

# APPENDIX F: KEYPORT VIEW PROTECTION PROPOSAL

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One of Keyport's unique features is its expansive views of many scenic areas. From many properties in Keyport, views of Liberty Bay, the Olympic Mountains, Mt. Rainier, and Dogfish Bay. These views are of great value and importance to the Keyport community. In an effort to reduce the future impacts of view obstructions, a proposal for view protection regulations restricting the height of new residential construction parcels in a way that will significantly impact existing views along the Keyport waterfront.

The following view protection proposal was discussed at the May 22, 2007 Keyport Improvement Group meeting. The issue polarized the community between the waterfront owners and the non-waterfront owners. The group voted at that meeting to exclude the view protection proposal from the community plan. The portion of residents who supported the view protection proposal began a petition drive to indicate support of the proposal. A counter petition was also distributed. The following information is provided for the Kitsap County Planning Commission and the Board of County Commissioners to evaluate the contentious proposal and determine if the proposal meets the needs of the entire community for inclusion within the final Keyport Community Plan.

## View Protection Overlay Zone

Within the keyport village boundary, a view protection overlay zone would be established for all waterfront parcels. (**figure F.1**). The following regulations will only apply to the residentially zoned waterfront properties located within the view protection overlay zone.

## Height Restrictions

It is anticipated that many lots in Keyport would have their views significantly impacted by new construction built to the county's 35-foot height restriction. These impacts may be exacerbated by property owners building at their properties' highest points. Adjacent neighbors could see their views blocked, often in their entirety, by this kind of construction. This proposal would impose a lower height restriction for the waterfront parcels.

The maximum height of all new construction would be reduced from 35 feet to 28 feet measured from the mid-slope point of the property's buildable area to the highest point of the structure. This restriction would apply to new construction as well as additions and remodels to existing structures.

The further property owners build down the slope, the higher their structures can be while maintaining the 28-foot restriction. The opposite is also true; the further upslope property owners build the lower their structures must be to meet the restriction.

# KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-7181 FAX (360) 337-4662 HOME PAGE - [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/)

Larry Keeton, Director

## Keyport Community Planning Process KEYPORT LAMIRD; PRELIMINARY VIEW PROTECTION

View protection was raised in the Keyport Community Survey as a very important issue with the Keyport Community Online Survey. The Survey Results are as follows:

Survey Question:	Very Important	Somewhat Important	Not Important	No Opinion	Total Answers
Protect Private views through view protection code or language.	60 % (24 of 40)	28 % (11 of 40)	12 % (5 of 40)	0 % (0 of 40)	40

The view protection proposal below is a very preliminary draft that may provide the Keyport community with a possible view protection code language and view protection overlay zone. Comments and suggestions are welcome to be included in the Draft plan.

### **Draft KEYPORT View Protection Language Proposal:**

This view protection language proposal is to be applied to all water front parcels with a limitation of maximum building height for waterfront parcels limited to 28 feet. This is consistent with and based upon the view protection language adopted for the Manchester Limited Area of more Intense Rural Development.

**Within the View Protection Overlay, the maximum height shall be 28 feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the View Protection Overlay Zone may build as high as 35 feet under the following circumstances:**

- a. **There is no existing view of Liberty Bay, the Olympic Mountains, Mt. Rainier or Dogfish Bay from the subject property or any adjacent property; or**
- b. **The owners of all adjacent properties approve the building height prior to building permit issuance; or**
- c. **It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.**

