



# Kitsap County Department of Community Development

## Staff Report and Recommendation Annual Comprehensive Plan Amendment Process for 2018 Public Facility Designations and Park Classifications Update

<b>Report Date</b>	7/16/2018
<b>Hearing Date</b>	7/17/2018 and 7/31/2018
<b>Amendment Type</b>	County-sponsored Amendment
<b>Description</b>	This amendment includes the following map changes for approximately 2,883 acres acquired in recent years by Kitsap County for the Port Gamble Forest Heritage Park: <ul style="list-style-type: none"> <li>• Redesignate from Rural Wooded, Rural Protection, and Rural Residential to Public Facilities on the Kitsap County Comprehensive Plan Land Use Map as shown in Attachment A - Map 4B; and</li> <li>• Reclassify from Rural Wooded, Rural Protection, and Rural Residential to Parks on the Kitsap County Zoning Map as shown in Attachment A - Map 5B.</li> </ul>
<b>Geographic Area Affected</b>	<a href="#">Unincorporated Kitsap County</a>
<b>SEPA</b>	Determination of Non-Significance
<b>Department Recommendation</b>	Adopt as Proposed

This report and recommendation are based on information available at the time of publication. If new relevant and material facts are discovered, this staff report will be revised and the department recommendation may change.

### 1. Background

The Kitsap County Comprehensive Plan describes the 20-year vision for unincorporated Kitsap County and how that vision will be achieved. The plan covers land use, economic development, environment, housing and human services, transportation, capital facilities and utilities as well as parks, recreation, and open space. The Comprehensive Plan is mandated by the Washington State Growth Management Act (GMA, RCW 36.70A).

#### A. Authority

The GMA mandates that Kitsap County’s Comprehensive Plan and development regulations be reviewed and, if needed, revised at least every 8-years [RCW

90.70A.130(5)]. The most recent Kitsap County 8-year update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016. The GMA also mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation, allowing for annual amendments to the Comprehensive Plan and development regulations [RCW 36.70A.130(1)].

Kitsap County Code sets forth a process and criteria for making amendments to the Comprehensive Plan [KCC 21.08]. In making amendments, the County must consider:

- Whether the proposed amendments are consistent with and supports other plan elements and or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency;
- Whether the proposed amendment to the plan and/or regulation will more closely reflect the goals and policies of the Comprehensive Plan;
- Whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies; and
- Whether the proposed amendment complies with the requirements of the GMA.

The final docket adopted by the Board of County Commissioners on April 4, 2018 (Resolution No. 064-2018) allows for consideration of this amendment during Kitsap County's annual Comprehensive Plan amendment process for 2018.

B. Proposed Amendment

This amendment is requested by the Kitsap County Department of Community Development to update the Kitsap County Comprehensive Land Use Map and Zoning Map to incorporate parcels acquired in recent years by Kitsap County for public facilities or parks.

The proposed amendment is provided in Attachment A and includes the following changes:

1. Kitsap County Comprehensive Plan Land Use Map (see Attachment A - Map 4A & Map 4B)
  - Update to the Comprehensive Plan Land Use Map to incorporate parcels acquired in recent years by Kitsap County for the Port Gamble Heritage Park. The proposed amendment will change the land use designation from Rural Wooded, Rural Protection, and Rural Residential to a Public Facilities land use designation.
2. Kitsap County Zoning Map (see Attachment A - Map 5A & Map 5B)
  - Update to the Zoning Map to incorporate parcels acquired in recent years by Kitsap County for the Port Gamble Heritage Park. The proposed amendment

will change the zoning classification from Rural Wooded, Rural Protection, and Rural Residential to a Parks zoning classification.

C. Geographic Description

This amendment affects 76 publicly-owned parcels that contain approximately 2,883 acres (see Attachment A - Map 1). The site is located in the northern region of unincorporated Kitsap County stretching from the outskirts of the Port Gamble community south to Northeast Sawdust Hill Road.

**2. Department Recommendation**

Having analyzed the proposed amendment and other alternatives, if applicable, the Department recommends:

- Adoption of the amendment:
  - as proposed above
  - as described in Alternative \_\_\_ below
  - with revisions described below
  - with conditions described below
- Deferral of the amendment to a future docket
- Denial of the amendment

A. Revisions

None.

B. Conditions

None.

C. Rational

This amendment is consistent with the goals and policies of the Kitsap County Comprehensive Plan, the requirements of GMA, state and local laws and other applicable inter-jurisdictional policies and agreements. In addition, the amendment will update the Kitsap County Comprehensive Plan Land Use Map and Zoning Map to incorporate public facilities and parkland acquired by Kitsap County in recent years.

