



# KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682

Larry Keeton, Director

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## SITE-SPECIFIC COMPREHENSIVE PLAN AMENDMENT APPLICATION STAFF REPORT

**DATE:** September 8, 2009

**STAFF:** Heather Adams, Associate Planner

**APPLICANT:** Team 4 Engineering

**PROPERTY OWNER(S):** Mary Gilman

**FILE NO:** 09 64652

**ASSESSOR'S ACC'T:** 232501-1-004-2003

**NUMBER OF PARCELS:** 1

**LOCATION:**

**UGA:** Central Kitsap UGA

**CURRENT USE:** Single Family Residence

**CURRENT ZONING:** Central Kitsap UGA

**REQ. ZONING:** Change zoning designation from Urban Low (UL) to Neighborhood Commercial (NC) at a 1.71 acre project site.

**ADDITIONAL PARCELS:** N/A

**RECOMMENDATION:** **APPROVAL**

### **VICINITY:**

The subject parcel is approximately 1.71 acres located in Bremerton, Washington. The proposed amendment application requests a change in land use and zoning from Urban Low (UL) to Neighborhood Commercial (NC). The surrounding zoning is UL to the north and south of the property. To the east of the property the zoning is Urban Medium (UM) and to the west of it is NC.

### **PHYSICAL CHARACTERISTICS OF SITE:**

The current land use is a single family residence. The terrain for west portion of the property is general moderately-sloped, while the eastern side subject parcel contains slopes mapped as "moderate geologic hazard". Site-specific development proposals will be reviewed for compliance with KCC Section 19.400 (Critical Areas Ordinance).

## **SEPA STATUS**

A SEPA Determination of Non-significance (DNS) was completed on August 17, 2008, by Dave Greetham, SEPA Responsible Official. The DNS was issued after using the optional DNS process in WAC 197-11-355. DNS comments are as follows:

The SEPA comment period previously occurred concurrent with the Notice of Application dated July 24, 2009. Pursuant to WAC 197-11-060(5), phased SEPA review is being utilized. Should the request be approved, all future subdivision activity would require additional environmental review, including submittal of a wetland and stream delineation report.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. There is no further comment period on the DNS.

## **PUBLIC UTILITIES, SERVICES, AND TRANSPORTATION:**

The project site is located within the following public utility areas:

Water:	North Perry Water District
Sewer:	Kitsap County Public Works
Stormwater:	Private on-site

The following public services are available to the project site:

Police:	Kitsap County Sheriff
Fire:	Fire District #15
Medical:	Fire District #15
Schools:	Central School District
Parks:	Kitsap County Parks and Recreation Dept. Washington State Parks
Transit:	Kitsap Transit

## **CRITERIA FOR RECOMMENDATION OR DECISION – GENERAL**

For each proposed amendment to the Comprehensive Plan the Planning Commission in reaching its recommendation, and the Board of County Commissioners in making its decision, shall develop findings and conclusions which consider:

- 1. Have circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located substantially changed since the adoption of the Comprehensive Plan?**

**Finding:** Circumstances related to the proposal area have not substantially changed since the adoption of the Comprehensive Plan.

- 2. Are the assumptions upon which the Comprehensive Plan is based still valid, or, is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan?**

**Finding:** Assumptions are still valid; no new substantive information is available that was not considered during the adoption or amendment to the Comprehensive Plan.

### **CRITERIA FOR RECOMMENDATION OR DECISION -**

#### **SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENTS**

A proposed site-specific amendment to the Comprehensive Plan may be recommended for approval by the Planning Commission, and may be approved by the Board of County Commissioners, if, in addition to the findings and conclusions required in KCC Section 21.08.160, all of the following criteria are also satisfied.

