



kitsap2036

Growing for a Better Tomorrow

STAFF REPORT

Permit Number: 15 00724 | Harris

DATE: February 25, 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: Harris Reclassification Request

APPLICANT INFORMATION

- 1. Applicant Name:** Yula May Harris, Edverd Lee Harris Credit Shelter Trust (Owner); Steven Harris (Applicant); Mark A. Kuhlman (Authorized Agent)
- 2. Parcel Numbers:** 252501-1-008-2007; 252501-1-009-2006
- 3. Address or location information:** 2677 NE Winters Road, Bremerton WA 98310; see Attachment 1.
- 4. Current Land Use:** Mobile home and out building; 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:** 14.88 acres
- 10. Comprehensive Plan Alternatives:** Included as part of the 2016 Comprehensive Plan Update Supplemental Environmental Impact Statement (SEIS) Alternative 3.
- 11.** Request is included in the Preferred Alternative.

Submitted Application Materials

- Project Application
- Environmental Checklist
- Ownership Certification

- Maps

Application Request

The applicant seeks a reclassification to the Comprehensive Plan and Zoning Maps for the subject property of 14.88 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 would require expansion of the Central Kitsap Urban Growth Area (UGA) boundary.

BACKGROUND

The subject property is 5.03 acres and currently is developed with a mobile home built in 1975. The subject property ending in -2006 is 9.85 acres in size and is currently developed with sheds and garages. Both are zoned RR and are adjacent to the Central Kitsap UGA along their southern boundary. The properties have existing well water, a septic drain field, and power. According to the applicant, the sites are served by Kitsap County Sewer, North Perry Water, and Puget Sound Energy. The site is accessed from Winters Road.

The property was previously part of the UGA in 2006 but was removed in the 2012 Comprehensive Plan Update. The site is proposed to be included in the UGA in the 2016 Comprehensive Update Supplemental Environmental Impact Statement (SEIS) under Alternative 3. The proposal is evaluated 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 Central Kitsap UGA boundary. See Exhibit 1. According to aerial imagery, adjacent properties to the east are undeveloped with forest coverage. Parcels immediately north of parcel -2007 are small in size, ranging from approximately 0.4 acres to 2 acres and are developed as single family residential. Parcels immediately to the west of parcel -2006 are within the UGA boundary and are zoned UL. Lot sizes are generally around 0.5 acres in size and developed as single family residential. Immediately to the south of the subject properties is Esquire Hills Elementary in Central Kitsap School District 401.

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 	<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 (UGA) • Residential (UGA)
West	<ul style="list-style-type: none"> • UL 	<ul style="list-style-type: none"> • Residential (UGA)

Source: Kitsap County GIS; BERK Consulting 2015

Current Comprehensive Plan and Zoning Designations

The existing land use and zoning designation is RR, described similarly in the Comprehensive Plan and in the Kitsap County zoning code:

- 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 Rural Residential designation is implemented by the Rural Residential zone.

The RR zone has a maximum density of 1 dwelling unit per 5 acres. Under RR zoning, there are more permitted and conditional allowed residential and commercial uses, such as a day care center, animal hospitals, golf course, and schools.

Proposed Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed comprehensive plan 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

Legend: C = Conditional, P = Permitted, X = Prohibited

Exhibit 3. Selected Development Standards Comparison (KCC 17.382.060 and .100)

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>

Three letters of support were received for the parcel stating close proximity to urban services, including schools. Additionally, this parcel was in the 2006 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. The County has updated its buildable lands analysis showing there is a potential growth capacity shortfall in the Central Kitsap UGA. See Exhibit 4.

Exhibit 4. Central Kitsap 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
6,842	6,398	(444)	6,234	(608)	6,822	(20)

Source: Countywide Planning Policies for Kitsap County; US Census 2010; Kitsap County and Cities Permits; BERK

- Under the No Action Alternative, the subject properties are not included in the Central Kitsap UGA and the UGA is undersized to meet growth targets.
- Under Alternative 2, the subject properties are not included in the Central Kitsap UGA, and the overall capacity of the UGA is undersized to meet growth targets.
- Under Alternative 3, the subject properties are included in the Central Kitsap UGA, and the proposed UGA is slightly undersized to meet growth targets.