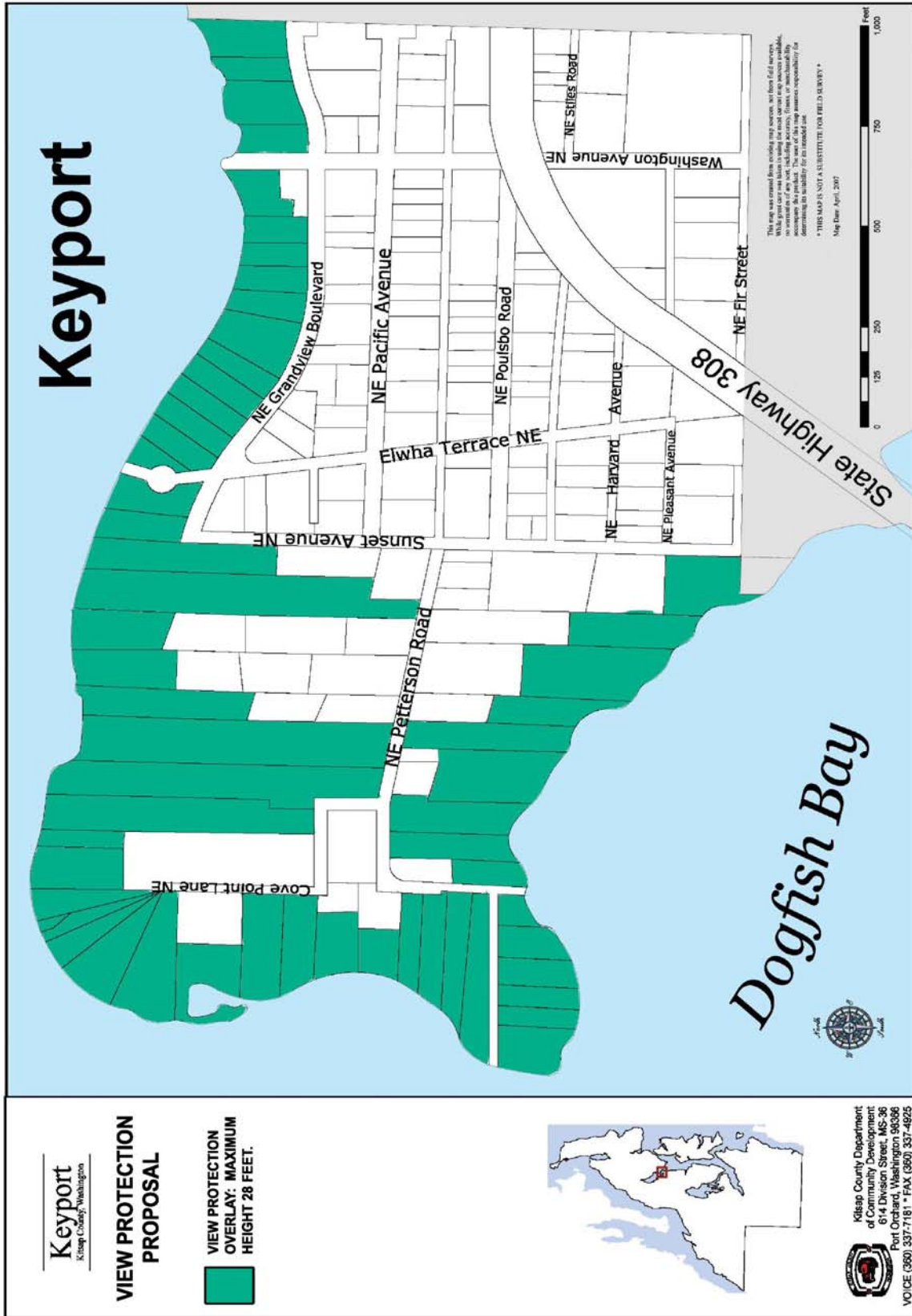


Figure F.1 Keyport Proposed View Protection Overlay Zone



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### Keyport Community Planning Process Community Stakeholder Group Meeting: M I N U T E S

Tuesday, May 22, 2007, 7:00 – 9 p.m.

Location: Keyport Bible Church, 15270 Washington Ave. NE, Keyport, WA

**Meeting Facilitators:** Deborah Dubois, Keyport Improvement Group Treasurer,  
& James Weaver, Kitsap County Department of Community  
Development (DCD)

**Meeting Attendance (from sign-up sheet):** Paul Berg, Don Cramsey, Rich Culley, Deborah Dubois, Walter Hannawacker, Doug Jennings, Ednamay Kennedy, Gary Kohler, Linda & Jim Laughlin, Frank Mahaffey, Jason & Andra Murray, Warren and Evonne Posten, John Steinmetz, Rhonda Williamson, James Weaver (DCD).