- 1. Are concurrency requirements for transportation, sewer and water met? Will the change 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?**

**Finding:** Concurrency requirements are satisfactory.

- 2. Is the proposal consistent with the goals, policies and objectives of the Comprehensive Plan?**

**Finding:** The proposal is consistent with goals, policies, and objectives of the Comprehensive Plan.

#### **Kitsap County Comprehensive Plan States:**

*Goal 15. Focus most commercial growth within the UGAs where most of the County's future population growth will be guided and where urban public services and facilities will be provided. (Kitsap County Comprehensive Plan 2006, Chapter 2, Land Use, Goal 15)*

*Goal 16. Provide a sufficient amount of land and variety of sites for commercial land uses that are reasonably scaled to the needs of the community and ensure a convenient and adequate supply of goods and services to the residents of the County as well as the traveling public. (Kitsap County Comprehensive Plan 2006, Chapter 2, Land Use, Goal 16)*

*Policy LU-69 Designate sufficient land for anticipated commercial land uses on the Land Use Map, considering countywide population, employment forecasts, and the local needs of the surrounding community. (Kitsap County Comprehensive Plan 2006, Chapter 2, Land Use, Policy LU-69)*

*Policy LU-72 Locate Neighborhood Commercial zoning based on a demonstrated need, space these areas a minimum of 0.5 to 1.0 mile apart, and locate them at the intersections of major collector streets. (Kitsap County Comprehensive Plan 2006, Chapter 2, Land Use, Policy LU-72 )*

*Policy LU-88 Size Neighborhood Commercial zones and uses in a manner compatible with a residential setting. (Kitsap County Comprehensive Plan 2006, Chapter 2, Land Use, Policy LU-88)*

*Goal 3. Identify a sufficient amount of land and variety of sites for residential, commercial and industrial land uses that are reasonably scaled to the needs of the County and communities within the County. (Kitsap County Comprehensive Plan 2006, Chapter 5. Economic Development, Goal 3)*

*Policy ED-16 Provide a diverse mix and appropriate range of commercial, industrial and business land uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community. (Kitsap County Comprehensive Plan 2006, Chapter 5. Economic Development, Policy ED-16)*

*Policy ED-18 Encourage mixed use developments within commercial districts that will enhance the visual, economic, and environmental quality of these areas and improve the transition between commercial and residential districts. (Kitsap County Comprehensive Plan 2006, Chapter 5. Economic Development, Policy ED-18)*

**3. Is the subject parcel 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?**

**Finding:** The subject parcel is suitable for the requested land use designation. The site is already has good access, good utility services, and the proposed and use types would be consistent with the already existing uses, it has negligible environmental constraints (see SEPA discussion, *above*), and is compatible with a neighborhood already represented with commercial uses. (See Current Plan Designation and Surrounding Land Use, *below*)

**4. Would the proposed amendment create pressure to change the land use designation of other properties or to change land use to that which is generally in the long-term interests of the community?**

**Finding:** The proposed amendment could create pressure to change the land use designation of other properties.

**5. *Would the proposed amendment materially affect the Comprehensive Plan's land uses and growth projections?***

**Finding:** The proposed amendment would not materially affect the Comprehensive Plan's land use and growth projections. The change would encourage more commercial development in the area, the change would be negligible as to countywide land use and growth projections as it involves only 1.71 acres. Obversely, there would a greater job-creation opportunity with the re-designation which is an ex-press policy of both the *GMA* and the *County Comprehensive Plan*

In addition, the request would require at Transfer of Development Rights (TDR) pursuant to Kitsap County Code 17.430.070. The site specific is requesting a higher density designation and shall require a transfer of development right. Residential to Urban Commercial requires two development rights per acre. The request is requesting Urban Low to Neighborhood Commercial therefore requiring four TDRs for a 1.71 project site. The TDR program will help the applicant meet the Comprehensive Plan's growth projections by putting rural land in conservation and placing population in the urban growth areas, where density is supposed to occur.

**6. *Would the proposed amendment materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the UGAs?***

**Finding:** The proposed amendment would not materially affect the adequacy or availability of urban facilities and services to the immediate area.

**7. *Is the proposed amendment consistent with the Growth Management Act (GMA), Kitsap County-wide Planning Policies (CPP), Kitsap County Resolution 015-2008 (2008 Community Planning Docket and Work Program), state (RCW) and local laws, and other applicable inter-jurisdictional policies or agreements?***

**Finding:** The proposal is consistent with the Growth Management Act and Kitsap Countywide Planning Policies. The proposal is not inconsistent with other state and local laws.

The proposal promotes higher density development within the existing UGA consistent with the following provisions of the GMA.

