

RE: DCD – Planning Commission George’s Corner County Sponsored Amendment

DCD Response

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From: [Louisa Garbo](#)
To: [Robyn Readwin](#)
Subject: FW: Planning Commission
Date: Monday, September 10, 2018 1:07:32 PM

From: Louisa Garbo
Sent: Tuesday, September 4, 2018 3:42 PM
To: Karanne Gonzalez-Harless <kgharless@hotmail.com>
Cc: Jim Bolger <jbolger@co.kitsap.wa.us>; Gina Buskirk <ginabuskirk@hotmail.com>; Karanne Gonzalez-Harless <kgharless@co.kitsap.wa.us>; Gina M. Buskirk <gina.buskirk5941@kitsap.onmicrosoft.com>
Subject: RE: Planning Commission

Dear Ms. Gonzalez-Harless,

Thank you for writing to me with your concerns about the George's Corner LAMIRD Boundary Amendment. Transparency and effective communication to the Planning Commission and the public are very important to me and my staff. I consulted with my staff and believe the Department is providing the relevant information to the Planning Commission and that the George's Corner LAMRID Amendment was properly brought as a County sponsored amendment instead of a site-specific application.

In regards to your first concern about the 2016 site-specific request, the Department is aware of what was analyzed and recommended as part of the 2016 update. While both the 2016 site-specific request and the current proposed amendment are attempting to fix the split-zone issue along the boundary of the George's Corner LAMIRD, the proposed solutions to the problem are different. Despite the recommendation at the very end of the 2016 site-specific request staff report, the 2016 site-specific request only analyzed Lot D and the proposed inclusion of Lot D into the LAMIRD. By contrast, the current proposed amendment is the result of a full staff analysis of both Lots C and D and takes into account the character of both lots.

As to your second concern, that this amendment is County sponsored, staff addressed this issue at the July 31 meeting. To summarize the Department's position, this proposed amendment is different than the normal site-specific requests for multiple reasons. The amendment impacts multiple parcels with multiple owners, it affects a LAMRID boundary, and despite what was stated in 2016 the County does feel some responsibility for the split zone due to the approval of a short plat which created these parcels.

Once again, thank you for bringing your concerns to my attention.

Sincerely,
Louisa Garbo

From: Karanne Gonzalez-Harless <kgharless@hotmail.com>

Sent: Friday, August 31, 2018 11:22 AM

To: Louisa Garbo <lgarbo@co.kitsap.wa.us>

Cc: Jim Bolger <jbolger@co.kitsap.wa.us>; Gina Buskirk <ginabuskirk@hotmail.com>; Karanne Gonzalez-Harless <kgharless@co.kitsap.wa.us>

Subject: Planning Commission

Some issues for your consideration

Sent from my Verizon, Samsung Galaxy smartphone

DCD Response to Issues Raised Regarding the George's Corner LAMIRD Comprehensive Plan Amendment

Q1: Who suggested this amendment and how has that been publicly disclosed?

Mike McCown, owner of Tax Parcel #272702-2-046-2004 (Short Plat 7278, Lot C), inquired about and suggested an amendment regarding his property at George's Corner through correspondence and conversations with DCD staff and the Board of County Commissioners Office during at least 2017 and 2018. As required by Kitsap County Code 21.08.020 and 21.08.030, this was added to the catalog of suggested Comprehensive Plan amendments maintained by DCD and reviewed annually by the Board of County Commissioners. The catalogs for both 2017 and 2018 included:

- The landowner's name listed as the source of the suggestion.
- DCD's recommendation to include this topic in the docket as a County-sponsored amendment.

The catalog for 2018 was publicly published for the Board of County Commissioners work study session on November 22, 2017. The [staff recommended 2018 docket resolution and the catalog](#) (attached), was the subject of a public comment period between November 27, 2017 and December 15, 2017 and a public hearing before the Board on December 11, 2017. The recommended resolution and catalog have been available through:

- The online open house (web page) for the 2018 Comprehensive Plan process since late November.
- Links in two broadcast electronic announcements sent to interested parties, including the Planning Commission, on November 27, 2018 and December 12, 2018.

During a phone call from Planning Commissioner Karanne Gonzalez-Harless on July 30, 2018, DCD planner Peter Best discussed how and why the above landowner had suggested the amendment.

The above landowner testified before the Planning Commission on July 31, 2018 identifying himself as one of the landowners subject to the amendment, briefly described the inquires he made to the County regarding the split-zoning of the property, and briefly described his suggestion that it should be fixed either through a map correction or an amendment.

Q2: Why was this amendment County-sponsored instead of an application paid for by the landowner?

This subject was discussed with the Planning Commission on July 17, 2018 and through a [follow-up written clarification](#) (attached) provided for the July 31, 2018 Planning Commission meeting.

Q3: Was the 2016 Site-Specific Comprehensive Plan Amendment (#15-00378, DJM Construction) discussed in the 2018 amendment staff report?

Yes. The 2016 site-specific amendment is referenced on page 7 of Attachment C2 to the 2018 Staff Report dated July 16, 2018.

Q4: What was the 2016 site-specific amendment request and what was the outcome?

See attached summary.



Meeting Date: 12/11/2017
 Agenda Item No:

<u>Kitsap County Board of Commissioners</u>			
Office/Department: Community Development			
Staff Contact & Phone Number: Peter Best (360) 377-5777 x7098			
Agenda Item Title: 2018 Comprehensive Plan Amendment Initial Docket Resolution			
Recommended Action: Open and close the public hearing. If no major changes are needed, then adopt the resolution. If changes are needed, then schedule a follow-up work study on 12/27/2017.			
Summary:	During work study on 11/22/2017 (Attachment 1), the Board determined a review of the Comprehensive Plan was necessary in 2018 and scheduled this public hearing. The hearing is regarding the initial docket resolution (Attachment 2), which will establish the scope for the annual Comprehensive Plan amendment process for 2018. Interested parties were invited to submit written public comment and attend this hearing through legal notice and a broadly distributed announcement (Attachment 3). Written public comments will be provided to the Board at the meeting.		
Attachments:	<ol style="list-style-type: none"> 1. Executive summary from work study on 11/22/2017 2. Draft resolution 3. Announcement regarding the scoping phase of the annual Comprehensive Plan amendment process 		
Fiscal Impact for this Specific Action			
Expenditure required for this specific action:	\$ 0		
Related Revenue for this specific action:	\$ 0		
Cost Savings for this specific action:	\$ 0		
Net Fiscal Impact:	\$ 0		
Source of Funds:			
Fiscal Impact for Total Project			
Project Costs:	\$ 0		
Project Costs Savings:	\$ 0		
Project Related Revenue:	\$ 0		
Project Net Total:	\$ 0		
<u>Fiscal Impact (DAS) Review</u>			
Departmental/Office Review & Coordination			
Department/Office	Elected Official/Department Director		
Contract Information			
Contract Number	Date Original Contract or Amendment Approved	Amount of Original Contract Amendment	Total Amount of Amended Contract

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Executive Summary

Issue Title: Comprehensive Plan Amendment Docket
Meeting Date: November 22, 2017
Time Required: 15 Minutes
Attendees: Louisa Garbo, Jim Bolger, Dave Ward, Peter Best

Action Requested At This Meeting: Determine that a review of the Comprehensive Plan is necessary in 2018 and schedule a public hearing for the initial docket resolution on 12/11/2017

Initial Docket for 2018 Comprehensive Plan Amendments

Background

The Department of Community Development (DCD) maintains an ongoing catalog of Comprehensive Plan amendments that have been suggested by staff and interested parties (see Attachment 1). The Growth Management Act (GMA) and Kitsap County Code (KCC) requires the Board of County Commissioners to review suggested Comprehensive Plan amendments at least once annually and determine if a review of the Comprehensive Plan is necessary.

If the Board determines a review of the Comprehensive Plan is necessary, then an initial docketing resolution is typically adopted before (or just after) the beginning of the target adoption year. Comprehensive Plan amendments must be analyzed and considered as a batch. Final Comprehensive Plan amendment ordinances are typically adopted near the end of the target adoption year. Significant Comprehensive Plan amendments (e.g. Sub-area plans, Comprehensive Plan update, etc.) typically span multiple years.

Kitsap County's annual Comprehensive Plan amendment process is written in chapter 21.08 KCC (see Attachment 3 for a process flow diagram).

