



STAFF REPORT

Permit Number: 15 00657 | Gonzalez

DATE: March 2, 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: Gonzalez Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Raul Gonzalez (applicant and owner)
2. **Parcel Number:** 342601-2-004-2007
3. **Address or location information:** No current address, property at the intersection of SR 308 and Silverdale Way NW; 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:** Rural Industrial (RI)
7. **Current Zoning:** Rural Residential (RR); see Attachment 4.
8. **Proposed Zoning:** Rural Industrial (RI); see Attachment 5.
9. **Lot Area / Size:** 1.5 acres
10. **Comprehensive Plan Alternatives:** Included as part of the 2016 Comprehensive Plan Update Supplemental Environmental Impact Statement (SEIS) Alternative 2 as a change to Rural Industrial in association with a Type III LAMIRD, and in Alternative 3 as a change to Rural Industrial. See Section 3.2.2 of the SEIS on Relationship to Plans and Policies for an evaluation of the Type III LAMIRD criteria.
11. **Preferred Alternative:** The request is included in the Preferred Alternative.

Submitted Application Materials

- Project Application
- Site-specific Amendment Criteria
- Ownership Certification
- Environmental Checklist

Application Request

The applicant is requesting a Comprehensive Plan and Zoning Map amendment from Rural Residential (RR) to Rural Industrial (RI). The Comprehensive Plan and Zoning Map designations are the same for the subject property. The applicant has not identified a specific future land use for the property, but foresees the potential for rural industrial land uses, including a small general office, small retail, personal service, self-storage or a private parking lot. However, if the amendment is approved the applicant would have = to develop the property in accordance with the permitting requirements and development standards in the Kitsap County Code.

BACKGROUND

The subject property is approximately 1.5 acres and currently undeveloped and forested. The property is located on the southwest corner of the intersection between NW Luoto Road/NW State Highway 308 and Silverdale Way NW. The property is just located between the Silverdale Urban Growth Area (UGA) to the south and the City of Poulsbo to the north. The intersection carries relatively high traffic volumes as the surrounding roads provide key access between the communities of Banger and Keyport, State Highway 3, Silverdale and Poulsbo. See Attachment 1. The site is currently zoned RR and is undeveloped. According to Kitsap County maps the site possesses moderate geological hazards on the western edge of the property and is immediately adjacent to Scandia Creek, an important fish-bearing stream that empties into Liberty Bay. Further, the subject parcel lies within a Category II Critical Aquifer Recharge Area and, as such, any new land use must comply with the applicable development standards found in Kitsap County Code 19.600. See Attachment 2. The site has existing water service through the Silverdale Water District. It does not have existing sewer or power service. Septic service and power service are proposed.

This site was previously considered under the Keyport Junction Type III LAMIRD/Employment Center in 2010, but it was not approved at that time.

Surrounding Zoning and Land Use

The property is adjacent to RR, RI, and Rural Commercial (RCO) zoning. Existing land use on adjacent properties include residential, trade, government and services, and cultural/recreational uses. See Exhibit 1 and Attachment 3.

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

Surrounding Areas	Current Zoning	Current Land Use
North	• RR	• Residential
East	• RCO	• Trade (currently vacant?)
South	• RI	• Government and Services
West	• RR	• Cultural/Recreational

Current Comprehensive Plan and Zoning Designations

The present Comprehensive Plan and Zoning Map designations for the property is RR. RR is described similarly in the Comprehensive Plan and in the Kitsap County Code:

- **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 RR zone.

The RR zone has a maximum density of 1 dwelling unit per 5 acres.

Proposed Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed Comprehensive Plan and Zoning Map designation is RI. The Comprehensive Plan and Kitsap County Code describe RI similarly as:

- **Rural Industrial:** The intent and function of the RI Zone is to provide for small-scale light industrial, light manufacturing, recycling, mineral processing, and resource-based goods production uses that are compatible with rural character and do not require an urban level of utilities and services.

