



**Department of Community Development - Jeffrey L. Rowe, Acting Director  
619 Division Street  
Port Orchard, WA 98366**

## **STAFF REPORT - Comprehensive Plan Update 2016-2036**

**DATE:** April 29, 2016

**TO:** Kitsap County Planning Commission

**FROM:** David Greetham, Planning Supervisor

**SUBJECT:** 2016 Kitsap County Comprehensive Plan Update

The Growth Management Act requires Kitsap County to review and update, if necessary, its Comprehensive Plan and associated development regulations by June 30, 2016.

**NOTICE:** Notices of the Planning Commission public hearings were published in the official County newspaper, the *Kitsap Sun*, on April 25, 2016, via electronic notification to interested parties via GovDelivery and the Kitsap County Comprehensive Plan website public events calendar <http://compplan.kitsapgov.com>

**SEPA:** A Determination of Significance was issued and Supplemental Environmental Impact Statement prepared for this non-project action.

## **RECOMMENDATION**

Planning staff recommends approval of the updated Comprehensive Plan and amendments to development regulations as proposed. Further, staff finds the proposed updates to the Comprehensive Plan and development regulations effectively address requirements set forth in the Growth Management Act (GMA) and the Countywide Planning Policies.

## **PUBLIC OUTREACH/PARTICIPATION**

Public participation is an essential component for updating the Comprehensive Plan. This is an opportunity to inform and educate residents, as well as other stakeholders about the update process and solicit feedback on planning issues. Kitsap County established a Public Participation Plan early in the process to advise the public about how outreach would be achieved over four phases from June 2014 to May 2016. The County established the following goals through its outreach plan.

### **ACTION GOALS**

- Explain to community members how officials and staff will receive, review and process comprehensive plan input from citizens and other stakeholders.
- Inform community of the Growth Management Act and Kitsap County comprehensive plan update efforts.
- Identify community ideas, issues, and concerns early in the comprehensive plan update process.
- Ensure elected officials, appointed officials, and County staff understand community concerns.

### **OUTCOME GOALS**

- Engage community of the ownership of local growth management challenges and solutions.
- Encourage public support and trust between community and government officials and staff.
- Planning coordination and consistency with Kitsap County jurisdictions.
- Decrease likelihood of hearings board challenges.

Kitsap County has worked toward these goals through various methods as identified in the Public Participation Plan. Kitsap County has invested numerous hours preparing for and participating in outreach through open houses/public meetings, neighborhood and stakeholder meetings, social media, and on-going

---

work study sessions that are open to the public. The County hosted or participated in over 110 formal and informal meetings/open houses in which residents could actively participate in the update process. *Let's Hear Kitsap*, the Kitsap County Public Participation Plan.

A postcard was sent to all households on record (approximately 58,000) in unincorporated Kitsap County in August 2014 informing the public about the update process and providing the dedicated Comprehensive Plan Update web address. In addition the County used direct mailing to notify landowners of potential zoning changes as well as cards to property owners near parcels being considered for land reclassification requests.

## **HIGHLIGHTS OF THE PUBLIC PARTICIPATION AND OUTREACH PROGRAM**

### ***SOCIAL MEDIA***

Kitsap County created a new webpage dedicated to the Comprehensive Plan update. The webpage provides an opportunity for the public to stay current with emerging issues and upcoming events as well as providing comments. A “Stay Informed” button located on the webpage allows the public to provide input via the comment portal at any time during the process.

The major components of the website include:

- An electronic calendar linked to public meeting/open house dates and material;
- An electronic library of background material related to the plan update;
- An opportunity to sign-up for the interested party list and receive future email updates; and
- Regular electronic updates, including the “question of the week” early in the update process.

