



Staff Report for the Planning Commission

Report Date: October 10, 2017

Application Submittal Date: September 26, 2017

Hearing Date: November 14, 2017

Application Complete Date: September 28, 2017

Permit Number: 17 03997

Project Name: Kitsap Golf & Country Club

Type of Application: Open Space

This staff report was prepared by Holly Roberts, Planner, based on information available up until the time the report was prepared. New information relevant to review of this application may become available prior to the hearing or at the hearing. Staff may wish to change their analysis based upon that new information, and reserves the right to do so.

Proposal Summary:

Kitsap Golf & Country Club proposes to transfer the subject property into the current use open space program for taxation purposes to better reflect its current use.

Project Request:

This property was previously designated as a public facility and therefore was taxed at a reduced rate. During the 2016 Comprehensive Plan update, a map correction was completed by staff that removed this property from the public facility designation and applied an underlying zoning of Rural Residential (RR). The map correction and subsequent zoning designation significantly altered the annual tax assessment for the property.

Because the property was being taxed at a reduced rate based on the public facility designation, Kitsap Golf & Country Club was unaware that the property was not included in the open space designation with the rest of the golf course.

The applicant is requesting that the property be included in the current use open space designation to better reflect the current use of the property.

Project Location:

The property is located east of Chico Way NW and south of Erlands Point Road NW in Central Kitsap County, Commissioner District 3.

Assessor's Account #:

052401-3-073-2008

Applicant/Owner of Record:

Kitsap Golf & Country Club
3885 NW Golf Club Hill Road
Bremerton, WA 98312-1699

SEPA (State Environmental Policy Act):

The project is SEPA Exempt under Kitsap County Code 18.04 State Environmental Policy Act.

Physical Characteristics:

The parcel is a relatively flat, "L" shaped lot that is approximately 1.02 acres in size. It is developed with a paved cart path and an abandoned pump-house that was previously used for irrigation. Approximately half of the lot is encumbered by flood zone and wetlands, and the entire property falls within the standard stream buffer for Chico Creek.

Comprehensive Plan Designation and Zoning:

The Comprehensive Plan designation is Rural Residential (RR) and the Zoning designation is Rural Residential (RR).

Surrounding Land Use and Zoning:

The surrounding areas are predominately zoned Rural Residential. To the north is an area of Rural Commercial zoning developed with a mix of services and restaurants. To the east the properties fall within the City of Bremerton's boundaries.

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan
June 30, 2016

The following Comprehensive Plan goals and policies are most relevant to this application:

Environment

Environment Policy 19

Explore the possible use of tax incentives to protect beneficial open space, forestry, and agriculture areas through agreed commitments with willing landowners.

Parks, Recreation and Open Space

Parks Policy 9

Identify new and preserve existing open space in rural areas.

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

Chapter 18.04 State Environmental Policy Act (SEPA)

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

Public Comments:

As of the date of this report, staff has received no comments regarding this application.

Analysis:

Land Use and Zoning Analysis

This land is eligible for Open Space classification under the following qualification criteria set forth by the State of Washington Open Space Act, Ch. 84.34 RCW and the Kitsap County Open Space Plan, Ch. 18.12 KCC:

High-Priority Resources

Fish-Rearing Habitat Ponds and Primary Stream Buffers (Chico Creek)
Watershed: Chico Creek
Category 1 Critical Aquifer Recharge Area

Medium-Priority Resources

Conservancy Shoreline Environments

Low-Priority Resources

Private Recreation Areas

The application has been found to be eligible for a 60 percent (50 percent for the priority resources, and 10 percent for appropriate public access) reduction to the land value. Property qualifying for Current Use Open Space must have at least two sensitive characteristics/resources. This property has three high-priority resources, one medium-priority resource and one low-priority resource.

Additional Tax

Additional tax may be due when either a portion or all of the property is removed from the Current Use Open Space classification. Additional tax equals the difference between the tax paid under the classification and the tax at true and fair market value for the current year and the last seven years plus interest at 1% per month. An additional 20 percent penalty is also imposed if the property is classified less than ten years and two years notice of withdrawal is not supplied or if there is a change of use.

Recommendation:

Based upon the information above, the Department of Community Development recommends that the Current Use Open Space request for Kitsap Golf & Country Club be **approved**, subject to the following nine (9) conditions:

1. A binding Land Use Agreement shall be established between the owner and the County specifying the conditions, including those identified below. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in chapter 84.34 RCW and assessed at true market value.
2. The Land Use Agreement may be modified so long as the modification is in writing and signed by the owner and the County. Any modification may not change the following conditions, nor release the owner from the responsibility of complying with the following conditions.
3. Upon approval, current use taxation would commence in compliance with WAC 458-30-120.
4. Public access is limited to education and demonstration by example on recreational properties that require user membership.

5. There shall be no hunting, fishing or trapping on the site.
6. There shall be no camping or campfires on the site.
7. There shall be no mining, storage or excavation of materials on the site.
8. There shall be no dumping of chemicals, liquids, wastes, or other trash on the site.
9. The open space classification for this site will continue as long as it is primarily devoted to and used for the purpose of providing passive recreation opportunities for the public. The County is authorized to remove the classification if the site is no longer used for this purpose.


Holly Roberts, Staff Planner

10/10/17
Date



Scott Diener, Development Services and Engineering Manager

For

10/10/17
Date

CC: Kitsap Golf & Country Club, Attn: Wayne Evans, Jr.
Interested Parties: None
DCD Staff Planner: Holly Roberts
DCD File 17 03997