**GMA**

*(1) Urban growth. Encourage development in urban areas where adequate public facilities or services exist or can be provided in an efficient manner. RCW 36.70A.020:*

*(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. RCW 36.70A.110*

*(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development,*

*second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. 36.70A.070.C.iii*

**County Wide Planning Policies State:**

*Livable urban communities and neighborhoods, centers for employment, civic activities, housing:*

*\* Attractive, well designed and livable urban communities, supported by efficient and high quality services and facilities, and providing a range of housing choices.*

*\* Healthy cities that are the region's centers for employment, affordable housing choices, and civic and cultural activities.*

*(Countywide Planning Policies 2007, Countywide Growth Patterns: A pg.5)*

*The primary role of Kitsap's urban communities is to encourage growth, through new development, re-development and in-fill. (See Appendix B for current and projected population distribution.) (Countywide Planning Policies 2007, Roles of Cities and Urban Growth Areas/Urban Communities,: 1A pg.16)*

*Each of Kitsap's urban communities should foster its unique vision as a high quality place to live and work. (Countywide Planning Policies 2007, Roles of Cities and Urban Growth Areas/Urban Communities,: 1B pg. )*

*The basic premise for designating Urban Growth Areas is to encourage the location of urban density residential, commercial and industrial developments in areas where services can be most economically provided. The benefits of directing growth to designated urban areas include:*

*\* Promotion of attractive residential neighborhoods and commercial districts which provide a sense of community (Countywide Planning Policies 2007, Element B. Urban Growth Areas, A pg.16)*

**8. Meets all requirements outlined in the resolution adopting the preliminary docket.**

**Finding:** The proposal is consistent with the resolution adopting the preliminary docket.

## **ANALYSIS**

The proposal would rezone one parcel totaling 1.71 acres from Urban Medium (UL) to Neighborhood Commercial (NC).

According to KCC 21.08.160 and 21.08.180, all decision criteria must be satisfied to Recommend approval. This staff report produced the following findings:

### **General Decision Criteria**

1. Meets initial criteria
2. Meets initial criteria

### **Site Specific Decision Criteria**

1. Satisfactory
2. Satisfactory
3. Satisfactory
4. Uncertain
5. Satisfactory
6. Satisfactory
7. Satisfactory

## **CONCLUSION**

This report has identified elements that support a recommendation for approval. The provision of public utilities and compatibility with the adjacent properties uses create a strong case for the property to be rezoned to Neighborhood Commercial.