### ***STUDY SESSIONS (BOARD OF COUNTY COMMISSIONERS)***

Staff began regular monthly work study sessions with the Board of County Commissioners in 2013. These meetings are open to the public. Key topics of study sessions include but are not limited to:

- Board guiding principles for the Plan update
- Scope of update
- Establishment of Internal Review Team
- Public Participation Plan

- Progress and timeline updates
- 2015 Buildable Lands Report and subsequent appeal
- Coordination with cities on Urban Growth Area Boundaries
- Review of draft documents
- Establishment of preferred land use alternative
- Map reclassification requests
- Reasonable Measures

#### ***STAKEHOLDER MEETINGS/OUTREACH***

Staff convened various meetings or outreach with stakeholder groups to describe and gain input on the plan update. The groups include, but are not limited to:

- Citizen Advisory Committees (Staff presented at regular advisory committee meetings as needed)
- Cities (Bremerton, Port Orchard, Poulsbo)
- Service providers (Examples: schools, fire protection, water, and sewer providers)
- Development industry (Kitsap Builders Association, Department Advisory Group, Home and Garden Show booths)
- Tribes (semi-annual meetings with five tribes, hosted at Suquamish Tribal Offices)
- Parks Advisory Board
- Port Districts
- Aging and Long Term Care
- Kitsap Economic Development Association (KEDA) Breakfast
- Illahee and Harper community groups
- Illacondia Community
- Mesa Redonda
- Kitsap Transit Limited English Proficiency
- Kitsap Immigration Alliance Committee
- “Pop-up” booths at Hazelwood YMCA, Kitsap Regional Library, Kitsap Mall, Silverdale Dog Park and Waterfront Park, Olalla Blue Grass Festival
- Interested citizens (individual or group meetings as requested)

Kitsap County also convened a Comprehensive Plan “Internal Review Team”, consisting of both County Departments and external agency partners, to assist with the goal and policy review. Internal Review Team members reached out directly to their stakeholders for input on updated goals and policies.

#### ***OPEN HOUSES/PUBLIC MEETINGS***

Kitsap County conducted five series of open houses through the process to provide

background information on the general update process as well as specific topics. Comments sheets were also available for participants to provide feedback/opinions on the topics. The open houses included:

- Fall 2014 - General Open House. Kitsap County conducted three open houses to kick off public input into the update process. The purpose of the open houses was to provide general information to the public about the update process. The open houses were located in Poulsbo, Silverdale and Port Orchard.
- Fall 2014/Winter 2015 – Joint open houses with Citizen Advisory Committees. Kitsap County jointly conducted four open houses with Board appointed Citizen Advisory Committees in their respective communities. Post card invitations were mailed to all citizens within the Sub Area plan boundary for each committee. The purpose of the open houses was to inform the public regarding current conditions and solicit feedback within specific community planning areas. The open houses were located in Kingston, Suquamish, Silverdale and Manchester.
- November 2015 – Draft Plan Open Houses. Kitsap County conducted three open houses that focused on the draft comprehensive plan documents release for public comment on November 6, 2015. The purpose of the meetings was to inform the public regarding the content of the draft documents (Goals, Policies and Strategies, Capital Facilities Plan, and Supplemental Environmental Impact Statement), and how to submit comment during the first 30-day public comment period. The open houses were held in Poulsbo, Silverdale and Port Orchard.
- February 2016 – Preferred Land Use Alternative Open Houses/Public Hearings. Kitsap County conducted three public open houses and Board of Commissioner public hearings that focused on the proposed preferred land use alternative. The purpose of the meetings and subsequent public hearings was to inform property owners of proposed zoning re-designations associated with the preferred land use alternative, and how zoning designations affect use of property. The open houses were held in the lobby of each hearing location (Poulsbo City Council Chambers, Silverdale Fire and Rescue/ Water District headquarter, and Commissioner Chambers in Port Orchard) in advance of the public hearings. Public input from these meetings was used to help complete the Board directed preferred alternative.
- April 2016 – General Open House. Kitsap County conducted an open house to present the final preferred land use alternative that the final Comprehensive Plan is based on, and draft development regulations

proposed for adoption with the updated Plan. The purpose of the open houses was to answer questions on the final proposal, and inform the public about participation in the final legislative process for plan adoption in June 2016. The open house was held in the Commissioner Chambers at the Kitsap County Administration Building in Port Orchard.

