



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.

- On 9/18/2019, the Board directed the Department to work with the Dickey Pit site-specific amendment (CPA 18-00495) applicant regarding SEPA issues of concern. The applicant submitted a revised proposal on 10/4/2019.
- On 11/4/2019, the Board unhitched the amendment to update KCC 21.08 (Comprehensive Plan Amendment Process) from the annual batch process [per the exception in KCC 21.08.040(B)(9)] due to workload and scheduling considerations.
- On 12/17/2019, the Planning Commission conducted its second work study to consider the following 2019 amendments:
 - Clarifying Edits (revised)
 - Centers (revised)
 - Downtown Kingston (Phase 2)
 - Dickey Pit Site-Specific (CPA 18-00495)
- On 1/7/2020, the Planning Commission conducted its first public hearing on the 2019 amendments.
- On 1/21/2020, the Planning Commission conducted its third work study to consider the Dickey Pit Site-Specific amendment (CPA 18-00495) and conducted its second public hearing.
- On 1/22/2020, the public comment period closed.
- On 2/4/2020, the Planning Commission deliberated and adopted recommendations for each amendment.

Public Outreach & Engagement

The Department maintains an [Online Open House](http://tinyurl.com/kitsap2019cpa) (<http://tinyurl.com/kitsap2019cpa>) for this process, which provides:

- A page explaining this annual amendment process.
- A page dedicated to facilitating public participation in the process.
- A page containing current and archived documents.

Findings of Fact, Conclusions, and Recommendations

Staff have drafted Findings of Fact, Conclusions, and Recommendations (Attachment 1) for the Planning Commission's consideration based on the deliberations and recommendations adopted by the Planning Commission on 2/4/2020.

Attachments

- A. Draft Findings of Fact, Conclusions, and Recommendations

Note: There is a large volume of documents to manage because the Comprehensive Plan amendments need to be considered as a batch. To keep it all organized, the Department has provided documents, including staff reports:

- In hardcopy to those Planning Commissioners who have requested a binder.
- Electronically via the 2019 Comprehensive Plan Amendment [Documents page](#), which is organized and labelled to mirror the tabs in the hardcopy binders.

The public may review all materials via the 2019 Comprehensive Plan Amendment [Documents page](#). A hardcopy binder is available for the public to review in the Department's Permit Center located on the 2nd floor of the Kitsap County Administration Building (619 Division St, Port Orchard).

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1 FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE PLANNING
2 COMMISSION TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT REGARDING
3 AMENDMENTS TO THE KITSAP COUNTY COMPREHENSIVE PLAN AND LAND USE
4 MAP, KITSAP COUNTY CODE TITLE 17, AND ZONING MAP

5 **Section 1. General Findings.**

6 The Kitsap County Planning Commission finds as follows:

- 7 1. Kitsap County is subject to the requirements of the Washington State Growth
8 Management Act (GMA), Chapter 36.70A RCW.
- 9 2. The GMA, RCW 36.70A.130(5), mandates that Kitsap County's Comprehensive Plan
10 and development regulations be reviewed and, if needed, revised at least every 8-years.
11 The most recent Kitsap County 8-year update concluded with the adoption of the 2016
12 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016.
- 13 3. The GMA, RCW 36.70A.130(1), also mandates that Kitsap County's Comprehensive
14 Plan and development regulations be subject to continuing review and evaluation.
- 15 4. RCW 36.32.120(7) provides that the county legislative authorities shall make and
16 enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations
17 as are not in conflict with state law.
- 18 5. Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making
19 amendments to the Comprehensive Plan. In making amendments, the County must
20 consider whether the proposed amendments are consistent with and support plan
21 elements and or development regulations, and if not, what additional amendments to the
22 Plan and/or development regulations will be required to maintain consistency; whether
23 the proposed amendment to the Plan and/or regulation will more closely reflect the goals
24 and policies of the Comprehensive Plan; whether the proposed amendment is consistent
25 with the Kitsap County-wide Planning Policies; and whether the proposed amendment
26 complies with the requirements of the GMA.
- 27 6. The final docket adopted by the Board of County Commissioners on August 21, 2019 by
28 Resolution No. 133-2019 allows for the consideration of certain amendments during
29 Kitsap County's annual Comprehensive Plan amendment process for 2019.
- 30 7. There has been public participation in the review of the proposed amendments, as
31 required by the GMA, and consistent with the State Environmental Policy Act and Kitsap
32 County Code.
- 33 8. Public outreach regarding the proposed amendments was conducted through:
34 a. A dedicated web page;
35 b. Legal notices published in the official newspaper of record for Kitsap County;
36 c. Announcements posted to subscribers of www.nextdoor.com in Kitsap County;

