

From: [Karanne Gonzalez-Harless](#)
To: [Amanda Walston](#)
Cc: [Gina Buskirk](#)
Subject: Fw: George's Corner supporting documents 1-2
Date: Wednesday, September 05, 2018 4:01:10 AM
Attachments: [DJMConstructionMARCH 2,2016_1500378_Reclass_030116_knk_sek_revisions.pdf](#)
[PDR Gonzales Harless \(1\).pdf](#)
[KGH-LG20180831.pdf](#)

From: Karanne Gonzalez-Harless <kgharless@hotmail.com>
Sent: Wednesday, September 5, 2018 2:59:05 AM
To: Karanne Gonzalez-Harless
Subject: George's Corner supporting documents 1-2

Hello Amanda,
I have attached the supporting documents on George's Corner.

My letter to the Director dated August 3, 3018
The public records request that includes the emails referenced in the letter
The DJM staff report dated [March 2, 2016](#)
The adopted ordinance [0534-3016](#)

I will forward Diector Garbo's response to my letter in a separate email. Please include it with the supporting documents.

Thank you
Karanne

Sent from my Verizon, Samsung Galaxy smartphone

Sent from my Verizon, Samsung Galaxy smartphone

From: [Karanne Gonzalez-Harless](#)
To: [Amanda Walston](#)
Cc: [Gina Buskirk](#)
Subject: Fw: George's Corner supporting documents 2-2
Date: Wednesday, September 05, 2018 4:01:41 AM
Attachments: [Ordinance 0534-2016.pdf](#)

From: Karanne Gonzalez-Harless <kgharless@hotmail.com>
Sent: Wednesday, September 5, 2018 2:59:39 AM
To: Karanne Gonzalez-Harless
Subject: George's Corner supporting documents 2-2

Sent from my Verizon, Samsung Galaxy smartphone

ATTACHMENT 1 - 1
Gonzales-Harless 2018.08.31 Letter to Garbo

Karanne Gonzalez-Harless
August 31, 2018

Louisa Garbo
Kitsap County Department of Community Development
619 Division Street, MS-36
Port Orchard, WA 98366

RE: DCD – Planning Commission George’s Corner County sponsored amendment

Ms. Garbo,

During our review and deliberations on the 2018 comprehensive plan update docket, the Planning Commission received information from the Department that has at times been incomplete, inaccurate and false. This is troubling to me, as I’m sure it is to other Commissioners and the public in attendance at our hearings. This undermines the trust relationship that is vital to our working together to provide the Board of County Commissioners with informed and straightforward recommendations.

As a former employee of the Department, transparency and integrity of the public record have always been core values of mine. This is why when I see the Department omitting relevant information from staff reports and answering our questions with what turn out to be false information I have to call it out.

This is in the context of the Planning Commission’s review of the George’s Corner site-specific proposed plan amendment. Initial statements by staff did not fit with my memories of what took place with this property in the 2016 plan update process. The 2018 staff report focused on what had happened in 2004 and included findings about what had changed since then, but said nothing about the 2016 staff report, analysis, findings and conclusions adopted in Ordinance 534-2016 or the complete recommendation for both parcels.

When I researched the 2016 project, I learned that the staff analysis at that time was exactly opposite of what we are being told today and that a very different resolution was recommended, i.e. zoning of Rural Protection on one parcel and Rural Protection

on the residential portion of the other parcel. None of this was addressed in the 2018 staff report. Why does DCD now believe the opposite of what it believed two years ago? Why is the 2016 recommendation not on the table now as an alternative? And why the omission from the procedural history?

Before I looked into this, I was concerned with the fact that this site-specific proposal on the behalf of private landowners was sponsored by the Department with no fees, while others had to pay large fees and hire consultants. It is perfectly acceptable for staff, in a Q & A session, to say “I don’t know, let me get back to you.” What happened instead is that DCD staff made two affirmative statements in response to my questions that turned out to be demonstrably false:

1. I was told that the Department decided to sponsor this project because it bore responsibility for creating a split-zone situation in 2005. But the 2016 staff report includes a finding that the County does not bear responsibility for this action of the landowner.
2. I was told that this had been on the Department’s “radar” for some time and neither of the landowners had requested this change or “been pinging the County,” and had they been, DCD probably would not have sponsored the project. I am familiar with one of the landowners and he has never failed to “ping” the County to request something, usually with success. I obtained, through a public records request, a chain of emails between the landowners and DCD going back since the 2016 update. Both landowners were very much in the game requesting this change and that the County sponsor them.

The irony of all this is that, had the accurate story been told, the project itself would not have been less likely to be approved, but the recommendation would have been better informed. What has suffered is the ability of the Planning Commission to trust and rely on information supplied by the Department, whether in staff reports or in

ATTACHMENT 1 - 3
Gonzales-Harless 2018.08.31 Letter to Garbo

answers to our questions. I understand that memories are imperfect, and it is possible to make a statement on the record that is true to your memory but turns out to be wrong. I also understand that junior staff will always be reluctant to correct their bosses in public. But in this situation, the facts were well known, and I waited for corrections to the record which never came.

I am not disputing that the county can sponsor an administrative amendment. What I am concerned with is transparency, integrity and the appearance of fairness in every application processed.

In closing I urge the department to withdraw the current application, resubmit a revised application with all relevant information and resubmit it through the public process. The application as it stands is fatally flawed and should not, regardless of a Planning Commission recommendation, go forward to the Board of County Commissioners. My intention is to correct an unfortunate situation and improve the process.

Respectfully,

Karanne Gonzalez-Harless
South Kitsap Planning Commissioner

Cc Jim Bolger

ATTACHMENT 2 - 1
PDR Gonzales-Harless

From: [Renee Watkins](#)
To: bill@bbroughtonlaw.com
Subject: 15 00378 Reclassification Request Staff Report
Date: Wednesday, January 06, 2016 2:34:06 PM
Attachments: [15 00378 3N Kingston Reclassification Request Staff Report.pdf](#)

Good Afternoon,

Please see the attached Reclassification Request Staff Report for permit 15 00378.

Very Respectfully,
Renee Watkins
Department of Community Development
Executive & Long Range Planning Support
(360)337-5777 Ext. 4819



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Larry Keeton
DIRECTOR

Jeffrey L Rowe,
CBO, CFM
DEPUTY DIRECTOR

January 6, 2016

Bill Broughton
9057 Washington Ave
Silverdale, WA 98383

RE: Kitsap County Land Use Reclassification Request

Dear Bill:

This letter is to inform you the final staff report for your Land Use Reclassification Request is available for review. The report analyzes how your request compares with state and local land use and environmental regulations and with state growth management laws. As a reminder, individual Land Use Reclassification Requests are being considered as part of Kitsap County Comprehensive Plan 8-Year Update, which is due to be completed on June 30, 2016.

Regardless of whether or not a Land Use Reclassification Request is recommended for approval or denial, all reclassification requests will receive a public hearing before the Kitsap County Planning Commission and Board of County Commissioners in Spring of 2016. You will receive notice and invitation to participate in these hearings as these dates become final.

Next steps

We would like to extend an invitation to have you and/or your representative visit our office to answer questions or discuss the staff report. Staff are available for 30-minute meetings on either Friday, January 15 or Friday, January 22 between 1:00pm and 3:30pm. These meetings must be scheduled in advance and walk-in appointments are not available. To schedule a session, please contact Office Administrator, Renee Watkins, via email at rwatkins@co.kitsap.wa.us or 360-337-5777 ext. 4819.

2011 Governor's
Smart Communities
Award Kitsap
County
'Year of the Rural'

Sincerely,

Jeffrey L. Rowe, CBO
Deputy Director, Chief Building Official, Flood Plain Administrator
Department of Community Development





STAFF REPORT

Permit Number: 15 00378 | DJM Construction

DATE: November 9, 2015

TO: Kitsap County Board of Commissioners; Kitsap County Planning Commission

FROM: Katrina Knutson, AICP, Senior Planner, DCD and

Jeff Arango, AICP, Senior Associate, BERK Consulting

RE: DJM Construction Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Bill Broughton, DJM Construction Co. Inc. (applicant and owner)
2. **Parcel Number:** 272702-2-047-2003
3. **Address or location information:** Near the corner of Miller Bay Rd. NE and NE State Highway 104; see Attachment 1. Commissioner District 1.
4. **Current Land Use:** Undeveloped; see Attachment 3.
5. **Current Comprehensive Plan Map Designation:** Rural Residential/Rural Protection
6. **Proposed Comprehensive Plan Map Designation:** Urban Low-Intensity Commercial/Mixed-Use
7. **Current Zoning:** Rural Residential (RR)/Rural Protection (RP); see Attachment 4.
8. **Proposed Zoning:** Neighborhood Commercial (NC); see Attachment 5.
9. **Lot Area / Size:** 8.36 acres
10. **Comprehensive Plan Alternatives:** Request included with Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) Alternative 3.

Submitted Application Materials

- Project Application
- Reclassification Request Criteria
- Environmental Checklist
- Ownership Certification

Application Request

The applicant is requesting to amend both the Comprehensive Map and zoning designations. The existing designation is Rural Residential (RR) and Rural Protection (RP) and the applicant is requesting inclusion in the adjacent George’s Corner Limited Area of More Intense Development (LAMIRD). The applicant is also requesting to amend the zoning designation from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial (NC). The applicant states in the application that the existing designations and LAMIRD boundary may be due to a mapping error which is outside of the scope of this process.

BACKGROUND

The adjacent George’s Corner LAMIRD boundary was established in 2004. After appeal and adjudication in 2004, the Washington State Growth Management Hearings Board made specific notice of the boundary, which is adjacent to the subject parcel. The Growth Board excerpt is below:

The County chose to use the physical contours of the land and the presence of wetlands to define the boundary of the LAMIRD. Consistent with .070(5)(d)(iv)(B), this is likely to result in permanent boundaries that are less subject to pressures for commercial expansion and sprawl. The wetlands and critical areas may help buffer the commercial uses from the surrounding rural lands. The County required a lot-line adjustment on the Bjarnson property to further contain the LAMIRD.

Futurewise, Harless, KCRP v. Kitsap County, CPSGMHB 04-3-0031c, Final Decision and Order (FDO) (6/28/05).

The existing LAMIRD boundary was based in part on the presence of wetlands and geologic hazards on the subject property as shown in Attachment 2. The complex of wetlands is directly associated with Grover’s Creek, an important fish-bearing stream which empties into Miller Bay. (Wetland delineation mapping attached).

As shown in maps included in this report, a Short Plat (200511300408/409) was recorded following the establishment of the LAMIRD that resulted in the creation of new lots and split-zoning. This split-zoning (RP, RR, NC) was not created by an action of the County.

Surrounding Zoning and Land Use

The site abuts NC zoning to the north and west but RR and RP to the east and south.

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

Surrounding Areas	Current Zoning	Current Land Use
North	• NC	• Trade (Commercial) and Government Services
East	• RP	• Undeveloped
South	• RR/RP	• Undeveloped
West	• NC	• Residential and Trade (Commercial)

Source: Kitsap County GIS; BERK Consulting 2015

Current Future Comprehensive Plan and Zoning Designations

The subject property is currently designated as Rural Residential and Rural Protection on the Comprehensive Plan Map. The Comprehensive Plan describes the designations as:

- **Rural Protection (RP):** This designation is intended to allow low-density development in keeping with rural character and to protect significant environmental features, including visual, historic, and natural features; wildlife corridors; steep slopes; wetlands; streams; and adjacent critical areas. It is implemented by the RP zone.
- **Rural Residential (RR):** This designation is intended to allow low-density residential development consistent with rural character, and primarily focuses on single-family dwellings. This designation is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features, and also recognizes areas that are already committed to a pattern of smaller rural lots. The RR designation is implemented by the Rural Residential zone.

According to the Kitsap County Code (Chapter 17.305 Kitsap County Code (KCC)), the RP zone is intended to “promote low-density rural development that is consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.” This zone allows for residential, commercial, resource, and recreational uses that are compatible with rural character. The maximum density is 1 dwelling unit per 10 acres.

The RR zoning designation (Chapter 17.310 KCC) promotes “low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.” RR has a maximum density of 1 dwelling unit per 5 acres. This zone allows for residential and limited commercial, resource and recreational uses that are compatible with rural character.

Rural character is referenced in both designations and zones. Chapter 3 Rural and Resources Lands of the Comprehensive Plan has a detailed description of rural character as well as goals and policies. Some of the characteristics defining rural character include:

- Relatively undeveloped nature
- Lots 5 acres and over
- Agricultural and forest activities
- Land for wildlife and nature
- Personal open space for tranquility (enjoyment of personal property)
- Responsive public services, sense of being self-sufficient
- Wooded trail systems
- Views of the Hood Canal, Puget Sound, the Olympics and Mount Rainier
- Small businesses serving the local population
- Small, intimate communities
- Low population density
- Large forested areas
- Quiet two lane roads

Proposed Future Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed Comprehensive Plan Map Designation is Limited Area of More Intense Rural Development (LAMIRD) – Type I. The Comprehensive Plan describes the designation as follows:

- **Type I.** The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial,

industrial, residential, or mixed-use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type 1 LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of the area with respect to building size, scale, use, or intensity. Type 1 LAMIRDs must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type 1 LAMIRDs also must be bounded by a “logical outer boundary” that mirrors the limits of the pre-existing development.

The list of allowable uses differs substantially between NC and RR/RP. This relates to the intent of the NC for commercial uses and RR/RP for large lot rural residential uses.

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

Selected Uses	NC (proposed zoning)	RR/RP (current zoning)
Residential Uses		
• Single family dwelling, detached	X	X
• Mixed use development	ACUP	X
• Hotel/motel	C	X
Commercial/Business Uses		
• Financial, banking, mortgage and title institutions	P	X
• General office and management services – 4,000 to 9,999 s.f.	ACUP	X
• General retail merchandise stores – less than 4,000 s.f.	P	X
• General retail merchandise stores – 10,000 to 24,999 s.f.	C	X
• General retail merchandise stores – 25,000 s.f. or greater	X	X
• Restaurants	P	X
• Tourism facilities, including outfitter and guide facilities	X	X

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

Zoning development standards show a denser pattern of development for NC than for RR/RP. For example, mixed use development at 10-30 units per acre is allowed in the NC zone whereas single family residential development at 1 unit per 5 or 20 acres is allowed in the RR/RP zones respectively.

Exhibit 3. Selected Development Standards Comparison (KCC 17.381.040)

Density and Dimensions	NC (proposed zoning)	RR/RP (current zoning)
Base density (du/acre)	10	1 Unit/5 Acres (RR) 1 Unit/10 Acres (RP)
Maximum Density (du/acre)	30	NA
Minimum lot size (acre)	NA	NA
Lot width (feet)	NA	140
Lot depth (feet)	NA	140
Maximum height (feet)	35	35

PUBLIC COMMENTS

Three tribal and agency comments were received regarding the proposal during the SEIS public comment period. The Suquamish Tribe, Point No Point Treaty Council and the Washington Department of Fish and Wildlife do not support the proposal due to the expansion of a Type I LAMIRD and environmental constraints. The easterly portion of the subject parcel contains wetlands associated with Grovers Creek, which drains to Miller Bay where the Suquamish Tribe operates a Chinook and chum salmon hatchery. The Tribe's comment letter describes recent monitoring efforts associated with the creek and hatchery, and states concern regarding potential further degradation of Grovers Creek (including fish passage opportunity) if wetland, riparian and stormwater protection functions are not maintained throughout the Grovers Creek watershed.

EVALUATION

Site specific reclassification requests to the Comprehensive Plan must be reviewed in accordance with the criteria outlined in the Kitsap County Code (KCC) Chapter 21.08. Applicable review criteria for site specific reclassification requests are in sections KCC 21.08.070.A and KCC 21.08.070.D.

General Criteria (KCC 21.08.070.A)

A. General. For each proposed amendment to the Comprehensive Plan the review authority, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions, which demonstrate:

1. How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;

Circumstances related to the proposed amendment or the area in which the property is located have not substantially changed since adoption of the Comprehensive Plan.

2. How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated growth targets and capacity analysis is being conducted as part of the 2016 Comprehensive Plan update, but in general that process will not change the assumptions relative to the subject property and proposed amendment.

3. How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The amendment request is not in the public interest as it would expand the logical outer boundary of the existing Type I LAMIRD boundary to include an undeveloped forested property with significant environmental constraints and building limitations. See analysis under criteria 1.f below for consistency with the Comprehensive Plan.

Reclassification Request Criteria (KCC 21.08.070.D)

D. Site-Specific Amendments. In addition to the findings and conclusions in subsection (A) of this section, a proposed site-specific map amendment may be recommended for approval by the planning commission and may be approved by the board of commissioners if the following findings are made:

1. All Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

- a. The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;**

The proposed amendment involves expanding a LAMIRD boundary to include an additional 8.36 acres of undeveloped property that contains wetlands and moderate geologic hazard areas. The LAMIRD area currently has water service, but not sanitary sewer. While the expansion of the LAMIRD would not significantly impact levels of service for public services overall within the County, it would expand the area that may be served by more intense public services ~~is to be served by urban services~~ and increase the area that is to be served. The area is studied cumulatively for NC in the 2016 Comprehensive Plan Update SEIS. The site is located near segments of Hansville Road NE and SR 104 with projected transportation deficiencies under Alternative 3. Increased commercial density at the proposed site would add trips beyond what was reflected in the 2036 travel demand forecasts. Therefore, the proposal would result in an impact to transportation. However, the transportation improvement projects identified to address deficiencies expected without the proposal would also be expected to address the additional impacts resulting from the proposal. Any reclassification proposal would be subject to a more specific analysis of transportation impacts and would be subject to meeting County concurrency requirements at the time of development.

Kitsap County has submitted this application to the Washington State Department of Transportation for their review and comment, as the site is located on a state highway.

- b. The proposed amendment is consistent with the balance of the goals, policies and objectives of the current Kitsap County Comprehensive Plan and reflects the local circumstances of the County;**

Kitsap County Comprehensive Plan Chapter Vision

Kitsap County’s Comprehensive Plan shows the relationship between chapter concepts and the comprehensive plan vision. See Exhibit 4.

Exhibit 4. County Vision for Rural and Urban Areas

Vision	Rural Chapter Relationship to Vision
<p>Rural Areas. Rural areas and communities where unique historical characters, appearances, functions, and pioneering spirits are retained and enhanced. Natural resource activities, such as forestry, agriculture, and mining continue to contribute to the rural character and economy. Rural recreation opportunities are enhanced, including equestrian facilities, trails, and others.</p>	<ul style="list-style-type: none"> ● Maintain low residential densities in rural areas and provides policy guidance for development standards which help to preserve the County’s rural character. Foster small sustainable farms and agricultural enterprises that provide locally-grown food and fiber for Kitsap citizens.
<p>Economic Development. A stable, prosperous and diversified economy that provides living wage jobs for residents, supported by adequate land for a range of employment uses and that encourages accomplishment of local economic development goals.</p>	<ul style="list-style-type: none"> ● Preserve opportunities for resource-based economic activities within the County. ● Allow for limited commercial and industrial uses in rural areas, while preserving rural character.

Natural Environment. Natural ecosystems – including interconnected wetlands, streams, wildlife habitat, and water quality – that are rehabilitated, protected, and enhanced and that allow for flexible and innovative development to meet environmental and growth goals. In developed areas, the growth pattern supports conservation of non-renewable energy and minimizes impacts on air quality and climate.

Provide for protection of natural ecosystems in rural areas through rural designations, through compliance with Kitsap County “Water as a Resource” Policy (Res.109-2009), and with lower levels of development and lower availability of public services.

Source: Kitsap County Comprehensive Plan (December 2012).

Expanding the Type I LAMIRD Boundary and up zoning 8.36 acres of undeveloped property with significant wetlands appears contrary to the vision statement with respect to the natural environment. The proposed action would also alter the logical outer boundary of the LAMIRD and could affect the local character which currently has a visual separation between the LAMIRD and abutting rural large lots to the east and south. While at least one Growth Management Hearing Boards has stated that the LOB for a Type I LAMIRD may conceivably be enlarged after its initial establishment, such an expansion must meet the same criteria as required for the initial establishment. *1000 Friends of Washington v. Snohomish County*, CPSGMHB Case No. 03-3-0026, (*1000 Friends II*), FDO, (June 21, 2004). There is no evidence that the addition of this property to the LAMIRD meets the criteria for establishing the initial boundary. There is no evidence that this property included pre-existing development prior to 1990. Under GMA, the purpose of establishing LAMIRDs is to limit development, adding vacant parcels at the fringes of an established LAMIRD could contravene the GMA provisions.

Kitsap County Comprehensive Plan 2036 Goals and Policies: Chapter 3

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

3A.2.1B Limited Areas of More Intensive Rural Development

- Goal 7. Allow for the designation of LAMIRDs outside of the UGA based on existing rural residential communities or villages, areas of mixed use activity, isolated areas of small and moderate-scale commercial/industrial activity, and historic towns.
- **Policy RL-25 Prohibit designating a LAMIRD adjacent to an UGA.**

The subject properties are adjacent to a Type I LAMIRD, but not adjacent to a UGA. The area was evaluated as part of LAMIRD options in 2004 and the present boundary that excludes the site was established and upheld by the Growth Management Hearings Board.

- **Policy RL-27 Encourage changes to zones in LAMIRDs to occur via a local community planning process. This process should incorporate local knowledge, experience and preferences to determine appropriate area-specific land uses, development standards, design guidelines, and public service needs. Specific issues that should be considered in this planning process include:**

- **Appropriate logical outer boundaries as required by GMA**

The appropriate logical outer boundary of the existing George’s Corner LAMIRD was subject to review by the Growth Management Hearings Board in 2005 and upheld. The proposed amendment would expand the logical outer boundary to undeveloped forested land that contains wetlands and a stream corridor. Therefore, extending the appropriate logical outer boundary to include the subject property appears unjustified.

- **Rural character of the subject area and surrounding area.**

The subject property and surrounding area with an RR/RP designation maintain a rural character. Applying the NC designation to the subject property, which is undeveloped and contains relatively intact ecological functions would affect rural character incrementally.

- **Appropriate mix of uses, densities and intensities.**

The specific mix of uses, densities and intensities allowed in the NC zone are appropriate for properties within the LAMIRD boundary. However, as discussed above the extension of the logical outer boundary to include the subject property is not supported by GMA goals and local regulations and so, therefore, is not an appropriate mix of uses, densities and intensities.

- **Feasibility, cost and need for public services.**

The site is served with public water service, but not sanitary sewer service.

- **Significant natural constraints or features to be preserved.**

The subject property is undeveloped forested land that contains wetlands and a stream corridor, both regulated under Kitsap County Code Title 19 (Critical Areas) which responds to state requirements for local governments to protect the functions and values of critical areas and their buffers

- **Provision for a monitoring and evaluation process.**

As a condition of approval if the request is approved, the County should work with the applicant to develop a monitoring and evaluation process.

- **Benefits to the local community.**

The benefits of approving the request may include allowing greater commercial opportunities at the crossroads for the Kingston-area community; given the preference in County plans for focus growth in the Kingston UGA and other UGAs, and the environmental and rural character concerns, the benefits of expanding the George's Corner LAMIRD do not appear to outweigh the disadvantages. The applicant has not demonstrated any benefits to the local community. The subject parcel(s) is suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood. However, the subject parcel is not suitable for the requested land use designation based on environmental constraints and is inconsistent with the GMA criteria for establishing the logical outer boundary of the LAMIRD.

c. The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning, and reflects local circumstances in the county;

The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning and reflects local circumstances in the County.

d. The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;

The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall are of the urban growth area. See criteria D.1.a.

e. The proposed amendment is consistent with the GMA, Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements.

The following state and local policies and laws are applicable to the applicant's zoning amendment request.

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

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The proposed amendment is inconsistent with above GMA goal by expand the boundary of a LAMIRD to an undeveloped forested site with environmental constraints.

Growth Management Act – Designating Limited Areas of More Intense Development (RCW 36.70A.070(5)(d))

The GMA establishes the criteria for establishing the logical outer boundary for a LAMIRD in RCW 36.70A.070(5)(d)(iv) and (v):

The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

The subject property was not developed prior to July 1, 1990. Expanding the outer logical boundary on the edge of the LAMIRD to include undeveloped forested land that includes significant environmental constraints appears contrary to the criteria above. (e.g. using bodies of water, land forms and contours to define boundaries).

Kitsap County-wide Planning Policies

Element D: Rural Land Uses and Development Patterns

D-2. Preserving rural land use and development patterns:

- a. Rural Communities are already-existing residential and commercial areas of more intensive rural development designated in the Kitsap County Comprehensive Plan under RCW 36.70A.070.5. In-fill is expected. Rural Communities should be serviced by transportation providers and other services consistent with the Levels of Service adopted by Kitsap County for roads and by Kitsap Transit for transit upon their designation as an area of more intensive rural development.**

The proposed amendment is inconsistent with the above County-wide Planning Policy because it is not part of the already developed area within the existing Type I LAMIRD and would require the extension of the logical outer boundary to include undeveloped forested land with environmental constraints.

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

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

No unmet need has been identified by the applicant. The applicant stated an intent to develop a fast-food establishment or similar type land use if the amendment request is approved.

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

The subject property is undeveloped forested land that is along the outer boundary, but outside, of the Type I LAMIRD Boundary. The proposed amendment would increase the likelihood that the subject property is developed at urban intensities that may negatively impact the rural character in the County. See the description of rural character under "Present Comprehensive Plan Designations."

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

It is likely this site would provide commercial uses at the cross roads to serve north Kitsap County. However, there are other already developed areas in the LAMIRD and in the Kingston UGA that could fill that need.

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

See Response D.1.a.

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

The site abuts other NC properties to the north and west. However, there is no exceptional or unique need to add this property in light of the logical outer boundary requirements for Type I LAMIRDs.

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

The site is constrained and would not allow for significant added commercial uses without creating potential significant environmental impacts, and there are other opportunities in the LAMIRD and Kingston UGA to add commercial uses.

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

The applicant has not demonstrated a lack of available sites. In fact there are 3 vacant lots currently within the LAMIRD, one 6.85 acres in size. The Comprehensive Plan intends to focus growth in UGAs. LAMIRDs are only provided to recognize existing development not to create added capacity for growth.

Findings of Fact

1. The applicant, Bill Broughton, submitted the application to Kitsap County on February 2, 2015.
2. The applicant seeks a Comprehensive Plan Amendment to change the Comprehensive Plan Map Designation from Rural Residential (RR) and Rural Protection (RP) to Low-Intensity Commercial/Mixed-Use. This would also entail an expansion of the Logical Outer Boundary of the George's Corner Type I LAMIRD.

3. The applicant seeks a Zoning Map Amendment from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial and to extend the adjacent Type I LAMIRD boundary to include the subject property.
4. The subject property is located near the corner of Miller Bay Rd. NE and NE State Highway 104.
5. The subject property is adjacent to the George's Corner Type I LAMIRD to the west and properties zoned Neighborhood Commercial (NC).
6. The subject property is currently undeveloped.
7. The subject property has environmental constraints including wetlands and a stream corridor.
8. The subject property was not developed prior to July 1, 1990.
9. The Logical Outer Boundary (LOB) of the adjacent Type I LAMIRD was reviewed and upheld by the Growth Management Hearings Board in 2005. Any change to the LOB must comport with the same criteria as the initial designation was subject to.

Conclusion of Law

The application is inconsistent with the Washington Growth Management Act, the Kitsap Countywide Planning Policies, the Kitsap County Comprehensive Plan, and other state and local regulations.

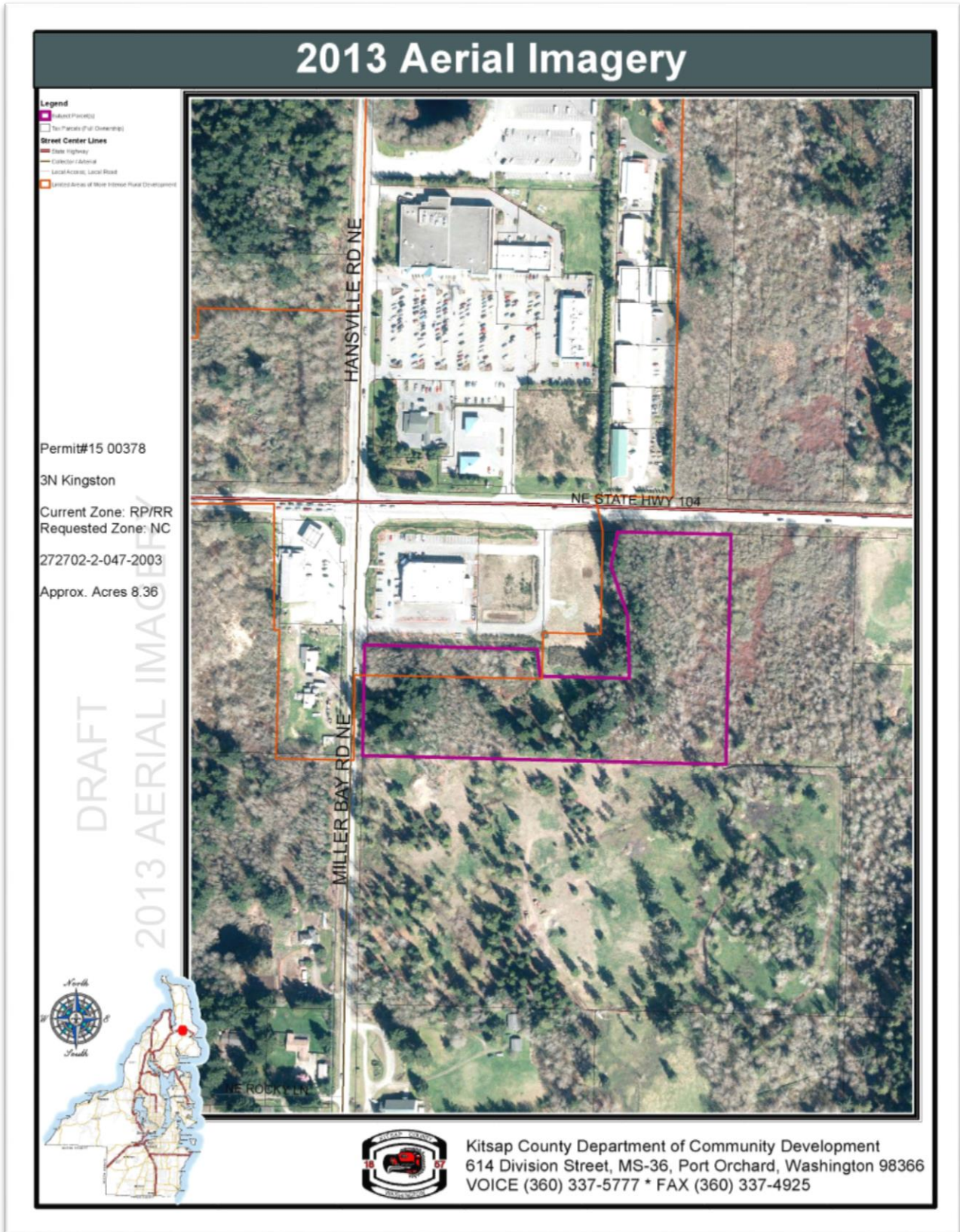
Recommendation

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

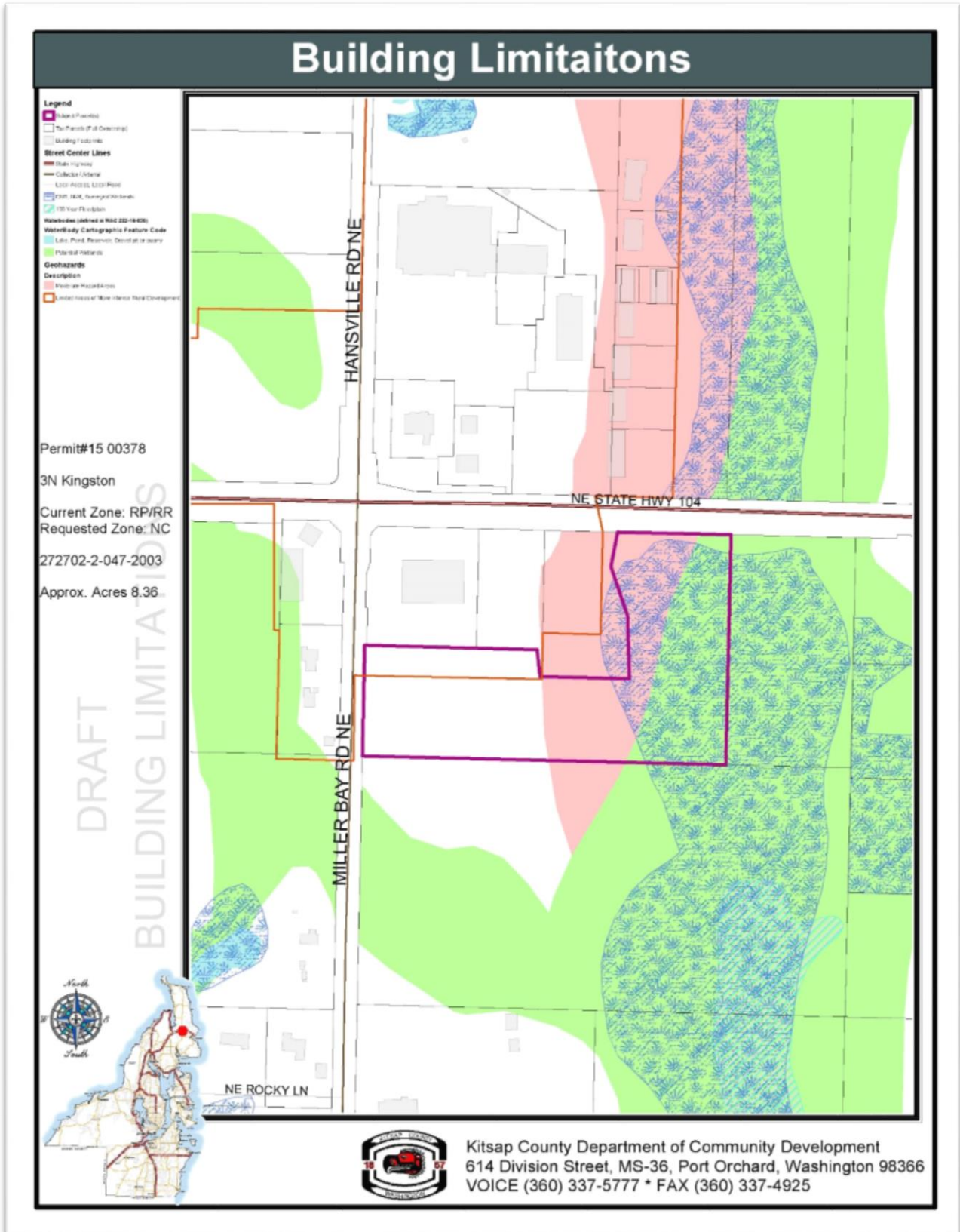
In order to be consistent with the adopted LAMIRD plan and to correct the noted split zones created by the above referenced short plat, staff recommends parcel 272702-2-047-2003 be rezoned entirely to RP and the remaining residential portion of parcel 272702-2-046-2004 be RP.

