



STAFF REPORT

Permit Number: 15 00722 | Royal Valley LLC

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: Royal Valley LLC Reclassification Request

APPLICATION INFORMATION

- 1. Applicant Name:** Royal Valley, LLC (Applicant and Owner); Mark A. Kuhlman (Authorized Agent)
- 2. Parcel Numbers:** 142501-4- 009-2003; 142501-4-012-2008; 142501-4-011-2009; 142501-4-025-2003; 142501-4-004-2008; 142501-4-003-2009; 142501-4-002-2000; 142501-4-001-2001; 142501-4-010-2000; 142501-3-001-2003; 142501-3-001-2102; 142501-3-015-2007; 142501-3-014-2008; 142501-3-018-2004; 1425. 01-4-005-2007; 142501-4-005-21 06; 142501-3-002-2002
- 3. Address or location information:** 368 & 388 NE Waaga Way; 905 & 971 NE Paulson Rd; 10109 Royal Valley Rd NE; see Attachment 1.
- 4. Current Land Use:** Agriculture; see Attachment 3.
- 5. Current Comprehensive Plan Designation:** Urban Low-Density Residential (ULDR)
- 6. Proposed Comprehensive Plan Designation:** No Change, Urban Low-Density Residential (ULDR)
- 7. Current Zoning:** Senior Living Homestead (SLH) 5-9 DU/Ac; see Attachment 4.
- 8. Proposed Zoning:** No Change, Senior Living Homestead (SLH) 5-9 DU/Ac
- 9. Lot Area / Size:** 155 acres
- 10. Comprehensive Plan Alternatives:** The Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) includes the site as Urban Cluster Residential (UCR) in Alternatives 2 and 3.
- 11. Preferred Alternative:** The site is included in the Preferred Alternative as UCR.

Submitted Application Materials

- Project application
- Environmental Checklist
- Ownership Certification

Application Request

The existing Comprehensive Plan Language for "Senior Living Homestead" reads as follows:

Senior Living Homestead: This zone is intended to apply to large contiguous parcels capable of development as single, unified projects. This zone shall provide housing for seniors (55 years of age or older) with a focus on the continuum of care. (5-9 du/ac)

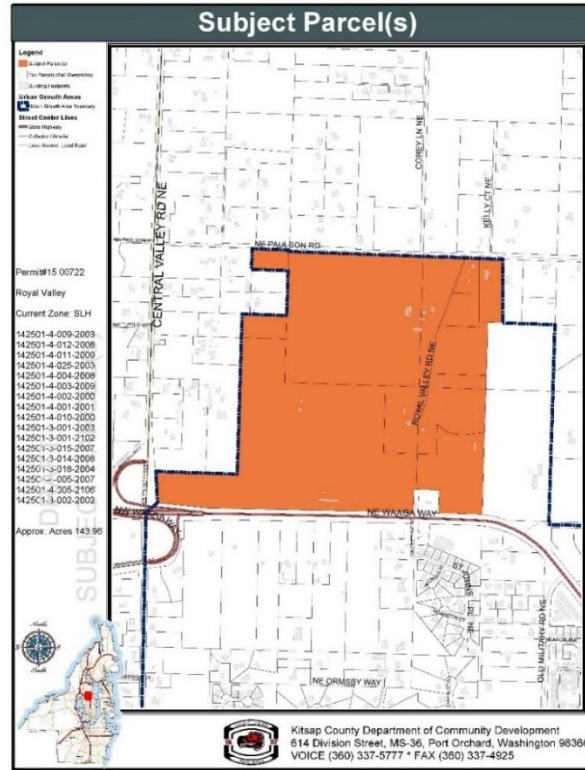
The applicant proposes to amend the definition of "Senior Living Homestead" to incorporate a goal of multi-generation communities that focus on aging in place.