### ***PLANNING COMMISSION STUDY SESSIONS***

Planning Commission work study sessions were scheduled as needed for information sharing early in the update process. Regularly scheduled sessions began in September 2015, with a joint Board/Planning Commission session hosted by the Internal Review Team to introduce and discuss the preliminary draft Plan. Sessions have been on-going (including joint meetings with the Board of Commissioners as needed) to review draft documents, the preferred land use alternative, and zoning reclassification requests. Final work studies and deliberations will occur during May 2016 in order to finalize the Planning Commission recommended Plan and development regulations.

The calendar for ongoing meetings is available at <http://compplan.kitsapgov.com>

## **UPDATING THE COMPREHENSIVE PLAN AND COMMUNITY PLANS**

### **GMA PERIODIC UPDATE REQUIREMENTS**

The GMA requires Kitsap County to review and update, if necessary, its Comprehensive Plan and associated development regulations by June 30, 2016. Kitsap County convened staff from various County departments into an Internal Review Team to complete this review. The review focused on consistency with:

- Growth Management Act legislative and rules updates;
- Growth Management Hearing Board decisions;
- Associated court decisions, and;
- Kitsap County Countywide Planning Policies (CPPs).

In completing this review, Kitsap County relied upon the Washington State Department of Commerce's Periodic Update checklist. As a result of the review, the proposed changes address:

- New or revised goals, policies and strategies;
  - New or revised background information;
  - New or revised regulatory language; and
  - Revised Comprehensive Plan and Zoning Maps.
- While some of these revisions are minor, others may be considered major policy issues. A list and summary of major policy issues follows.

## COMPREHENSIVE PLAN

The Kitsap County Comprehensive Plan was originally adopted in 1998. Since that time, various updates have occurred to the Plan, including a recent 2012 update to address a Growth Management Hearings Board remand order.

While the County is only obligated to update its policies if necessary to meet GMA provisions, the periodic update process provided an opportunity to review existing goals and policies, delete those that have been accomplished or are no longer relevant, and focus on action-oriented goals and policies. Strategies are now added to individual chapters in order to make plan implementation easier. Additionally, some existing policies are rewritten.

Additionally, the 11 elements contained in the existing Plan were streamlined to a total of seven elements in the updated Plan. For example, the elements previously titled “Natural Systems” and “Shorelines” have been combined into a single element titled “Environment”. Each element is organized under Guiding Directives, Goals and Policies, and Strategies.

The update builds on the existing valid Plan to be even more action-oriented, furthering the County’s goal of effective implementation.

## COMMUNITY PLANS

Kitsap County currently has seven active Community or “subarea” plans, including Gorst, Illahee, Keyport, Kingston, Manchester, Silverdale and Suquamish. While these plans have been adopted or updated at various times over the years, the vision, goals and policies are incorporated directly into the Comprehensive Plan. Staff worked with each community’s designated Citizen Advisory Committee to update applicable goals and policies. The Community Plan updates were approached with the following directives:

- Retention of policies associated with community plan areas that are specific to the respective area;
- Removal of policies that apply countywide and should be or are already addressed in the Comprehensive Plan; and
- Removal of policies that have already been completed or are no longer relevant.

## **MAJOR POLICY ISSUES**

A review of the Comprehensive Plan identified a number of policy topics or map items that need to be modified to be consistent with GMA, the Kitsap County CPPs, or Growth Management Hearing Board decisions. For example, zoning maps were updated to reflect current inventories of Park and Tribal Lands. Additional adjustments are proposed to reflect variations in population or employment capacity since the prior update. Through this process, the following topics/issues emerge as major policy issues:

- Urban Growth Area (UGA) re-sizing
- Future of unassociated Central Kitsap UGA
- Silverdale Regional Growth Center
- Reasonable Measures
- Consolidation/removal of existing zone designations

### ***URBAN GROWTH AREA RE-SIZING***

Review of growth targets and existing UGAs in accordance with the Countywide Planning Policies (CPPs).

