



Planning Commission Executive Summary

Issue Title: 2019 Annual Comprehensive Plan Amendments
Meeting Date: February 18, 2020
Time Required: 30-60 minutes
Department: Department of Community Development (DCD)
Attendees: Dave Ward, Peter Best, Liz Williams

Action Requested at This Meeting:

Review & adopt the Findings of Fact, Conclusions, and Recommendations for the 2019 annual Comprehensive Plan amendments.

Background

- On 11/26/2018, the Board of County Commissioners reviewed a catalog of proposed amendments and decided to open an annual Comprehensive Plan amendment process for 2019. The scope for the amendment process is defined through a docket resolution.
- The initial docket resolution (Res. No. 227-2018, adopted on 12/19/2018) determined which County-sponsored amendments would be developed in 2019 as well as what types of applications would be accepted from interested parties.
- A revised application was submitted for the deferred site-specific amendment (CPA 18-00495) listed in the initial docket. No additional applications were received.
- On 4/24/2019, the Board reviewed the status of all amendments, considered potential changes to the docket, and adopted a final docket resolution (Res. No. 069-2019).
- On 5/14/2019, the Planning Commission was briefed on the final docket.
- On 7/2/2019, the Planning Commission conducted a work study session and, on 7/17/2019, the Board conducted a work study session to assist the Department in scoping the amendment to KCC 21.08 (Comprehensive Plan Amendment Process).
- On 8/20/2019, the Planning Commission conducted its first work study to consider the following 2019 amendments:
 - Clarifying Edits
 - MRO Zone Clean-up
 - Centers
 - Silverdale/Kingston UGA Association & Future Incorporation
- On 8/21/2019, the Board adopt a revised final docket resolution (Res. No. 133-2019) adding the Downtown Kingston (Phase 2) amendment.

Planning Commission Findings of Fact & Recommendation
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- 1 7. The amendment, as proposed in the December 13, 2019 staff report and as revised on
 2 February 4, 2020 by the Planning Commission:
 3 a. Is supported by the Capital Facilities Plan;
 4 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 5 Comprehensive Plan, and other applicable laws and policies;
 6 c. Is consistent with the applicable decision criteria in Kitsap County Code
 7 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 8 adopted herein;
 9 d. Reflects current local circumstances; and
 10 e. Promotes the public interest and welfare of the citizens of Kitsap County.

11 **Section 8. Dickey Pit Site-specific Application (CPA 18-00495) – Findings.**

12 The Kitsap County Planning Commission finds as follows regarding the Dickey Pit Site-specific
 13 Application (CPA 18-00495):

- 14 1. Site-specific application #18-00495 requested the re-designation and re-classification of
 15 five parcels totaling 138.45 acres within the Silverdale Urban Growth Area; proposed a
 16 road connection between Dickey Rd and Willamette-Meridian Rd; and proposed non-
 17 motorized connections between Dickey Rd, Willamette-Meridian Rd, and Apex Airport
 18 Rd.
 19 a. Landowner: Port Orchard Sand & Gravel Company Inc; Dickey Wood LLC
 20 b. Applicant: Levi Holmes - The JWJ Group, LLC
 21 c. Parcel Tax Acct #: 182501-3-031-2003; 192501-2-009-2002; 192501-2-008-
 22 2003; 182501-4-026-2008; 192501-1-023-2006
 23 d. Existing Land Use Designation: Urban Industrial (UI) and Urban Industrial with
 24 Mineral Resource Overlay (MRO/UI)
 25 e. Requested Land Use Designation: Urban Low Intensity Commercial (ULIC) and
 26 Urban Low Density Residential (ULDR)
 27 f. Existing Zoning Classification: Industrial (IND; 0 DU/10 Ac) and Industrial with
 28 Mineral Resource Overlay (MRO/IND; 0 DU/10 Ac)
 29 g. Requested Zoning Classification: Neighborhood Commercial (NC; 10-30 DU/Ac)
 30 and Urban Low Residential (UL; 5-9 DU/Ac)
- 31 2. On September 9, 2019, the Department of Community Development notified the
 32 applicant per KCC 18.04.120(B)(3)(b) that a SEPA Determination of Significance was
 33 likely for their original 2019 application, which included three alternatives with different
 34 amounts of UL and NC zoning, based on the following areas of concern:
 35 a. Population growth capacity exceeding adopted planning target;
 36 b. Employment growth capacity falling below adopted planning target;
 37 c. Urban service deficiencies;
 38 d. Land use compatibility with adjacent areas; and
 39 e. Reduction of industrial land inventory.