Recommendation

Staff have reviewed the current catalog of suggested Comprehensive Plan amendments and recommend the Board:

- Determine that a review of the Comprehensive Plan is necessary in 2018
- Schedule a public hearing for the initial docket resolution (Attachment 4) on 12/11/2017
- Adopt an initial docket resolution following the public hearing

Attachment 1

Staff recommendations regarding the items listed in the current catalog of suggested Comprehensive Plan amendments are summarized in Attachment 1 and are reflected in the initial docket resolution (Attachment 4).

Tentative Schedule

The following tentative schedule summarizes public meetings and major public milestones. A visual summary schedule is provided in Attachment 2.

Date	Event	Outcome
11/22/2017	BoCC Work Study	BoCC informed of staff recommendations and next steps
12/11/2017	BoCC Public Hearing	Receive public comments; Adopt initial docket resolution, if no major changes needed
12/27/2017	BoCC Work Study	Adopt initial docket resolution, if major changes needed
1/22/2018	BoCC Regular Meeting	Ratify initial docket resolution, if resolution adopted in Work Study
Jan-Feb 2018	4-week Application Period	Interested parties submit applications
Mar 2018	BoCC Work Study	Final docket resolution approved, if needed
Apr 2018	BoCC Regular Meeting	Ratify final docket resolution, if needed (consent agenda)
Jun 2018	SEPA & Staff Reports	Cumulative effects analyzed and staff recommendations
Jun 2018	BoCC Briefing	BoCC informed of staff recommendations & next steps
Jun-Aug 2018	Comment Period & Open House(s)	Communities are informed and comment on CPAs
Jul 2018	PC Work Study	PC understands CPAs and reviews staff recommendations
Aug 2018	PC Public Hearing	PC receives public comment and deliberates
Sept 2018	PC Recommendation	PC deliberates and makes recommendation
Oct 2018	BoCC Work Study	BoCC understands CPAs and reviews PC recommendations
Oct 2018	BoCC Public Hearing	BoCC receives public comment and deliberates
Dec 2018	BoCC Regular Meeting	BoCC deliberates and adopts CPA ordinance

Attachments

1. Current catalog of proposed Comprehensive Plan Amendments
2. Summary schedule
3. Summary of annual Comprehensive Plan amendment process flow diagram

Current Catalog of Comprehensive Plan Amendment (CPA) Suggestions

Submitter Info		Suggested Change					Docketing Info							
Catalog ID	Name	Organization	Topic	Comp Plan Element	Kitsap County Code	DCD Scope	Brief Description of Change	Brief Reason for Change	Date Submitted	Deadline	DCD Target Year	Batched Review Required	DCD Docketing Recommendation	Docketing Notes
CPA-0003	Public Works	Kitsap County	Update Non-Motorized Facilities Plan	Capital Facilities		Minor	Combine Regional Route Maps (Appendix E) and Routes of Bicycle Use maps (Appendix F) into one map as well as make 12 changes to existing bicycle routes in the 2013 Non-Motorized Facility Plan; replace or remove Exhibit 4-95 in CFP (page 4-102); correct document reference in CFP (page 4-100)	Update to bicycle routes recommended by non-motorized advisory committee; administrative text corrections	8/1/2017	None	2018	Yes	Docket as County-sponsored	Was deferred in 2017
CPA-0004	Mike McCown	Kingston Corners LLC	Minor Adjustment to the George's Corner LAMIRD Boundary	Land Use Map		Minor	Minor adjustment to southeast corner boundary to align with critical areas and approved plat (see attachment 1A)	Align land use and zoning boundary with approved plat	Unknown	None	2018	Yes	Docket as County-sponsored	Was deferred in 2017
CPA-0005	Mark Mauren	Ueland Tree Farm, LLC	Add Mineral Resource Overlay (MRO)	Land Use Map		Minor	Site-specific overlay designation of property to mineral resource land (see attachment 1B)	Align Mineral Resource Overlay designation with approved mining area	11/1/2016	None	Annual	Yes	Docket for Application	Was deferred in 2017. DCD recommends this as a routine annual docket item
CPA-0006	David Wetter		Review Kingston Urban Village Center (UVC)	Kingston Subarea Plan	17.260; 17.410; 17.420	Major	Review Kingston subarea plan polices, Urban Village Center (UVC) regulations, and Kingston Design Guidelines (see attachment 1C)	Desired development envisioned in the Comprehensive Plan is not occurring	6/30/2017	None	2018-2019	Yes	Docket as County-sponsored	Was deferred in 2017. Could be 1 or 2 year effort, depending on final scope.
CPA-0007	Dick Brown		Site-specific Re-designation Outside Existing UGAs	Land Use Map		Minor	Re-designate property to commercial (see attachment 1D)	Owner wants to develop into commercial use or apartments	11/2/2017	None	2020	Yes	Defer	Defer to 2020 when site-specific proposals to expand UGAs should be considered (Land Use Policy 30)

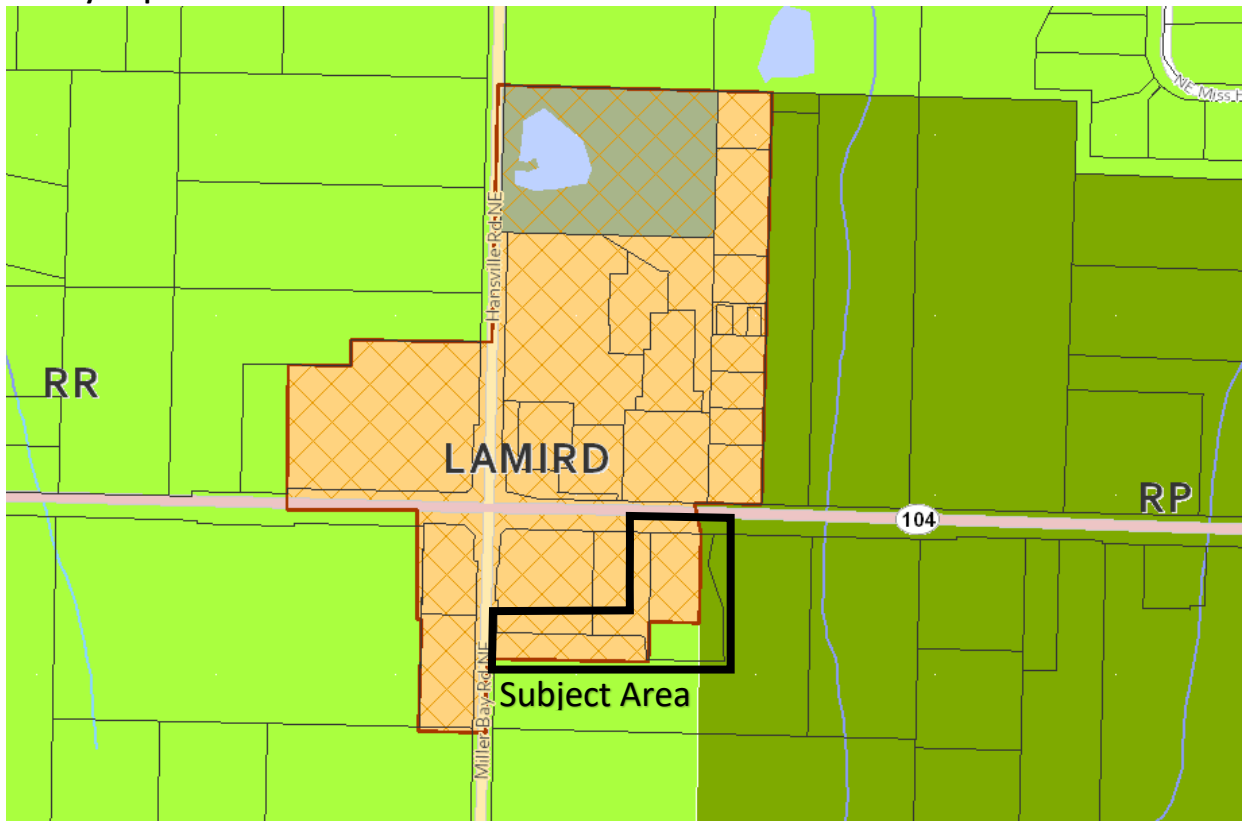
Current Catalog of Comprehensive Plan Amendment (CPA) Suggestions