Senior Living Homestead: This zone is intended to apply to large contiguous parcels capable of ~~new~~ development as single, unified projects. ~~This zone shall provide housing for seniors (55 years of age or older) with a focus on the continuum of care.~~ This zone shall focus on encouraging an active, multi-generational approach to housing and lifestyle. Communities within this zone shall integrate design and continuum of care elements that promote and facilitate aging in place within a vibrant, age-diverse community. (5-9 dulac).

BACKGROUND

The Royal Valley LLC properties are located in the Central Kitsap Urban Growth Area (UGA) along Waaga Way as shown in Exhibit 1. Royal Valley LLC Properties.

Exhibit 1. Royal Valley LLC Properties



Source: Kitsap County GIS 2015

The site is predominantly in agricultural use. The subject sites were redesignated from RR to ULDR with an implementing Senior Living Homestead (SLH) zone in 2012 as part of the County’s Comprehensive Plan Remand. The site had been studied in various Urban Growth Area (UGA) alternatives in 2006. The designation and zone were created to apply in any UGA but have practically only been applied at this location to date. The subject property includes wetlands, hydric soils, moderate geological hazard area, a stream, and the property occurs within a Category I and II critical aquifer recharge area.

The applicant is proposing a modification to the "Senior Living Homestead" intent statement in the Comprehensive Plan (and by extension the zoning code) in order to “provide for the development of age-diverse communities that integrate land use, transportation, and housing options for all ages while specifically focusing on opportunities for aging in place.”

The applicant indicates that “According to the National Conference of State Legislators and the AARP Public Policy Institute, this type of integration prevents social isolation of the older adult population (assets.aarp.org/rgcenter/ppi/liv-com/ib190.pdf).” The applicant has also submitted additional materials indicating all ages living together prevent isolation and create community.

That report identifies ways in which the population is more likely to stay in their own homes or own communities, includes: mixed uses to promote walking and transit use, and joint uses of facilities, complete streets, access to services in rural areas, and affordable housing.

See the Attachment for a map series including: aerial imagery, building limitations, current land use and current zoning as well as a concept plan for future development.

PUBLIC COMMENTS

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

Three citizen commenters believe the property should remain SLHZ and not remove the age limitation.

Two citizen commenters support the request stating it provides for housing options for seniors.

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 have not substantially changed since the adoption of the Comprehensive Plan or development regulations.

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

Planning for the needs of senior citizens is a pressing planning issue as Baby Boomers have and continue to turn 65. In Kitsap County the percentage of senior citizens is at 16.1%, higher than the State percentage at 14.1% (American Community Survey 2014). The percentage of senior citizens as a share of the population is anticipated to increase during the life of the Comprehensive Plan Update (2016-2036). Providing opportunities for housing appropriate for the community's life cycles will be important.

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

The proposal would meet the public interest by reinforcing the need for housing for the whole community. The proposal would also meet the goals and policies of the Kitsap County Comprehensive Plan Housing Element (2014) to provide diverse and affordable housing choices for everyone and those with special needs, such as:

Goal 1. Kitsap County will strive to provide opportunities for housing that is within the financial means of its citizens, which includes meeting social service needs and providing a reasonable opportunity to live and work in their community.

Policy HS-4 Promote a continuum of housing and related services for people with special needs, such as frail elderly, mentally and physically disabled persons, people living with AIDS and recovering substance abusers.

Goal 2. Utilize county resources to formulate and implement strategic policies that improve the affordability and availability of housing for all of its residents.

Policy HS-6 Ensure that a broad range of housing types are available through innovative planning, efficient and effective administration of land and building codes and financial assistance.

Text Amendment Criteria (KCC 21.08.070.B)

B. Text Amendments. In addition to the findings and conclusions in subsection (A) of this section, for each proposed text amendment, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions which consider:

1. Whether the proposed amendment is consistent with and supports other plan elements and/or development regulations and, if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency;

The applicant proposes to amend the definition of "Senior Living Homestead" in the Comprehensive Plan to incorporate a goal of multi-generation communities that focus on aging in place.

