



STAFF REPORT

Permit Number: 15 00737 | Edwards – Mountain View Meadows

DATE: February 24, 2016

TO: Kitsap County Board of Commissioners; Kitsap County Planning Commission

FROM: Katrina Knutson, AICP, Senior Planner, DCD and

Jeff Arango, AICP, Senior Associate, BERK Consulting

RE: Edwards – Mountain View Meadows LLC Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Gloria Edwards (Applicant); Rhonda Edwards (Owner); William M. Palmer (Authorized Agent)
2. **Parcel Number:** 032501-2-018-2009; 032501-2-022-2003
3. **Address or location information:** Silverdale Way NW, Silverdale, WA; see Attachment 1
4. **Current Land Use:** undeveloped; see Attachment 3
5. **Current Comprehensive Plan Map Designation:** Rural Residential (RR)
6. **Proposed Comprehensive Plan Map Designation:** Urban Low Density Residential (ULDR)
7. **Current Zoning:** Rural Residential (RR); see Attachment 4
8. **Proposed Zoning:** Urban Low Residential (UL); see Attachment 5
9. **Lot Area / Size:** 17.99 acres (total parcel area)
10. **Comprehensive Plan Alternative:** Included as part of the 2016 Comprehensive Plan Update Supplemental Environmental Impact Statement (SEIS) Alternative 3.
11. **Preferred Alternative:** Request is not reflected in the Preferred Alternative.

Submitted Application Materials

- Project application
- Site maps
- Legal description
- Ownership Certification

- Amendment Criteria
- SEPA Environmental Checklist

Application Request

The request is to redesignate and rezone the subject property of 17.99 acres from Rural Residential (RR) to Urban Low Density Residential (ULDR) on the Comprehensive Plan Map and Urban Low Residential (UL) on the zoning map. This request would also require expansion of the Silverdale Urban Growth Area (UGA) boundary.

BACKGROUND

The subject parcel is 17.75 acres and currently is undeveloped vacant land. According to 2013 satellite imagery, the site was wooded. At present, the site has been cleared. It is currently designated and zoned RR and is adjacent to the Silverdale UGA boundary along its southern and western boundaries. The property does not have existing well water or sewer utilities, but has existing power through Puget Sound Energy. It has access to Silverdale Way NW along the southeast corner of the property. County building limitation maps indicate the presence of wetlands along the eastern property edge, north of Silverdale Way. The property occurs within a Category I critical aquifer recharge area.

The site was part of the UGA in 2006 but was taken out in the 2012 Comprehensive Plan update. It is currently being included within the UGA in the Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) under Alternative 3. The request is not included in the Preferred Alternative.

Surrounding Zoning and Land Use

The subject property is adjacent to properties that are designated and zoned RR and UL. Adjacent parcels zoned UL are within the Silverdale UGA boundary. See Exhibit 1. According to aerial imagery, adjacent properties to the north and east are developed for residential use. Adjacent parcels immediately north of the subject property and south of NW Mountain View Road are zoned RR and range in size from about 1 to 4 acres. This is a marked difference from the size of the subject property. Parcels immediately to the west and south of the subject property are within the UGA boundary and are zoned UL. Lot sizes are generally less than 1 acre in size and developed as single family residential in planned development communities.

Exhibit 1. Summary of Surrounding Areas Current Zoning and Land Use

Surrounding Areas	Current Zoning	Current Land Use
North	<ul style="list-style-type: none"> • RR • Rural Protection (RP) 	<ul style="list-style-type: none"> • Undeveloped • Residential
East	<ul style="list-style-type: none"> • RR 	<ul style="list-style-type: none"> • Undeveloped
South	<ul style="list-style-type: none"> • UL 	<ul style="list-style-type: none"> • School • Residential
West	<ul style="list-style-type: none"> • UL 	<ul style="list-style-type: none"> • Residential (UGA)

Source: Kitsap County GIS; BERK Consulting 2015

Larger Surrounding Land Use

The subject property lies on the northern end of the Silverdale UGA. It is part of a large contiguous area of RR zoning that transitions to Rural Protection (RP) zoning further north.

Current Comprehensive Plan and Zoning Designations

The existing Land Use Designation and zoning for the property is RR. The Comprehensive Plan describes RR as:

- **Rural Residential (RR):** This designation is intended to allow low-density residential development consistent with rural character, and primarily focuses on single-family dwellings. This designation is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features, and also recognizes areas that are already committed to a pattern of smaller rural lots. The RR designation is implemented by the Rural Residential zone.

This associated RR implementing zone promotes “low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.” RR has a maximum density of 1 dwelling unit per 5 acres.

Proposed Comprehensive Plan and Zoning Designation

As described in the current Comprehensive Plan the current zoning designation is ULDR and the proposed zoning is UL.

- **Urban Low Density Residential (ULDR):** This designation primarily focuses on single-family dwellings but also may include innovative types such as clustered housing. It also includes regulated environmentally critical areas within the UGAs and other areas identified for low-density urban development. Zones that implement the ULDR designation include: Urban Restricted Residential, Illahee Greenbelt Zone, Urban Low Residential, Urban Cluster Residential and Senior Living Homestead.
- **Urban Low Residential (UL):** The proposed zone is intended to “recognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.” This zone allows for mainly low density residential uses along with some commercial uses. Resource uses such as agriculture and forestry are also permitted uses in UL.

The following tables compare the existing and proposed zoning designations for selected allowed uses and development standards. See Exhibit 2 and Exhibit 3.