Submitter Info		Suggested Change					Docketing Info							
Catalog ID	Name	Organization	Topic	Comp Plan Element	Kitsap County Code	DCD Scope	Brief Description of Change	Brief Reason for Change	Date Submitted	Deadline	DCD Target Year	Batched Review Required	DCD Docketing Recommendation	Docketing Notes
CPA-0008	Community Development	Kitsap County	Site-specific Re-designation Inside Existing UGAs for Infill & Redevelopment (with TDR)	Land Use Map		Minor	Allow site-specific applications to re-designate land within existing UGAs (no UGA expansions allowed), with TDR acquisitions required per KCC 17.580	Where needed, allow adjustments within UGAs to facilitate infill and redevelopment as directed by the Comprehensive Plan (Goals 1 and 6)	11/7/2017	None	Annual	Yes	Docket for Application	DCD recommends this as a routine annual docket item
CPA-0009	Community Development	Kitsap County	Add Forest Resource Lands (FRL)	Land Use Map		Minor	Site-specific re-designation of property to forest resource land	Ensure this tool is available to support voluntary long-term preservation of forest lands (Land Use Policy 81)	11/7/2017	None	Annual	Yes	Docket for Application	DCD recommends this as a routine annual docket item
CPA-0010	Community Development	Kitsap County	Update Public Facility Designations and Park Classifications	Land Use Map; Capital Facilities		Minor	Update land use designations and zoning classifications to reflect acquisition and disposal of public facility and park property	Keep land use designations and zoning classifications up to date for public facility and park properties	11/13/2017	None	Annual	Yes	Docket as County-sponsored	DCD recommends this as a routine annual docket item

The following map(s) depict the likely geographic scope of the referenced Comprehensive Plan Amendment suggestion.

CPA-0004: George's Corner LAMIRD Boundary

Vicinity Map #1



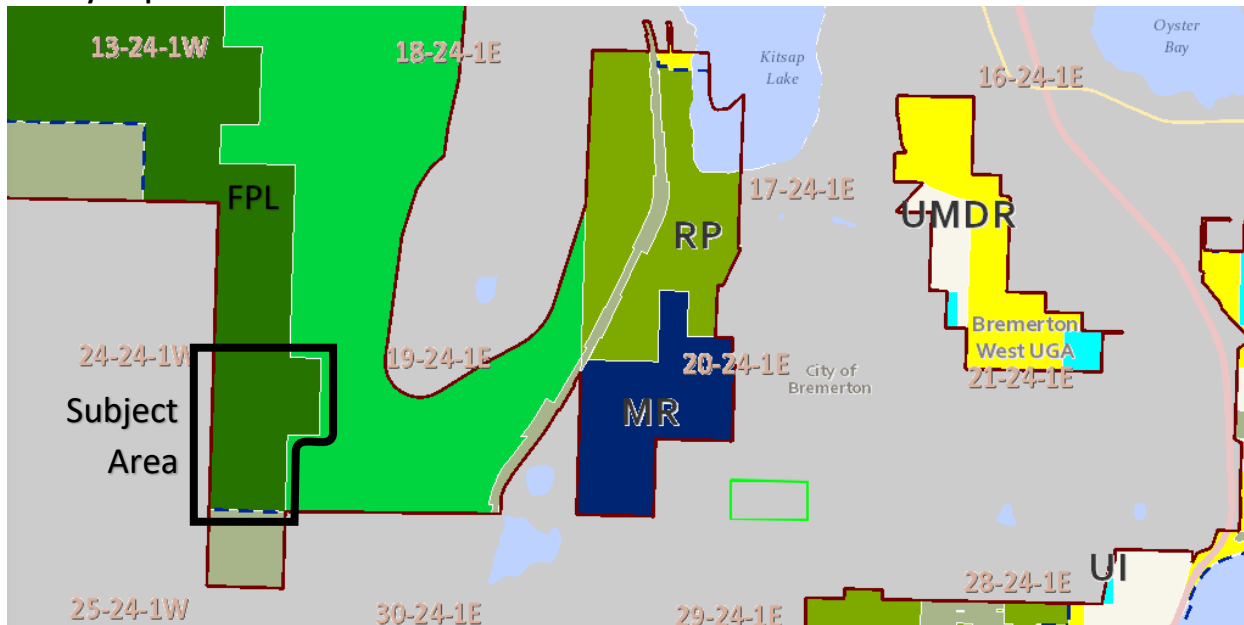
Parcels Likely Affected

Tax Parcel ACCT #	Land Owner
272702-2-046-2004	KINGSTON CORNERS LLC
272702-2-047-2003	BROUGHTON WILLIAM H

The following map(s) depict the likely geographic scope of the referenced Comprehensive Plan Amendment suggestion.

CPA-0005: Mineral Resource Overlay

Vicinity Map #1



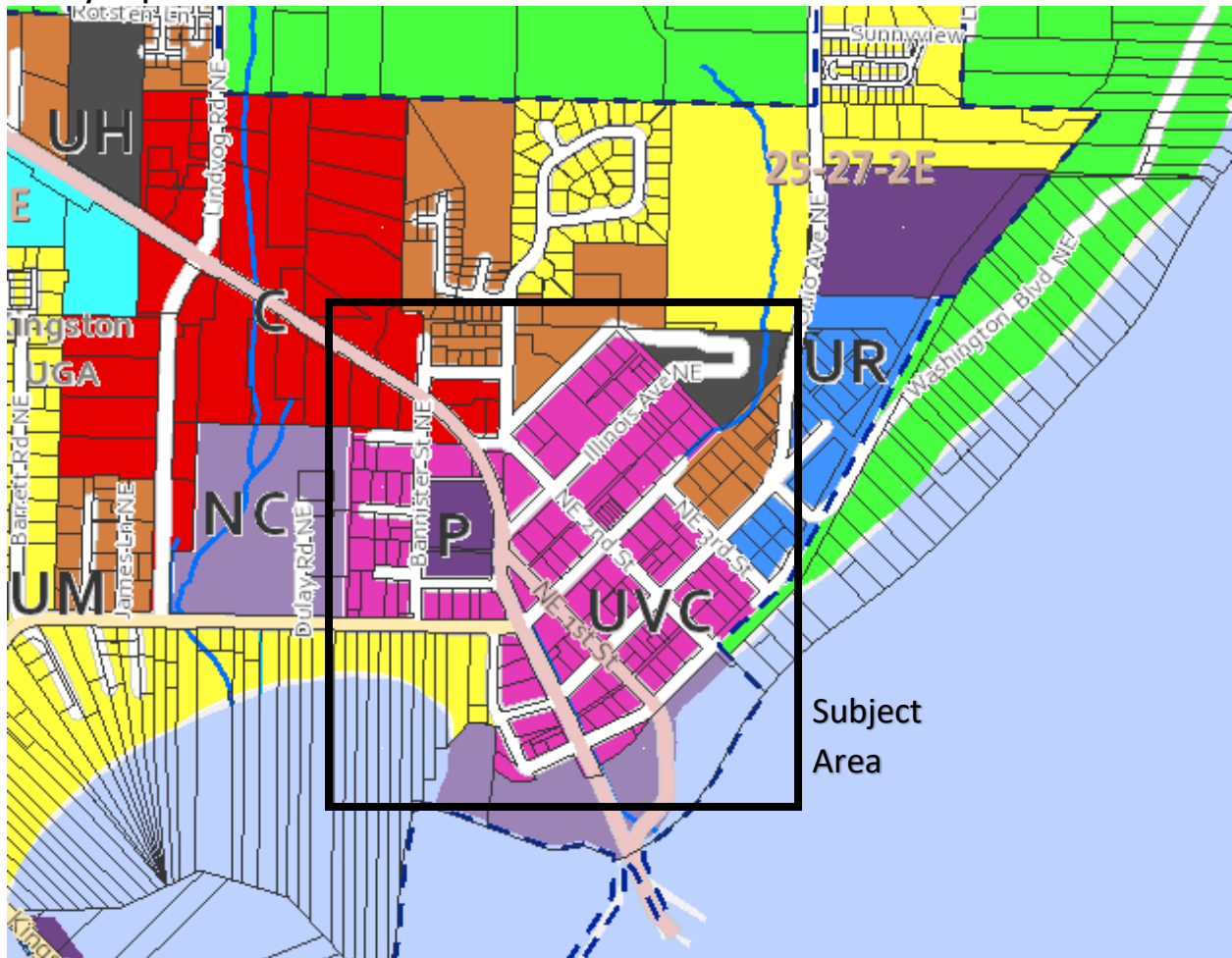
Likely Affected Parcels

Tax Parcel ACCT #	Land Owner
242401-4-008-1005	UELAND TREE FARM LLC HUNTERS HILL
242401-4-007-1006	UELAND TREE FARM LLC HUNTERS HILL
242401-4-006-1007	UELAND TREE FARM LLC HUNTERS HILL
242401-4-005-1008	UELAND TREE FARM LLC HUNTERS HILL
192401-3-005-2005	UELAND TREE FARM LLC HUNTERS HILL

The following map(s) depict the likely geographic scope of the referenced Comprehensive Plan Amendment suggestion.