**3. Other Alternatives Considered**

No alternatives were proposed during the development of this amendment.

**4. Analysis**

Amendments to the Comprehensive Plan must be consistent with the criteria outlined in Kitsap County Code (KCC) Chapter 21.08. Applicable criteria are analyzed below.

A. General Decision Criteria (KCC 21.08.070.A)

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

1. *How circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan or applicable development regulations;*

**Staff Analysis:** The circumstances related to the proposed amendment have substantially changed since the adoption of the 2016 Kitsap County Comprehensive Plan. In 2017, Kitsap County acquired approximately 2,883 acres of the Port Gamble Forest from Pope Resources to add to the Port Gamble Forest Heritage Park. The Port Gamble Forest property includes 65 miles of trails that will continue to provide public access to passive recreation opportunities.

2. *How the assumptions upon which the Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and*

**Staff Analysis:** The assumptions upon which the 2016 Kitsap County Comprehensive Plan is based are no longer valid. Kitsap County acquired approximately 2,883 acres of the Port Gamble Forest from Pope Resources to add to the Port Gamble Forest Heritage Park. The proposed amendment is consistent with the land use designation and zoning classification of other parkland owned by Kitsap County.

3. *How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.*

**Staff Analysis:** The proposed amendment is in the public interest because it will provide regional access to passive recreation opportunities. The Port Gamble Forest property includes 65 miles of trails where more than 20,000 hikers, birders, mountain bikers, equestrians, cyclists and runners recreate each year. The Comprehensive Plan (Chapter 6, page 6-69) also specifically supported the acquisition of this land for open space and park use which was approved by the Board of County Commissioners during a previous public process. The proposed amendment is also consistent with the purpose of the Parks zoning classification which is intended for parks, open space areas and recreational facilities that benefit the citizens of Kitsap County.

B. Additional Decision Criteria (KCC 21.08.070.B)

*In addition to the findings and conclusions above, for each proposed area-wide amendment, 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. The proposed amendment meets concurrency requirements for transportation, sewer and water, and will not 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;*

**Staff Analysis:** The proposed amendment will not have significant adverse impacts on adopted level of service standards. Any future development will be subject to applicable permitting and environmental review. The proposed amendment will add approximately 2,883 acres of parkland to Kitsap County's park inventory.

- 2. The proposed amendment is consistent with the goals, policies and objectives of development regulations, sub-area plan and the Comprehensive Plan and reflects the local circumstances of the county;*

**Staff Analysis:** The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and reflects the local circumstances of the county. Specifically, this amendment closely reflects the following goals and policies in the Comprehensive Plan:

- Parks Goal 1. Provide regional parks, and open space to meet active and passive regional recreational needs, as well as the needs of wildlife.
  - Parks Policy 1. Continue acquisition of lands having characteristics providing opportunities for varied uses.
  - Parks Policy 9. Identify new and preserve existing open space in rural areas.
  - Parks Policy 10. Identify open space corridors and potential open space areas within and between urban growth areas.
  - Parks Policy 11. Support development of a regional trail system throughout the County and recognize that trails, when built, must be sensitive to impact on natural environment.
- 3. The subject parcel(s) is 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;*

**Staff Analysis:** The property is currently used as a public park primarily for passive recreation and commercial forestry. Adjacent properties include rural residential and forestry uses, undeveloped residentially zoned lands, and other portions of the

Port Gamble Forest Heritage Park that are currently zoned with the Park classification.

Changing the zoning classification from Rural Wooded, Rural Protection, and Rural Residential to Parks will change the types of uses allowed on the site. For example, most residential, commercial, and industrial uses allowed in the Rural Wooded, Rural Protection, and Rural Residential zones are not allowed in the Park zone. The Park zone allows recreational, institutional, and a few commercial uses that are not allowed in the Rural Protection, Rural Residential, or Rural Wooded zone (see Attachment C1).

This 2,883 acre portion of the Port Gamble Forest Heritage Park has deed restrictions that limit use to long-term open space, habitat protection, and trails as well as an approximately 160 acre ride park. Any future development will be subject to applicable permitting and environmental review.

4. *The proposed amendment does not materially affect the land uses and growth projections which are the basis for the Comprehensive Plan;*

**Staff Analysis:** The proposed amendment will not materially affect the land uses and growth projections that are the basis for the Comprehensive Plan. There are no population growth targets for rural lands and most of the site was classified as designated forest land in 2016 and was not assumed to accommodate population growth. Pursuant to the Revised Code of Washington (RCW) Chapter 84.33, in exchange for a reduced tax rate, designated forest land must primarily be used for growing and harvesting timber and development is not permitted. The Comprehensive Plan also specifically supports the acquisition of this land for open space and park use (Chapter 6, page 6-69).

