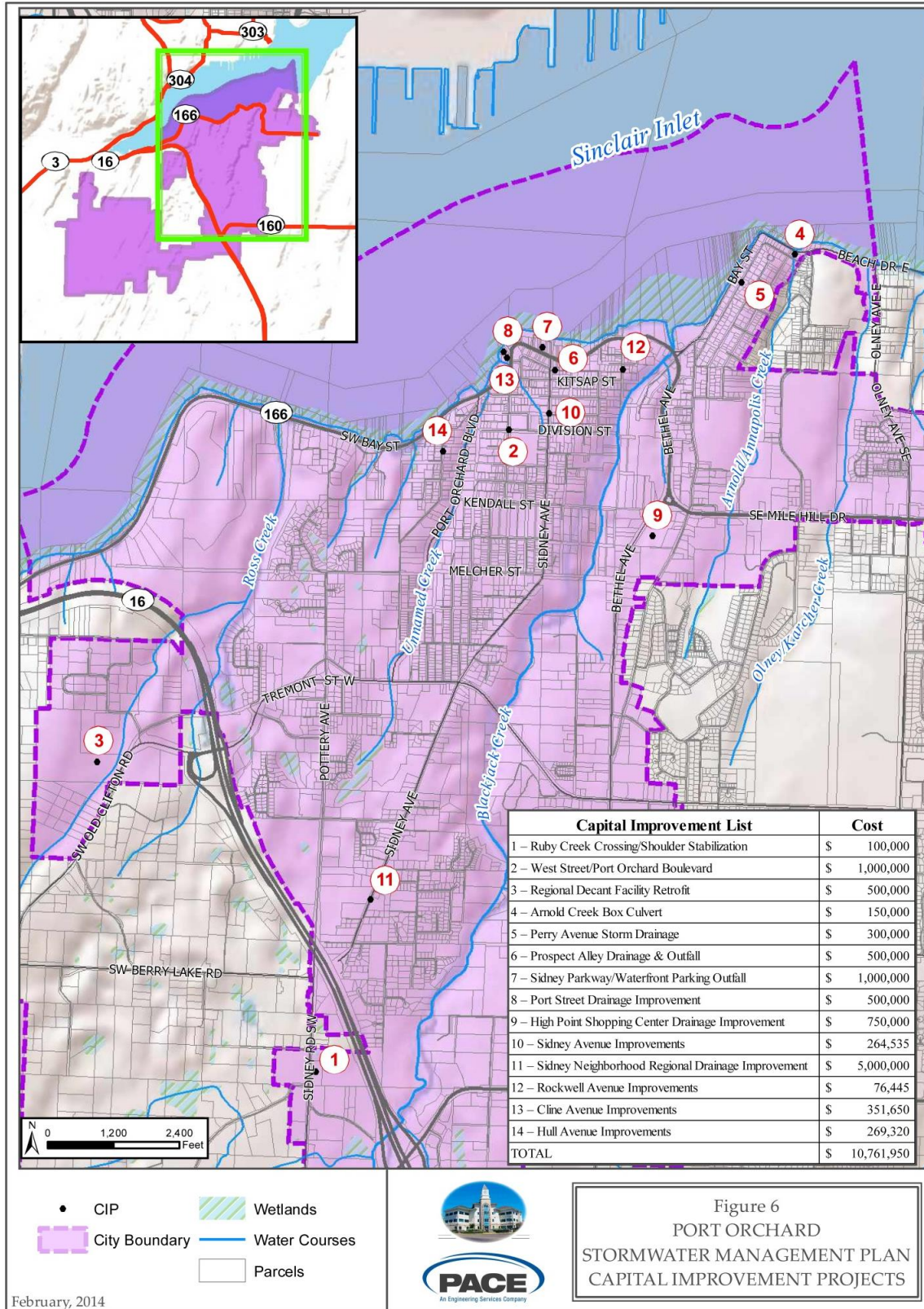


Figure 6
PORT ORCHARD
STORMWATER MANAGEMENT PLAN
CAPITAL IMPROVEMENT PROJECTS

Appendix B: Plans Adopted by Reference

PLAN OR DOCUMENT
South Kitsap School District 2014-2019 Capital Facilities Plan
West Sound Utility District / Joint Wastewater Treatment Facility 2009 Capital Facilities Plan
West Sound Utility District 2007 Sewer Plan
West Sound Utility District 2013 Water Plan
Kitsap County 2003 South Kitsap UGA/ULID#6 Sub-Area Plan & EIS
Kitsap County 2012 Port Orchard/South Kitsap Sub-Area Plan
2016 Kitsap County Comprehensive Plan 10-Year Update
Blackjack Creek Watershed Assessment and Protection & Restoration Plan (2017)
City of Port Orchard 1994 Ross Creek Comprehensive Management Plan
City of Port Orchard 2005 Economic Development Plan
City of Port Orchard 2010 McCormick Village Park Plan
City of Port Orchard 2012 Shoreline Master Program
City of Port Orchard 2013 Public Art Program
City of Port Orchard 2014 – 2021 Capital Facilities Plan
City of Port Orchard 2020 Water System Plan
City of Port Orchard 2020 Comprehensive Sanitary Sewer Plan Update
City of Port Orchard 2016 Transportation Plan Update
City of Port Orchard 2016 Comprehensive Parks Plan
City of Port Orchard 2016 Transportation Impact Fee Project List
City of Port Orchard 2022-2027/2028-2041 – 6 Year/20 Year Transportation Improvement Plan
City of Port Orchard Bethel/Sedgwick Corridor Plan and Appendices A-F
City of Port Orchard 2016 City Hall Space Analysis