The RI zone allows for a wider range of commercial and industrial uses than the existing RR Zone. The RI zone does not permit residential development. See Exhibit 2.

Exhibit 2. Selected Allowed Uses (KCC 17.381.040.E)

Selected Uses	RI (proposed zoning)	RR (current zoning)
Residential Uses		
• Single family dwelling, detached	X	P
• Mixed use development	X	X
• Hotel/motel	X	X
Commercial/Business Uses		
• Accessory use or structure	P	P
• Automobile service station	C	X
• Espresso stands	ACUP	X
• Equipment rentals	ACUP	X
• General retail merchandise stores (any size)	X	X
• General office and management services (any size)	X	X
• Nursery wholesale	P	P
• Restaurants	X	X
• Off-street private parking facilities	X	X
• Public commuter park-and-ride lots	C	C
Industrial Uses		
• Manufacturing and fabrication, medium	C	X
• Storage, indoor	ACUP	X
• Storing, outdoor	C	X
• Wrecking yards and junk yards	C	X

Legend: P = Permitted Use, X = Prohibited Use, C = Hearing Examiner Conditional Use, ACUP = Administrative Conditional Use

The RI zone has few development standards and does not permit residential development. The RR zone requires a minimum lot size of 5 acres and a minimum lot width and depth of 140'. See Exhibit 3

Exhibit 3. Selected Development Standards Comparison (KCC 17.382.100)

Density and Dimensions	RI (proposed zoning)	RR (current zoning)
Base/Maximum density (du/acre)	NA	NA
Minimum lot size (acres)	NA	5
Lot width (feet)	NA	140
Lot depth (feet)	NA	140
Maximum height (feet)	35	35
Maximum impervious surface coverage (%)	85	NA

PUBLIC COMMENT

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

Three citizen commenters propose rejection of this application due to non-evidence of need for additional industrial land. One commenter states this change would put pressure on other lands to redesignate. Citizen commenters feel industrial uses should be kept in urban growth areas.

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.

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;

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated growth targets and capacity analysis is being conducted as part of the 2016 Comprehensive Plan update, but in

general that process will not change the assumptions relative to the subject property and proposed amendment. Under Alternative 2, the subject property and surrounding areas are being considered for a Type III LAMIRD designation.

3. How the requested redesignation 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 with limited growth in rural areas. The proposed amendment is consistent with these goals as it would increase industrial development intensity and capacity in the rural area where commercial and industrial zones already exist with an established rural character creating a logical boundary. The redesignation would create more rural employment opportunities and provide services to the rural community. See the analysis under criteria 1b below regarding consistency with the Comprehensive Plan.

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;

The site is currently undeveloped land with existing water service. The applicant would provide septic facilities. Power and telephone service is proposed. A zoning change to RI may create some impacts on road service and traffic if a future development creates additional demand to the area, but it is not anticipated to cause significant adverse impacts on adopted levels of service. Transportation analysis has been conducted for the Comprehensive Plan Alternatives, which include the proposed amendment in Alternatives 2 and 3.

Conversion from Rural Residential to Rural Industrial at the proposed site would add a small number of trips beyond what was reflected in the 2036 travel demand forecasts. Based upon an average light industrial rate of 7.26 trips per acre, an additional 10 PM peak hour trips are estimated to result from the proposal, over 1 PM peak hour trip that would be expected with Rural Residential.¹ The site is located near 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.

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;

¹ Institute of Transportation Engineers, 2012.

Kitsap County Comprehensive Plan Vision Statements

Kitsap County’s Comprehensive Plan includes vision statements that direct policy for residential and commercial land use.

Exhibit 4. County Vision for Rural Areas and Economic Development

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>Economic Development. A stable, prosperous and diversified economy that provides living wage jobs for residents, supported by adequate land for a range of employment uses and that encourages accomplishment of local economic development goals.</p>	<ul style="list-style-type: none"> ● Preserve opportunities for resource-based economic activities within the County ● Allow for limited commercial and industrial uses in rural areas, while preserving rural character

Source: Kitsap County Comprehensive Plan (December 2012).