ATTACHMENTS

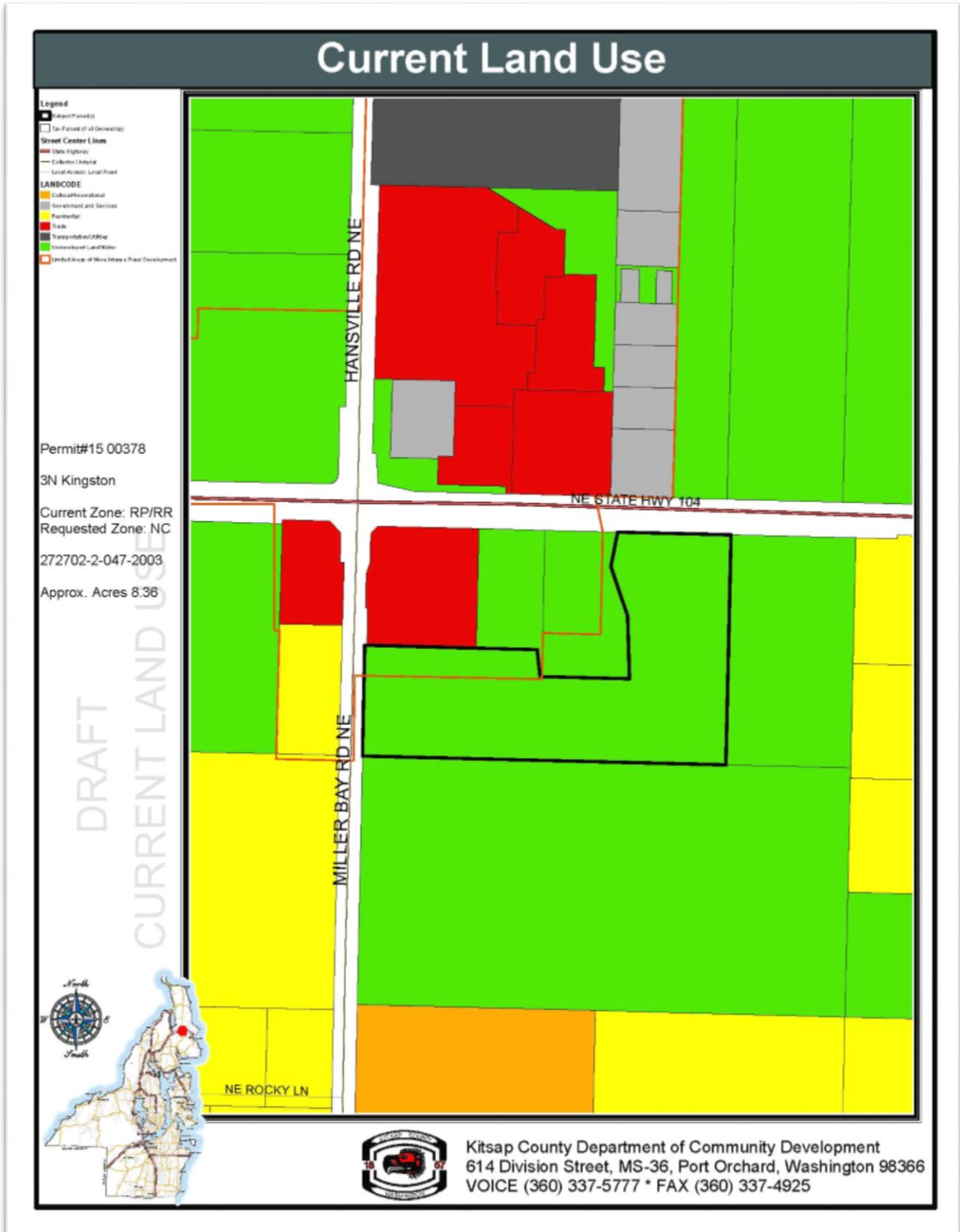
Attachment 1. Aerial Imagery



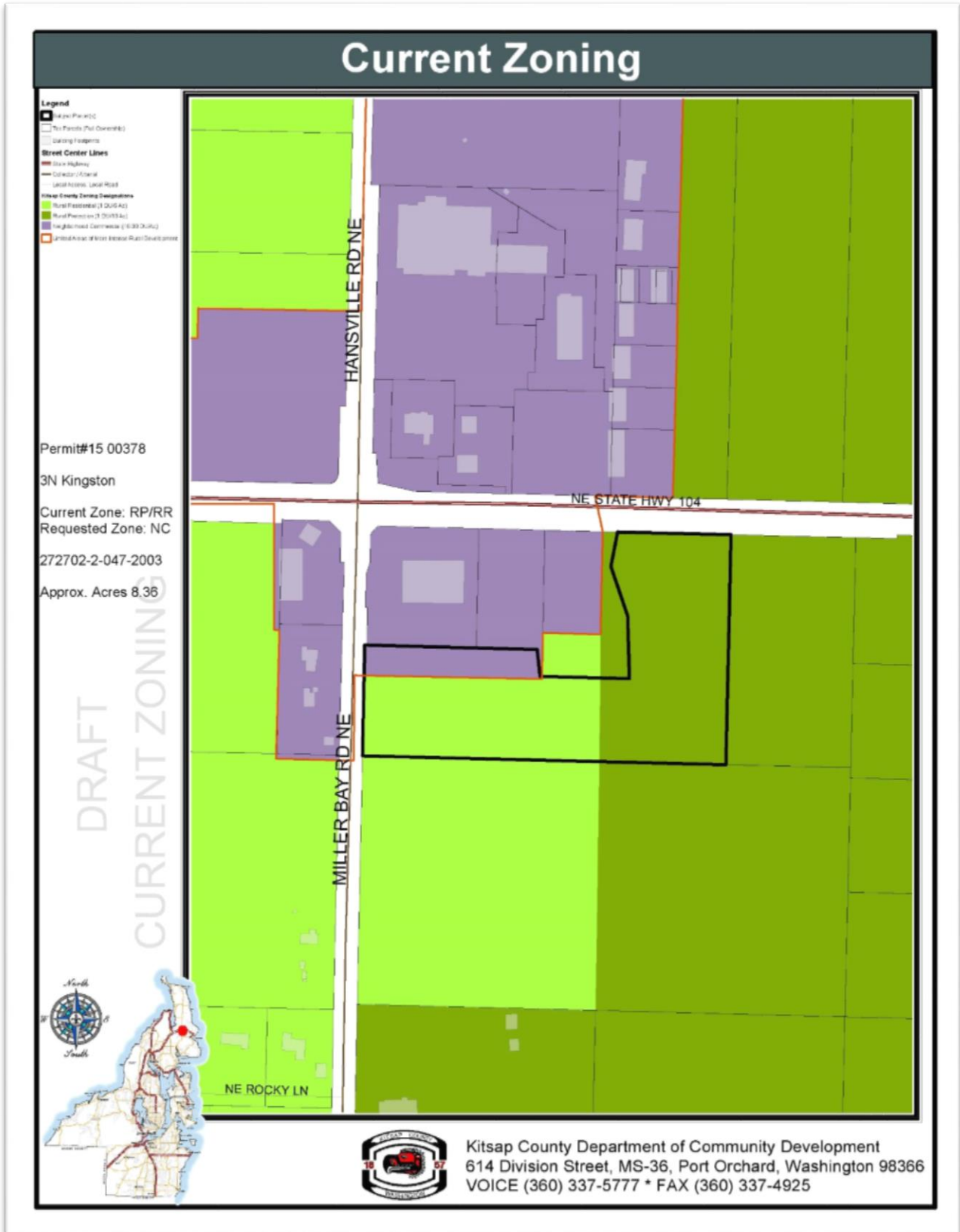
Attachment 2. Building Limitations



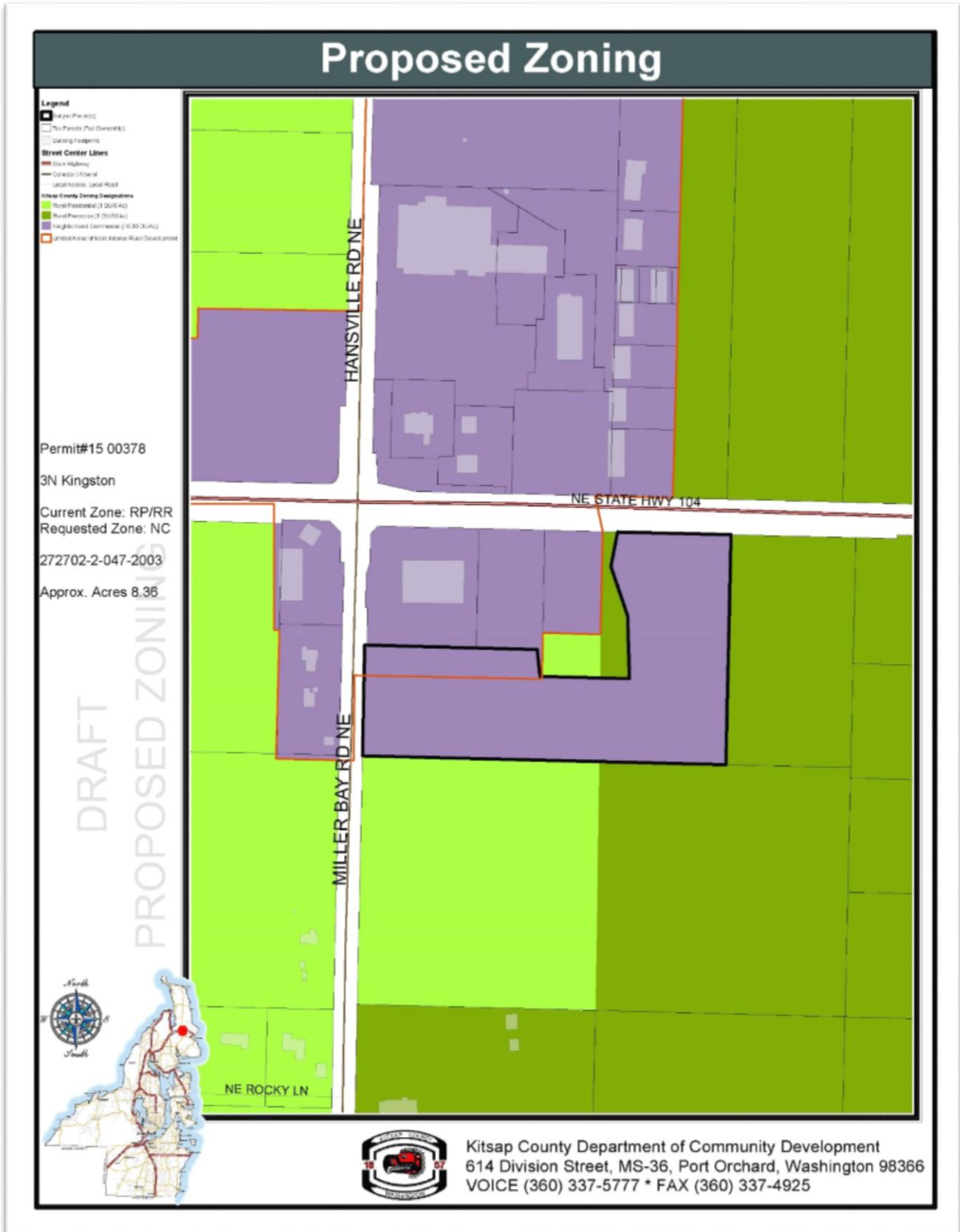
Attachment 3. Current Land Use



Attachment 4. Current Zoning



Attachment 5. Proposed Zoning



NOTE(S):

1. Aerial from Google Earth™.

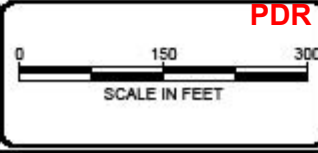
Wetland Boundary

TP-4

Test Plot Location

ATTACHMENT 2 - 19

PDR Gonzales-Harless



ECOLOGICAL LAND SERVICES, INC.
1157 3rd Ave., Suite 220
Longview, WA 98622
Phone: (360) 578-1371 Fax: (360) 414-9385

DATE: 8/13/15
DWN: JLL
REQ. BY:
PRJ. MGR: JB
CHK:
PROJECT NO:
2289.01

Figure 2
SITE MAP
Kountry Korners Delineation
Bill Broughton
Kingston, Kitsap County, WA
Section 27, Township 27N, Range 2E, W.M.



Local Access: Local Road

ATTACHMENT 2 - 20
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Cc: dward@co.kitsap.wa.us; SDiener@co.kitsap.wa.us; compplan@co.kitsap.wa.us
Subject: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Thursday, January 18, 2018 11:22:57 AM
Attachments: [2018 CPA - Summary Schedule 2018-01-16.pdf](#)

Mike,

Thanks for the call today. Again, my apologies if there were any miscommunications or misunderstandings regarding the decision making around the 2017 docket. There were a number of items under consideration for the 2017 docket and in the end the Board decided to not do an annual amendment to the Comprehensive Plan because there simply was not enough time to complete the required process in 2017. The Board immediately began developing an initial docket for 2018, which was adopted on 12/27/2018, and includes a County-sponsored amendment to review and adjust the southeast boundary of the George's Corner LAMIRD.

As promised, attached please find the summary schedule for the annual Comprehensive Plan amendment process for 2018. Please note that this schedule and the timeframes discussed below are subject to change. You can learn more about the process at our [Online Open House](#). I believe you are already receiving notifications regarding this project. If not, you can [subscribe to receive future notifications](#).

As we discussed, this is a legislative process that the County can do only once per year and includes a variety of County-sponsored amendments as well as site-specific applications. All Comprehensive Plan amendments must be processed and considered as a batch. As a result of the batching requirement and other procedural requirements in state law and County code, it will take a full year to complete the annual amendment process, with ordinance adoption planned in December 2018. As a legislative process, the Board has the discretion to approve, approve with modifications, approve with conditions, deny, or defer any amendment.

I will be preparing a proposal for the George's Corner LAMIRD boundary amendment before the end of March, which I will share with you when it is available. As part of that process, I will need to conduct a site visit and will be in touch with you about that in the near future.

In April, the Board of County Commissioners will decide whether to continue with the initial docket of amendments or may adopt a final docket, deciding which amendments will continue through the process.

Following the publication of a State Environmental Policy Act (SEPA) determination and staff report in June, there will be a public comment period (open for at least 60 days and may include open houses) as well as public hearings as the amendments are considered by the Planning Commission and then the Board of County Commissioners. You are encouraged to attend the public hearings and submit comments regarding the amendment.

The County has received comments regarding this amendment (summarized below) during the preparation of the docket, of which you should be aware. Other comments may be received as the

ATTACHMENT 2 - 21
PDR Gonzales-Harless

amendments are considered during the latter half of 2018.

- I believe you are aware there was tribal interest in the establishment of the George's Corner LAMIRD boundary, particularly regarding commercial development in rural areas and in relation to critical areas. Tribal staff have requested to be consulted during this boundary adjustment amendment. If you would like to directly contact staff at the Suquamish and Port Gamble S'Klallam tribes, I can provide you contact information.
- Another County-sponsored amendment in 2018 is a review of the Urban Village Center (UVC) zone covering downtown Kingston. We have received comments stating concern about possible expansion of the commercial development at George's Corner which could affect the planned growth within the Kingston urban growth area (UGA).

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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**ATTACHMENT 2 - 22
PDR Gonzales-Harless**

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
																Amendments are fully developed (including alternatives, if applicable)
																Individual and cumulative effects are understood
																Community input and policy deliberations lead to well-reasoned decisions
Public Milestones	CPA Docket		ID			FD										<i>(ID) Initial Docket; (FD) Final Docket</i>
	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															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															PC 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

ATTACHMENT 2 - 23
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: Automatic reply: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Thursday, January 18, 2018 8:20:29 PM

I will be out of the office on Friday, January 19th for a Department-wide staff retreat.

ATTACHMENT 2 - 24
PDR Gonzales-Harless

From: DErstad@co.kitsap.wa.us
To: bill@bbroughtonlaw.com
Subject: Commissioner Wolfe
Date: Wednesday, April 11, 2018 4:07:20 PM

Ed asked me to set up a phone or in person meeting with you regarding property at George's Corner..he could meet with you here on April 19th at 2pm if that would work for you. Please let me know but I will hold on his calendar until I hear from you. Thanks.

Deanna Erstad, Administrative Specialist
Kitsap County Board of Commissioners Office
614 Division St. MS-4
Port Orchard, WA 98366
360 337-4426
Office Hours: Mon- Fri. 8:00-4:30



ATTACHMENT 2 - 25
PDR Gonzales-Harless

From: dward@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: Comprehensive Plan Amendments
Date: Friday, July 20, 2018 3:08:24 PM

Mike,

Thanks for the conversation today.

Here is a link directly to the public comments page.

https://spf.kitsapgov.com/dcd/Pages/2018_CompPlan_Comments_page.aspx The public comments received so far are in the "View Submitted Comments Here" link about 2/3 the way down the page. Documents describing each proposed change can be reached by clicking the orange box near the top of the page.

The comments from Tuesday's Planning Commission hearing have not been entered yet, but we hope to get them done next week.

Here is a link to the Planning Commission members. Please note that Spencer Stegmann just resigned, so his seat is now vacant.

<https://spf.kitsapgov.com/dcd/PCDocs/Kitsap%20County%20Planning%20Commission%20Terms%2020180702.pdf>

I look forward to meeting you on the 31st.

Dave Ward
Planning and Environmental Programs Manager
Kitsap County, Department of Community Development
dward@co.kitsap.wa.us
360-620-3695

ATTACHMENT 2 - 26
PDR Gonzales-Harless

From: SDiener@co.kitsap.wa.us
To: rgelder@co.kitsap.wa.us; vexnot@gmail.com
Cc: jbolger@co.kitsap.wa.us; dward@co.kitsap.wa.us
Subject: Docket for George's Corner
Date: Tuesday, August 08, 2017 4:34:53 PM

Gentlemen:

We are pulling together a preliminary docket for two items, of which the realignment of zoning of the SE corner of George's Corner is one.

Moving forward, Dave Ward, Manager, Planning and Environmental Programs, will be submitting the docket for Board approval and then, presuming authorization to move forward, directing the staff for this review. Dave is Cc'd above and can also be reached at 360-337-3833.

Please let us know if there are any questions.

Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: 360-337-5777

f: 360-337-4415

kitsapgov.com/DCD

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ATTACHMENT 2 - 27
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: FW: Annual Comprehensive Plan Amendment Process for 2018
Date: Monday, December 04, 2017 4:32:19 PM

Mr. McCown,

I wanted to make sure you received the announcement below. If you did not receive this announcement directly, than I would encourage you to subscribe to receive future notifications.

You will see that the adjustment to the George's Corner LAMIRD boundary is included in the [draft docket](#). If you have comments for the Board of County Commissioners, please see below for more information.

Let me know if you have any questions.

Cheers,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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From: Kitsap County [mailto:kitsapcounty@public.govdelivery.com]
Sent: Friday, December 1, 2017 2:03 PM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Annual Comprehensive Plan Amendment Process for 2018

Annual Comprehensive Plan Amendment Process for 2018



Kitsap County Department of Community Development

Project Message #1

December 1, 2017

Comp Plan Logo Header



STAY INFORMED! [Click to subscribe](#) to receive future notifications.



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, human services, transportation, capital facilities and utilities, as well as parks and 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)

**ATTACHMENT 2 - 29
PDR Gonzales-Harless**

Dropped off at the Department of Community Development (see office location below)

[View Submitted Comments](#)

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.

CONTACT

Department of Community Development

Planning & Environmental Programs

(360) 337-5777 (Kitsap1)

compplan@co.kitsap.wa.us

Mailing Address

614 Division Street - MS36
Port Orchard, WA 98366

Office Location

619 Division Street
Port Orchard, Washington

Media Contact: Natalie Marshall



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.

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ATTACHMENT 2 - 30
PDR Gonzales-Harless

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ATTACHMENT 2 - 31
PDR Gonzales-Harless

From: [Scott Diener](mailto:Scott.Diener@co.kitsap.wa.us)
To: vexnot@gmail.com
Subject: George's Corner - Q about southern boundary
Date: Tuesday, May 23, 2017 11:10:00 AM

Mike:

You note and ask in a recent inquiry with DCD:

There was an error in transferring LAMIRD Boundary across the south end of the property from paper format to electronic format resulting in decrease NC zoning. What is the process to return the electronic copy to the original boundary?

This is not the first time the issue has been raised for discussion (it has been raised and debated a lot, since the southern boundary (below Rite-Aid) is not consistent with the zoning boundary). There was also push to move the boundary during the recent Comp Plan update, which did not materialize.

It is staff's recollection that the boundary for the zone was agreed upon in 2004 and was adopted and it was a subsequent short plat by Gary Lindsey that revised the boundary lot line to the south.

Map corrections occur when what was adopted by the Board does not match what was presented by staff (in the companion adopting ordinance) or when staff shows a zone boundary that does not match what was adopted by the Board (in the ordinance). Staff looked into this some years ago to determine there was not a conflict between what staff presented and what was adopted and the boundary explicitly matches what was approved.

However, in spite of the years of examination on this property, you have a right to demonstrate there was an error in 2004. If you have evidence that there was an error, please provide that along with a timeline associated with the 2004 approval.

I left a voicemail at 2 phone numbers. Please contact me if Qs.

Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: 360-337-5777

f: 360-337-4415

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ATTACHMENT 2 - 33
PDR Gonzales-Harless

From: [Berni Kenworthy](#)
To: [David Greetham](#)
Cc: [Katrina Knutson](#); bill@bbroughtonlaw.com; [Joanne Bartlett](#)
Subject: George's Corner Reclassification
Date: Monday, March 21, 2016 1:24:07 PM
Attachments: [16.03.21_1122_NCRElocate.pdf](#)

Hi Dave,

Some responses/comments to your questions from Friday:

- 1) I spoke with Joanne Bartlett and the 100-foot "Buffer Conversion Area" is a buffer that was established as a result of the Rite-Aid wetland fill (I have copied her in case she needs to clarify my interpretation of our conversation). It is a buffer required by the Army Corps that is established from the edge of development where the fill occurs. In this case, the edge of development was the southern boundary of the parcel, and since the parcel to the south was in common ownership, the 100-foot buffer was located on Lot D. This buffer is indicated on the face of the short plat and is required whether or not the LAMIRD boundary encompasses it or not (it looks like that's why the LAMIRD boundary was drawn in that location). In this case, the buffer overlaps Wetland A and its buffer. No matter how you slice it, development along this north boundary is encumbered by either this Buffer Conversion Area or Wetland A/buffer.
- 2) Wetland mitigation for the Rite-Aid fill was conducted across SR104 along Balmoral. The "Wetland Restoration Area" shown on the short plat east of Wetland A is not related to the Rite-Aid fill, but was required because some trees had been removed in this area and were required to be replaced (you indicated you are familiar with the violation that had occurred). The wetland mitigation has gone through the required monitoring period and has been signed off by the Army Corps. Neither the wetland mitigation at Balmoral or the restoration area onsite are subject to any additional monitoring.
- 3) The existing NC area is approximately 1 acre (see attached sketch). Because of the presence of Wetland A and the Buffer Conversion Area along the north line, I drew the proposed NC zone area (also ~1 ac) as an "L" to take advantage of the area to the south which is less encumbered by wetland/buffer. Note that in my discussions with Joanne, she indicated that by new standards, this wetland may only be subject to a 50-foot buffer – of course, a new delineation would be required to confirm. But, given this, there may be more developable area in this region than was originally foreseen with the 100-foot buffer. If the wetland boundary hasn't changed, then there is approximately +/-20K sf of developable area with a 100-foot buffer, and possibly more with buffer averaging/reduction. If the buffer is 50-feet, then there is +/-30K sf of developable area.
- 4) The relocation of the LAMIRD boundary to the new location is across the street from other LAMIRD & NC parcels and is consistent with neighboring development.
- 5) You stated that LAMIRD boundaries are typically drawn to encompass existing patterns of development and not undeveloped properties. However, the original LAMIRD boundary was drawn to include vacant land, so this relocation does not violate the original boundary assumptions.
- 6) The applicant is willing to short plat the property to create a lot for the NC zone and a second lot for the RR and RP zones.

ATTACHMENT 2 - 34
PDR Gonzales-Harless

Let me know if you have any additional questions.

Berni

BERNI KENWORTHY, PE
Civil Engineer & Principal

Voice (360) 297-5560

Fax (360) 297-7951

Email berni@team4eng.com

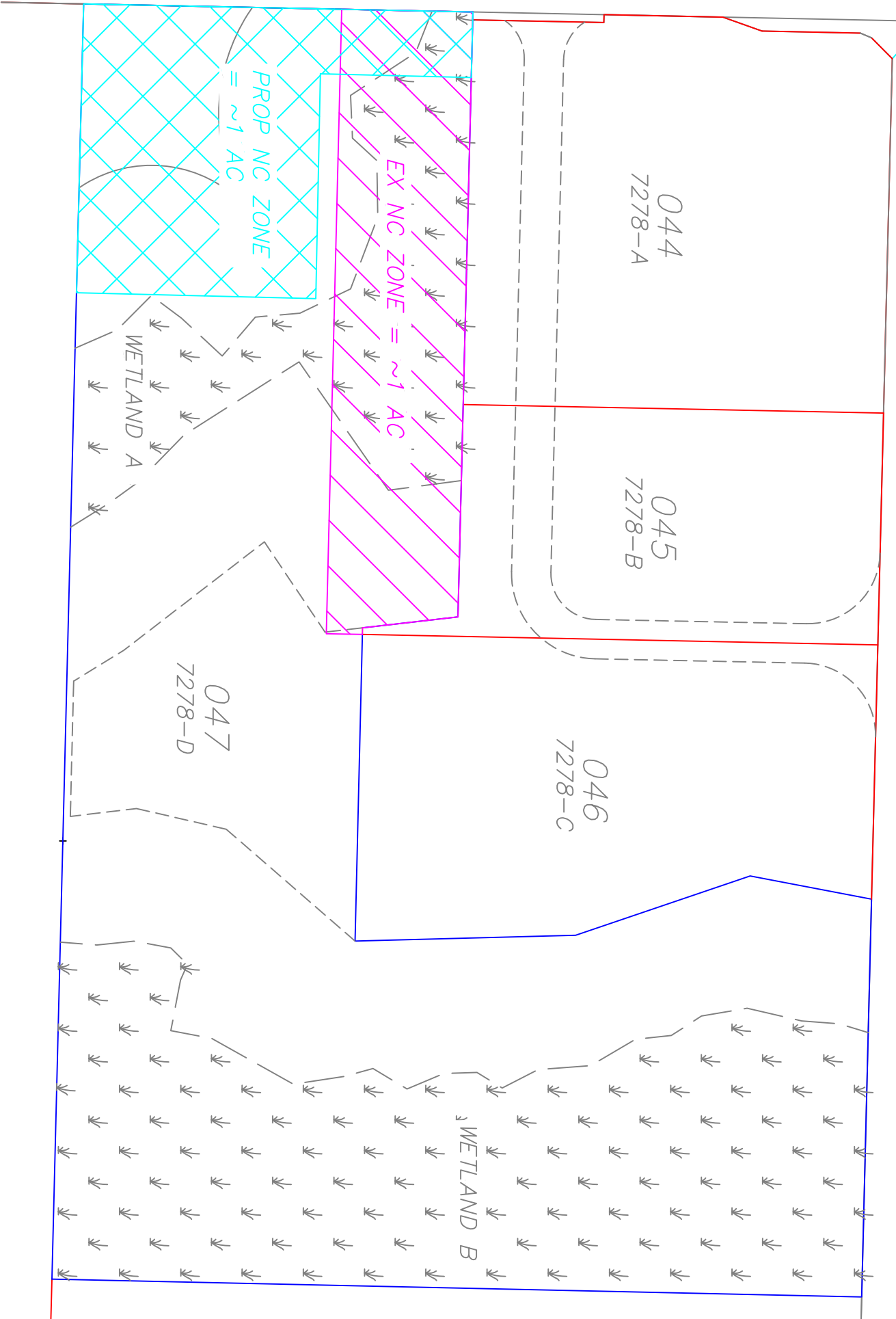
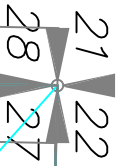


Team4 Engineering

5819 N.E. Minder Rd. Poulsbo, WA 98370

Phone (360) 297-5560 **FAX** (360) 297-7951

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ATTACHMENT 2 - 36
PDR Gonzales-Harless

From: [Constance Blackburn](#)
Subject: Kitsap County Notice - Reclassification Request Joint Hearing 3/23
Date: Wednesday, March 02, 2016 12:10:29 PM
Attachments: [image001.png](#)
[032316 Joint Reclassification Request Hearing Agenda.pdf](#)

Good Afternoon,

A joint public hearing with the Board of Commissioners and the Planning Commission will be held on Thursday, March 23, 2016 at 2pm in regards to your Kitsap County land use map Reclassification Request permit. The hearing will be held in the Commissioner's Chambers located in the County Administration Building at 619 Division Street, Port Orchard.

Applications will be considered in the order shown on the attached agenda. County staff will introduce each application briefly and then the applicant will be provided five minutes to present. Additional public testimony will be limited to three minutes per person.

If you have any questions regarding this matter the contact for this application is Katrina Knutson whom can be reached at (360) 337-5777 or kknutson@co.kitsap.wa.us.

Kind regards,

Constance V. Blackburn

[Hearing Examiner](#) | [Planning Commission](#)
[Kitsap County Department of Community Development](#)

Phone | o360-337-5777 | ext4487



ATTACHMENT 2

Gonzales-Har





KITSAP COUNTY BOARD OF COMMISSIONERS

Efficient, accessible and effective county services

SPECIAL AGENDA

JOINT HEARING WITH KITSAP COUNTY PLANNING COMMISSION

March 23, 2016 – 2:00 p.m.

*Edward E. Wolfe, Chair, District 3 – Charlotte Garrido, District 2 – Robert Gelder, District 1
Commissioners' Chambers – 619 Division Street – Port Orchard*

NOTE: (The Board of Commissioners' public meeting is audio and video taped. By signing in or speaking at this meeting, you grant your permission to be taped. Minutes of this public meeting are posted on Kitsap County's webpage www.kitsapgov.com).

DRAFT #1 ~~ SUBJECT TO CHANGE ~~ LAST UPDATE: 3/2/16 10:40 a.m.

2:00 PM) Meeting Called to Order with Pledge of Allegiance.

PUBLIC HEARINGS:

****Please note each applicant will have 5 minutes to address their application. Unless otherwise announced by the Chair of the Board, public comments addressing the applications will be given 3 minutes per person.**

- A. Public Hearing to consider testimony regarding applications for zoning map reclassification in conjunction with the Comprehensive Plan process. The requests will be heard in the following order: (Staff reports for each permit are available by clicking on the names below.)
1. [Permit Number: 15 00522 | Bremerton West Ridge](#)
 2. [Permit Number: 15 00607 | Cornerstone Alliance Church](#)
 3. [Permit Number: 15 00378 | DJM Construction](#)
 4. [Permit Number: 15 00725 | Tracyton Tavern](#)
 5. [Permit Number: 15 00657 | Gonzalez](#)
 6. [Permit Number: 15 00740 | Laurier Enterprises, Inc.](#)
 7. [Permit Number: 15 00689 | Lee](#)
 8. [Permit Number: 15 00711 | Merlinco, LLC](#)
 9. [Permit Number: 15 00703 | Port Orchard Airport](#)
 10. [Permit Number: 15 00701 | Prigger](#)
 11. [Permit Number: 15 00736 | Rodgers](#)
 12. [Permit Number: 15 00739 | Schourup LLC](#)
 13. [Permit Number: 15 00735 | Sedgwick Partners](#)
 14. [Permit Number: 15 00550 | Unlimited](#)

**ATTACHMENT 2 - 39
PDR Gonzales-Harless**

KITSAP COUNTY BOARD OF COMMISSIONERS AGENDA – March 23, 2016

This meeting will be televised on public access television BKAT (ComCast Ch.12 and Wave Broadband Ch. 3) at the following dates and times: March 25, 2016 at 12am and 10am; March 27, 2016 at 9:30pm; March 29, 2016 at 9:30pm.

Next regular Board of Commissioners public meeting will be held **March 28, 2016 at 5:30 p.m.** in the Board of Commissioners Chambers, 619 Division Street, Port Orchard, WA 98366.

NOTE: Kitsap County does not discriminate on the basis of disability. Individuals who require accommodations should contact the Commissioners Office at (360) 337-7080 or TDD (360) 337-7275 or 1-800-816-2782. (Please provide five business days notice for interpreter services).

ATTACHMENT 2 - 40
PDR Gonzales-Harless

From: [Darren Gurnee](mailto:Darren.Gurnee@co.kitsap.wa.us)
To: wpconslts@telebyte.net; RYANBUILT@comcast.net; Home2olalla@gmail.com; Mauren.wa@gmail.com; Twerner1@comcast.net; pastorjim@cornerstonealliance.org; craig@wsengineering.com; doug@mccormickwoods.com; stacey@smsaunders-law.com; david@overtonassociates.com; katielee76@outlook.com; judy@mentorcompany.com; jeff@jcmpm.com; klstorage@wavecable.com; mike@wnekeng.com; acs@rainiercapitalgroup.com; davidh@okigolf.com; terencesimons@yahoo.com; glindsey100@me.com; mark@team4eng.com; yumah19@gmail.com; bill@bbroughtonlaw.com; tracy@kitsapcountrynursery.com
Subject: Kitsap County: Reclassification Requests
Date: Tuesday, November 10, 2015 4:01:00 PM

Hello,

The staff reports for reclassification requests have been posted on the Kitsap County Comprehensive Plan website <http://compplan.kitsapgov.com>. Comments specific to the reclassification requests may be submitted as part of the draft Comprehensive Plan comment period. The comment period extends through December 7, 2015.

Sincerely,

Darren Gurnee

Kitsap County Associate Planner

619 Division Street

Port Orchard, WA 98366

dgurnee@co.kitsap.wa.us

(360) 337-5777

ATTACHMENT 2 - 41
PDR Gonzales-Harless

From: [M.M](#)
To: [Peter Best](#)
Subject: LAMIRD at Georges Corner Kingston
Date: Thursday, March 15, 2018 7:03:43 PM

Peter,

I was checking to see if we had achieved consensus that an administrative fix for the LAMIRD boundary might be possible after our meeting at the site on March 2 ?

Thanks,

Mike

ATTACHMENT 2 - 42
PDR Gonzales-Harless

From: SDiener@co.kitsap.wa.us
To: bill@bbroughtonlaw.com
Subject: Mike McCown"s proposal / George"s Corner
Date: Friday, March 23, 2018 10:09:57 AM

Bill:

Can we talk at a designated time about McCown's proposal? We presume this is about siting building 1 and setbacks. We are flexible Monday (except before 9:30 am and 11 to 12:30 pm), Tues afternoon before 2:45, and Wed 11:15 to 2 pm.