**City of Port Orchard Six-Year Transportation Improvement Program
For 2022-2027 TIER 1 (Reasonably Constrained)**

Priority Number	Project Title/Project Description	Road Name Begin Termini End Termini	Total Project Length	Total Est. Cost	Spent Prior to 2021	2021	Future Expenditures 2022	2023	2024	2025	2026	2027	Phase Start Year	Funding Status	Phase	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds
Capital Projects																				
1.1	Bay Street Ped. Pathway ROW Phase	PO Shoreline: Sidney Ave. Foot Ferry to Annapolis Foot Ferry	1.2	2,220,000	1,140,000	540,000	540,000	540,000	0	0	0	0	2013	S	ROW	STP(U)	1,923,590		0	300,212
	Add 14-ft Multi-Modal (bikes & pedestrians) waterfront pathway & cantilevered retaining wall following historic Mosquito Fleet trail and pedestrian bridge across Black Jack Creek.			500,000		250,000	250,000	250,000	0	0	0	0	2018	P	ROW				0	581,000
1.2	Bay Street Pedestrian Pathway Construction (S#1, S#6-11)	The CN phase for the 14-ft Multi-Modal (bike & ped) waterfront pathway/cantilevered retaining wall following the historic Mosquito Fleet trail. Includes the demolition/removal of (5) overwater structures. Includes Seg #3 Ad Ready Doc Prep.	1.2	650,000	650,000	0	0	0	0	0	0	0	2018	S	CN					
				3,000,000	0	0	3,000,000	0	1,500,000	1500000	0	0	2021	S	CN					
1.3	Bay Street Pedestrian Pathway West	Port Orchard Blvd and Bay St: Ft Ferry to Tremont	1.5	566,474	0	0	566,474	0	566,474	0	0	0	2022	P	PL		490,000		0	76,474
1.4	Old Clifton/ Anderson Hill Intersection Improvements	Old Clifton Rd / Anderson Hill Rd. Intersection	0	258,000	200,000	0	58,000	58,000	0	0	0	0	2016	S	PE				0	258,000
	Intersection Improvements (roundabout) as identified in the McCormick Urban Village Trans Plan and partially funded by Bayside Mit Funds.			1,680,000	0	0	1,680,000	840,000	840,000	0	0	0	2021	P	CN			TIB	1,213,000	525,000
1.5	Old Clifton Rd Design - 60%	Old Clifton Road: Campus PKWY to Anderson Hill Rd.	0.75	450,000	0	225,000	225,000	225,000	0	0	0	0	2021	P	PE				0	450,000
	Rodway Improvements identified in the McCormick Urban Village Trans Plan. Design to 60% level. Includes RAB design at McC Woods Dr. intersection.						2,000,000						2025	P	CN	STP(U), RCO		TIB/CS		
1.7	Bethel/Sedgwick Phase 5a - Bethel/Lincoln RAB	Bethel/Lincoln/Lunberg/ Mitchell	0	4,000,000	0	800,000							2021	S	PE					800,000
	Safety and capacity improvements to intersection and reconfiguration of approaches.				0		3,200,000	3200000	0				2022	S/P	CN	HSP	1,500,000	TIB UAP	1,100,000	700,000
1.8	Bethel/ Sedgwick Corridor Phase 1a - Blueberry RAB	Bethel Road: blueberry Intersection																		
	Phase 1a. Bethel/ Blueberry RAB 60% DN in 2022			0	2,746,000	0	0	570,000	420,000			150,000	2022	S	PE		0		344,374	74,626
								268,000	268,000				2023	S	ROW				220,238	47,732
								1,908,000				1908000	2025	P	CN			TIB/ UAP/CS	1,568,178	307,051
1.9	Bethel/ Sedgwick Corridor Phase 1b - Salmonberry RAB	Bethel Road: Salmonberry intersection																		
	Phase 1b. Bethel/ Salmonberry RAB Round and roadway segment design from Blueberry to Salmonberry. 30% DN in 2022.			0	5,056,750	0	0	800,000	280,000	320,000		200,000	2025	P	PE		0		328,058	57,893
								1,328,450				1,328,450	2024	p	ROW				1,129,183	199,238
								2,928,300				2,928,300	2026	P	CN			TIB/UAP/CS	2,489,055	439,245
1.10	Vallair Ct Connector	Bethel Road / Walmart Drive Intersection	0.25	1,000,000	0	0	1,000,000	0	0	0	1000000	0	2024	P	PE & ROW		0		0	1,000,000
	Road extension and intersection improvements previously included in the Bethel Road Corridor ROW & Construction project.						1,000,000	0	0	0	0	1000000	2025	P	CN		0	TIB	0	1,000,000
1.11	Sidney Road SW Design - 60%	Sedgwick Rd. to Berry Lake Rd.	0.95	500,000	0	0	500,000	0	0	0	0	500,000	2027	P	PL		0		0	500,000
	Sidney Avenue is currently two lanes wide, it needs to be widened to three lanes (additional TWTL) including bike lanes, sidewalks, traffic calming, and stormwater system improvements. (COMPLETE STREET).																	TIB		

**City of Port Orchard Six-Year Transportation Improvement Program
For 2022-2027 TIER 1 (Reasonably Constrained)**

Priority Number	Project Title/Project Description	Road Name Begin Termini End Termini	Total Project Length	Total Est. Cost	Spent Prior to 2021	2021	Future Expenditures 2022	2023	2024	2025	2026	2027	Phase Start Year	Funding Status	Phase	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	
1.12	Sedgwick Road West Study - 30% Design	SR16 to Sidney Rd.		300,000	0	0	300,000	0	300,000				2023	P	Study						
	Establish alignments and cross sections. Develop mitigation alternatives and identify right-of-way needs for roadway and identify potential sites to accommodate stormwater run off and mitigation for filling wetlands. Include stormwater element for																				
1.13	Lippert Sidewalk Retrofit and Pavement Repair	Sidney Rd. S. to Pottery	0.95	35,000	0	35,000	0						2021	P	PE						
	ADA ramp and driveway retrofits, sidewalk repairs, pavement repairs, stormwater retrofit. In house des with consulted survey & basemap			778,000			778,000	778,000					2022	P	CN	CDBP	100,000			678,000	
1.14	Pottery Avenue Sidewalk Improvements	Sunset Ln. to Clay Ln.																			
	Address gap in sidewalk. Design in house. Survey and basemap by others.		0.95	35,000	0	0	35,000	35,000					2022	P	PE						
				778,000			155,000	0	155,000				2024	P	CN					250,000	
1.15	Pottery Avenue Non Motorized Improvements	SR16 to Lippert Dr.																			
	Road diet and non-motorized improvements. Safety enhancement at Pottery Lippert Intersection. Safe Routes to Schools Grant application.		0.95	35,000	0	35,000	0		35,000				2024	P	PE						
				750,000			750,000	0		750,000			2025	P	CN	SRTS	648,750			101,250	
1.16	Bay Street Reconstruction - Study	SR160 from Geiger to Frederick		200,000	0	0	200,000	100,000	100,000				2022	S	PE						
	Raise street to address sea level rise and improve to current standard in accordance with redevelopment plans																				
Total Capital Projects				23927224	1,990,000	1815000	22,122,224	4915000	3,852,474	3668450	5058000	4128300	500000				3,913,590		8,392,086	7,316,471	
Maintenance Projects				Total		2,021		Future Exp		2022		2023		2024		2025		2026		2027	
1.51	Annual Pavement Maintenance			509,500	0	53,000	456,500	56,500	100,000	100,000	100,000	100,000	0	2020	S	CN				456,500	
	Includes patching, crack-sealing, striping, and other activities																				
1.52	Annual Sidewalk & ADA Upgrade Program			796,000	0	38,000	758,000	38,000	180,000	180,000	180,000	180,000	0	2020	S	CN				758,000	
	Repair and replace concrete sidewalks and curb ramps as identified in the program																				
1.53	Annual Pavement Management System Paving Projects			2,335,000	0	300,000	2,035,000	535,000	0	500,000	500,000	500,000	0	2020	S	CN				2,035,000	
	Pavement replacement projects as identified in the pavement management system program																				
1.55	Tremont Overlay	Tremont St: Port Orchard Blvd to Lund bridge	0.5	500,000	0	0	500,000	0	500,000	0	0	0	0	2021	P	PE,CN				500,000	
	Pavement resurfacing to complete the surfacing of																				
Total Maintenance Projects				4,140,500	0	391,000	3,749,500	629,500	780,000	780,000	780,000	780,000	0				0		0	3,749,500	