As described in the Final Supplemental Environmental Impact Statement (SEIS), the Preferred Alternative was developed utilizing public input on the three Draft SEIS alternatives issued for public comment in November 2015, is similar to Alternative 2, and accommodates 20-year growth targets within smaller UGA boundaries emphasizing mixed uses and higher densities in centers and corridors. The Silverdale and Port Orchard UGAs are reduced under this alternative. A small expansion of the Kingston UGA is included though less in area than Alternative 3. Some private reclassification requests are included, based on the results of Board direction following the joint Board/Planning Commission public hearings. All together the Preferred Alternative results in a 1% net reduction (204 acres) in UGA



lands in comparison to the No Action alternative.

Open houses were held in advance of public hearings and subsequent to Board direction on the Preferred Alternative. Following establishment of the Preferred Alternative, Kitsap County notified all affected property owners of the proposed zoning changes, and has encouraged participation in the legislative process should landowners have comments regarding proposed revisions. Changes to individual UGA boundaries under the Preferred Alternative are discussed below.

#### PROPOSED CHANGES TO UGA BOUNDARIES

##### ***KINGSTON***

The Kingston UGA is expanded to the west by 75 acres to encompass the entire North Kitsap School District campus on West Kingston Road. The area is added to the UGA as Urban Restricted.

***POULSBO*** *No change.*

##### ***SILVERDALE***

The Silverdale UGA is reduced near Bangor to provide a greater buffer around Sub Base Bangor as a result of the recent Joint Land Use Study with the Navy, and expanded near Anderson Hill Road for additional Industrial designation. The revisions represent a total net reduction of 61 acres.

##### ***CENTRAL KITSAP***

The Central Kitsap UGA is increased by 20 acres, primarily to accommodate projected population targets.

***EAST BREMERTON*** *No change.*

##### ***WEST BREMERTON***

The West Bremerton UGA is expanded by 496 acres for City watershed land, and slightly on West Kitsap Lake Drive to include three lakefront parcels with existing sewer service or immediate access to sewer service. The City of Bremerton has requested that an existing community served by sewer north of Kitsap Lake also be added to the UGA. Through meetings with the City, Kitsap County has indicated that it has not included this area in the Preferred Alternative due to existing population capacity within City limits. It is acknowledge that should additional capacity be required in the future, the area north of Kitsap Lake would likely be a logical area to consider for expansion. The Countywide Planning Policies contain a process and criteria for establishing, expanding and adjusting UGAs in Kitsap County, which would need to be adhered to.

*GORST No change.*

**PORT ORCHARD**

The Port Orchard UGA is reduced by a total of 734 acres, in three primary areas: Sidney Road commercial corridor, Phillips Road Urban Low residential area, and Mile Hill Road commercial corridor. An area of Urban Low Density residential is also removed from the UGA in a residential area north of Mile Hill Drive.

The Policies in the existing Comprehensive Plan directed that certain areas be reviewed during the current update cycle, primarily due to significant City expansion over the past 10 years. The expansion resulted in significant current population and job capacity within the City limits, therefore leading to appropriate re-sizing of the unincorporated UGA adjacent to the City.

The Port Orchard UGA reduction resulted in a significant amount of feedback from the affected public, the Port Orchard City Council, and the West Sound Utility District which is responsible for sewer service in certain areas near Port Orchard.

Subsequent to public hearings, staff meetings with landowners in the Bethel Corridor, meetings with the West Sound Utility District, and two meetings with the City Council, the Board provided direction on the Port Orchard UGA boundary under the Preferred Alternative. The Bethel Corridor, originally proposed for removal, was retained within the UGA boundary as a result of public and agency input during the review process. The Port Orchard City Council also provided a letter stating “Although all of the City’s preferences were not accommodated, the City supports the revised preferred alternative and will incorporate it into the update for the City’s comprehensive plan and future land use map.” (3/22/16, letter to Steve Heacock) A document titled Port Orchard White Paper was prepared to provide greater detail of the history of this process and impact on Kitsap County planning.