If you have thoughts that DCD has misinterpreted code, please advise us specifics beforehand. If you have an alternative, can we get a look at that in advance? This will help us prepare for our meeting.

We really tried to impress upon Mike that we can't 'bend' the code, and nor would he really want DCD staff who does that. DCD also let him know that this appears to the County to be a defensible application of code.

Regards,
Scott

ATTACHMENT 2 - 43
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Monday, February 26, 2018 2:31:48 PM

Thanks. I will send out an appointment for 11-12 on Friday 3/2.

From: M M [mailto:vexnot@gmail.com]
Sent: Monday, February 26, 2018 2:29 PM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Hello Peter,
It looks like Friday morning 3/2 would work well for me to meet you at the parcel in Kingston.
Thanks,
Mike

On 02/20/2018 9:16 AM, Peter Best wrote:

Hi, Mike.

Thanks. I should have clarified that you are not required to attend. So, let me know what date works for you or if you do not want to attend.

We routinely consult with cities, tribes, other government entities, and urban service providers regarding Comprehensive Plan amendments. Both tribes expressed interest in closely following the George's Corner LAMIRD boundary amendment and requested to participate in the site visit.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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ATTACHMENT 2 - 44
PDR Gonzales-Harless

From: M M [<mailto:vexnot@gmail.com>]
Sent: Saturday, February 17, 2018 7:42 AM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Peter,

I am checking my schedule to see what day might be best for the walk through of our property at Kingston Corners.

Can you please explain why and how other interested parties are invited to this site review?

Thanks,

Mike

On Fri, Feb 16, 2018 at 9:42 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

I am following up to schedule the site visit mentioned below. I expect the visit to take no longer than one hour. Attending would be myself, Steve Heacock (Kitsap County environmental planner), Alison O'Sullivan (Suquamish Tribe), and Roma Call (Port Gamble S'Klallam Tribe).

We are available the following times, please let me know which of these would not work for you and I will then send out an appointment.

3/1 - afternoon

3/2 - morning

3/2 - afternoon

3/5 - afternoon

3/7 - morning

3/7 - afternoon

Thanks,

Peter

From: Peter Best

Sent: Monday, January 22, 2018 9:15:22 AM

To: M M

Cc: Comp Plan

Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Hi, Mike.

ATTACHMENT 2 - 45
PDR Gonzales-Harless

I would be happy to provide you with that information.

The Board of County Commissioners reviewed the catalog of suggested amendments to the Comprehensive Plan on September 27, 2017. At this time we were still attempting to find a way to advance a few items for a 2017 docket of amendments. However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be

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like to review the 2018 docketing resolution by the end of the year.

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I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

ATTACHMENT 2 - 46
PDR Gonzales-Harless

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

[\(360\) 337-5777 x7098](tel:(360)337-5777x7098) | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]

Sent: Thursday, January 18, 2018 8:19 PM

To: Peter Best <pbest@co.kitsap.wa.us>

Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner
LAMIRD Boundary

Thank you Peter for getting this information to me.

I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

It appeared to me that the 60 day public comment period was open and the comments were received. I reviewed the comments and spoke with someone in your department about them sometime in November I believe.

And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

Could you please direct me to the September meeting you referred to where the Board decided to delay this specific amendment?

Mike

ATTACHMENT 2 - 47
PDR Gonzales-Harless

On Thu, Jan 18, 2018 at 11:22 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

Thanks for the call today. Again, my apologies if there were any miscommunications or misunderstandings regarding the decision making around the 2017 docket. There were a number of items under consideration for the 2017 docket and in the end the Board decided to not do an annual amendment to the Comprehensive Plan because there simply was not enough time to complete the required process in 2017. The Board immediately began developing an initial docket for 2018, which was adopted on 12/27/2018, and includes a County-sponsored amendment to review and adjust the southeast boundary of the George's Corner LAMIRD.

As promised, attached please find the summary schedule for the annual Comprehensive Plan amendment process for 2018. Please note that this schedule and the timeframes discussed below are subject to change. You can learn more about the process at our [Online Open House](#). I believe you are already receiving notifications regarding this project. If not, you can [subscribe to receive future notifications](#).

As we discussed, this is a legislative process that the County can do only once per year and includes a variety of County-sponsored amendments as well as site-specific applications. All Comprehensive Plan amendments must be processed and considered as a batch. As a result of the batching requirement and other procedural requirements in state law and County code, it will take a full year to complete the annual amendment process, with ordinance adoption planned in December 2018. As a legislative process, the Board has the discretion to approve, approve with modifications, approve with conditions, deny, or defer any amendment.

I will be preparing a proposal for the George's Corner LAMIRD boundary amendment before the end of March, which I will share with you when it is available. As part of that process, I will need to conduct a site visit and will be in touch with you about that in the near future.

In April, the Board of County Commissioners will decided whether to continue

ATTACHMENT 2 - 48
PDR Gonzales-Harless

with the initial docket of amendments or may adopt a final docket, deciding which amendments will continue through the process.

Following the publication of a State Environmental Policy Act (SEPA) determination and staff report in June, there will be a public comment period (open for at least 60 days and may include open houses) as well as public hearings as the amendments are considered by the Planning Commission and then the Board of County Commissioners. You are encouraged to attend the public hearings and submit comments regarding the amendment.

The County has received comments regarding this amendment (summarized below) during the preparation of the docket, of which you should be aware. Other comments may be received as the amendments are considered during the latter half of 2018.

- I believe you are aware there was tribal interest in the establishment of the George's Corner LAMIRD boundary, particularly regarding commercial development in rural areas and in relation to critical areas. Tribal staff have requested to be consulted during this boundary adjustment amendment. If you would like to directly contact staff at the Suquamish and Port Gamble S'Klallam tribes, I can provide you contact information.
- Another County-sponsored amendment in 2018 is a review of the Urban Village Center (UVC) zone covering downtown Kingston. We have received comments stating concern about possible expansion of the commercial development at George's Corner which could affect the planned growth within the Kingston urban growth area (UGA).

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

ATTACHMENT 2 - 49
PDR Gonzales-Harless

[619 Division St](#), MS 36

Port Orchard, WA 98366

[\(360\) 337-5777 x7098](tel:(360)337-5777x7098) | pbest@co.kitsap.wa.us

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ATTACHMENT 2 - 50
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Cc: compplan@co.kitsap.wa.us
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Monday, January 22, 2018 9:15:23 AM

Hi, Mike.

I would be happy to provide you with that information.

The Board of County Commissioners reviewed the catalog of suggested amendments to the Comprehensive Plan on September 27, 2017. At this time we were still attempting to find a way to advance a few items for a 2017 docket of amendments. However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be reviewing its Comprehensive Plan in 2017. All suggested amendments to the Comprehensive Plan will be reconsidered for the 2018 docket. The Board would like to review the 2018 docketing resolution by the end of the year.

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ATTACHMENT 2 - 51
PDR Gonzales-Harless

From: M M [mailto:vexnot@gmail.com]

Sent: Thursday, January 18, 2018 8:19 PM

To: Peter Best <pbest@co.kitsap.wa.us>

Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

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I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

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And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

Could you please direct me to the September meeting you referred to where the Board decided to delay this specific amendment?

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ATTACHMENT 2 - 52
PDR Gonzales-Harless

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I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
[\(360\) 337-5777 x7098](tel:3603375777x7098) | pbest@co.kitsap.wa.us

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PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Thursday, March 01, 2018 4:53:57 PM

Reminder: We will meet you tomorrow at 11.

Cheers,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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From: Peter Best
Sent: Monday, February 26, 2018 2:32 PM
To: M M <vexnot@gmail.com>
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

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ATTACHMENT 2 - 55
PDR Gonzales-Harless

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Sent: Saturday, February 17, 2018 7:42 AM
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ATTACHMENT 2 - 56
PDR Gonzales-Harless

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3/1 - afternoon
3/2 - morning
3/2 - afternoon
3/5 - afternoon
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3/7 - afternoon

Thanks,
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Cc: Comp Plan
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ATTACHMENT 2 - 57
PDR Gonzales-Harless

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Kitsap County Department of Community Development

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Sent: Thursday, January 18, 2018 8:19 PM

To: Peter Best <pbest@co.kitsap.wa.us>

ATTACHMENT 2 - 58
PDR Gonzales-Harless

Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

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ATTACHMENT 2 - 59
PDR Gonzales-Harless

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ATTACHMENT 2 - 60
PDR Gonzales-Harless

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Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

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ATTACHMENT 2 - 61
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Cc: compplan@co.kitsap.wa.us
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Tuesday, February 20, 2018 9:16:28 AM

Hi, Mike.

Thanks. I should have clarified that you are not required to attend. So, let me know what date works for you or if you do not want to attend.

We routinely consult with cities, tribes, other government entities, and urban service providers regarding Comprehensive Plan amendments. Both tribes expressed interest in closely following the George's Corner LAMIRD boundary amendment and requested to participate in the site visit.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]
Sent: Saturday, February 17, 2018 7:42 AM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Peter,
I am checking my schedule to see what day might be best for the walk through of our property at Kingston Corners.
Can you please explain why and how other interested parties are invited to this site review?
Thanks,
Mike

On Fri, Feb 16, 2018 at 9:42 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

|

ATTACHMENT 2 - 62
PDR Gonzales-Harless

Mike,

I am following up to schedule the site visit mentioned below. I expect the visit to take no longer than one hour. Attending would be myself, Steve Heacock (Kitsap County environmental planner), Alison O'Sullivan (Suquamish Tribe), and Roma Call (Port Gamble S'Klallam Tribe).

We are available the following times, please let me know which of these would not work for you and I will then send out an appointment.

3/1 - afternoon
3/2 - morning
3/2 - afternoon
3/5 - afternoon
3/7 - morning
3/7 - afternoon

Thanks,
Peter

From: Peter Best

Sent: Monday, January 22, 2018 9:15:22 AM

To: M M

Cc: Comp Plan

Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Hi, Mike.

I would be happy to provide you with that information.

The Board of County Commissioners reviewed the catalog of suggested amendments to the Comprehensive Plan on September 27, 2017. At this time we were still attempting to find a way to advance a few items for a 2017 docket of amendments. However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be reviewing its Comprehensive Plan in 2017. All suggested amendments to the Comprehensive Plan will be reconsidered for the 2018 docket. The Board would like to review the 2018 docketing resolution by the end of the year.

ATTACHMENT 2 - 63
PDR Gonzales-Harless

Staff immediately began preparing a draft initial docket resolution for the annual Comprehensive Plan amendment process for 2018 as directed by the Board. A draft was presented to the Board on November 22, 2017. The Board decided to put the draft resolution out for public comment and scheduled a public hearing on December 11, 2017. The comment period and public hearing was only regarding the docket resolution, which defines the scope of the items that will be considered during the annual Comprehensive Plan amendment process for 2018. At the public hearing, the Board decided to extend the public comment period (through 12/15/2017) and scheduled the matter for decision on December 27, 2017. The Board adopted the initial docket resolution for the 2018 annual Comprehensive Plan process on December 27, 2017.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

[\(360\) 337-5777 x7098](tel:3603375777x7098) | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]

Sent: Thursday, January 18, 2018 8:19 PM

To: Peter Best <pbest@co.kitsap.wa.us>

Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

ATTACHMENT 2 - 64
PDR Gonzales-Harless

Thank you Peter for getting this information to me.

I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

It appeared to me that the 60 day public comment period was open and the comments were received. I reviewed the comments and spoke with someone in your department about them sometime in November I believe.

And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

Could you please direct me to the September meeting you referred to where the Board decided to delay this specific amendment?

Mike

On Thu, Jan 18, 2018 at 11:22 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

Thanks for the call today. Again, my apologies if there were any miscommunications or misunderstandings regarding the decision making around the 2017 docket. There were a number of items under consideration for the 2017 docket and in the end the Board decided to not do an annual amendment to the Comprehensive Plan because there simply was not enough time to complete the required process in 2017. The Board immediately began developing an initial docket for 2018, which was adopted on 12/27/2018, and includes a County-sponsored amendment to review and adjust the southeast boundary of the George's Corner LAMIRD.

As promised, attached please find the summary schedule for the annual Comprehensive Plan amendment process for 2018. Please note that this schedule and the timeframes discussed below are subject to change. You can learn more about the process at our [Online Open House](#). I believe you are already receiving notifications regarding this project. If not, you can [subscribe to receive future notifications](#).

As we discussed, this is a legislative process that the County can do only once per year and includes a variety of County-sponsored amendments as well as site-specific applications. All

ATTACHMENT 2 - 65
PDR Gonzales-Harless

Comprehensive Plan amendments must be processed and considered as a batch. As a result of the batching requirement and other procedural requirements in state law and County code, it will take a full year to complete the annual amendment process, with ordinance adoption planned in December 2018. As a legislative process, the Board has the discretion to approve, approve with modifications, approve with conditions, deny, or defer any amendment.

I will be preparing a proposal for the George's Corner LAMIRD boundary amendment before the end of March, which I will share with you when it is available. As part of that process, I will need to conduct a site visit and will be in touch with you about that in the near future.

In April, the Board of County Commissioners will decide whether to continue with the initial docket of amendments or may adopt a final docket, deciding which amendments will continue through the process.

Following the publication of a State Environmental Policy Act (SEPA) determination and staff report in June, there will be a public comment period (open for at least 60 days and may include open houses) as well as public hearings as the amendments are considered by the Planning Commission and then the Board of County Commissioners. You are encouraged to attend the public hearings and submit comments regarding the amendment.

The County has received comments regarding this amendment (summarized below) during the preparation of the docket, of which you should be aware. Other comments may be received as the amendments are considered during the latter half of 2018.

- I believe you are aware there was tribal interest in the establishment of the George's Corner LAMIRD boundary, particularly regarding commercial development in rural areas and in relation to critical areas. Tribal staff have requested to be consulted during this boundary adjustment amendment. If you would like to directly contact staff at the Suquamish and Port Gamble S'Klallam tribes, I can provide you contact information.
- Another County-sponsored amendment in 2018 is a review of the Urban Village Center (UVC) zone covering downtown Kingston. We have received comments stating concern about possible expansion of the commercial development at George's Corner which could affect the planned growth within the Kingston urban growth area (UGA).

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

ATTACHMENT 2 - 66
PDR Gonzales-Harless

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

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ATTACHMENT 2 - 67
PDR Gonzales-Harless

From: [David Greetham](#)
To: [Berni Kenworthy](#)
Cc: [Katrina Knutson](#); bill@bbroughtonlaw.com
Subject: RE: Broughton Rezone
Date: Thursday, March 17, 2016 11:04:01 AM

Thanks Berni. I look forward to answering your questions on Friday.

Dave

From: Berni Kenworthy [mailto:berni@team4eng.com]
Sent: Thursday, March 17, 2016 10:26 AM
To: David Greetham <Dgreetha@co.kitsap.wa.us>
Cc: Katrina Knutson <KKnutson@co.kitsap.wa.us>; bill@bbroughtonlaw.com
Subject: RE: Broughton Rezone

Hi David,

Thank you for the updated staff report. Please see my mark-ups and let's discuss tomorrow. The description of the proposal has been modified according to Bill's letter, however, the remainder of the report still reflects inaccuracies (i.e., expansion of the boundary, rezone of entire parcel to NC etc.). The recommendation of denial seems to be based on the assumption that the LAMIRD would be expanded etc.

Talk to you tomorrow.

Berni

From: David Greetham [mailto:Dgreetha@co.kitsap.wa.us]
Sent: Thursday, March 17, 2016 9:01 AM
To: Berni Kenworthy <berni@team4eng.com>
Subject: RE: Broughton Rezone

Sounds good. I'll be at a meeting all afternoon but in most of the AM. My new direct number is below.

David Greetham
Planning Supervisor
Kitsap County Department of Community Development
Planning and Environmental Programs Division
360-337-4641

From: Berni Kenworthy [mailto:berni@team4eng.com]
Sent: Thursday, March 17, 2016 8:47 AM

ATTACHMENT 2 - 68
PDR Gonzales-Harless

To: David Greetham <Dgreetha@co.kitsap.wa.us>

Subject: RE: Broughton Rezone

Hi David,

I will give you a call tomorrow to discuss.

Thanks,
Berni

From: David Greetham [<mailto:Dgreetha@co.kitsap.wa.us>]

Sent: Thursday, March 17, 2016 8:27 AM

To: Berni Kenworthy <berni@team4eng.com>

Subject: RE: Broughton Rezone

Hi Berni,

I have a note for this AM to ask our admin assistant Renee Watkins send the application info.

FYI the updated staff report should be the one posted on the website; the only revision was to the applicant proposal paragraph on p.2.

Renee will send the info shortly.

Thanks,
Dave

From: Berni Kenworthy [<mailto:berni@team4eng.com>]

Sent: Thursday, March 17, 2016 8:22 AM

To: David Greetham <Dgreetha@co.kitsap.wa.us>

Subject: Broughton Rezone

Hi David,

I did not see an email come through yesterday with the updated staff report. I know today is a busy day for you, but if you have a minute it would be great if you could shoot it over.

Berni

BERNI KENWORTHY, PE
Civil Engineer & Principal

Voice (360) 297-5560

Fax (360) 297-7951

ATTACHMENT 2 - 69
PDR Gonzales-Harless



5819 N.E. Minder Rd. Poulsbo, WA 98370
Phone (360) 297-5560 FAX (360) 297-7951

Email berni@team4eng.com

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ATTACHMENT 2 - 70
PDR Gonzales-Harless

From: [Berni Kenworthy](#)
To: [David Greetham](#)
Cc: [Katrina Knutson](#); bill@broughtonlaw.com
Subject: RE: Broughton Rezone
Date: Thursday, March 17, 2016 10:27:01 AM
Attachments: [Scan0038.pdf](#)

Hi David,

Thank you for the updated staff report. Please see my mark-ups and let's discuss tomorrow. The description of the proposal has been modified according to Bill's letter, however, the remainder of the report still reflects inaccuracies (i.e., expansion of the boundary, rezone of entire parcel to NC etc.). The recommendation of denial seems to be based on the assumption that the LAMIRD would be expanded etc.

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360-337-4641

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Berni

ATTACHMENT 2 - 71
PDR Gonzales-Harless

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Sent: Thursday, March 17, 2016 8:27 AM
To: Berni Kenworthy <berni@team4eng.com>
Subject: RE: Broughton Rezone

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To: David Greetham <Dgreetha@co.kitsap.wa.us>
Subject: Broughton Rezone

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I did not see an email come through yesterday with the updated staff report. I know today is a busy day for you, but if you have a minute it would be great if you could shoot it over.

Berni

BERNI KENWORTHY, PE
Civil Engineer & Principal
Voice (360) 297-5560
Fax (360) 297-7951
Email berni@team4eng.com



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5819 N.E. Minder Rd., Poulsbo, WA 98370

Phone (360) 297-5560 FAX (360) 297-7951

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kitsap2036
Growing for a Better Tomorrow

STAFF REPORT

Permit Number: 15 00378 | DJM Construction

DATE: March 2, 2016

TO: Kitsap County Board of Commissioners; Kitsap County Planning Commission

FROM: Katrina Knutson, AICP, Senior Planner, DCD and
Jeff Arango, AICP, Senior Associate, BERK Consulting

RE: DJM Construction Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Bill Broughton, DJM Construction Co. Inc. (applicant and owner)
2. **Parcel Number:** 272702-2-047-2003
3. **Address or location information:** Near the corner of Miller Bay Rd. NE and NE State Highway 104; see Attachment 1. Commissioner District 1.
4. **Current Land Use:** Undeveloped; see Attachment 3.
5. **Current Comprehensive Plan Map Designation:** Rural Residential/Rural Protection
6. **Proposed Comprehensive Plan Map Designation:** Urban Low-Intensity Commercial/Mixed-Use
7. **Current Zoning:** Rural Residential (RR)/Rural Protection (RP) and NC; see Attachment 4.
8. **Proposed Zoning:** Same zoning, difference configuration; see Attachment 5.
9. **Lot Area / Size:** 8.36 acres
10. **Comprehensive Plan Alternatives:** Request included with Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) Alternative 3.
11. **Preferred Alternative:** The request is not included in the Preferred Alternative.

Submitted Application Materials

- Project Application
- Reclassification Request Criteria
- Environmental Checklist

- Ownership Certification

Application Request

The applicant is requesting relocation of the existing NC zoning currently situated in an isolated wetland to a similarly sized developable area fronting either SR 104 or Miller Bay Road from Rural Residential (RR) or Rural Protection (RP). This relocation will also result in the existing NC zoning returning to RR so that no new NC area is created. The applicant has indicated it will short plat the parcel with NC zoning after the amendment is approved and has offered to dedicate a 50 foot conservancy easement to the Nature Conservancy on the east boundary adjacent to the Grovers Creek wetland.

BACKGROUND

The adjacent George’s Corner LAMIRD boundary was established in 2004. After appeal and adjudication in 2004, the Washington State Growth Management Hearings Board made specific notice of the boundary, which is adjacent to the subject parcel. The Growth Board excerpt is below:

The County chose to use the physical contours of the land and the presence of wetlands to define the boundary of the LAMIRD. Consistent with .070(5)(d)(iv)(B), this is likely to result in permanent boundaries that are less subject to pressures for commercial expansion and sprawl. The wetlands and critical areas may help buffer the commercial uses from the surrounding rural lands. The County required a lot-line adjustment on the Bjarnson property to further contain the LAMIRD.

Futurewise, Harless, KCRP v. Kitsap County, CPSGMHB 04-3-0031c, Final Decision and Order (FDO) (6/28/05).

The existing LAMIRD boundary was based in part on the presence of wetlands and geologic hazards on the subject property as shown in Attachment 2. The complex of wetlands is directly associated with Grover’s Creek, an important fish-bearing stream which empties into Miller Bay. (Wetland delineation mapping attached).

As shown in maps included in this report, a Short Plat (200511300408/409) was recorded following the establishment of the LAMIRD that resulted in the creation of new lots and split-zoning. This split-zoning (RP, RR, NC) was not created by an action of the County.

Surrounding Zoning and Land Use

The site abuts NC zoning to the north and west but RR and RP to the east and south.

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

Surrounding Areas	Current Zoning	Current Land Use
North	• NC	• Trade (Commercial) and Government Services
East	• RP	• Undeveloped
South	• RR/RP	• Undeveloped
West	• NC	• Residential and Trade (Commercial)

Source: Kitsap County GIS; BERK Consulting 2015

Current Future Comprehensive Plan and Zoning Designations

1/3 NC
A

The subject property is currently designated as Rural Residential and Rural Protection on the Comprehensive Plan Map. The Comprehensive Plan describes the designations as:

- **Rural Protection (RP):** This designation is intended to allow low-density development in keeping with rural character and to protect significant environmental features, including visual, historic, and natural features; wildlife corridors; steep slopes; wetlands; streams; and adjacent critical areas. It is implemented by the RP zone.
- **Rural Residential (RR):** This designation is intended to allow low-density residential development consistent with rural character, and primarily focuses on single-family dwellings. This designation is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features, and also recognizes areas that are already committed to a pattern of smaller rural lots. The RR designation is implemented by the Rural Residential zone.

According to the Kitsap County Code (Chapter 17.305 Kitsap County Code (KCC)), the RP zone is intended to “promote low-density rural development that is consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.” This zone allows for residential, commercial, resource, and recreational uses that are compatible with rural character. The maximum density is 1 dwelling unit per 10 acres.

The RR zoning designation (Chapter 17.310 KCC) promotes “low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.” RR has a maximum density of 1 dwelling unit per 5 acres. This zone allows for residential and limited commercial, resource and recreational uses that are compatible with rural character.

Rural character is referenced in both designations and zones. Chapter 3 Rural and Resources Lands of the Comprehensive Plan has a detailed description of rural character as well as goals and policies. Some of the characteristics defining rural character include:

- Relatively undeveloped nature
- Lots 5 acres and over
- Agricultural and forest activities
- Land for wildlife and nature
- Personal open space for tranquility (enjoyment of personal property)
- Responsive public services, sense of being self-sufficient
- Wooded trail systems
- Views of the Hood Canal, Puget Sound, the Olympics and Mount Rainier
- Small businesses serving the local population
- Small, intimate communities
- Low population density
- Large forested areas
- Quiet two lane roads

Proposed Future Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed Comprehensive Plan Map Designation is Limited Area of More Intense Rural Development (LAMIRD) – Type I. The Comprehensive Plan describes the designation as follows:

- **Type I.** The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial,

industrial, residential, or mixed-use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type 1 LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of the area with respect to building size, scale, use, or intensity. Type 1 LAMIRDs must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type 1 LAMIRDs also must be bounded by a “logical outer boundary” that mirrors the limits of the pre-existing development.

The list of allowable uses differs substantially between NC and RR/RP. This relates to the intent of the NC for commercial uses and RR/RP for large lot rural residential uses.

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

Selected Uses	NC (proposed zoning)	RR/RP (current zoning)
Residential Uses		
• Single family dwelling, detached	X	X
• Mixed use development	ACUP	X
• Hotel/motel	C	X
Commercial/Business Uses		
• Financial, banking, mortgage and title institutions	P	X
• General office and management services – 4,000 to 9,999 s.f.	ACUP	X
• General retail merchandise stores – less than 4,000 s.f.	P	X
• General retail merchandise stores – 10,000 to 24,999 s.f.	C	X
• General retail merchandise stores – 25,000 s.f. or greater	X	X
• Restaurants	P	X
• Tourism facilities, including outfitter and guide facilities	X	X

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

Zoning development standards show a denser pattern of development for NC than for RR/RP. For example, mixed use development at 10-30 units per acre is allowed in the NC zone whereas single family residential development at 1 unit per 5 or 20 acres is allowed in the RR/RP zones respectively.

Exhibit 3. Selected Development Standards Comparison (KCC 17.381.040)

Density and Dimensions	NC (proposed zoning)	RR/RP (current zoning)
Base density (du/acre)	10	1 Unit/5 Acres (RR) 1 Unit/10 Acres (RP)
Maximum Density (du/acre)	30	NA
Minimum lot size (acre)	NA	NA
Lot width (feet)	NA	140
Lot depth (feet)	NA	140
Maximum height (feet)	35	35

PUBLIC COMMENTS

Three tribal and agency comments were received regarding the proposal during the SEIS public comment period. The Suquamish Tribe, Point No Point Treaty Council and the Washington Department of Fish and Wildlife do not support the proposal due to the expansion of a Type I LAMIRD and environmental constraints. The easterly portion of the subject parcel contains wetlands associated with Grovers Creek, which drains to Miller Bay where the Suquamish Tribe operates a Chinook and chum salmon hatchery. The Tribe's comment letter describes recent monitoring efforts associated with the creek and hatchery, and states concern regarding potential further degradation of Grovers Creek (including fish passage opportunity) if wetland, riparian and stormwater protection functions are not maintained throughout the Grovers Creek watershed.

EVALUATION

Site specific reclassification requests to the Comprehensive Plan must be reviewed in accordance with the criteria outlined in the Kitsap County Code (KCC) Chapter 21.08. Applicable review criteria for site specific reclassification requests are in sections KCC 21.08.070.A and KCC 21.08.070.D.

General Criteria (KCC 21.08.070.A)

A. General. For each proposed amendment to the Comprehensive Plan the review authority, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions, which demonstrate:

1. How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;

Circumstances related to the proposed amendment or the area in which the property is located have not substantially changed since adoption of the Comprehensive Plan.

2. How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated growth targets and capacity analysis is being conducted as part of the 2016 Comprehensive Plan update, but in general that process will not change the assumptions relative to the subject property and proposed amendment.

3. How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The amendment request is not in the public interest as it would expand the logical outer boundary of the existing Type I LAMIRD boundary to include an undeveloped forested property with significant environmental constraints and building limitations. See analysis under criteria 1.f below for consistency with the Comprehensive Plan.

PROPOSAL IS TO
RELOCATE, NOT EXPAND

Reclassification Request Criteria (KCC 21.08.070.D)

D. Site-Specific Amendments. In addition to the findings and conclusions in subsection (A) of this section, a proposed site-specific map amendment may be recommended for approval by the planning commission and may be approved by the board of commissioners if the following findings are made:

1. All Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

- a. The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;

The proposed amendment involves expanding a LAMIRD boundary to include an additional 8.36 acres of undeveloped property that contains wetlands and moderate geologic hazard areas. The LAMIRD area currently has water service, but not sanitary sewer. While the expansion of the LAMIRD would not significantly impact levels of service for public services overall within the County, it would expand the area that may be served by more intense public services ~~is to be served by urban services~~ and increase the area that is to be served. The area is studied cumulatively for NC in the 2016 Comprehensive Plan Update SEIS. The site is located near segments of Hansville Road NE and SR 104 with projected transportation deficiencies under Alternative 3. Increased commercial density at the proposed site would add trips beyond what was reflected in the 2036 travel demand forecasts. Therefore, the proposal would result in an impact to transportation. However, the transportation improvement projects identified to address deficiencies expected without the proposal would also be expected to address the additional impacts resulting from the proposal. Any reclassification proposal would be subject to a more specific analysis of transportation impacts and would be subject to meeting County concurrency requirements at the time of development.

Kitsap County has submitted this application to the Washington State Department of Transportation for their review and comment, as the site is located on a state highway.

- b. The proposed amendment is consistent with the balance of the goals, policies and objectives of the current Kitsap County Comprehensive Plan and reflects the local circumstances of the County;

Kitsap County Comprehensive Plan Chapter Vision

Kitsap County's Comprehensive Plan shows the relationship between chapter concepts and the comprehensive plan vision. See Exhibit 4.

Exhibit 4. County Vision for Rural and Urban Areas

Vision	Rural Chapter Relationship to Vision
<p>Rural Areas. Rural areas and communities where unique historical characters, appearances, functions, and pioneering spirits are retained and enhanced. Natural resource activities, such as forestry, agriculture, and mining continue to contribute to the rural character and economy. Rural recreation opportunities are enhanced, including equestrian facilities, trails, and others.</p>	<ul style="list-style-type: none"> Maintain low residential densities in rural areas and provides policy guidance for development standards which help to preserve the County's rural character. Foster small sustainable farms and agricultural enterprises that provide locally-grown food and fiber for Kitsap citizens.
<p>Economic Development. A stable, prosperous and diversified economy that provides living wage jobs for residents, supported by adequate land for a range of employment uses and that encourages accomplishment of local economic development goals.</p>	<ul style="list-style-type: none"> Preserve opportunities for resource-based economic activities within the County. Allow for limited commercial and industrial uses in rural areas, while preserving rural character.

NO, SAME NC ACREAGE PROPOSED

RELOCATING

NO, LIKE AREA FOR LIKE AREA

Natural Environment. Natural ecosystems – including interconnected wetlands, streams, wildlife habitat, and water quality – that are rehabilitated, protected, and enhanced and that allow for flexible and innovative development to meet environmental and growth goals. In developed areas, the growth pattern supports conservation of non-renewable energy and minimizes impacts on air quality and climate.

Provide for protection of natural ecosystems in rural areas through rural designations, through compliance with Kitsap County “Water as a Resource” Policy (Res.109-2009), and with lower levels of development and lower availability of public services.

Source: Kitsap County Comprehensive Plan (December 2012).

Expanding the Type I LAMIRD Boundary and up zoning 8.36 acres of undeveloped property with significant wetlands appears contrary to the vision statement with respect to the natural environment. The proposed action would also alter the logical outer boundary of the LAMIRD and could affect the local character which currently has a visual separation between the LAMIRD and abutting rural large lots to the east and south. While at least one Growth Management Hearing Boards has stated that the LOB for a Type I LAMIRD may conceivably be enlarged after its initial establishment, such an expansion must meet the same criteria as required for the initial establishment. *1000 Friends of Washington v. Snohomish County*, CPSGMHB Case No. 03-3-0026, (*1000 Friends II*), FDO, (June 21, 2004). There is no evidence that the addition of this property to the LAMIRD meets the criteria for establishing the initial boundary. There is no evidence that this property included pre-existing development prior to 1990. Under GMA, the purpose of establishing LAMIRDs is to limit development, adding vacant parcels at the fringes of an established LAMIRD could contravene the GMA provisions.

NO UPZONING PROPOSED

PROPOSING RELOCATION, NOT ENLARGING

NO, IF ON MILLER BAY WOULD SQUARE UP BDY AS IS IN LAMIRD TO THE WEST

Kitsap County Comprehensive Plan 2036 Goals and Policies: Chapter 3

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

3A.2.1B Limited Areas of More Intensive Rural Development

- Goal 7. Allow for the designation of LAMIRDs outside of the UGA based on existing rural residential communities or villages, areas of mixed use activity, isolated areas of small and moderate-scale commercial/industrial activity, and historic towns.
- Policy RL-25 Prohibit designating a LAMIRD adjacent to an UGA.

The subject properties are adjacent to a Type I LAMIRD, but not adjacent to a UGA. The area was evaluated as part of LAMIRD options in 2004 and the present boundary that excludes the site was established and upheld by the Growth Management Hearings Board.

- Policy RL-27 Encourage changes to zones in LAMIRDs to occur via a local community planning process. This process should incorporate local knowledge, experience and preferences to determine appropriate area-specific land uses, development standards, design guidelines, and public service needs. Specific issues that should be considered in this planning process include:

- Appropriate logical outer boundaries as required by GMA

The appropriate logical outer boundary of the existing George’s Corner LAMIRD was subject to review by the Growth Management Hearings Board in 2005 and upheld. The proposed amendment would expand the logical outer boundary to undeveloped forested land that contains wetlands and a stream corridor. Therefore, extending the appropriate logical outer boundary to include the subject property appears unjustified.

- Rural character of the subject area and surrounding area.

The subject property and surrounding area with an RR/RP designation maintain a rural character. Applying the NC designation to the subject property, which is undeveloped and contains relatively intact ecological functions would affect rural character incrementally.

- **Appropriate mix of uses, densities and intensities.**

The specific mix of uses, densities and intensities allowed in the NC zone are appropriate for properties within the LAMIRD boundary. However, as discussed above the extension of the logical outer boundary to include the subject property is not supported by GMA goals and local regulations and so, therefore, is not an appropriate mix of uses, densities and intensities.

- **Feasibility, cost and need for public services.**

The site is served with public water service, but not sanitary sewer service.

- **Significant natural constraints or features to be preserved.**

The subject property is undeveloped forested land that contains wetlands and a stream corridor, both regulated under Kitsap County Code Title 19 (Critical Areas) which responds to state requirements for local governments to protect the functions and values of critical areas and their buffers

- **Provision for a monitoring and evaluation process.**

As a condition of approval if the request is approved, the County should work with the applicant to develop a monitoring and evaluation process.

- **Benefits to the local community.**

The benefits of approving the request may include allowing greater commercial opportunities at the crossroads for the Kingston-area community; given the preference in County plans for focus growth in the Kingston UGA and other UGAs, and the environmental and rural character concerns, the benefits of expanding the George's Corner LAMIRD do not appear to outweigh the disadvantages. The applicant has not demonstrated any benefits to the local community. The subject parcel(s) is suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood. However, the subject parcel is not suitable for the requested land use designation based on environmental constraints and is inconsistent with the GMA criteria for establishing the logical outer boundary of the LAMIRD. NOT PROPOSING EXPANSION

- c. **The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning, and reflects local circumstances in the county;**

The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning and reflects local circumstances in the County.