CPA-0006: Review Kingston Urban Village Center (UVC)

Vicinity Map #1



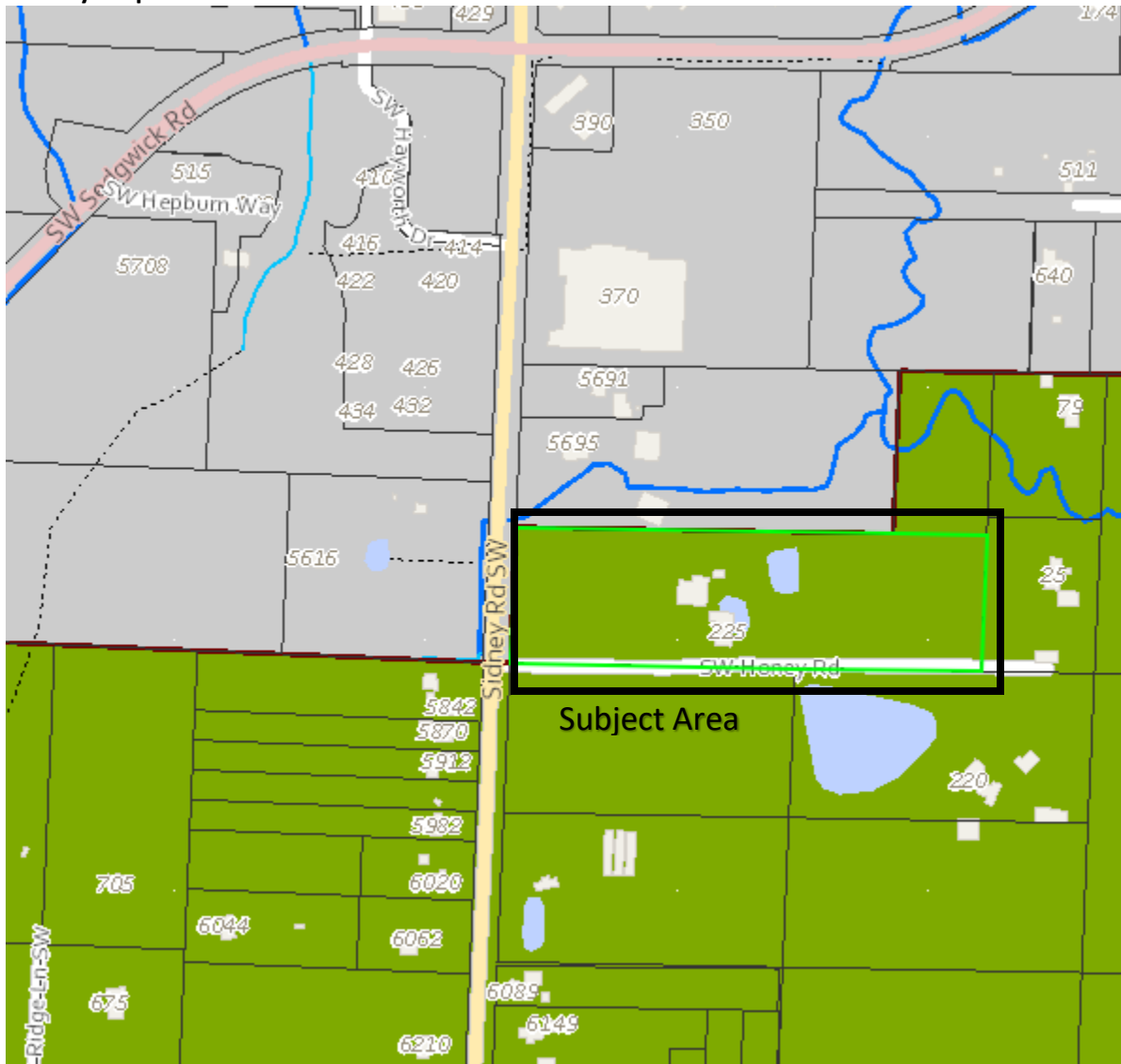
Parcels Likely Affected

Tax Parcel ACCT #	Land Owner
All parcels inside UVC and possibly adjacent to UVC zone	

The following map(s) depict the likely geographic scope of the referenced Comprehensive Plan Amendment suggestion.

CPA-0007: Site-specific Re-designation Outside Existing UGAs (Brown)

Vicinity Map #1



Parcels Likely Affected

Tax Parcel ACCT #	Land Owner
112301-3-015-2002	YAMAMOTO TERRY Y & AYAKO

2018 Comprehensive Plan Amendment (CPA) Schedule

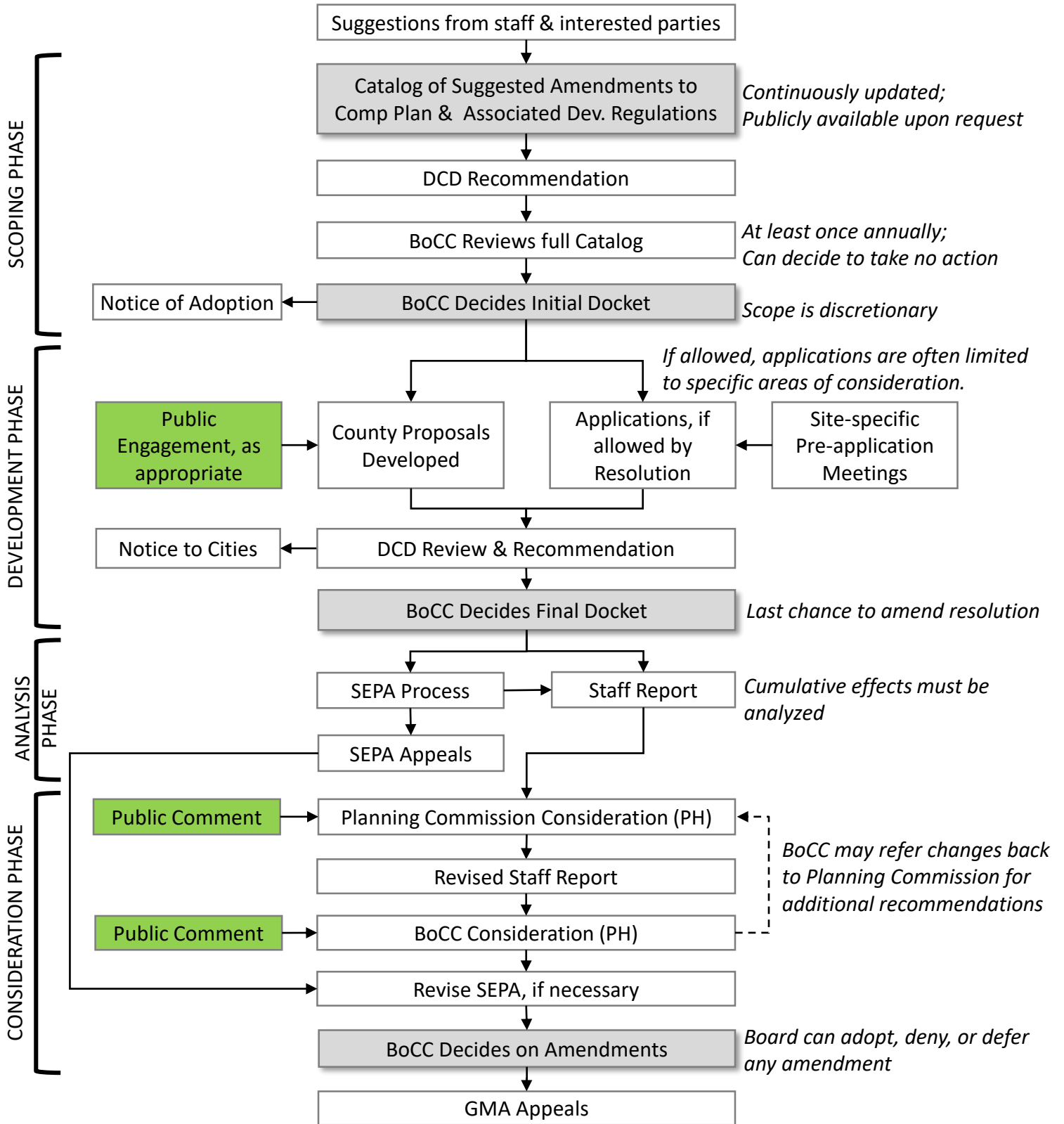
		2018												Outcomes		
		Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
General Phasing	Scoping															Overall scope and process are defined
				Development												Amendments are fully developed (including alternatives, if applicable)
					Analysis											Individual and cumulative effects are understood
									Consideration							Community input and policy deliberations lead to well-reasoned decisions
	CPA Docket		ID			FD										(ID) Initial Docket; (FD) Final Docket
	CPA Application Period			4-weeks												Interested parties submit applications
	County Proposal Process															County-sponsored proposals developed, with public engagement
	SEPA & Staff Reports															Cumulative effects analyzed and staff recommendations
	Comment Period/Open House									30+ days						Communities are informed and comment on CPAs
	PC Work Study															PC understands CPAs and staff recommendations
	PC Public Hearing															PC understands CPAs and reviews staff recommendations
	PC Recommendation															PC receives public comment and deliberates
	BoCC Work Study															BoCC deliberates and makes recommendation
	BoCC Public Hearing															BoCC receives public comment and deliberates
	BoCC Decision															BoCC deliberates and adopts CPA ordinance
	Communications		*			*		*	*	*	*	*	*	*	*	Transparent access to information; Communities understand process