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- 1 d. Electronic announcements and notifications to:
2 i. Subscribers of relevant lists in the Kitsap County Electronic Notification
3 System;
4 ii. Relevant Kitsap County advisory groups; and
5 iii. Relevant local, state, and federal agencies;
6 e. Notification letters to federally recognized tribes with usual and accustomed areas
7 in Kitsap County and relevant tribal organizations;
8 f. Notification signs posted at the location of site-specific amendments;
9 g. Postcard notifications to property owners of record near site-specific amendments
10 and other geographically limited amendments; and
11 h. Meetings with various interested parties.

12 **Section 2. General Procedural Findings.**

13 The Kitsap County Planning Commission finds as follows:

- 14 1. On November 26, 2018, the Board of County Commissioners reviewed a catalog of
15 Comprehensive Plan amendments suggested by staff and interested parties and
16 determined that a review of the Comprehensive Plan was necessary in 2019.
- 17 2. On November 30, 2018, Kitsap County issued a Notice of Public Hearing in the legal
18 publication of record regarding the content of the proposed docket.
- 19 3. From November 30, 2018 through December 11, 2018, following timely and effective
20 public notification, the Department of Community Development held a public comment
21 period on the proposed docket.
- 22 4. On December 10, 2018, following timely and effective legal notice, the Board of County
23 Commissioners held a public hearing to consider written and verbal testimony on the
24 proposed docket.
- 25 5. On December 19, 2018, during a regularly scheduled and properly noticed meeting, the
26 Board of County Commissioners adopted the initial docket of amendments by Resolution
27 No. 227-2019.
- 28 6. On April 24, 2019, during regularly scheduled and properly noticed meetings, the Board
29 of County Commissioners reviewed the status of all the amendments, considered
30 potential changes to the docket, adopted the final docket of amendments by Resolution
31 No. 069-2019.
- 32 7. On August 21, 2019, during regularly scheduled and properly noticed meetings, the
33 Board of County Commissioners reviewed the status of all the amendments, considered
34 potential changes to the docket, and adopted the final docket of amendments by
35 Resolution No. 133-2019.

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- 1 8. From August 12, 2019 through January 22, 2020, following timely and effective public
2 notification, the Department of Community Development held a public comment period
3 on the proposed amendments, staff reports, and State Environmental Policy Act (SEPA)
4 determinations. A total of 66 comments, including written comments and public hearing
5 testimony, were received regarding the process and the amendments.
- 6 9. On February 27, 2019, December 16, 2019, December 18, 2019, December 19, 2019,
7 January 7, 2020, and January 21, 2020, the Department of Community Development held
8 public open houses to share and discuss the amendments with interested citizens.
- 9 10. On August 20, 2019, December 17, 2019, and January 21, 2020, during regularly
10 scheduled and properly noticed meetings, the Planning Commission conducted work
11 study sessions with the Department of Community Development to review and discuss
12 the proposed amendments.
- 13 11. On December 21, 2019 and January 3, 2020, Kitsap County issued a Notice of Public
14 Hearing in the legal publication of record regarding the content of the proposed
15 amendments.
- 16 12. On January 7, 2020 and January 21, 2020, following timely and effective legal notice, the
17 Planning Commission held a public hearing to consider written and verbal testimony on
18 the proposed amendments.
- 19 13. On February 4, 2020, during regularly scheduled and properly noticed meetings, the
20 Planning Commission considered the proposed amendments and made recommendations
21 via approved motions during deliberations.
- 22 14. On February 18, 2020, the Planning Commission approved findings of fact, conclusions,
23 and recommendations on the proposed amendments during a regularly scheduled and
24 properly noticed meeting and forwarded them to the Department of Community
25 Development and the Board of Commissioners for consideration.