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 redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The County plans for 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. Site-Specific 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;**

According to the applicant, the sites are served by North Perry Water and Puget Sound Energy. They currently have well water and a septic system that is compatible with rural areas. Sewer service is found in the UGA along the site’s southern boundary; see Attachment 6. According to the County Comprehensive Plan policy LU-16, properties in the UGA should be serviceable with urban-level sanitary sewer service, per Policy LU-16, if the zoning amendment is approved. 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. The property would be serviced by a pump station that is presently under solicitation for a construction bid for a capacity increase.

A Comprehensive Plan Map change to ULDR with a zoning change to UL would allow for approximately 70 additional dwelling units to be constructed on the site (gross; the achievable density would depend on a project level analysis of constraints and compliance with development and engineering standards). This higher density will increase the demand on 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 zoning amendment to expand the UGA would support development in urban areas where public services can be reasonably extended and that are close to employment and service opportunities.

Kitsap County Comprehensive Plan 2036 Goals and Policies

The following Comprehensive Plan goals and policies are applicable in considering the requested reclassification request to the Comprehensive Plan Map/Designation:

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. The properties lie adjacent to such services.

- **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.**

For Goals 6 and 11, under the present plan and zoning, the site would remain rural and would be subject to RR density limitations. The properties' current use as a mobile home with sheds and garages and largely undeveloped land is not already characterized by urban growth. It lies adjacent to urban areas to the west and south; parcels immediately to the east were formerly developed when in the UGA and create a third small urban lot pattern abutting the site through also designated RR.

If changed to UL (or as included in SEIS Alternative 3), the site would add capacity to the UGA rather than remain a rural parcel. If included in the UGA, the parcels could address growth capacity needs and add new development at higher densities where growth is encouraged. The proposed UL zoning requires a minimum density of 5 dwelling units per acre, a higher density than in rural areas which is conversely at 1 unit per 5 acres. This, however, may not be supportable due to reasonable measures.

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 located adjacent to urban utilities and it would need to be extended sewer service to have an urban density. Resource maps indicate the presence of a stream on the property, although it was not observed during the initial site visit. Final field verification will be required prior to site development activity. Proposal would be consistent with properties to the west and south and immediately east, and less consistent with the larger parcels to the north. The roadway frontage however may be a suitable transition point to rural areas to the north.

- 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 expand the Central Kitsap UGA. Under the County's current Comprehensive Plan Update, this site is not included within the Central Kitsap UGA boundaries under the No Action alternative and Alternative 2. It is included in the Central Kitsap UGA under Alternative 3.

- 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. Sewer infrastructure would have to be extended, and the County would have to provide sewer services to new development in this area.

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.

- 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 subject property is currently undeveloped and does not have adequate public facilities or existing services. Such services would have to be extended to support development on this site. However, the site is adjacent to the UGA and there are existing sewer services nearby that could be extended.

Also see response to criteria d above regarding UGA capacity.

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

The site is surrounded on three sides by urban densities, and rural densities to the north. If added to the UGA the property could accommodate an urban density that could help meet future growth capacity needs; a logical boundary could be formed between Urban and Rural areas at the roadway along the subject property's northern border. Under Alternative 3, potential residential development

in this area would allow for development within the UGA, where development is encouraged, but is currently rural and therefore would create a UGA expansion.

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.

If the site is included in the UGA a designation and zone that allow for urban growth patterns would be applied.

The ULDR designation and UL zoning considered in Alternative 3 would apply a more standard urban designation assuming the site is more developable. The base and maximum range would be 5-9 units per acre.

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 developed with a mobile home and accessory structures, and does not exhibit urban densities. County sewer lines can be reasonably extended to future development. These characteristics put the subject properties under the third priority.

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:

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

Kitsap County provides public sewer services to adjacent properties within the UGA, south of the subject property. Past sewer plans prepared in 2008 and 2012 considered adding this property in conjunction with other potential UGA territory.

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

Not applicable. Central Kitsap is not an assigned UGA. The County is responsible for planning in this area at this time. There is no special subarea plan for Central Kitsap. Compliance with the overall Comprehensive Plan is identified in this report.