5. *The proposed amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the urban growth area;*

**Staff Analysis:** Not applicable – the proposed amendment is not located in an Urban Growth Area.

6. *The proposed amendment is consistent with the Growth Management Act (GMA), Kitsap County-wide Planning Policy, state and local laws and other applicable inter-jurisdictional policies or agreements;*

**Staff Analysis:** The proposed amendment is consistent with the requirements of GMA, state and local laws and other applicable inter-jurisdictional policies and agreements, which require the Comprehensive Plan to identify public facilities and parklands. In addition, the proposed amendment is consistent with the [Kitsap](#)

[County-wide Planning Policies](#) (CPP); adopted on 5/11/2015 by Kitsap County Ordinance 522-2015). The proposed amendments are consistent with and implement Element E (Countywide Strategies for Open Space Preservation, Resource Preservation, Critical Areas, Air Quality, and Water Quality/Quantity) of the CPP, specifically E.1.a., E.1.b., E.1.c., which state the following:

- Policy 1. - Creating a regional network of open space:
    - a. The County and the Cities shall implement the Kitsap County Open Space Plan and the Kitsap County Consolidated Greenway Plan which identify a countywide green space strategy that incorporates planning efforts of the County, Cities, state agencies, non-profit interest groups and land trusts in the County.
    - b. The County and the Cities shall preserve and enhance, through inter-jurisdictional planning, significant networks and linkages of open space, regional parks and public/private recreation areas, wildlife habitats, critical areas and resource lands; historic and cultural landscapes; water bodies and trails.
    - c. The County and the Cities shall frame and separate urban areas by creating and preserving a permanent network of urban and rural open space, including parks, recreation areas, critical areas and resource lands.
7. *The proposed amendment is consistent with and supports other plan elements and/or development regulations and, if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency;*

**Staff Analysis:** The proposed amendment is consistent with and supports other plan elements and development regulations. Generally, this amendment reflects a periodic area-wide update to identify parcels acquired in recent years by Kitsap County for parkland. Specifically, this amendment is consistent with the purpose and intent of the Parks zoning classification. The intent of the Parks zone is to create long-term consistency between the purpose for the purchase of parks and open space properties and the zoning regulations that apply to their development. Properties zoned as Parks include all parks identified in the Kitsap County park inventory list and Washington State Parks. Parks properties are intended for the development of parks, open space areas and recreational facilities for the benefit of the citizens of Kitsap County.

8. *Any proposed amendments to rural areas and natural resource lands shall be supported by and dependent on population forecasts and the balance of nonurban population distributions, existing rural area and natural resource land densities and infill opportunities; and*

**Staff Analysis:** The 2,883 acre portion of the Port Gamble Forest Heritage Park has deed restrictions that limit use to long-term open space, habitat protection, and trails as well as an approximately 160 acre ride park. The proposed amendment will provide regional public access to passive recreation opportunities. Nonurban population distribution will be accommodated through future development within the Port Gamble Limited Area of More Intense Rural Development (LAMIRD) and is regulated by existing density provisions in the Kitsap County Code. In 2016 most of the site was classified as designated forest land and was not assumed to accommodate population growth.

9. Any proposed changes to lands designated as natural resource lands shall recognize that natural resource designations are intended to be long-term designations and shall further be dependent on one or more of the following:

- i. A substantial change in circumstances pertaining to the Comprehensive Plan or public policy;*

**Staff Analysis:** The circumstances related to the proposed amendment have substantially changed since the adoption of the 2016 Kitsap County Comprehensive Plan. In 2017, Kitsap County acquired more than 2,883 acres of the Port Gamble Forest from Pope Resources to add to the Port Gamble Forest Heritage Park. The Port Gamble Forest property includes 65 miles of trails that will continue to provide public access to passive recreation opportunity.

- ii. A substantial change in circumstances beyond the control of the landowner pertaining to the subject property;*

**Staff Analysis:** Not applicable – the proposed amendment is not based on a substantial change in circumstances beyond the control of the landowner.

- iii. An error in initial designation; and/or*

**Staff Analysis:** Not applicable – the proposed amendment is not based on an error in the initial designation.

- iv. New information on natural resource land or critical area status.*

**Staff Analysis:** Not applicable – the proposed amendment is not based on new information on natural resource land or critical area status.

