

KEYPORT PARK – APPENDIX I: TRANSFER OF DEVELOPMENT CREDITS

Keyport benefits from well maintained and well used public parks. These public parks, both Keyport Central Park and Keyport Saltwater Park are small in size, (.1 acre and 2 acres respectively) but have great importance the Keyport community and the residents of all ages. The proximity and access to these parks ensure that they enjoy regular usage and are continually a focal point for community gatherings and private functions.

The Keyport Community Plan, Chapter 6: Natural Environment / Parks and Recreation, describes these parks in detail. As noted in Goal 18, and Policy 33 and 34 of that chapter (please see below), the maintenance and improvement of these parks are essential to maintaining the recreation and community activities in Keyport. Present funding is a combination of Kitsap County Department of Facilities, Parks, & Recreation staff and funding with regular fundraising involvement and volunteer efforts from the Keyport Improvement Group and community members in Keyport.

Chapter 6: Natural Environment / Parks and Recreation

Goal 18 Maintain current public facilities, parks, and port facilities, and add new facilities when determined by the community.

Policy Key 33 Coordinate with the Keyport Village community on any development plans for public facility improvements and additions.

Policy Key 34 Pursue creative funding strategies, grants, and opportunities to leverage federal, state, local, and volunteer sources for maintenance and capital improvement budgets.

Policy Key-34 promotes the pursuit of creative funding strategies to maintain and provide financial means for capital improvements to the Keyport Parks. The pilot project of participating in the Transfer of Development Rights program is an opportunity to utilize the development potential of the existing public parks program and transfer that to an urban area in a manner that provides the funding opportunities sorely needed to serve the Keyport parks. The pilot project would begin with allocation of the three development rights existing in the Keyport Central Park and placing those rights in the TDR program for sale at market value during the next round of Kitsap Comprehensive Plan Site Specific or rezone requests. Under the TDR program, developers interested in upzoning

their urban parcels elsewhere in the County would pay the market value for those development rights which would then be placed within a trust account for allocations solely related to Keyport parks improvements or maintenance. This pilot project would be an innovative funding source that, if successful would be able to applied to parks programs throughout Kitsap County.

TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

The Transfer of Development Rights (TDR) program was created and approved on December 11, 2006 as part of the Kitsap County Comprehensive Plan and is included in the Kitsap County Code under Chapter 17.430. Kitsap County's Transfer of Development Rights or TDR Program is a voluntary land use incentive program. It helps private "sending site" landowners achieve an economic return through the sale of development rights to "receiving site" landowners.

Rural landowners receive financial compensation without developing or selling their land and the public receives preservation of the land. Transferred development rights can be used to build additional residential units on other parcels in more appropriate urban areas.

The Kitsap County Transfer of Development Rights Program is voluntary but sending sites must be certified by Kitsap County. Before a Transfer of Development Certificate is issued, a 40-year deed restriction is placed on the sending site to maintain the property in rural use, forestry, farming or other uses consistent with the policy goals of Rural & Resource Lands. Development rights entitled by the certificate may then be transferred through private party transactions.

TDR SENDING SITE CRITERIA

All rural parcels are potentially eligible for certification as a TDR sending site. A parcel must be undeveloped or have unused development potential to qualify as a sending site. An example of unused development potential is a 10-acre parcel zoned Rural Residential (1 unit per 5 acres) with an existing house. The parcel could be subdivided for an additional 5-acre lot and home, or the one house could be continued to be enjoyed and the development rights to that unused portion could generate economic return via the Transfer of Development Rights Program.

TDR SENDING SITE FACTS

- TDR deed restrictions are for a 40-year period and then expire and the parcel is restored to full development potential, according to the ordinances then in effect.

- TDR development rights may be restored by purchasing development rights from other rural properties.
- TDR deed restrictions are extinguished if parcel is included in an Urban Growth Area through a Sub-Area Plan or Kitsap County Comprehensive Plan Update.