Exhibit 2. Kitsap County Code: Selected Allowed Uses (KCC 17.381.040 E)

Selected Uses	UL (proposed zoning)	RR (current zoning)
Residential Uses		
• Duplex dwelling	P	P
• Multi-family dwelling	C	X
• Single family detached	P	P
• Single family attached	P	C
• Mobile homes	C	P
Commercial/Business Uses		
• Daycare center	C	P
• Kennels, pet day care	X	C
• Nursery	X	C
Resource Land Uses		
• Agricultural uses	P	P
• Forestry	P	P

Note: Table is a selection of uses described in Kitsap County Code and does not reflect all allowable uses for the current and proposed zoning.

Exhibit 3. Selected Development Standards Comparison (KCC 17.382.100 and .060)

Density and Dimensions	UL (proposed zoning)	RR (current zoning)
Minimum density (du/acre)	5	NA
Base/Maximum density (du/acre)	9	NA
Minimum lot size	2,400 sf	5 acres
Lot width (feet)	40	140
Lot depth (feet)	60	140
Maximum height (feet)	35	35

PUBLIC COMMENTS

This is a summary of comments received. For full text comments, please visit project page: <http://compplan.kitsapgov.com>

The representative submitted a comment letter supporting the proposal.

Two public comments were received stating opposition due to expansion of the UGA.

EVALUATION

Site specific reclassification requests to the Comprehensive Plan must be reviewed in accordance with the criteria outlined in the Kitsap County Code (KCC) Chapter 21.08. Applicable review criteria for site specific reclassification requests are in sections KCC 21.08.070.A and KCC 21.08.070.D.

General Criteria (KCC 21.08.070.A)

A. General. For each proposed amendment to the Comprehensive Plan the review authority, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions, which demonstrate:

1. How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;

Circumstances related to the proposed amendment or area in which the property is located has changed since the adoption of the Comprehensive Plan or development regulations. See Exhibit 4.

Exhibit 4. Silverdale UGA Adjusted Population Allocations 2012-2036

Adjusted Growth Target 2012-2036	No Action Alternative Growth	Difference with Target	Alternative 2 Growth	Difference with Target	Alternative 3 Growth	Difference with Target
8,723	7,644	(1,079)	8,777	54	8,860	137

Source: Kitsap County GIS; BERK Consulting 2015

- Under the No Action Alternative, the subject properties are not included in the Silverdale UGA. The County shows a deficit of capacity in this alternative.
- Under Alternative 2, the subject properties are not included in the Silverdale UGA, and the overall capacity of the UGA in this alternative is slightly more than the No Action Alternative.
- Under Alternative 3, the subject properties are included in the Silverdale UGA, and the proposed UGA would have more capacity than the No Action Alternative to meet the growth target.

2. How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated capacity analysis has been conducted as part of the 2016 Comprehensive Plan update, see Exhibit 4 above.

3. How the requested re-designation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The County aims to focus a greater share of growth into the urban areas. If the County considers appropriate locations for capacity changes in the current UGA boundaries through reasonable measures and finds it continues to lack capacity for residential uses, other sites abutting the UGA may be appropriate.

Reclassification Request Criteria (KCC 21.08.070.D)

D. Amendments. In addition to the findings and conclusions in subsection (A) of this section, a proposed site-specific map amendment may be recommended for approval by the planning commission and may be approved by the board of commissioners if the following findings are made:

1. All Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

- a. **The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;**

The subject property does not have existing water and sewer utilities, but both services are within close proximity. According to the County Comprehensive Plan policy LU-16, properties in the UGA will be required to have urban-level sanitary sewer service, per Policy LU-16, if the zoning amendment is approved to be included in the UGA with UL zoning designation.

A zoning change to UL would allow about 104 additional new dwelling units to be constructed on the site assuming an average of 6.1 units per acre (gross) for the UL zone per the Buildable Lands Report (2014); whereas under the RR zone about 3 lots would be possible. It should be noted that the 104 additional lots is a maximum unconstrained estimate; the number would likely be lower when factoring in critical areas and site design.

Nevertheless, the higher urban density will increase the demand on adopted level of service standards such as police, fire and emergency medical services. Higher density would also create more demand for transportation maintenance and services to reach necessary services in the surrounding rural and urban communities. The cumulative demand for services was analyzed in the 2012 Comprehensive Plan UGA Sizing and Composition Remand; the areas is now under review in the Comprehensive Plan Update 2016 Alternative 3.

- b. **The proposed amendment is consistent with the balance of the goals, policies and objectives of the current Kitsap County Comprehensive Plan and reflects the local circumstances of the County;**

Kitsap County Comprehensive Plan Chapter Vision

Kitsap County’s Comprehensive Plan shows the relationship between chapter concepts and the comprehensive plan vision.

Exhibit 5. County Vision for Rural and Urban Areas

Vision	Rural Chapter Relationship to Vision
<p>Rural Areas. Rural areas and communities where unique historical characters, appearances, functions, and pioneering spirits are retained and enhanced. Natural resource activities, such as forestry, agriculture, and mining continue to contribute to the rural character and economy. Rural recreation opportunities are enhanced, including equestrian facilities, trails, and others.</p>	<ul style="list-style-type: none"> Maintain low residential densities in rural areas and provides policy guidance for development standards which help to preserve the County’s rural character. Foster small sustainable farms and agricultural enterprises that provide locally-grown food and fiber for Kitsap citizens.
<p>Urban Areas. Healthy urban areas that are the region's centers for diverse employment and housing opportunities, all levels of education, and civic and cultural activities.</p>	<ul style="list-style-type: none"> Support focused development in urban areas as centers for population, employment, and civic and cultural activities (See the Land Use chapter for further policy guidance affecting the urban area.)