Planning Commission Findings of Fact & Recommendation
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- 1 3. On September 18, 2019, the Board of County Commissioners directed the Department of
2 Community Development to work with the applicant regarding the SEPA issues of
3 concern.
- 4 4. On October 4, 2019, the applicant submitted a revised application per KCC
5 18.04.120(B)(3)(c) that included one proposal with a revised combination of UL and NC
6 zones based on updated land capacity estimates.
- 7 5. On November 15, 2019, Kitsap County, as lead agency for the State Environmental
8 Policy Act (SEPA), issued a Determination of Non-Significance on the revised
9 application. Notice of the SEPA determination was published in the legal publication of
10 record on November 15, 2019. Under KCC 21.04.290(E), there is no administrative
11 appeal process for this non-project SEPA decision.
- 12 6. On January 10, 2020, the Department of Community Development published a staff
13 report analyzing the revised application and recommending denial of the amendment.
- 14 7. Forty-eight comments, including written comments and public hearing testimony, were
15 received regarding this amendment.
- 16 8. During, as well as following, the Planning Commission public comment period, the
17 applicant proposed several measures to address issues of concern raised in the staff
18 report, public comment, and Planning Commission meetings, including the following:
19 a. Dedication of right-of-way and construction of a spine road through the site from
20 Dickey Rd to the western boundary of the site.
21 b. Dedication of right-of-way or providing a public use easement for non-motorized
22 facilities.
23 c. Leaving at least a 50-foot wide buffer area zoned IND adjacent to any IND zones
24 for the purpose of avoiding increased setbacks on existing or future industrial uses
25 per KCC 17.420.060.A.27.
26 d. Provide other performance-based measures, as needed, to:
27 i. Mitigate likely impacts to the proposed residential and commercial zones
28 from existing and likely future industrial uses, including the adjacent
29 mine; and
30 ii. Minimize the likelihood of increased mitigation requirements being
31 imposed on the existing and likely future uses of the adjacent mine and
32 industrial areas.
33 e. Future consultations with Kitsap County, Apex Airport, and WSDOT Aviation
34 Division to address compatibility concerns within WSDOT Airport Compatibility
35 Zone 3 with the awareness that residential units may not be permitted on certain
36 parcels, but that they may be utilized for other permitted uses as deemed
37 appropriate by the permitting agencies.
38 f. Ensure Fire/EMS services for the portion of the site currently outside of the
39 Central Kitsap Fire and Rescue District through annexation or through a contract
40 for service and no-protest agreement if annexation is unsuccessful.

Planning Commission Findings of Fact & Recommendation
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- 1 9. On February 4, 2020, the Planning Commission voted down a motion to recommend
2 denial of the amendment and instead adopted a motion to recommend approval of the
3 amendment along with conditions of approval, as set forth in Section 9.6, intended to
4 address the following issues of concern:
- 5 a. Ensure compatibility with Apex Airport as well as existing and future industrial
6 uses consistent with GMA, Multi-county Planning Policies, County-wide
7 Planning Policies, and the Comprehensive Plan.
 - 8 b. Provide road and non-motorized connectivity consistent with the Comprehensive
9 Plan.
 - 10 c. Ensure timely, coordinated, and compatible site development through a
11 development agreement consistent with KCC 21.04.220.
 - 12 d. Ensure clarity regarding zoning assumptions for the next 8-year Comprehensive
13 Plan update that is due in 2024 through a sunset provision consistent with KCC
14 21.08.110(D).
 - 15 e. Ensure adequate urban services (i.e. Fire/EMS) are provided consistent with
16 GMA and the Comprehensive Plan.
 - 17 f. Ensure full reclamation of the existing inactive surface mine consistent with KCC
18 17.170.060 or 065.
- 19 10. Based on the record in the staff report, public comments, and Planning Commission
20 deliberations, the amendment, as proposed in the January 10, 2020 staff report and as
21 revised on February 4, 2020 by the Planning Commission:
- 22 a. Is supported by the Capital Facilities Plan;
 - 23 b. Is consistent with the GMA, the Countywide Planning Policies, the Kitsap County
24 Comprehensive Plan, and other applicable laws and policies;
 - 25 c. Is consistent with the applicable decision criteria in Kitsap County Code
26 21.08.070, as partially demonstrated in the findings and conclusions documented
27 above and as partially demonstrated in the findings and conclusions of the staff
28 report adopted herein;
 - 29 d. Reflects current local circumstances; and
 - 30 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 31 f. Is justified by changed or changing conditions;
 - 32 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
33 designations; and
 - 34 h. Will be compatible with neighboring properties and not likely adversely affect the
35 value of those properties.