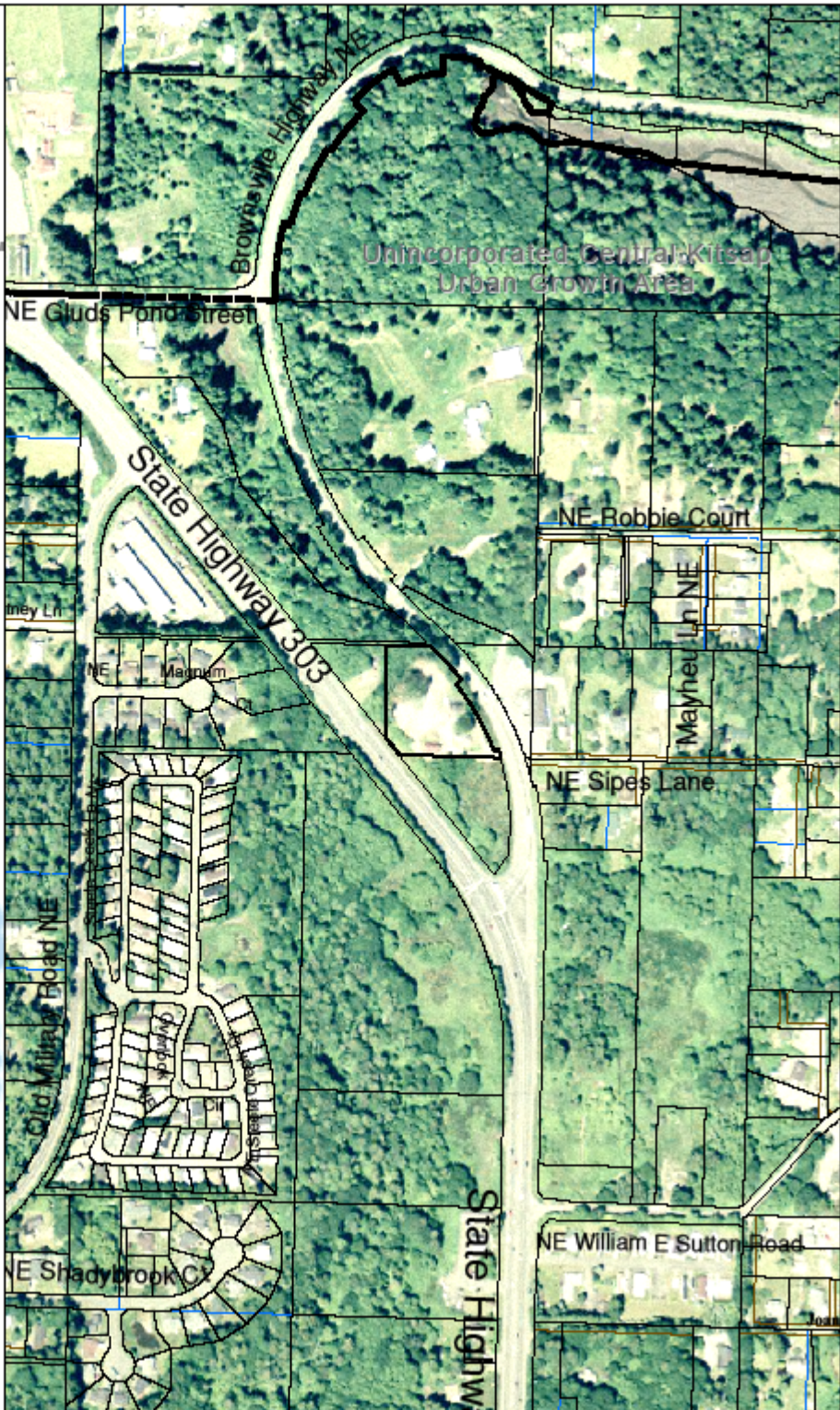
## **RECOMMENDATION**

Staff recommends **APPROVAL** of this application.

**Attachments:** Arial Map  
Current Zoning  
Proposed Zoning  
Critical Areas

**Kitsap County  
2009 Site Specific  
Amendments**

2005 Aerial Photography  
**Gilman**  
**232501-1-004-2003**  
Commissioner District 3  
1.71 Acres  
Brownsville Highway  
Current Zoning: Urban Low Residential  
Requested Zoning: Neighborhood  
Commercial



DRAFT  
Map Date: January, 2009



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**Kitsap County  
2009 Site Specific  
Amendments**