The proposed amendment is supported by the above vision statements as the subject property is at a major intersection, outside of the UGA, and contiguous with adjacent parcels already zoned RCO and RI. Developing the subject property for industrial use, rather than residential, is consistent with maintaining rural character and supporting the rural economy.

Kitsap County Comprehensive Plan Goals and Policies

The proposed zoning amendment supports the following current Comprehensive Plan Goals:

3A.2.1 Rural Lands

- **Goal 1. Retain the rural character of the County outside of designated urban areas, as described in this chapter.**
- **Goal 2. Encourage development standards that help preserve the County’s rural character.**
 - **Policy RL-7. Allow and encourage home-based cottage-type businesses and industries in the rural areas consistent with Kitsap County Code 17.381.060(B) (1).**
 - **Policy RL-8. Unlimited expansion of commercial and industrial uses in the rural areas is not appropriate. Accordingly, only limited new commercial and industrial uses will be permitted in the rural areas, per Kitsap County Code 21.08. Such commercial and industrial uses must be consistent with GMA and Comprehensive Plan requirements for rural areas, preserve Kitsap County’s rural character, and shall not allow urban-type uses or services.**

The rezone would be consistent with the surrounding parcels and with Kitsap County goals. It allows for RI applications in an area near a crossroads and creates opportunities for land use and development that fits with rural character of the area. This parcel is surrounded by non-residential uses.

- 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 suitable for the proposed land use designation. The proposed land use and zoning designation is similar to existing designations for surrounding properties. Per Kitsap County Maps the site possesses moderate geologically hazardous areas (mostly steep and unstable slopes leading to a ravine) and is adjacent to Scandia Creek, an important fish-bearing stream that empties into Liberty Bay. The site has existing water service. The site is at a major crossroad and could accommodate the proposed land use designation.

- 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 relatively small parcel of 1.5 acres would not materially affect the land use and growth projections for the County although it would slightly increase the employment capacity in the rural area when the County's priority is focusing growth a greater share of growth into the urban areas.

- 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 not materially affect the adequacy or availability of urban facilities and services in the area as the property is located in the rural area.

- 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 amendment request.

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

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

The proposed amendment is consistent with the above GMA goal to reduce sprawl. Under both Alternatives 2 and 3 the amendment request is part of a coordinated planning effort to expand industrial zoning with Alternative 2 including a Type III LAMIRD designation. Although the change to RI zoning may expand rural development in the area, it would also provide additional land for industrial and commercial use in an area with a concentration of similar existing uses. It may help provide employment opportunities and services in the rural area which could reduce carbon emissions by reducing the number and length of reducing vehicle trips.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The proposed zoning amendment would support economic development in the area where there are already established commercial and industrial uses that support rural employment opportunities.

Kitsap County-wide Planning Policies

D-2. Rural Land uses and Development Patterns

c. The County shall develop criteria consistent with the Growth Management Act for designating future industrial and commercial development outside of Urban Growth Areas that protect rural character while encouraging vehicle trip reduction. The criteria should allow for industrial resource-based land use and recreation and for convenience commercial that is scaled to serve the daily needs of rural residents.

The proposed amendment would likely increase vehicle trips to the site compared to the existing residential zoning depending on the actual development and use of the property. The character of the predominantly rural residential neighborhood would not be adversely impacted by the introduction of industrial development on the site, as there is existing industrial and commercial zoning and use on adjacent parcels. See Attachment 3 and Attachment 4.