26 **Section 3. Clarifying Edits – Findings.**

27 The Kitsap County Planning Commission finds as follows regarding the clarifying edits:

- 28 1. The amendment includes non-substantive edits that are for clarification or consistency
29 purposes only and do not change the intent or interpretations of policies or regulations.
- 30 2. On August 12, 2019, the Department of Community Development published a staff
31 report analyzing the amendment and recommending adoption of the amendment as
32 proposed.
- 33 3. On August 23, 2019, Kitsap County, as lead agency for the State Environmental Policy
34 Act (SEPA), issued a Determination of Non-Significance on the proposed amendment.
35 Notice of the SEPA determination was published in the legal publication of record on

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- 1 August 23, 2019. Under KCC 21.04.290(E), there is no administrative appeal process for
 2 this non-project SEPA decision.
- 3 4. On October 15, 2019, the Department of Community Development revised the proposal
 4 by adding three additional sections to the amendment and published a revised staff report
 5 analyzing the revised amendment and recommending adoption of the revised amendment
 6 as proposed.
- 7 5. On December 16, 2019, Kitsap County issued a revised Determination of Non-
 8 Significance on the proposed amendment, as revised. Notice of the SEPA determination
 9 was published in the legal publication of record on December 16, 2019. Under KCC
 10 21.04.290(E), there is no administrative appeal process for this non-project SEPA
 11 decision.
- 12 6. No comments, including written comments and public hearing testimony, were received
 13 regarding this amendment.
- 14 7. The amendment, as proposed in the October 15, 2019 staff report:
 15 a. Is supported by the Capital Facilities Plan;
 16 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 17 Comprehensive Plan, and other applicable laws and policies;
 18 c. Is consistent with the applicable decision criteria in Kitsap County Code
 19 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 20 adopted herein;
 21 d. Reflects current local circumstances; and
 22 e. Promotes the public interest and welfare of the citizens of Kitsap County;

23 **Section 4. Mineral Resource Overlay (MRO) Zone Clean-up – Findings.**

24 The Kitsap County Planning Commission finds as follows regarding the clarifying edits:

- 25 1. The amendment removes the Mineral Resource Overlay (MRO) from small parcels that
 26 contain existing residential or commercial development and small undeveloped parcels
 27 that are consistent with the criteria outlined in Attachment C1 of the staff report.
- 28 2. On August 12, 2019, the Department of Community Development published a staff
 29 report analyzing the amendment and recommending adoption of the amendment as
 30 proposed.
- 31 3. On August 23, 2019, Kitsap County, as lead agency for the State Environmental Policy
 32 Act (SEPA), issued a Determination of Non-Significance on the proposed amendment.
 33 Notice of the SEPA determination was published in the legal publication of record on
 34 August 23, 2019. Under KCC 21.04.290(E), there is no administrative appeal process for
 35 this non-project SEPA decision.

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- 1 4. Two comments, including written comments and public hearing testimony, were received
 2 regarding this amendment.
- 3 5. On February 4, 2020, the Planning Commission adopted a motion to revise the
 4 amendment to remove the MRO zone from Tax Parcel 192501-2-005-2006 due to critical
 5 areas based on public comment and staff analysis showing this additional removal is
 6 consistent with the criteria outlined in Attachment C1 of the staff report.
- 7 6. The amendment, as proposed in the August 12, 2019 staff report and revised on February
 8 4, 2020 by the Planning Commission:
 - 9 a. Is supported by the Capital Facilities Plan;
 - 10 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 11 Comprehensive Plan, and other applicable laws and policies;
 - 12 c. Is consistent with the applicable decision criteria in Kitsap County Code
 13 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 14 adopted herein;
 - 15 d. Reflects current local circumstances;
 - 16 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 17 f. Is justified by changed or changing conditions;
 - 18 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
 19 designations; and
 - 20 h. Will be compatible with neighboring properties and not likely adversely affect the
 21 value of those properties.

22 **Section 5. Centers – Findings.**

23 The Kitsap County Planning Commission finds as follows regarding the clarifying edits:

- 24 1. The amendment creates initial centers designations in unincorporated Kitsap County
 25 consistent with the regional centers framework recently updated by the Puget Sound
 26 Regional Council.
- 27 2. On August 12, 2019, the Department of Community Development published a staff
 28 report analyzing the amendment and recommending adoption of the amendment as
 29 proposed.
- 30 3. On August 20, 2019, the Department of Community Development revised the proposal
 31 by modifying the text of the amendment and published a revised staff report analyzing
 32 the revised amendment and recommending adoption of the revised amendment as
 33 proposed.
- 34 4. On August 23, 2019, Kitsap County, as lead agency for the State Environmental Policy
 35 Act (SEPA), issued a Determination of Non-Significance on the proposed amendment, as
 36 revised. Notice of the SEPA determination was published in the legal publication of
 37 record on August 23, 2019. Under KCC 21.04.290(E), there is no administrative appeal
 38 process for this non-project SEPA decision.