Senior Living Homestead: This zone is intended to apply to large contiguous parcels capable of ~~new~~ development as single, unified projects. ~~This zone shall provide housing for seniors (55 years of age or older) with a focus on the continuum of care. This zone shall focus on encouraging an active, multi-generational approach to housing and lifestyle. Communities within this zone shall integrate design and continuum of care elements that promote and facilitate aging in place within a vibrant, age-diverse community.~~ (5-9 dulac)

The proposed text language would still result in housing directed towards the needs of retired and elderly adults and allow for a community lifestyle that more fully meets their needs by integrating all ages and abilities into the community. The intent that the development be master planned is also retained.

The proposal is consistent with the Housing Element of the Comprehensive Plan as described in General Criteria A.3 above.

However, to be more consistent with County regulations the SLH zone intent should likewise be amended as follows:

By extension, the zoning code intent would also change as follows:

17.332.010 Purpose.

The Senior Living Homestead zone is intended to apply large contiguous parcels capable of ~~new~~ development as single, unified projects. ~~This zone shall provide housing for seniors (fifty five years of age and older) with a focus on the continuum of care. This zone shall focus on encouraging an active, multi-generational approach to housing and lifestyle. Communities within this zone shall integrate design and continuum of care elements that promote and facilitate aging in place within a vibrant, age-diverse community.~~ This zone will allow for a range of new housing types for seniors and other ages including single-family, multi-family, congregate care and mixed-use residential opportunities. This zone will also allow limited commercial activities designed and sized to serve the ~~senior living age-diverse~~ community. Projects in this zone shall cluster development to avoid impacts to streams, wetlands and other critical areas, as well as to provide substantial open space. Projects within the zone shall reflect the historic agricultural nature of the zone through site design, architecture, signage and use configuration.

In the Kitsap County Comprehensive Plan Update 2016 Draft Supplemental Environmental Impact Statement, three alternatives are proposed affecting land use and zoning:

- Alternative 1 No Action: Retaining the ULDR and SLH for the site
- Alternative 2 Whole Community: Retaining the ULDR and applying Urban Cluster Residential (UCR) implementing zone
- Alternative 3 All Inclusive: Same as Alternative 2 for the site

The UCR zone has a similar intent as SLH for large unified master planned development that is clustered and protects sensitive areas and provides for an interconnected multimodal system.

The Urban Cluster Residential zone is intended to apply to areas that are characterized by large contiguous ownership parcels capable of development as a single, unified project. Clustering of appropriate residential densities in areas most suitable for such development, while simultaneously providing a high level of protection for wetlands, streams, critical aquifer recharge areas and wildlife habitat areas, is encouraged. Flexibility related to site planning and affordable housing through innovative design is also encouraged, as the exact locations of uses should be based on the location of critical areas, transportation corridors, community needs and market conditions.

At the same time, the UCR zone should foster a development pattern that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces, recreational areas, transportation corridors and retail and employment opportunities, both within and outside the zone. (KCC 17.335.010 Purpose)

Another option to achieve the goals of the property owner for a master-planned multi-aged community and the goals of the County to simplify its Comprehensive Plan in the 2016 Update and assure a well-designed community would be to apply the UCR zone to implement the ULDR Comprehensive Plan Land Use Map designation. In that case, the SLH zone would no longer be required to be retained in the Comprehensive Plan or Zoning Code and would no longer be applied to this unique site.

In that case the uses allowed on the site by the SLH zone could be transferred to the UCR zone through table notes in Table 17.381.040(A) Urban Residential Zones so that the net effect of the uses and requirements are the same for the property. Master plan requirements would be similar.

2. Whether the proposed amendment to the plan and/or regulation(s) will more closely reflect the goals, objectives and policies of the Comprehensive Plan and reflect the local circumstances of the county;

See General Criteria A.2 and A.3. Planning for a continuum of care and aging in place is appropriate for Kitsap County, as the community is likely to continue to have a greater share of senior citizens over the planning horizon.