3. Rural Commercial/Industrial and Type III LAMIRD Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

G. Demonstration of an unmet need for the proposed land use designation in the rural area.

The applicant does not have a specific land use or development in mind, but states that there is an unmet need in the area for additional parking, as the subject site is located at a busy intersection and along key access roads between Banger and Keyport. However, only some types of parking services are allowed in the proposed RI zone. See Exhibit 2. Additionally, the applicant believes that the site would be well-suited for a small general office, small retail, personal service, or self-storage use; the RI zone does not accommodate all of these uses (see Exhibit 2). There is no priority unmet need per se; there is however, compatibility with respect to the existing surrounding developed land and land uses that support this proposal. There does appear to be undeveloped commercially zoned property across Silverdale Way NW, but the Rural Commercial (RCO) zone does not allow many of the industrial uses allowed in the RI zone. The industrially zoned property to the south is already developed.

H. Demonstration that Kitsap County's rural character will be preserved or unaffected by the change of designation.

There is already existing rural commercial and industrial zoning and land use in adjacent areas, including a gas station and self-storage facility. The proposed amendment would not affect the rural character of the area. The RI zone aims to allow industrial uses that preserve rural character.

I. Demonstration that the proposed designation will principally serve the rural area.

The site is located in the rural area north of the Silverdale UGA and its location provides convenient access for rural residents in this area of the County. An industrial use at this location would reduce travel distances for local residents who may otherwise have to travel to commercial areas further away to meet their needs. The RI and RCO zones allow for some of the same land uses, but the RI zone allows more intense industrial uses though most uses require administrative or hearing examiner conditional uses.

J. Demonstration that appropriate rural services are available (i.e., water, wastewater disposal, etc.) and that urban services will not be required for the proposed designation.

The site appears to be served by appropriate rural services, and urban services would not be required for the proposed designation.

K. Demonstration that the proposal is contiguous to existing industrial or commercial zoning. (Exceptions to this policy must demonstrate a unique or exceptional need for the proposed land use designation).

The property is contiguous with existing industrial zoning to the south and commercial zoning to the east. See Attachment 4.

L. Demonstration that the property is sized appropriately for the proposed land use designation.

Under RI zoning, there is no minimum lot size. At approximately 1.51 acres the parcel is of sufficient size to support the RI designation. The larger property to the south is already zoned RI.

M. Demonstration that there is a lack of appropriately designated and available sites within the vicinity.

The RI zoned property to the south is already developed. No other RI zoned properties exist in the surrounding area. An undeveloped RCO designated property exists to the east across Silverdale Way NW and can accommodate some of the same land uses allowed in the RI zone.

Findings of Fact

1. The applicant, Raul Gonzalez, submitted the application to Kitsap County on February 26, 2015.
2. The applicant seeks a Comprehensive Plan and Zoning Map amendment from Rural Residential (RR) to Rural Industrial (RI).
3. The subject property is approximately 1.5 acres and located in unincorporated Kitsap County north of the Silverdale UGA, at the intersection of NW State Highway 308 (Luoto Road) and Silverdale Way NW.
4. The property is currently undeveloped and forested.
5. The site is relatively flat with some potential steep slopes on the western edge of the property.
6. The property is contiguous to a Rural Industrial zoned parcel to the south and Rural Commercial zone properties to the east and is completely surrounded by non-residential uses.
7. Adjacent properties are currently being used as a gas station and convenience store, church, and self-storage facility.
8. The parcel is designated RI in Alternative 2 and Alternative 3. Alternative 2 includes a Type III LAMIRD designation for the subject property and surrounding properties that is analyzed in Section 3.2.2 Relationship to Plans and Policies in the 2016 SEIS.
9. The parcel exists within a Category II Critical Aquifer Recharge Area which, along with geologically hazardous areas and fish-bearing streams, would be subject to the development standards of Kitsap County Code Title 19 (Critical Areas) and other applicable environmental and water quality codes.
10. The parcel was recommended by staff and the Kitsap County Planning Commission (8-1) for redesignation to RI in 2010, however was not supported by the BoCC.
11. The proposal is included in the Preferred Alternative.