Source: Kitsap County Comprehensive Plan (December 2012).

The proposed amendment to expand the UGA would support goals to focus residential development in urban areas.

Kitsap County Comprehensive Plan 2036 Goals and Policies

Kitsap County's Comprehensive Plan includes vision statements that direct policy for urban areas, rural areas, and public services and facilities. The following Comprehensive Plan goals and policies are applicable in considering this reclassification request application:

2.2.4 Urban Growth Areas

- **Goal 5: Provide public services and capital facilities necessary to support planned urban growth at adopted levels of service for the 2025 planning horizon.**
- **Policy LU-23 Prioritize the UGAs for Kitsap County expenditures for public services and facilities as a tool to encourage development, to make urban areas desirable places to live, and to use existing infrastructure more efficiently and cost effectively.**
- **Policy LU-24 Prohibit extension or expansion of urban services and facilities in rural areas except in limited circumstances necessary to protect basic public health, safety, and the environment, and do not allow extensions or expansion in rural areas to create or encourage urban development outside the designated UGA.**

The subject properties currently do not have urban services and facilities.

- **Goal 6: Encourage and reinforce development patterns within UGAs that are distinct from those in rural areas.**
- **Goal 11: Encourage new residential growth to locate within designated UGAs at higher densities than in rural areas.**

The proposed UL zoning requires a minimum density of 5 dwelling units per acre. . The site could be developed at a higher density.

3A.2.1 Rural Lands

- **Goal 1: Retain the rural character of the County outside of designated urban areas, as described in this chapter.**
 - **Policy RL-1 Limit the designated rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.**
 - **Policy RL-2 Provide a variety of densities in the rural areas to make more efficient use of land, maximize the return on public infrastructure investment, and provide for affordable housing opportunities.**
 - **Policy RL-3 Permit residential uses in rural areas consistent with the existing and planned rural character of the surrounding area.**
 - **Policy RL-4 Outside of the Type III LAMIRDS, limit development only to that which serves rural residential or resource needs and not draw people from UGAs.**

The proposed UL designation would change rural land to urban land and would require a UGA expansion. This would allow urban land development, uses, patterns and densities that are consistent with urban areas.

- c. **The subject parcel(s) is suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood;**

The subject property is not suitable based on provision of utilities. With its existing uses, it is more compatible with surrounding areas with rural zoning designation and not with UL zone characteristics. However, it is adjacent to lands on the west and south that are more urban in character. The mapped wetland along the easterly edge could impact future development in that immediate location, but would not impact the majority of the property.

- d. **The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning, and reflects local circumstances in the county;**

The proposed amendment requests to be part of the Silverdale UGA. Under the County's current Comprehensive Plan updated, this site is not included under the No Action Alternative and Alternative 2. It is included in the Silverdale UGA under Alternative 3. See Exhibit 4.

- e. **The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;**

The proposed amendment would affect the adequacy of urban facilities because it currently does not have the level of sewer services required for urban development, although services are in close proximity. The County would have to extend and provide sewer services to development in this area. Past sewer plans prepared in 2008 and 2012 considered adding this property in conjunction with other potential UGA territory, but did not do so

- f. **The proposed amendment is consistent with the GMA, Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements.**

The following state and local policies and laws are applicable to the applicant's zoning amendment request.

Growth Management Act Planning Goals (RCW 36.70a.020)

1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

The proposed zoning amendment change partially supports this goal. The subject property is currently undeveloped and does not have adequate public facilities or existing public sewer services. Such services would have to be extended to support development on this site. The site has been studied in the past cumulatively in 2006, 2008, and 2012 for urban services including sewer, and now with the 2016 Comprehensive Plan Update as part of Alternative 3. Past sewer plans prepared in 2008 and 2012 considered adding this property in conjunction with other potential UGA territory. It could be served by the sewer system in the abutting UGA; extension would be required.

See also response to D. above regarding UGA capacity.

2) Reduce Sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

The proposed site is undeveloped; if incorporated into the UGA and subject to minimum densities the development pattern would be urban in character.

Kitsap County-wide Planning Policies

Element B. Urban Growth Areas

3. Process and criteria for establishing, expanding, and adjusting Urban Growth Areas in Kitsap County

g) Any jurisdiction seeking to expand its Urban Growth Area shall achieve densities and urban growth patterns consistent with the Growth Management Act and the City's adopted Comprehensive Plan and any inter-local agreement between the City and the County.

i) Expansion of Urban Growth Areas shall direct growth first to areas already characterized by urban growth that have adequate existing public facility and service capabilities to serve development; second to areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided; and third to areas that are adjacent to incorporated cities or established Urban Growth Areas once the available land meeting the first or second priority has been designated. Areas which have existing public facilities or where public facilities can be reasonably extended and are not currently at urban densities should be considered first within this category.

The subject property is currently undeveloped vacant land without existing water and sewer utilities and service. As undeveloped land, it does not have characteristics of urban growth. However, it is near public sewer utilities that may be reasonably extended (see Attachment 6. Existing Sewer Map). Past sewer plans prepared in 2008 and 2012 considered adding this property in conjunction with other potential UGA territory.