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- 1 5. On October 7, 2019, the Department of Community Development revised the proposal by
 2 modifying the centers to be designated in the amendment and published a revised staff
 3 report analyzing the revised amendment and recommending adoption of the revised
 4 amendment as proposed.
- 5 6. On December 16, 2019, Kitsap County issued a revised Determination of Non-
 6 Significance on the proposed amendment, as revised. Notice of the SEPA determination
 7 was published in the legal publication of record on December 16, 2019. Under KCC
 8 21.04.290(E), there is no administrative appeal process for this non-project SEPA
 9 decision.
- 10 7. No comments, including written comments and public hearing testimony, were received
 11 regarding this amendment.
- 12 8. The amendment, as proposed in the October 7, 2019 staff report:
 13 a. Is supported by the Capital Facilities Plan;
 14 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 15 Comprehensive Plan, and other applicable laws and policies;
 16 c. Is consistent with the applicable decision criteria in Kitsap County Code
 17 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 18 adopted herein;
 19 d. Reflects current local circumstances; and
 20 e. Promotes the public interest and welfare of the citizens of Kitsap County;

21 **Section 6. Silverdale/Kingston UGA Association & Future Incorporation – Findings.**

22 The Kitsap County Planning Commission finds as follows regarding the Silverdale/Kingston
 23 UGA Association & Future Incorporation amendment:

- 24 1. The amendment associates the Silverdale Unincorporated Urban Growth Area with the
 25 future City of Silverdale and the Kingston Unincorporated Urban Growth Area with the
 26 future City of Kingston. This amendment also clarifies subarea plan vision statements
 27 regarding the future incorporation of Silverdale and Kingston within the 20-year planning
 28 horizon.
- 29 2. On August 12, 2019, the Departments of Community Development published a staff
 30 report analyzing the amendment and recommending adoption of the amendment as
 31 proposed.
- 32 3. On August 23, 2019, Kitsap County, as lead agency for the State Environmental Policy
 33 Act (SEPA), issued a Determination of Non-Significance on the proposed amendment.
 34 Notice of the SEPA determination was published in the legal publication of record on
 35 August 23, 2019. Under KCC 21.04.290(E), there is no administrative appeal process for
 36 this non-project SEPA decision.

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- 1 4. One comment, including written comments and public hearing testimony, was received
 2 regarding this amendment.
- 3 5. The amendment, as proposed in the August 12, 2019 staff report:

 - 4 a. Is supported by the Capital Facilities Plan;
 - 5 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 6 Comprehensive Plan, and other applicable laws and policies;
 - 7 c. Is consistent with the applicable decision criteria in Kitsap County Code
 8 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 9 adopted herein;
 - 10 d. Reflects current local circumstances; and
 - 11 e. Promotes the public interest and welfare of the citizens of Kitsap County.

12 **Section 7. Downtown Kingston (Phase 2) – Findings.**

13 The Kitsap County Planning Commission finds as follows regarding the Downtown Kingston
 14 (Phase 2) amendment:

- 15 1. The amendment implements existing County policies calling for various reviews and
 16 updates regarding Kingston; addresses barriers to achieving the existing vision for
 17 downtown Kingston; improves consistency with regional and Countywide planning
 18 policies; and improve the clarity, consistency, and administration of KCC.
- 19 2. The Department of Community Development developed much of this amendment with a
 20 Kingston UVC Workgroup, which was charged with identifying and addressing priority
 21 barriers to achieving the existing vision and planned growth in the Kingston UVC zone.
- 22 3. On December 13, 2019, the Department of Community Development published a staff
 23 report analyzing the amendment and recommending adoption of the amendment as
 24 proposed.
- 25 4. On December 16, 2019, Kitsap County, as lead agency for the State Environmental
 26 Policy Act (SEPA), issued a Determination of Non-Significance on the proposed
 27 amendment. Notice of the SEPA determination was published in the legal publication of
 28 record on December 16, 2019. Under KCC 21.04.290(E), there is no administrative
 29 appeal process for this non-project SEPA decision.
- 30 5. Eight comments, including written comments and public hearing testimony, were
 31 received regarding this amendment.
- 32 6. On February 4, 2020, the Planning Commission adopted a motion to revise the
 33 amendment to reduce the amount of pedestrian-oriented commercial frontage designated;
 34 clarify the mixed-use requirement for pedestrian-oriented commercial frontage
 35 designations; remove the mixed-use requirement for parking garages; and revise the
 36 allowed distance for off-site parking for public ferry terminals.