***FUTURE OF UNANASSOCIATED CENTRAL KITSAP URBAN GROWTH AREA***

***MEETINGS WITH CITY OF BREMERTON***

During the first 30-day comment period on the draft Plan in November 2015, the City of Bremerton provided detailed comments on the three land use alternatives proposed in the Draft EIS (see Final Supplemental EIS for letter and responses). Kitsap County staff subsequently met with the City to review the comments relative to proposed Urban Growth Area (UGA) boundaries adjacent to or in close proximity to the City, including the Gorst, West Bremerton, East Bremerton and

Central Kitsap UGAs. Staff were able to resolve most, but not all comments through direct discussion with the City.

Currently unresolved is the City's on-going request that the "unassociated" Central Kitsap Urban Growth Area (UGA) be associated with the City of Bremerton. The Central Kitsap UGA is located immediately north of the East Bremerton UGA (currently associated with the City), and is separated from the Silverdale UGA on the north by the Barker Creek corridor.

Adopted Countywide Planning Policies (2013) state that unincorporated UGAs shall be associated with an existing or future city, and that adopted City and County comprehensive plans shall reflect the intent that all land within unincorporated Urban Growth Areas will either annex or incorporate within the 20-year planning horizon.

#### ***POLICY DIRECTING FURTHER COORDINATION WITH CITY***

In recognition of the City's comments and the Countywide Planning Policies, Kitsap County evaluated and updated its existing policies regarding Urban Growth Area Management Agreement (UGAMA) criteria. The proposed Comprehensive Plan reflects an updated policy specifically addressing the intent to work with the City on development of a UGAMA for the Central Kitsap UGA.

#### ***TIMEFRAME FOR RESOLUTION OF ISSUES***

While initial discussions were undertaken regarding the future of the Central Kitsap UGA during the periodic update process, it was agreed by both parties that the discussion would be tabled for the near future, and continued after the current periodic updates are completed by June 2016.

#### ***SILVERDALE REGIONAL GROWTH CENTER***

Silverdale is identified by the Puget Sound Regional Council as a "Regional Growth Center" (RGC), one of 27 similar urban growth centers across the Puget Sound region. RGCs should have compact, transit-oriented and pedestrian friendly development, and are intended to take advantage of existing urban services in order to prevent sprawl in the rural areas. These areas are then eligible for State and Federal transportation funding as allocated through the Regional Council.

### ***WHAT PROMPTED THE CHANGES?***

While the Silverdale RGC was first established in 2003, a set of implementing goals and policies had not previously been included in the Comprehensive Plan. Further, moving the RGC forward via implementing goals, policies and regulations serves as a “reasonable measure” to continue planned trends for urban growth in Kitsap County (see Reasonable Measures section).

### ***PROPOSED CHANGES***

A formal set of goals and policies for the RGC is added to the Comprehensive Plan (see Ch. 8, Subarea plans). The proposed goals and policies are organized under Urban Community, Connectivity & Mobility, Environment, Economic Development and Housing elements, laying the groundwork for urban development that creates a sense of place, promotes an active transportation system for pedestrians, cyclists, transit and cars, and protects the natural environment. Additionally, a permit process is added to incentivize both increased building heights (up to 125 feet) and increased residential densities (up to 60 units per acre) beyond base code allowances within the RGC.

### ***REASONABLE MEASURES***

Kitsap County is required to adopt an updated list of reasonable measures by June 30, 2016. The GMA requires that if the County’s Buildable Lands Report (BLR) demonstrates an inconsistency between what has occurred in growth trends and what was envisioned in the planning process, the county must adopt and implement “measures that are reasonably likely to increase consistency during the subsequent five-year period” (RCW 36.70.A.215(4)). These measures are referred to as “reasonable measures”, and are typically code provisions or comprehensive plan policies that encourage urban growth and help protect rural and resource areas.