- d. **The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;**

The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall are of the urban growth area. See criteria D.1.a.

- e. **The proposed amendment is consistent with the GMA, Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements.**

The following state and local policies and laws are applicable to the applicant's zoning amendment request.

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

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The proposed amendment is inconsistent with above GMA goal by expand the boundary of a LAMIRD to an undeveloped forested site with environmental constraints.

Growth Management Act – Designating Limited Areas of More Intense Development (RCW 36.70A.070(5)(d))

The GMA establishes the criteria for establishing the logical outer boundary for a LAMIRD in RCW 36.70A.070(5)(d)(iv) and (v):

The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

The subject property was not developed prior to July 1, 1990. Expanding the outer logical boundary on the edge of the LAMIRD to include undeveloped forested land that includes significant environmental constraints appears contrary to the criteria above. (e.g. using bodies of water, land forms and contours to define boundaries).

Kitsap County-wide Planning Policies

Element D: Rural Land Uses and Development Patterns

D-2. Preserving rural land use and development patterns:

- a. **Rural Communities are already-existing residential and commercial areas of more intensive rural development designated in the Kitsap County Comprehensive Plan under RCW 36.70A.070.5. In-fill is expected. Rural Communities should be serviced by transportation providers and other services consistent with the Levels of Service adopted by Kitsap County for roads and by Kitsap Transit for transit upon their designation as an area of more intensive rural development.**

The proposed amendment is inconsistent with the above County-wide Planning Policy because it is not part of the already developed area within the existing Type I LAMIRD and would require the extension of the logical outer boundary to include undeveloped forested land with environmental constraints.

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

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

No unmet need has been identified by the applicant. The applicant stated an intent to develop a fast-food establishment or similar type land use if the amendment request is approved.

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

The subject property is undeveloped forested land that is along the outer boundary, but outside, of the Type I LAMIRD Boundary. The proposed amendment would increase the likelihood that the subject property is developed at urban intensities that may negatively impact the rural character in the County. See the description of rural character under "Present Comprehensive Plan Designations."

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

It is likely this site would provide commercial uses at the cross roads to serve north Kitsap County. However, there are other already developed areas in the LAMIRD and in the Kingston UGA that could fill that need.

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

See Response D.1.a.

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

The site abuts other NC properties to the north and west. However, there is no exceptional or unique need to add this property in light of the logical outer boundary requirements for Type I LAMIRDs.

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

The site is constrained and would not allow for significant added commercial uses without creating potential significant environmental impacts, and there are other opportunities in the LAMIRD and Kingston UGA to add commercial uses.

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

The applicant has not demonstrated a lack of available sites. In fact there are 3 vacant lots currently within the LAMIRD, one 6.85 acres in size. The Comprehensive Plan intends to focus growth in UGAs. LAMIRDs are only provided to recognize existing development not to create added capacity for growth.

Findings of Fact

1. The applicant, Bill Broughton, submitted the application to Kitsap County on February 2, 2015.
2. The applicant seeks a Comprehensive Plan Amendment to change the Comprehensive Plan Map Designation from Rural Residential (RR) and Rural Protection (RP) to Low-Intensity Commercial/Mixed-Use. This would also entail an expansion of the Logical Outer Boundary of the George's Corner Type I LAMIRD.

RELOCATION

3. The applicant seeks a Zoning Map Amendment from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial and to extend the adjacent Type I LAMIRD boundary to include the subject property. *NO, RELOCATION OF NC*
4. The subject property is located near the corner of Miller Bay Rd. NE and NE State Highway 104.
5. The subject property is adjacent to the George's Corner Type I LAMIRD to the west and properties zoned Neighborhood Commercial (NC).
6. The subject property is currently undeveloped.
7. The subject property has environmental constraints including wetlands and a stream corridor.
8. The subject property was not developed prior to July 1, 1990.
9. The Logical Outer Boundary (LOB) of the adjacent Type I LAMIRD was reviewed and upheld by the Growth Management Hearings Board in 2005. Any change to the LOB must comport with the same criteria as the initial designation was subject to.

Conclusion of Law

The application is inconsistent with the Washington Growth Management Act, the Kitsap Countywide Planning Policies, the Kitsap County Comprehensive Plan, and other state and local regulations.

Recommendation

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 be rezoned entirely to RP and the remaining residential portion of parcel 272702-2-046-2004 be RP.

ATTACHMENTS

Attachment 1. Aerial Imagery



ATTACHMENT 2 - 84
PDR Gonzales-Harless

From: [Alison Osullivan](mailto:Alison.Osullivan)
To: [Bill Broughton](mailto:Bill.Broughton); "[David Greetham\(dgreetha@co.kitsap.wa.us\)](mailto:David.Greetham@co.kitsap.wa.us)"
Subject: RE: Broughton kingston wetlands
Date: Monday, September 28, 2015 10:54:12 AM

Bill,

Thanks for the information. What is your specific rezone request for this parcel?

Alison

From: Bill Broughton [<mailto:bill@bbroughtonlaw.com>]
Sent: Monday, September 28, 2015 9:30 AM
To: 'David Greetham (dgreetha@co.kitsap.wa.us)'
Cc: Alison Osullivan
Subject: FW: Broughton kingston wetlands

Hi Dave

Here is the surveyed wetland boundary and buffer.

With buffer reduction, averaging and mitigation there should be potential for a small site on Hwy 104.

I have reached out to Alison and am waiting for her feedback.

I will send the report from Joanne this week.

Thanks

Bill

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
Fax - (360) 692-4987
bill@bbroughtonlaw.com

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From: John Kieffer [<mailto:johnk@map-limited.com>]
Sent: Monday, September 28, 2015 9:05 AM
To: Bill Broughton
Subject: Broughton kingston wetlands

Bill,

Here's a PDF of the wetland locates I sent to Joanne on 09-23-2015.

John D. Kieffer, PLS, Principal

MAP, Ltd.

PO Box 720 (Mailing)
11309 Clear Creek Rd NW (Street)
Silverdale, WA 98383
360-692-5525 x-20 Office
johnk@map-limited.com
www.map-limited.com



ATTACHMENT 2 - 86
PDR Gonzales-Harless

From: [Deanna Erstad](mailto:Deanna.Erstad@co.kitsap.wa.us)
To: "M M"
Subject: RE: Commissioner Gelder Meeting Request
Date: Wednesday, June 14, 2017 9:22:47 AM

Mike, I just left you a message.....they would like to meet at George's Corner at the site.....will that work for you on July 6th?

From: M M [mailto:vexnot@gmail.com]
Sent: Monday, June 12, 2017 12:52 PM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: RE: Commissioner Gelder Meeting Request

Thanks I will be out of town the 22nd and 29th of June and I look forward to hearing from you about another date.

Mike

On Jun 12, 2017 11:57 AM, "Deanna Erstad" <DErstad@co.kitsap.wa.us> wrote:

Mike, I'm sorry but he is not available this week. I have you on my list to schedule a meeting, but it may be out a couple of weeks. I will try to schedule you on a Thursday when he will be in his Kingston office so you won't have to travel all the way to Port Orchard.

-----Original Message-----

From: M M [mailto:vexnot@gmail.com]
Sent: Monday, June 12, 2017 10:52 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Commissioner Gelder Meeting Request

Deanna,

I would like to schedule a meeting with Commissioner Gelder to discuss an issue with a property located at :

8229 NE STATE HWY 104 KINGSTON WA 98346

Account # 272702-2-046-2004

The property currently has 3 zoning designations on the one parcel and I am hoping that Comm. Gelder will help me look at getting this cleared up.

I am available all day Thursday June 15 and wondered if there was a time that might work otherwise I look forward to hearing from you with possibilities.

Thanks,

Mike McCown

ATTACHMENT 2 - 88
PDR Gonzales-Harless

From: [Deanna Erstad](mailto:Deanna.Erstad@co.kitsap.wa.us)
To: "M M"
Subject: RE: Commissioner Gelder Meeting Request
Date: Thursday, June 22, 2017 8:13:56 AM

Scott will be joining you.

From: M M [mailto:vexnot@gmail.com]
Sent: Friday, June 16, 2017 1:23 PM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Re: Commissioner Gelder Meeting Request

Its on my calendar. Are Scott and Cindy planning to join us at that meeting?
Mike

On Wed, Jun 14, 2017 at 10:26 AM, Deanna Erstad <DErstad@co.kitsap.wa.us> wrote:

I put it on for 9 am like you suggested....

From: M M [mailto:vexnot@gmail.com]
Sent: Wednesday, June 14, 2017 9:51 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Re: Commissioner Gelder Meeting Request

That sounds good. How about meeting at the Starbucks next door? And how early on July 6?
Mike

On 06/14/2017 9:22 AM, Deanna Erstad wrote:

Mike, I just left you a message.....they would like to meet at George's Corner at the site.....will that work for you on July 6th?

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ATTACHMENT 2 - 89
PDR Gonzales-Harless

won't have to travel all the way to Port Orchard.

-----Original Message-----

From: M M [mailto:vexnot@gmail.com]

Sent: Monday, June 12, 2017 10:52 AM

To: Deanna Erstad <DErstad@co.kitsap.wa.us>

Subject: Commissioner Gelder Meeting Request

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8229 NE STATE HWY 104 KINGSTON WA 98346

Account # 272702-2-046-2004

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I am available all day Thursday June 15 and wondered if there was a time that might work otherwise I look forward to hearing from you with possibilities.

Thanks,

Mike McCown

ATTACHMENT 2 - 90
PDR Gonzales-Harless

From: [Deanna Erstad](mailto:Deanna.Erstad@co.kitsap.wa.us)
To: "M M"
Subject: RE: Commissioner Gelder Meeting Request
Date: Wednesday, June 14, 2017 10:25:53 AM

They suggested the Starbucks next to Rite Aid...I assume that is the one you are talking about also?

From: M M [mailto:vexnot@gmail.com]
Sent: Wednesday, June 14, 2017 9:51 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Re: Commissioner Gelder Meeting Request

That sounds good. How about meeting at the Starbucks next door? And how early on July 6?
Mike

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ATTACHMENT 2 - 91
PDR Gonzales-Harless

8229 NE STATE HWY 104 KINGSTON WA 98346

Account # 272702-2-046-2004

The property currently has 3 zoning designations on the one parcel and I am hoping that Comm. Gelder will help me look at getting this cleared up.

I am available all day Thursday June 15 and wondered if there was a time that might work otherwise I look forward to hearing from you with possibilities.

Thanks,

Mike McCown

ATTACHMENT 2 - 92
PDR Gonzales-Harless

From: [Deanna Erstad](mailto:Deanna.Erstad@co.kitsap.wa.us)
To: "M M"
Subject: RE: Commissioner Gelder Meeting Request
Date: Wednesday, June 14, 2017 10:26:21 AM

I put it on for 9 am like you suggested....

From: M M [mailto:vexnot@gmail.com]
Sent: Wednesday, June 14, 2017 9:51 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Re: Commissioner Gelder Meeting Request

That sounds good. How about meeting at the Starbucks next door? And how early on July 6?
Mike

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Sent: Monday, June 12, 2017 12:52 PM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: RE: Commissioner Gelder Meeting Request

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Mike

On Jun 12, 2017 11:57 AM, "Deanna Erstad" <DErstad@co.kitsap.wa.us> wrote:

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-----Original Message-----

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Sent: Monday, June 12, 2017 10:52 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Commissioner Gelder Meeting Request

Deanna,

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8229 NE STATE HWY 104 KINGSTON WA 98346

ATTACHMENT 2 - 93
PDR Gonzales-Harless

Account # 272702-2-046-2004

The property currently has 3 zoning designations on the one parcel and I am hoping that Comm. Gelder will help me look at getting this cleared up.

I am available all day Thursday June 15 and wondered if there was a time that might work otherwise I look forward to hearing from you with possibilities.

Thanks,

Mike McCown

ATTACHMENT 2 - 94
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [Deanna Erstad](#)
Subject: RE: Commissioner Wolfe
Date: Thursday, April 12, 2018 10:05:22 AM

Hi Deanna

I am out next week.

I have a meeting with him May 8 on another matter.

We could discuss after the meeting?

Thanks to both of you.

Bill

From: Deanna Erstad [mailto:DErstad@co.kitsap.wa.us]
Sent: Wednesday, April 11, 2018 4:07 PM
To: Bill Broughton
Subject: Commissioner Wolfe

Ed asked me to set up a phone or in person meeting with you regarding property at George's Corner..he could meet with you here on April 19th at 2pm if that would work for you. Please let me know but I will hold on his calendar until I hear from you. Thanks.

*Deanna Erstad, Administrative Specialist
Kitsap County Board of Commissioners Office
614 Division St. MS-4
Port Orchard, WA 98366
360 337-4426
Office Hours: Mon- Fri. 8:00-4:30*



ATTACHMENT 2 - 95
PDR Gonzales-Harless

From: DErstad@co.kitsap.wa.us
To: bill@bbroughtonlaw.com
Subject: RE: Commissioner Wolfe
Date: Thursday, April 12, 2018 10:33:29 AM

Great, we will see you then...here in our office in Port Orchard.

*Deanna Erstad, Administrative Specialist
Kitsap County Board of Commissioners Office
614 Division St. MS-4
Port Orchard, WA 98366
360 337-4426
Office Hours: Mon- Fri. 8:00-4:30*



From: Bill Broughton <bill@bbroughtonlaw.com>
Sent: Thursday, April 12, 2018 10:04 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: RE: Commissioner Wolfe

Hi Deanna
I am out next week.
I have a meeting with him May 8 on another matter.
We could discuss after the meeting?
Thanks to both of you.
Bill

From: Deanna Erstad [<mailto:DErstad@co.kitsap.wa.us>]
Sent: Wednesday, April 11, 2018 4:07 PM
To: Bill Broughton
Subject: Commissioner Wolfe

Ed asked me to set up a phone or in person meeting with you regarding property at George's Corner..he could meet with you here on April 19th at 2pm if that would work for you. Please let me know but I will hold on his calendar until I hear from you. Thanks.

Deanna Erstad, Administrative Specialist

ATTACHMENT 2 - 96
PDR Gonzales-Harless

Kitsap County Board of Commissioners Office
614 Division St. MS-4
Port Orchard, WA 98366
360 337-4426
Office Hours: Mon- Fri. 8:00-4:30



ATTACHMENT 2 - 97
PDR Gonzales-Harless

From: dward@co.kitsap.wa.us
To: SDiener@co.kitsap.wa.us; rgelder@co.kitsap.wa.us; vexnot@gmail.com
Cc: jbolger@co.kitsap.wa.us
Subject: RE: Docket for George's Corner
Date: Tuesday, August 08, 2017 4:39:39 PM

One minor correction: My phone is 360-620-3695.

Dave Ward
Planning and Environmental Programs Manager
Kitsap County, Department of Community Development
dward@co.kitsap.wa.us
360-620-3695

From: Scott Diener
Sent: Tuesday, August 08, 2017 4:35 PM
To: Robert Gelder <rgelder@co.kitsap.wa.us>; 'M M' <vexnot@gmail.com>
Cc: Jim Bolger <jbolger@co.kitsap.wa.us>; Dave Ward <dward@co.kitsap.wa.us>
Subject: Docket for George's Corner

Gentlemen:

We are pulling together a preliminary docket for two items, of which the realignment of zoning of the SE corner of George's Corner is one.

Moving forward, Dave Ward, Manager, Planning and Environmental Programs, will be submitting the docket for Board approval and then, presuming authorization to move forward, directing the staff for this review. Dave is Cc'd above and can also be reached at 360-337-3833.

Please let us know if there are any questions.

Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: 360-337-5777

f: 360-337-4415

ATTACHMENT 2 - 98
PDR Gonzales-Harless

kitsapgov.com/DCD

Please note: *All incoming and outgoing email messages are public records subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.*

ATTACHMENT 2 - 99
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Subject: RE: FW: Annual Comprehensive Plan Amendment Process for 2018
Date: Thursday, December 14, 2017 3:24:54 PM

Mike,

The comment period has been extended to Friday, December 15, 2017 (5 PM).

With regards to the George's Corner, there was no verbal testimony made at the public hearing. There was one online comment submitted - [View Submitted Comments](#)

County staff had a meeting with tribal staff last week and they were interested in following the George's Corner matter.

Once the comment period ends this Friday, the Commissioners are schedule to make a decision on the docket resolution during their work study meeting on December 27, 2017.

You can subscribe to future notifications on the Comprehensive Plan process [here](#). This is the best way to ensure you stay informed.

I hope this information is helpful. Please let me know if you have any additional questions.

Cheers,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]
Sent: Thursday, December 14, 2017 1:11 PM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: FW: Annual Comprehensive Plan Amendment Process for 2018

Peter,
Thanks for the info. about the comp plan admendments. Unfortunately I did not see it until today so I missed the hearing.
Could you tell me if there was any significant opposition and if so is there a recording of the hearing ?
If no opposition what is the current timeline for the process?
Thanks,
Mike McCown

On Mon, Dec 4, 2017 at 4:32 PM, Peter Best <pbest@co.kitsap.wa.us> wrote:

|

**ATTACHMENT 2 - 100
PDR Gonzales-Harless**

Mr. McCown,

I wanted to make sure you received the announcement below. If you did not receive this announcement directly, than I would encourage you to subscribe to receive future notifications.

You will see that the adjustment to the George's Corner LAMIRD boundary is included in the [draft docket](#). If you have comments for the Board of County Commissioners, please see below for more information.

Let me know if you have any questions.

Cheers,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
[619 Division St](#), MS 36
Port Orchard, WA 98366
[360\) 337-5777 x7098](tel:3603375777) | pbest@co.kitsap.wa.us

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From: Kitsap County [mailto:kitsapcounty@public.govdelivery.com]

Sent: Friday, December 1, 2017 2:03 PM

To: Peter Best <pbest@co.kitsap.wa.us>

Subject: Annual Comprehensive Plan Amendment Process for 2018

Annual Comprehensive Plan Amendment Process for 2018



Kitsap County Department of Community Development

Project Message #1

December 1, 2017

Comp Plan Logo Header





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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, human services, transportation, capital facilities and utilities, as well as parks and 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)

[View Submitted Comments](#)

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?

**ATTACHMENT 2 - 102
PDR Gonzales-Harless**

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.

CONTACT

Department of Community Development

Planning & Environmental Programs

[\(360\) 337-5777](tel:3603375777) (Kitsap1)

compplan@co.kitsap.wa.us

Mailing Address

[614 Division Street](#) - MS36
Port Orchard, WA 98366

Office Location

[619 Division Street](#)
Port Orchard, Washington

Media Contact: Natalie Marshall



KITSAP COUNTY

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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.

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ATTACHMENT 2 - 103
PDR Gonzales-Harless

From: [Scott Diener](#)
To: [M.M](#)
Cc: [Cindy Read](#)
Subject: RE: George's Corner - Q about southern boundary
Date: Thursday, May 25, 2017 3:11:00 PM

Mark:

The process is to look at what was in front of the Board in 2004 for approval and then to see if what they adopted was factually different. Essentially this would be looking at what was adopted for the mapping equivalent of a scrivener's error. That is the only way a map correction can be initiated.

We have looked at this over and over through the years (contact Bill Broughton for his knowledge as well; we recall he defended the (current) designation when it was initially appealed) and again through the 2016 Comp Plan. I personally have looked at this beginning several years ago and did not find the mapping error that folk want to believe exists.

We have a 3-ring binder that you can look at that shows how the Board came to its decision in 2004. FYI, Gary Lindsey's short plat was approved in 2005, after George's Corner was designated, appealed by interested parties (appeal lost) and finalized.

We will see you at 9 AM.

Regards,
Scott

From: M M [mailto:vexnot@gmail.com]
Sent: Thursday, May 25, 2017 1:41 PM
To: Scott Diener <SDiener@co.kitsap.wa.us>
Subject: RE: George's Corner - Q about southern boundary

Scott

My question originally was what the process is to have the boundary reviewed. I am still waiting for the documents from the Gary Lindsey after he confirmed to me that this piece was zoned the way my paperwork shows during the original binding site plan for Rite Aid.

Can you pull that site plan and review that with me tomorrow at 9 ?

Thanks
Mike

On May 25, 2017 1:26 PM, "Scott Diener" <SDiener@co.kitsap.wa.us> wrote:

Mike:

Friday works. What time? So that I can be better prepared, do you have anything that I can review prior to our meeting that would support your belief in an error being made in 2004?

ATTACHMENT 2 - 104
PDR Gonzales-Harless

Regards,
Scott

From: M M [mailto:vexnot@gmail.com]
Sent: Wednesday, May 24, 2017 12:33 PM
To: Scott Diener <SDiener@co.kitsap.wa.us>
Subject: Re: George's Corner - Q about southern boundary

Scott,
Are you available tomorrow afternoon or anytime Friday to sit down with me to review this issue?
Thanks
Mike McCown

On May 23, 2017 11:10 AM, "Scott Diener" <SDiener@co.kitsap.wa.us> wrote:

Mike:

You note and ask in a recent inquiry with DCD:

There was an error in transferring LAMIRD Boundary across the south end of the property from paper format to electronic format resulting in decrease NC zoning. What is the process to return the electronic copy to the original boundary?

This is not the first time the issue has been raised for discussion (it has been raised and debated a lot, since the southern boundary (below Rite-Aid) is not consistent with the zoning boundary). There was also push to move the boundary during the recent Comp Plan update, which did not materialize.

It is staff's recollection that the boundary for the zone was agreed upon in 2004 and was adopted and it was a subsequent short plat by Gary Lindsey that revised the boundary lot line to the south.

Map corrections occur when what was adopted by the Board does not match what was presented by staff (in the companion adopting ordinance) or when staff shows a zone boundary that does not match what was adopted by the Board (in the ordinance). Staff looked into this some years ago to determine there was not a conflict between what staff presented and what was adopted and the boundary explicitly matches what was approved.

However, in spite of the years of examination on this property, you have a right to demonstrate there was an error in 2004. If you have evidence that there was an error, please provide that along with a timeline associated with the 2004 approval.

I left a voicemail at 2 phone numbers. Please contact me if Qs.

Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

ATTACHMENT 2 - 105
PDR Gonzales-Harless

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: [360-337-5777](tel:360-337-5777)

f: [360-337-4415](tel:360-337-4415)

kitsapgov.com/DCD

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ATTACHMENT 2 - 106
PDR Gonzales-Harless

From: [M.M](#)
To: [Scott Diener](#)
Subject: RE: George's Corner - Q about southern boundary
Date: Thursday, May 25, 2017 1:41:32 PM

Scott

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ATTACHMENT 2 - 107
PDR Gonzales-Harless

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Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development

Kitsap County

614 Division St, MS-36

Port Orchard, WA 98366

ATTACHMENT 2 - 108
PDR Gonzales-Harless

sdiener@co.kitsap.wa.us

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f: [360-337-4415](tel:360-337-4415)

kitsapgov.com/DCD

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ATTACHMENT 2 - 109
PDR Gonzales-Harless

From: [Scott Diener](#)
To: [M.M](#)
Cc: [Cindy Read](#)
Subject: RE: George's Corner - Q about southern boundary
Date: Thursday, May 25, 2017 3:11:00 PM

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ATTACHMENT 2 - 110
PDR Gonzales-Harless

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Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

ATTACHMENT 2 - 111
PDR Gonzales-Harless

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

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ATTACHMENT 2 - 112
PDR Gonzales-Harless

From: [Scott Diener](#)
To: [M M](#)
Subject: RE: George's Corner - Q about southern boundary
Date: Thursday, May 25, 2017 1:26:00 PM

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ATTACHMENT 2 - 113
PDR Gonzales-Harless

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Scott Diener
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ATTACHMENT 2 - 114
PDR Gonzales-Harless

From: [David Greetham](mailto:David.Greetham@co.kitsap.wa.us)
To: [Berni Kenworthy](mailto:Berni.Kenworthy@team4eng.com)
Cc: [Katrina Knutson](mailto:Katrina.Knutson@co.kitsap.wa.us); bill@bbroughtonlaw.com; [Joanne Bartlett](mailto:Joanne.Bartlett@eco-land.com)
Subject: RE: George's Corner Reclassification
Date: Monday, March 21, 2016 2:14:57 PM

Berni,

Thanks very much for the supplemental information; this is very helpful.

See you at the hearing on Weds. I'll touch base sooner if there's any new information on the County's end prior to the hearing.

Dave

David Greetham

Planning Supervisor
Kitsap County Department of Community Development
Planning and Environmental Programs Division
360-337-4641

From: Berni Kenworthy [mailto:berni@team4eng.com]
Sent: Monday, March 21, 2016 1:24 PM
To: David Greetham <Dgreetha@co.kitsap.wa.us>
Cc: Katrina Knutson <KKnutson@co.kitsap.wa.us>; bill@bbroughtonlaw.com; [Joanne Bartlett](mailto:Joanne.Bartlett@eco-land.com)
<Joanne@eco-land.com>
Subject: George's Corner Reclassification

Hi Dave,

Some responses/comments to your questions from Friday:

- 1) I spoke with Joanne Bartlett and the 100-foot "Buffer Conversion Area" is a buffer that was established as a result of the Rite-Aid wetland fill (I have copied her in case she needs to clarify my interpretation of our conversation). It is a buffer required by the Army Corps that is established from the edge of development where the fill occurs. In this case, the edge of development was the southern boundary of the parcel, and since the parcel to the south was in common ownership, the 100-foot buffer was located on Lot D. This buffer is indicated on the face of the short plat and is required whether or not the LAMIRD boundary encompasses it or not (it looks like that's why the LAMIRD boundary was drawn in that location). In this case, the buffer overlaps Wetland A and its buffer. No matter how you slice it, development along this north boundary is encumbered by either this Buffer Conversion Area or Wetland A/buffer.
- 2) Wetland mitigation for the Rite-Aid fill was conducted across SR104 along Balmoral. The "Wetland Restoration Area" shown on the short plat east of Wetland A is not related to the Rite-Aid fill, but was required because some trees had been removed in this area and were

ATTACHMENT 2 - 115
PDR Gonzales-Harless

required to be replaced (you indicated you are familiar with the violation that had occurred). The wetland mitigation has gone through the required monitoring period and has been signed off by the Army Corps. Neither the wetland mitigation at Balmoral or the restoration area onsite are subject to any additional monitoring.

- 3) The existing NC area is approximately 1 acre (see attached sketch). Because of the presence of Wetland A and the Buffer Conversion Area along the north line, I drew the proposed NC zone area (also ~1 ac) as an "L" to take advantage of the area to the south which is less encumbered by wetland/buffer. Note that in my discussions with Joanne, she indicated that by new standards, this wetland may only be subject to a 50-foot buffer – of course, a new delineation would be required to confirm. But, given this, there may be more developable area in this region than was originally foreseen with the 100-foot buffer. If the wetland boundary hasn't changed, then there is approximately +/-20K sf of developable area with a 100-foot buffer, and possibly more with buffer averaging/reduction. If the buffer is 50-feet, then there is +/-30K sf of developable area.
- 4) The relocation of the LAMIRD boundary to the new location is across the street from other LAMIRD & NC parcels and is consistent with neighboring development.
- 5) You stated that LAMIRD boundaries are typically drawn to encompass existing patterns of development and not undeveloped properties. However, the original LAMIRD boundary was drawn to include vacant land, so this relocation does not violate the original boundary assumptions.
- 6) The applicant is willing to short plat the property to create a lot for the NC zone and a second lot for the RR and RP zones.

Let me know if you have any additional questions.

Berni

BERNI KENWORTHY, PE
Civil Engineer & Principal

Voice (360) 297-5560

Fax (360) 297-7951

Email berni@team4eng.com



Team4 Engineering

5819 N.E. Minder Rd. Poulsbo, WA 98370

Phone (360) 297-5560 FAX (360) 297-7951

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ATTACHMENT 2 - 116
PDR Gonzales-Harless

From: [Constance Blackburn](#)
To: [Bill Broughton](#)
Cc: [David Greetham](#)
Subject: RE: Kitsap County Notice - Reclassification Request Joint Hearing 3/23
Date: Wednesday, March 02, 2016 12:30:08 PM
Attachments: [image001.png](#)
[DJMConstruction_1500378_Reclass_030116_knk_sek_revisions.pdf](#)

Mr. Broughton,

Please see the attached staff report for DJM Construction, as you requested. These should be updated online very shortly.

I also just spoke to David Greetham in passing and he will be returning your call shortly.

Kind regards,

Constance V. Blackburn

[Hearing Examiner](#) | [Planning Commission](#)
[Kitsap County Department of Community Development](#)
Phone | o360-337-5777 | ext4487



From: Bill Broughton [mailto:bill@bbroughtonlaw.com]
Sent: Wednesday, March 02, 2016 12:27 PM
To: Constance Blackburn <cblackburn@co.kitsap.wa.us>
Subject: RE: Kitsap County Notice - Reclassification Request Joint Hearing 3/23

Hi Constance
Please send me the revised staff report when it is available.
Thanks

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
Fax - (360) 692-4987
bill@bbroughtonlaw.com

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ATTACHMENT 2 - 117
PDR Gonzales-Harless

From: Constance Blackburn [<mailto:cblackburn@co.kitsap.wa.us>]
Sent: Wednesday, March 2, 2016 12:10 PM
Subject: Kitsap County Notice - Reclassification Request Joint Hearing 3/23

Good Afternoon,

A joint public hearing with the Board of Commissioners and the Planning Commission will be held on Thursday, March 23, 2016 at 2pm in regards to your Kitsap County land use map Reclassification Request permit. The hearing will be held in the Commissioner's Chambers located in the County Administration Building at 619 Division Street, Port Orchard.

Applications will be considered in the order shown on the attached agenda. County staff will introduce each application briefly and then the applicant will be provided five minutes to present. Additional public testimony will be limited to three minutes per person.

If you have any questions regarding this matter the contact for this application is Katrina Knutson whom can be reached at (360) 337-5777 or kknutson@co.kitsap.wa.us.

Kind regards,

Constance V. Blackburn

[Hearing Examiner](#) | [Planning Commission](#)
[Kitsap County Department of Community Development](#)

Phone | o360-337-5777 | ext4487



**ATTACHMENT 2 -
Gonzales-Har**





STAFF REPORT

Permit Number: 15 00378 | DJM Construction

DATE: March 2, 2016

TO: Kitsap County Board of Commissioners; Kitsap County Planning Commission

FROM: Katrina Knutson, AICP, Senior Planner, DCD and

Jeff Arango, AICP, Senior Associate, BERK Consulting

RE: DJM Construction Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Bill Broughton, DJM Construction Co. Inc. (applicant and owner)
2. **Parcel Number:** 272702-2-047-2003
3. **Address or location information:** Near the corner of Miller Bay Rd. NE and NE State Highway 104; see Attachment 1. Commissioner District 1.
4. **Current Land Use:** Undeveloped; see Attachment 3.
5. **Current Comprehensive Plan Map Designation:** Rural Residential/Rural Protection
6. **Proposed Comprehensive Plan Map Designation:** Urban Low-Intensity Commercial/Mixed-Use
7. **Current Zoning:** Rural Residential (RR)/Rural Protection (RP); see Attachment 4.
8. **Proposed Zoning:** Neighborhood Commercial (NC); see Attachment 5.
9. **Lot Area / Size:** 8.36 acres
10. **Comprehensive Plan Alternatives:** Request included with Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) Alternative 3.
11. **Preferred Alternative:** The request is not included in the Preferred Alternative.

Submitted Application Materials

- Project Application
- Reclassification Request Criteria
- Environmental Checklist

- Ownership Certification

Application Request

The applicant is requesting to amend both the Comprehensive Map and zoning designations. The existing designation is Rural Residential (RR) and Rural Protection (RP) and the applicant is requesting inclusion in the adjacent George’s Corner Limited Area of More Intense Development (LAMIRD). The applicant is also requesting to amend the zoning designation from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial (NC). The applicant states in the application that the existing designations and LAMIRD boundary may be due to a mapping error which is outside of the scope of this process.

BACKGROUND

The adjacent George’s Corner LAMIRD boundary was established in 2004. After appeal and adjudication in 2004, the Washington State Growth Management Hearings Board made specific notice of the boundary, which is adjacent to the subject parcel. The Growth Board excerpt is below:

The County chose to use the physical contours of the land and the presence of wetlands to define the boundary of the LAMIRD. Consistent with .070(5)(d)(iv)(B), this is likely to result in permanent boundaries that are less subject to pressures for commercial expansion and sprawl. The wetlands and critical areas may help buffer the commercial uses from the surrounding rural lands. The County required a lot-line adjustment on the Bjarnson property to further contain the LAMIRD.

Futurewise, Harless, KCRP v. Kitsap County, CPSGMHB 04-3-0031c, Final Decision and Order (FDO) (6/28/05).

The existing LAMIRD boundary was based in part on the presence of wetlands and geologic hazards on the subject property as shown in Attachment 2. The complex of wetlands is directly associated with Grover’s Creek, an important fish-bearing stream which empties into Miller Bay. (Wetland delineation mapping attached).

As shown in maps included in this report, a Short Plat (200511300408/409) was recorded following the establishment of the LAMIRD that resulted in the creation of new lots and split-zoning. This split-zoning (RP, RR, NC) was not created by an action of the County.

Surrounding Zoning and Land Use

The site abuts NC zoning to the north and west but RR and RP to the east and south.

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

Surrounding Areas	Current Zoning	Current Land Use
North	• NC	• Trade (Commercial) and Government Services
East	• RP	• Undeveloped
South	• RR/RP	• Undeveloped
West	• NC	• Residential and Trade (Commercial)

Source: Kitsap County GIS; BERK Consulting 2015

Current Future Comprehensive Plan and Zoning Designations

The subject property is currently designated as Rural Residential and Rural Protection on the Comprehensive Plan Map. The Comprehensive Plan describes the designations as:

- **Rural Protection (RP):** This designation is intended to allow low-density development in keeping with rural character and to protect significant environmental features, including visual, historic, and natural features; wildlife corridors; steep slopes; wetlands; streams; and adjacent critical areas. It is implemented by the RP zone.
- **Rural Residential (RR):** This designation is intended to allow low-density residential development consistent with rural character, and primarily focuses on single-family dwellings. This designation is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features, and also recognizes areas that are already committed to a pattern of smaller rural lots. The RR designation is implemented by the Rural Residential zone.

According to the Kitsap County Code (Chapter 17.305 Kitsap County Code (KCC)), the RP zone is intended to “promote low-density rural development that is consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.” This zone allows for residential, commercial, resource, and recreational uses that are compatible with rural character. The maximum density is 1 dwelling unit per 10 acres.

The RR zoning designation (Chapter 17.310 KCC) promotes “low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.” RR has a maximum density of 1 dwelling unit per 5 acres. This zone allows for residential and limited commercial, resource and recreational uses that are compatible with rural character.