Conclusion of Law

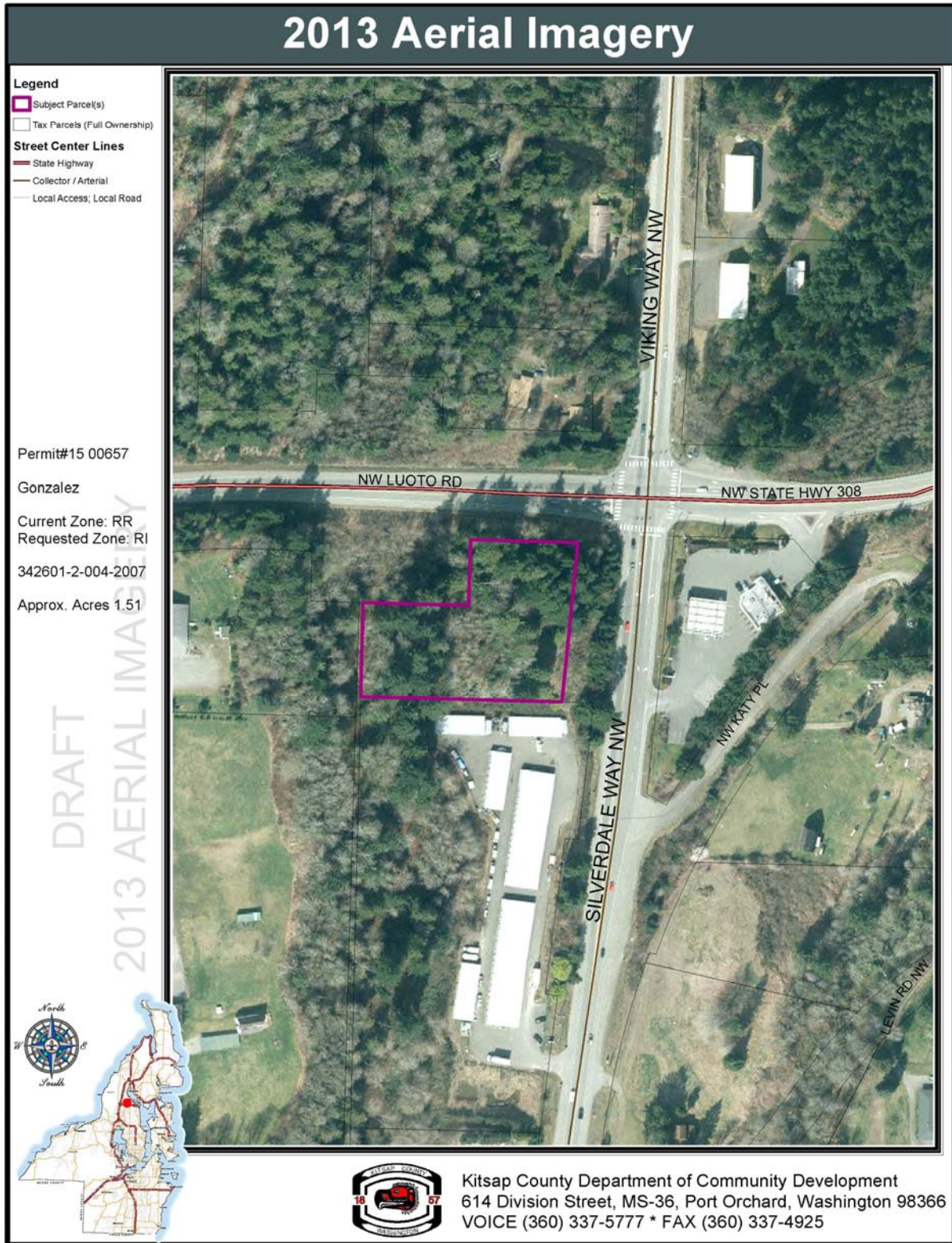
The project complies with all the provisions of the Washington State, Growth Management Act, Kitsap Countywide Planning Policies, and Kitsap County Comprehensive Plan.