Acronyms

- BoCC: Board of County Commissioners
- CPA: Comprehensive Plan Amendment
- PC: Planning Commission
- SEPA: State Environmental Policy Act

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Summary of Current Comprehensive Plan Amendment Process



Other Notes:

- Process simplified for graphical clarity. Shows optional DNS process for SEPA.
- All Comp Plan amendments must be processed as a batch.
- Process does not apply to certain types of Comp Plan amendments [KCC 21.08.040.B]
- Process does not apply to adoption of Countywide Planning Policies.

BoCC: Board of County Commissioners
 DCD: Dept of Community Development
 DNS: Determination of Non-Significance
 GMA: Growth Management Act
 PH: Public Hearing
 SEPA: State Environmental Policy Act

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RESOLUTION NO. ____ -2018

**PROVIDING FOR REVIEW AND POTENTIAL AMENDMENT TO THE KITSAP COUNTY
COMPREHENSIVE PLAN, LAND USE AND ZONING MAPS AND CORRESPONDING
DEVELOPMENT REGULATIONS**

WHEREAS, the Washington State Growth Management Act (GMA), RCW 36.70A.130(5), mandates that Kitsap County's Comprehensive Plan and development regulations be reviewed and, if needed, revised at least every 8-years. The most recent Kitsap County 8-year update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016; and

WHEREAS, the GMA, RCW 36.70A.130(1), also mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation and sets forth a docketing process, RCW 36.70A.470, to accomplish this; and

WHEREAS, Chapter 21.08 of Kitsap County Code (KCC) implements RCW 36.70A.470 and establishes procedures for persons to propose amendments to the Comprehensive Plan; and

WHEREAS, KCC 21.08.030 provides that the Board of County Commissioners (Board) will establish a schedule for an annual review and potential amendment of the Comprehensive Plan including associated changes to development regulations; and

WHEREAS, the GMA, RCW 36.70A.130(2), and KCC 21.08.040 requires all proposed amendments to the Comprehensive Plan be considered concurrently so that the cumulative effects of the amendments can be determined; and

WHEREAS, the GMA, RCW 36.70A.130(1), and KCC 21.08.070 requires all Comprehensive Plan amendments to conform to both the GMA and Kitsap Countywide Planning Policies as well as be internally consistent; and

WHEREAS, Chapter 21.08 of Kitsap County Code describes a public participation process that complies with the GMA, RCW 36.70A.035 and RCW 36.70A.140, and provides for early and continuous public participation in the development and amendment of the Comprehensive Plan and associated development regulations.

NOW, THEREFORE, BE IT RESOLVED that the Comprehensive Plan (and associated development regulations, as necessary) will be reviewed for potential amendment in 2018 as follows:

- 1. Areas of Consideration:** The following types of proposals will be considered for establishing the 2018 docket of amendments to the Kitsap County Comprehensive Plan.

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A. **County-sponsored amendments:** Kitsap County departments may develop amendments to the Comprehensive Plan for the following areas of consideration.

1. Updates to the Non-motorized Facilities Plan
2. Review of the Comprehensive Plan policies and development regulations related to the Kingston Urban Village Center (UVC)
3. Minor adjustment to the boundary for the George’s Corner local area of more intensive rural development (LAMIRD)
 - This amendment is specifically limited to a minor adjustment of the LAMIRD boundary in southwest corner of the LAMIRD (subject area shown in Attachment 1).
 - The purpose of this amendment is to improve alignment of the LAMIRD boundary with (1) critical areas and (2) platted parcel boundaries consistent with the commercial purpose of the LAMIRD.
 - This adjustment should result in no net change in the overall size of the LAMIRD.
4. Updates to Public Facility Designations and Park Classifications
 - The purpose of this amendment is to allow land use designations and zoning classifications to be kept up to date to reflect acquisition and disposal of public facility and park property.

B. **Applications from Interested Parties:** Any interested party may submit an application requesting an amendment to the Comprehensive Plan as described in this section. The following categories are established by KCC 21.08.050.

1. Text Amendment: These applications request an amendment to the language of the goals, policies, objectives, principles, or standards of any element of the Comprehensive Plan.

Applications for text amendments will not be accepted.

2. Area-wide Amendment: These applications request an amendment to the Comprehensive Plan land use map and/or zoning map that affects an area which is comprehensive in nature, and which addresses a homogeneous community, is geographically distinctive, and has the unified interest within the county, such as community, local area of more intensive rural development (LAMIRD), or subarea plans. An area-wide amendment, unlike a site-specific amendment, is of area-wide significance, and includes many separate properties under various ownerships. Area-wide amendments typically accompany text amendments to goals and policies of the comprehensive plan.

Applications for area-wide amendments will not be accepted.

- 96 3. Site-specific Amendment: These applications request an amendment to
97 the Comprehensive Plan and/or land use map that affects no more than
98 five (5) contiguous parcels. A site-specific amendment only affects the
99 land use map, and not the text of the comprehensive plan or a
100 development regulation. As required by KCC 21.08.050(C), applicants
101 must participate in a meeting with staff prior to submitting an application
102 for a site-specific amendment.

103
104 Applications for site-specific amendments will be limited to the following
105 areas of consideration. Applications that would require an urban growth
106 area boundary change will not be accepted.

- 107
108 A. Changing the land use designation to Mineral Resource Overlay
109 (MRO) on property outside urban growth areas
110 B. Changing the land use designation to Forest Resource Lands (FRL)
111 on property outside urban growth areas
112 C. Changing the land use designation on property within urban growth
113 areas for the purpose of infill and redevelopment

- 114
115 4. Map Correction: These applications request an amendment to the land
116 use and/or zoning map to reflect the actual direction or decision of the
117 Board of Commissioners, as documented in the record. Map corrections
118 shall not affect goals or policies within the Comprehensive Plan text or
119 development regulations.

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121 Applications for map corrections will not be accepted. The Board will only
122 consider proposals for map corrections that are proposed by the
123 Department of Community Development and/or by the Board itself.

- 124
125 C. **Other**: The Board may reconsider and revise, by amendment, the scope of
126 this resolution to add or modify the types of applications accepted through
127 this process if a need or inadvertent omission is demonstrated and if a full
128 and cumulative review (including environmental review) can still be
129 accomplished in accordance with the deadlines for review.