TDR RECEIVING SITE CRITERIA

A receiving site is a parcel of land located where the existing services and infrastructure can accommodate additional growth. All urban parcels are eligible for certification as a TDR receiving site. Transfer of Development Rights Certificates are required as a condition of approval, as described in Kitsap County Code Section 17.430.070 and generally as follows:

- Site Specific Comprehensive Plan Amendments requesting a higher density.
- Rezones requesting a higher density or intensity zone.
- Expansions of Urban Growth Areas by Sub-Area Plan or Kitsap County Comprehensive Plan Update, at the discretion of the Board of County Commissioners upon adoption.
- Within incorporated City limits, how development rights may be applied to a parcel is subject to interlocal agreements to be developed with Kitsap County.

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TRANSFER OF DEVELOPMENT RIGHTS DOCUMENTS

Transfer of Development Rights Program - Information Brochure

http://www.kitsapgov.com/dcd/community_plan/tdr/tdr_brochure.pdf

Transfer of Development Rights Program - Sending Site Certificate Application

http://www.kitsapgov.com/dcd/community_plan/tdr/kc_tdr_sending_app.pdf

Transfer of Development Rights Program - Kitsap County Code: Title 17, Chapter 430

<http://www.kitsapgov.com/dcd/>

KEYPORT PARKS FUNDING – TDR PILOT PROJECT

The main intent of the Keyport Parks Funding –TDR Pilot Project is to provide a source of income for Keyport parks maintenance and improvements. Keyport Central Park at the corner of NE Pacific Avenue and Washington Avenue NE (Assessor Parcel Number 4366-008-001-0002) is technically owned by Kitsap County Roads and contains three individual tax lots (Lots 1, 2, & 3 of block 8) as defined by the legal description and by the original 1918 Plat of the town of Keyport (Please See Appendix H).

Parcel 4366-008-001-0002 Legal Description:

KEYPORT PLAT OF ORIGINAL TOWN

LOTS 1 TO 3, BLOCK 8, KEYPORT PLAT OF ORIGINAL TOWN, AS RECORDED IN VOLUME 4 OF PLATS, PAGE 74, RECORDS OF KITSAP COUNTY, WASHINGTON.

Under the Transfer of Development Rights Program, Each existing lot as defined in Kitsap County Code section KCC 16.08.120 is anticipated to possess, at minimum, one development right per Kitsap County Code section KCC 17.455.020. That provision provides the Keyport Central Park with a total of three (3) development rights to participate in the Transfer of Development Rights program. The three TDR certificates are provided below and upon approval of the Final Keyport Community Plan, will be made available for funding.



#95 - TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

TRANSFER OF DEVELOPMENT RIGHTS PROGRAM SUMMARY

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Rural landowners receive financial compensation without developing or selling their land and the public receives preservation of the land. Transferred development rights can be used to build additional residential units on other parcels in more appropriate urban areas.



The Kitsap County Transfer of Development Rights Program is voluntary but sending sites must be certified by Kitsap County. Before a Transfer of Development Certificate is issued, a 40-year deed restriction is placed on the sending site to maintain the property in rural use, forestry, farming or other uses consistent with the policy goals of Rural & Resource Lands. Development rights entitled by the certificate may then be transferred through private party transactions.

TDR SENDING SITE CRITERIA

All rural parcels are potentially eligible for certification as a TDR sending site. A parcel must be undeveloped or have unused development potential to qualify as a sending site. An example of unused development potential is a 10-acre parcel zoned Rural Residential (1 unit per 5 acres) with an existing house. The parcel could be subdivided for an additional 5-acre lot and home, or the one house could be continued to be enjoyed and the development rights to that unused portion could generate economic return via the Transfer of Development Rights Program.

TDR SENDING SITE FACTS

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- TDR development rights may be restored by purchasing development rights from other rural properties.
- TDR deed restrictions are extinguished if parcel is included in an Urban Growth Area through a Sub-Area Plan or Kitsap County Comprehensive Plan Update.

TDR SENDING SITE PROCESS

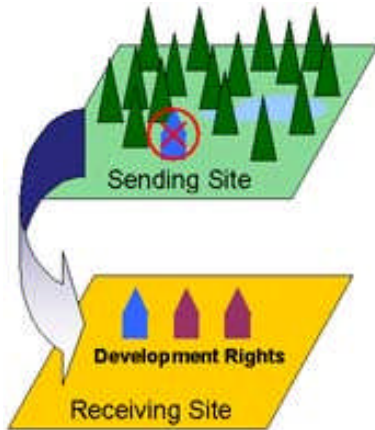
If there is more than one development right available on a rural property (i.e., the combination of zoning and acreage would allow one to subdivide and build more than a single house), then a landowner may be able to participate in the TDR program. The first step is to complete a TDR Sending Site Certification application form and return it with the requested supporting documents to Department of Community Development, 614 Division Street, MS-36, Port Orchard, WA, 98366. The fee to review the parcel and certify the development rights is \$150.