2. All Site-Specific Amendment Requests Regarding Parcels Located Within an Associated Urban Growth Area (Including UGA Expansions of Associated Urban Growth Areas). Each of the following requirements must be satisfied for a recommendation for approval:

g. Demonstration from the jurisdiction affiliated with the UGA that the proposal has the capability and capacity to provide urban level services to the area.

The property would be associated with the Silverdale UGA. The cumulative demand for services was analyzed in the 2012 Comprehensive Plan UGA Sizing and Composition Remand; the areas is now under review in the Comprehensive Plan Update 2016 Alternative 3.

h. Demonstration that the proposal is consistent with the associated urban growth area jurisdiction's Comprehensive Plan.

The subject property is associated with the Silverdale UGA. The Kitsap County Comprehensive Plan Chapter 14 consists of the Silverdale Sub-Area Plan.

Chapter 14: Silverdale Sub-Area Plan

- Goal 2. Encourage land use patterns that promote convenient access to goods and services using all forms of transportation modes.

The subject properties have access to Silverdale Way NW.

- Goal 8. Encourage new development to be consistent and complementary with adjoining or nearby existing development.

Proposed UL zoning is consistent with adjacent parcels' land use and zoning to the south and west, though would be greater in density compared to properties to the north and east designated RP and RR.

c. Demonstration that the proposal meets the affiliated jurisdiction’s transportation standards.

The County Comprehensive Plan Chapter 14 for Silverdale’s Sub-Area Plan contains goals and policies on transportation. Based on the 2006 Comprehensive Plan EIS and 2012 EIS, the area has been evaluated cumulatively for urban uses and appropriate road improvements identified in the County’s UGAs including Silverdale; the area is under review again in the 2016 SEIS. The site is located less than one mile south of a segment of Viking Way NW with existing and projected 2036 deficiencies under Alternative 3. However, the transportation improvement projects identified to address deficiencies expected without the proposal would also be expected to address the contribution to the cumulative impact resulting from the proposal. It is anticipated based on the County transportation modeling the proposed land use and zoning would not create a significant impact on the County’s transportation standards. Further any reclassification request development would be subject to the County’s transportation concurrency requirements.

Findings of Fact

1. The applicant, Gloria Edwards, and the applicant’s agent, William Palmer, submitted the application to Kitsap County on February 26, 2015.
2. The applicant seeks a Comprehensive Plan Amendment to change the Land Use Map and zoning from RR to ULDR designation with UL zoning, and to include the parcel as part of the Silverdale UGA.
3. The properties are located along Silverdale Way NW along the northern border of the Silverdale UGA.
4. Adjacent properties are zoned RR and UL and are mainly in residential use.
5. The properties are not included in the Silverdale UGA under the No Action Alternative and Alternative 2. They are included under Alternative 3.
6. The current zoning designation, RR, is appropriate for the conditions of the property. This zone allows for “continued rural development while discouraging land use patterns that could foreclose options for inclusion into future UGAs and their higher densities and land use intensities.” The parcel is conforming to its zoning.
7. The property is in a lower tier of priority for urban services as it is not already characterized by urban growth or served by urban services such as sewer.
8. The property was logged in 2015 under a non-conversion permit. Therefore a 6-year development moratorium has been placed on the property, making development potential well into the planning period impossible.
9. Staff recommends Alternative 2, which calls for the majority of population growth to occur within the Regional Growth Center Boundary. Adding this property to the UGA could add 108 dwelling units and 270 people to the fringe of the UGA.
10. The subject properties are not included in the Preferred Alternative.