Rural character is referenced in both designations and zones. Chapter 3 Rural and Resources Lands of the Comprehensive Plan has a detailed description of rural character as well as goals and policies. Some of the characteristics defining rural character include:

- Relatively undeveloped nature
- Lots 5 acres and over
- Agricultural and forest activities
- Land for wildlife and nature
- Personal open space for tranquility (enjoyment of personal property)
- Responsive public services, sense of being self-sufficient
- Wooded trail systems
- Views of the Hood Canal, Puget Sound, the Olympics and Mount Rainier
- Small businesses serving the local population
- Small, intimate communities
- Low population density
- Large forested areas
- Quiet two lane roads

Proposed Future Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed Comprehensive Plan Map Designation is Limited Area of More Intense Rural Development (LAMIRD) – Type I. The Comprehensive Plan describes the designation as follows:

- **Type I.** The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial,

industrial, residential, or mixed-use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type 1 LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of the area with respect to building size, scale, use, or intensity. Type 1 LAMIRDs must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type 1 LAMIRDs also must be bounded by a “logical outer boundary” that mirrors the limits of the pre-existing development.

The list of allowable uses differs substantially between NC and RR/RP. This relates to the intent of the NC for commercial uses and RR/RP for large lot rural residential uses.

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

Selected Uses	NC (proposed zoning)	RR/RP (current zoning)
Residential Uses		
• Single family dwelling, detached	X	X
• Mixed use development	ACUP	X
• Hotel/motel	C	X
Commercial/Business Uses		
• Financial, banking, mortgage and title institutions	P	X
• General office and management services – 4,000 to 9,999 s.f.	ACUP	X
• General retail merchandise stores – less than 4,000 s.f.	P	X
• General retail merchandise stores – 10,000 to 24,999 s.f.	C	X
• General retail merchandise stores – 25,000 s.f. or greater	X	X
• Restaurants	P	X
• Tourism facilities, including outfitter and guide facilities	X	X

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

Zoning development standards show a denser pattern of development for NC than for RR/RP. For example, mixed use development at 10-30 units per acre is allowed in the NC zone whereas single family residential development at 1 unit per 5 or 20 acres is allowed in the RR/RP zones respectively.

Exhibit 3. Selected Development Standards Comparison (KCC 17.381.040)

Density and Dimensions	NC (proposed zoning)	RR/RP (current zoning)
Base density (du/acre)	10	1 Unit/5 Acres (RR) 1 Unit/10 Acres (RP)
Maximum Density (du/acre)	30	NA
Minimum lot size (acre)	NA	NA
Lot width (feet)	NA	140
Lot depth (feet)	NA	140
Maximum height (feet)	35	35

PUBLIC COMMENTS

Three tribal and agency comments were received regarding the proposal during the SEIS public comment period. The Suquamish Tribe, Point No Point Treaty Council and the Washington Department of Fish and Wildlife do not support the proposal due to the expansion of a Type I LAMIRD and environmental constraints. The easterly portion of the subject parcel contains wetlands associated with Grovers Creek, which drains to Miller Bay where the Suquamish Tribe operates a Chinook and chum salmon hatchery. The Tribe's comment letter describes recent monitoring efforts associated with the creek and hatchery, and states concern regarding potential further degradation of Grovers Creek (including fish passage opportunity) if wetland, riparian and stormwater protection functions are not maintained throughout the Grovers Creek watershed.

EVALUATION

Site specific reclassification requests to the Comprehensive Plan must be reviewed in accordance with the criteria outlined in the Kitsap County Code (KCC) Chapter 21.08. Applicable review criteria for site specific reclassification requests are in sections KCC 21.08.070.A and KCC 21.08.070.D.

General Criteria (KCC 21.08.070.A)

A. General. For each proposed amendment to the Comprehensive Plan the review authority, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions, which demonstrate:

1. How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;

Circumstances related to the proposed amendment or the area in which the property is located have not substantially changed since adoption of the Comprehensive Plan.

2. How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated growth targets and capacity analysis is being conducted as part of the 2016 Comprehensive Plan update, but in general that process will not change the assumptions relative to the subject property and proposed amendment.

3. How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The amendment request is not in the public interest as it would expand the logical outer boundary of the existing Type I LAMIRD boundary to include an undeveloped forested property with significant environmental constraints and building limitations. See analysis under criteria 1.f below for consistency with the Comprehensive Plan.

Reclassification Request Criteria (KCC 21.08.070.D)

D. Site-Specific Amendments. In addition to the findings and conclusions in subsection (A) of this section, a proposed site-specific map amendment may be recommended for approval by the planning commission and may be approved by the board of commissioners if the following findings are made:

1. All Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

- a. The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;**

The proposed amendment involves expanding a LAMIRD boundary to include an additional 8.36 acres of undeveloped property that contains wetlands and moderate geologic hazard areas. The LAMIRD area currently has water service, but not sanitary sewer. While the expansion of the LAMIRD would not significantly impact levels of service for public services overall within the County, it would expand the area that may be served by more intense public services ~~is to be served by urban services~~ and increase the area that is to be served. The area is studied cumulatively for NC in the 2016 Comprehensive Plan Update SEIS. The site is located near segments of Hansville Road NE and SR 104 with projected transportation deficiencies under Alternative 3. Increased commercial density at the proposed site would add trips beyond what was reflected in the 2036 travel demand forecasts. Therefore, the proposal would result in an impact to transportation. However, the transportation improvement projects identified to address deficiencies expected without the proposal would also be expected to address the additional impacts resulting from the proposal. Any reclassification proposal would be subject to a more specific analysis of transportation impacts and would be subject to meeting County concurrency requirements at the time of development.

Kitsap County has submitted this application to the Washington State Department of Transportation for their review and comment, as the site is located on a state highway.

- b. The proposed amendment is consistent with the balance of the goals, policies and objectives of the current Kitsap County Comprehensive Plan and reflects the local circumstances of the County;**

Kitsap County Comprehensive Plan Chapter Vision

Kitsap County’s Comprehensive Plan shows the relationship between chapter concepts and the comprehensive plan vision. See Exhibit 4.

Exhibit 4. County Vision for Rural and Urban Areas

Vision	Rural Chapter Relationship to Vision
<p>Rural Areas. Rural areas and communities where unique historical characters, appearances, functions, and pioneering spirits are retained and enhanced. Natural resource activities, such as forestry, agriculture, and mining continue to contribute to the rural character and economy. Rural recreation opportunities are enhanced, including equestrian facilities, trails, and others.</p>	<ul style="list-style-type: none"> • Maintain low residential densities in rural areas and provides policy guidance for development standards which help to preserve the County’s rural character. Foster small sustainable farms and agricultural enterprises that provide locally-grown food and fiber for Kitsap citizens.
<p>Economic Development. A stable, prosperous and diversified economy that provides living wage jobs for residents, supported by adequate land for a range of employment uses and that encourages accomplishment of local economic development goals.</p>	<ul style="list-style-type: none"> • Preserve opportunities for resource-based economic activities within the County. • Allow for limited commercial and industrial uses in rural areas, while preserving rural character.

Natural Environment. Natural ecosystems – including interconnected wetlands, streams, wildlife habitat, and water quality – that are rehabilitated, protected, and enhanced and that allow for flexible and innovative development to meet environmental and growth goals. In developed areas, the growth pattern supports conservation of non-renewable energy and minimizes impacts on air quality and climate.

Provide for protection of natural ecosystems in rural areas through rural designations, through compliance with Kitsap County “Water as a Resource” Policy (Res.109-2009), and with lower levels of development and lower availability of public services.

Source: Kitsap County Comprehensive Plan (December 2012).

Expanding the Type I LAMIRD Boundary and up zoning 8.36 acres of undeveloped property with significant wetlands appears contrary to the vision statement with respect to the natural environment. The proposed action would also alter the logical outer boundary of the LAMIRD and could affect the local character which currently has a visual separation between the LAMIRD and abutting rural large lots to the east and south. While at least one Growth Management Hearing Boards has stated that the LOB for a Type I LAMIRD may conceivably be enlarged after its initial establishment, such an expansion must meet the same criteria as required for the initial establishment. *1000 Friends of Washington v. Snohomish County*, CPSGMHB Case No. 03-3-0026, (*1000 Friends II*), FDO, (June 21, 2004). There is no evidence that the addition of this property to the LAMIRD meets the criteria for establishing the initial boundary. There is no evidence that this property included pre-existing development prior to 1990. Under GMA, the purpose of establishing LAMIRDs is to limit development, adding vacant parcels at the fringes of an established LAMIRD could contravene the GMA provisions.

Kitsap County Comprehensive Plan 2036 Goals and Policies: Chapter 3

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

3A.2.1B Limited Areas of More Intensive Rural Development

- Goal 7. Allow for the designation of LAMIRDs outside of the UGA based on existing rural residential communities or villages, areas of mixed use activity, isolated areas of small and moderate-scale commercial/industrial activity, and historic towns.
- **Policy RL-25 Prohibit designating a LAMIRD adjacent to an UGA.**

The subject properties are adjacent to a Type I LAMIRD, but not adjacent to a UGA. The area was evaluated as part of LAMIRD options in 2004 and the present boundary that excludes the site was established and upheld by the Growth Management Hearings Board.

- **Policy RL-27 Encourage changes to zones in LAMIRDs to occur via a local community planning process. This process should incorporate local knowledge, experience and preferences to determine appropriate area-specific land uses, development standards, design guidelines, and public service needs. Specific issues that should be considered in this planning process include:**

- **Appropriate logical outer boundaries as required by GMA**

The appropriate logical outer boundary of the existing George’s Corner LAMIRD was subject to review by the Growth Management Hearings Board in 2005 and upheld. The proposed amendment would expand the logical outer boundary to undeveloped forested land that contains wetlands and a stream corridor. Therefore, extending the appropriate logical outer boundary to include the subject property appears unjustified.

- **Rural character of the subject area and surrounding area.**

The subject property and surrounding area with an RR/RP designation maintain a rural character. Applying the NC designation to the subject property, which is undeveloped and contains relatively intact ecological functions would affect rural character incrementally.

- **Appropriate mix of uses, densities and intensities.**

The specific mix of uses, densities and intensities allowed in the NC zone are appropriate for properties within the LAMIRD boundary. However, as discussed above the extension of the logical outer boundary to include the subject property is not supported by GMA goals and local regulations and so, therefore, is not an appropriate mix of uses, densities and intensities.

- **Feasibility, cost and need for public services.**

The site is served with public water service, but not sanitary sewer service.

- **Significant natural constraints or features to be preserved.**

The subject property is undeveloped forested land that contains wetlands and a stream corridor, both regulated under Kitsap County Code Title 19 (Critical Areas) which responds to state requirements for local governments to protect the functions and values of critical areas and their buffers

- **Provision for a monitoring and evaluation process.**

As a condition of approval if the request is approved, the County should work with the applicant to develop a monitoring and evaluation process.

- **Benefits to the local community.**

The benefits of approving the request may include allowing greater commercial opportunities at the crossroads for the Kingston-area community; given the preference in County plans for focus growth in the Kingston UGA and other UGAs, and the environmental and rural character concerns, the benefits of expanding the George's Corner LAMIRD do not appear to outweigh the disadvantages. The applicant has not demonstrated any benefits to the local community. The subject parcel(s) is suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood. However, the subject parcel is not suitable for the requested land use designation based on environmental constraints and is inconsistent with the GMA criteria for establishing the logical outer boundary of the LAMIRD.

c. The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning, and reflects local circumstances in the county;

The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning and reflects local circumstances in the County.

d. The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;

The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall are of the urban growth area. See criteria D.1.a.

e. The proposed amendment is consistent with the GMA, Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements.

The following state and local policies and laws are applicable to the applicant's zoning amendment request.

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

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The proposed amendment is inconsistent with above GMA goal by expand the boundary of a LAMIRD to an undeveloped forested site with environmental constraints.

Growth Management Act – Designating Limited Areas of More Intense Development (RCW 36.70A.070(5)(d))

The GMA establishes the criteria for establishing the logical outer boundary for a LAMIRD in RCW 36.70A.070(5)(d)(iv) and (v):

The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

The subject property was not developed prior to July 1, 1990. Expanding the outer logical boundary on the edge of the LAMIRD to include undeveloped forested land that includes significant environmental constraints appears contrary to the criteria above. (e.g. using bodies of water, land forms and contours to define boundaries).

Kitsap County-wide Planning Policies

Element D: Rural Land Uses and Development Patterns

D-2. Preserving rural land use and development patterns:

- a. Rural Communities are already-existing residential and commercial areas of more intensive rural development designated in the Kitsap County Comprehensive Plan under RCW 36.70A.070.5. In-fill is expected. Rural Communities should be serviced by transportation providers and other services consistent with the Levels of Service adopted by Kitsap County for roads and by Kitsap Transit for transit upon their designation as an area of more intensive rural development.**

The proposed amendment is inconsistent with the above County-wide Planning Policy because it is not part of the already developed area within the existing Type I LAMIRD and would require the extension of the logical outer boundary to include undeveloped forested land with environmental constraints.

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

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

No unmet need has been identified by the applicant. The applicant stated an intent to develop a fast-food establishment or similar type land use if the amendment request is approved.

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

The subject property is undeveloped forested land that is along the outer boundary, but outside, of the Type I LAMIRD Boundary. The proposed amendment would increase the likelihood that the subject property is developed at urban intensities that may negatively impact the rural character in the County. See the description of rural character under "Present Comprehensive Plan Designations."

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

It is likely this site would provide commercial uses at the cross roads to serve north Kitsap County. However, there are other already developed areas in the LAMIRD and in the Kingston UGA that could fill that need.

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

See Response D.1.a.

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

The site abuts other NC properties to the north and west. However, there is no exceptional or unique need to add this property in light of the logical outer boundary requirements for Type I LAMIRDs.

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

The site is constrained and would not allow for significant added commercial uses without creating potential significant environmental impacts, and there are other opportunities in the LAMIRD and Kingston UGA to add commercial uses.

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

The applicant has not demonstrated a lack of available sites. In fact there are 3 vacant lots currently within the LAMIRD, one 6.85 acres in size. The Comprehensive Plan intends to focus growth in UGAs. LAMIRDs are only provided to recognize existing development not to create added capacity for growth.

Findings of Fact

1. The applicant, Bill Broughton, submitted the application to Kitsap County on February 2, 2015.
2. The applicant seeks a Comprehensive Plan Amendment to change the Comprehensive Plan Map Designation from Rural Residential (RR) and Rural Protection (RP) to Low-Intensity Commercial/Mixed-Use. This would also entail an expansion of the Logical Outer Boundary of the George's Corner Type I LAMIRD.

3. The applicant seeks a Zoning Map Amendment from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial and to extend the adjacent Type I LAMIRD boundary to include the subject property.
4. The subject property is located near the corner of Miller Bay Rd. NE and NE State Highway 104.
5. The subject property is adjacent to the George's Corner Type I LAMIRD to the west and properties zoned Neighborhood Commercial (NC).
6. The subject property is currently undeveloped.
7. The subject property has environmental constraints including wetlands and a stream corridor.
8. The subject property was not developed prior to July 1, 1990.
9. The Logical Outer Boundary (LOB) of the adjacent Type I LAMIRD was reviewed and upheld by the Growth Management Hearings Board in 2005. Any change to the LOB must comport with the same criteria as the initial designation was subject to.

Conclusion of Law

The application is inconsistent with the Washington Growth Management Act, the Kitsap Countywide Planning Policies, the Kitsap County Comprehensive Plan, and other state and local regulations.

Recommendation

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

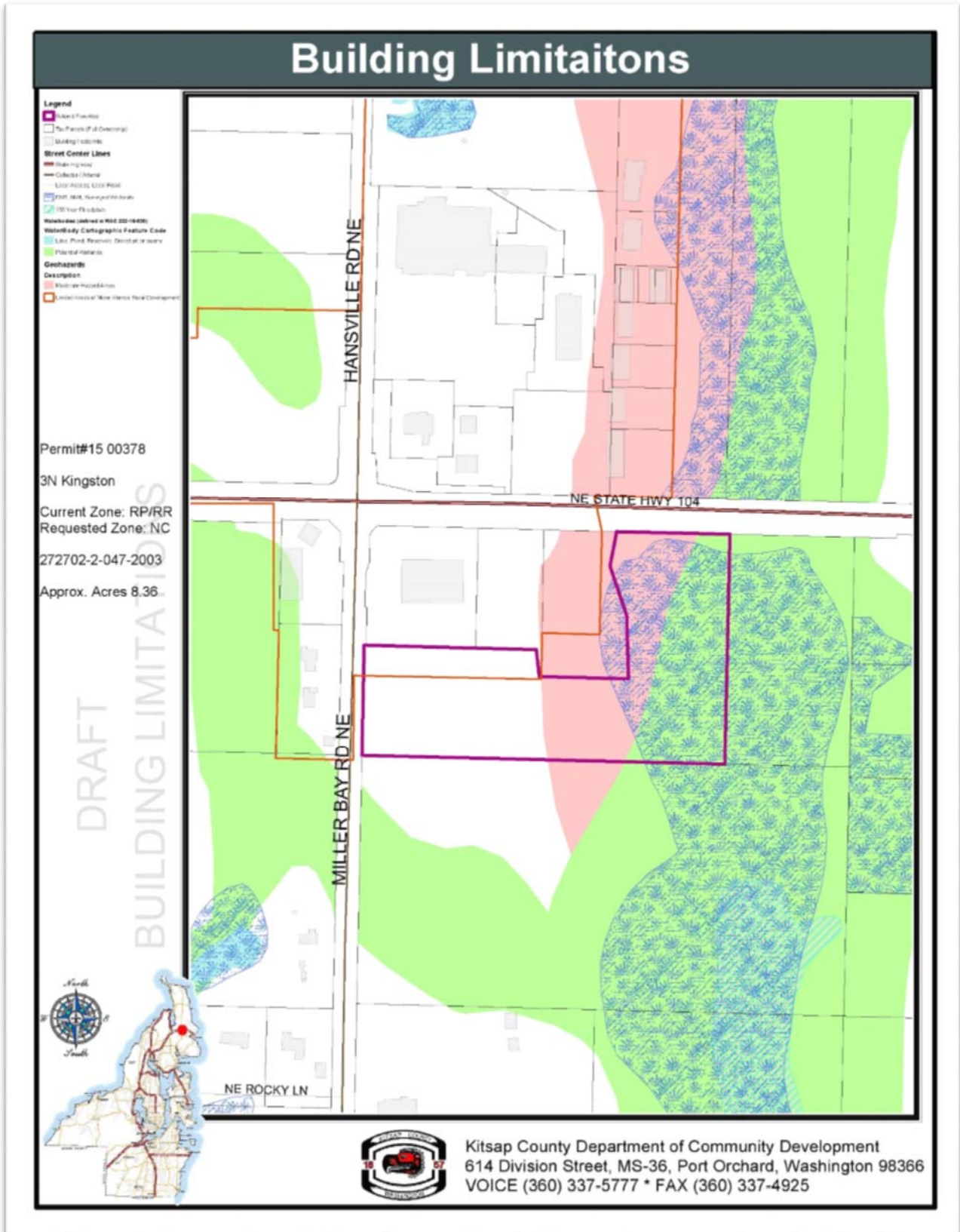
In order to be consistent with the adopted LAMIRD plan and to correct the noted split zones created by the above referenced short plat, staff recommends parcel 272702-2-047-2003 be rezoned entirely to RP and the remaining residential portion of parcel 272702-2-046-2004 be RP.

ATTACHMENTS

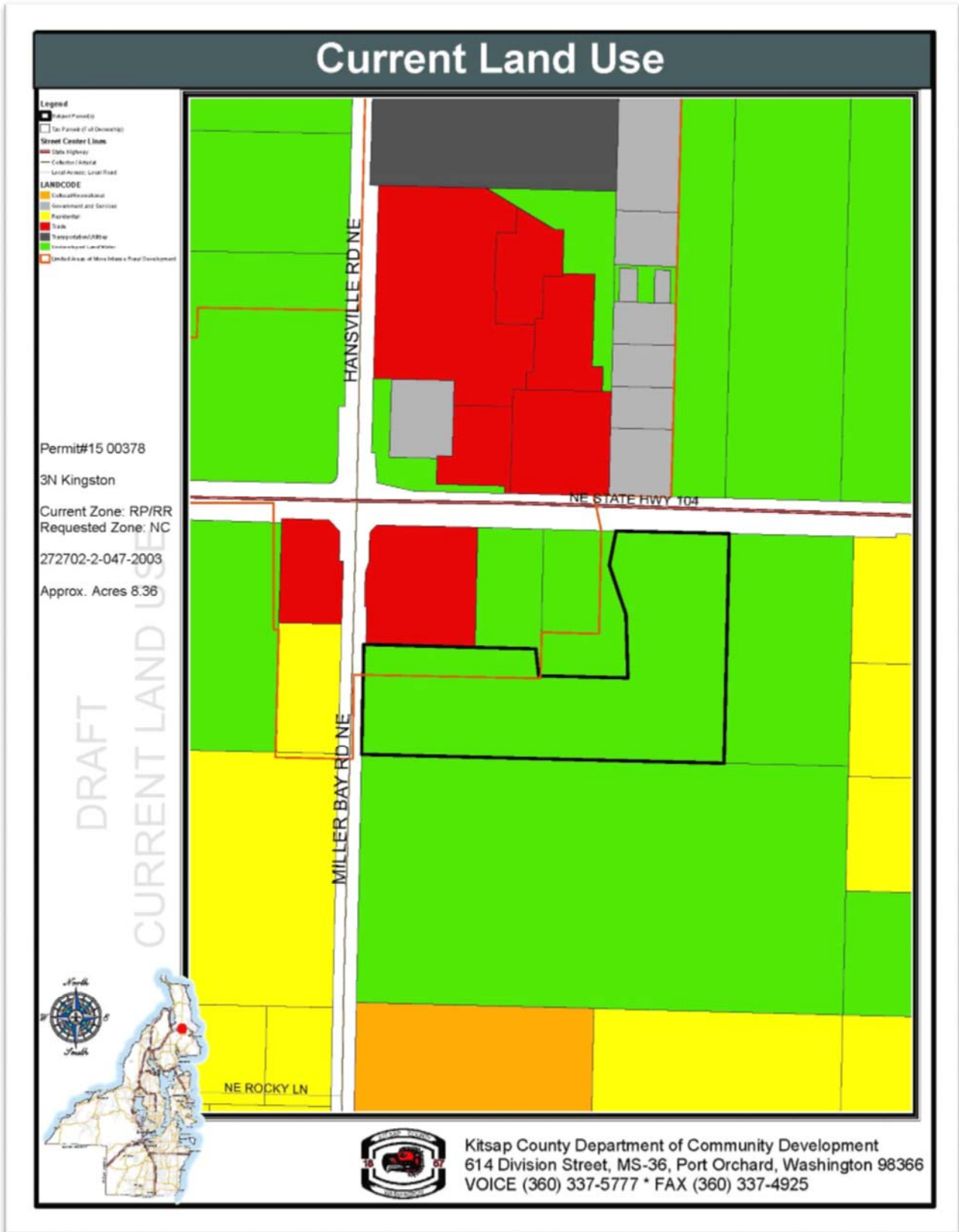
Attachment 1. Aerial Imagery



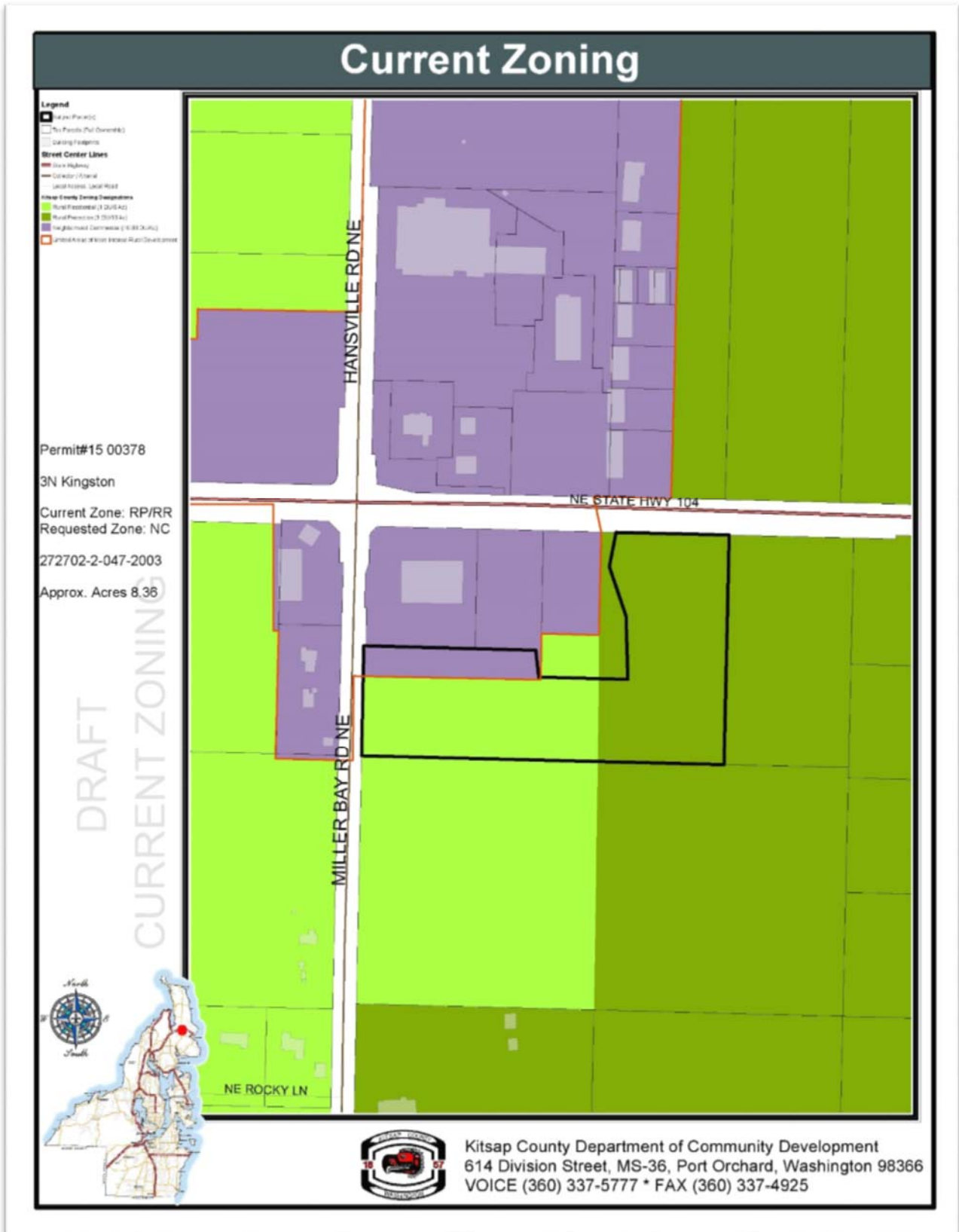
Attachment 2. Building Limitations



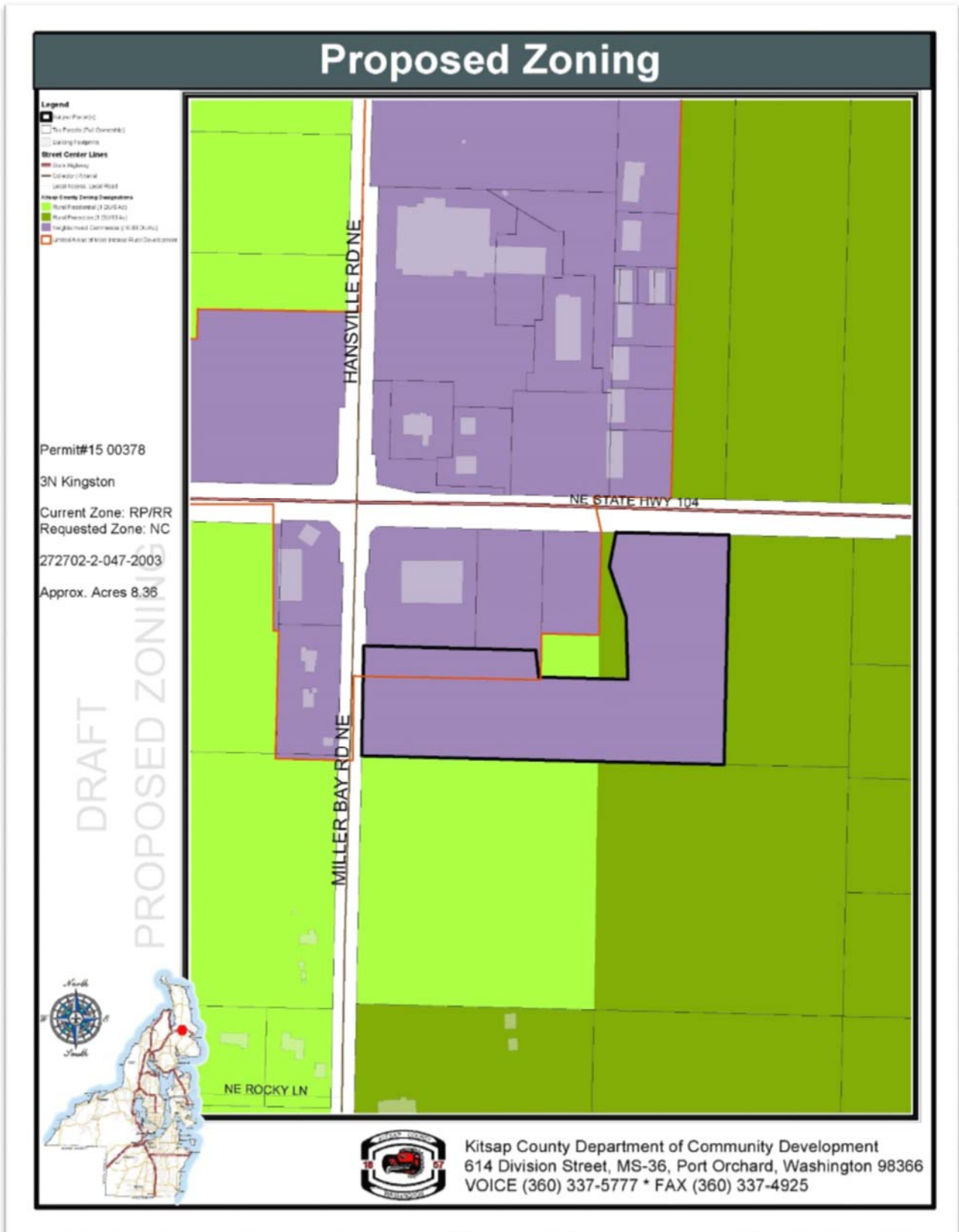
Attachment 3. Current Land Use



Attachment 4. Current Zoning



Attachment 5. Proposed Zoning



NOTE(S):

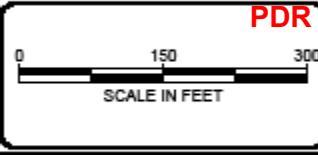
1. Aerial from Google Earth™.

Wetland Boundary

TP-4● Test Plot Location

ATTACHMENT 2 - 135

PDR Gonzales-Harless



ECOLOGICAL LAND SERVICES, INC.
 1157 3rd Ave., Suite 220
 Longview, WA 98622
 Phone: (360) 578-1371 Fax: (360) 414-9285

DATE: 8/13/15
 DWN: JLL
 REQ. BY:
 PRJ. MGR: JB
 CHK:
 PROJECT NO:
 2289.01

Figure 2
 SITE MAP
 Kountry Korners Delineation
 Bill Broughton
 Kingston, Kitsap County, WA
 Section 27, Township 27N, Range 2E, W.M.



Local Access: Local Road

ATTACHMENT 2 - 136
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [Scott Diener](#)
Subject: RE: Mike McCown's proposal / George's Corner
Date: Friday, March 23, 2018 2:54:49 PM

Hi Scott

I will but I would like to speak with you about McGowan's request.

3606924888

Bill

From: Scott Diener [mailto:SDiener@co.kitsap.wa.us]
Sent: Friday, March 23, 2018 10:25 AM
To: Bill Broughton
Subject: RE: Mike McCown's proposal / George's Corner

Bill: Please disregard the below email.

Regards,

Scott Diener

Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: 360-337-5777

kitsapgov.com/DCD

***Please note:** All incoming and outgoing email messages are public records subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.*

From: Scott Diener
Sent: Friday, March 23, 2018 10:10 AM
To: 'Bill Broughton' <bill@bbroughtonlaw.com>
Subject: Mike McCown's proposal / George's Corner

Bill:

Can we talk at a designated time about McCown's proposal? We presume this is about siting building 1 and setbacks. We are flexible Monday (except before 9:30 am and 11 to 12:30 pm), Tues afternoon before 2:45, and Wed 11:15 to 2 pm.

If you have thoughts that DCD has misinterpreted code, please advise us specifics beforehand. If you have an alternative, can we get a look at that in advance? This will help us prepare for our meeting.

ATTACHMENT 2 - 137
PDR Gonzales-Harless

We really tried to impress upon Mike that we can't 'bend' the code, and nor would he really want DCD staff who does that. DCD also let him know that this appears to the County to be a defensible application of code.

Regards,
Scott

ATTACHMENT 2 - 138
PDR Gonzales-Harless

From: SDiener@co.kitsap.wa.us
To: bill@bbroughtonlaw.com
Subject: RE: Mike McCown's proposal / George's Corner
Date: Friday, March 23, 2018 10:25:25 AM

Bill: Please disregard the below email.

Regards,

Scott Diener
Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development
Kitsap County
614 Division St, MS-36
Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: 360-337-5777
kitsapgov.com/DCD

***Please note:** All incoming and outgoing email messages are public records subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.*

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Sent: Friday, March 23, 2018 10:10 AM
To: 'Bill Broughton' <bill@bbroughtonlaw.com>
Subject: Mike McCown's proposal / George's Corner

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If you have thoughts that DCD has misinterpreted code, please advise us specifics beforehand. If you have an alternative, can we get a look at that in advance? This will help us prepare for our meeting.

We really tried to impress upon Mike that we can't 'bend' the code, and nor would he really want DCD staff who does that. DCD also let him know that this appears to the County to be a defensible application of code.

Regards,
Scott

ATTACHMENT 2 - 139
PDR Gonzales-Harless

From: [Patty Charnas](#)
To: [Bill Broughton](#)
Subject: RE: georges corner
Date: Friday, May 17, 2013 1:23:00 PM

Bill –

We are looking forward to your visit here Tuesday at 2 pm, also.

Can you please bring anything you might have that helps explain the mapping error? That would be extremely helpful.

See you then

Patty Charnas, Manager
Planning and Environmental Programs Division
Kitsap County Department of Community Development
360-337-4558 office

From: Bill Broughton [mailto:bill@bbroughtonlaw.com]
Sent: Thursday, May 16, 2013 11:08 AM
To: Patty Charnas
Subject: georges corner

Hi Patty
Nice talking to you today.
See you Tuesday at 2

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
Fax - (360) 692-4987
bill@bbroughtonlaw.com

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ATTACHMENT 2 - 140
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [Patty Charnas](#)
Subject: RE: georges corner
Date: Monday, July 01, 2013 5:03:32 PM

Hi Patty

Forgot to thanks you for your time on this.

It was nice to see you even with the bad news.

I would like to eliminate the commercial zoning on this parcel so any help in pointing me in that direction?