### ***WHAT PROMPTED THE CHANGE?***

The January 2016 Central Puget Sound Growth Management Hearings Board decision on an appeal to Kitsap County’s BLR noted that the County’s most recent BLR still demonstrated inconsistencies in three key areas: the planned urban/rural split, urban densities occurring in rural areas, and less than the minimum urban densities being achieved in the UGAs. While the Growth Hearings Board found that the BLR was deficient in that it failed to identify reasonable measures, it agreed that the adoption of new measures should be part of the Comprehensive Plan update in June 2016.

While the Growth Hearings Board did not prescribe specific reasonable measures, they have suggested types of reasonable measures that the County should consider, including measures to address on-going substandard legacy lot challenges.

### ***PROPOSED CHANGE***

Through consultation with the Board of Commissioners, staff has proposed the following draft list of reasonable measures, most of which would be accomplished via revisions to development code:

- Transfer of Development Rights. Updates to existing code in order to make to program more attractive to developers, including process to easily update credits based on market factors.
- Recognition of Rural Legacy Lots. Substandard lots of record created after July 1, 1974 (date of County's first subdivision code) may be occupied by any use allowed in the zone. Substandard lots that were created prior to July 1, 1974 may be considered for development if they meet one or more exception: the lot contains a legally placed residence, or there have been specific development investments in the lot prior to enactment of the new ordinance (including an approved water or sewer connection or participation in a local improvement district), or there is a vested development permit. An owner of contiguous substandard lots may choose to aggregate (combine) the lots in order to meet these requirements.
- Maximum Urban Lot Size. New maximum lot size of 9000 square feet in Urban Low Residential and Urban Cluster Residential. This would prevent development of urban residential growth on overly-large parcels, which defeats the purpose of efficient and compact urban services and creates pressure to expand UGAs.
- Silverdale Regional Centers Plan. See above section on Silverdale Regional Growth Center. Allowing and further incentivizing increased height allowances and increased residential densities further encourages additional growth in the urban area.
- Monitoring and Tracking Measures. Conduct ongoing continuous process improvement to make required annual monitoring and reporting process more efficient.
- New Accessory Dwelling Unit process. Recent Growth Management Hearings Board decisions have addressed ADUs and density in rural/resource land designations. The decisions have indicated that when allowing ADUs outside the UGA they count toward the maximum allowable

density, if they are free standing separate units (as opposed to attached “Accessory Living Quarters” (ALQs)). A Use Table footnote is proposed stating that an ADU is only allowed if the parcel on which it is located is twice the size of the minimum parcel size for the zone. Where allowed, they would be permitted outright rather than the currently required Conditional Use Permit/public hearing process.

### ***REMOVAL AND CONSOLIDATION OF EXISTING ZONES***

The proposed zoning map reflects several changes to current zoning categories, including removal of several zones outright, and consolidation of others.

### ***WHAT PROMPTED THE CHANGES?***

The effectiveness of various zones implemented during prior Comprehensive Plan updates varies. The periodic update process provides an opportunity to adjust, remove or add zones as needed.

For example, two zone categories, Urban Reserve and Mixed Use, would be completely removed. The Urban Reserve zone was established in the late 1990s as a rural “holding pattern” (1 du/10 acres) zone adjacent to the Bremerton and Port Orchard UGAs. While such areas were set aside for future city expansion, the cities did not in fact utilize these areas, expanding in other areas instead. The cities have not proposed expanding into such areas during the current periodic comprehensive plan update cycle either. As such, the zone is removed and typically replaced with Rural Protection, an equivalent rural zone designation of 1 du/10 acres.