Conclusion of Law

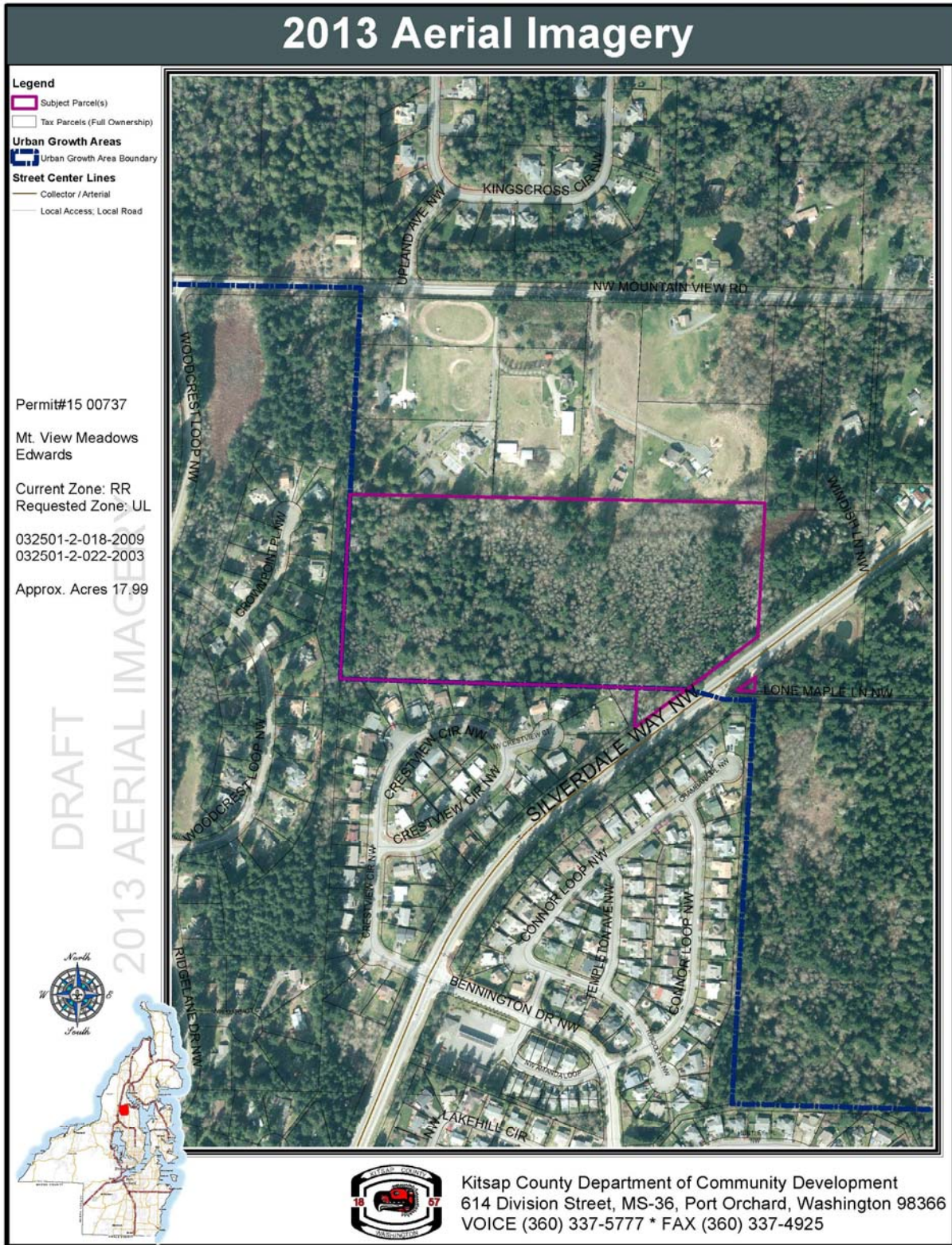
The proposal to amend the Comprehensive Plan and zoning designation from RR to UL does not comply with all the provisions of the Washington State, Growth Management Act, Kitsap Countywide Planning Policies, and Kitsap County Comprehensive Plan in terms of lack of urban services and the need to focus growth in existing urban areas. .

Recommendation

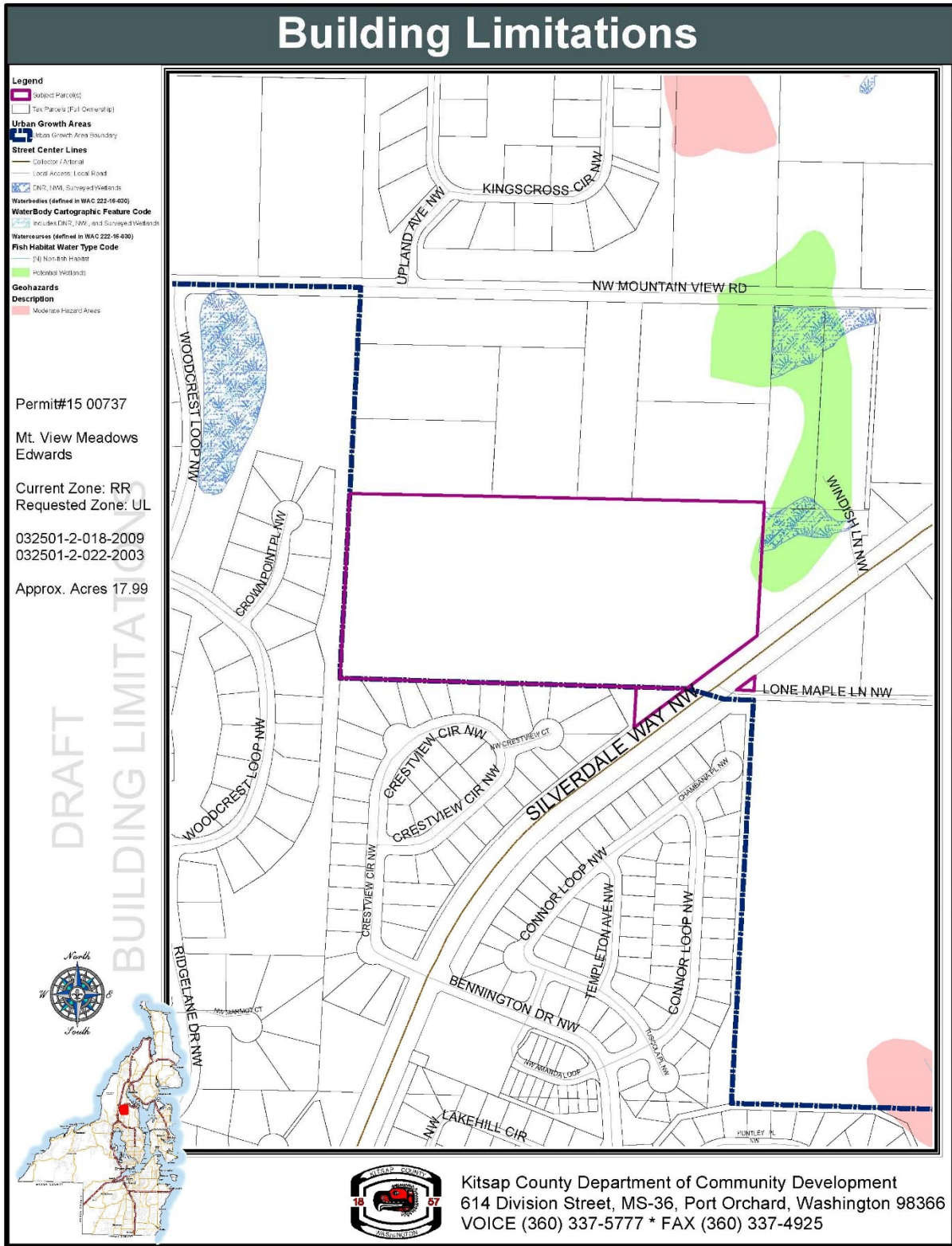
Based on the findings of fact and conclusion of law staff recommends denial of application # 15 00737.