3. Whether the proposed amendment is consistent with the Kitsap County-wide Planning Policy;

The proposal is consistent with Housing policies in the County-wide Planning Policies that promote affordable, self-help, and diverse housing opportunities:

4. Provision of affordable housing for households below 120% countywide median income should include:

a. Housing options located throughout Kitsap County in Urban Growth Areas and Rural Communities, as defined in Element D (2-a), in a manner to provide easy access to transportation, employment, and other services.

i. Designated Centers should include such housing options.

ii. Rural self- help housing programs should be encouraged first in UGA's and Rural Communities and then allowed in other appropriate areas as defined by the U.S. Department of Agriculture.

b. Local comprehensive plan policies and development regulations that encourage and do not exclude such housing.

c. Housing strategies that include:

d. Housing policies and programs that address the provision of diverse housing opportunities to accommodate the homeless, the elderly, physically or mentally challenged, and other segments of the population that have special needs.

4. Whether the proposed amendment complies with the requirements of GMA, state and local laws and other applicable inter-jurisdictional policies or agreements; and

The proposal would continue to allow the County to meet the GMA housing goal for diverse and affordable housing meeting the needs of the population:

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

See Response A.3 and B.3 regarding consistency with the County's Plan and code and County-wide Planning Policies.

5. An explanation of why language should be added to the Comprehensive Plan or why existing language should be modified or deleted.

The language would allow for a continued focus on senior housing while recognizing that the more successful communities offering senior housing allow for mixed age occupancy and a variety of housing types.

Reclassification Request Criteria (KCC 21.08.070.D.1)

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;**

The proposed SLH text amendment would not affect the allowed uses or density of the site. If the County's proposed UCR zone were to implement the ULDR Comprehensive Plan Map / Designation, there would be no change in the allowed density of a minimum of 5 units per acre to a maximum of 9 units per acre that is also specified in the SLH zone. Further the site was studied cumulatively for

transportation and capital facilities in 2012 and continues to be included in the UGA. It will be part of the comprehensive analysis of the same topic in the 2016 Update SEIS.

- 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;**

See Responses to A.2, A.3, B.3 and B.4.

- 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 site would remain designated ULDR in any case. The text amendment would not affect the demand for services or access as it would not change the fundamental density of the site nor the requirement to meet County requirements for access and utilities. Critical areas would continue to be protected.

- 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;**

See response D.1.a. There is no change in the allowed density and no change in growth projections.

- 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;**

See Response D.1.a.

- 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.**

See Responses to A.3, B.3 and B.4.

Findings of Fact

1. The authorized applicant, Ellen Cardoso, submitted the text amendment application to Kitsap County on February 26, 2015.
2. The applicant seeks a Comprehensive Plan text amendment to change the description of the SLH zone in Chapter 2 of the Comprehensive Plan.
3. The properties are located within the Central Kitsap UGA along Waaga Way, Paulson Road, and Royal Valley Road.
4. The properties were designated ULDR with an implementing zone of SLH in 2012.
5. The properties are the only mapped location for SLH.
6. The County wishes to simplify its Comprehensive Plan and development regulations; an alternative implementing zone for the site is UCR.
7. The density would not change under either SLHZ or UCR. The allowable uses of SLHZ will be applied to the UCR zone, and requirements for master planning and allowed uses will be equivalent.
8. The proposal is included in the Preferred Alternative as UCR.