* Per 2016 ADA transition plan: \$180,000 annually over 20 years to comply on arterial streets.
 ** Per 2016 Pavement Management Analysis Report: \$1.45 million annually to maintain network condition (PCI of 70), \$500k to keep network PCI above 65 after 5 years.



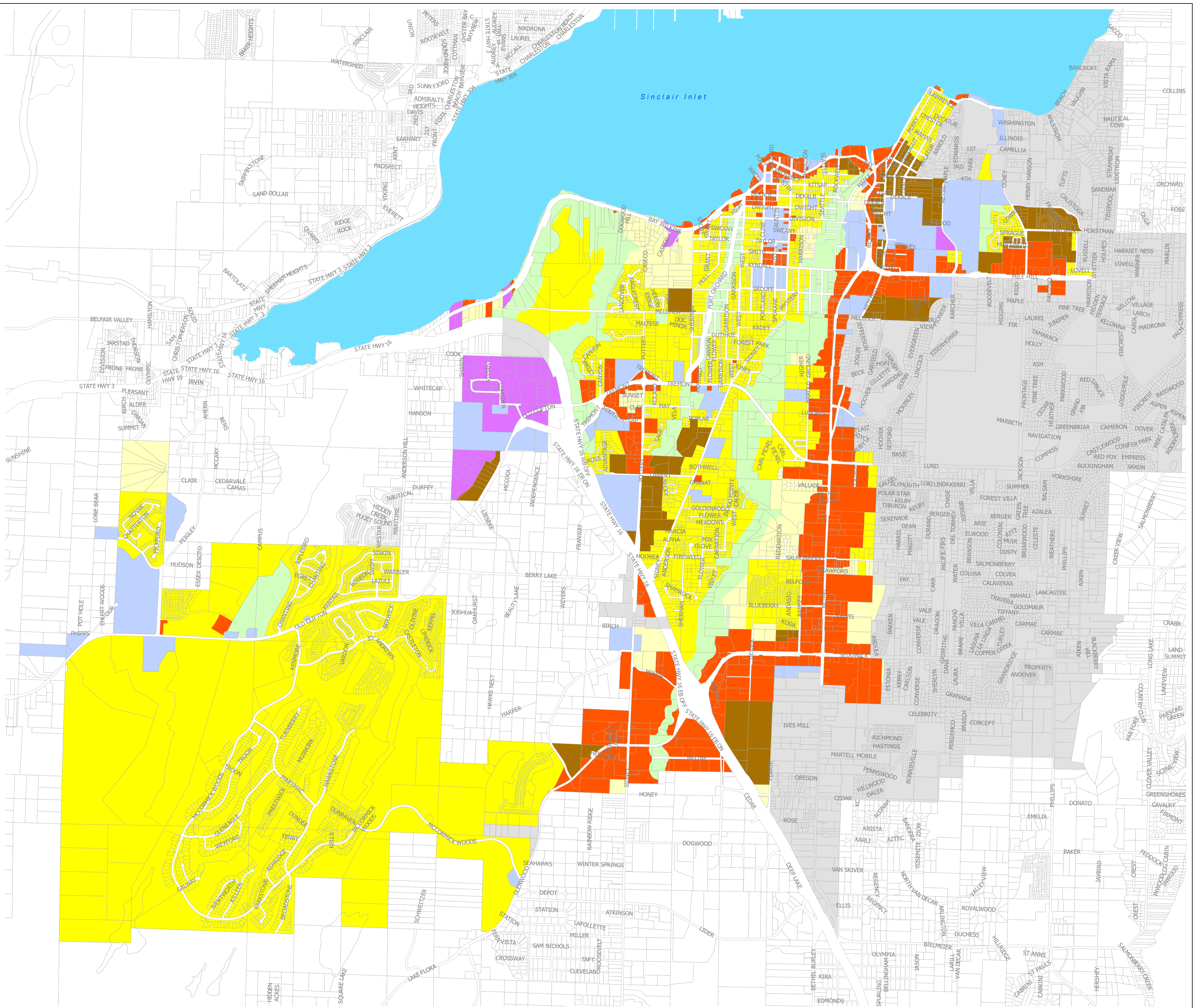
CITY OF PORT ORCHARD 2021 Comprehensive Plan Map

Land Use Designation

- Greenbelt
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Urban Industrial
- Public and Community Spaces