#### **Agenda Item I: Meeting Introduction:**

Deborah Dubois, Treasurer of the Keyport Improvement Group, began the meeting and asked everyone around the room to introduce themselves and to describe where in Keyport they lived. The room proceeded to introduce themselves around the table. A number of attendees did enter the room later in the meeting and introduced themselves as they entered. Deborah Dubois then turned the meeting over to James Weaver from Kitsap County Department of Community Development. James thanked Ellen and gave the group a brief status update of the community plan.

#### **Agenda Item II: Review of the Previous Meeting Land Use Items.**

James Weaver from the Kitsap County Department of Community Development reviewed the past meeting information and noted all the issues and items discussed over the past three months. Items that were discussed in detail by this group included community goals and concerns, vision statements, Key projects, Limited Area of More Intense Rural Development (LAMIRD) boundaries, Shoreline Buffers and waterfront setbacks, Naval Undersea Museum and Navy involvement in the community, sewer and septic systems, parks and recreation, storm water systems, transportation, pedestrian improvements, and public transit, Fire service, property assessments, residential land use, density, and setbacks, commercial revitalization, commercial land uses, mixed-use developments, parking, lot sizes, online survey results and the two topics on the agenda tonight, View Protections and Keyport Commercial Design Guidelines.

James indicated that the two items that were agreed upon by the community and confirmed by the online survey were the proposed zoning map with the zones as Keyport Village Residential, Keyport Village Low-Residential, Keyport Village Commercial, and Parks. The other item agreed upon by the committee and confirmed by the survey was the limits of the Limited Area of More Intense Rural Development (LAMIRD) boundaries, with the boundaries included the Keyport peninsula and ending at the southern end of the causeway. The Navy property was also excluded from those boundaries.

### **Agenda Item III: Proposed View Protection Code and Overlay Map**

James Weaver from Kitsap County Department of Community Development then discussed the preliminary proposed Keyport view protection code language and view protection overlay. James provided handouts with the waterfront lots shown that would be limited to a maximum height of 28 feet for any structure. He indicated that the code language for the view protection was the exact language utilized from the Manchester LAMIRD view protection code and was simply applied to Keyport in a similar manner as had been done in Manchester. The desire for view protection was expressed in previous meetings by many community members who were concerned that expansion or further subdivision would eliminate existing views of Liberty Bay and the Olympic Mountains. It was discussed that the survey included a question that stated: "Protect private views through view protection code or language." The survey results were that 60% (24 of 40) responded that these were very important, 28% (12 of 40) responded that these were somewhat important, 12% (5 of 40) responded that these were not important, and that 0% responded with no opinion.

The proposed view protection code for all waterfront parcels was as follows:

**Within the View Protection Overlay, the maximum height shall be 28 feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the View Protection Overlay Zone may build as high as 35 feet under the following circumstances:**

- a. There is no existing view of Liberty Bay, the Olympic Mountains, Mt. Rainier or Dogfish Bay from the subject property or any adjacent property; or**
- b. The owners of all adjacent properties approve the building height prior to building permit issuance; or**
- c. It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.**

Further discussion ensued that described the view protection code with limits on waterfront structures of a maximum height of 28 feet, with a maximum height of 35' for parcels that were not waterfront, allowing a view over the top of the waterfront structures. It was noted that there was no protection for views across lots at the ground floor or below 28 feet, that there was no restriction on landscape or trees, and that there was no protection for view corridors for adjacent structures, only a proposed height limitation.

Discussion by the group was very lively and polarized in either one side or the other for stricter view protection measures or complete elimination of any view protection measures, with each side very emotional and convincing in their arguments. Several examples were discussed and evaluated how they would be treated under the proposed view protection code. The exemptions to the view protection code were also discussed. The conversation included clarification of height calculation methods and how basements or daylight basements would be treated. Further debate ensued regarding alternative heights of 30 feet or 32 feet, but no compromise position could be reached by the group.

The number of responses to this item as very or somewhat important (88% total) in the survey was noted as an important issue throughout the discussion. The group then discussed the relevance of the view protection measures to the commercial district. It was noted that this would only affect a total of four commercial parcels that were waterfront. Two of the commercial property owners discussed the potential impacts to their properties and encouraged the group to exempt the commercial properties from any view protection code or overlay. The group voted that commercial properties should be excluded from the view protection code or overlay and that the standard height restriction of 35 feet should be applicable to waterfront Keyport Village Commercial zoned parcels.