Thanks

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
Fax - (360) 692-4987
bill@bbroughtonlaw.com

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From: Patty Charnas [<mailto:PCharnas@co.kitsap.wa.us>]
Sent: Friday, May 17, 2013 1:23 PM
To: Bill Broughton
Subject: RE: georges corner

Bill –

We are looking forward to your visit here Tuesday at 2 pm, also.

Can you please bring anything you might have that helps explain the mapping error? That would be extremely helpful.

See you then

Patty Charnas, Manager
Planning and Environmental Programs Division
Kitsap County Department of Community Development
360-337-4558 office

From: Bill Broughton [<mailto:bill@bbroughtonlaw.com>]
Sent: Thursday, May 16, 2013 11:08 AM

ATTACHMENT 2 - 141
PDR Gonzales-Harless

To: Patty Charnas
Subject: georges corner

Hi Patty
Nice talking to you today.
See you Tuesday at 2

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
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ATTACHMENT 2 - 142
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [David Greetham](#)
Subject: RE: staff report
Date: Friday, March 11, 2016 10:44:26 AM

See below

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
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From: David Greetham [mailto:Dgreetha@co.kitsap.wa.us]
Sent: Friday, March 11, 2016 9:48 AM
To: Bill Broughton
Cc: Katrina Knutson
Subject: RE: staff report

Hi Bill,

For discussion purposes, I've pasted the "Application Request" excerpt from the staff report below.

Are you requesting a revision along the lines of "The applicant is requesting relocation of the existing NC zoning currently situated in an isolated wetland to a similarly sized developable area fronting either SR 104 or Miller Bay Road from Rural Residential (RR) or Rural Protection (RP). This relocation will also result in the existing NC zoning returning to RR so that no new NC area is created. The applicant has indicated it will short plat the parcel with NC zoning after the amendment is approved and has offered to dedicate a 50 foot conservancy easement to the Nature Conservancy on the east boundary adjacent to the Grovers Creek wetland."

One concern is this could exacerbate the split zone situation that already exists in George's Corner, but I wanted to see if we're correctly interpreting your request.

Thanks,
Dave

Application Request

The applicant is requesting to amend both the Comprehensive Map and zoning designations. The existing

ATTACHMENT 2 - 143
PDR Gonzales-Harless

designation is Rural Residential (RR) and Rural Protection (RP) and the applicant is requesting inclusion in the adjacent George's Corner Limited Area of More Intense Development (LAMIRD). The applicant is also requesting to amend the zoning designation from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial (NC). The applicant states in the application that the existing designations and LAMIRD boundary may be due to a mapping error which is outside of the scope of this process.

From: Bill Broughton [<mailto:bill@bbroughtonlaw.com>]

Sent: Wednesday, March 09, 2016 12:00 PM

To: David Greetham <Dgreetha@co.kitsap.wa.us>

Subject: RE: staff report

I am hoping the report will at least correctly identify the specifics of my request I'm not asking to rezone the entire parcel but move the nc zoning to Miller Bay Road or SR 104

Sent from my Windows 10 phone

From: [David Greetham](#)

Sent: Wednesday, March 9, 2016 8:02 AM

To: [Bill Broughton](#)

Subject: RE: staff report

Hi Bill,
Correct, no changes yet. I'm meeting with the tribe today.

I'll follow up with you this week on status. Please feel free to check in if you haven't heard from me by Fri.

Dave

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bill Broughton

Date: 03/08/2016 17:14 (GMT-08:00)

To: David Greetham

Subject: staff report

Hi Dave

It looks like no changes were made?

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.

ATTACHMENT 2 - 144
PDR Gonzales-Harless

Silverdale, WA 98383
Phone - (360) 692-4888
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bill@bbroughtonlaw.com

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ATTACHMENT 2 - 145
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [David Greetham](#)
Subject: RE: staff report
Date: Wednesday, March 09, 2016 12:00:00 PM

I am hoping the report will at least correctly identify the specifics of my request I'm not asking to rezone the entire parcel but move the nc zoning to Miller Bay Road or SR 104

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Subject: RE: staff report

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I'll follow up with you this week on status. Please feel free to check in if you haven't heard from me by Fri.

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Sent from my Verizon Wireless 4G LTE smartphone

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ATTACHMENT 2 - 147
PDR Gonzales-Harless

From: [David Greetham](#)
To: [Bill Broughton](#)
Subject: RE: staff report
Date: Wednesday, March 09, 2016 12:02:00 PM

Thanks Bill.

I had a discussion with Alison today, and she asked for some follow up info which I'll get to her.

In the meantime I'll take a look at the staff report language as suggested. Stay tuned, I hope to be back in touch later this week.

Dave

From: Bill Broughton [mailto:bill@bbroughtonlaw.com]
Sent: Wednesday, March 09, 2016 12:00 PM
To: David Greetham <Dgreetha@co.kitsap.wa.us>
Subject: RE: staff report

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Sent from my Windows 10 phone

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To: [Bill Broughton](#)
Subject: RE: staff report

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From: Bill Broughton
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Subject: staff report

ATTACHMENT 2 - 148
PDR Gonzales-Harless

Hi Dave

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ATTACHMENT 2 - 149
PDR Gonzales-Harless

From: [David Greetham](#)
To: [Bill Broughton](#)
Cc: [Katrina Knutson](#)
Subject: RE: staff report
Date: Friday, March 11, 2016 9:47:57 AM

Hi Bill,

For discussion purposes, I've pasted the "Application Request" excerpt from the staff report below.

Are you requesting a revision along the lines of "The applicant is also requesting to amend a portion of the zoning designation for the parcel area fronting either SR 104 or Miller Bay Road from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial"?

One concern is this could exacerbate the split zone situation that already exists in George's Corner, but I wanted to see if we're correctly interpreting your request.

Thanks,
Dave

Application Request

The applicant is requesting to amend both the Comprehensive Map and zoning designations. The existing designation is Rural Residential (RR) and Rural Protection (RP) and the applicant is requesting inclusion in the adjacent George's Corner Limited Area of More Intense Development (LAMIRD). The applicant is also requesting to amend the zoning designation from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial (NC). The applicant states in the application that the existing designations and LAMIRD boundary may be due to a mapping error which is outside of the scope of this process.

From: Bill Broughton [mailto:bill@bbroughtonlaw.com]
Sent: Wednesday, March 09, 2016 12:00 PM
To: David Greetham <Dgreetha@co.kitsap.wa.us>
Subject: RE: staff report

I am hoping the report will at least correctly identify the specifics of my request I'm not asking to rezone the entire parcel but move the nc zoning to Miller Bay Road or SR 104

Sent from my Windows 10 phone

From: [David Greetham](#)
Sent: Wednesday, March 9, 2016 8:02 AM
To: [Bill Broughton](#)
Subject: RE: staff report

ATTACHMENT 2 - 150
PDR Gonzales-Harless

Hi Bill,
Correct, no changes yet. I'm meeting with the tribe today.

I'll follow up with you this week on status. Please feel free to check in if you haven't heard from me by Fri.

Dave

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bill Broughton
Date:03/08/2016 17:14 (GMT-08:00)
To: David Greetham
Subject: staff report

Hi Dave
It looks like no changes were made?

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ATTACHMENT 2 - 151
PDR Gonzales-Harless

From: [M.M](#)
To: [Peter Best](#)
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Saturday, February 17, 2018 7:42:29 AM

Peter,

I am checking my schedule to see what day might be best for the walk through of our property at Kingston Corners.

Can you please explain why and how other interested parties are invited to this site review?

Thanks,

Mike

On Fri, Feb 16, 2018 at 9:42 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

I am following up to schedule the site visit mentioned below. I expect the visit to take no longer than one hour. Attending would be myself, Steve Heacock (Kitsap County environmental planner), Alison O'Sullivan (Suquamish Tribe), and Roma Call (Port Gamble S'Klallam Tribe).

We are available the following times, please let me know which of these would not work for you and I will then send out an appointment.

3/1 - afternoon

3/2 - morning

3/2 - afternoon

3/5 - afternoon

3/7 - morning

3/7 - afternoon

Thanks,

Peter

From: Peter Best
Sent: Monday, January 22, 2018 9:15:22 AM
To: M M
Cc: Comp Plan
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Hi, Mike.

I would be happy to provide you with that information.

The Board of County Commissioners reviewed the catalog of suggested amendments to the Comprehensive Plan on September 27, 2017. At this time we were still attempting to find a way to advance a few items for a 2017 docket of amendments. However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be reviewing its Comprehensive Plan in 2017. All suggested amendments to the Comprehensive Plan will be reconsidered for the 2018 docket. The Board would like to review the 2018 docketing resolution by the end of the year.

Staff immediately began preparing a draft initial docket resolution for the annual Comprehensive Plan amendment process for 2018 as directed by the Board. A draft was presented to the Board on November 22, 2017. The Board decided to put the draft resolution out for public comment and scheduled a public hearing on December 11, 2017. The comment period and public hearing was only regarding the docket resolution, which defines the scope of the items that will be considered during the annual Comprehensive Plan amendment process for 2018. At the public hearing, the Board decided to extend the public comment period (through 12/15/2017) and scheduled the matter for decision on December 27, 2017. The Board adopted the initial docket resolution for the 2018 annual Comprehensive Plan process on December 27, 2017.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

ATTACHMENT 2 - 153
PDR Gonzales-Harless

[360\) 337-5777 x7098](tel:3603375777) | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]
Sent: Thursday, January 18, 2018 8:19 PM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Thank you Peter for getting this information to me.

I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

It appeared to me that the 60 day public comment period was open and the comments were received. I reviewed the comments and spoke with someone in your department about them sometime in November I believe.

And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

Could you please direct me to the September meeting you referred to where the Board decided to delay this specific amendment?

Mike

On Thu, Jan 18, 2018 at 11:22 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

Thanks for the call today. Again, my apologies if there were any miscommunications or

misunderstandings regarding the decision making around the 2017 docket. There were a number of items under consideration for the 2017 docket and in the end the Board decided to not do an annual amendment to the Comprehensive Plan because there simply was not enough time to complete the required process in 2017. The Board immediately began developing an initial docket for 2018, which was adopted on 12/27/2018, and includes a County-sponsored amendment to review and adjust the southeast boundary of the George's Corner LAMIRD.

As promised, attached please find the summary schedule for the annual Comprehensive Plan amendment process for 2018. Please note that this schedule and the timeframes discussed below are subject to change. You can learn more about the process at our [Online Open House](#). I believe you are already receiving notifications regarding this project. If not, you can [subscribe to receive future notifications](#).

As we discussed, this is a legislative process that the County can do only once per year and includes a variety of County-sponsored amendments as well as site-specific applications. All Comprehensive Plan amendments must be processed and considered as a batch. As a result of the batching requirement and other procedural requirements in state law and County code, it will take a full year to complete the annual amendment process, with ordinance adoption planned in December 2018. As a legislative process, the Board has the discretion to approve, approve with modifications, approve with conditions, deny, or defer any amendment.

I will be preparing a proposal for the George's Corner LAMIRD boundary amendment before the end of March, which I will share with you when it is available. As part of that process, I will need to conduct a site visit and will be in touch with you about that in the near future.

In April, the Board of County Commissioners will decide whether to continue with the initial docket of amendments or may adopt a final docket, deciding which amendments will continue through the process.

Following the publication of a State Environmental Policy Act (SEPA) determination and staff report in June, there will be a public comment period (open for at least 60 days and may include open houses) as well as public hearings as the amendments are considered by the Planning Commission and then the Board of County Commissioners. You are encouraged to attend the public hearings and submit comments regarding the amendment.

The County has received comments regarding this amendment (summarized below) during the preparation of the docket, of which you should be aware. Other comments may

be received as the amendments are considered during the latter half of 2018.

- I believe you are aware there was tribal interest in the establishment of the George's Corner LAMIRD boundary, particularly regarding commercial development in rural areas and in relation to critical areas. Tribal staff have requested to be consulted during this boundary adjustment amendment. If you would like to directly contact staff at the Suquamish and Port Gamble S'Klallam tribes, I can provide you contact information.
- Another County-sponsored amendment in 2018 is a review of the Urban Village Center (UVC) zone covering downtown Kingston. We have received comments stating concern about possible expansion of the commercial development at George's Corner which could affect the planned growth within the Kingston urban growth area (UGA).

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

[360\) 337-5777 x7098](tel:3603375777) | pbest@co.kitsap.wa.us

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ATTACHMENT 2 - 156
PDR Gonzales-Harless

From: [M.M](#)
To: [Peter Best](#)
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Monday, February 26, 2018 2:29:20 PM

Hello Peter,
It looks like Friday morning 3/2 would work well for me to meet you at the parcel in Kingston.
Thanks,
Mike

On 02/20/2018 9:16 AM, Peter Best wrote:

Hi, Mike.

Thanks. I should have clarified that you are not required to attend. So, let me know what date works for you or if you do not want to attend.

We routinely consult with cities, tribes, other government entities, and urban service providers regarding Comprehensive Plan amendments. Both tribes expressed interest in closely following the George's Corner LAMIRD boundary amendment and requested to participate in the site visit.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
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From: M M [<mailto:vexnot@gmail.com>]
Sent: Saturday, February 17, 2018 7:42 AM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Peter,

ATTACHMENT 2 - 157
PDR Gonzales-Harless

I am checking my schedule to see what day might be best for the walk through of our property at Kingston Corners.

Can you please explain why and how other interested parties are invited to this site review?

Thanks,
Mike

On Fri, Feb 16, 2018 at 9:42 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

I am following up to schedule the site visit mentioned below. I expect the visit to take no longer than one hour. Attending would be myself, Steve Heacock (Kitsap County environmental planner), Alison O'Sullivan (Suquamish Tribe), and Roma Call (Port Gamble S'Klallam Tribe).

We are available the following times, please let me know which of these would not work for you and I will then send out an appointment.

3/1 - afternoon
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ATTACHMENT 2 - 158
PDR Gonzales-Harless

However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be

reviewing its Comprehensive Plan in 2017. All suggested amendments to the

Comprehensive Plan will be reconsidered for the 2018 docket. The Board would

like to review the 2018 docketing resolution by the end of the year.

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Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

ATTACHMENT 2 - 159
PDR Gonzales-Harless

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And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

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ATTACHMENT 2 - 160
PDR Gonzales-Harless

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ATTACHMENT 2 - 161
PDR Gonzales-Harless

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Peter Best | Planner

Kitsap County Department of Community Development

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[619 Division St](#), MS 36

Port Orchard, WA 98366

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ATTACHMENT 2 - 162
PDR Gonzales-Harless

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ATTACHMENT 2 - 163
PDR Gonzales-Harless

From: pbest@co.kitsap.wa.us
To: vexnot@gmail.com
Cc: compplan@co.kitsap.wa.us
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Friday, February 16, 2018 9:42:48 AM

Mike,

I am following up to schedule the site visit mentioned below. I expect the visit to take no longer than one hour. Attending would be myself, Steve Heacock (Kitsap County environmental planner), Alison O'Sullivan (Suquamish Tribe), and Roma Call (Port Gamble S'Klallam Tribe).

We are available the following times, please let me know which of these would not work for you and I will then send out an appointment.

3/1 - afternoon
3/2 - morning
3/2 - afternoon
3/5 - afternoon
3/7 - morning
3/7 - afternoon

Thanks,
Peter

From: Peter Best
Sent: Monday, January 22, 2018 9:15:22 AM
To: M M
Cc: Comp Plan
Subject: RE: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Hi, Mike.

I would be happy to provide you with that information.

The Board of County Commissioners reviewed the catalog of suggested amendments to the Comprehensive Plan on September 27, 2017. At this time we were still attempting to find a way to advance a few items for a 2017 docket of amendments. However, the timeline proved infeasible and the Board's decision from the meeting minutes on October 4, 2017 is below:

Chair Garrido proposed, pursuant to KCC 21.08.030.A.2, Kitsap County will not be reviewing its Comprehensive Plan in 2017. All suggested amendments to the Comprehensive Plan will be reconsidered for the 2018 docket. The Board would like to review the 2018 docketing resolution by the end of the year.

ATTACHMENT 2 - 164
PDR Gonzales-Harless

Staff immediately began preparing a draft initial docket resolution for the annual Comprehensive Plan amendment process for 2018 as directed by the Board. A draft was presented to the Board on November 22, 2017. The Board decided to put the draft resolution out for public comment and scheduled a public hearing on December 11, 2017. The comment period and public hearing was only regarding the docket resolution, which defines the scope of the items that will be considered during the annual Comprehensive Plan amendment process for 2018. At the public hearing, the Board decided to extend the public comment period (through 12/15/2017) and scheduled the matter for decision on December 27, 2017. The Board adopted the initial docket resolution for the 2018 annual Comprehensive Plan process on December 27, 2017.

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
Kitsap County Department of Community Development
[Planning and Environmental Programs](#)
619 Division St, MS 36
Port Orchard, WA 98366
(360) 337-5777 x7098 | pbest@co.kitsap.wa.us

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From: M M [mailto:vexnot@gmail.com]
Sent: Thursday, January 18, 2018 8:19 PM
To: Peter Best <pbest@co.kitsap.wa.us>
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary

Thank you Peter for getting this information to me.

I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

It appeared to me that the 60 day public comment period was open and the comments were received. I reviewed the comments and spoke with someone in your department about them sometime in November I believe.

And when I inquired about the progress of the amendment I was told that in December the amendment would be presented to the full board with the staff recommendation and the vote on the change could still happen in January to approve the 2017 Comp Plan Amendment.

Could you please direct me to the September meeting you referred to where the Board decided to delay this specific amendment?

ATTACHMENT 2 - 165
PDR Gonzales-Harless

Mike

On Thu, Jan 18, 2018 at 11:22 AM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mike,

Thanks for the call today. Again, my apologies if there were any miscommunications or misunderstandings regarding the decision making around the 2017 docket. There were a number of items under consideration for the 2017 docket and in the end the Board decided to not do an annual amendment to the Comprehensive Plan because there simply was not enough time to complete the required process in 2017. The Board immediately began developing an initial docket for 2018, which was adopted on 12/27/2018, and includes a County-sponsored amendment to review and adjust the southeast boundary of the George's Corner LAMIRD.

As promised, attached please find the summary schedule for the annual Comprehensive Plan amendment process for 2018. Please note that this schedule and the timeframes discussed below are subject to change. You can learn more about the process at our [Online Open House](#). I believe you are already receiving notifications regarding this project. If not, you can [subscribe to receive future notifications](#).

As we discussed, this is a legislative process that the County can do only once per year and includes a variety of County-sponsored amendments as well as site-specific applications. All Comprehensive Plan amendments must be processed and considered as a batch. As a result of the batching requirement and other procedural requirements in state law and County code, it will take a full year to complete the annual amendment process, with ordinance adoption planned in December 2018. As a legislative process, the Board has the discretion to approve, approve with modifications, approve with conditions, deny, or defer any amendment.

I will be preparing a proposal for the George's Corner LAMIRD boundary amendment before the end of March, which I will share with you when it is available. As part of that process, I will need to conduct a site visit and will be in touch with you about that in the near future.

In April, the Board of County Commissioners will decide whether to continue with the initial docket of amendments or may adopt a final docket, deciding which amendments will continue through the process.

Following the publication of a State Environmental Policy Act (SEPA) determination and staff report in June, there will be a public comment period (open for at least 60 days and may include open houses) as well as public hearings as the amendments are considered by the Planning Commission and then the Board of County Commissioners. You are encouraged to attend the public hearings and submit comments regarding the amendment.

The County has received comments regarding this amendment (summarized below) during the preparation of the docket, of which you should be aware. Other comments may be received as the amendments are considered during the latter half of 2018.

ATTACHMENT 2 - 166
PDR Gonzales-Harless

- I believe you are aware there was tribal interest in the establishment of the George's Corner LAMIRD boundary, particularly regarding commercial development in rural areas and in relation to critical areas. Tribal staff have requested to be consulted during this boundary adjustment amendment. If you would like to directly contact staff at the Suquamish and Port Gamble S'Klallam tribes, I can provide you contact information.
- Another County-sponsored amendment in 2018 is a review of the Urban Village Center (UVC) zone covering downtown Kingston. We have received comments stating concern about possible expansion of the commercial development at George's Corner which could affect the planned growth within the Kingston urban growth area (UGA).

I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,
Peter

Peter Best | Planner
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ATTACHMENT 2 - 167
PDR Gonzales-Harless

From: [M.M](#)
To: [Peter Best](#)
Subject: Re: 2018 Comprehensive Plan Amendment Process - George's Corner LAMIRD Boundary
Date: Thursday, January 18, 2018 8:20:29 PM

Thank you Peter for getting this information to me.

I'm curious as to why there was public comment requested in November/December 2017 if the LAMIRD change in the Comp Plan was not proposed in 2017?

It appeared to me that the 60 day public comment period was open and the comments were received. I reviewed the comments and spoke with someone in your department about them sometime in November I believe.

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Mike

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I hope this information is helpful. Please let me know if you have any additional questions.

Sincerely,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

619 Division St, MS 36

Port Orchard, WA 98366

[\(360\) 337-5777 x7098](tel:(360)337-5777x7098) | pbest@co.kitsap.wa.us

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ATTACHMENT 2 - 170
PDR Gonzales-Harless

From: [M.M](#)
To: [Deanna Erstad](#)
Subject: Re: Commissioner Gelder Meeting Request
Date: Wednesday, June 14, 2017 9:51:01 AM

That sounds good. How about meeting at the Starbucks next door? And how early on July 6?
Mike

On 06/14/2017 9:22 AM, Deanna Erstad wrote:

Mike, I just left you a message.....they would like to meet at George's Corner at the site.....will that work for you on July 6th?

From: M M [<mailto:vexnot@gmail.com>]
Sent: Monday, June 12, 2017 12:52 PM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: RE: Commissioner Gelder Meeting Request

Thanks I will be out of town the 22nd and 29th of June and I look forward to hearing from you about another date.
Mike

On Jun 12, 2017 11:57 AM, "Deanna Erstad" <DErstad@co.kitsap.wa.us> wrote:

Mike, I'm sorry but he is not available this week. I have you on my list to schedule a meeting, but it may be out a couple of weeks. I will try to schedule you on a Thursday when he will be in his Kingston office so you won't have to travel all the way to Port Orchard.

-----Original Message-----

From: M M [<mailto:vexnot@gmail.com>]
Sent: Monday, June 12, 2017 10:52 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Commissioner Gelder Meeting Request

Deanna,

I would like to schedule a meeting with Commissioner Gelder to discuss an issue with a property located at :

8229 NE STATE HWY 104 KINGSTON WA 98346

Account # 272702-2-046-2004

The property currently has 3 zoning designations on the one parcel and I am hoping that Comm. Gelder will help me look at getting this cleared up.

I am available all day Thursday June 15 and wondered if there was a time that might work otherwise I look forward to hearing from you with possibilities.

Thanks,

Mike McCown

ATTACHMENT 2 - 172
PDR Gonzales-Harless

From: [M M](#)
To: [Deanna Erstad](#)
Subject: Re: Commissioner Gelder Meeting Request
Date: Friday, June 16, 2017 1:22:59 PM

Its on my calendar. Are Scott and Cindy planning to join us at that meeting?
Mike

On Wed, Jun 14, 2017 at 10:26 AM, Deanna Erstad <DErstad@co.kitsap.wa.us> wrote:

I put it on for 9 am like you suggested....

From: M M [mailto:vexnot@gmail.com]
Sent: Wednesday, June 14, 2017 9:51 AM
To: Deanna Erstad <DErstad@co.kitsap.wa.us>
Subject: Re: Commissioner Gelder Meeting Request

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ATTACHMENT 2 - 173
PDR Gonzales-Harless

-----Original Message-----

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Subject: Commissioner Gelder Meeting Request

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Thanks,

Mike McCown

**ATTACHMENT 2 - 174
PDR Gonzales-Harless**

From: [M M](#)
To: [Dave Ward](#)
Subject: Re: Comprehensive Plan Amendments
Date: Friday, July 20, 2018 3:41:19 PM

Thanks
Mike

On Fri, Jul 20, 2018, 3:08 PM Dave Ward <dward@co.kitsap.wa.us> wrote:

Mike,

Thanks for the conversation today.

Here is a link directly to the public comments page.

https://spf.kitsapgov.com/dcd/Pages/2018_CompPlan_Comments_page.aspx The public comments received so far are in the "View Submitted Comments Here" link about 2/3 the way down the page. Documents describing each proposed change can be reached by clicking the orange box near the top of the page.

The comments from Tuesday's Planning Commission hearing have not been entered yet, but we hope to get them done next week.

Here is a link to the Planning Commission members. Please note that Spencer Stegmann just resigned, so his seat is now vacant.

<https://spf.kitsapgov.com/dcd/PCDocs/Kitsap%20County%20Planning%20Commission%20Terms%2020180702.pdf>

I look forward to meeting you on the 31st.

Dave Ward

Planning and Environmental Programs Manager

Kitsap County, Department of Community Development

dward@co.kitsap.wa.us

360-620-3695

ATTACHMENT 2 - 175
PDR Gonzales-Harless

From: [M.M](#)
To: [Peter Best](#)
Subject: Re: FW: Annual Comprehensive Plan Amendment Process for 2018
Date: Thursday, December 14, 2017 1:11:09 PM

Peter,
Thanks for the info. about the comp plan admendments. Unfortunately I did not see it until today so I missed the hearing.
Could you tell me if there was any significant opposition and if so is there a recording of the hearing ?
If no opposition what is the current timeline for the process?
Thanks,
Mike McCown

On Mon, Dec 4, 2017 at 4:32 PM, Peter Best <pbest@co.kitsap.wa.us> wrote:

Mr. McCown,

I wanted to make sure you received the announcement below. If you did not receive this announcement directly, than I would encourage you to subscribe to receive future notifications.

You will see that the adjustment to the George's Corner LAMIRD boundary is included in the [draft docket](#). If you have comments for the Board of County Commissioners, please see below for more information.

Let me know if you have any questions.

Cheers,

Peter

Peter Best | Planner

Kitsap County Department of Community Development

[Planning and Environmental Programs](#)

[619 Division St](#), MS 36

Port Orchard, WA 98366

[\(360\) 337-5777 x7098](tel:(360)337-5777) | pbest@co.kitsap.wa.us

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From: Kitsap County [mailto:kitsapcounty@public.govdelivery.com]

Sent: Friday, December 1, 2017 2:03 PM

To: Peter Best <pbest@co.kitsap.wa.us>

Subject: Annual Comprehensive Plan Amendment Process for 2018

Annual Comprehensive Plan Amendment Process for 2018



Kitsap County Department of Community Development

Project Message #1

December 1, 2017

Comp Plan Logo Header



STAY INFORMED! [Click to subscribe](#) to receive future notifications.



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, human services, transportation, capital facilities and utilities, as well as parks and 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?

ATTACHMENT 2 - 177 PDR Gonzales-Harless

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)

[View Submitted Comments](#)

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.

CONTACT

Department of Community Development

Planning & Environmental Programs

[\(360\) 337-5777](tel:(360)337-5777) (Kitsap1)

compplan@co.kitsap.wa.us

Mailing Address

[614 Division Street](#) - MS36
Port Orchard, WA 98366

Office Location

[619 Division Street](#)
Port Orchard, Washington

ATTACHMENT 2 - 178
PDR Gonzales-Harless

Media Contact: Natalie Marshall



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.

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ATTACHMENT 2 - 179
PDR Gonzales-Harless

From: [M.M](#)
To: [Scott Diener](#)
Subject: Re: George's Corner - Q about southern boundary
Date: Wednesday, May 24, 2017 12:33:10 PM

Scott,

Are you available tomorrow afternoon or anytime Friday to sit down with me to review this issue?

Thanks

Mike McCown

On May 23, 2017 11:10 AM, "Scott Diener" <SDiener@co.kitsap.wa.us> wrote:

Mike:

You note and ask in a recent inquiry with DCD:

There was an error in transferring LAMIRD Boundary across the south end of the property from paper format to electronic format resulting in decrease NC zoning. What is the process to return the electronic copy to the original boundary?

This is not the first time the issue has been raised for discussion (it has been raised and debated a lot, since the southern boundary (below Rite-Aid) is not consistent with the zoning boundary). There was also push to move the boundary during the recent Comp Plan update, which did not materialize.

It is staff's recollection that the boundary for the zone was agreed upon in 2004 and was adopted and it was a subsequent short plat by Gary Lindsey that revised the boundary lot line to the south.

Map corrections occur when what was adopted by the Board does not match what was presented by staff (in the companion adopting ordinance) or when staff shows a zone boundary that does not match what was adopted by the Board (in the ordinance). Staff looked into this some years ago to determine there was not a conflict between what staff presented and what was adopted and the boundary explicitly matches what was approved.

However, in spite of the years of examination on this property, you have a right to demonstrate there was an error in 2004. If you have evidence that there was an error, please provide that along with a timeline associated with the 2004 approval.

I left a voicemail at 2 phone numbers. Please contact me if Qs.

Regards,

Scott Diener

Manager, Development Services and Engineering
SEPA Responsible Official

Dept of Community Development

Kitsap County

614 Division St, MS-36

Port Orchard, WA 98366

sdiener@co.kitsap.wa.us

t: [360-337-5777](tel:360-337-5777)

f: [360-337-4415](tel:360-337-4415)

kitsapgov.com/DCD

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ATTACHMENT 2 - 181
PDR Gonzales-Harless

From: [Bill Broughton](#)
To: [Patty Charnas](#)
Subject: georges corner
Date: Thursday, May 16, 2013 11:07:18 AM

Hi Patty
Nice talking to you today.
See you Tuesday at 2

William H. Broughton
Broughton Law Group, Inc., P.S.
9057 Washington Ave. N.W.
Silverdale, WA 98383
Phone - (360) 692-4888
Fax - (360) 692-4987
bill@bbroughtonlaw.com

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STAFF REPORT

Permit Number: 15 00378 | DJM Construction

DATE: March 2, 2016

TO: Kitsap County Board of Commissioners; Kitsap County Planning Commission

FROM: Katrina Knutson, AICP, Senior Planner, DCD and

Jeff Arango, AICP, Senior Associate, BERK Consulting

RE: DJM Construction Reclassification Request

APPLICATION INFORMATION

1. **Applicant Name:** Bill Broughton, DJM Construction Co. Inc. (applicant and owner)
2. **Parcel Number:** 272702-2-047-2003
3. **Address or location information:** Near the corner of Miller Bay Rd. NE and NE State Highway 104; see Attachment 1. Commissioner District 1.
4. **Current Land Use:** Undeveloped; see Attachment 3.
5. **Current Comprehensive Plan Map Designation:** Rural Residential/Rural Protection
6. **Proposed Comprehensive Plan Map Designation:** Urban Low-Intensity Commercial/Mixed-Use
7. **Current Zoning:** Rural Residential (RR)/Rural Protection (RP); see Attachment 4.
8. **Proposed Zoning:** Neighborhood Commercial (NC); see Attachment 5.
9. **Lot Area / Size:** 8.36 acres
10. **Comprehensive Plan Alternatives:** Request included with Comprehensive Plan Update 2016 Supplemental Environmental Impact Statement (SEIS) Alternative 3.
11. **Preferred Alternative:** The request is not included in the Preferred Alternative.

Submitted Application Materials

- Project Application
- Reclassification Request Criteria
- Environmental Checklist

- Ownership Certification

Application Request

The applicant is requesting to amend both the Comprehensive Map and zoning designations. The existing designation is Rural Residential (RR) and Rural Protection (RP) and the applicant is requesting inclusion in the adjacent George’s Corner Limited Area of More Intense Development (LAMIRD). The applicant is also requesting to amend the zoning designation from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial (NC). The applicant states in the application that the existing designations and LAMIRD boundary may be due to a mapping error which is outside of the scope of this process.

BACKGROUND

The adjacent George’s Corner LAMIRD boundary was established in 2004. After appeal and adjudication in 2004, the Washington State Growth Management Hearings Board made specific notice of the boundary, which is adjacent to the subject parcel. The Growth Board excerpt is below:

The County chose to use the physical contours of the land and the presence of wetlands to define the boundary of the LAMIRD. Consistent with .070(5)(d)(iv)(B), this is likely to result in permanent boundaries that are less subject to pressures for commercial expansion and sprawl. The wetlands and critical areas may help buffer the commercial uses from the surrounding rural lands. The County required a lot-line adjustment on the Bjarnson property to further contain the LAMIRD.

Futurewise, Harless, KCRP v. Kitsap County, CPSGMHB 04-3-0031c, Final Decision and Order (FDO) (6/28/05).

The existing LAMIRD boundary was based in part on the presence of wetlands and geologic hazards on the subject property as shown in Attachment 2. The complex of wetlands is directly associated with Grover’s Creek, an important fish-bearing stream which empties into Miller Bay. (Wetland delineation mapping attached).

As shown in maps included in this report, a Short Plat (200511300408/409) was recorded following the establishment of the LAMIRD that resulted in the creation of new lots and split-zoning. This split-zoning (RP, RR, NC) was not created by an action of the County.

Surrounding Zoning and Land Use

The site abuts NC zoning to the north and west but RR and RP to the east and south.

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

Surrounding Areas	Current Zoning	Current Land Use
North	• NC	• Trade (Commercial) and Government Services
East	• RP	• Undeveloped
South	• RR/RP	• Undeveloped
West	• NC	• Residential and Trade (Commercial)

Source: Kitsap County GIS; BERK Consulting 2015

Current Future Comprehensive Plan and Zoning Designations

The subject property is currently designated as Rural Residential and Rural Protection on the Comprehensive Plan Map. The Comprehensive Plan describes the designations as:

- **Rural Protection (RP):** This designation is intended to allow low-density development in keeping with rural character and to protect significant environmental features, including visual, historic, and natural features; wildlife corridors; steep slopes; wetlands; streams; and adjacent critical areas. It is implemented by the RP zone.
- **Rural Residential (RR):** This designation is intended to allow low-density residential development consistent with rural character, and primarily focuses on single-family dwellings. This designation is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features, and also recognizes areas that are already committed to a pattern of smaller rural lots. The RR designation is implemented by the Rural Residential zone.

According to the Kitsap County Code (Chapter 17.305 Kitsap County Code (KCC)), the RP zone is intended to “promote low-density rural development that is consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.” This zone allows for residential, commercial, resource, and recreational uses that are compatible with rural character. The maximum density is 1 dwelling unit per 10 acres.

The RR zoning designation (Chapter 17.310 KCC) promotes “low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.” RR has a maximum density of 1 dwelling unit per 5 acres. This zone allows for residential and limited commercial, resource and recreational uses that are compatible with rural character.