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

Based on the 2006 Comprehensive Plan EIS and 2012 SEIS, the area has been evaluated cumulatively for urban uses and appropriate road improvements identified in the County's UGAs including Central Kitsap; the area is under review again in the 2016 SEIS. 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.

Proposed Findings of Fact

1. The applicant, Yula Harris, submitted the zoning amendment application to Kitsap County on February 27, 2015.
2. The applicant seeks a reclassification request to the Comprehensive Plan Amendment to change the current Comprehensive Plan Map and zoning of 2 parcels from RR to UL within the Central Kitsap UGA.
3. The properties are located on NE Winters Road.
4. The properties are currently developed with a mobile home and sheds and garages.
5. The subject property are adjacent to parcels zoned RR to the north and parcels zoned UL to the south and west.
6. The subject property is adjacent to an established UGA boundary.
7. The subject property is adjacent to existing sewer systems on its southern boundary. 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.
8. The parcels are not included in the Central Kitsap UGA boundary in the No Action Alternative, but because the UGA is undersized, the County could expand the UGA to include these parcels to help meet this need.
9. The proposed Comprehensive Plan Map designation of ULDR and zoning category of UL is compatible with adjacent areas to the west and south, which are currently zoned UL. The parcels immediately abutting to the east are urban in nature though also designated RR; these small abutting parcels along with the roadway could become transition points to the urban/rural area.
10. The proposal is being evaluated in the Preferred Alternative.

CONCLUSION OF LAW

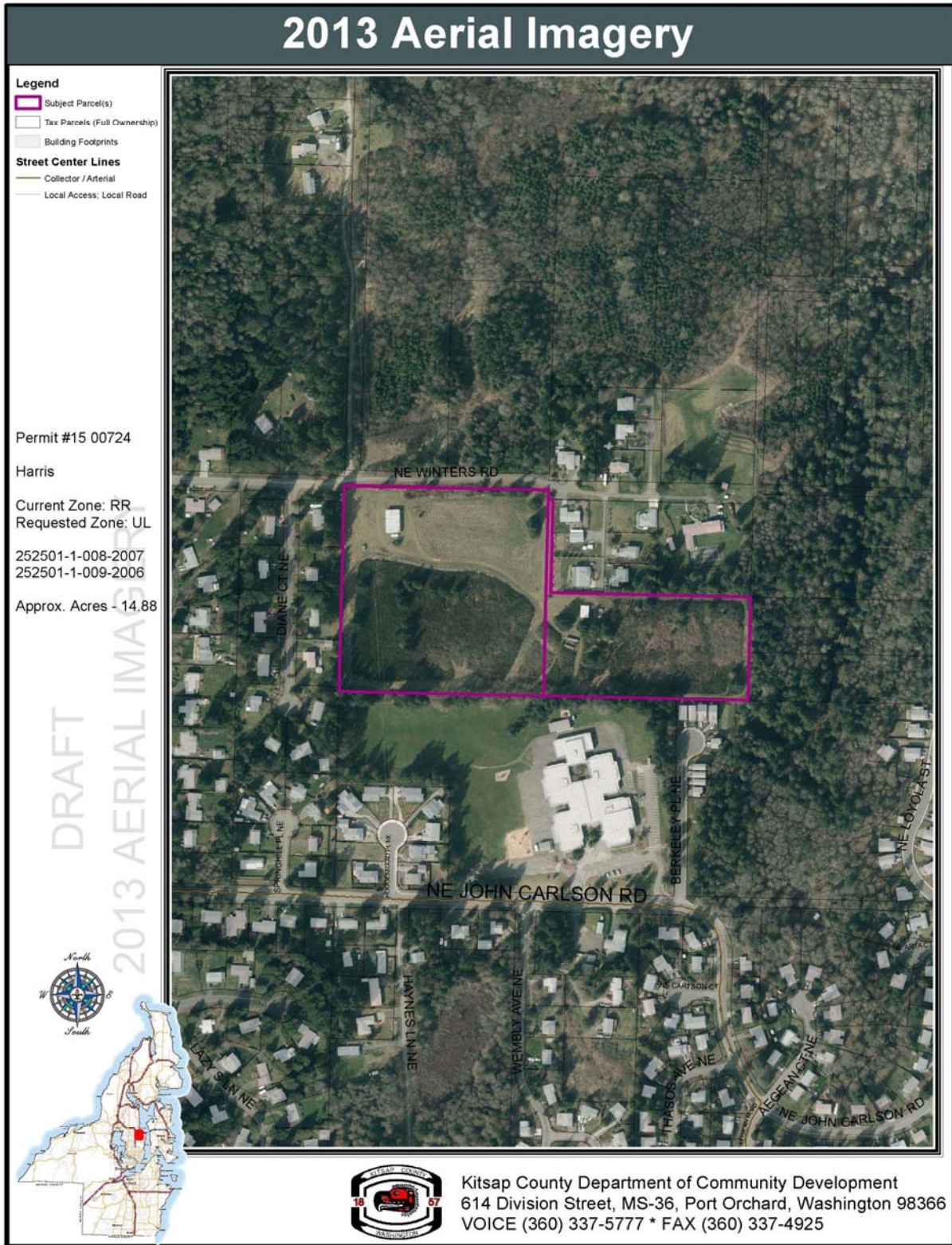
The proposal to reclassify the Comprehensive Plan and Zoning Map designations for the subject property from RR to UL is consistent with the provisions of the Washington State Growth Management Act (RCW 36.70A), Kitsap Countywide Planning Policies, the Kitsap County Comprehensive Plan, and the Kitsap County Code.