36 **Section 9. Recommendations**

37 **NOW THEREFORE**, the Kitsap County Planning Commission recommendations on the 2019
38 Comprehensive Plan amendments are as follows:

- 39 1. **Clarifying Edits.** Concur with the October 15, 2019 Staff Report recommendation to
40 adopt as proposed.

Planning Commission Findings of Fact & Recommendation
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- 1 2. **Mineral Resource Overlay (MRO) Zone Clean-up.** Adopt the August 12, 2019
 2 Revised Staff Report recommendation with the following revision:
- 3 A. Remove the MRO from Tax Parcel 192501-2-005-2006 due to critical areas.
- 4 3. **Centers.** Concur with the October 7, 2019 Revised Staff Report recommendation to
 5 adopt as proposed.
- 6 4. **Silverdale/Kingston UGA Association & Future Incorporation.** Concur with the
 7 August 12, 2019 Staff Report recommendation to adopt as proposed.
- 8 5. **Downtown Kingston (Phase 2).** Adopt the December 13, 2019 Staff Report
 9 recommendation with the following revisions:
- 10 A. Replace Attachment A, Exhibit 1, Appendix B (Pedestrian-Oriented Commercial
 11 Frontages map) with Alternative 2 as shown in Attachment 1 and incorporated
 12 herein by this reference.
- 13 B. Revise Attachment A, Exhibit 1, Section IV.A.1.c (page 40), as follows:
- 14 The ground floor of buildings along designated pedestrian-oriented
 15 commercial street frontages (see Appendix B) shall be built for commercial
 16 use along the street frontage. These commercial spaces may be used for
 17 residential use.
- 18 C. Revise Attachment A, Exhibit 1, Section III.B.2.h (page 31), as follows:
- 19 ~~Line structured parking garages with perimeter tenant commercial spaces or~~
 20 ~~mixed uses.~~ Structured parking shall meet minimum site and building
 21 design requirements as prescribed ~~herein~~ in Chapter IV –
 22 Architectural/Building Design.
- 23 D. Revise Attachment A, Amendment #6A, KCC 17.490.020.D.1 (page 9), as follows:
- 24 Within high capacity transit station areas, required parking spaces shall be
 25 located on the same parcel or on another parcel no farther than eight hundred
 26 feet from the building or use they are intended to serve, measured in a straight
 27 line from the main entrance of the building. Public parking intended for the
 28 use of a public ferry terminal may be located on another parcel no farther than
 29 1,000 feet, measured in a straight line from the ferry terminal.
- 30 6. **Dickey Pit Site-specific Application (#18-00495).** Adopt the map amendments as
 31 proposed in the January 10, 2020 staff report with the following conditions:
- 32 A. The following conditions must be completed by June 30, 2021 or approval of
 33 this amendment will automatically expire unless a later date is adopted by the
 34 Board of County Commissioners through resolution.