Conclusion of Law

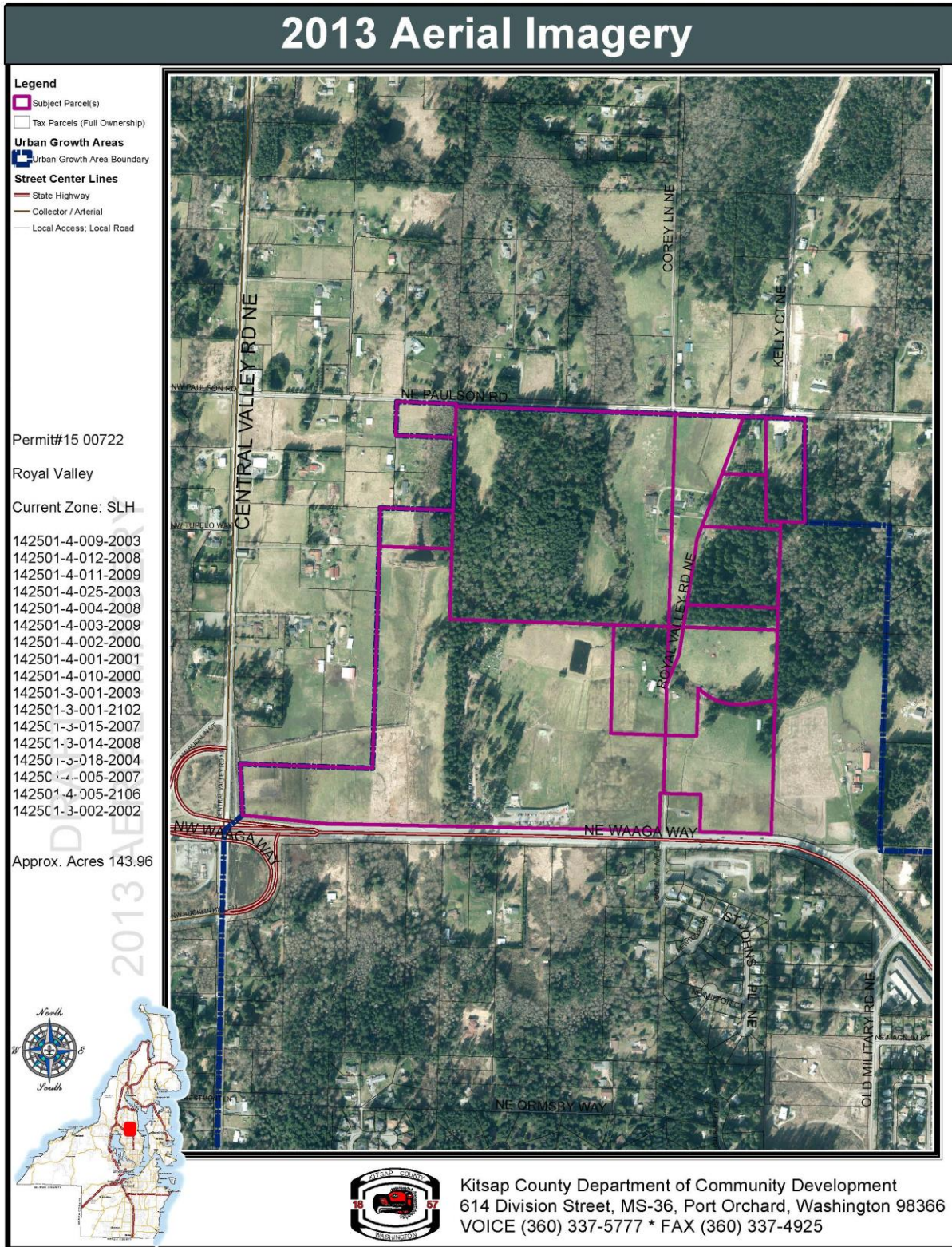
The project complies with all the provisions of the Washington State Growth Management Act, Kitsap County-wide Planning Policies, and Kitsap County Comprehensive Plan.