- 130
131 2. **Applications**: Applications shall be accepted only for the areas of consideration
132 described in Section 1(B) of this Resolution. Applications shall be submitted on
133 forms available from the Department of Community Development. Applications will
134 not be considered if they are submitted late, incomplete, or do not meet the criteria
135 described in this Resolution.

- 136
137 3. **Transfer of Development Rights**: Chapter 17.580 (Transfer of Development
138 Rights) shall apply to site-specific amendments within urban growth areas as well as
139 urban growth area expansions.

- 140
141 A. **Site-specific Amendments**: Requests for site-specific amendments to
142 Comprehensive Plan designations within urban growth areas shall require the

143 acquisition of development rights at the ratios adopted by Resolution XXX-
144 2017, or its successor.

145
146 **4. Application Period:** Applications will be accepted starting January 9, 2018 and
147 ending at close of business (4:00pm) on February 6, 2018. Staff consultation
148 meetings regarding site-specific applications may be held prior to this application
149 period.

150
151 **5. Fees:** Fees for the submittal and review of Comprehensive Plan amendment
152 applications shall be in accordance with Department of Community Development
153 policies and fee schedule.

154
155 **6. Standards of Review:** The procedures and requirements for application, review,
156 decision, and appeal of amendments to the Comprehensive Plan are described in
157 Chapter 21.08 of Kitsap County Code.

158
159 **7. Public Outreach and Participation:** Public outreach and participation will be
160 conducted as set forth in Chapter 21.08 of Kitsap County Code and in compliance
161 with the GMA. Such outreach may include mailings, notifications, signs, a website,
162 and other electronic and non-electronic means appropriate to the nature and location
163 of amendment requests. Existing or new advisory committees will be consulted and
164 public meetings will be conducted, as appropriate to the nature and location of
165 requested amendments. Public hearings will also be conducted by the Planning
166 Commission and the Board of County Commissioners. Individuals, organizations,
167 businesses, tribal governments, government agencies, and others are invited to
168 provide input and comment on any proposed changes to the Comprehensive Plan
169 and, if applicable, associated development regulations.

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174
175 DATED this _____ day of _____, 2018.

KITSAP COUNTY BOARD OF
COMMISSIONERS

Charlotte Garrido, Chair

ATTEST:

Dana Daniels
Clerk of the Board

Robert Gelder, Commissioner

Edward E. Wolfe, Commissioner

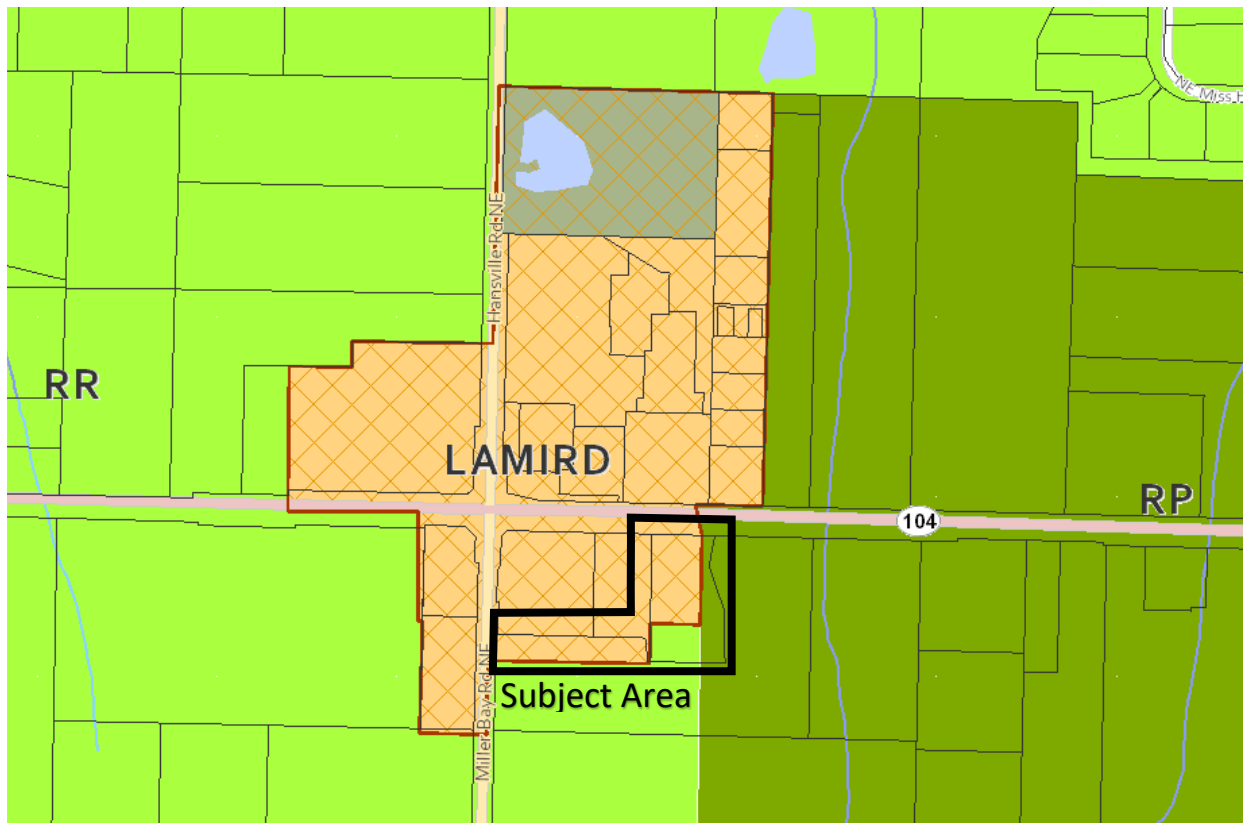
Approved as to form:

Lisa J. Nickel
Deputy Prosecuting Attorney

178

Attachment 1

The following map depicts the geographic scope of the area subject to the minor adjustment to the boundary for the George’s Corner local area of more intensive development (LAMIRD).



Affected Parcels

Tax Parcel ACCT #	Land Owner
272702-2-046-2004	KINGSTON CORNERS LLC
272702-2-047-2003	BROUGHTON WILLIAM H

GovDelivery Announcement

Date to be sent: 11/27/2017

Via: Email, SMS text message, Twitter, and Facebook

- Start

Project Message #1

November 27, 2017

ANNUAL COMPREHENSIVE PLAN AMENDMENT PROCESS FOR 2018



The Board of County Commissioners have opened the annual Comprehensive Plan amendment process for 2018

Comment on the Scope of the Amendment Process

Written comments due December 10, 2017 (11:59 PM)
Public Hearing on December 11, 2017 (5:30 PM)



STAY INFORMED

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What is the Comprehensive Plan?

The Kitsap County Comprehensive Plan describes the 20-year vision for unincorporated Kitsap County and how that vision will be achieved. The plan covers land use, economic development, environment, housing and human services, transportation, capital facilities and utilities as well as parks, recreation, and open space. The Comprehensive Plan is mandated by the Washington State Growth Management Act (RCW 36.70A).

How often does the Comprehensive Plan get changed?

Major Comprehensive Plan updates are mandated by the state every 8-years. The last major update of the Kitsap County Comprehensive Plan was adopted in 2016. In-between major updates, the County may choose to consider minor amendments to the Comprehensive Plan on an annual basis. The Board of County Commissioners have opened the annual Comprehensive Plan amendment process for 2018. [Learn more about the annual amendment process for 2018.](#)

Where are we in the annual amendment process for 2018?

We are currently in the first phase of the process, called the scoping phase, which will determine what amendments will be considered in 2018. The Board of County Commissioners do this through the adoption of a docket resolution for the annual Comprehensive Plan amendment process. The docket resolution describes what types of amendments will be considered. The Board of County Commissioners intends to adopt the docket resolution by the end of December 2017.

How can I comment?

A public comment period is currently open on the [staff recommendation](#).

Oral and written **public testimony** may be made during a public hearing scheduled for 5:30 PM on Monday, December 11, 2017 in the Chambers, Kitsap County Administration Building (see office location below).

Written comments submitted in advance of the public hearing are due by 11:59 PM on Sunday, December 10, 2017 and may be submitted:

- Online via computer or mobile device (preferred method)
- By email to compplan@co.kitsap.wa.us
- By mail (see mailing address below)
- Dropped off at the Department of Community Development (see office location below)

What will happen next?