**Zoning**

*Gilman*

**232501-1-004-2003**











Commissioner District 3

1.71 Acres

Brownsville Highway

Current Zoning: Urban Low Residential

Requested Zoning: Neighborhood Commercial

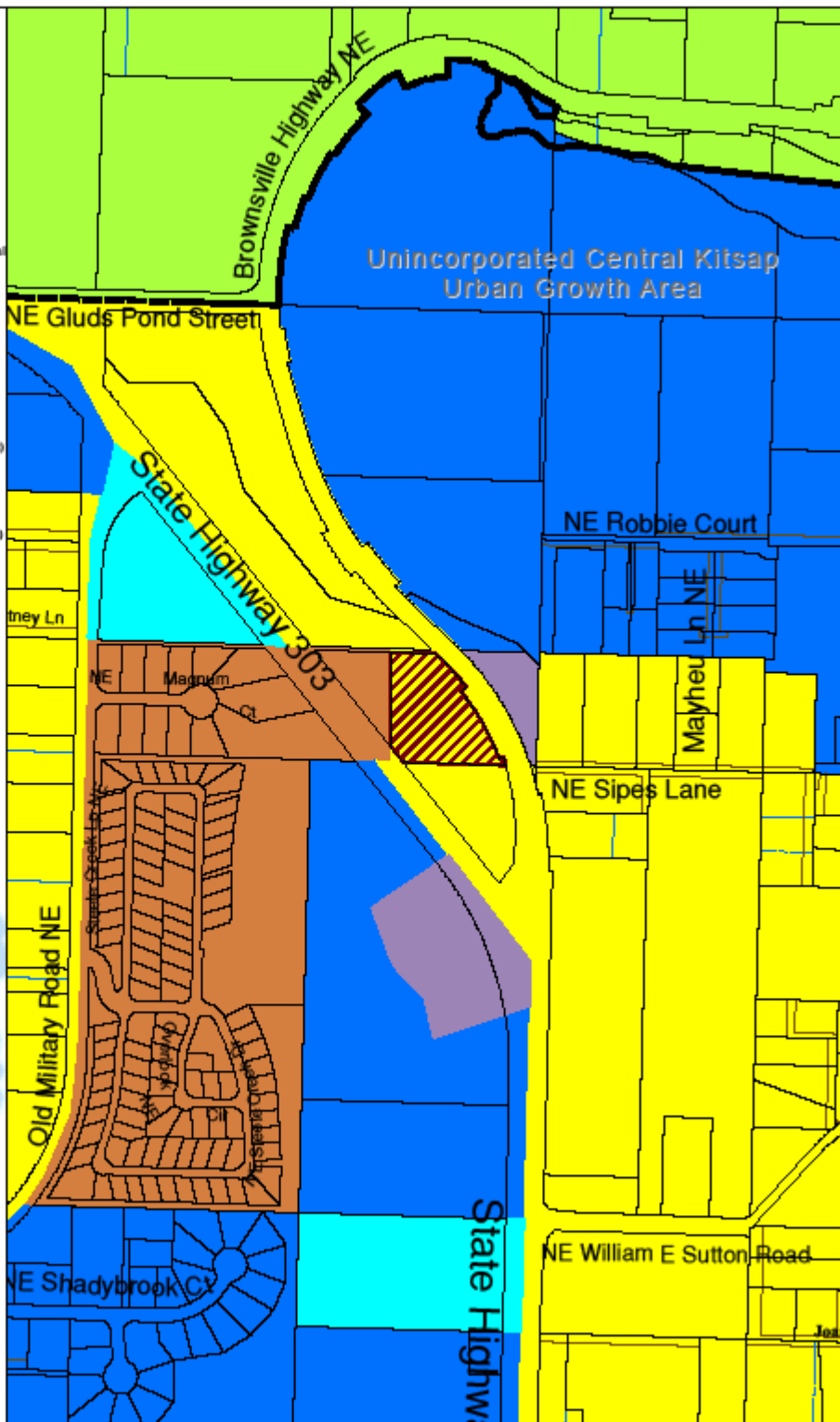
-  Subject Parcel
-  Tax Parcels
-  Easement
-  Plat-Line
-  Rural Residential (1 DU/5 Ac)
-  Neighborhood Commercial (10-30 DU/Ac)
-  Industrial
-  Urban Restricted (1-5 DU/Ac)
-  Urban Low Residential (4-8 DU/Ac)
-  Urban Medium Residential (10-15 DU/Ac)



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**Kitsap County  
2009 Site Specific  
Amendments**