RECOMMENDATION

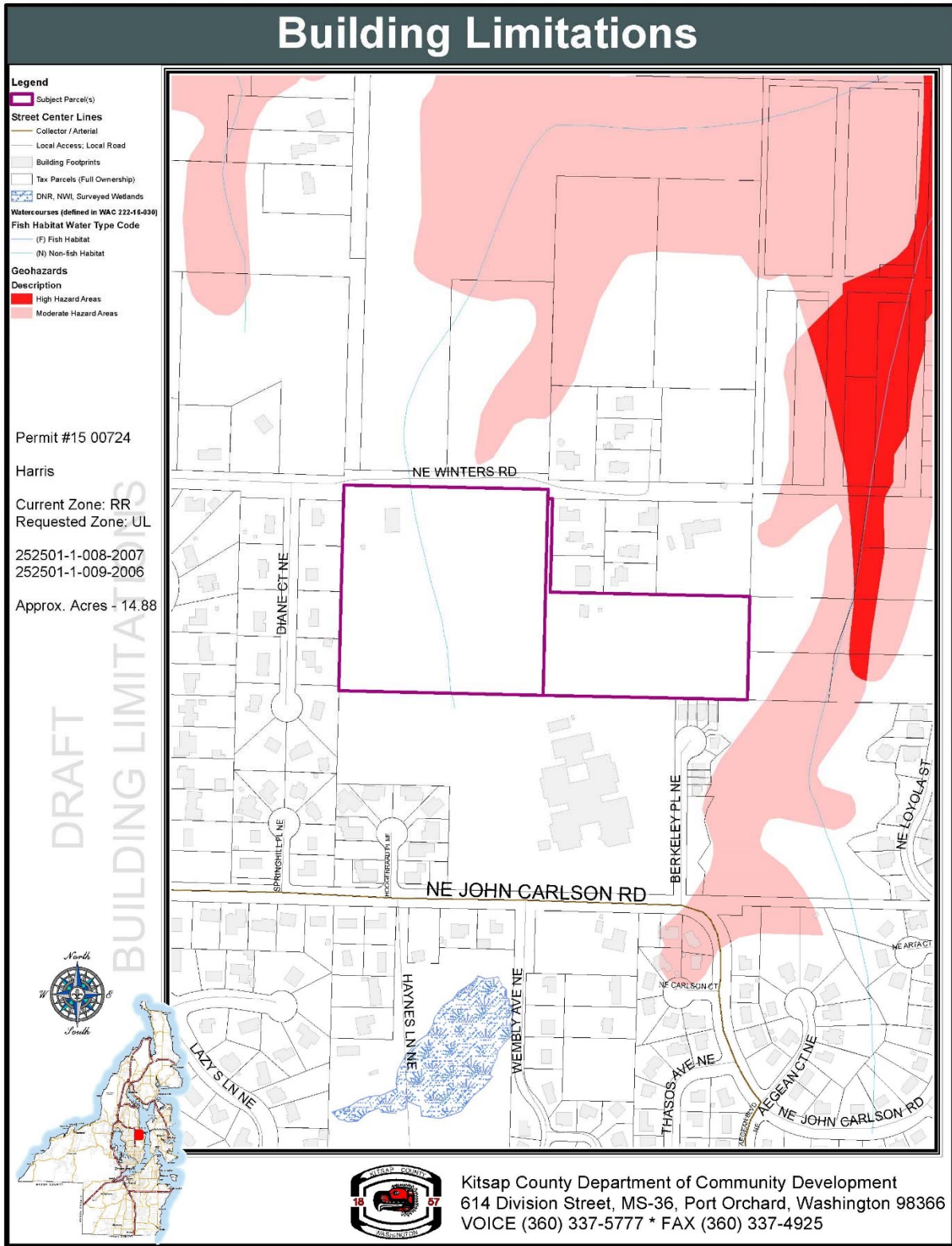
Based on the findings of fact and conclusion of law staff recommends approval of permit # 15 00724.