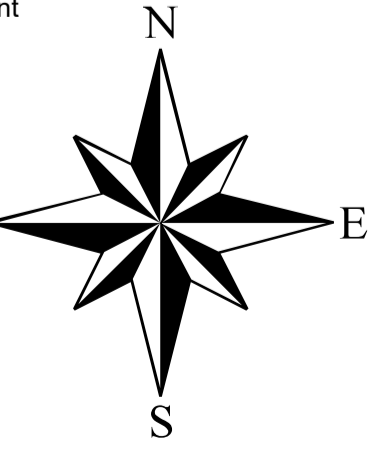
Urban Growth Area

- Port Orchard UGA



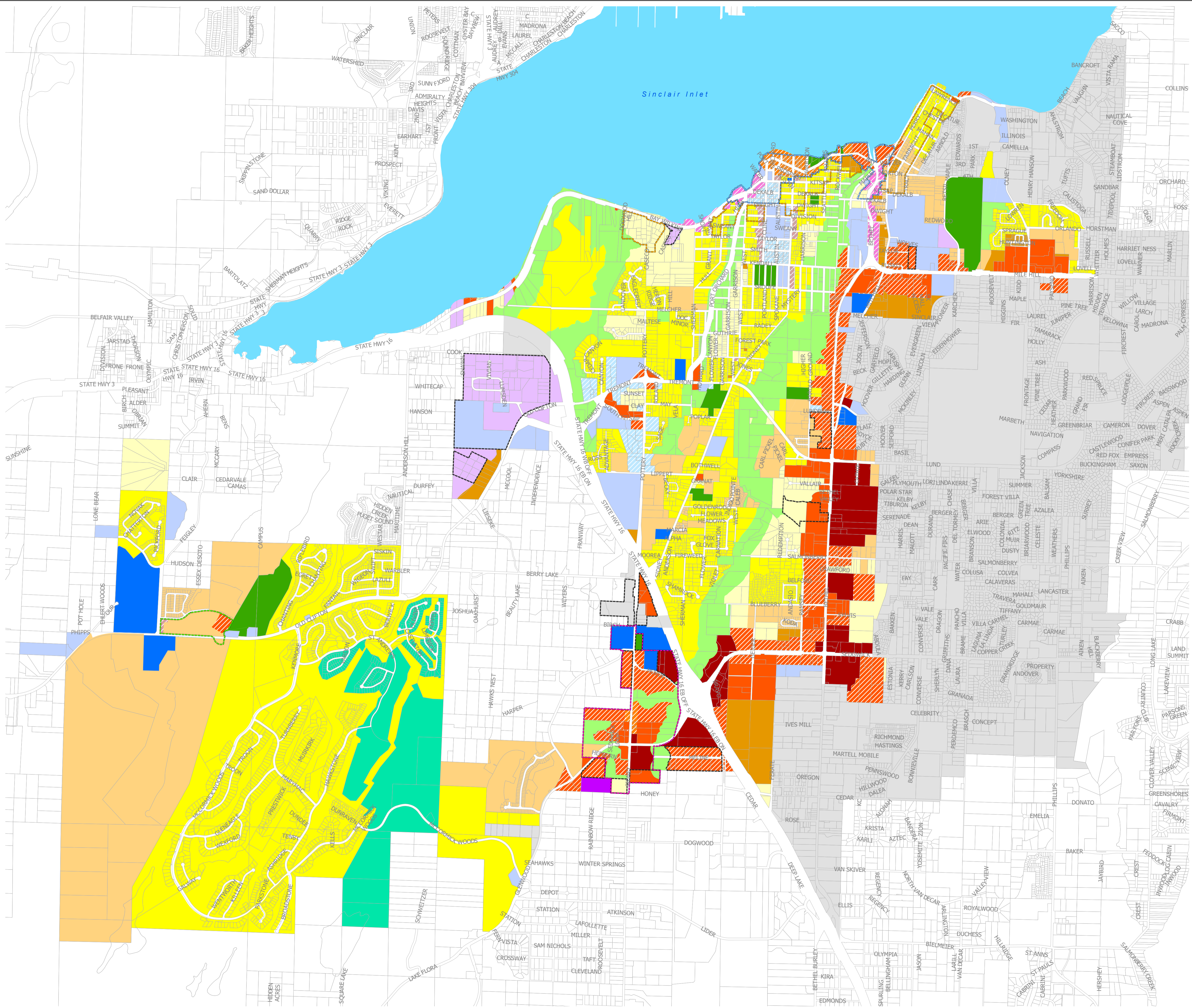
City of Port Orchard Department of Community Development
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 Fax: (360) 876-4980
www.cityofportorchard.us

This map was created from existing map sources, not from field surveys. While great care was taken in using the most current map sources available, no warranties of any sort, including accuracy, fitness, or merchantability accompany this product. The user of this map assumes responsibility for determining its suitability for its intended use. This map is not a substitute for field survey.





CITY OF PORT ORCHARD 2021 Zoning Map



Zoning Designation

- Greenbelt (GB)
- Residential 1 (R1)
- Residential 2 (R2)
- Residential 3 (R3)
- Residential 4 (R4)
- Residential 6 (R6)
- 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)
- Industrial Flex (IF)
- Light Industrial (LI)
- Civic and Institutional (CI)
- Parks and Recreation (PR)
- Public Facilities (PF)
- Downtown Height Overlay District (See POMC 20.38.600)
- McCormick Village Overlay District (See POMC 20.38.200)
- Ruby Creek Overlay District (See POMC 20.38.300)
- Self Storage Overlay District (See POMC 20.38.700)
- View Protection Overlay District (See POMC 20.38.800)

Urban Growth Area

- Port Orchard UGA

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City of Port Orchard Official Zoning Map as adopted by Ordinance 07-20 on 07-20-2020

Robert Putansius, Mayor

ATTEST:

Brandy Rineson, MMC, City Clerk

APPROVED AS TO FORM:

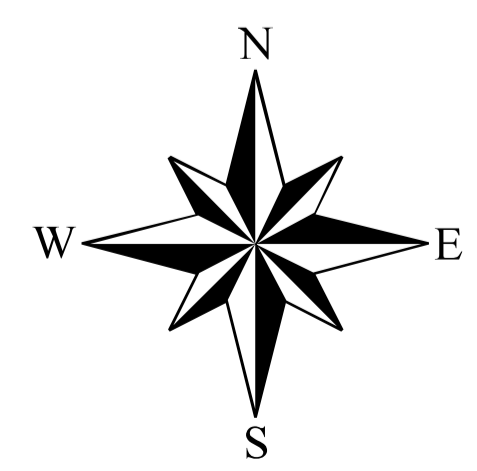
Charlotte A. Archer, City Attorney

Sponsored by:

Scott Diener, Councilmember

PUBLISHED: 07-20-2020

EFFECTIVE DATE: 07-20-2020





CITY OF PORT ORCHARD
Permit Center

RECEIVED
PERMIT CENTER
JAN 29 2021
CITY OF PORT ORCHARD
COMMUNITY DEVELOPMENT

MASTER PERMIT APPLICATION FORM

For Title 20 permit types. Check the boxes on page 2 for all permits applied for at this time.

AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

1. PROJECT INFORMATION:	
Project Name: He Development LLC	Parcel Size: 1.94
Site Address/ Location: 1932 SE Salmonberry Rd. Port Orchard, WA 98366	
Tax Parcel Number(s): 012301-3-017-2002	
Existing Use of Property: 111 Single Family Residence	
Project Description / Scope of Work: Potentially to construct 30 units, in 2, 3 story garden style apartments with parking.	
List any permits or decisions previously obtained for this project: None	
Is your project served by public water and/or public sanitary sewer systems? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes: Sewer Provider: <u>West Sound Utility District</u> Water Provider: <u>West Sound Utility District</u> If no: Kitsap Public Health District approval documentation must be submitted with this application.	
Is the project within the floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project within 200' of the shoreline? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Zoning Designation: R1	Overlay District Designation: Not in an overlay district
These surface waterbodies are on or adjacent to the property: (check all that apply) <input type="checkbox"/> Saltwater <input type="checkbox"/> Creek <input type="checkbox"/> Pond <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> None	
Does the project include new construction within 200' of a geologically hazardous area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Was there a Pre-Application meeting with Staff for this project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: date _____	
2. WATER, SEWER, AND TRANSPORTATION CAPACITY VERIFICATION.	
Check the box below that applies:	
<input type="checkbox"/> Concurrency is not required. This permit type is exempt per POMC 20.180.004(1)(a – t). List the code reference letter (a – t) and the permit type: _____	
<input type="checkbox"/> Concurrency is not required: No increased impacts on road facilities and/or the City's water/sewer systems.	
<input type="checkbox"/> An application for a Capacity Reservation Certificate (CRC) was previously submitted for: <input type="checkbox"/> water <input type="checkbox"/> sewer <input type="checkbox"/> transportation	
<input type="checkbox"/> An application for a Capacity Reservation Certificate (CRC) is included with this submission for: <input type="checkbox"/> water <input type="checkbox"/> sewer <input type="checkbox"/> transportation	
<input type="checkbox"/> A previously issued and unexpired city-issued CRC for Water, Sewer, and Transportation is included with this submission. (Provide two copies.)	
<input type="checkbox"/> A combination of documents which in total verifies and/or is an application for water, sewer, and transportation capacity is included with this submission: (Check all document types that are included with this submission) <input type="checkbox"/> City document(s) <input type="checkbox"/> from other Utility District(s) <input type="checkbox"/> from the Health District	
<input type="checkbox"/> 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. (A copy of the Demolition permit or prior use records are required.)	

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

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

Applicant Name (Name of person to contact): Robert Baglio
Applicant Company Name: BJC Group Inc.
Mailing Address (street, city, state, zip): 3780 SE Mile Hill Dr. Port Orchard, WA 98366
Phone: 360-895-0896 E-mail: rbaglio@bjcgroup.com

Property Owner (if different than Applicant): Zhi He (He Development LLC)
Mailing Address (street, city, state, zip): 4331 Bethel Rd. SE Port Orchard, WA 98366
Phone: 360-874-9966 E-mail: zhilhe@gmail.com

Engineer (Company and contact name): _____
Mailing Address (street, city, state, zip): _____
Phone: _____ E-mail: _____

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

Surveyor (Company and contact name): _____
Mailing Address (street, city, state, zip): _____
Phone: _____ E-mail: _____

Contractor: BJC Group Inc. Contact Name: Robert Baglio
Phone: 360-895-0896 E-mail: rbaglio@bjcgroup.com
Contractor's Mailing Address: 3780 SE Mile Hill Dr. Port Orchard, WA 98366
Contractor's License/Registration #: BJCGRI*033BZ Expiration Date: June 18, 2021
City Business License: Yes No (Apply online at: bls.dor.wa.gov) Revenue Tax# (UBI): 601-643-692

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. R.E.
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: Robert Baglio DATE: January 29, 2021

PRINT NAME: Robert Baglio

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: Zhi He DATE: January 29, 2021

PRINT NAME: Zhi He



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

RECEIVED
PERMIT CENTER
JAN 29 2021
CITY OF PORT ORCHARD
COMMUNITY DEVELOPMENT

SITE-SPECIFIC REZONE APPLICATION

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

FEES:	Rezone fee:	\$1,275.00
	(without Comp Plan Map Amendment)	
	Technology fee:	\$10.00
	Hearing Examiner Admin fee:	\$250.00
	Hearing Examiner deposit:	\$3,000.00
	Public Notice sign fee (each):	\$40.20
	SEPA Review:	\$300.00
	Fire District Review fee:	\$250.00
	Total Due with Submittal:	\$4,625.20

STAFF USE ONLY	
Received by:	<u>Jackie Kerkoff</u>
Receipt #:	<u>R00051831</u>
File #:	<u>LU21-CPA MAP-01</u>

Total Pd
\$ 2475.00

INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

SUBMITTAL REQUIREMENTS

This application shall include the following, unless specifically waived by DCD:
(Check the box for each item included with this application)

- THE MASTER PERMIT APPLICATION FORM** with original signature(s).
One Master covers all applications that are included with this submittal. No additional copies are required.
- SEVEN** copies of completed Rezone application form: This includes the original plus six (6) copies.
- SEVEN** copies of a narrative which includes:
 - Legal description of the property subject property.
 - The current Comprehensive Plan map designation.
 - A list of other permits that are or may be required for development of the property (issued by the City or by other government agencies), insofar as they are known to the applicant.
 - Identification of all sections of the Comprehensive Plan policies and map addressing the subject property.
 - Description of the proposed development of the property under the proposed zoning designation.
 - An explanation of the rationale for the proposed amendment.
 - A statement addressing how the proposed amendment and associated development conform to, conflict with, or relate to the criteria and general rules set forth in POMC 20.42.030(2).
- SEVEN** copies of a summary table of proposed project statistics, including site area, building coverage, coverage by impervious surface, required and proposed parking, and similar data as required to evaluate conformance of the proposed project with City regulations.
- SEVEN** copies of a vicinity map, 8 1/2" x 11" or larger, with site clearly marked, shown in relation to the nearest major streets, roads and waterways in the area, and identifying the zoning of the surrounding property.
- SEVEN** plan sets total:
 - THREE sets:** 18" x 24" or larger, and **FOUR sets:** 11" x 17", with north arrow and map scale, showing:
 - 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.

Tax Parcel #: 012301-3-017-2002

Legal Description of Subject Property:

01231E

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., KITSAP COUNTY, WASHINGTON DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS S89°12'E 912.4 FEET FROM THE WEST QUARTER CORNER OF SECTION 1; THENCE S89°12'E 208.2 FEET; THENCE S0°36'W 425.31 FEET; THENCE N88°31'W 208.2 FEET; THENCE N0°36'E TO THE POINT OF BEGINNING; EXCEPT COUNTY ROAD (SE SALMONBERRY ROAD).