**Proposed Zoning  
Gilman  
232501-1-004-2003**

Commissioner District 3  
1.71 Acres  
Brownsville Highway  
Current Zoning: Urban Low Residential  
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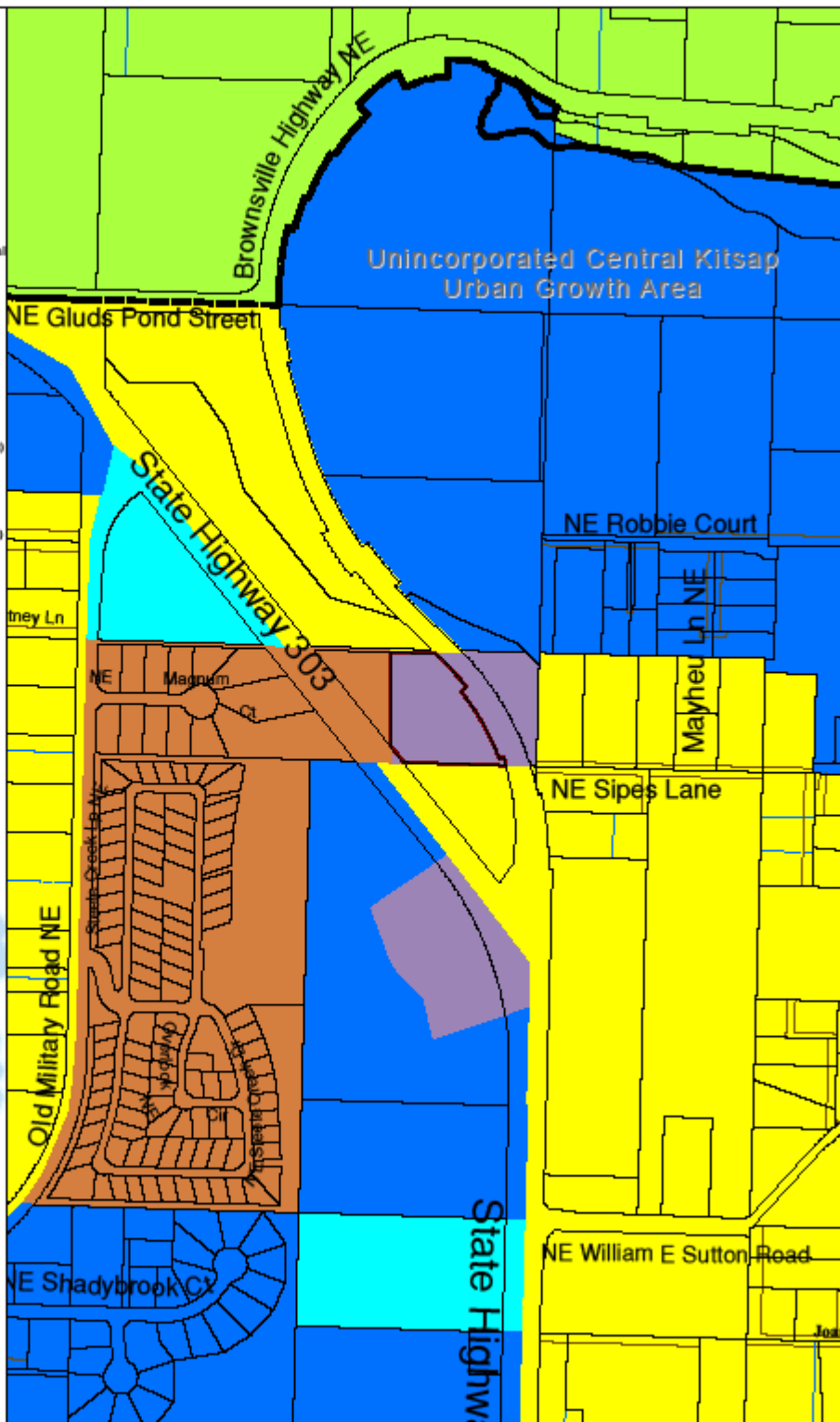
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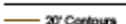
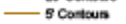
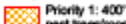
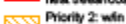
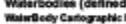

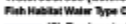
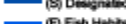
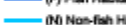
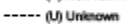



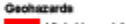

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**Kitsap County  
2009 Site Specific  
Amendments**

**Topography & Natural Resources**

**Gilman**  
**232501-1-004-2003**  
 Commissioner District 3  
 1.71 Acres  
 Brownsville Highway  
 Current Zoning: Urban Low Residential  
 Requested Zoning: Neighborhood Commercial

-  Subject Parcel
-  Tax Parcel
-  20' Contours
-  5' Contours
- Bald Eagle Management Nest and Communal Roost Buffers Management Zone Description**
-  Priority 1: 400' buffer around nest trees/roost sites
-  Priority 2: w/in 400'-800' of nest tree or 500' of shoreline
- Waterbodies (defined in WAC 222-16-030)**
- Waterbody Cartographic Feature Code**
-  Bay, estuary, Puget Sound
-  Lake, Pond, Reservoir, Gravel pit or quarry filled with water
- Watercourses (defined in WAC 222-16-030)**
- Fish Habitat Water Type Code**
-  (S) Designated Shoreline of the State
-  (F) Fish Habitat
-  (N) Non-fish Habitat
-  (U) Unknown
-  Wetlands
-  Potential Wetlands
-  100 Year Floodplain
- Geohazards**
-  High Hazard Areas
-  Moderate Hazard Areas



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