ATTACHMENTS

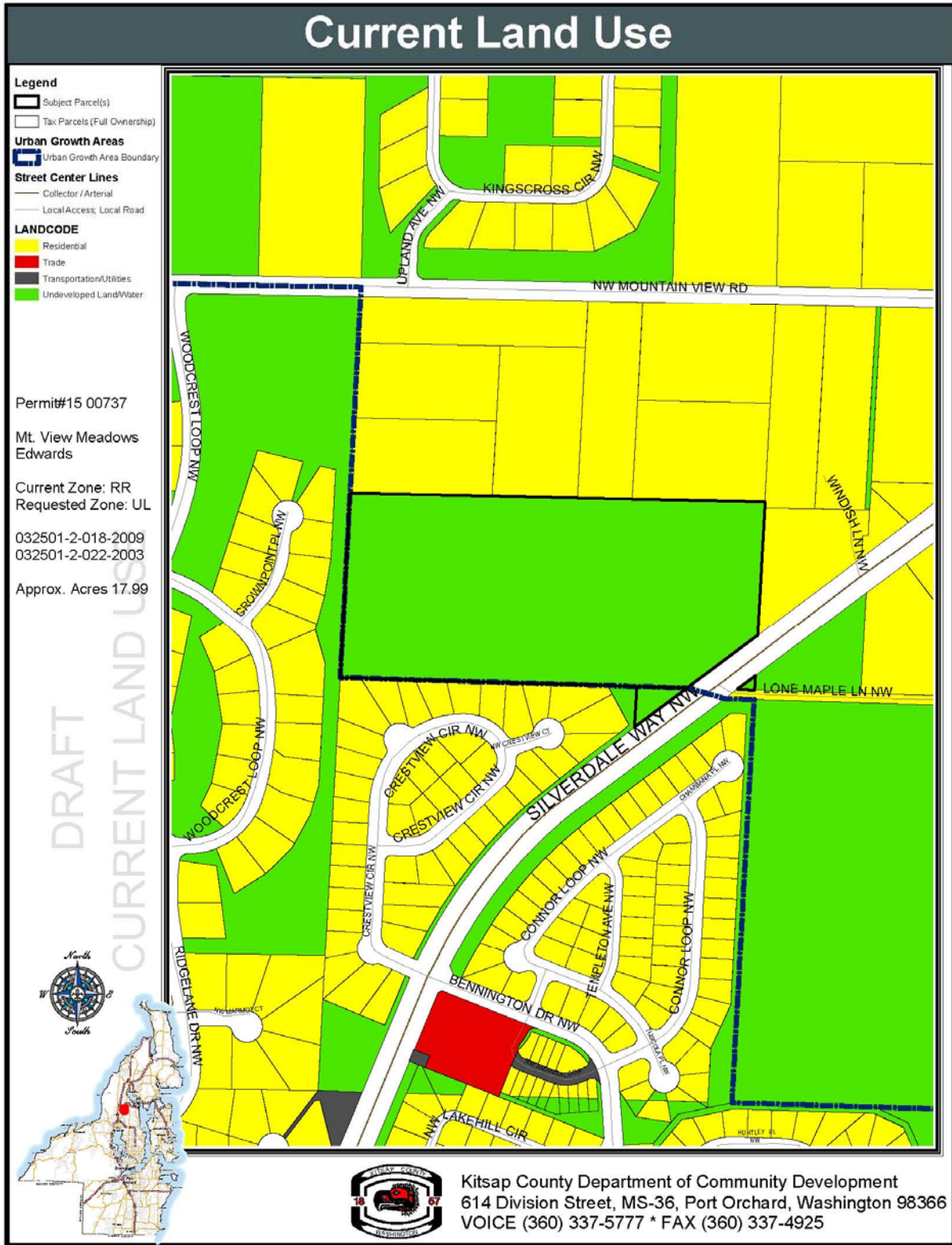
Attachment 1. 2013 Aerial Imagery



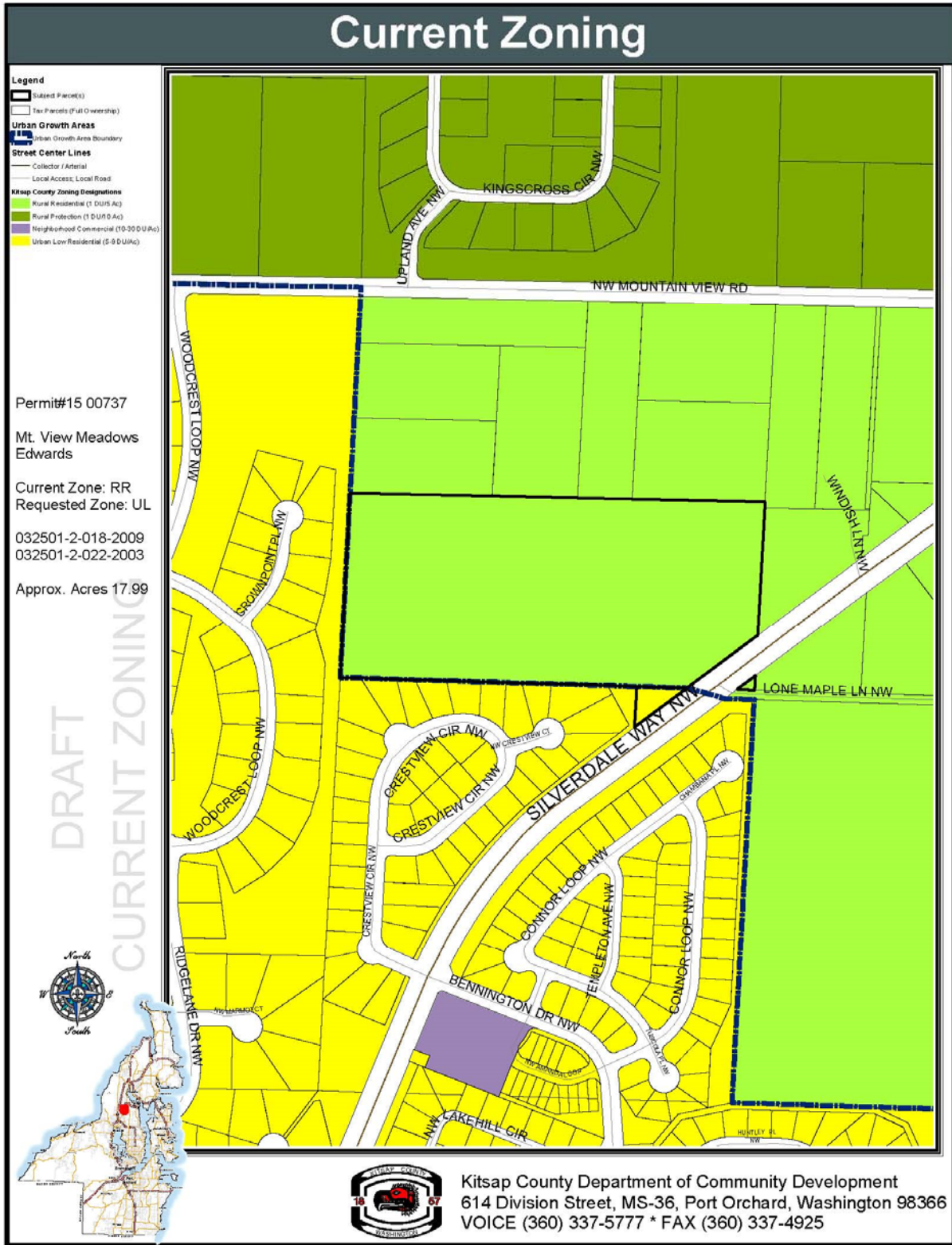
Attachment 2. Building Limitations