The next phase of the annual amendment process, called the development phase, is when most county-sponsored amendments (including alternatives, if appropriate) are developed. If the docket allows for the submittal of applications from interested parties, they will be accepted during a short application period beginning in January 2018.

How can I stay informed throughout the process?

An [online open house](#) will be kept current and available throughout the process and notifications will be sent to everyone that subscribe to Comprehensive Plan Announcements. [Subscribe now](#) to ensure you receive future notifications.

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KITSAP COUNTY

Kitsap County government exists to protect and promote the safety, health and welfare of our citizens in an efficient, accessible and effective manner.

DEPARTMENT OF COMMUNITY DEVELOPMENT

The mission of the Department of Community Development is to enable the development of quality, affordable, structurally safe and environmentally sound communities.

- End



Kitsap County
Annual Comprehensive Plan Amendment Process for 2018

Corrections, Clarifications, and Planning Commission Questions
7/31/2018



CORRECTIONS

Binder Tab 4 – George’s Corner LAMIRD

Staff Report, page 7, last bullet under Section 2.C, is corrected as follows:

“Include Lot ~~D~~ C, which is consistent with the Hearings Board’s interpretation of land appropriate for infill development that will be compatible with the use and scale of development at the intersection.”

CLARIFICATIONS

County-Sponsored vs. Site-Specific Application (e.g. George’s Corner LAMIRD Amendment)

During the Planning Commission’s work study on 7/17/2018, there was discussion regarding how, generally (but in the context of the George’s Corner LAMIRD Amendment), the County determines whether an amendment will be County-sponsored versus a site-specific application.

During the work study session, the Commission was correctly informed there are no specific criteria or process for determining which amendments the County will sponsor. The Board of County Commissioners has full discretion regarding the annual Comprehensive Plan amendment docket.

The definitions in Kitsap County Code Chapter 21.02, including the following, are used to classify amendments:

21.02.054 Area-wide amendment.

“Area-wide amendment” means a proposed change or revision to the Comprehensive Plan land use map and/or zoning map that affects an area which is comprehensive in nature, and which addresses a homogeneous community, is geographically distinctive, and has a unified interest within the county, such as community, LAMIRD, or subarea plans. An area-wide amendment, unlike a site-specific land use reclassification request, is of area-wide significance, and includes many separate properties under various ownerships. Area-wide amendments typically accompany text amendments to goals and policies of the Comprehensive Plan.

21.02.306 Site-specific amendment.

“Site-specific amendment” means an amendment to the Comprehensive Plan and/or land use map that affects no more than five contiguous parcels. A site-specific amendment only affects the land use map, and not the text of the Comprehensive Plan or a development regulation.

The following factors related to those definitions apply to the example of the 2018 George’s Corner LAMIRD amendment versus the 2018 site-specific applications:

Factor	Area-Wide (e.g. George’s Corner LAMIRD)	Site-Specific (e.g. 2018 CPA Applications)
Geographic Area	LAMIRD	5 or fewer contiguous parcels
Nature of Amendment	LAMIRD boundary	Land Use Designation and Zoning Classification only
Affected Land Owners	Multiple land owners	Typically, one land owner

Under Kitsap County Code Chapter 21.08, the Board can allow applications for area-wide amendments in the scope of a Comprehensive Plan amendment docket. DCD believes that substantial area-wide amendments should be considered only during the mandatory 8-year review of the Comprehensive Plan and perhaps at the mid-point (i.e. the 4th year) of the 8-year review cycle, if resources allow.

Some general factors that could be considered when determining if a particular area of consideration in the Comprehensive Plan amendment docket should be County-sponsored include, but are not limited to, the following:

- Where does the area of consideration fit along a continuum between the general planning responsibilities of the County and a specific landowner’s interest;
- Will the work on that area of consideration require substantial/coordinated resources, community engagement, and/or the participation of other jurisdictions/agencies;
- Is the County willing to accept applications related to that area of consideration from various interested parties;
- What level of responsibility does the County have regarding the circumstances for that area of consideration;

Regarding our example amendment, some of the factors considered by DCD in recommending that the George’s Corner LAMIRD amendment be County-sponsored included:

- It was limited in scope and appropriate for the 2018 annual docket;
- It affected a LAMIRD boundary and other applications to create or change LAMIRD boundaries were not desired;
- It affected multiple land owners;
- It is consistent with the basis for denial of a 2016 Comprehensive Plan amendment regarding one of the subject parcels (Lot D); and
- The County shared some responsibility for creating the split-zoned parcels by approving a short plat.

PLANNING COMMISSION QUESTIONS

(submitted by Tom Nevins Sunday, July 22, 2018)

1. Tab 2 - Non-Motorized Facilities Plan: Attachment C2
Page 4&5 - What does “New Units” signify on page 4 and 5?

Staff Response: This map legend references the numerical values on the map with fonts of the same size and style and represents an estimate of potential new dwelling units. These maps were produced by the Kingston Citizen Advisory Council and the “new units” were not verified by DCD.

2. Tab 4 - George's Corner: Attachment C2
p 7/7 - The 2016 staff recommendation and decision seemed in the "best interests". What has changed since mid 2016 to make that decision not in the "best interests"

Staff Response: This amendment is consistent with the 2016 staff recommendation in that the LAMIRD designation and the Neighborhood Commercial zone, which was requested to be expanded in the 2016 application and recommended for removal in the 2016 staff report, would be removed from Lot D in this 2018 amendment.

3. Tab 6 – Parks, Recreation, and Open Space
Comments available on-line?

Staff Response: Yes. Comments from the 2017 development of the Parks, Recreation, and Opens Space Plan are available online here:

https://spf.kitsapgov.com/parks/Documents/PROS_CommentForm_11.15.2017.pdf

All comments submitted during the current comment period will be provided to the Planning Commission following the close of the comment period. Many are provided online here, as available: <https://app.smartsheet.com/b/form/d542ec4c01a44275943da3c983473b50>

4. Tab 7 - Affordable housing
Comments available on-line?

Staff Response: Yes. All comments submitted during the current comment period will be provided to the Planning Commission following the close of the comment period. Many are provided online here, as available:

<https://app.smartsheet.com/b/form/d542ec4c01a44275943da3c983473b50>

5. Tab 8 - Clarifying Edits: Staff Report

- A. Which amendments originated from outside of KC staff?

Staff Response: All of the 2018 clarifying edits originated from Kitsap County staff.

- B. Proposed Amendment #5 Zoning Map p 2/9

Removes the zoning map from the Comprehensive Plan, making it a stand alone document so that rezone requests under the Kitsap County Code 21.04.230 (Rezones) that are consistent with the Comprehensive Plan are not unnecessarily required to go through a Comprehensive Plan amendment process. Examples? Does this affect site-specific rezone requests?

Staff Response: Kitsap County Code Section 21.04.230 provides for a process to review rezone requests that do not require a change to the Comprehensive Plan land use designation. Having the zoning map adopted as an appendix to the Comprehensive Plan provides some procedural uncertainty since any change to the zoning map could be viewed as a de facto amendment to the Comprehensive Plan. The proposed amendment will remove this uncertainty and allow the rezone process provided in KCC 21.04.230 to occur as intended in the Code as follows:

- Re-zones within the same Comprehensive Plan land use designation are processed per KCC 21.04.230 without a Comprehensive Plan amendment (e.g. change from Urban Restricted to Urban Low Residential – both are in the Urban Low-Density Residential land use designation).
- Site-specific Comprehensive Plan amendments are required when there is a change in land use designation (e.g. change from Urban Low-Density Residential to Commercial; change from Rural Protection to Rural Residential).

6. Tab 8 – Clarifying Edits: Attachment A

A. Amendment #2 Housing and Human Services Chapter

“It is a vision of the County allow flexible development standards for housing being proposed in the vicinity of critical areas to reach both goals of meeting housing targets and environmental protection.” Vision or delusion?

Staff Response: Consider during deliberations.