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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.

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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.

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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.

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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.

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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
DRAFT

- 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

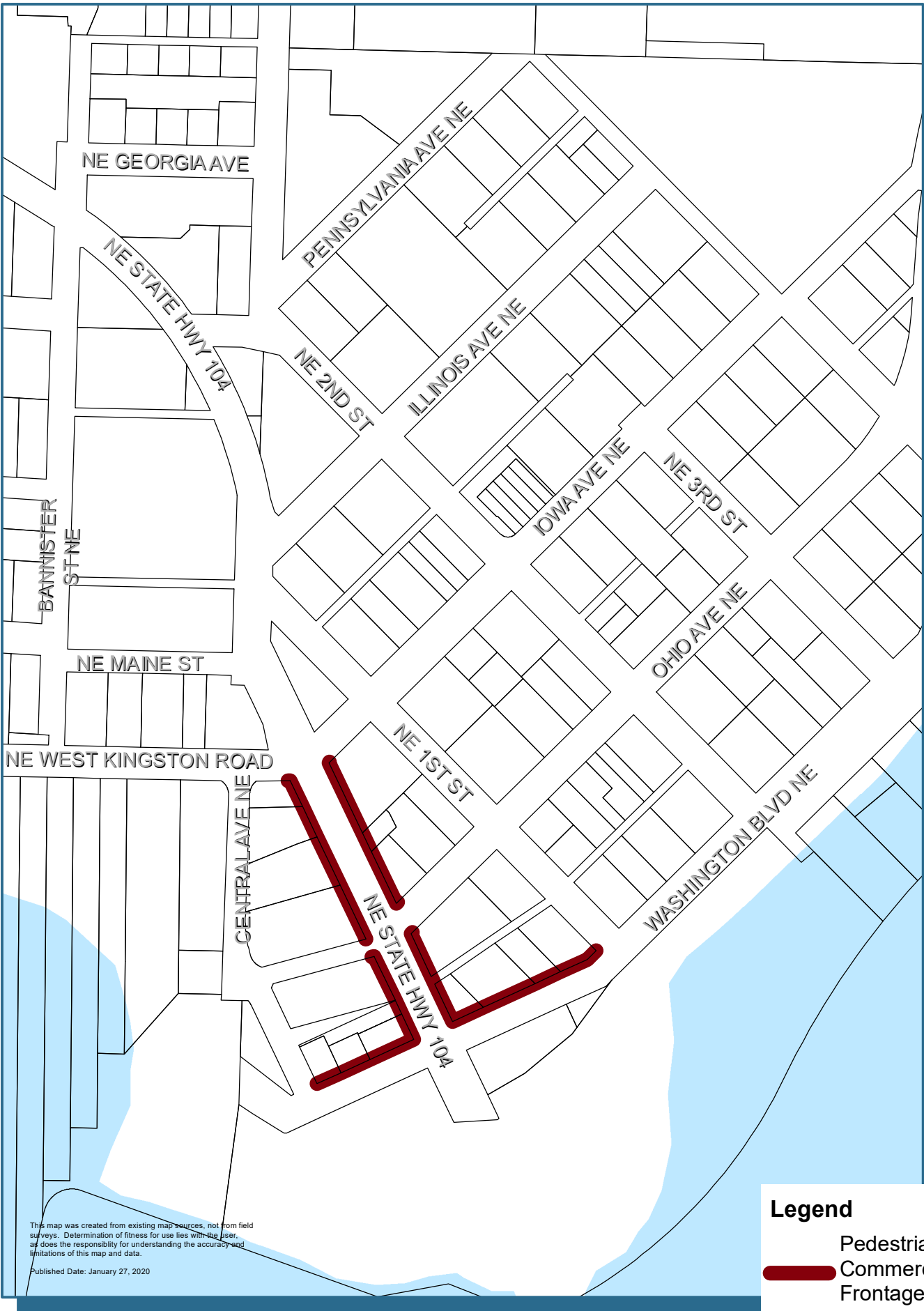
19 **APPROVED BY THE PLANNING COMMISSION OF KITSAP COUNTY,**
 20 **WASHINGTON, AT A REGULAR MEETING THEREOF, HELD THIS 18th DAY OF**
 21 **FEBRUARY 2019.**

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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