Rural character is referenced in both designations and zones. Chapter 3 Rural and Resources Lands of the Comprehensive Plan has a detailed description of rural character as well as goals and policies. Some of the characteristics defining rural character include:

- Relatively undeveloped nature
- Lots 5 acres and over
- Agricultural and forest activities
- Land for wildlife and nature
- Personal open space for tranquility (enjoyment of personal property)
- Responsive public services, sense of being self-sufficient
- Wooded trail systems
- Views of the Hood Canal, Puget Sound, the Olympics and Mount Rainier
- Small businesses serving the local population
- Small, intimate communities
- Low population density
- Large forested areas
- Quiet two lane roads

Proposed Future Comprehensive Plan and Zoning Designations

As described in the current Comprehensive Plan, the proposed Comprehensive Plan Map Designation is Limited Area of More Intense Rural Development (LAMIRD) – Type I. The Comprehensive Plan describes the designation as follows:

- **Type I.** The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial,

industrial, residential, or mixed-use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type 1 LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of the area with respect to building size, scale, use, or intensity. Type 1 LAMIRDs must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type 1 LAMIRDs also must be bounded by a “logical outer boundary” that mirrors the limits of the pre-existing development.

The list of allowable uses differs substantially between NC and RR/RP. This relates to the intent of the NC for commercial uses and RR/RP for large lot rural residential uses.

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

Selected Uses	NC (proposed zoning)	RR/RP (current zoning)
Residential Uses		
• Single family dwelling, detached	X	X
• Mixed use development	ACUP	X
• Hotel/motel	C	X
Commercial/Business Uses		
• Financial, banking, mortgage and title institutions	P	X
• General office and management services – 4,000 to 9,999 s.f.	ACUP	X
• General retail merchandise stores – less than 4,000 s.f.	P	X
• General retail merchandise stores – 10,000 to 24,999 s.f.	C	X
• General retail merchandise stores – 25,000 s.f. or greater	X	X
• Restaurants	P	X
• Tourism facilities, including outfitter and guide facilities	X	X

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

Zoning development standards show a denser pattern of development for NC than for RR/RP. For example, mixed use development at 10-30 units per acre is allowed in the NC zone whereas single family residential development at 1 unit per 5 or 20 acres is allowed in the RR/RP zones respectively.

Exhibit 3. Selected Development Standards Comparison (KCC 17.381.040)

Density and Dimensions	NC (proposed zoning)	RR/RP (current zoning)
Base density (du/acre)	10	1 Unit/5 Acres (RR) 1 Unit/10 Acres (RP)
Maximum Density (du/acre)	30	NA
Minimum lot size (acre)	NA	NA
Lot width (feet)	NA	140
Lot depth (feet)	NA	140
Maximum height (feet)	35	35

PUBLIC COMMENTS

Three tribal and agency comments were received regarding the proposal during the SEIS public comment period. The Suquamish Tribe, Point No Point Treaty Council and the Washington Department of Fish and Wildlife do not support the proposal due to the expansion of a Type I LAMIRD and environmental constraints. The easterly portion of the subject parcel contains wetlands associated with Grovers Creek, which drains to Miller Bay where the Suquamish Tribe operates a Chinook and chum salmon hatchery. The Tribe's comment letter describes recent monitoring efforts associated with the creek and hatchery, and states concern regarding potential further degradation of Grovers Creek (including fish passage opportunity) if wetland, riparian and stormwater protection functions are not maintained throughout the Grovers Creek watershed.

EVALUATION

Site specific reclassification requests to the Comprehensive Plan must be reviewed in accordance with the criteria outlined in the Kitsap County Code (KCC) Chapter 21.08. Applicable review criteria for site specific reclassification requests are in sections KCC 21.08.070.A and KCC 21.08.070.D.

General Criteria (KCC 21.08.070.A)

A. General. For each proposed amendment to the Comprehensive Plan the review authority, the planning commission in reaching its recommendation, and the board of commissioners in making its decision, shall develop findings and conclusions, which demonstrate:

1. How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;

Circumstances related to the proposed amendment or the area in which the property is located have not substantially changed since adoption of the Comprehensive Plan.

2. How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and

The assumptions upon which the Comprehensive Plan is based are still generally valid. Updated growth targets and capacity analysis is being conducted as part of the 2016 Comprehensive Plan update, but in general that process will not change the assumptions relative to the subject property and proposed amendment.

3. How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.

The amendment request is not in the public interest as it would expand the logical outer boundary of the existing Type I LAMIRD boundary to include an undeveloped forested property with significant environmental constraints and building limitations. See analysis under criteria 1.f below for consistency with the Comprehensive Plan.

Reclassification Request Criteria (KCC 21.08.070.D)

D. Site-Specific Amendments. In addition to the findings and conclusions in subsection (A) of this section, a proposed site-specific map amendment may be recommended for approval by the planning commission and may be approved by the board of commissioners if the following findings are made:

1. All Site-Specific Amendment Requests. Each of the following requirements must be satisfied for a recommendation for approval.

- a. The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;**

The proposed amendment involves expanding a LAMIRD boundary to include an additional 8.36 acres of undeveloped property that contains wetlands and moderate geologic hazard areas. The LAMIRD area currently has water service, but not sanitary sewer. While the expansion of the LAMIRD would not significantly impact levels of service for public services overall within the County, it would expand the area that may be served by more intense public services ~~is to be served by urban services~~ and increase the area that is to be served. The area is studied cumulatively for NC in the 2016 Comprehensive Plan Update SEIS. The site is located near segments of Hansville Road NE and SR 104 with projected transportation deficiencies under Alternative 3. Increased commercial density at the proposed site would add trips beyond what was reflected in the 2036 travel demand forecasts. Therefore, the proposal would result in an impact to transportation. However, the transportation improvement projects identified to address deficiencies expected without the proposal would also be expected to address the additional impacts resulting from the proposal. Any reclassification proposal would be subject to a more specific analysis of transportation impacts and would be subject to meeting County concurrency requirements at the time of development.

Kitsap County has submitted this application to the Washington State Department of Transportation for their review and comment, as the site is located on a state highway.

- b. The proposed amendment is consistent with the balance of the goals, policies and objectives of the current Kitsap County Comprehensive Plan and reflects the local circumstances of the County;**

Kitsap County Comprehensive Plan Chapter Vision

Kitsap County’s Comprehensive Plan shows the relationship between chapter concepts and the comprehensive plan vision. See Exhibit 4.

Exhibit 4. County Vision for Rural and Urban Areas

Vision	Rural Chapter Relationship to Vision
<p>Rural Areas. Rural areas and communities where unique historical characters, appearances, functions, and pioneering spirits are retained and enhanced. Natural resource activities, such as forestry, agriculture, and mining continue to contribute to the rural character and economy. Rural recreation opportunities are enhanced, including equestrian facilities, trails, and others.</p>	<ul style="list-style-type: none"> • Maintain low residential densities in rural areas and provides policy guidance for development standards which help to preserve the County’s rural character. Foster small sustainable farms and agricultural enterprises that provide locally-grown food and fiber for Kitsap citizens.
<p>Economic Development. A stable, prosperous and diversified economy that provides living wage jobs for residents, supported by adequate land for a range of employment uses and that encourages accomplishment of local economic development goals.</p>	<ul style="list-style-type: none"> • Preserve opportunities for resource-based economic activities within the County. • Allow for limited commercial and industrial uses in rural areas, while preserving rural character.

Natural Environment. Natural ecosystems – including interconnected wetlands, streams, wildlife habitat, and water quality – that are rehabilitated, protected, and enhanced and that allow for flexible and innovative development to meet environmental and growth goals. In developed areas, the growth pattern supports conservation of non-renewable energy and minimizes impacts on air quality and climate.

Provide for protection of natural ecosystems in rural areas through rural designations, through compliance with Kitsap County “Water as a Resource” Policy (Res.109-2009), and with lower levels of development and lower availability of public services.

Source: Kitsap County Comprehensive Plan (December 2012).

Expanding the Type I LAMIRD Boundary and up zoning 8.36 acres of undeveloped property with significant wetlands appears contrary to the vision statement with respect to the natural environment. The proposed action would also alter the logical outer boundary of the LAMIRD and could affect the local character which currently has a visual separation between the LAMIRD and abutting rural large lots to the east and south. While at least one Growth Management Hearing Boards has stated that the LOB for a Type I LAMIRD may conceivably be enlarged after its initial establishment, such an expansion must meet the same criteria as required for the initial establishment. *1000 Friends of Washington v. Snohomish County*, CPSGMHB Case No. 03-3-0026, (*1000 Friends II*), FDO, (June 21, 2004). There is no evidence that the addition of this property to the LAMIRD meets the criteria for establishing the initial boundary. There is no evidence that this property included pre-existing development prior to 1990. Under GMA, the purpose of establishing LAMIRDs is to limit development, adding vacant parcels at the fringes of an established LAMIRD could contravene the GMA provisions.

Kitsap County Comprehensive Plan 2036 Goals and Policies: Chapter 3

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

3A.2.1B Limited Areas of More Intensive Rural Development

- Goal 7. Allow for the designation of LAMIRDs outside of the UGA based on existing rural residential communities or villages, areas of mixed use activity, isolated areas of small and moderate-scale commercial/industrial activity, and historic towns.
- **Policy RL-25 Prohibit designating a LAMIRD adjacent to an UGA.**

The subject properties are adjacent to a Type I LAMIRD, but not adjacent to a UGA. The area was evaluated as part of LAMIRD options in 2004 and the present boundary that excludes the site was established and upheld by the Growth Management Hearings Board.

- **Policy RL-27 Encourage changes to zones in LAMIRDs to occur via a local community planning process. This process should incorporate local knowledge, experience and preferences to determine appropriate area-specific land uses, development standards, design guidelines, and public service needs. Specific issues that should be considered in this planning process include:**

- **Appropriate logical outer boundaries as required by GMA**

The appropriate logical outer boundary of the existing George’s Corner LAMIRD was subject to review by the Growth Management Hearings Board in 2005 and upheld. The proposed amendment would expand the logical outer boundary to undeveloped forested land that contains wetlands and a stream corridor. Therefore, extending the appropriate logical outer boundary to include the subject property appears unjustified.

- **Rural character of the subject area and surrounding area.**

The subject property and surrounding area with an RR/RP designation maintain a rural character. Applying the NC designation to the subject property, which is undeveloped and contains relatively intact ecological functions would affect rural character incrementally.

- **Appropriate mix of uses, densities and intensities.**

The specific mix of uses, densities and intensities allowed in the NC zone are appropriate for properties within the LAMIRD boundary. However, as discussed above the extension of the logical outer boundary to include the subject property is not supported by GMA goals and local regulations and so, therefore, is not an appropriate mix of uses, densities and intensities.

- **Feasibility, cost and need for public services.**

The site is served with public water service, but not sanitary sewer service.

- **Significant natural constraints or features to be preserved.**

The subject property is undeveloped forested land that contains wetlands and a stream corridor, both regulated under Kitsap County Code Title 19 (Critical Areas) which responds to state requirements for local governments to protect the functions and values of critical areas and their buffers

- **Provision for a monitoring and evaluation process.**

As a condition of approval if the request is approved, the County should work with the applicant to develop a monitoring and evaluation process.

- **Benefits to the local community.**

The benefits of approving the request may include allowing greater commercial opportunities at the crossroads for the Kingston-area community; given the preference in County plans for focus growth in the Kingston UGA and other UGAs, and the environmental and rural character concerns, the benefits of expanding the George's Corner LAMIRD do not appear to outweigh the disadvantages. The applicant has not demonstrated any benefits to the local community. The subject parcel(s) is suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood. However, the subject parcel is not suitable for the requested land use designation based on environmental constraints and is inconsistent with the GMA criteria for establishing the logical outer boundary of the LAMIRD.

c. The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning, and reflects local circumstances in the county;

The proposed amendment does not materially affect the land uses and growth projections which are the basis for comprehensive planning and reflects local circumstances in the County.

d. The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;

The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall are of the urban growth area. See criteria D.1.a.

e. The proposed amendment is consistent with the GMA, Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements.

The following state and local policies and laws are applicable to the applicant's zoning amendment request.

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

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The proposed amendment is inconsistent with above GMA goal by expand the boundary of a LAMIRD to an undeveloped forested site with environmental constraints.

Growth Management Act – Designating Limited Areas of More Intense Development (RCW 36.70A.070(5)(d))

The GMA establishes the criteria for establishing the logical outer boundary for a LAMIRD in RCW 36.70A.070(5)(d)(iv) and (v):

The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

The subject property was not developed prior to July 1, 1990. Expanding the outer logical boundary on the edge of the LAMIRD to include undeveloped forested land that includes significant environmental constraints appears contrary to the criteria above. (e.g. using bodies of water, land forms and contours to define boundaries).

Kitsap County-wide Planning Policies

Element D: Rural Land Uses and Development Patterns

D-2. Preserving rural land use and development patterns:

- a. Rural Communities are already-existing residential and commercial areas of more intensive rural development designated in the Kitsap County Comprehensive Plan under RCW 36.70A.070.5. In-fill is expected. Rural Communities should be serviced by transportation providers and other services consistent with the Levels of Service adopted by Kitsap County for roads and by Kitsap Transit for transit upon their designation as an area of more intensive rural development.**

The proposed amendment is inconsistent with the above County-wide Planning Policy because it is not part of the already developed area within the existing Type I LAMIRD and would require the extension of the logical outer boundary to include undeveloped forested land with environmental constraints.

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

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

No unmet need has been identified by the applicant. The applicant stated an intent to develop a fast-food establishment or similar type land use if the amendment request is approved.

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

The subject property is undeveloped forested land that is along the outer boundary, but outside, of the Type I LAMIRD Boundary. The proposed amendment would increase the likelihood that the subject property is developed at urban intensities that may negatively impact the rural character in the County. See the description of rural character under "Present Comprehensive Plan Designations."

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

It is likely this site would provide commercial uses at the cross roads to serve north Kitsap County. However, there are other already developed areas in the LAMIRD and in the Kingston UGA that could fill that need.

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

See Response D.1.a.

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

The site abuts other NC properties to the north and west. However, there is no exceptional or unique need to add this property in light of the logical outer boundary requirements for Type I LAMIRDs.

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

The site is constrained and would not allow for significant added commercial uses without creating potential significant environmental impacts, and there are other opportunities in the LAMIRD and Kingston UGA to add commercial uses.

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

The applicant has not demonstrated a lack of available sites. In fact there are 3 vacant lots currently within the LAMIRD, one 6.85 acres in size. The Comprehensive Plan intends to focus growth in UGAs. LAMIRDs are only provided to recognize existing development not to create added capacity for growth.

Findings of Fact

1. The applicant, Bill Broughton, submitted the application to Kitsap County on February 2, 2015.
2. The applicant seeks a Comprehensive Plan Amendment to change the Comprehensive Plan Map Designation from Rural Residential (RR) and Rural Protection (RP) to Low-Intensity Commercial/Mixed-Use. This would also entail an expansion of the Logical Outer Boundary of the George's Corner Type I LAMIRD.

3. The applicant seeks a Zoning Map Amendment from Rural Residential (RR) and Rural Protection (RP) to Neighborhood Commercial and to extend the adjacent Type I LAMIRD boundary to include the subject property.
4. The subject property is located near the corner of Miller Bay Rd. NE and NE State Highway 104.
5. The subject property is adjacent to the George's Corner Type I LAMIRD to the west and properties zoned Neighborhood Commercial (NC).
6. The subject property is currently undeveloped.
7. The subject property has environmental constraints including wetlands and a stream corridor.
8. The subject property was not developed prior to July 1, 1990.
9. The Logical Outer Boundary (LOB) of the adjacent Type I LAMIRD was reviewed and upheld by the Growth Management Hearings Board in 2005. Any change to the LOB must comport with the same criteria as the initial designation was subject to.

Conclusion of Law

The application is inconsistent with the Washington Growth Management Act, the Kitsap Countywide Planning Policies, the Kitsap County Comprehensive Plan, and other state and local regulations.

Recommendation

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

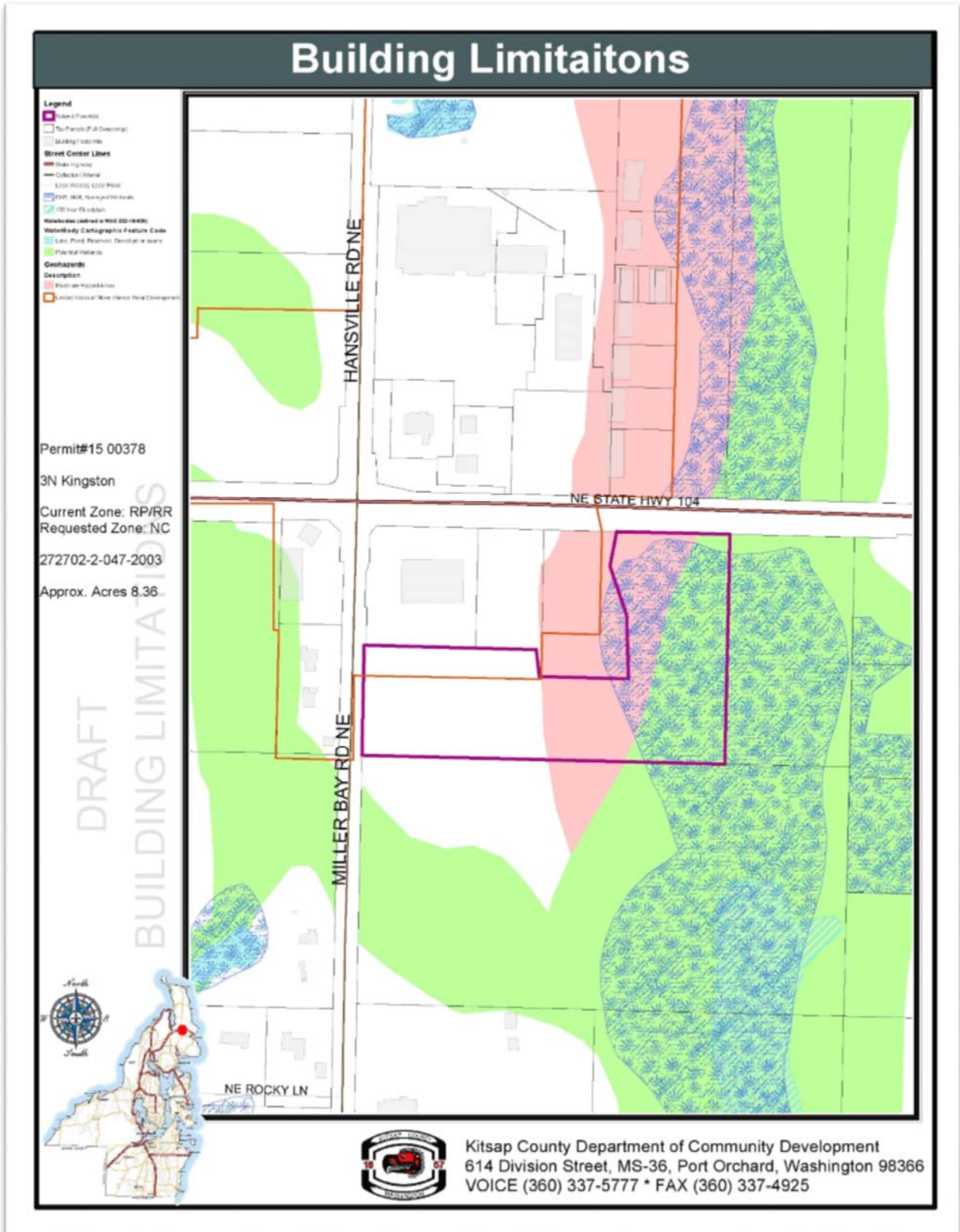
In order to be consistent with the adopted LAMIRD plan and to correct the noted split zones created by the above referenced short plat, staff recommends parcel 272702-2-047-2003 be rezoned entirely to RP and the remaining residential portion of parcel 272702-2-046-2004 be RP.

ATTACHMENTS

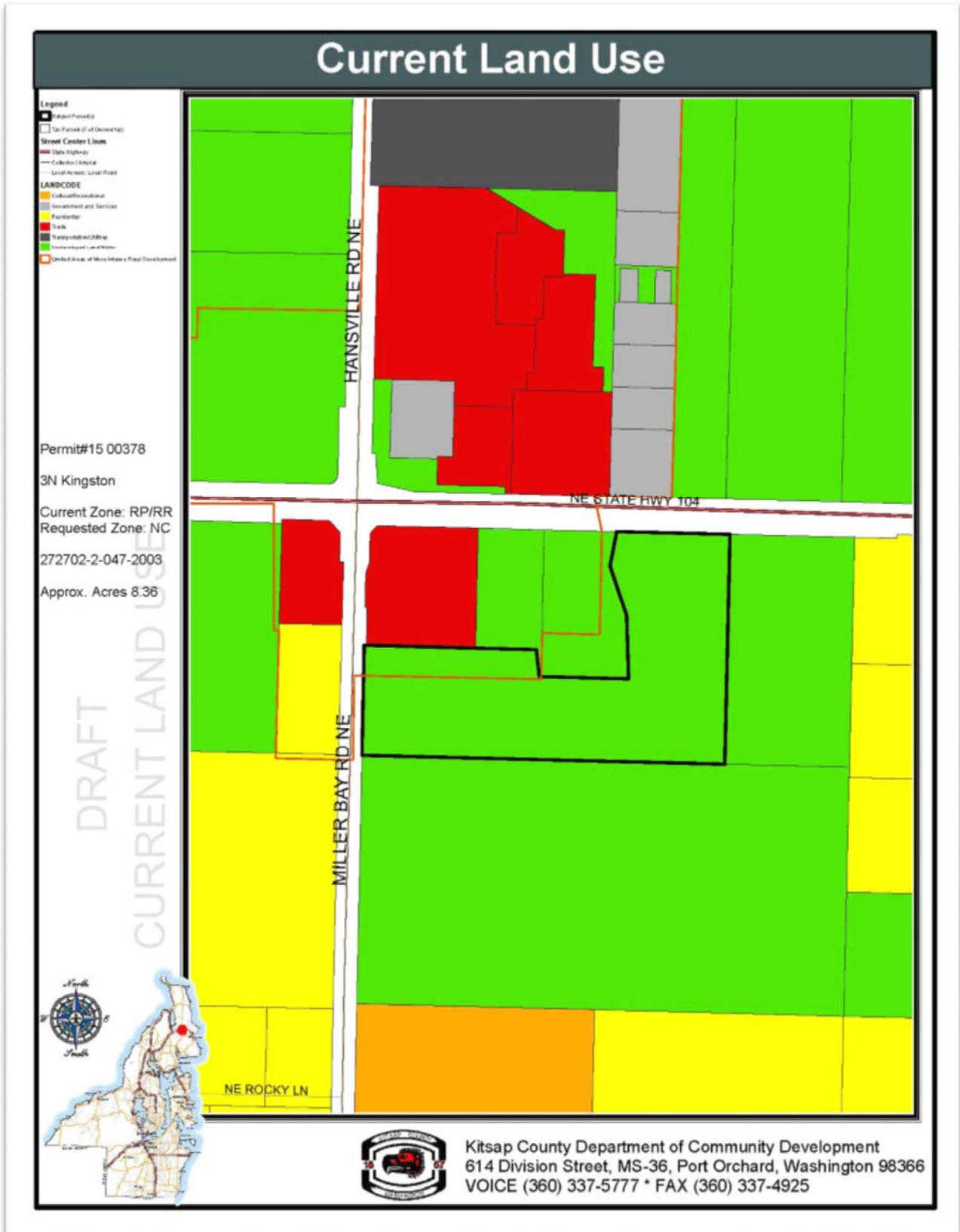
Attachment 1. Aerial Imagery



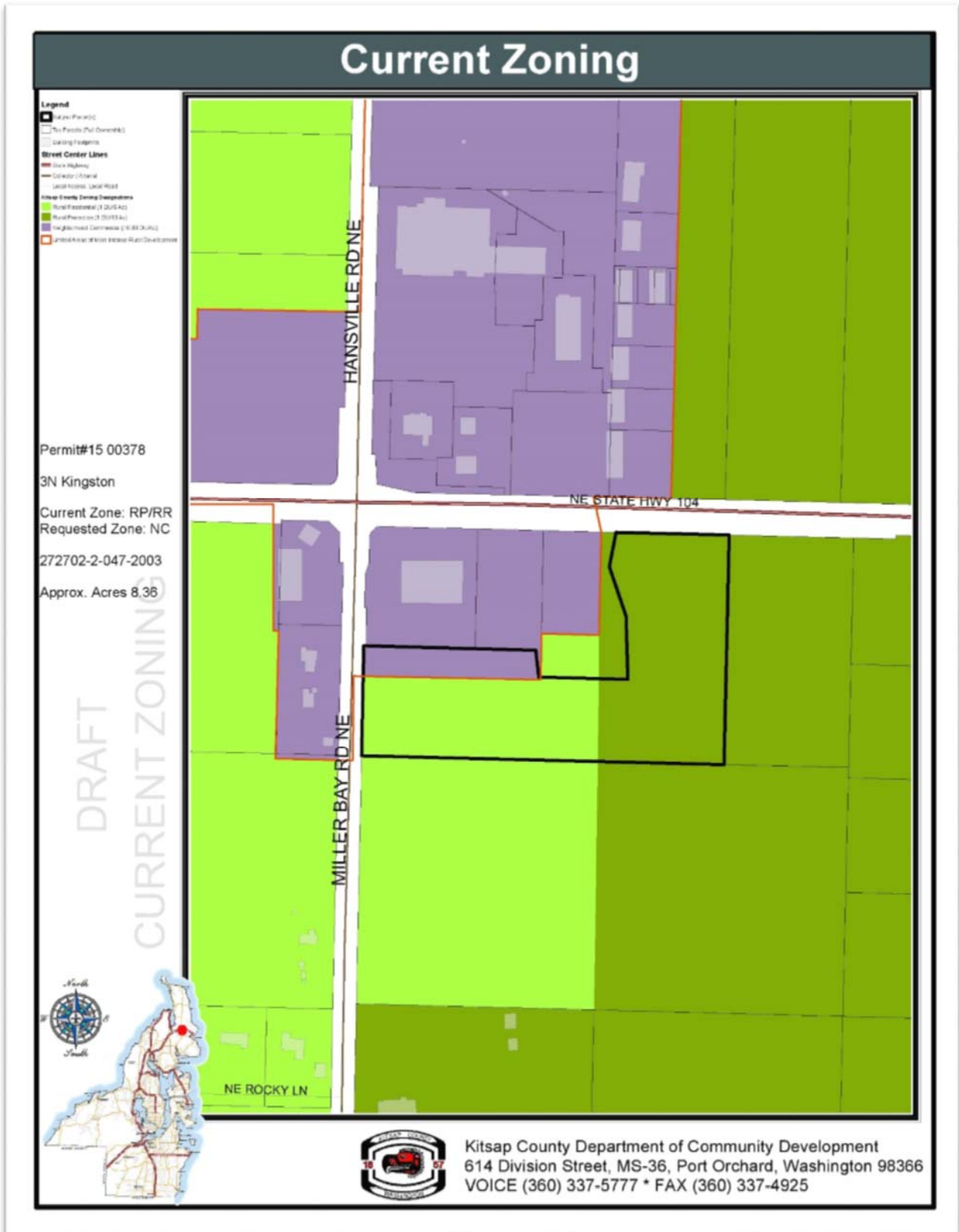
Attachment 2. Building Limitations



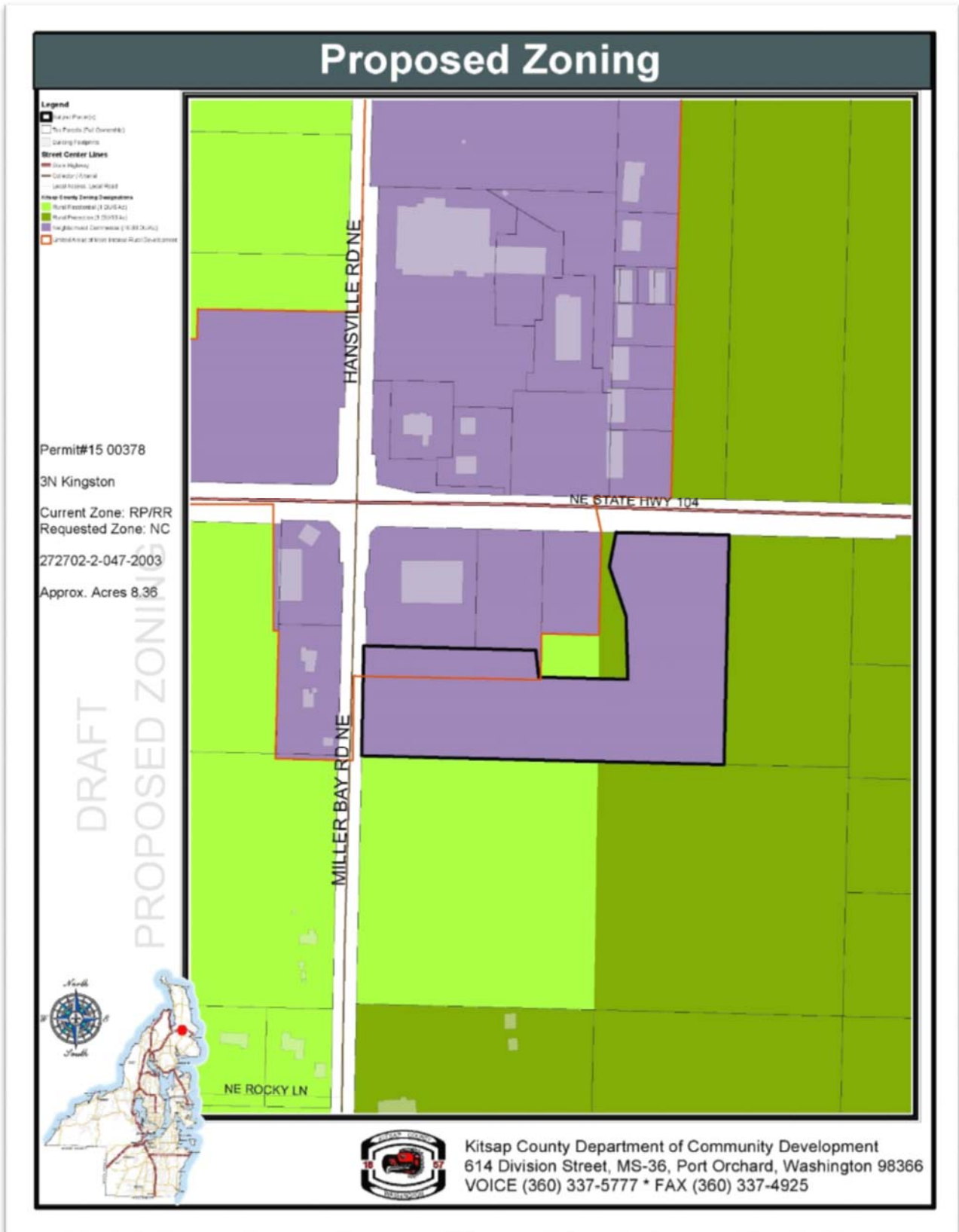
Attachment 3. Current Land Use



Attachment 4. Current Zoning



Attachment 5. Proposed Zoning



ATTACHMENT 3 - 17
DJM Construction 2016.03.02 Reclass Staff Report

NOTE(S): Aerial from Google Earth™	Wetland Boundary Wetland Buffer	TP-4● Test Plot Location	ECOLOGICAL LAND SERVICES, INC. 1157 3rd Ave., Suite 220 Longview, WA 98622 Phone: (360) 578-1371 Fax: (360) 414-9285	DATE: 8/13/15 DWN: JLL REQ. BY: PRJ. MGR: JB CHK: PROJECT NO: 2289.01	Figure 2 SITE MAP Kountry Korners Delineation Bill Broughton Kingston, Kitsap County, WA Section 27, Township 27N, Range 2E, W.M.
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ORDINANCE NO. S34-2016

RELATING TO GROWTH MANAGEMENT, AMENDING THE COMPREHENSIVE PLAN AND MAP AND MAKING CORRESPONDING AMENDMENTS TO THE KITSAP COUNTY ZONING CODE AND MAP, AND THE KITSAP COUNTY WATER AND SEWERS CODE

BE IT ORDAINED:

Section 1. The Kitsap County Board of Commissioners (BCC) makes the following findings:

- 1) Kitsap County is subject to the requirements of the Washington State Growth Management Act (GMA), Chapter 36.70A RCW.
- 2) The GMA, RCW 36.70A.130, mandates that Kitsap County's Comprehensive Plan (Plan) and corresponding development regulations, including the Zoning Code and Map, be subject to continuing review and evaluation.
- 3) The GMA, RCW 36.70A.130, establishes a schedule whereby each city and county in Washington must take action to review and, if needed, revise its Comprehensive Plan and development regulations to ensure consistency with the Act. Kitsap County's deadline for this periodic update is June 30, 2016, and every eight years thereafter. In addition to reviewing adopted policies and regulations to ensure compliance with the Act, GMA directs that each jurisdiction should determine whether its plan and regulations are affected by any amendments made to the GMA since the jurisdiction adopted its last comprehensive plan or development regulations.
- 4) The Comprehensive Plan is intended to actively guide future growth in Kitsap County and effectively respond to changes in conditions or assumptions. The 2016 updated Plan considers anticipated job and population growth over a 20 year planning horizon, 2016-2036. The updated Plan includes both mandated and optional elements, including Land Use, Economic Development, Environment, Housing and Human Services, Transportation, Parks, Recreation and Open Space, Capital Facilities and Utilities, and Subarea and Neighborhood plans. Additionally, Silverdale Regional Growth Center goals and policies are added to the Silverdale Subarea Plan.
- 5) Under the GMA, the Central Puget Sound Region is defined as King, Kitsap, Pierce and Snohomish Counties. The Puget Sound Regional Council (PSRC) is responsible for developing the four-county regional transportation and land use vision. The Kitsap Countywide Planning Policies (CPPs) reflect an application of the Puget Sound Regional Council's regional growth management guidelines to Kitsap County, and are the policy framework for the County's and the Cities'

- Comprehensive Plans. The Kitsap Countywide Planning Policies were last amended in May 2015, and were developed through a multi-jurisdictional collaboration sponsored by the Kitsap Regional Coordinating Council among: Kitsap County, the Cities of Bremerton, Bainbridge Island, Port Orchard and Poulsbo, the Suquamish and Port Gamble-S'Klallam Tribes, the Navy, the Port of Bremerton, and Kitsap Transit.
- 6) The Kitsap County Code (KCC), Chapter 21.08 Legislative Action Procedures, Section 21.08.030, provides that the BCC will establish a schedule for review and possible amendment of the Comprehensive Plan each year.
- 7) The BCC finds that the amended Comprehensive Plan and associated development regulations adopted in this Ordinance are consistent with the GMA, CPPs, and other applicable requirements. In conducting its review of these amendments, Kitsap County has followed state law.