B. Amendment #4 - Where can we find Exhibit 1?

Staff Response: The referenced Exhibits A1 and A3 are exhibits to Attachment A and are located in your binder immediately following Attachment A. Exhibit A1 is the Land Use Designation Map with the new MRO symbology. Exhibit A3 is a table of parcels associated with the MRO symbology clarification. All exhibits are also available online at:

https://www.kitsapgov.com/dcd/Pages/2018_CompPlan_Amend_Materials.aspx

C. Amendment #5 - ditto

Staff Response: The referenced Exhibits A2 and A3 are exhibits to Attachment A and are located in your binder immediately following Attachment A. Exhibit 21 is the Zoning Map with the new MRO symbology. Exhibit A3 is a table of parcels associated with the MRO symbology clarification. All exhibits are also available online at:

https://www.kitsapgov.com/dcd/Pages/2018_CompPlan_Amend_Materials.aspx

D. Amendment #6, Footnote 1. MROs and reclamation process.
Have any privately owned mineral sites been reclaimed?

Staff Response: See response to question 8.B below.

E. Amendment #7

What is the rational for density column removal?

Staff Response: Removing redundancy in code. Densities will be located in one place (Kitsap County Code Chapter 17.420) and will reduce the chance of future code changes creating an inconsistency between two different sections that house the same information.

F. Amendment #9 - #11 The language for footnote 29 is?

Staff Response: Kitsap County Code Section 17.420.060.A.29: One-hundred-foot setback required for single-family buildings abutting FRL or RW zones.

7. Tab 9 - Site-Specific Amendment 18-00369 (Richardson): Staff Report
Page 3/14 - C Geographic Description - para 1 "The split zone was created when a boundary line adjustment was recorded on December 27, 2017."

A. What was the justification that supported land division that created a split zone? Proponent wanted to create more commercial land?

Staff Response: Currently, a boundary line adjustment may be recorded with the Kitsap County Auditor without planning review. If this process is used to change a property line, the land use designation and zoning classification does not change and can result in a parcel split by multiple designations/zones.

Through verbal confirmation with the applicant, the intent of the boundary line adjustment was to more closely align the rear boundary line with adjacent parcels and not impede on critical areas or their buffers located west of the site.

B. Is this option available to others who own or purchase property contiguous a more desirable zoning designation? Un-reviewed BLAs can be hazardous to planning.

Staff Response: Per current Kitsap County Code, landowners may record boundary line adjustments (BLAs) as per state law without planning review. BLAs do not change land use designation or zoning classifications. Legislative action is required to change the land use designation or zoning classification on a property, such as a site-specific Comprehensive Plan amendment application or a rezone application under KCC 21.04.230. See also response to question 2.B above.

8. Tab 10 - Site-Specific Amendment 18-00431 (Ueland Tree Farm LLC): Staff Report

A. Ueland Tree Farm is based on "the approved Development Agreement between the applicant and Kitsap County (Auditor File No.201505290067)." "Approved" by? What process? Was this Agreement reviewed by DCD? Should the Planning Commission be involved in such Agreements in the future? Perhaps the Planning Commission should see that file.

Staff Response: Development Agreements are authorized by RCW 36.70B.170 through 36.70B.210, and KCC 21.04.220. Development agreements are decided by the Board of County Commissioners following a required public hearing. As per RCW 36.70B.200 and KCC 21.04.220, the Board of County Commissioners may delegate the public hearing to the Planning Commission or Hearing Examiner. The Ueland Tree Farm LLC development agreement process included the preparation of a DCD staff report and a public hearing before the Hearing Examiner (Theodore Paul Hunter).

Development agreements are an optional legislative process that must be in the public interest and meet decision criteria stated in KCC 21.04.220.D. Development agreements

must set forth the development standards and other provisions that apply to and govern and vest the development, use, and mitigation of the development for the duration specified in the agreement. Development agreements must be consistent with applicable development regulations adopted in the Kitsap County Code at the time of execution.

The development agreement with Ueland Tree Farm LLC is available online by searching for document number 201505290067 here:

<http://kcwaimg.co.kitsap.wa.us/recorder/eagleweb/docSearch.jsp>

- B. Page 3 “The mineral resource overlay designation and classification is intended to be a temporary designation to protect lands with identified mineral resources.”
Can staff share with the Planning Commission examples where KC code 17.170.060 (restoration upon depletion) & 065 (reverting to underlying zone classification) have been followed? Have any mining operations closed in Kitsap under this code?

Staff Response: Current staff are not aware of any examples where reversions to the underlying zone have occurred. Operations have ceased at certain sites; however, it is unknown if these mining operations stopped as a result of exhausting the minerals at the site or if the business was unsustainable.

9. Tab 11 – Site-Specific Amendment 18-00490 (Culbertson): Staff Report

- A. Page 3 of 17 -- Again, what is the history of reverting?

Staff Response: See response to question 8.B above.

- B. P.9 Land Use Policy 78. And action on this policy? (Land Use Policy 78. Kitsap County should determine if adequate mineral resources are available for projected needs from currently designated mineral resource lands.) Just what are the projected needs of the County?

Staff Response: It is the understanding of current staff that a countywide review of mineral resource lands has not been completed since the initial Comprehensive Planning efforts in the early 1990's. Updated analysis is needed.

WAC 365-190-070 authorizes the County to consider owner-initiated mineral resource land designation requests outside of a county-wide or regional process.

Summary of the 2015 Amendment CPA 15-00378 (DJM Construction)

Location: North Kitsap;
Intersection of Miller Bay Road NE and SR-104;
SE portion of the George's Corner LAMIRD

Subject Tax Parcel # 272702-2-047-2003;
Property: Short Plat 7278, Lot D

Useful Reference Documents

- [Short Plat Map 7278](#) (Attachment C1 to 2018 Staff Report dated 7/16/2018)
- [Historical Summary of George's Corner LAMIRD Boundary](#) (Attachment C2 to 2018 Staff Report dated 7/16/2018)

Project Description (from SEPA checklist prepared by applicant)

“RELOCATION OF COMMERCIAL ZONE ON SUBJECT PARCEL FROM WETLAND TO SR104”

[Note: The NC zoned portion of the subject property referenced above is totally encumbered by wetlands, wetland buffer, and wetland mitigation area. The area fronting SR-104 referenced above is totally encumbered by critical areas, including a stream, stream buffer, wetland, and wetland buffer. See Short Plat 7278 Map.]

Staff Recommendation (from staff report dated 3/2/2016)

“Based on the findings of fact and conclusion of law staff recommends denial of application #15 00378.

In order to be consistent with the adopted LAMIRD plan and to correct the noted split zones created by the above referenced short plat, staff recommends parcel 272702-2-047-2003 [Plat 7278, lot D] be rezoned entirely to RP and the remaining residential portion of parcel 272702-2-046-2004 [Plat 7278, lot C] be RP.”

[Note: The staff report did not analyze tax parcel 272702-2-046-2004 (Plat 7278, lot C) or reference the parcel anywhere except in the last sentence of the recommendation above.]

Findings (from Ordinance 534-2016)

- 15) DJM Construction request (15 00378): The applicant requested that a portion of parcel 272702-2-047-2003 be redesignated from a Rural Protection/Rural to

Urban Low-Intensity Commercial/Mixed Use via partial reconfiguration of the George's Corner LAMIRD boundary. The parcel is located in North Kitsap County near the corner of Miller Bay Rd. NE and NE State Highway 104.

- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be denied. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of denial. The BCC finds that the proposed designation is not consistent with Kitsap County Code Title 21, Section KCC 21.08.070.A, criteria for recommendation or decision – general, and KCC 21.08.070.D, criteria for recommendation or decision - Site Specific Amendments; and Chapter 36.70A.070 RCW.
- ii) The BCC specifically adopts the findings and conclusions located in the DJM Construction staff report dated March 2, 2016.

Decision (from Ordinance 534-2016)

Section 7. NOW THEREFORE, BE IT FURTHER ORDAINED that the Kitsap County Board of Commissioners, based on the foregoing findings does hereby adopt, and/or ratify pursuant to the Growth Management Act, Chapter 36.70A RCW, and Article 11, Section 11 of the Washington Constitution:

- ...
- 3) The Kitsap County Comprehensive Plan and Zoning Maps are hereby amended as shown in Appendix C and incorporated herein by this reference.

[Note: The ordinance denied the requested amendment and did not adopt the zoning change recommended by staff and the Planning Commission.]

Figure 1: Land use designations and zoning classifications adopted by Ordinance 534-2016 for the George's Corner area.

