

ORDINANCE NO. 327-2004

RELATING TO GROWTH MANAGEMENT AND AMENDING THE KITSAP COUNTY-WIDE PLANNING POLICY

BE IT ORDAINED:

Section 1: The Kitsap County Board of County Commissioners makes the following Findings:

- 1) The Kitsap County County-wide Planning Policies (CPPs) are intended to establish a county-wide framework from which county and city comprehensive plans are developed and adopted pursuant to RCW 36.70A.210 of the Washington State Growth Management Act.
- 2) Kitsap County has adopted County-wide Planning Policies that promote contiguous and orderly development and establish provisions for urban services to such development, as well as policies for siting public capital facilities of county-wide or statewide nature, affordable housing, joint county/city Urban Growth Area planning, economic development and employment, and participation with local tribes.
- 3) Planning is an iterative process; therefore, it is appropriate that the County-wide Planning Policies should be reviewed and assessed through the KRCC at least every five years, with revisions consistent with the State Growth Management Act (GMA).

Section 2: General Procedural Findings. The Kitsap County Board of Commissioners makes the following findings regarding the process and public participation aspects of amending the County-wide Planning Policies:

- 1) Throughout 2003 there was extensive collaboration with the Cities of Bremerton, Bainbridge Island, Poulsbo and Port Orchard and the Suquamish and Port Gamble S'Klallam Tribes, through the Kitsap Regional Coordinating Council (KRCC). Kitsap County adopted revisions to the Kitsap County-wide Planning Policies (Ordinance 312-2003) on December 15, 2003 ("Package 1" – 2003 revisions), and referred some proposed revisions for further review in 2004 ("Package 2").
- 2) On January 20, 2004, the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), reviewed and discussed additional proposed revisions to the CPPs (Package 2).
- 3) On January 23, 2004, the regularly scheduled KRCC Planning Directors meeting was held (Silverdale Center, Silverdale, WA), which included Planning Directors from Kitsap County and the Cities of Bremerton, Poulsbo, Bainbridge Island, Port Orchard, as well as the Suquamish and Port Gamble S'Klallam Tribes. An item on their agenda was to resolve the CPP schedule and present a firm schedule to the KRCC Board on February 3, 2004. Also discussed were; the introduction and ratification process, review Element A and A-1,

discussion regarding a new appendix C; characteristics of UGAMAs¹; Element G transportation; and Element M, County as Sewer Provider in UGAs and Cities

- 4) On February 3, 2004 the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), reviewed proposed revisions to the CPPs, including the topics of ratification and centers.
- 5) On February 12, 2004, the Planning Directors held their regularly scheduled meeting (Silverdale Center, Silverdale, WA). At that meeting, the Planning Directors discussed finalization of approach and schedule for the CPPs; population distribution (including New Appendix C: Characteristics of UGAMAs); and process and criteria for designating local-level centers (Element B: Centers).
- 6) On March 2, 2004 the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), reviewed and discussed the proposed revisions to the CPPs, Puget Sound Regional Council (PSRC) certification (of 2003 Package 1 revisions) and centers, as well as city and tribal input.
- 7) On March 5, 2004, a document titled “Package 2 Revisions to CPP” was posted on the KRCC website.
- 8) On March 15, 2004, a Community Stakeholders Workshop was held (Eagle’s Nest, Fairgrounds, Silverdale, WA). The notice was sent to 150 “Stakeholders” via email and US postal service. Names of Stakeholders were solicited from all KRCC member jurisdictions.
- 9) On March 18, 2004, the Planning Directors, at their regularly scheduled meeting (Silverdale Center, Silverdale, WA) held another meeting where they reviewed and discussed state agency comments (notice of proposed changes was sent to various state agencies in February 2004), draft CPPs for release on April 6, 2004; population distribution ranges, additional language for characteristics of UGAMAs (Appendix C), and future meeting schedules.
- 10) On April 6, 2004, following multi-jurisdictional collaboration, the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), issued proposed revisions to the Kitsap County-wide Planning Policies for a 25-day public comment period that ended on April 30, 2004.
- 11) On April 6, 2004, a second Community Stakeholders Workshop was held. The notice was sent to all attendees of the first meeting, as well as the original distribution list.
- 12) On April 20, 2004, following a timely and effective notice², the KRCC held a public hearing (Silverdale Community Center, Silverdale, WA) on the proposed revisions to the CPPs, with written comment accepted through April 30, 2004.