Further debate ensued relating the residential view protections with each side making convincing arguments. The group indicated they would like to vote on the issue and twelve of the fifteen community members present voted for no view protection overlay or code should be included in the draft plan. It was noted that many of the regular community members were not present at this meeting and that those most impacted by or benefiting from view protection were not able to have their voice heard in this vote. It was acknowledged by staff that this view protection issue was much too contentious issue to have decided in these community meetings and that view protection would be included in the draft plan as an Appendix for additional comment, with the Public Hearing, Kitsap County Planning Commission, and public comments received after release of the draft plan to assist the Board of County Commissioners in the final decision regarding whether or not view protection would be implemented as part of the Keyport Community Plan.

**Question:** *What the recourse would those who would like view protection have to ensure their voices are heard supporting implementation of this view protection code and overlay?*

**Reply:** Although this is the last community meeting prior to release of the draft community plan, the Draft Keyport Community Plan will include a sixty day comment period where the County will be soliciting comments from community members, property owners, state agencies, the tribes, and others. Writing letters regarding this contentious issue would be best suited now as well as after the release of the draft plan. Additionally, a public hearing for community testimony will be conducted with public input provided to both the Kitsap County Planning Commission and the Board of County Commissioners prior to approval of any Final Keyport Community Plan. The public approval process described is the same process applied to all the Kitsap County community plans and land use policy decisions and ensures that every effort to collect public input is provided and considered, prior to plan approval.

#### **Agenda Item IV: Proposed Keyport Design Guidelines**

James Weaver then proposed a much less contentious item for discussion with the group. He provided a PowerPoint presentation of examples of projects and design guidelines throughout Kitsap County. Examples included two story, three story, and four story projects with similar height requirements as Keyport. Recently built projects were shown in the presentation from Bainbridge Island, Kingston, Poulsbo, Bremerton, and other Kitsap County area that illustrated the different treatments utilized for multiple floor buildings. Discussions of recent Manchester land use and building appeals were entertained and the designs for both Manchester Commons and Colchester Commons were reviewed.

The presentations also focused on facades, streetscape, transparency at the ground floor, location of entrances, balconies and terraces at second floors. Examples of window types, canopies and weather protection, landscaping around blank walls and how the back of buildings are treated. Some examples were shown of how building corners at the major intersections could be emphasized or enhanced. Various examples of treatment of the building facades were shown with different base, middle, and cap portions of a building façade could be differentiated with materials, paint, or embellishment. Additionally, signage was discussed with a focus on pedestrian oriented blade signs along Washington Avenue, illuminating Washington as the “front door” to Keyport and the main interaction with tourists and visitors.

The group was very supportive of the design guidelines proposal for Washington Avenue and unanimously endorsed inclusion of design guidelines within the Draft Keyport Community Plan. Additional discussion also included application of the side streets of Grandview, Pacific, Poulsbo, and Stiles and how these design guidelines could be applied to all the commercial properties in Keyport. It was noted that there were only a total of 29 parcels proposed to be commercial and most of those (15) were located on Washington Avenue. The addition of the other 14 parcels was seen as beneficial to the community. It was voted by the community group that the design guidelines should be included to be applied to all the commercial properties in Keyport.

### **Agenda Item V: Other Business:**

No other business was discussed.

### **Agenda Items: Next Steps / Future Meetings**

This meeting is the last scheduled Kitsap County meeting for the Keyport Community Improvement group prior to release of the Draft Keyport Community Plan. A future meeting may be scheduled for the distribution of the Draft Community Plan. The draft and final public approval process for the plan will include multiple public meetings for comment and public hearings for testimony both with the Kitsap County Planning Commission and with the Kitsap County Board of County Commissioners. All future meetings will be noticed and posted in the community to provide ample notification and ability to collect community input. The Draft Keyport Community Plan is anticipated for public release during the last week in June. Upon this, the meeting was adjourned.

### **9:00 p.m. Meeting Adjourn**

Please Note: Meeting minutes are provided by Kitsap County Department of Community Development staff with comments, questions, discussion and conversations summarized to the best ability. Any corrections or comments may be directed to James Weaver at [jweaver@co.kitsap.wa.us](mailto:jweaver@co.kitsap.wa.us).