Current Comprehensive Plan Map Designation:

Residential 1 (R1)

List of Other Permits Known by Applicant:

None

ID of Comprehensive Plan Policies & Map Addressing the Subject Property:

See Attached

Description of Proposed Development:

Potential future development of 3 story multi-family project consisting of 30 units, in 2, 3 story garden style apartments with parking. Proposed Residential 3 (R3)/ Medium Density Residential.

Explanation of Rationale:

Reasoning for such application is to take under utilized parcel and ensure that it services a much-needed housing shortage within our community. Also, for personal financial gain.

Conformity to Surrounding Area:

The transformation from R1 to R3 is keeping with surrounding area given properties to the North are zoned R3/ Medium Density, a long running corridor of commercial parcels running North to South on the to the West and the addition of my current development to the South a R3/ Medium Density multi-family project. This rezoning is without a doubt keeping to a conformity with its surrounding area.

Summary Table of Project Stats:

Site Area	1.94 Acres (approx. 84,506 SF)	
Building Area	22,000 SF	
Impervious Area	50,000 SF	
Proposed Parking Area	28,000 SF	
Pervious	34,506 SF	

- A SEPA Checklist Submittal: (use Form 012 for complete submittal requirements.)
- ONE Electronic copy of all submitted documents, in high resolution Adobe PDF format. Submit the decision criteria statement in Microsoft Word format.

Other documentation may be required in addition to what is listed above.

OWNER: (select the appropriate statement)

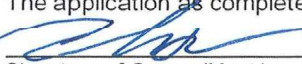
I affirm that the property affected by this application is in my exclusive ownership.

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 BJC Group Inc. 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)


Zhi Lin He
Print Name of Owner

01/29/2021
Date

STATE OF WASHINGTON)
) SS
COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that HE ZHI LIN 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 29th day of January, 2021.



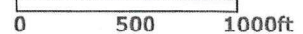
Dawn Hinthorn
NOTARY PUBLIC in and for the
State of Washington, residing at
Gig Harbor WA 98329
My appointment expires:
09.05.24

Map Scale: 1 : 10,000

Printed: Friday, Jan 29, 2021



** This map is not a substitute for field survey **



Comments



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 JAN 29 2021
 CITY OF PORT ORCHARD
 COMMUNITY DEVELOPMENT

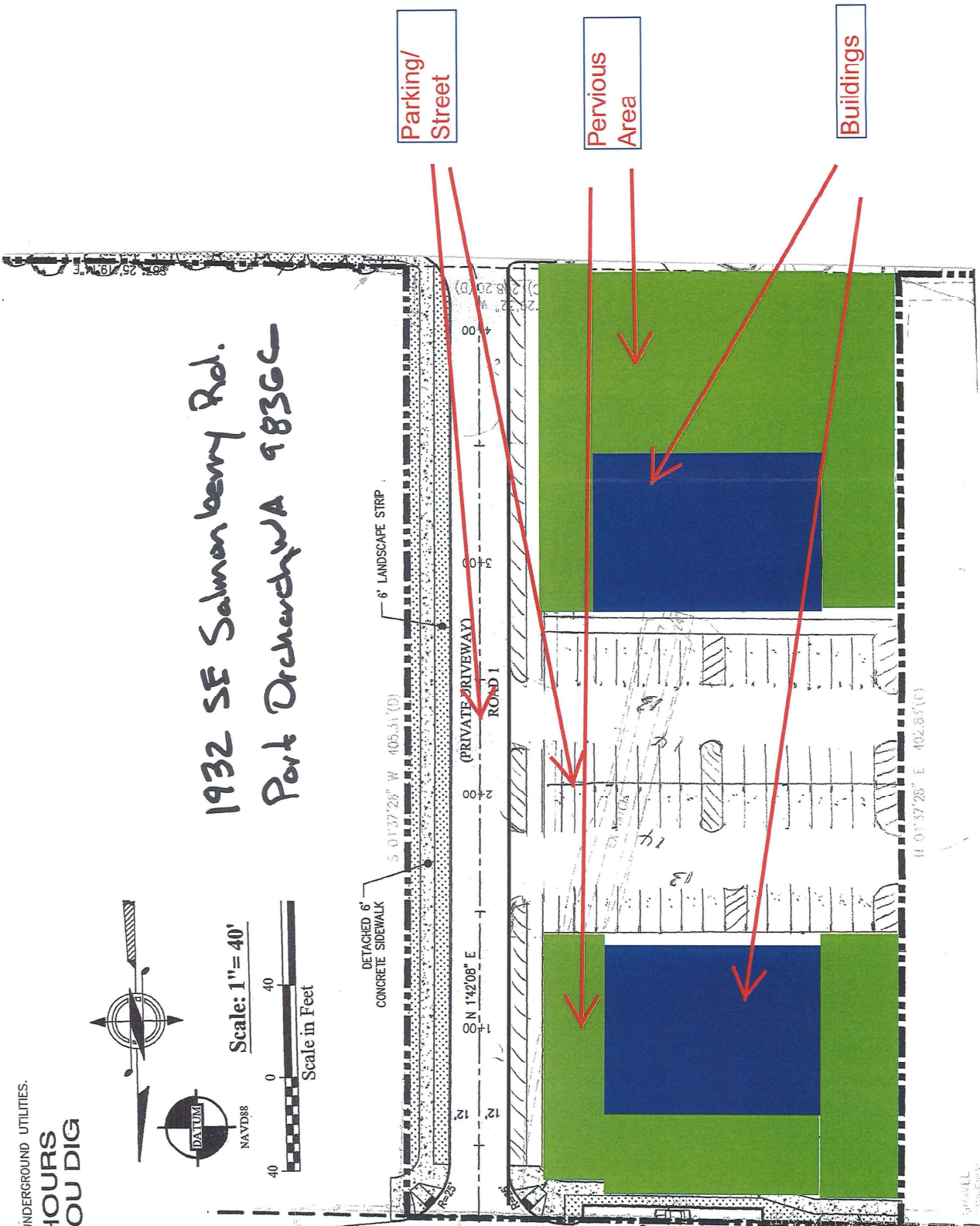
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COMMUNITY DEVELOPMENT

