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**Memorandum**


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KITSAP COUNTY COMMUNITY DEVELOPMENT




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**Memorandum**


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**TO:** Board of County Commissioners  
**CC:** Scott Diener, Jim Bolger, Larry Keeton  
**FROM:** Linda Bentley, Senior Planner  
**SUBJECT:** STAFF REPORT – Adoption of Interim Zoning Regulations-Manchester Village Commercial  
**DATE:** May 14, 2007

SUMMARY

The proposed interim zoning regulations, which clarify by an amended footnote to the Density and Dimensions Table that mixed-use and commercial structures in the MVC zone are limited to two stories, are consistent with state and county regulations (see Findings of Fact). Staff recommends approval of the Ordinance adopting the interim zoning regulations at the close of today's public hearing.

BACKGROUND

The residents of Manchester are currently working on an update to the Manchester Community Plan (a plan for the LAMIRD [Limited Area of More Intense Rural Development]), adopted March 18, 2002, and are developing design standards to implement the Plan. The original Plan "encourage[d]" two-story, mixed-use development allowing a maximum height of 35 feet in the Manchester Village Commercial (MVC) zone, reportedly to encourage pitched roofs.

Recently, two development applications in the MVC zone have been approved at a height of three-stories, a third has been through a pre-application meeting, and the community has been told that there are at least three more developments that are imminent. Members of the community appealed the first two applications on the basis of their belief that the Plan's language should be considered, but the decision allowing the three-story development was upheld at both Hearing Examiner and Board of Commissioners. The community is concerned that development at three stories in the MVC zone could irrevocably alter the "small town charm and quaintness" and "spectacular views" of the Manchester Village [language from the Plan].

Further, in response to a request from a community member, the Director of Community Development issued a Director's Interpretation on April 5, 2007, determining that structures in the MVC zone are limited to two-stories. That Interpretation has been appealed.

FINDINGS OF FACT

- 1) The Board of County Commissioners adopted a LAMIRD for the Manchester Village area, and then adopted the Manchester Community Plan on March 18, 2002 (referred herein as MP02). The MP02 was developed entirely by volunteer activity under the leadership and expert advice of the Kitsap County Department of Community Development.
- 2) The Manchester Plan (MP02) set forth goals and requirements for heights of buildings in the Manchester Village Commercial (MVC) zone in the following topic areas:

- a) Height of the buildings and allowable stories to those buildings  
The purpose statement of the Manchester Village Commercial Zone stated: “To encourage two-story mixed use development, the height restriction on commercial or mixed-use properties within this zone will be set at 35 feet, measured from the average grade at the foundation to the structure’s highest point.” (MP02-Page 12)
  - b) Compatibility of the buildings and harmony of construction type  
The vision for the Manchester Village stated, “It would strive to maintain the small-town charm and quaintness that Manchester currently offers. Of parallel importance is the preservation of the spectacular views....”(MP02-Page 4)
  - c) Rural Village Designation of the Commercial Area
    - i) In describing the definition and characteristics of the Manchester Village, it stated, “Residential densities in the heart of the Rural Village will vary in size, recognizing existing densities, but not necessarily allowing continued development at those same densities.” (MP02-Page 7)
    - ii) In applying GMA’s goals to the Manchester Village, it stated, “The public facilities and services that currently exist are not sized for urban development, though a modest amount of infill can be accommodated. Manchester is, at its core, a village area.” (MP02-Page 36)
    - iii) In the County Zoning Code, the purpose section of the Manchester Village stated, “In the event of a conflict between the requirements of these regulations for the Manchester Rural Village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern.” (MP02-Page 42).
- 3) The Director of the Department of Community Development issued a Director’s Interpretation on April 5, 2007, stating that structures in the MVC zone should be limited to two-stories, based on the above-referenced language in the Manchester Community Plan. The Interpretation has been appealed to the Hearings Examiner.
  - 4) The residents of Manchester, with assistance from Department of Community Development staff, are currently working on the update to the Manchester Community Plan and detailed design standards to implement the goals and policies of the updated Plan.
  - 5) Development at three stories in the MVC zone could irrevocably alter the “small town charm and quaintness” and “spectacular views” of the Manchester Village.
  - 6) Some development is currently occurring with three story buildings and is creating an emergency situation that requires immediate action.
  - 7) Kitsap County is authorized to adopt interim zoning regulations for not longer than six months under RCW 36.70.795.

## RECOMMENDATION

Staff recommends approval at the close of today’s public hearing of the Ordinance adopting the interim zoning regulations.