Recommendation

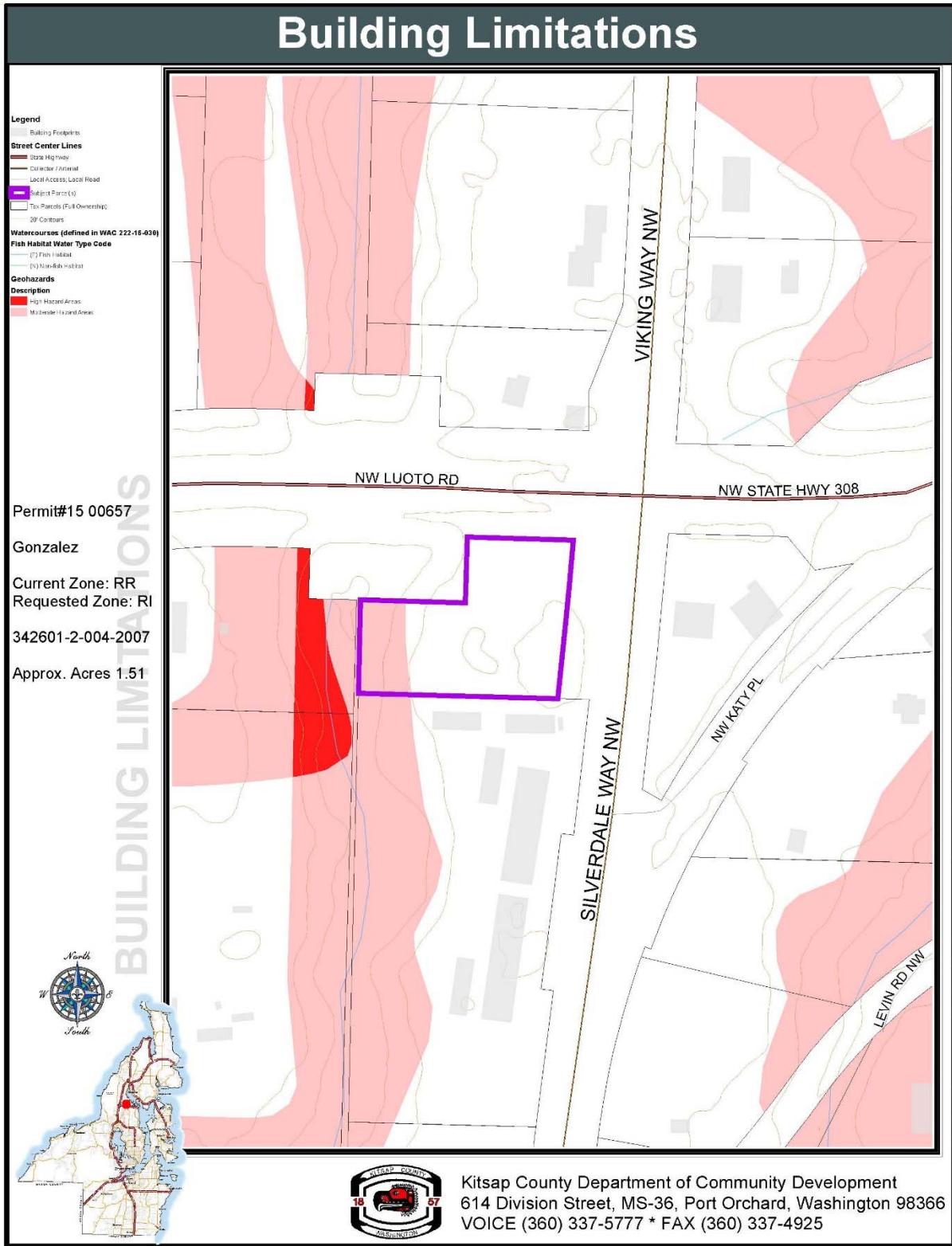
Based on the findings of fact and conclusion of law staff recommends approval of application 15-00657.