Recommendation

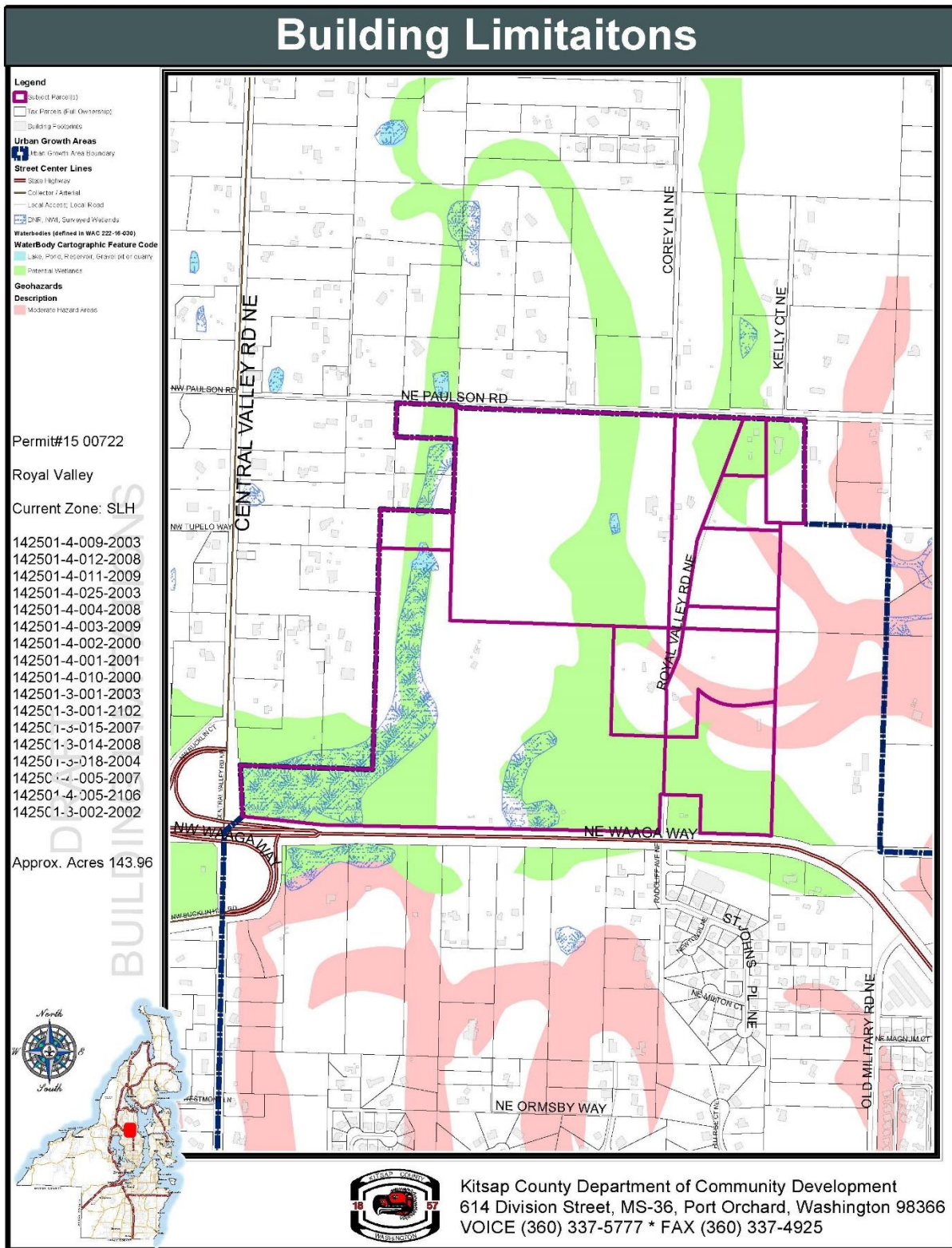
Based on the findings of fact and conclusion of law staff recommends to apply the UCR zone to the site and ensure that the intent, allowed uses, and development standards are equivalent between the SLHZ and UCR zone. The SLH zone would then be removed from the County Comprehensive Plan and Zoning Code.