Section 2. General Procedural Findings. The BCC makes the following findings regarding the process and public participation aspects in amending the Comprehensive Plan:

- 1) On January 12, 2015, following timely and effective public notice, the BCC adopted Resolution 016-2015, which set forth a process and timeline for the Comprehensive Plan Amendment process pursuant to KCC 21.08.040 and the GMA-mandated periodic review process pursuant to RCW 36.70A.130(5), and which included an initial docket. The Resolution incorporated a public participation plan and schedule for development and amendment of the comprehensive plan and development regulations through the Planning Commission and BCC processes, and the docket described the specific aspects of the comprehensive plan and development regulations that would be reviewed for possible amendments.
- 2) As discussed in more detail below, the 2016 Comprehensive Plan update includes adoption of the revised Comprehensive Plan and associated Capital Facilities Plan, Comprehensive Plan and Zoning Maps, and development regulations relating to Titles 13 and 17, KCC.
- 3) In 2014, The BCC approved a "Scope and Strategy Document" to guide the Plan update. The document included the Board's guiding principles, major work tasks, establishment of an Internal Review Team (IRT), outline of proposed formatting, plan implementation, and a preliminary schedule for Plan completion.
- 4) In accordance with the scope of work established for the Plan update, the BCC adopted a set of guiding principles in order to help create a usable, implementable and results-oriented Plan. The guiding principles stated that the County would "utilize an integrated, interdisciplinary team approach" for the Plan update. To achieve this, the BCC established an Internal Review Team (IRT) to guide the update. The IRT consisted of representatives from internal and external agencies, including Clean Water Kitsap, Kitsap County environmental and land use staff, Fire Marshall, GIS, Health, Housing/Block Grant, Human Services, Information Services,

Kitsap Economic Development Alliance, Kitsap Transit, Legal, Parks, Solid Waste, Sewer Utility, Sheriff, and Transportation Planning. The IRT met quarterly beginning in January 2014 with the primary tasks of reviewing existing Plan goals and policies that had already been accomplished and thus could be deleted, determining which goals and policies should be carried forward to the updated Plan, and creating new goals and policies to achieve the County's vision and accommodate job and population growth targets for the 20 year planning horizon 2016-2036. IRT members conducted additional outreach to each agency's external partners for input where such groups or opportunities existed.

- 5) Public Participation. Pursuant to Resolution 106-2014, the Kitsap County Board of County Commissioners adopted a public participation plan ("Let's Hear Kitsap") to encourage robust public involvement in the Plan update process. The public participation plan was divided into four primary phases of outreach between 2014 and 2016: action goals; "Let's Hear Kitsap" findings review; Comprehensive Plan update review; and Comprehensive Plan adoption process. A summary of key public outreach activities follows.
 - a) In August 2014 a postcard was sent to all households of record (approximately 58,000) in unincorporated Kitsap County informing the public about the Plan update process and providing a link to the dedicated Plan update website. In winter 2016, the County further utilized direct post card mailings to notify property owners in the 400-800 foot vicinity of parcels that were the subject for formal land reclassification requests, and to notify land owners of potential zoning revisions under the Preferred Land Use Alternative.
 - b) Kitsap County created a dedicated webpage for the Comprehensive Plan update: <http://compplan.kitsapgov.com> . The webpage provided an opportunity for the public to stay current with emerging issues and events related to the Plan update, as well as provide comments. Key elements of the webpage include a comment portal to provide comments at any time during the update process, an electronic calendar linked to public meeting/open house dates and materials, an electronic library of background and supporting material related to the Plan update, and an opportunity to sign up for the interested party list to receive regular electronic updates, including the "question of the week" early in the update process, and public meetings and draft document releases throughout the update process.
 - c) Between 2014 and 2016, staff convened various meetings or outreach with stakeholder groups to describe and gain input on the Plan update. The groups included but were not limited to Citizen Advisory Committees, Cities (Bainbridge Island, Bremerton, Port Orchard and Poulsbo), service providers (including but not limited to schools, law enforcement, fire protection, water and sewer providers), the development industry (Kitsap Builders Association, Department of Community Development Advisory Group, Home and Garden Show Booths), Tribes (County/Tribes meetings hosted at Suquamish Tribal Offices), Parks

Advisory Board, Port Districts, Aging and Long Term Care, Kitsap Economic Development Alliance, Illahee and Harper Community Groups, Bethel Road landowners, Phillips Road landowners, Illacondia Community, Mesa Redonda organization, Kitsap Transit Limited English Proficiency outreach, Kitsap Immigration Alliance Committee, and "Pop-up" booths at Haselwood YMCA, Kitsap Regional Library, Kitsap Mall, Silverdale Dog Park and Waterfront Park, and Olalla Blue Grass Festival. Meetings were also held with interested citizens upon request.

- d) In fall 2014, Kitsap County conducted three open houses to introduce the public to the Plan update process. The open houses were located at Poulsbo City Hall Council Chambers, the Silverdale Community Center, and the Kitsap County Administration Building Commissioners Chambers, respectively.
- e) Between September 2014 and January 2015, Kitsap County jointly conducted four open houses with Board-appointed Citizen Advisory Committees and their respective sub area communities. Post card invitations were mailed to households within the each respective sub area plan boundary including Kingston, Suquamish, Silverdale and Manchester. The open houses were held at North Kitsap Fire District Miller Bay Road Station, Suquamish Tribal Council Chambers, Silverdale Beach Hotel, and Manchester Library, respectively.
- f) In November 2015, Kitsap County conducted three open houses to provide information and answer questions on the draft Comprehensive Plan documents released for public comment on November 6, 2015. The purpose of the open houses was to inform the public regarding the content of the draft Plan documents (Goals, Policies and Strategies, Capital Facilities Plan and Draft Supplemental Environmental Impact Statement), and how to submit comments during the first 30-day public comment period. The open houses were located at Poulsbo City Hall Council Chambers, the Silverdale Community Center, and the Kitsap County Administration Building Commissioners Chambers, respectively.
- g) A series of public participation reports were prepared to summarize actions and outcomes for the public participation plan element of the Plan update, including the fall 2014 report, the January 2015 - July 2015 report, and the August 2015 - December 2015 report. The reports were made available for public review on the Plan update website.
- h) In April 2016, Kitsap County conducted an open house to present the final Board Preferred Land Use Alternative map, answer questions on the preliminary draft final Plan documents, and explain how to participate and provide input during the final Plan legislative review phase between April and June 2016.
- i) The Board of Commissioners conducted regular monthly information and work study sessions with staff beginning in June 2013. All study sessions were open to the public. Key topics of study sessions included but were not limited to Board guiding principles for the Plan update, scope of work, establishment of the public participation plan, establishment of an "Internal Review Team" (IRT), progress

and timeline updates, review of supporting documents including the 2015 Buildable Lands Report, coordination with cities regarding urban growth area boundaries, review and guidance on preliminary draft Plan documents, establishment of the Preferred Land Use Alternative map, review of map reclassification requests, review of draft reasonable measures, and review of the final draft Plan documents.

- j) The Planning Commission conducted regular information sharing and work study sessions throughout the Plan update process. All sessions were open to the public. Information sharing sessions were conducted on an as-needed for staff briefings early in the update process. Regularly scheduled work study sessions began in September 2015 with a joint Board/Planning Commission session hosted by the Internal Review Team to introduce and discuss the preliminary draft Plan. Following the end of the first 30-day public comment period in December 2015, the Planning Commission began work study sessions on the preliminary draft documents that had been considered for public review in order to help craft the final draft Plan documents. Work studies included the following topics:

December 8, 2015: Review land use alternatives
January 19, 2016: Review comments from first 30-day public comment period, begin discussion of draft development regulations
February 2, 2016: Receive briefing on schedule, review staff recommended preferred land use alternative, draft Goal, Policy and Strategy (GPS) document overview, Critical Area Ordinance update task overview
February 16, 2016: Receive briefing on schedule for reclassification hearings, review Board direction on Preferred Alternative map, provide feedback on draft GPS document, and receive update on draft development regulations
March 1, 2016: Review individual reclassification requests prior to March 2016 hearings, review Board preferred alternative map, and review draft development regulations
March 15, 2016: Review individual map reclassification requests and draft development regulations
April 12, 2016: Review draft development regulations
April 19, 2016: Review updated draft GPS document showing
May 3, 2016: Review final draft Plan documents
May 5, 2016: Review final draft Plan documents

- k) A total of ten public hearings were conducted by the Planning Commission and Board of Commissioners to accept oral and written testimony during the Plan update process, as described below.

On February 1, 2 and 8, 2016, following effective and timely legal notice, the Board conducted public hearings to accept written and oral testimony on the draft

land use alternatives described in the November 2015 Draft SEIS and the draft Preferred Land Use map. The hearings were held at Poulsbo City Hall Council Chambers, Central Kitsap Fire and Rescue/Silverdale Water District Headquarters, and the Kitsap County Administration Building Commissioners Chambers, respectively. The Board considered the public testimony prior to providing direction to staff on the preferred land use alternative.

On March 17 and 23, 2016, following effective and timely legal notice, the Board conducted special joint public hearings with the Planning Commission to accept oral and written testimony on the 26 individual zoning reclassification requests received during the 2015 application window established by the Board through Resolution 016-2015. The hearings were held at the Kitsap County Administration Commissioners Chambers in Port Orchard. Public testimony from the hearings was considered before the Planning Commission deliberated and made recommendations to the Board on the reclassification requests, and before the Board provided final direction to staff to finalize the draft Preferred Land Use Alternative.

On May 10 and 12, 2016, following effective and timely legal notice, the Planning Commission conducted public hearings to accept oral and written testimony on the final draft Comprehensive Plan documents, including the Goal, Policy and Strategy document, the Capital Facilities Plan, and the draft development regulations. The public hearing was held open for an additional date on May 13, 2016 to allow additional time for public input on two different date versions of the draft development regulations that had been posted on the dedicated Comprehensive Plan and Planning Commission websites. The hearings were held at the Kitsap County Administration Building Commissioners Chambers (May 10 and 13) and Poulsbo City Hall Council Chambers (May 12).

On June 6 and 13, 2016, following effective and timely legal notice, the Board conducted public hearings to accept oral and written testimony on the final draft Comprehensive Plan documents, including the Goal, Policy and Strategy document, the Capital Facilities Plan, the Final SEIS, and the draft development regulations.

6) Public and agency notice.

A summary of notifications follows.

- a) Board work studies were advertised in advance via the Kitsap County Commissioners website (including subscribers to electronic notifications), including meeting calendars and weekly agendas with associated materials. Meeting minutes and recordings of regular business meetings were also posted as completed. <http://www.kitsapgov.com/boc/>
- b) Planning Commission work studies were advertised in advance via the Kitsap County Planning Commission website (including subscribers to electronic

notifications), including meeting dates, agendas and materials.
<http://www.kitsapgov.com/dcd/pc/default.htm>

- c) In September 2014, post card notification of the Comprehensive Plan update process was sent to approximately 58,000 households in unincorporated Kitsap County in September 2014. The post card encouraged citizens to follow and participate in the Comprehensive Plan update, and provided a link to the County's dedicated Comprehensive Plan website.
- d) Between September 2014 and January 2015, post card notification was sent to residents within the four subareas represented by Board appointed Citizen Advisory Committees. The postcards invited residents to attend Advisory Committee hosted update open houses on the Plan update in the communities of Kingston, Suquamish, Central Kitsap and Manchester, respectively.
- e) In January 2015, legal notice in the newspaper of record and electronic notification to interested parties was provided for the BCC hearing to adopt Resolution No. 016-2015, providing for an 18-month review and amendment to the Kitsap County Comprehensive Plan and zoning maps and corresponding development regulations.

The resolution also established an application window for individual zoning reclassification requests, to be accepted between January 13, 2015 and February 28, 2015. Direct contact was also initiated by Community Development staff to interested parties that had previously signed up for notification of the reclassification request application window.
- f) In November 2015, legal notice in the newspaper of record, a press release, and electronic notification to interested parties was provided to advertise the release of the preliminary draft Plan documents and the first 30-day public comment period on the Plan. Through this process, notification was also provided for Kitsap County's SEPA "Determination of Significance and Adoption of Existing Environmental Documents" to advertise the availability of the Draft Supplemental Environmental Impact Statement (DSEIS) for public review and comment.
- g) In January 2015, legal notice in the newspaper of record and electronic notification to interested parties was provided to advertise BCC hearings on February 1, 2 and 8, 2016. The public hearings were held to accept oral and written testimony on the draft Preferred Land Use Alternative, designed to accommodate projected growth over the 20-year planning horizon 2016-2036. Additional outreach materials were posted at various locations throughout Kitsap County in order to further publicize the hearings.
- h) In February 2016, post card notification was sent to landowners within 400 feet (inside Urban Growth Areas) and 800 feet (outside Urban Growth Areas) respectively to provide notice of individual land use reclassification requests. Additionally, Land Use Hearing Notice signs were posted at the subject reclassification sites.

- i) In March 2016, post card notification was sent to approximately 3000 landowners whose zoning designations were proposed to change under with the Preferred Land Use Alternative.
- j) In April 2016, legal notice in the newspaper of record and electronic notification to interested parties was provided to advertise the release of the final draft Comprehensive Plan documents and the Staff Report to Planning Commission.

Notification included the Planning Commission hearings scheduled for May 10 and 12, 2016, to accept written and oral testimony on the final draft Plan documents. The Planning Commission continued the hearing to an additional date on May 13, 2016 for public input as described above. Further electronic notification was provided to interested parties to announce the opportunity for additional input to the Planning Commission.

- k) On April 29, 2016, the 60-day notice of intent to adopt all 2016 Comprehensive Plan update documents was sent to the Department of Commerce Growth Management Services Review Team. Commerce responded with a letter dated May 26, 2016 supporting the final draft documents. As a result of the 60-day notice of intent to adopt, Kitsap County staff and Puget Sound Regional Council staff initiated direct contact to facilitate PSRC's review and certification of the final Plan.

Also on April 29, 2016, notice was provided to local airports, in accordance with RCW 36.70.547. A subsequent meeting was conducted with the Washington State Department of Transportation Aviation Division representative on June 1, 2016, during which the representative preliminarily indicated that there were no anticipated conflicts with local airports as a result of the Comprehensive Plan update.

Also on April 29, 2016, notice was provided to local military installations in accordance with RCW 36.70A.530. Kitsap County staff subsequently met with representatives from the United States Navy on June 9, 2016 to review Plan goals, policies and strategies. Subsequent to the meeting, Navy representatives provided recommended Plan language to the Planning Commission and BCC with regard to increased compatibility between County land use actions and local military operations

- l) In May 2016, legal notice in the newspaper of record and electronic notification to interested parties was provided to advertise BCC public hearings on June 6 and 13, 2016 to accept written and oral testimony on the final draft Plan documents. The record was closed for public testimony at the conclusion of the June 13 hearing, and the hearing was continued for deliberations on June 15 and 22, 2016, to be followed by final action on the adopting ordinance on June 27, 2016.

Section 3. Substantive Findings related to the Comprehensive Plan. The Board of County Commissioners makes the following findings with respect to the updated 2016 Comprehensive Plan:

- 1) The Kitsap County Planning Commission reviewed a DCD staff report on the updated Comprehensive Plan and subsequently made findings pertaining to the proposed updated Plan. Except where otherwise noted, the BCC hereby adopts and incorporates by this reference, the findings made by the Kitsap County Planning Commission on May 19, 2016 for the updated Comprehensive Plan, which found that the proposed Plan is in compliance with the Growth Management Act and the Kitsap Countywide Planning Policies, reflects current local circumstances, and bears a substantial relationship to the public general health, safety, morals and welfare.
- 2) Kitsap County Code (KCC Title 21) sets forth general criteria that the BCC must consider when making amendments to the Comprehensive Plan. In making such amendments, the BCC must consider whether circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan, and whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
- 3) Kitsap County Code (KCC Title 21) also sets forth criteria for making textual and area-wide amendments to the Comprehensive Plan. In making such amendments, the BCC must consider whether the proposed amendment is consistent with and supports other plan elements and/or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency; whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan; whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies; and whether the proposed amendment complies with the requirements of the GMA.
- 4) Except where otherwise noted, the BCC hereby adopts the findings of the Planning Commission for the Comprehensive Plan. Revisions approved by the BCC are reflected in the attached documents. A separate list titled "Board of County Commissioners June 27, 2016, Changes to Planning Commission recommended draft Comprehensive Plan" can be accessed via the Comprehensive Plan update website at <http://compplan.kitsapgov.com>. Additionally, the Board finds:
 - a) The updated Plan conforms to the guiding directives established by the Board in the Plan update "Scope and Strategy Document".
 - b) The amended Plan Map includes resized UGAs planned to accommodate job and populations targets, and represents an approximate 1% reduction in the overall UGA countywide.

- c) Limited additional revisions to Plan text and area-wide amendments are justified in response to public input provided at the final BCC hearings on June 6 and June 13, 2016.
- d) Pursuant to KCC 21.08.110, all final revisions are within the scope of alternatives considered by the Planning Commission, are in response to public testimony, or are consistent with the department's recommendation.

Section 4. Substantive Findings related to the Comprehensive Plan Map reclassification requests. The Board of County Commissioners makes the following findings related to the Comprehensive Plan Map reclassification requests:

- 1) Bair request (15 00697): The applicant requested that tax parcel 082401-3-068-2002 be redesignated from Rural Residential to Rural Industrial. The site is located in Central Kitsap County at 2270 Hilltop Lane NW, Bremerton, off Chico Way.
 - i) The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of denial. Based on additional supporting information provided by the applicant, the BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section KCC 21.08.070.D, criteria for recommendation or decision - Site Specific Amendments; and Chapter 36.70A.070 RCW, and should be approved.
 - ii) The BCC specifically adopts the background findings in the Bair reclassification request staff report dated February 25, 2015, and also finds that additional supporting information was subsequently provided demonstrating a need for the proposal.
- 2) Curtis Avery request (15 00641): The applicant requested that 16 adjoining tax parcels be redesignated from Urban Reserve to Urban Low Residential zoning. The parcels are physically located in Central Kitsap County on Kent Avenue West between David Street and West Harbor Drive, Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Curtis Avery Site Reclassification Request staff report dated February 24, 2016.
- 3) El Dorado Hills, LLC request (15 00692): The applicant requested that tax parcel 312501-1-012-2003 be redesignated from Rural Residential to Urban Restricted.

The site is physically located in Central Kitsap County at Lenea Drive and El Dorado Blvd.

- i) The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of denial. Based on additional supporting information provided by the applicant and public testimony, the BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section KCC 21.08.070.D, criteria for recommendation or decision - Site Specific Amendments; and Chapter 36.70A.070 RCW, and should be approved. The BCC specifically adopts the background findings located in the El Dorado Hills, LLC reclassification request staff report dated February 24, 2016, and finds that additional information was subsequently provided demonstrating that the proposal should be supported.
- 4) Edwards – Mountain View Meadows request (15 00737): The applicant requested that tax parcels 032501-2-018-2009 and 032501-2-022-2003 be redesignated from Rural Residential to Urban Low Residential. The site is physically located in Central Kitsap County on Silverdale Way NW, Silverdale.
 - 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.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 Edwards – Mountain View Meadows staff report dated February 24, 2016.
- 5) Fox – Harbor Rentals request (15 00738): The applicant requested that tax parcel 332402-1-005-2000 be redesignated from Rural Protection to Rural Residential. The proposal is located in South Kitsap County at 2130 Garfield Avenue SE, Port Orchard.
 - 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.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 Fox – Harbor Rentals staff report dated February 24, 2016.
- 6) Garland request (15 00686): The applicant requested that five tax parcels totaling 105.62 be redesignated from Rural Wooded to Rural Protection. The parcels are located in South Kitsap County with access off SW Lake Flora Road or JM Dickenson Road SW.

- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Garland staff report dated February 24, 2016.
- 7) Harris request (15 00724): The applicant requested that tax parcels 252501-1-008-2007 and 252501-1-009-2006 be redesignated on from Rural Residential to Urban Low Residential. The proposal is located in Central Kitsap County at 2677 NE Winters Road, Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Harris staff report dated February 25, 2016.
- 8) McCormick Land Company request (15 00714): The applicant requested that four tax parcels totaling 80.48 acres be redesignated from Rural Wooded to Rural Residential. The proposal is located in South Kitsap County with access to Sunnyslope Road, Port Orchard.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 McCormick Land Company staff report dated February 25, 2016.
- 9) Porter request (15 00461): The applicant requested that parcels 332302-2-060-2001 and 332302-2-061-2000 be redesignated from a Rural Protection/Rural Residential split zone entirely to Rural Residential. The parcels are located in South Kitsap County at 11356 SE Black Road, Olalla.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC to approve the

southerly parcel as Rural Residential and the northerly Parcel as Rural Protection. The BCC finds that designating both parcels as Rural Residential, in accordance with the staff report recommendation, is consistent with Kitsap County Code Title 21; Section 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 Porter staff report dated February 25, 2016.
- 10) Royal Valley, LLC request (15 00722): The applicant requested that 17 parcels within the Senior Living Homestead zone be redesignated, or development regulations be revised as needed, to remove the 55 and over age senior living requirement. The parcels are located in Central Kitsap County at 368 & 338 Waaga Way, 905 & 971 NE Paulson Rd., and 10109 Royal Valley Rd NE.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC to remove the 55 and over senior living requirement, via redesignation from Senior Living Homestead Zone to Urban Cluster. The BCC finds that the proposed designation and revision of associated development regulations to remove the Senior Living designation is consistent with Kitsap County Code Title 21; Section 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 Royal Valley, LLC staff report dated February 25, 2016.
- 11) Tallman request (15 00742): The applicant requested that parcel 032401-3-023-1003 be redesignated from a Rural Wooded to Rural Residential. The parcel is located in Central Kitsap County with access off NW Holly Road.
 - i) The BCC finds that the staff findings and recommendations, along with additional public and state agency testimony received, are appropriate and that 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 the proposed designation is not consistent with Kitsap County Code Title 21; Section 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 in the Tallman staff report dated February 25, 2016,
- 12) Trophy Lake Golf Course request (15 00710): The applicant requested that parcels 202301-3-010-2006 and 202301-1-022-2006 be redesignated from a Rural Wooded to Rural Residential. The parcels are located in South Kitsap County at the existing golf course on JM Dickinson Road, SW.

- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Trophy Lake Golf Course staff report dated February 25, 2016.
- 13) Ueland Tree Farm request (15 00522): The applicant had multiple requests for seven parcels totaling 142 acres, currently designated Urban Reserve. The entire 142 acres are proposed for a Mineral Resource Overlay. 62 acres are proposed to be redesignated to Rural Industrial. 80 acres are proposed to be redesignated to Rural Protection. The parcels are located in central Kitsap County at 818 Archie Ave W., Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved, with the exception that all 142 acres should be redesignated as Rural Protection. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC to approve the Mineral Resource Overlay and redesignate all parcels as Rural Protection. The BCC finds that designating all parcels as Rural Protection with a Mineral Resource Overlay, in accordance with the staff report recommendation, is consistent with Kitsap County Code Title 21; Section 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 Ueland Tree Farm staff report dated March 1, 2016.
- 14) Cornerstone Alliance Church request (15 00607): The applicant requested that parcel 342601-2-024-2003 be redesignated from Rural Residential to Rural Industrial. The parcel is located in North Kitsap County at 15350 Cox Road NE, Poulsbo.
 - 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.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 Cornerstone Alliance Church staff report dated March 2, 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.
- 16) Tracyton Tavern request (15 00725): The applicant requested that parcel 4472-002-021-0101 be redesignated from Urban Low Residential to Neighborhood Commercial. The parcel is located in Central Kitsap County at 4883 and 4885 May Street NW, Tracyton.
- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Tracyton Tavern staff report dated October 9, 2015.
- 17) Gonzalez request (15 00657): The applicant requested that parcel 342601-2-004-2007 be redesignated from a Rural Residential to Rural Industrial. The parcel is located in North Kitsap County at the southwest intersection of SR 308 and Silverdale Way NW, Poulsbo.
- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Gonzalez staff report dated March 2, 2016.
- 18) Laurier Enterprises, Inc. request (15 00740): The applicant requested that parcel 302402-4-044-2000 be redesignated from Urban Low Residential to Commercial.

The parcel is located in South Kitsap County along the Mile Hill Rd. NE corridor, Port Orchard.

- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Laurier Enterprises staff report dated March 2, 2016.
- 19) Lee request (15 00689): The applicant requested that parcel 122601-1-027-2008 be redesignated from a Rural Protection to Rural Commercial. The parcel is located in North Kitsap County at 22212 Bond Road, Poulsbo.
- 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.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 Lee staff report dated February 25, 2016.
- 20) Merlinco, LLC request (15 00711): The applicant requested that parcel 4571-016-009-0602 be redesignated from a Rural Residential to Rural Commercial. The parcel is located in South Kitsap County at 6491 SE Mile Hill Drive, Port Orchard.
- 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.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 Merlinco, LLC staff report dated March 2, 2016.
- 21) Port Orchard Airport request (15 00703): The applicant requested that a total of 35 parcels receive a Type III LAMIRD (Limited Area Of More Intense Rural Development) Comprehensive Plan designation, and be redesignated from Rural Industrial and Rural Commercial to Rural Employment Center zoning. The parcels are located in South Kitsap County in the vicinity of 12300 Sidney Road, Port Orchard.

- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Port Orchard Airport staff report dated March 2, 2016.
- 22) Prigger request (15 00701): The applicant requested that parcel 232501-1-031-2000 be redesignated from Urban Restricted to Urban Industrial. The parcel is located in Central Kitsap County on the west side of SR 303, near the intersection of SR 303 NE and NE William E. Sutton Road, Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Prigger staff report dated March 2, 2016.
- 23) Rodgers request (15 00736): The applicant requested that parcels 072401-1-012-2004 and 072401-1-013-2003 be redesignated from Rural Residential to Rural Commercial. The parcels are located in Central County at 2075 Seabeck Highway NW, Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Rodgers staff report dated March 2, 2016.
- 24) Schourup LLC request (15 00739): The applicant requested that parcels 4627-002-013-0006, 4627-002-016-0003 and 4627-002-017-0002 be redesignated from Urban Medium Residential to Industrial. The parcels are located in Central Kitsap County at the junction of West Ida Street and West Werner Road in West Bremerton.
 - i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a

staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Schourup LLC staff report dated March 2, 2016.
- 25) Sedgwick Partners request (15 00735): The applicant requested that parcel 122301-2-013-2005 be redesignated from Urban Low Residential to Commercial. The parcel is located in South Kitsap County at 2232 SE Sedgwick Road, Port Orchard.
- 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.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 Sedgwick Partners staff report dated March 2, 2016.
- 26) Unlimited request (15 00550): The applicant requested that parcels 092501-3-016-2003 and 092501-3-036-2009 be redesignated from Business Center to Commercial. The parcels are located in Central Kitsap County at 11530 Clear Creek Road NW, Silverdale.
- i) The BCC finds that the staff findings and recommendation are appropriate and the proposal should be approved. The Planning Commission was presented a staff report and provided a formal recommendation to the BCC of approval. The BCC finds that the proposed designation is consistent with Kitsap County Code Title 21; Section 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 Unlimited staff report dated March 2, 2016.

Section 5. Substantive Findings related to the development regulations. The Board of County Commissioners makes the following findings related to the Plan with respect to the updated development regulations:

- 1) Kitsap County's development regulations have been reviewed for consistency with the updated Comprehensive Plan. Revision to Title 13 KCC (Water and Sewers) Title 17 KCC (Zoning) are proposed as follows for general consistency with the updated Plan. Title 17 KCC has also been reformatted and renumbered concurrent with the amendments listed below.

Title 13 KCC (Water and Sewers):

Amend appeals process for septic to sewer conversion for consistency with ESB 5871 (RCW 36.01.330).

Title 17 KCC (Zoning):

- a) Removal of zones and associated references: Urban Reserve (URS), Senior Living Homestead (SLH), Urban Town Center (UTC), Mixed Use (MU), Airport (A), Highway Tourist Commercial (HTC) and Regional Commercial (RC).
- b) Addition of zones and establishment of purpose, permissibility of uses and design standards: Commercial (CO) and Regional Center (RC)
- c) Neighborhood Commercial housing: increase allowed housing density in Neighborhood Commercial zone.
- d) Agricultural activities and temporary farm stands: add agricultural activities to purpose statement for rural zones; add permissibility for farm stands in rural zones and Mineral Resource Overlay areas.
- e) Non-motorized recreational rentals: add definition and category to use tables, add permissibility consistent with intent of each zone, add footnote to allow use in Port Districts.
- f) Consistency with Title 7 KCC (Animals): modify definitions of exotic animals, kennel, hobby kennel, and remove regulations associated with exotic animals.
- g) Cottage housing: modify definition, and increase permissibility through new footnote 97 and reference within Convalescent Home category.
- h) Manufactured homes: remove manufactured homes use table category and add footnote 43 to Dwelling, Single-Family Detached category where use is permitted.
- i) Mineral Resource Overlay: increase permissibility for rock crushing and transshipment facilities.
- j) Vegetation height restrictions: add height restrictions from Community Plans to code, and clarify that Kitsap County will not enforce vegetation heights.
- k) Storage, outdoor and indoor: increase permissibility from Conditional Use to Permitted.
- l) Puget Sound Industrial Center – Bremerton (SKIA), ULID #6: remove references to reflect that these areas have been annexed to Bremerton and Port Orchard, respectively.

- m) Detached Single-Family Dwellings: change use table category "Dwelling, single-family detached" to a permitted use in the Neighborhood Commercial zone.
 - n) Marijuana retailers: extend permissibility for retail marijuana to Low Intensity Commercial and Neighborhood Commercial zones.
 - o) Transfer of Development Rights (TDRs): modify TDR language for consistency with existing Comprehensive Plan goals and policies. Utilize resolution to establish development credits and provide future flexibility for revision to credits.
 - p) Silverdale Regional Growth Center standards: increase permissibility for residential density and building height increases in Regional Center and Urban High zones within Regional Growth Center Boundary. Utilize Performance Base Development standards to achieve flexibility.
 - q) Vacation Rentals: add new definition, and add vacation rental to the bed and breakfast use category for all use tables. Modify use table footnote 34 to include vacation rental reference.
- 2) Kitsap County Code (KCC Title 21) sets forth criteria for making textual and area-wide amendments to the Comprehensive Plan. In making such amendments, the BCC must consider whether the proposed amendment is consistent with and supports other plan elements and/or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency; whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan; whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies; and whether the proposed amendment complies with the requirements of the GMA.
- 3) The Planning Commission was presented a staff report and deliberated on the amendments to the development regulations. The Planning Commission predominantly considered staff recommended amendments to Titles 13 and 17 KCC for consistency with the Comprehensive Plan update, along with amendments recommended via testimony during public hearings. The Planning Commission recommended approval of the staff recommended revisions with minor modifications as listed above, with exceptions relating to proposed reasonable measures 2, 3 and 6, and density calculations for residential subdivisions in the UGA (May 19, 2016 Findings of Fact, Conclusions and Recommendations of the Kitsap County Planning Commission to the Board of Commissioners).
- 4) The BCC hereby adopts the findings of the Planning Commission regarding the updated development regulations pertaining to Titles 13 and 17 KCC, as amended by the BCC.
- 5) The GMA requires that if the County's Buildable Lands Report demonstrates an inconsistency between what has occurred in growth trends and what was envisioned in the planning process, the County must adopt and implement "reasonable

measures that are likely to increase consistency during the five-year period" (RCW 36.70A.215(4)). In addition to those reasonable measures adopted herein, the Board will consider an updated list of reasonable measures along with Plan adoption, and further update corresponding development regulations accordingly upon enactment of such measures.

- 6) As part of the update, Kitsap County must review and revise if necessary, its Critical Areas Ordinance, including a review of current best available science. The BCC finds that additional time is needed to complete this task in order to allow for further review of emerging technical information, and to allow further public input on the CAO update. While the CAO review process is underway, the BCC has elected to devote additional time to the update as provided under RCW 36.70A.130 (7)(b).

Section 6. Substantive Findings related to the amendments to the Kitsap County Capital Facilities Plan.

- 1) Kitsap County Code Title 21 sets forth criteria for making textual amendments to the Comprehensive Plan. In making such amendments, the Board must consider whether the proposed amendment is consistent with and supports other plan elements and/or Development Regulations, and if not, what additional amendments to the plan and/or Development Regulations will be required to maintain consistency; whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan; whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies; and whether the proposed amendment complies with the requirements of the GMA.
- 2) The purpose of the Capital Facilities Plan is to meet the requirements of the GMA to identify capital improvements and associated funding that support the County's land use plan and growth targets for the period 2016-2036. The proposed Plan has been amended to be consistent with the updated Comprehensive Plan for 2016-2036.
- 3) The Planning Commission deliberated on the amended Capital Facilities Plan. The Planning Commission voted to approve the amended Plan, with minor revisions to reflect current City of Bremerton sewer and water service data and clarifications to Kitsap County's adopted method of determining transportation concurrency, as indicated in the May 19, 2015 Planning Commission Findings of Fact, Conclusions and Recommendations. The BCC hereby adopts the findings of the Planning Commission regarding the Capital Facilities Plan.
- 4) The Department of Commerce, in a letter dated May 26, 2016, has indicated its support of the amended Capital Facilities Plan.
- 5) The amended Capital Facilities Plan is consistent with Kitsap County-wide Planning Policies, and complies with the requirements of the GMA, specifically RCW 36.70A.120 and RCW 36.70A.070 (3).

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:

- 1) The Kitsap County Comprehensive Plan 2016-2036 attached hereto as Appendix A and incorporated herein by this reference.
- 2) The Capital Facilities Plan for Kitsap County Comprehensive Plan 2016 Update attached hereto as Appendix B and incorporated herein by this reference.
- 3) The Kitsap County Comprehensive Plan and Zoning Maps are hereby amended as shown in Appendix C and incorporated herein by this reference.
- 4) Kitsap County Code Section 13.12.015, "Waivers," last amended by Ordinance 494-2012, is hereby amended as shown in attached Appendix D and incorporated herein by this reference.
- 5) Title 17 of Kitsap County Code, last amended by Kitsap County Ordinance 519-2014, is hereby repealed. A new Title 17 is added to the Kitsap County Code, "Zoning" as attached in Appendix E and incorporated herein by reference.

Section 8 Typographical/Clerical Errors. Should any amendment made to this Ordinance that was passed by the Board during its deliberations be inadvertently left out of the final printed version of the plan, maps, or code, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board, and shall be corrected.

Section 9 Effective Date. This ordinance shall take effect on June 30, 2016.

Section 10 Severability. If any provision of this ordinance or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provision to other persons, entities or circumstances is not affected.

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DATED THIS 27th day of June, 2016.



KITSAP COUNTY BOARD OF
COMMISSIONERS

EDWARD E. WOLFE, CHAIR

ROBERT GELDER, COMMISSIONER

ATTEST:

CHARLOTTE GARRIDO, COMMISSIONER

Dana Daniels
Clerk of the Board

Approved as to form:

Shelley E. Kneip
Deputy Prosecuting Attorney

ATTACHMENT 5 - 1
Garbo 2018.09.04 Reply to Gonzales-Harless Letter

From: [Karanne Gonzalez-Harless](#)
To: [Amanda Walston](#)
Subject: Fwd: Planning Commission
Date: Wednesday, September 05, 2018 4:06:04 AM

This is Director Garbo's response to my letter dated August 31, 2018. Please include it with the supporting documents.

Thank you
Karanne

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Louisa Garbo <lgarbo@co.kitsap.wa.us>
Date: 9/4/18 3:42 PM (GMT-08:00)
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.

ATTACHMENT 5 - 2
Garbo 2018.09.04 Reply to Gonzales-Harless Letter

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