ATTACHMENTS

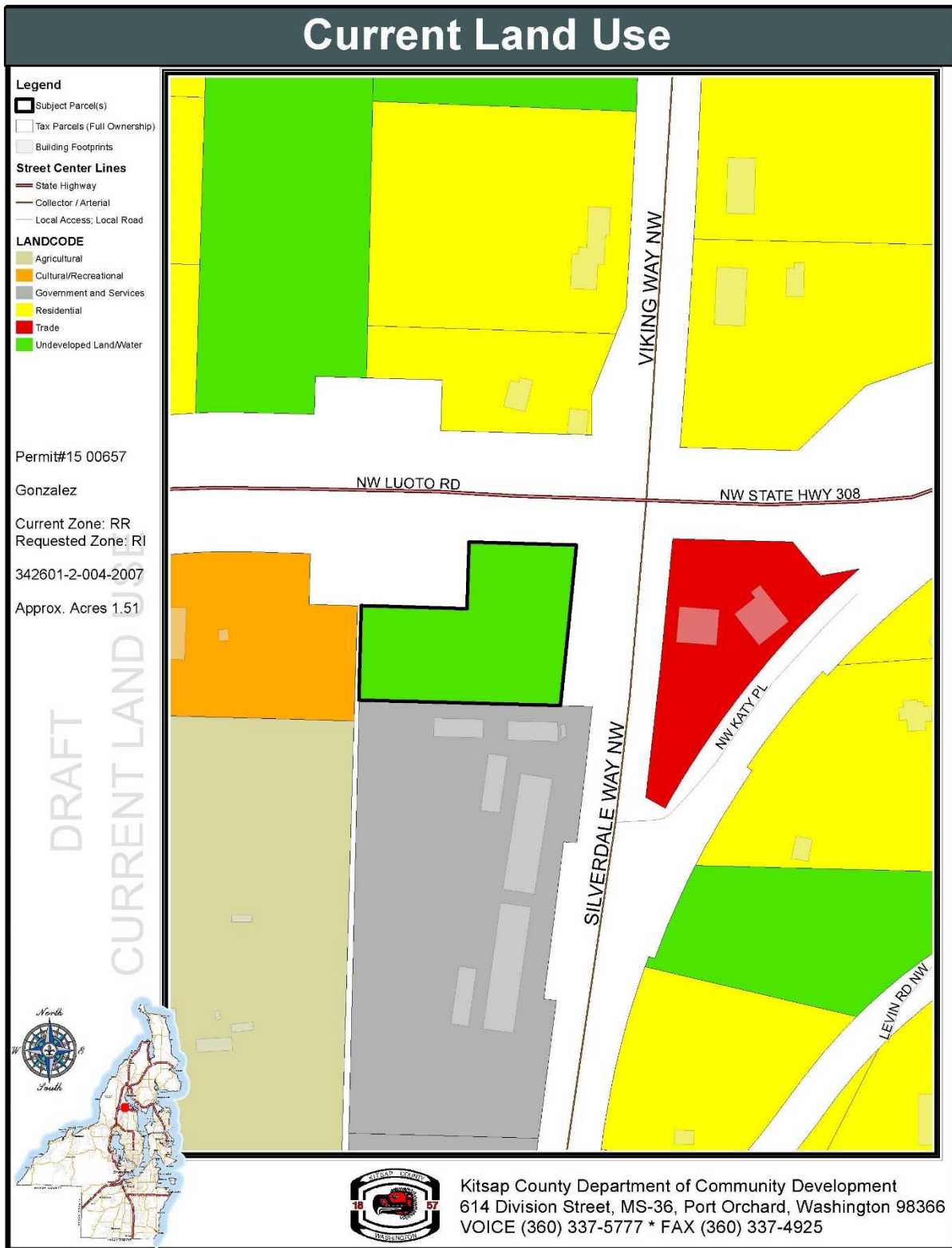
Attachment 1. Aerial Imagery



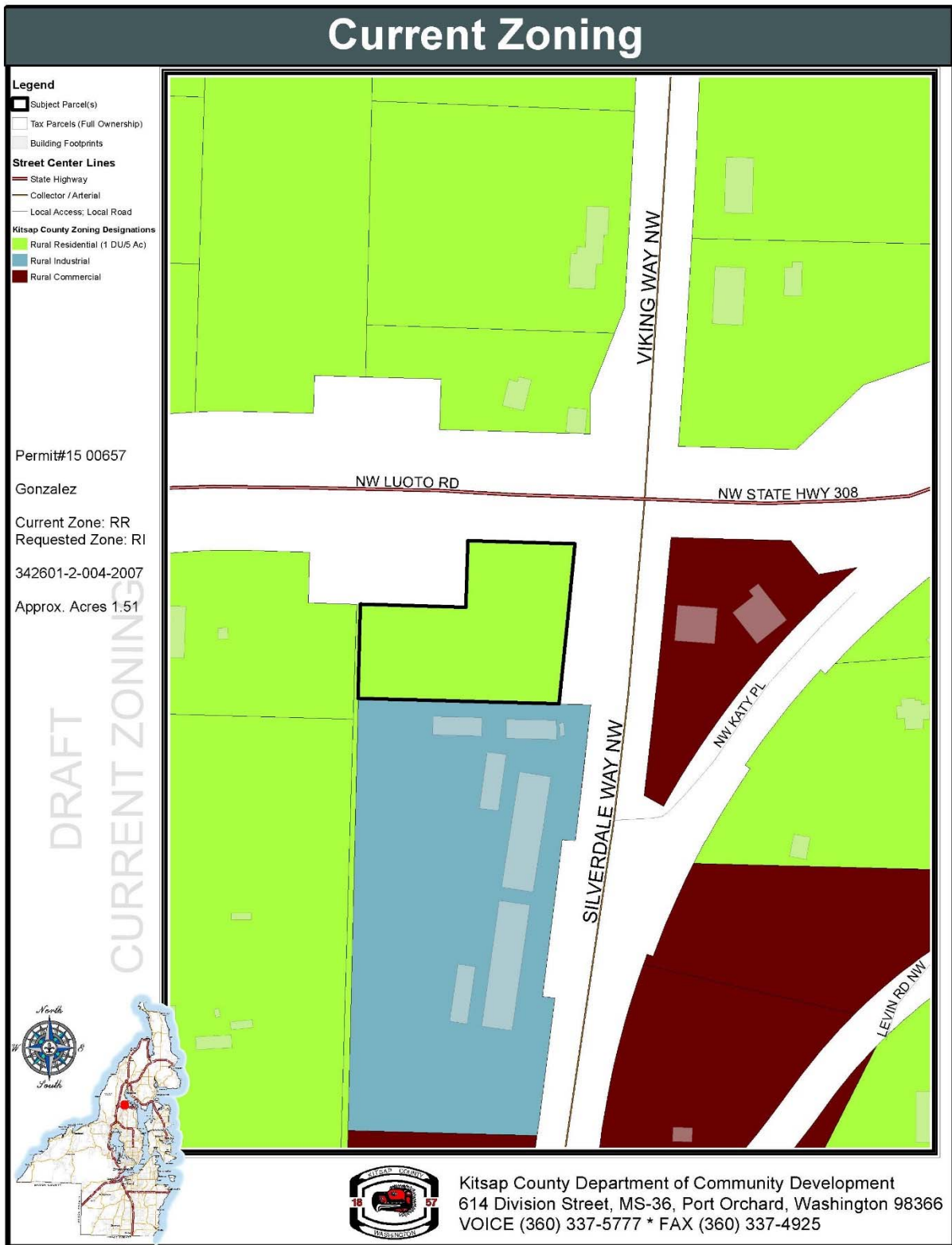
Attachment 2. Building Limitations



Attachment 3. Current Land Use



Attachment 4. Current Zoning



Attachment 5. Proposed Zoning