ATTACHMENTS

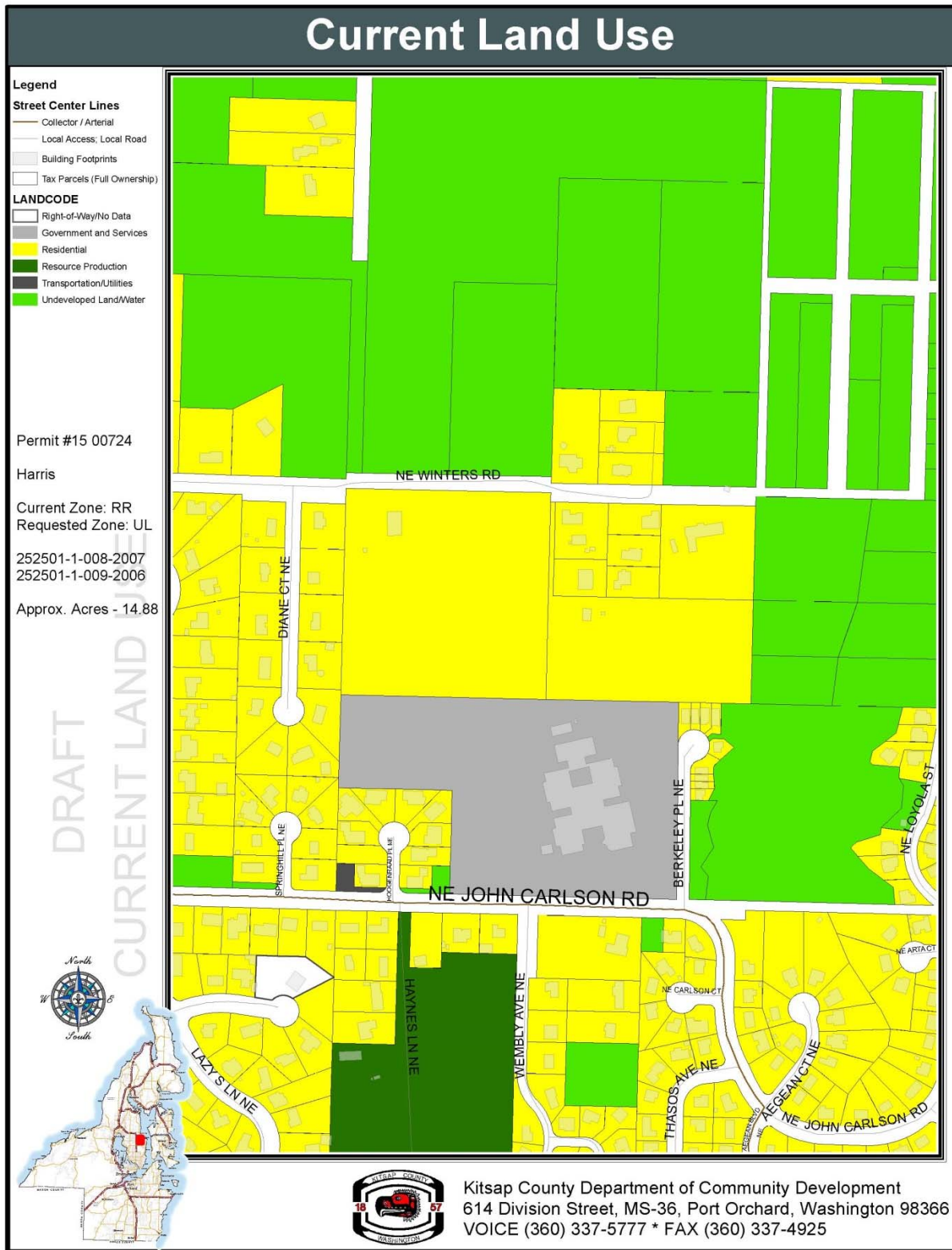
Attachment 1. 2013 Aerial Imagery



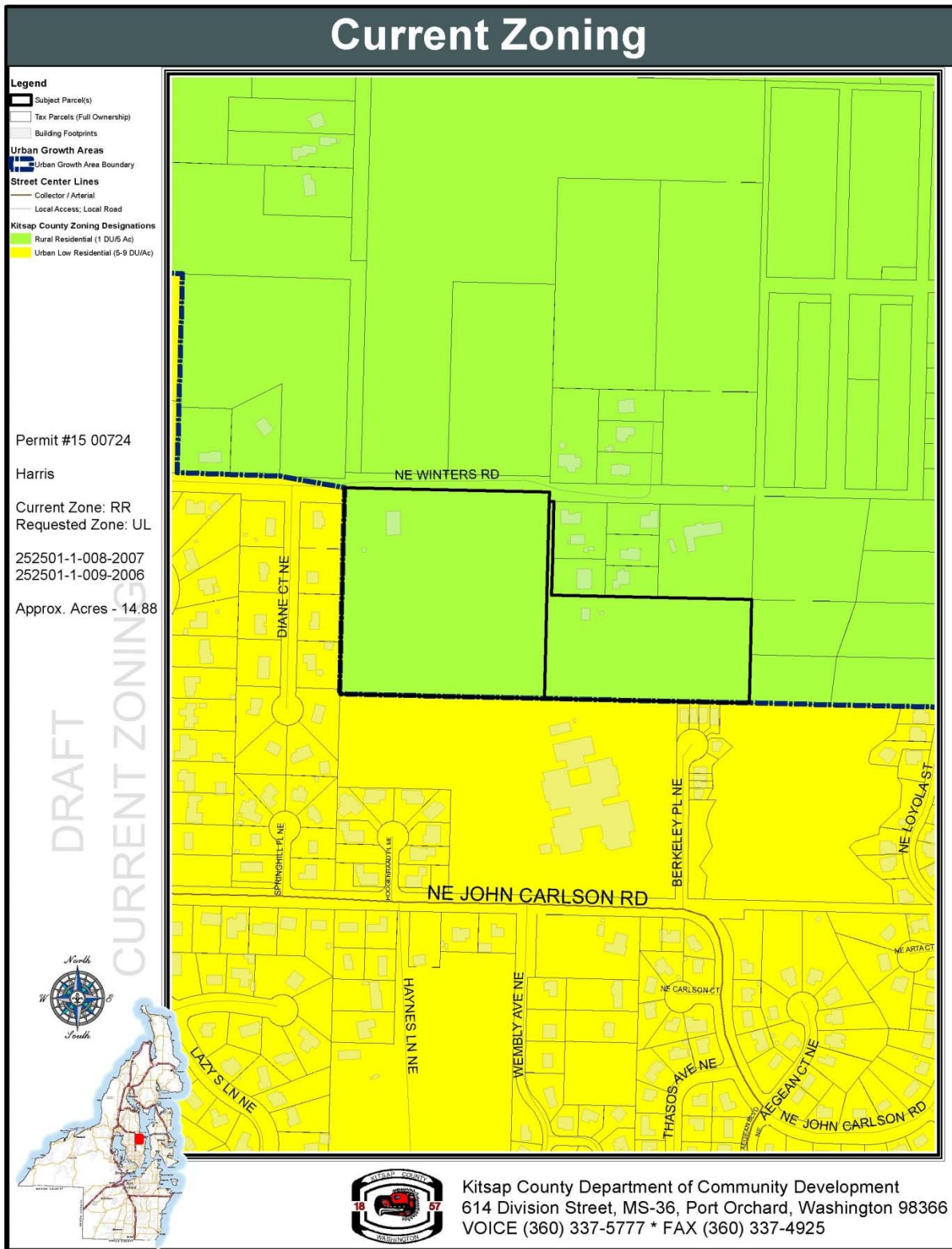