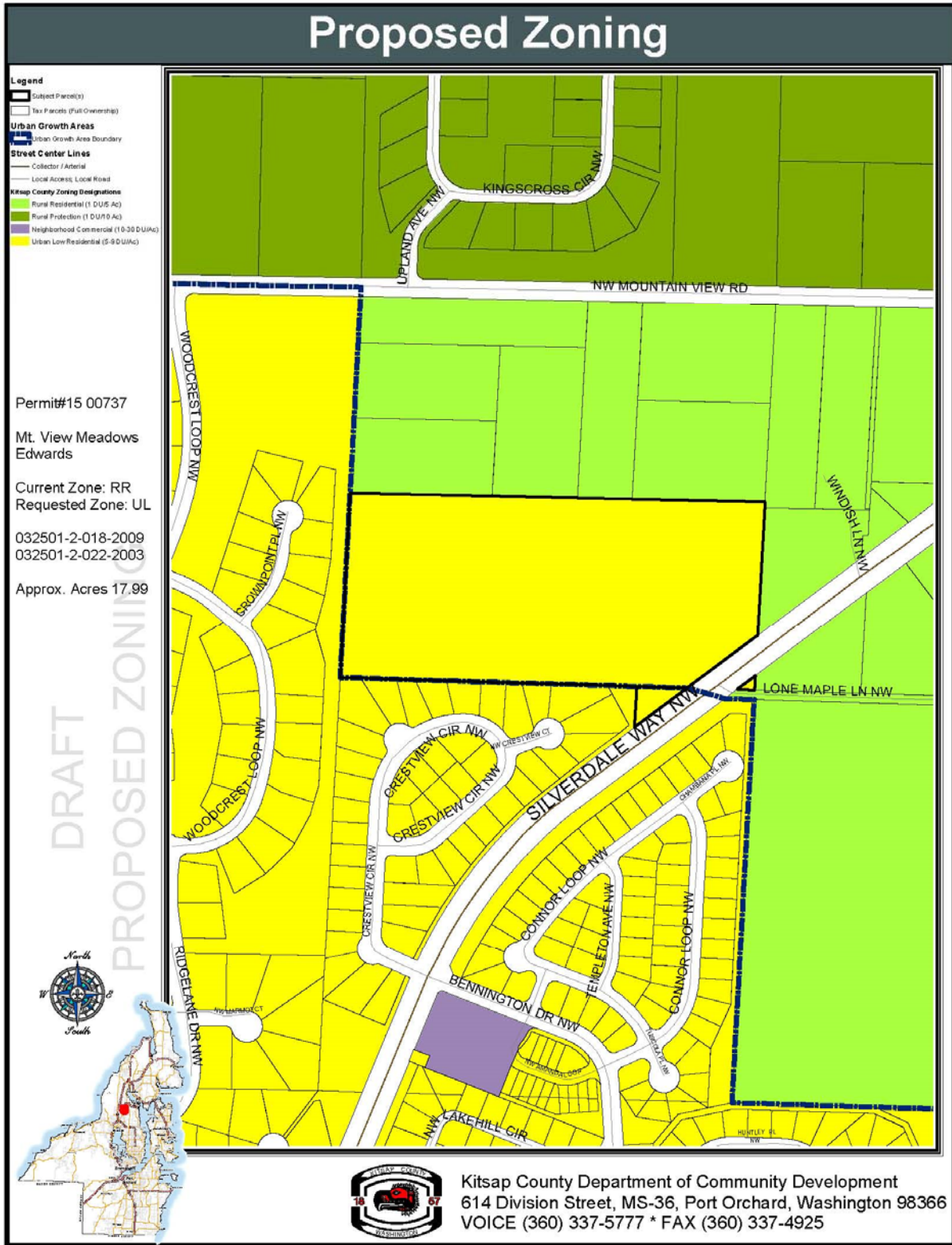
Attachment 3. Current Land Use Map



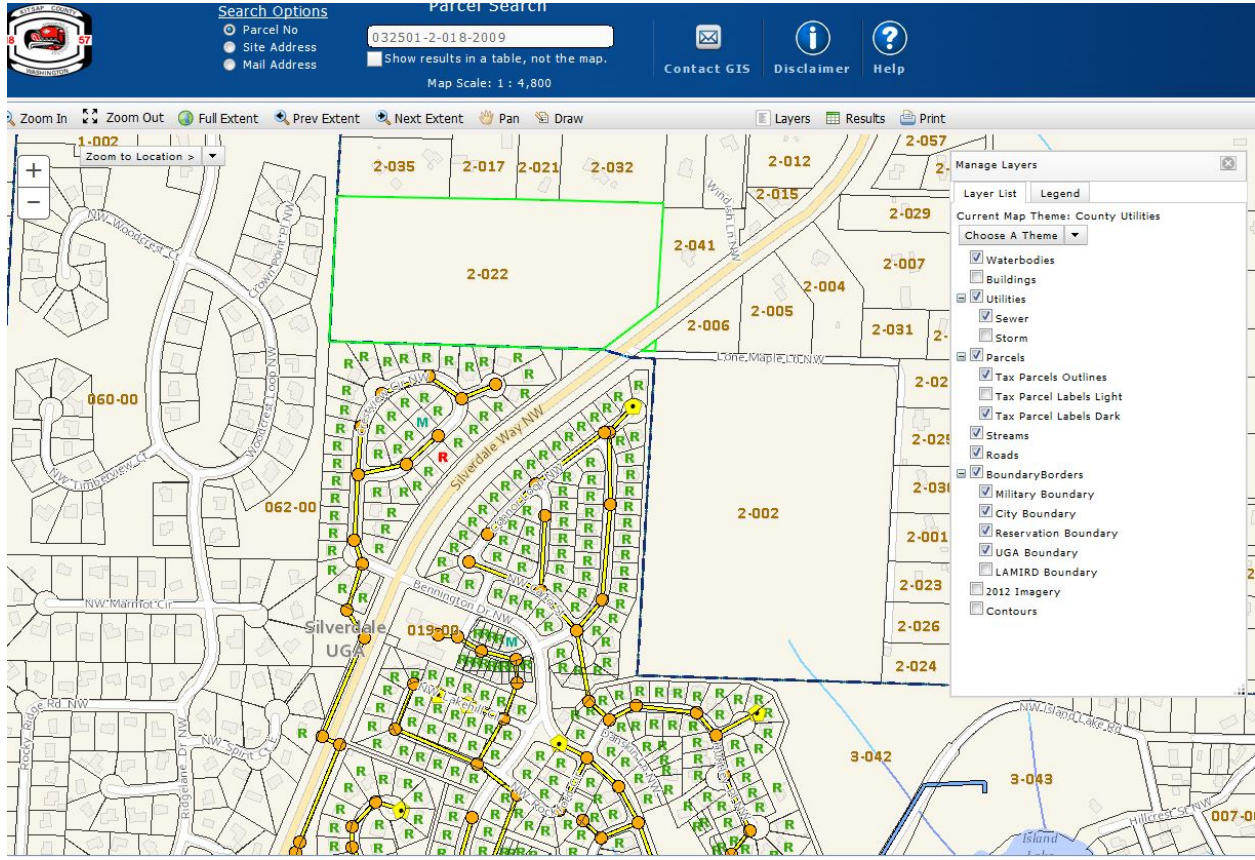
Attachment 4. Current Zoning



Attachment 5. Proposed Zoning



Attachment 6. Existing Public Sewer



Source: Kitsap County Assessor Parcel Search (<https://psearch.kitsapgov.com/webappa/>). Accessed July 2015.