¹UGAMA: Urban Growth Area Management Agreements

² Notice was published in Sun Newspaper & the Kitsap Newspaper Group; Kitsap County KRCC website; local libraries.

- 13) On May 4, 2004, the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA) discussed the proposed revisions to the CPPs and developed guidance for Planning Directors for the final document.
- 14) On July 6, 2004, based upon public participation and comment, the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), endorsed the final proposed chapter revisions³ to the Kitsap County-wide Planning Policies at a public meeting and voted to recommend these revisions to the Kitsap County Board of County Commissioners for adoption; and voted to recommend that the Cities and Tribes ratify the revisions.
- 15) On July 27, 2004, after timely and effective notice, the KRCC Board held a public hearing (Silverdale Center, Silverdale, WA) to receive oral and written testimony on the “Kitsap County-wide Population Distribution for 2005-2025.”
- 16) On September 1, 2004, a State Environmental Policy Act (SEPA) Determination of Nonsignificance was issued regarding the June 1, 2004, proposed revisions to the Kitsap County-wide Planning Policies. The June 1, 2004 proposed revisions were a result of the April 30, 2004 public hearing and May 5, 2004 KRCC Board review. The appeal period ended on September 20, 2004 and no appeals were filed. Kitsap County determined that no adverse environmental impacts would result from implementation of the proposed revisions.
- 17) On September 14, 2004, the KRCC Board, at its regularly scheduled public meeting (Gateway Center, Bremerton, WA), endorsed the proposed “Appendix B: Population Distribution.” Supporting policy changes were also made to “Element B-4: Urban Growth Areas”. The KRCC Board voted to recommend these final proposed September 14, 2004 revisions to the Kitsap County Board of County Commissioners for adoption, and to the Cities and Tribes for ratification.
- 18) On September 27, 2004, following a timely and effective notice, the Board of County Commissioners (BCC) held a public hearing (Commissioners’ Chambers, County Courthouse, Port Orchard, WA) to receive oral and written testimony on the final proposed amendments to the “Kitsap County-wide Planning Policies.”
- 19) On October 12, 2004, the KRCC Board, at its regularly scheduled meeting (Gateway Center, Bremerton, WA), continued discussion of the proposed CPP revisions with the Kitsap County Board of Commissioners, in advance of the Board of Commissioner’s public hearing on October 25, 2004.
- 20) On October 25, 2004, following a timely and effective notice, the Kitsap County Board of County Commissioners held a public hearing (Commissioners’ Chambers, County Courthouse, Port Orchard, WA) to accept testimony and make decision on the proposed amendments to the CPPs (Package 2 – 2004), as recommended by the KRCC. At this time, the BCC extended the testimony period through November 5, 2004.

³ The Kitsap County KRCC website reflected the ongoing revision changes to the CPPs that were presented to the public throughout the process.

- 21) On November 22, 2004, following a timely and effective notice, the Board of County Commissioners held a public hearing (Commissioners' Chambers, County Courthouse, Port Orchard, WA.) to render a final decision and adopt and enact the proposed amendments to the County-wide Planning Policies and Population Distribution 2005-2025.

Section 3: The Kitsap County Board of County Commissioners finds that the following proposed revisions to the CPPs are appropriate at this time and should be adopted.

These changes are summarized as follows and set forth in Attachment A, which is incorporated by reference herein:

Introduction: Policies for Update and Ratification of CPPs:

- Adopts a process and schedule for review and update of the County-wide Planning Policies that is to be undertaken at least every five years, the Board of Commissioners incorporated a minor change in language to clarify that three of four cities are needed to ratify changes to the CPP, regardless of total population;
- Clarifies the role of the County-wide Planning Policies with respect to the State Growth Management Act and other issues requiring collaboration and cooperation among the County, the Cities, and the Tribes;
- Deletes out-dated sections. The proposed process is shown in Appendix A of the CPPs.

Element A: County-wide Growth Pattern:

- Incorporates the County vision as adopted in the Kitsap County Comprehensive Plan;
- Outlines the roles of County and Urban Growth Areas.

Element B: Urban Growth Areas:

- Includes consistency with RCW 36.70A.115 regarding Urban Land Capacity Analysis and population distribution;
- Outlines how the Land Capacity Program shall be maintained;
- Clarifies policies relating to Master Planned Resorts and Fully Contained Communities;
- Section 4(a) includes the population distribution process for 2005-2025, and the County's growth target for urban population; the Board of Commissioners added language in this section and in Appendix B regarding a five year review process to evaluate whether these targets are being met and whether there will be changes to population distribution as a result of that review process.
- The Board of Commissioners added language in Section 4(g) to clarify that the jurisdictions will arrive at population targets within the Office of Financial Management range.