Attachment 2. Building Limitations



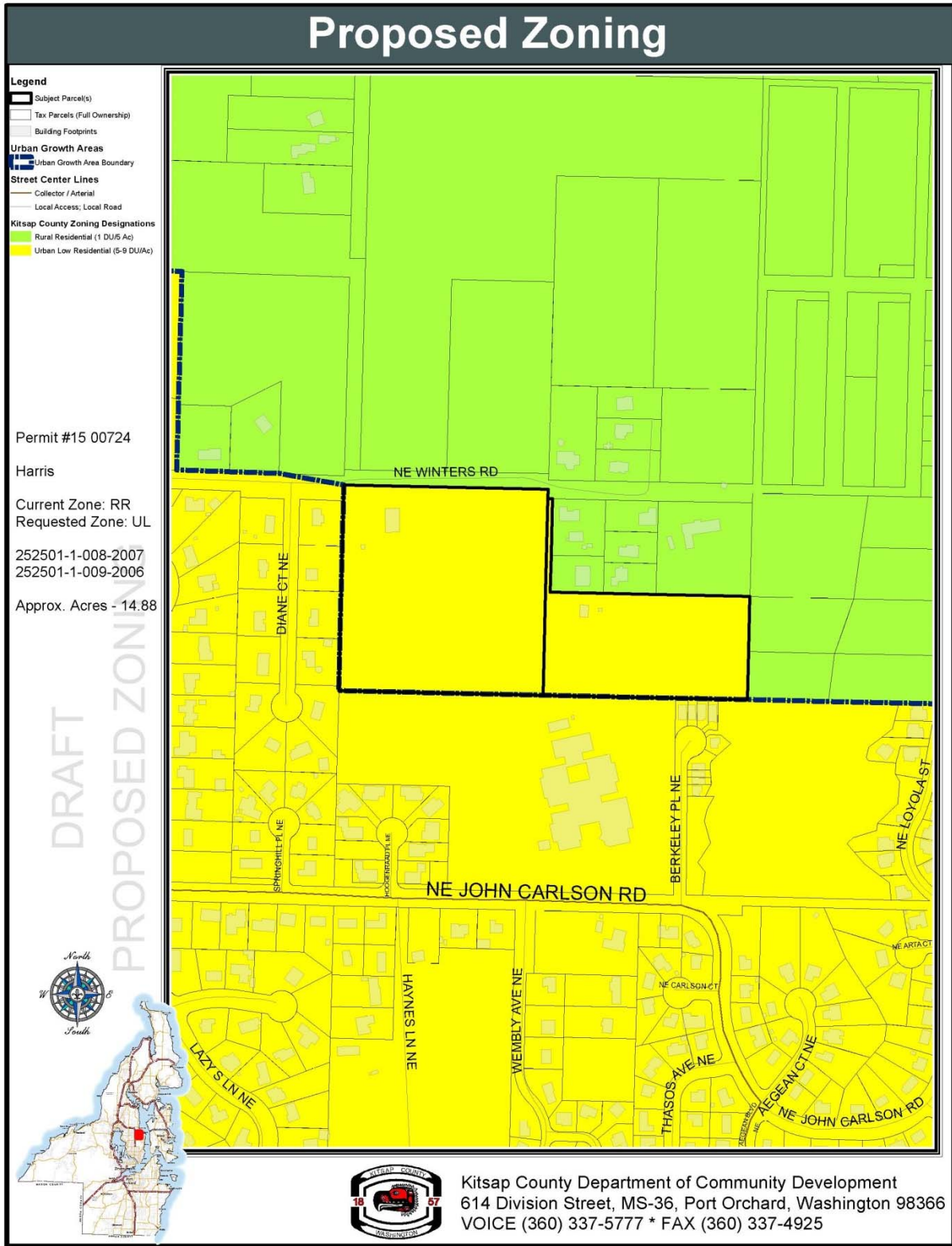