The Mixed Use zone was established during a more recent Plan update in order to encourage a mix of commercial and residential uses in certain urban areas. Permit records and direct feedback from property owners indicate that the standards for mixed use are not responsive to the development market, and are overly prescriptive to the point of not penciling out for property owners. As such, Mixed Use is removed and generally replaced with the Commercial zone. The Commercial zone also allows Mixed Use, but doesn’t prescribe that the mixes need to be in the same building. Preliminary feedback from property owners and others in the development community has been generally positive.

In addition to the removal of Mixed Use, several commercial designations are being consolidated into a single “Commercial” zone designation. Similar to the Mixed Use zone example above, feedback from property owners and staff

indicated that the divisions between existing urban commercial zones was were too restrictive as to what uses could occur in specific areas. The proposal to “collapse” several commercial zones into a single Commercial designation is intended to be responsive to the development market, and encourage job growth in the urban areas. This would not affect the existing Rural Commercial zone designation, which is intended to be limited in size and scope.

A full list of proposed zone designation revisions is included in the Title 17 development regulations section below.

## **ADDITIONAL LAND USE DESIGNATION MAP AMENDMENTS**

### **MAP RECLASSIFICATION REQUESTS**

The Comprehensive Plan docket adopted by the Board of Commissioners for 2015/2016 established a formal application process for individuals to apply for map reclassifications under the Comprehensive Plan update. Kitsap County received over 30 individual applications during the open window in January and February 2015. A total of 26 applications proceeded through the joint Board of Commissioner/Planning Commission hearing process in March 2016. The Planning Commission deliberated and made recommendations to the Board in 2016. The Board of Commissioners subsequently reviewed the recommendations and provided final direction on the reclassification requests in April 2016. The Preferred Alternative map reflects final Board direction on all but the Tallman and Porter requests, which were decided on just after the current map was published but will be reflected on the final adopted map in June 2016.

The following table summarizes the outcome of each individual map reclassification request, based on Board deliberations and direction to staff.

Permit Number and Name	Action
15 00697 Bair	Denied
15 00641 Curtis Avery	Approved
15 00692 Eldorado Hills LLC	Denied
(One recusal, one no vote. Staff directed to explore further UGA options)	
15 00737 Mountain View Meadows	Denied
15 00738 Fox-Harbor Rentals	Denied
15 00686 Garland	Approved
15 00724 Harris	Approved
15 00714 McCormick Land Co	Approved
15 00461 Porter (as amended by Planning Commission)	Approved
15 00722 Royal Valley LLC	Approved
15 00742 Tallman	Approved
15 00710 Trophy Lake Golf	Approved
15 00522 Ueland Tree Farm	Approved
(Mineral Resource Overlay only - Rural Industrial zone request denied)	
15 00607 Cornerstone Church	Denied
15 00738 DJM Construction	Denied
15 00725 Tracyton Tavern	Approved
15 00657 Gonzalez	Approved
15 00740 Laurier Enterprises	Approved
15 00689 Lee	Denied
15 00711 Merlinco, LLC	Denied
15 00703 Pt Orchard Airport	Approved
15 00701 Prigger	Approved
15 00736 Rodgers	Approved
15 00739 Schourup LLC	Approved
15 00735 Sedgwick Partners	Denied
15 00650 Unlimited	Approved



## DEVELOPMENT REGULATION AMENDMENTS

The following section includes key revisions to development regulations needed in order to implement the Comprehensive Plan policies.

### TITLE 13 'WATER AND SEWERS'

#### *REVISE SEWER WAIVER REQUIREMENTS -WHAT PROMPTED THE CHANGE?*

In 2015, the Washington On-Site Sewage Association (WOSSA), lobbied to get legislation in place for counties and cities that require connection to public sewer for failing onsite septic systems. This legislation is codified at RCW 36.01.330. In 2012, Kitsap County added a requirement in KCC 13.12.020 as follows: "A structure served by a septic system located within a UGA which has been determined by the Health District to be failing and in need of repair and is located within two hundred feet of a public sewer main that has adequate capacity to serve shall be required to connect." This requirement means Kitsap County is subject to the new law. While the Kitsap County code already had a process to allow for waivers to this requirement in KCC 13.12.025, that process does not quite meet the new statutory requirement. The statute requires that any such waiver must be heard by the legislative body of the county (i.e., the board of commissioners) or by an administrative hearings officer. Furthermore, the new legislation applies only to single-family residence owner-requested repairs.

