

1 **FINDINGS OF FACT AND RECOMMENDATIONS TO THE BOARD OF**
2 **COMMISSIONERS OF KITSAP COUNTY, WASHINGTON REGARDING THE**
3 **ADOPTION OF TRANSFER OF DEVELOPMENT RIGHTS POLICY AMENDMENTS**
4 **TO THE KITSAP COUNTY COMPREHENSIVE PLAN, CHAPTER 3C,**
5 **'RURAL AND RESOURCE LANDS'**
6

7 The Department of Community Development of Kitsap County, Washington, finds as
8 follows:

- 9 1. Pursuant to Resolution 032-2011 the Kitsap County Board of County
10 Commissioners directed staff to consider policies changes to the Transfer of
11 Development Rights (TDR) program as noted in the Comprehensive Plan,
12 Chapter 3, 'Rural and Resource Lands'. Policy analysis and revision of the
13 Comprehensive Plan discussion of TDRs would clarify the intent of the County's
14 program to preserve rural lands while conveying density and other urban
15 intensifications to urban designated receiving sites.
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- 17 2. The process for proposed amendments to the TDR policies is identified as an
18 element of an Interlocal Agreement between the City of Port Orchard and Kitsap
19 County, which is an element of a grant awarded to the City of Port Orchard by the
20 Washington Department of Commerce to fund the development of TDR receiving
21 sites.
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- 23 3. On September 28, 2011, the Kitsap County State Environmental Policy Act
24 (SEPA) Official issued a Determination of Non-significance (DNS) and Notice of
25 Adoption of Existing Environmental Documents for the proposed TDR policies
26 revision to Chapter 3 of the Comprehensive Plan pursuant to SEPA, WAC 197-11-
27 340; the DNS comment and appeal period expired October 17, 2011 and no SEPA
28 appeals were filed.
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- 30 4. The "Notice of Intent to Adopt" for Chapter 3 was sent to the Commerce, Growth
31 Management Services Review Team on September 29, 2011, pursuant to RCW
32 36.70A.106 and WAC 365-195-620, and no comments have been received from
33 Dept of Commerce.
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- 35 5. On October 18, 2011, following timely and effective public notice, the Planning
36 Commission held a briefing and work-study session to review and discuss the
37 proposed comprehensive plan changes.
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- 39 6. On November 1, 2011, following timely and effective public notice, the Planning
40 Commission held a public hearing and deliberations on the proposed amendments
41 and **voted 9-0 to approve** the proposed policies.
42
- 43 7. The proposed amendments to the Comprehensive Plan are consistent with the
44 following:
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- 1 a) Washington State Growth Management Act (GMA), and Kitsap Countywide
2 Planning Policies.
3 b) KCC 21.04.090 regarding process for Type IV applications.
4 c) State Environmental Policy Act (SEPA), RCW 43.21C and SEPA Rules WAC
5 197-11
6

7 8. The proposed Comprehensive Plan amendments promote the public interest and
8 welfare of the citizens of Kitsap County, and should be approved.
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10 **Therefore**, to promote the public interest and welfare of Kitsap County's citizens and
11 based upon the above-mentioned Findings, the Department of Community
12 Development recommends adoption of the Comprehensive Plan, Chapter 3 'Rural and
13 Resource Lands' TDR policies amendments.
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15 **APPROVED BY THE PLANNING COMMISSION OF KITSAP COUNTY,**
16 **WASHINGTON, AT A REGULAR MEETING THEREOF, HELD THIS 15TH DAY OF**
17 **NOVEMBER 2011.**

18
19
20 BY  Nov 15 2011
21 LINDA PARALEZ, CHAIR
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