ATTACHMENTS

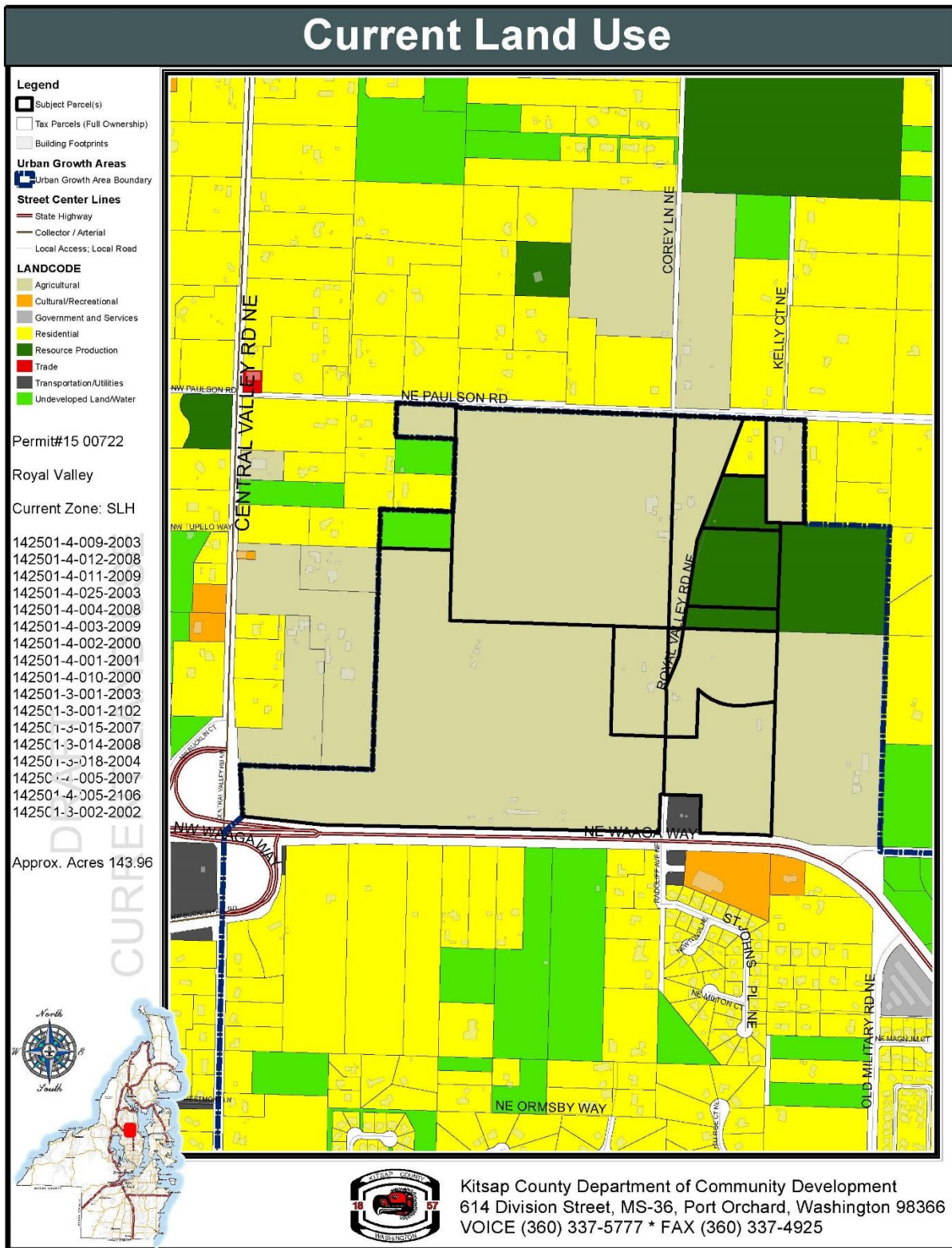
Attachment 1. 2013 Aerial Imagery



Attachment 2. Building Limitations



Attachment 3. Current Land Use Map