### TITLE 17 'ZONING'

The purpose and scope of the Title 17 'Zoning' code (Code) is:

*17.100.020 Purpose and scope.*

*The text and zoning maps constitute the Zoning Ordinance. The Zoning Ordinance classifies, designates, and regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial, and public land uses for the unincorporated area of Kitsap County. Further, it is the purpose of this title to provide for predictable, judicious, efficient, timely, and reasonable administration respecting due process set forth in this title and other applicable laws; and to protect and promote the public health, safety and general welfare. In fulfilling these purposes, this title is intended to benefit the public as a whole and not any specific person or class of persons. Although through the implementation, administration and enforcement of this title, benefits and detriments will be enjoyed or suffered by specific individuals, such is*

*merely a byproduct of the overall benefit to the whole community. Therefore, unintentional breaches of the obligations of administration and enforcement imposed upon the county hereby shall not be enforceable in tort.*

The existing code will be repealed in its entirety and replaced with a new draft code at the time of the 2016 Comprehensive Plan adoption. Many of the key content based changes to the Code are previously discussed in the identification of major policy issues associated with the Comprehensive Plan. The following topics reflect a summary of key changes to the code.

### **FORMATTING**

- Re-order and Re-number Chapters
- Consistent Section formatting
- Use Table and Density, Dimension, and Design Standard Table consistency
- Referral directions confirmed (e.g. Referrals to repealed sections removed)

### **ZONE AND CATEGORY CHANGES**

#### **A. Based upon Preferred Land Use Alternative**

1. Remove Zone:
  - a. (URS) Urban Reserve
  - b. (SLH) Senior Living Homestead
  - c. (UTC) Urban Town Center
  - d. (MU) Mixed Use
  - e. (A) Airport
  - f. (HTC) Highway Tourist Commercial
  - g. (RC) Regional Commercial
2. Add Zone:
  - a. (CO) Commercial
  - b. (RC) Regional Center
3. Re-Name Zone:
  - a. From: (IGZ) Illahee Greenbelt Zone
  - b. To: (GB) Greenbelt
4. Remove Category:
  - a. Mixed use development
5. Add Category:
  - a. Non-Motorized Recreational Rentals: Permissibility based upon Zone intent
  - b. General retail merchandise stores – 10,000 to 15,000 sf (already in LAMIRD table)

***REASONABLE MEASURES: (ADDENDUM TO APRIL 2016 PLANNING COMMISSION)***

A. Transfer of Development Rights	17.520
B. Recognition of Rural Legacy Lots	17.420.060 (39)
C. Minimum/Maximum Urban Lot Size	17.420.050
D. Silverdale Centers Plan: Design Table	17.420.050 (D)
Incentivizes for increased density, heights, and parking standards	
E. Monitory and tracking measures	Not in Code
F. New Accessory Dwelling Unit use permissibility	17.410.040 (A)
New Footnote	17.410.050 (96)

***CONSISTENCY WITH TITLE 7 'ANIMALS'***

A. Definitions	
1. Exotic Animal	17.110.265
2. Kennel	17.110.375
3. Kennel, Hobby	17.110.380
B. Exotic animal possession	17.410.060 (B)(2)

***SIGNS***

A. Public Works project setback exemption	17.450.070 (H)
B. Removed ability to measure multiple elements of a single sign as separate entities	17.450.070 (I)(3)

***MARIJUANA***

A. Retailers allowed in Commercial, Regional Center, Low Intensity Commercial and Rural Employment Center	
B. Mixed Use removed, conversions to commercial increase permissibility from Administrative Conditional Use Permit (ACUP) to Permitted (P)	17.460.030 (C)(1)