Element C: Centers of Growth:

- Includes minor editorial changes.

Element D: Rural Land Uses & Development Patterns:

- Includes minor editorial changes.

Element E: Policies for Countywide Strategies for Open Space Preservation Resource Protection, & Critical Areas:

- Includes minor editorial changes.

Element F: Contiguous and Orderly Development:

- Includes minor editorial changes.

Element G: Siting of Essential Public Capital Facilities:

- Includes minor editorial changes.

Element H: Transportation:

- Defines multi-modal transportation facilities and facilities of county-wide significance;
- Clarifies and specifies agency roles in transportation planning, including setting Level of Service standards on State facilities;
- Includes minor editorial clarifications.

Element I: Affordable Housing:

- Includes minor editorial changes.

Element J: Policies for Countywide Economic Development:

- Deletes reference to the Kitsap Regional Economic Development Council as a resource for county-wide economic development planning on behalf of public agencies and emphasizes role of broadband in economic development.

Element K: Fiscal Impact Analysis:

- Includes minor editorial changes.

Element L: Coordination with Tribal Governments:

- Includes minor editorial changes.

Element M: Coordination with Federal Government Including Navy:

- Includes minor editorial changes.

Element N: Roles and Responsibilities:

- Includes minor editorial changes.

Appendix A: Kitsap County-wide Planning Policy Ratification Process:

- Characterizes County, City and Tribal review of possible revisions to the County-wide Planning Policies.

Appendix B: Population Distribution 2005-2025:

- Identifies, clarifies, and distributes additional county-wide population and percentage of population in individual Urban Growth Areas through the year

2025. The population numbers presented in this table were revised for accuracy and consistency with respect to the OFM population projection of 1.44% .

Appendix C: Urban Growth Area Management Agreements:

- Discussion on services & purveyors, and telecommunications services (including broadband services where available), in Urban Growth Areas.
 - Section 5, language change: “Describe the City’s pre-annexation planning, which shall include...”

Section 4: The Kitsap County Board of Commissioners finds that several elements of the County-wide Planning Policies should be deferred for further technical analysis and policy discussion:

1) The Board agrees with the KRCC Planning Directors’ recommendation to the KRCC Board that several elements of the County-wide Planning Policies should be deferred for further technical analysis and policy discussion during the remainder of 2004, with adoption of any resulting revisions in 2005. These elements include:

Element C: Centers of Growth:

- Role of LAMIRDs in accommodating future population growth.

Element D: Rural Land Use and Development Patterns:

- Role of LAMIRDs in accommodating future population growth.

Element G: Siting Public Capital Facilities of County-wide or Statewide Nature:

- Clarify possible overlap between City/County process requirements and the County-wide Planning Policies.

Element I: Affordable Housing:

- Augment/clarified polices relating to market rate/unsubsidized housing.

Element K: Analysis of Fiscal Impact:

- Describe appropriate models for fiscal analysis and responsibilities.

Element N: Roles and Responsibilities:

- Define a local process for dispute resolution prior to appeals to the Growth Management Hearings Board, and clarify Kitsap County’s role as a regional provider of sewer and water.

Section 5. Pursuant to the Growth Management Act, RCW 36.70A, the Kitsap County Board of County Commissioners adopts the final amendments (referred to as “Package 2 – 2004 revisions”) to the Kitsap County County-wide Planning Policies, attached hereto and incorporated herein as Attachment A. Furthermore, the BCC hereby adopts the intermediate Washington State Office of Financial Management (OFM) population projection of 331,571 through the year 2025, with an annual growth rate of 1.44%, and 76% of the population growth to be designated to Urban Growth Areas and 24% designated for non-Urban Growth Areas, and subject to specific conditions set forth in Attachment A, incorporated herein by reference.

Effective Date. This ordinance shall take effect on ___/___/___

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.

DATED THIS _____ day of _____, 2004.

KITSAP COUNTY BOARD OF
COMMISSIONERS

PATTY LENT, CHAIR

ATTEST:

CHRIS ENDRESEN, COMMISSIONER

JAN ANGEL, COMMISSIONER

Opal Robertson
Clerk of the Board

Approved as to form:

Shelley Kneip
Deputy Prosecuting Attorney