Attachment 4. Current Zoning

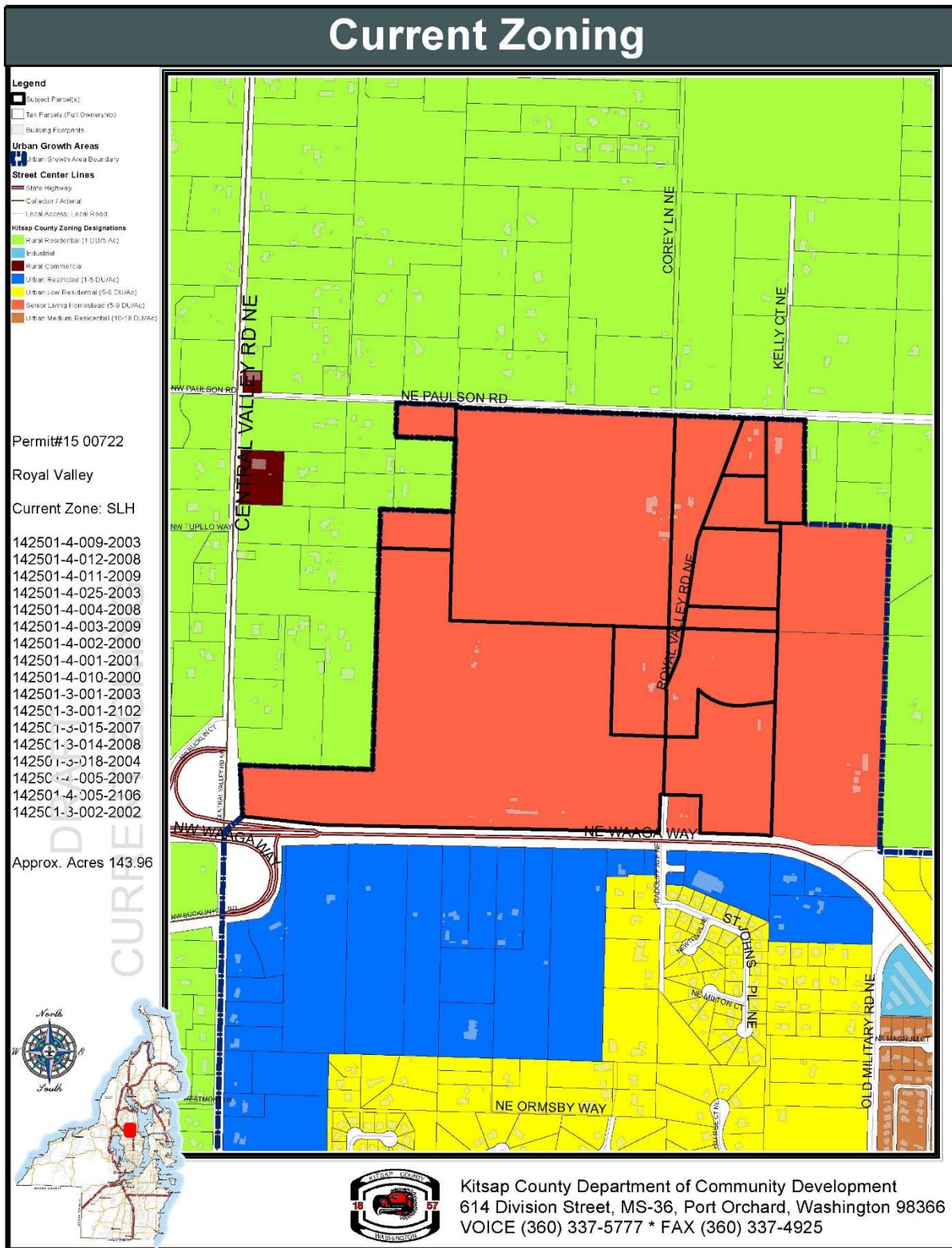


Exhibit 2. Royal Valley Concept Plan



Royal Valley Farm
Site Concepts
July 28, 2014



CONCEPTUAL SITE PLAN