Planning Commission Findings of Fact & Recommendation
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1. In order to meet GMA requirements (RCW 36.70A.020 and .110) for adequate urban services, the Kitsap County Land Use Map and the Kitsap County Zoning Map changes on the subject parcels shall not go into effect until tax parcels 192501-2-009-2002, 182501-3-031-2003, and 182501-4-026-2008 are annexed into the Central Kitsap Fire and Rescue District or a contract for service with the district and a no protest agreement for those parcels is executed **and recorded with the Kitsap County Auditor**.

2. The Kitsap County Land Use Map and the Kitsap County Zoning Map changes on the subject parcels shall not go into effect until a development agreement is executed and recorded with the Kitsap County Auditor that addresses, at a minimum, the following elements:
 - a. Project permitting, including how the requirements of KCC 17.170.060 or .065 will be met.
 - b. Project-level SEPA consistent with Chapter 18.04 KCC.
 - c. Measures to ensure compatibility with the Apex Airport as well as existing and planned industrial activities and areas, including the adjacent mine. The measures shall include:
 - a. The applicant’s proposal to provide an area at least 50-foot wide that will remain in the IND zone along the site boundary when adjacent to any IND or MRO/IND zone. This area shall be created through either a boundary line adjustment or set aside as a special tract.
 - b. Performance-based mitigation measures adequate to:**
 - 1. Protect the future residential and commercial development of the site from the likely impacts (e.g. noise, dust, odor, vibration, light, aesthetics) generated by the existing and likely future uses of the adjacent mine and industrial areas; and**
 - 2. Minimize the likelihood of future compatibility-driven mitigation measures being imposed on the existing and likely future uses of the adjacent mine and industrial areas.**
 - c. Defining which uses and densities will be compatible within Compatibility Zones 3 and 6.
 - d. Location and orientation of open spaces related to airport compatibility.
 - e. Wildlife attractants that could affect aircraft safety.
 - d. Design, location, and construction of the proposed road between Dickey Rd (on the east side of the site) and the western parcel boundary. Such a road shall be consistent with Kitsap County Code requirements at the time of project vesting.
 - e. Design, location, and construction of non-motorized facilities to connect Dickey Rd (on the east side of the site), Willamette-

Commented [PB1]: Staff recommended addition. Would need action by the Planning Commission to be included in FoF.

Commented [PB2]: Draft of measure added by the Planning Commission on 2/4/2020. Planning Commission should review and confirm this meets their intent.

Planning Commission Findings of Fact & Recommendation
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- 1 Meridian Rd, and Apex Airport Rd similar to those proposed by
- 2 the applicant.
- 3 f. Design, location, and construction of that portion of the regional
- 4 north-south non-motorized route that crosses the proposed site,
- 5 which is required by the 2018 Kitsap County Non-Motorized
- 6 Facilities Plan.
- 7 g. Consideration of potential dedication of ROW for a future road
- 8 and non-motorized connection to upper Dickey Rd (south of the
- 9 site) based upon impacts from future development.

10 B. The Mineral Resource Overlay (MRO) on the subject parcels shall not be
 11 removed from the Kitsap County Land Use Map and the Kitsap County Zoning
 12 Map until the Department of Natural Resources closes the surface mining
 13 permit for the applicable parcels associated with this amendment due to either
 14 (1) the completion of mine reclamation consistent with KCC 17.170.060 or (2)
 15 the approval of a new reclamation plan consistent with KCC 17.170.065 and
 16 transfer of jurisdiction over reclamation from the Washington State Department
 17 of Natural Resources to Kitsap County under RCW 78.44.390.
 18

19 **APPROVED BY THE PLANNING COMMISSION OF KITSAP COUNTY,**
 20 **WASHINGTON, AT A REGULAR MEETING THEREOF, HELD THIS 18th DAY OF**
 21 **FEBRUARY 2019.**

22
 23 **BY** _____
 24 **MIKE ELIASON, CHAIR**



Appendix B
Alt. 2

Downtown Kingston
Pedestrian-Oriented Commercial Street Frontage



This map was created from existing map sources, not from field surveys. Determination of fitness for use lies with the user, and does the responsibility for understanding the accuracy and limitations of this map and data.
Published Date: January 27, 2020

Legend

-  Pedestrian-Oriented Commercial Street Frontage
-  Tax Parcels



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