C. State Environmental Policy Act (SEPA)

The Kitsap County SEPA official issued a SEPA threshold determination of non-significance (DNS; Attachment B1) for this amendment after having reviewed the SEPA



environmental checklists prepared for this amendment (Attachment B2) and all of the other proposed Comprehensive Plan amendments. The SEPA official's review found that this amendment is not related to or dependent on any of the other amendments and therefore an independent SEPA threshold determination was made regarding this amendment.

Notice of this SEPA threshold determination was:

- Filed with the Washington State Department of Ecology [SEPA Register](#);
- Published in the Kitsap Sun newspaper (7/17/2018); and
- Integrated with other public announcements described in Section 5 below.

The SEPA threshold determination and environmental checklist was also distributed to agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal.

The SEPA comment period will run concurrently with the public comment period for the proposed amendment as described in Section 5 below.

## 5. Public Involvement and Outreach

Kitsap County's public involvement and outreach in support of this amendment has exceeded the requirements of the Growth Management Act (RCW 36.70A) and Kitsap County Code (KCC 21.08).

Public involvement and outreach in support of this amendment has included the following:

- An [Online Open House](#) with information about previous, current, and upcoming phases of the 2018 amendment process.
- A public comment period (11/27/2017 – 12/15/2017) and a public hearing by the Kitsap County Board of Commissioners (12/11/2017) while setting the initial docket of amendments. Based on public comments, the Board of Commissioners added a review of affordable housing policies (i.e. the subject of this amendment) to the docket of amendments. Notifications and announcements regarding this comment period and public hearing included the following:
  - Legal notice published in the Kitsap Sun newspaper (11/27/2017);
  - Broadcast announcements via email, text message, Facebook.com, Twitter.com, and Nextdoor.com; and
  - Formal letters to Tribes with usual and accustomed area in Kitsap County.
- Legal notice announcing the docket of amendments was published in the Kitsap Sun newspaper (1/8/2018).
- Presentations to various Kitsap County advisory groups and community groups.

### Comment Period and Public Hearing

A new comment period regarding the proposed amendment (Attachment A), this staff report, and the SEPA determination (Attachment B1) will run through Tuesday, August 7, 2018.

- During this public comment period, the public may learn more about this and other amendments by:
  - Visiting an [Online Open House](http://tinyurl.com/kitsap2018cpa) (<http://tinyurl.com/kitsap2018cpa>);
  - Attending one of the following Open Houses:
    - July 10, 2018 (5:30-7:30 PM) at the Village Green Community Center (26159 Dulay Rd NE, Kingston)
    - July 11, 2018 (5:30-7:30 PM) at the Givens Community Center (1026 Sidney Ave Rm # 115, Port Orchard)
    - July 12, 2018 (5:30-7:30 PM) at the Silverdale Water District (5300 NW Newberry Hill Rd #100, Silverdale)
  - Attending applicable Planning Commission meetings; or
  - Contacting the staff listed in Section 6 below.
- To be included in the official record, written comments must be submitted to the Department of Community Development before 11:59 PM on Tuesday, August 7, 2018 using one of the following methods:
  - Entered [online via computer or mobile device](#);
  - Emailed to [CompPlan@co.kitsap.wa.us](mailto:CompPlan@co.kitsap.wa.us);
  - Mailed to 614 Division St - MS36, Port Orchard, WA 98366;
  - Dropped off at the Permit Center at 619 Division St, Port Orchard; or
  - Dropped off at one of the open houses listed above.
- Oral and written testimony may also be made to the Kitsap County Planning Commission at the following public hearings in the Commissioner's Chambers on the 3<sup>rd</sup> Floor of the Kitsap County Administration Building (619 Division St, Port Orchard):
  - 7/17/2018 (5:30 PM); and
  - 7/31/2018 (5:30 PM).
- Notifications and announcements regarding this comment period and public hearing include the following:
  - Legal notice published in the Kitsap Sun newspaper;
  - Broadcast announcements via email, text message, Facebook.com, Twitter.com, and Nextdoor.com;
  - Notice signs posted on site-specific amendment properties;
  - Notices mailed to property owners near site-specific amendments and other geographically specific amendments; and
  - Formal letters to Tribes with usual and accustomed area in Kitsap County.

Additional public involvement and outreach will occur in October through December when the Kitsap County Board of Commissioners will be considering the amendments.

**6. Staff Contact**

Report prepared by:



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Report approved by:



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**7. Attachments**

- A. Proposed Amendment
  - 1. Maps
- B. State Environmental Policy Act (SEPA)
  - 1. SEPA Determination
  - 2. SEPA Checklist
- C. Supplemental Materials
  - 1. Comparison of Allowed Uses