Brochure #95 - TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

TDR SENDING SITE CERTIFICATION

Sending site Certification allows a landowner to proceed with placing an easement on the property and receiving a certificate for the development rights to be transferred. Certified sending site landowners may then sell their credit(s) directly to a private buyer, list their available credit(s) on a Kitsap County TDR website, or may have a Realtor® represent them, among other options.

Development rights may be bought and sold repeatedly. If one purchased development rights, they may sell them to someone else. However, the applicant for a development permit where development rights will be used must also ultimately be the owner of those development rights. Development rights do not expire until they have been used. If development rights are purchased, they are "good" until they are applied to a receiving site.



TDR RECEIVING SITE CRITERIA

A receiving site is a parcel of land located where the existing services and infrastructure can accommodate additional growth. All urban parcels are eligible for certification as a TDR receiving site. Transfer of Development Rights Certificates are required as a condition of approval, as described in Kitsap County Code Section 17.430.070 and generally as follows:



- Site Specific Comprehensive Plan Amendments requesting a higher density.
- Rezones requesting a higher density or intensity zone.
- Expansions of Urban Growth Areas by Sub-Area Plan or Kitsap County Comprehensive Plan Update, at the discretion of the Board of County Commissioners upon adoption.
- Within incorporated City limits, how development rights may be applied to a parcel is subject to interlocal agreements to be developed with Kitsap County.

Receiving sites may use credits from more than one sending site. If a project is in need of more development rights than a particular sending site has available, the applicant may purchase additional rights from other sending sites. If a sending site has multiple development rights from one sending site those rights may be used on more than one receiving site. It is not necessary to transfer all of the development rights from a particular sending site together; they may be split up.

The information provided in this brochure provides an overview of the Program, sending site application form, and TDR implementation processes. For further information or questions, please contact Kitsap County Department of Community Development – Community Planning Division staff or consult the TDR Code listed in Kitsap County Code Section 17.430.



Certificate of Development Right

Kitsap County

Department of Community Development

This Certificate issued pursuant to the requirements of Title 17, Chapter 17.430 of the Kitsap County Development Code represents one development right from the parcel identified below and certifies said development right to be available for transfer.

Kitsap County Assessor Parcel No.	4366-008-001-0002 – lot 1	Development Right Certificate Serial No.:	00001-2007
Easement Recording Number:	TBD	Parcel Size:	0.1 ac Zoning RR
Parcel Address	Corner of NE Pacific Avenue & Washington Ave. NE – Lot 1/Block 8 Keyport, WA 98345 (City/State/Zip)	Parcel Owner:	Kitsap County
			September 2007
			Date

Larry Keeton, Director
Department of Community Development



Certificate of Development Right

Kitsap County

Department of Community Development

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Kitsap County Assessor Parcel No. 4366-008-001-0002 – lot 2 Development Right Certificate Serial No.: 00002-2007

Easement Recording Number: TBD Parcel Size: 0.1 ac Zoning RR

Parcel Address Corner of NE Pacific Avenue & Washington Ave. NE – Lot 2/Block 8 Parcel Owner: Kitsap County

Keyport, WA 98345
(City/State/Zip)

September 2007
Date

Larry Keeton, Director
Department of Community Development



Certificate of Development Right

Kitsap County

Department of Community Development

This Certificate issued pursuant to the requirements of Title 17, Chapter 17.430 of the Kitsap County Development Code represents one development right from the parcel identified below and certifies said development right to be available for transfer.

Kitsap County Assessor Parcel No. 4366-008-001-0002 – lot 3 Development Right Certificate Serial No.: 00003-2007

Easement Recording Number: TBD Parcel Size: 0.1 ac Zoning RR

Parcel Address Corner of NE Pacific Avenue & Washington Ave. NE – Lot 3/Block 8 Parcel Owner: Kitsap County

Keyport, WA 98345
(City/State/Zip)

September 2007
Date

Larry Keeton, Director
Department of Community Development

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