Attachment 3. Current Land Use Map



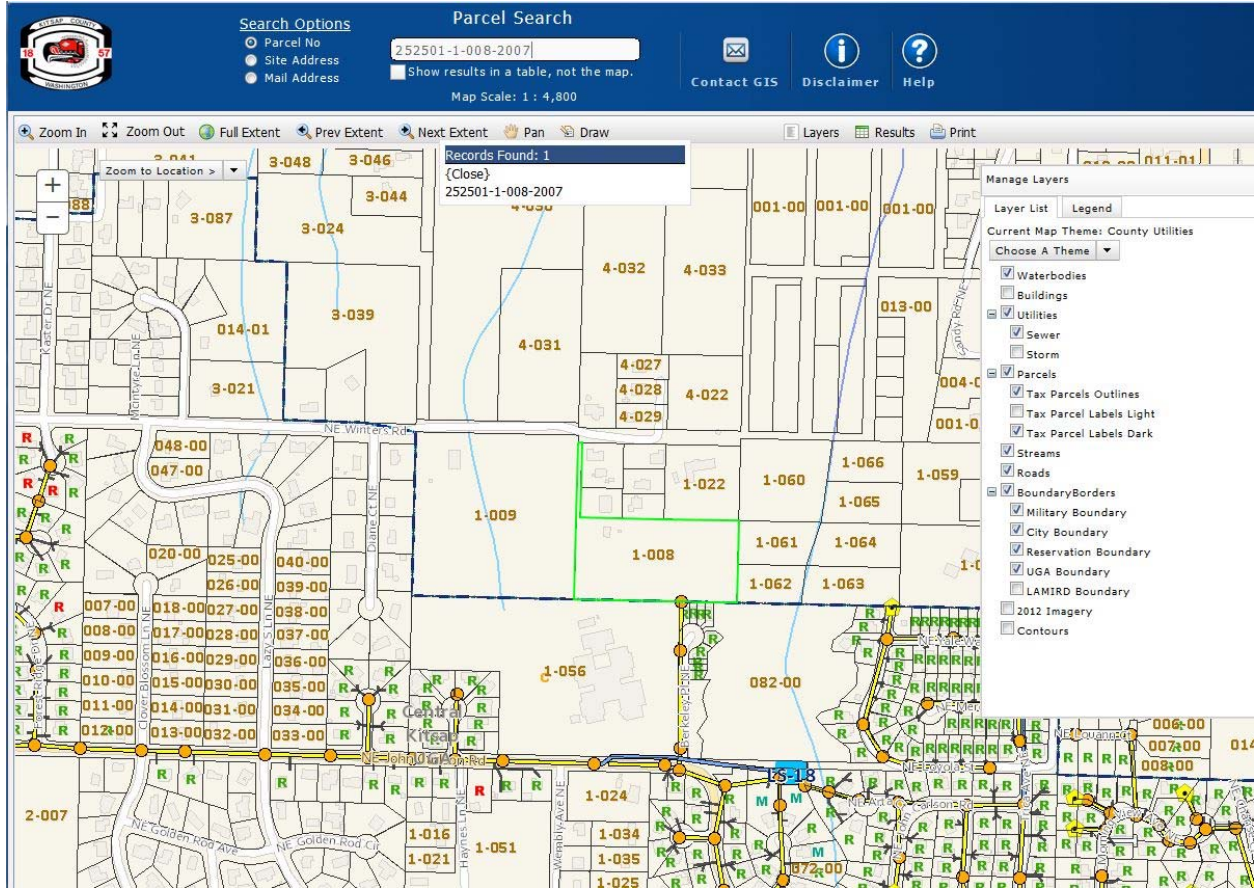
Attachment 4. Current Zoning



Attachment 5. Proposed Zoning



Attachment 6. Existing Public Sewer



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