1
UNDERGROUND UTILITIES.
HOURS
YOU DIG



Scale: 1" = 40'
Scale in Feet

1932 SE Salmonberry Rd.
Port Orchard WA 98366



Parking/
Street

Pervious
Area

Buildings

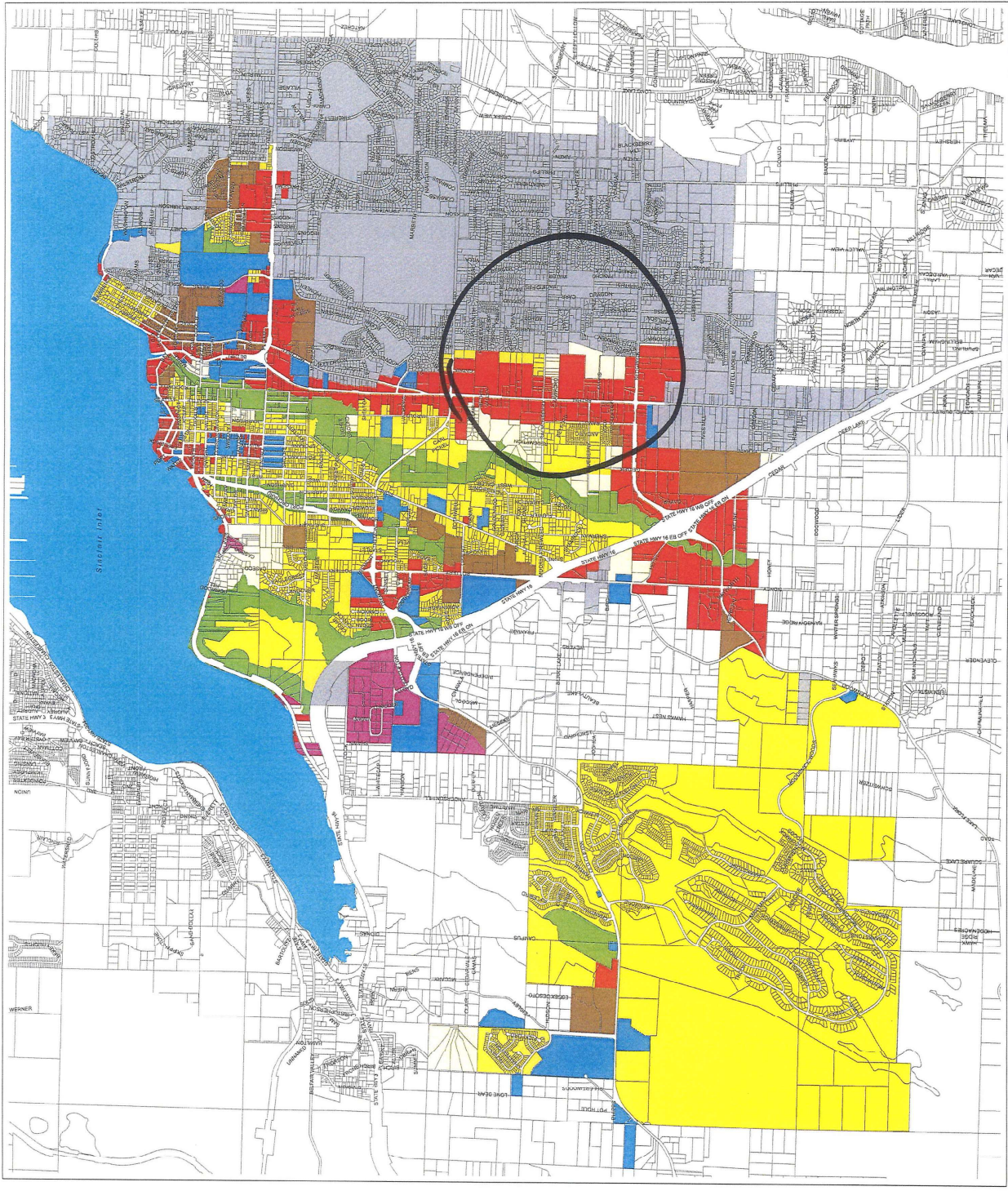


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**CITY OF PORT ORCHARD
 2020 COMPREHENSIVE PLAN MAP**

Comprehensive Plan Designations

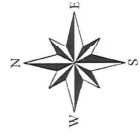
- Commercial
- Greenbelt
- High Density Residential
- Urban Industrial
- Low Density Residential
- Medium Density Residential
- Public and Community Spaces
- Urban Growth Area
- Port Orchard UGA



City of Port Orchard Department of Community Development
 216 Prospect Street, Port Orchard, WA 98366
 Phone: 206.875.6200
www.portorchard.wa.gov

This map is for informational purposes only and does not constitute a contract. It is subject to change without notice. The user assumes all responsibility for the accuracy of the information shown on this map. The user assumes all responsibility for the accuracy of the information shown on this map. The user assumes all responsibility for the accuracy of the information shown on this map.

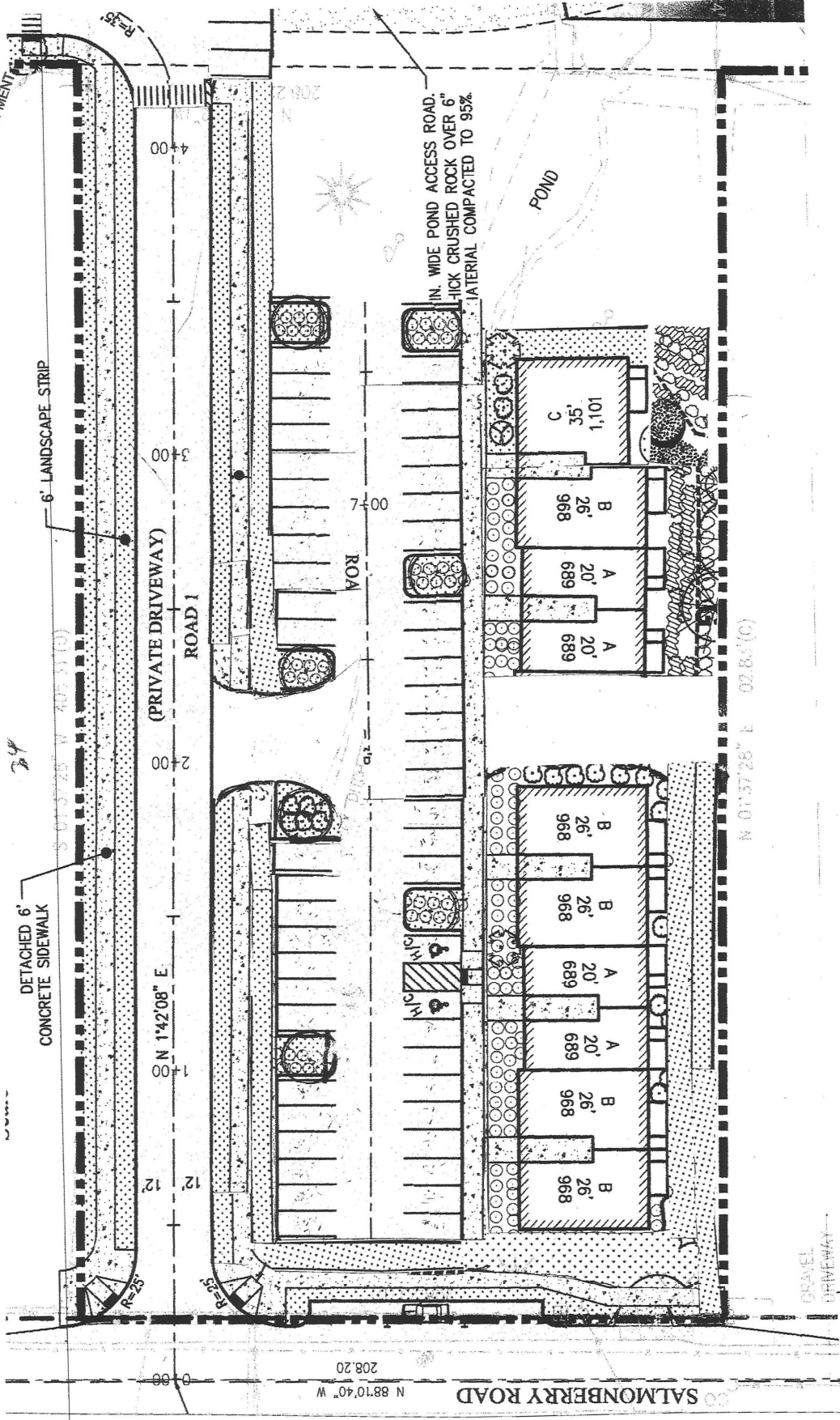
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LU21-CPA MAP-01

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LU21-CPA map-01



City of Port Orchard

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

Agenda Staff Report

Agenda Item No.:	<u>Business Item 8G</u>	Meeting Date:	<u>December 21, 2021</u>
Subject:	<u>Adoption of a Resolution Confirming</u>	Prepared by:	<u>Brandy Rinearson, MMC</u>
	<u>Mayoral Appointments to Boards,</u>		<u>City Clerk</u>
	<u>Committees, and Commissions</u>	Atty Routing No.:	<u>N/A</u>
		Atty Review Date:	<u>N/A</u>

Summary: Annually, the City Clerk’s office reviews the expiring terms and/or vacancy of members of various boards, committees, and commissions.

The Mayor is seeking to appoint the following volunteers to fill expired or vacant terms on various boards, committees, and commissions, upon confirmation of the City Council:

- **Planning Commission:** appointment of Bek Ashby, Position No. 6, for an un-expired term expiring December 31, 2023;
- **Design Review Board:** appointment of Rebecca Wall, Professional Position No. 2, for a three-year term expiring December 31, 2024, and re-appointment of Scott Bonjukian, Professional Position No. 1, for a three-year term expiring December 31, 2024;
- **Animal Control Appeal Board:** re-appointment of Bjorn BJORKE for a three-year term expiring December 31, 2024;
- **Building Board of Appeals:** re-appointment of David Fall for a five-year term expiring December 31, 2026;
- **Kitsap County Grant Recommendation Committee:** re-appointment of Christine Stansbery for a one-year term expiring December 31, 2022;
- **Kitsap County Capital Grant Recommendation Committee:** appointment of Sheri Ellington for a one-year term expiring December 31, 2022; and
- **Peninsula Regional Transpiration Planning Organization (PRTPO):** re-appointment of Bek Ashby for a one-year term expiring December 31, 2022.

Recommendation: Mayor Putaansuu recommends adoption of a Resolution confirming his appointments, as presented.

Relationship to Comprehensive Plan: N/A.

Motion for consideration: “I move to adopt a Resolution confirming the Mayor’s appointments to the Boards, Committees, and Commissions, as set forth in the Resolution presented.”

Fiscal Impact: None.

Alternatives: Not confirm the Mayor’s appointment and provide further direction.

Attachments: Resolution.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON CONFIRMING MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, DESIGN REVIEW BOARD, ANIMAL CONTROL APPEAL BOARD, BUILDING BOARD OF APPEALS, THE KITSAP COUNTY SOLID WASTE ADVISORY COMMITTEE, KITSAP COUNTY GRANT AND CAPITAL GRANT RECOMMENDATION COMMITTEE AND PENINSULA REGIONAL TRANSPIRATION PLANNING ORGANIZATION (PRTPO)

WHEREAS, the Mayor is authorized to appoint volunteers to fill expired or vacant terms on various boards, committees, and commissions, upon confirmation of the City Council; and

WHEREAS, the following boards, committees, and commissions have expiring or vacant terms; now therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: The City Council of the City of Port Orchard does hereby confirm the appointment of Bek Ashby, Position No. 6, to the Planning Commission for an un-expired term expiring December 31, 2023.

THAT: The City Council of the City of Port Orchard does hereby confirm the appointment of Rebecca Wall, Professional Position No. 2, to the Design Review Board for a three-year term expiring December 31, 2024.

THAT: The City Council of the City of Port Orchard does hereby confirm the re-appointment of Scott Bonjukian, Professional Position No. 1, to the Design Review Board for a three-year term expiring December 31, 2024.

THAT: The City Council of the City of Port Orchard does hereby confirm the re-appointment of Bjorn BJORKE to the Animal Control Appeal Board for a three-year term expiring December 31, 2024.

THAT: The City Council of the City of Port Orchard does hereby confirm the re-appointment of David Fall to the Building Board of Appeals for a five-year term expiring December 31, 2026.

THAT: The City Council of the City of Port Orchard does hereby confirm the re-appointment of Christine Stansbery to the Kitsap County Grant Recommendation Committee for a one-year term expiring December 31, 2022.

THAT: The City Council of the City of Port Orchard does hereby confirm the appointment of Sheri Ellington to the Kitsap County Capital Grant Recommendation Committee for a one-year term expiring December 31, 2022.

THAT: The City Council of the City of Port Orchard does hereby confirm the re-appointment of Bek Ashby to the Peninsula Regional Transpiration Planning Organization (PRTPO) for a one-year term expiring December 31, 2022.

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 21st day of December 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk