

## All Public Comments Received

### Board of County Commissioners Zoning Use Table Public Comment Period January 24, 2022 through February 21, 2022

1. Ron Gillespie, 1619 NW Gillespie Way, Bremerton, Washington 98311 (360) 649-4326  
[ronlg@centurylink.net](mailto:ronlg@centurylink.net)
  - "In definitions Dwellings attached and detached have the same definition. In definition Wetland mitigation bank take out Created. Wetlands occur naturally and are not created. Is there any evidence that ""created wetlands"" actually works or makes a difference or is it just an excuse to decimate existing wetlands for development?  
As we rush to develop the county, have you examined the accuracy of your project population grow estimates to determine if we are not just developing for development's sake? I have a concern about the quality of life here and environmental/climate issues which seem to be secondary concerns for the County.  
Our current infrastructure is woefully inadequate but yet we want to continually develop beyond existing capacity.  
If you truly want public input and just input from developers, make the documented changes easier for the lay person to follow and comprehend. We do not have the time to absorb the acronyms and terminology being used."
2. Morgan Johnson, Silverdale Water District, 5300 NW Newberry Hill Road, Silverdale, Washington 98383 (360) 447-3511
  - The definition of Public Facilities should include recycled water systems.
3. Carol Malmquist, 8008 E Barsay Lane, Port Orchard, Washington 98366 (360) 443-6736  
[carolquist51@yahoo.com](mailto:carolquist51@yahoo.com)
  - I have attached my letter which I hope you are able to receive.

Board of County Commissioners  
614 Division Street MS-4  
Port Orchard, WA 98366

Dear Commissioners,

I would like to address specifically: #128- Permanent Transitory Accommodations, #804- Transitory Accommodations Single Family and #806- Transitory Accommodations, Small, Large, Safe Parks and Indoor.

In the footnotes provided by the county which will direct the use and conditions for the above mentioned proposed changes to the zoning there are many of said condions that must be met and applied not only by those wishing to set up the different accommodations but by the county in almost a promisory manner.

My concerns are these: homelessness is a very large problem made worse by a society that seeks to enable rather than lift those from their plight. The county is seeking to 'lift' which is noble. However, the problem is in the execution. The county is woefully understaffed to actually make a dent in helping those who actually want to rise above the situation they find themselves in. As such the opportunity for the 'transitory' accommodations would more than likely end up being year round with little movement toward resolution. And with respect to your transitory accommodations that 'suggest' 180 day stays, in your footnotes on the subject it says the 180 days can be renewed for another 180 days. There was no mention of a finite timeline so according to your footnotes it could continue on and on.

I realize that you have instituted these changes to our county regulations so little can be done by we citizens to change them. However, what is being proposed is a simple permit to be issued without any input from those who would be impacted by the encampments. I would like, therefore, to request that rather than a simple permit you allow more oversight from the community of which you serve and use a C which would allow some discussion on the matter prior to its development.

Thank you for your time in reading the concerns of your electorate.

Regards,

4. Anne Presson, 8079 E MAIN ST, 251 Port Orchard, Washington 98366 (360) 230-9414  
[alpresson@yahoo.com](mailto:alpresson@yahoo.com)

"We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates. The motivation behind offering temporary housing/accommodations for homeless residents is indeed a noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD.

They are as follows:

1. "Transitory accommodations" should be located where the residents can easily access county services, food and transportation. It is important to be aware that Manchester is a food desert (there is no grocery store), there are no close-in county services. The bus transportation is primarily geared toward ferry commuters and ferry satellite parking, and there are no other social supports in close proximity to housing in our small community.
2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What County department will be the long-term administrator of these areas?
3. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?
4. Who is responsible for garbage collection and regular pick up?
5. What behavioral and personal accountability stipulations are required of the participants and how are the residents removed if they don't conform?
6. What recourse will neighbors have if crime increases after the accommodations go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the facility?
7. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density of the LAMIRD? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed and what assurances can be made that the current allowable density is not usurped?

In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations Single Family and #806- Transitory Accommodations, Small, Large, Safe Parks and Indoor be changed from "P"- Permitted to "C"- Conditional. It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change."

5. Mary Williams, 909 Alaska Ave SE, Port Orchard, Washington 98366

"All transitory accommodations in Manchester need a Hearing Examiner Conditional Use Permit.

I am actually not against encampment areas being intentionally created. I'm not even categorically against them being near my backyard. However, I don't see the \*benefit of them being set up this far away from critical services, grocery stores, bus routes, and other necessary resources for a better life.

I AM against encampment areas being created near private residential neighborhoods IF they have little or no oversight, plan, or resources to manage personal property rights and reasonable human safety. Neither the people without houses nor the people with houses deserve a human dumping ground with no expectations nor long-term follow through of regulations that ensure a healthy community for both parties. It's obviously not good for people with homes to have their hands tied to not be able to protect their property from anyone in an encampment who doesn't want to stay in the encampment. But it's also very bad for the people in the encampments, who may not feel safe either due to any bad behavior or retaliation from the community who lives nearby. Often an entire community pays the price for a few members with unregulated behaviors.

The way to keep both sides safe is to have a LOT of rules and regulations protecting both the established citizens and the new encampment citizens. These rules and regs should be presented publicly to the community in official locations for a reasonable amount of time, and a link to express ideas and concerns, and also taken to the current encampment communities so they can have their say as well. If the two communities can't find agreement on what will protect them, then go back to the drawing board and compromise more.

I protest the dumping of any human in order to get rid of them from another place where you don't want them. States have been guilty of chartering interstate bus lines in order to remove homeless populations en masse away from where they have to be responsible for them. I don't support a microcosm of this behavior, either. Show us the plan you have, where the encampment occupants are both safe and agree to community rules in order to live there, and where the local community is reassured that their interests are also being met. Show us in plain layman's english."

6. Lauri Campbell, 7255 E Collins rd Port Orchard, Washington 98366 (360) 535-4012  
[lollypop3184@hotmail.com](mailto:lollypop3184@hotmail.com)

- All transitory accommodations in Manchester need a hearing examiner conditional permit not just a regular permit.

7. Susan Shaw P.O. Box 333, Manchester, Washington 98353 (360) 434-8589  
[lunadimiel@wavecable.com](mailto:lunadimiel@wavecable.com)

"In 2018, in an attempt to address the county's homeless issue, the Kitsap Board of County Commissioners approved an ordinance allowing for temporary and permanent transitory accommodations in rural areas of the county.

(""Transitory accommodations' means shelters that are not permanently attached to the ground, may easily be erected and dismantled or moved, and are intended for temporary occupancy", i.e., tents or structures made of wood, metal, etc.) This can be found in Kitsap County Code Title 17.505. In a nutshell, within the parameters of the permitting process, this is what it says:

"A. Single-Family Transitory Accommodation. Any person, host agency or other group may locate one recreational vehicle or up to two shelters on developed property that it owns or controls for the shelter of up to two households.

B. Small Transitory Accommodation. A host agency may locate up to ten shelters on developed or undeveloped property that it owns or controls for the shelter of up to twenty-five persons.

C. Large Transitory Accommodation. A host agency may locate eleven to forty shelters on developed or undeveloped property that it owns or controls for the shelter of up to fifty persons.

D. Safe Park. Safe park is a program that allows safe and secure parking in established parking lots for people living in motor vehicles or recreational vehicles. Host agencies may apply for a safe park for six or fewer motor vehicles or recreational vehicles accommodating up to twenty-five persons.

E. Indoor Transitory Accommodation. A host agency may locate up to seventy-five people within an existing building.

In addition to a potential one-hundred-eighty-day extension, small, large, safe-park and indoor transitory accommodations may apply for permanent approval after their initial one-hundred-eighty-day temporary approval.”

The permitting of these are at the lowest level of review, unless they apply to become “Permanent Transitory Accommodations”, in which case the permitting is stepped up to ACUP, Administrative Conditional Use Permit, under which there is still no requirement for a formal public hearing. (There is a “neighborhood meeting” obligation for Transitory Accommodations for anything bigger than Single-Family.)

This ordinance was not part of the special Manchester zoning until the recently proposed update of the Zoning Use Table. I feel that if the county is going to impose this new use on rural areas, especially the Limited Areas of More Intense Rural Development like Manchester - which the state has set aside as separate places adhering to their “historical uses” - then the least they can do is put these encampments into the highest level of permitting, the Hearing Examiner Conditional Use Permit. (This covers “land uses with special characteristics that may not generally be appropriate within a zoning designation, but may be permitted subject to review by the hearing examiner to establish conditions to protect public health, safety, and welfare.”)

Manchester has its own Community Plan which citizens created and the county is supposed to respect: ""In the event of a conflict between the requirements of these regulations for the Manchester Rural Village and any other statute, ordinance, or regulation, the more restrictive requirement shall govern.” (Kitsap County Code 17.360B) Having encampments forced on Manchester without substantial precautions could not be more in conflict with what community members envisioned in the Plan."

8. Susan McNary 7703 E. Fish On Way Port Orchard, Washington 98366 (818) 554-4366  
"Although my husband and I are new here, we moved from a state with a large homeless issue. Please consider carefully before change zoning laws in this area.

Unfortunately, as good as your intent and these decisions sound, they rarely end with some Hollywood ending where the homeless are so grateful for having a place to live. That's now how that works.

Several problems are often overlooked. Where would these people get services? There's nothing over here that they would need... food, medical, or places to work are not located here. What about garbage collection or other needed services? Who is going to make sure they follow the rules. YOU?

The biggest issue is one that is rarely addressed. How do you provide housing for people who DON'T WANT HOUSING OR RULES? Several of these tiny home communities have been built and sit empty because the homeless community do not want to follow the rules that come with staying in them.

Why don't you focus on the families, that are struggling to find affordable rentals. These are the people who WANT to have a place to live that isn't a hotel or their car.

You need to look at the demographic of people you think you are trying to help. Hallmark movies make you feel good because they have writers to create those endings. You can't force individuals, some who suffer from mentally illness and are often using drugs into some well-intended version of a Hallmark movie where everyone lives happily ever after.

It just doesn't work!

Susan and Randal McNary"

9. Gloria Edwards 1555 South Bank Rd, Oakville, Washington 98568 (360) 273-7313  
[gloria.wsdw@hotmail.com](mailto:gloria.wsdw@hotmail.com)
  - Gloria E Edwards

Comments on Zoning Changes:

Mountain View Meadows LLC was purchased from our family in 2003 (Parcel# 032501-2-022-2003). Since that time the zoning for the property has changed several times; from one house per parcel to 5-9 per acre, to 1 house per 5 AC, etc. It is quite frustrating to have bought the property with such good access to bus routes, power, water and other services and not be able to move forward on development plans. I could not locate the exact dates of the changes, the reports details are only listed for 6 years. I did not have time to investigate further, sorry. It appears there are changes being made in other areas of the county. And we would like to join in that group. Our current zoning is 1 DU/5AC; our property adjoins two housing developments. One to the south and the other to the west, both are zoned 5-9DU/1AC. There is school property to the East and the property on the north with no access to Silverdale Way and services are listed as 1DU/5AC.

Respectfully submitted,

Gloria Edwards

Member of MT View Meadows LLC

10. Sheila Spiker 8017 E COMMONS CT, PORT ORCHARD, Washington 98366

[sheila7spiker@gmail.com](mailto:sheila7spiker@gmail.com)

- All transitory accommodations in Manchester need a Hearing Examiner Conditional Use Permit (instead of just a regular permit). Thank you!

11. Judi Montfort Holley Holley PO Box 7, Manchester, Washington, 98353 (136) 076-9906

x9 [choisays@wavecable.com](mailto:choisays@wavecable.com)

- All transitory accommodations in Manchester need a Hearing Examiner Conditional Use Permit to insure the quality of Manchester life does not fall and that community safety is maintained.

12. Shirlie Dike Po Box 123, Manchester, Washington 98353-9835 (360) 871-3768

[dtalmadge1@msn.com](mailto:dtalmadge1@msn.com)

"We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

The motivation behind offering temporary and permanent accommodations for homeless residents is indeed a noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD (Limited Area of More Intense Rural Development). They are as follows:

1. "Transitory accommodations" should be located where the residents can easily access county services, food and transportation. Manchester is a food desert (there is no grocery store), there are no close-in county services and the bus transportation is primarily geared toward ferry commuters and ferry satellite parking.
2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?
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In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations (Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C"- Conditional. (That is, Hearing Examiner Conditional Use Permit.)

It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop-gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change."

13. Annette Holmstrom Port Orchard, Washington 98366
  - There needs to be an appropriate level of scrutiny, security, planning, and safety for all concerned if and when transitory housing, such as tented encampments or tiny homes, are approved in residential areas. Therefore, I am in favor of the county making all transitory accommodations in the Manchester area subject to needing a Hearing Examiner Conditional Use Permit (instead of just a regular permit). This will ensure the highest level of scrutiny, conditions, and public input for any transitory housing the county allows here. Thank you for hearing my views.
14. Laura Warner 3595 Nevada Ave E, Port Orchard, Washington 98366 (360) 855-8963  
[lorelei\\_eileen@hotmail.com](mailto:lorelei_eileen@hotmail.com)
  - "We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the

zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

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15. Frank Tweten 3338b Beach Dr E, Port Orchard, Washington 98366 (253) 549-5170  
[kftweten@gmail.com](mailto:kftweten@gmail.com)

- "When can we start implementing these changes. You haven't discarded my last 4 plus years of pleading with the county for residential density in the MVC district"

16. HEALANI JACOBS 7622 E ALKI VIEW CT, Port Orchard, Washington 98366 (206) 715-8654  
[jacobs.lani@gmail.com](mailto:jacobs.lani@gmail.com)

- I ask that all transitory accommodations in Manchester need a Hearing Examiner Conditional Use Permit

17. Submitted anonymously

- "We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

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18. Sue Adams 6436 E Royal View Ln, Port Orchard, Washington 98366 (360) 710-4059  
[sueadams08@gmail.com](mailto:sueadams08@gmail.com)

- All county transitory accommodations in Manchester should require a Hearing Examiner Conditional Use Permit instead of a regular permit. This will ensure the

highest level of scrutiny, conditions, and public input for any tented encampments the county allows here. Without these additional safeguards there is no assurance/safeguard built in that addresses potential problems such as sanitation issues, drug use and needles, danger to children, noise, and crime in our neighborhoods. Manchester and the other LAMIRDs have their own Community Plans which citizens created and the county is supposed to respect: "In the event of a conflict between the requirements of these regulations for the Manchester Rural Village and any other statute, ordinance or regulation, the more restrictive requirement shall govern." (Kitsap County Code 17.360B) Having encampments forced on the Manchester community without substantial precautions is directly in conflict with what the members envisioned in the Plan.\

19. Sarah Benjamin 6261 SE Mile Hill Drive, Port Orchard, Washington 98366 (360) 525-4965 [skmeyer80@yahoo.com](mailto:skmeyer80@yahoo.com)

- Please make sure there is a Hearing Examiner Conditional Use Permit for all all places planned for homeless encampments. Thank you

20. Denise Burbidge P. O. Box 472, Manchester, Washington 98353 (360) 710-6124 [lyle4007@msn.com](mailto:lyle4007@msn.com)

- "To: Kitsap County Commissioners

Re: Proposed Zoning Recommendations/Comprehensive Plan

Date: February, 9 2022

I am writing this letter to ask the County Commissioners to re-designate "Temporary Transitory Housing" on the zoning table from "P" Permitted Use to "C" Hearing Examiner Conditional Use Permit for the following reasons:

Transitory Housing, whether Permanent or Temporary needs to be located where residents can easily access county services, food and transportation. Manchester has no staple food services available (there is no grocery store). There are no close-in county services and the bus transportation routes are geared towards ferry commuters and ferry satellite parking.

There are no current regulations/guidelines that can be enforced at this time regarding how to deal with transitory occupants that do not apply for temporary permits or have no access to sewage facilities (bathrooms or sewage hookups for RVs that cannot get to a sewage treatment facility if the RV is not mobile). In addition...how will host (property owners) be protected when there is illegal dumping of litter or occupants are doing illegal activities?

Currently, Kitsap County does not have legal authority to evict unlawful encampments and will not have that authority until they can provide alternate housing for those who are not able to meet the regulations of Temporary or Permanent Transitory Housing. This shows there is no protection for hosts if those in Transitory Housing do not meet guidelines or breaks laws.

We need the highest level of scrutiny with applications for Temporary Transitory Housing to ensure the fewest problems and will encourage the greatest amount of community support. Designating applications with ""C"" for permitting will require a Hearing Examiner to carefully review all aspects of the situation.

I have lived in Manchester since 1973. I have always appreciated the special beauty of this area. Those who visit Manchester quickly realize this community is very unique. We have only a few places left in K.C. that have remained as small waterfront villages., i.e. Kingston, Tracyton, etc. However, what is different about Manchester is that its historical character is not being preserved as other special unique waterfront villages have been. Kitsap County has treated Manchester as any other neighborhood. In 2002, Manchester Citizens banded together to protect our unique village and created a Manchester Community Plan to protect its character. We have since updated this plan.

In 1998 the Comprehensive Plan stated that the county could use limited areas of more intense rural developments (LAMIRD) to reconcile historical land development patterns and Manchester was identified as a candidate for this designation. As a result of a community planning effort, the Manchester Community Plan was initially developed (in 2002) setting specialized goals and policies for the Manchester Village. This subchapter establishes development regulations to implement these goals and policies. In addition to these regulations, the policies and goals of the Manchester Community Plan are incorporated herein by reference, as an application within the Manchester LAMIRD and must also be able to demonstrate compliance with the Manchester Community Plan. IN THE EVENT OF A CONFLICT BETWEEN THE REQUIREMENTS OF THESE REGULATIONS FOR THE MANCHSTER RURAL VILLAGE AND ANY OTHER STATUTE, RULE, ORDINANCE OR REGULATION, THE MORE RESTRICTIVE REQUIREMENT SHALL GOVERN (Kitsap County's wording when approving and adopting the plan).

Except, Kitsap County has not consistently honored this. Kitsap County has turned a blind eye to our Community Plan for one reason or another. Minimum lot sizes have not been enforced as well as height restrictions have not been honored.

The reason I am writing today is because of a change we noticed appearing on the LAMIRD Zoning Table with the current proposed changes to the K.C. Comprehensive Plan. Apparently, there was an amendment approved by the Board in 2018. It started with an ordinance being adopted as an interim program to allow housing for the unsheltered homeless during the winter of 2015-2016 and was made a permanent part of the Kitsap County Code in 2017. A year later, in 2018, the county sought to amend the “transitory accommodations” zoning to allow it in rural areas. We contend the LAMIRD of Manchester is different for the reasons stated in paragraph 3 of this letter.

We are aware of the changing demands of the housing issues throughout the county and understand that the State is mandating ordinances allowing temporary and permanent transitory housing in rural areas. However, there needs to be a well thought out plan on all levels of government before the county allows this temporary transitory a “P” Permitting designation on the zoning table. Until there are ways to enforce regulations or remove occupants to other housing when rules are broken, “Temporary Transitory Housing” needs to be designated on the zoning table as “C”; Conditional with a Hearing Examiner’s Review. We also believe that while the state and local governments are trying to figure out how to provide solutions to the homeless situation, we have to be careful not to destroy all the “unique and special areas” of Kitsap County; especially those areas that include the fragile shorelines of the Puget Sound. We have all been watching as the state, counties and incorporated areas have grappled with a plan to deal with the waste, crime and drugs that have compiled in these areas and have created scenes similar to dump sites. This feels to many, as though the county wants to place the responsibility and the cost to care for the homeless on the backs of private property owners with no clear plans of how to enforce the regulations of Transitory Housing. This is an egregious act of government overreach and authority, especially when there are no clear protections provided for private property owners and the public.

Respectfully,

Denise Burbidge

21. Kimberly Kilpatrick 8079 E. Main St. Unit 211, Port Orchard, Washington 98366 (360) 271-4277 [kkilpatrick@wavecable.com](mailto:kkilpatrick@wavecable.com)

- Comment letter attached

I am aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short and long-term consequences of the proposed changes. I understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates. The motivation behind offering temporary housing/accommodations for homeless residents is indeed a noble gesture but I am not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, I wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD. They are as follows:

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7. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density of the LAMIRD? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed and what assurances can be made that the current allowable density is not usurped?

**In the spirit of transparency, I would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations Single Family and #806- Transitory Accommodations, Small, Large, Safe Parks and Indoor be changed from "P"- Permitted to "C"- Conditional. It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change.**

22. Judi Holley PO Box 7, Manchester, Washington, 98353 (360) 769-9069

[choisays@wavecable.com](mailto:choisays@wavecable.com)

- "Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations (Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C" - Conditional. (That is, Hearing Examiner Conditional Use Permit.)

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23. Hannah Keim 2900 Alaska Ave E, Port Orchard, Washington 98366

[redroadrunner77@gmail.com](mailto:redroadrunner77@gmail.com)

- "We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

The motivation behind offering temporary and permanent accommodations for homeless residents is indeed a noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD (Limited Area of More Intense Rural Development). They are as follows:

1. "Transitory accommodations" should be located where the residents can easily access county services, food and transportation. Manchester is a food desert (there is no grocery store), there are no close-in county services and the bus transportation is primarily geared toward ferry commuters and ferry satellite parking.
2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?

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24. Scott Power 2610 Cedar St E, Port Orchard, Washington 98366 (360) 550-8783

[dh\\_mtnracer@yahoo.com](mailto:dh_mtnracer@yahoo.com)

- We have 2.5 acres attached to our house on Alaska and do not want to have to deal with a camp setting up on our property. The camp at Veterans camp on Mile Hill has had lots of crime associated with it. Just ask NAPA and Premier Tool Rental. They have had lots of theft lately with their trucks stolen, batteries stolen and such. Plus the trash is crazy bad. With these camps comes lots of trash. Not to mention, they do not care about the fire ban. I don't want to have to worry about these people squatting on our property. Especially since I have a 2 year old and a 6 year old in my house. I don't need the added crime.

25. Terence Simons 1674 Miracle Mile Drive, Port Orchard, Washington (360) 710-5081  
[terencesimons@yahoo.com](mailto:terencesimons@yahoo.com)

- "To the Board of County Commissioners;

It was recently brought to my attention that Kitsap County is planning on permitting tent cities on private property in the Manchester LAMIRD. ("Any person, host agency or other group may locate one recreational vehicle or up to two shelters on developed property that it owns or controls for the shelter of up to two households." KCC 17.505.040[A])

These uses are to be allowed by the homeowner or the person that controls the property. As a landlord myself I can tell you that a leaseholder IS the "controller" of the property. As has happened in the past, if one of my tenants wants to invite additional people onto the property, they can now do so and I have zero recourse according to the new law, as the tents wouldn't even be a code violation.

When this happened to me in the past, my septic system was quickly overwhelmed by the increased use. All of the waste surfaced and then flowed into the neighbor's yard. I was legally responsible for the cleanup and repair. I ended up selling that house at a substantial loss and it is no longer available as a rental. If landlords continually have to deal with these issues and have their legal protections removed by government overreach, they will no longer be in that business and housing will become even more unaffordable. This type of situation has removed many properties from the rental market. Although an ostensibly generous gesture on the county's part, it reduces housing availability and makes it more expensive, which seems the opposite of your stated goal to provide more affordable housing.

This change, although presented as a temporary measure, will be a permanent part of the law. It is for this reason that I request "Conditional" use permits be required for these situations, rather than merely "Permitted", on lines 128, 804, and 806.

Thank you.

Terence Simons  
P.O. Box 365  
Manchester, WA 98353"

26. Patricia Norwood 2665 Virginia Ave E, Port Orchard, Washington 98366 (253) 277-3339  
[trishnorwood@msn.com](mailto:trishnorwood@msn.com)

- "I as a resident of the Manchester area stand in agreement with others in opposing the change of zoning to allow for transient residence in this area. I have copied and added the below as it exactly expresses my feeling as a resident of the affected area. I am against the change of zoning 100%. This area is not a supportive area for people with no resources and when crime increases I fear you will have more problems with the homeowners going to extreme lengths to protect their homes and families.

We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

The motivation behind offering temporary and/or permanent accommodations for homeless residents is indeed a noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD (Limited Area of More Intense Rural Development). They are as follows:

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Patricia Norwood, home owner and long time resident of Manchester."

27. Karlie Gaskins [mifflin@gmail.com](mailto:mifflin@gmail.com)

- All transitory accommodations in Manchester need a Hearing Examiner Conditional Use Permit (instead of just a regular permit). Don't try to be sneaky. Be transparent

28. Danel Ann Heimer 6810 E Cascade Dr, Port Orchard, Washington 98366 (360) 509-5045 [danelann@yahoo.com](mailto:danelann@yahoo.com)

- "We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

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best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop-gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change."

29. Cody Martin 2857 Rocky Creek Lane SE, Port orchard, Washington 98366 (360) 621-5612  
[cmartin0903@yahoo.com](mailto:cmartin0903@yahoo.com)

- This is an outrage, I'm born and raised here in PO I'm 29 I moved here with my family to be "safe" since I grew up here and had a safe fun childhood. NOW all we is homeless and drug addicts. I don't trust my kids when they get older to place outside in PO. . Not only does our police force ignore crimes they wouldnt care about these homeless people committing them. . I do NOT agree locating a homeless shelter within a mile of my home where my children are. You can place that homeless shelter ANYWHERE else other than near an elementary or residential homes.

30. Dave Kimble 2081 East Randall Lane, Port Orchard, Washington 98366 (412) 335-0389  
[jndkimble@wavecable.com](mailto:jndkimble@wavecable.com)

- "02-12-22

From: Dave Kimble

To: Kitsap County Department of Community Development

Subj: Kitsap County Zoning Use Table Updates

Here are my comments regarding creating any sort of ""Transitory Housing"" zone within the boundaries of Manchester.

For the sake of full disclosure, there was a time that I thought having alternative housing which is now being called transitory in and around the county sounded viable. Seeing how Veterans Park ""problem"" continues to persist, I no longer support the plan to allow transitory living on private property by changing zoning tables to accommodate this type of use. I am speaking in regards to Manchester specifically, and Manchester in all my time living here has not been known as a 'hub' for NIMBYS.

Zoning Table changes to permit this use would not be a viable solution, it would instead drop the current set of problems from one area into another. In this case this would negate the current zoning with the specific use protections currently being enjoyed.

The planning and zoning work (by Manchester Community Council and the County Planning Department) never envisioned this sort of land use in

Manchester. Allowing such use would ignore several years of community member's dedicated efforts in county many meetings when the standards for use and development when this community assisted with development and passage of it's current sub area plan - and codes.

I see this transitory notion as little more than an ill advised geographical 'fix' by allowing ""homeless camps"" into our currently established residential communities. Allowing this will do nothing more than to perpetuate the systemic problems that temporary camps have created. This is not a solution to these persistent problem.

We have numerous examples from King County that clearly demonstrate how this transitory housing solution is no solution at all. It is merely kicking the can and problems into someone else's neighborhood. It does have the potential to adversely affect other private property owners safety and quite enjoyment of their properties. And yes, we know there is drug use, adverse sanitary and environmental problems. I realize that we all want to be 'free' but many of these people don't want to fit into any box that will limit their free will and choices. This includes getting off of drugs and alcohol.. We already have theft problems here in our community that are aggravated by homelessness, which creates more property crime. Why make it worse with the expected increase in property crimes, or worse?

Please do not fiddle with the current zoning use tables for Manchester. Do not open up Manchester for an area of this transitory housing 'solution'.

Dave Kimble  
Manchester  
02-12-22"

31. J. and Janelle Overton PO Box 72, Manchester, Washington 98353

- "These comments relate to the zoning update as it pertains to the Manchester LAMIRD.

102/106. Please make it explicit that only 1 ADU OR 1 Guest House is permitted per parcel. As the code is currently written it appears that 1 of each type of additional dwelling could be built on the same parcel.

120- Single Family Detached- Is not allowed in the MVC. Please revert back to NOT PERMITTED.

262- Home based day-care should be at least a C so neighbors can have a say to address concerns (parking/ noise etc.)

128/ 804/ 806 -Permanent/ Transitory Accommodations should be C vs. P so neighbors can have an opportunity to share their concerns. The County has made it clear that they want to do something about the homelessness crisis facing our area, which is a noble effort. The problem is that often other concerns accompany homelessness such as drug addiction, mental health issues, lack of proper sanitation, and an increase in crime. By simply placing Transitory Accommodation and Permanent Transitory Accommodations in Manchester the County will be addressing the homelessness issue, but not these other inherent issues that often accompany homelessness. Neighbors should be made aware and have an opportunity to share their concerns before this type of housing is built in their community."

32. Tonya Rothe 7253 E Grandview St, Port Orchard, Washington 98366 (774) 281-0544 [tonyacls@hotmail.com](mailto:tonyacls@hotmail.com)

- "Hello- I understand that transitory accommodations aka encampments, are legal as mandated by the state of WA and that as residents we have no say as to where they can be located within our neighborhoods. That said I do request that all transitory accommodations in Manchester have a Hearing Examiner Conditional Use Permit NOT just a simple/regular use permit. As residents we deserve to ensure the highest level of scrutiny, conditions, and public input for any tented encampments the county allows here in our neighborhood.

Thank you for your serious consideration and attention on this matter."

33. L Thomas PO BX 104, Manchester, Washington 98353 [lanacda@yahoo.com](mailto:lanacda@yahoo.com)

- "We am writing this letter to ask the County Commissioners to re-designate "Temporary Transitory Housing" on the zoning table from "P" Permitted Use to "C" Hearing Examiner Conditional Use Permit for the following reasons:

Transitory Housing, whether Permanent or Temporary needs to be located where residents can easily access county services, food and transportation. Manchester has no staple food services available (there is no grocery store). There are no close-in county services and the bus transportation routes are geared towards ferry commuters and ferry satellite parking.

There are no current regulations/guidelines that can be enforced at this time regarding how to deal with transitory occupants that do not apply for temporary permits or have no access to sewage facilities (bathrooms or sewage hookups for RVs that cannot get to a sewage treatment facility if the RV is not mobile). In

addition...how will host (property owners) be protected when there is illegal dumping of litter or occupants are doing illegal activities?

Currently, Kitsap County does not have legal authority to evict unlawful encampments and will not have that authority until they can provide alternate housing for those who are not able to meet the regulations of Temporary or Permanent Transitory Housing. This shows there is no protection for hosts if those in Transitory Housing do not meet guidelines or breaks laws.

I have always appreciated the special beauty of this area. Those who visit Manchester quickly realize this community is very unique. We have only a few places left in Kitsap that have remained as small waterfront villages., i.e. Kingston, Tracyton, etc. However, what is different about Manchester is that its historical character is not being preserved as other special unique waterfront villages have been. Kitsap County has treated Manchester as any other neighborhood. In 2002, Manchester Citizens banded together to protect our unique village and created a Manchester Community Plan to protect its character. (The Plan was updated in 2007.)

Kitsap County's Comprehensive Plan states that the county could use limited areas of more intense rural developments (LAMIRD) to reconcile historical land development patterns and Manchester was identified as a candidate for this designation. ""As a result of a community planning effort, the Manchester Community Plan was initially developed setting specialized goals and policies for the Manchester Village. This subchapter establishes development regulations to implement these goals and policies. In addition to these regulations, the policies and goals of the Manchester Community Plan are incorporated herein by reference, as an application within the Manchester LAMIRD and must also be able to demonstrate compliance with the Manchester Community Plan. IN THE EVENT OF A CONFLICT BETWEEN THE REQUIREMENTS OF THESE REGULATIONS FOR THE MANCHSTER RURAL VILLAGE AND ANY OTHER STATUTE, RULE, ORDINANCE OR REGULATION, THE MORE RESTRICTIVE REQUIREMENT SHALL GOVERN."" (emphasis mine)

Except, Kitsap County has not consistently honored this. Kitsap County has turned a blind eye to our Community Plan for one reason or another. Minimum lot sizes have not been enforced as well as height restrictions have not been honored.

The reason we are writing today is because of a change we noticed appearing on the LAMIRD Zoning Table with the current proposed changes to the K.C.

Comprehensive Plan. There was an amendment approved by the Board in 2018. It started with an ordinance being adopted as an interim program to allow housing for the unsheltered homeless during the winter of 2015-2016 and was made a permanent part of the Kitsap County Code in 2017. A year later, in 2018, the county sought to amend the “transitory accommodations” zoning to allow it in rural areas. We contend the LAMIRD of Manchester is different for the reasons stated in paragraph 3 of this letter.

We are aware of the changing demands of the housing issues throughout the county and understand that the State is mandating ordinances allowing temporary and permanent transitory housing in rural areas. However, there needs to be a well thought out plan on all levels of government before the county allows this temporary transitory a “P” Permitting designation on the zoning table. Until there are ways to enforce regulations or remove occupants to other housing when rules are broken, “Temporary Transitory Housing” needs to be designated on the zoning table as “C”; Conditional with a Hearing Examiner’s Review. We also believe that while the state and local governments are trying to figure out how to provide solutions to the homeless situation, we have to be careful not to destroy all the “unique and special areas” of Kitsap County; especially those areas that include the fragile shorelines of the Puget Sound. We have all been watching as the state, counties and incorporated areas have grappled with a plan to deal with the waste, crime and drugs that have compiled in these areas and have created scenes similar to dump sites. This feels to many, as though the county wants to place the responsibility and the cost to care for the homeless on the backs of private property owners with no clear plans of how to enforce the regulations of Transitory Housing. This is an egregious act of government overreach and authority, especially when there are no clear protections provided for private property owners and the public.

Thank you"

34. Jon Rothe 7253 E Grandview St, Port Orchard, Washington 98366

[jonww123@hotmail.com](mailto:jonww123@hotmail.com)

- "I am writing this letter to ask the County Commissioners to re-designate “Temporary Transitory Housing” on the zoning table from “P” Permitted Use to “C” Hearing Examiner Conditional Use Permit for the following reasons:

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35. Jess Chandler 11220 Olympic View Rd NW, Silverdale, Washington 98383

[jessachandler@gmail.com](mailto:jessachandler@gmail.com)

- "General Comments:
  1. I appreciate that the county is updating the tables in an effort to increase clarity and further encourage development consistent with the Comprehensive Plan and Growth Management Act.
  2. The bulk of my comments relate to items I could not clarify were included in this ordinance update but are all related to zoning and authorized/encouraged/required development
  3. The bulk of my comments are focused on Silverdale, where I live and am most familiar. However, some comments may be applicable in other areas.

Specific Comments on items in this Ordinance

1. TOPIC: commercial development

P. 38

""Section 171: Kitsap County Code Section 17.200.030, “Special provisions” for the Urban Low Residential zone, last amended by Ordinance 534-2016 is amended as follows:

17.200.030 Special provisions.

All commercial or industrial development shall be located at an intersection that contains right- 20 of-way with a road classification of arterial to arterial or arterial to collector.

Section 172: Kitsap County Code Section 17.210.030, “Special provisions” for the Urban 22 Cluster Residential zone, last amended by Ordinance 534-2016 is amended as follows:

17.210.030 Special provisions.

A. All development shall comply with the standards in the Kitsap County storm water management ordinance, Title 12, and the Kitsap County critical areas

ordinance, Title 19, as they now exist or are later amended, as well as all SEPA mitigation requirements.

B. For multifamily development, see Chapter 17.470, Multifamily Development – Design Criteria. All commercial or industrial development shall be located at an intersection that contains right-of-way with a roadway classification of arterial to arterial or arterial to collector.

Does line 15 to 29 mean that, in the Urban Low & Cluster Residential Zones, commercial/industrial development is not allowed alongside the road if not at an intersection? Would the driveway of the establishment count as an intersection? Please clarify how commercial services can be provided in these areas. We keep expanding the number of people living in Urban Low & Cluster Residential Zones (and even, not mentioned at all rural residential areas) (I know, the idea is to stop doing that, but we have recently approved hundreds of homes in rural residential areas at high(er than zoning rules) that are not even built. As such, I expected to see some exceptions or ease for providing essential services in these areas.

2. TOPIC: possible missed section?

P. 153 -154 are dated 1/12/2022 while rest of document dated 1/19/2022 (were there only no changes in this section? Not clear)

3. TOPIC: duplexes v SFH

P. 165 (footnotes for tables)

""3. When located within urban growth areas (except UR), duplexes shall require five thousand square feet of minimum lot area. Duplexes located in the UR zone or outside of urban growth areas shall require double the minimum lot area required for the zone.""

Why? Is this different than SFH? Why would the lot need to be double? I see this footnote on Rural Residential and Rural Wooded, but not in LAMIRD. Isn't the point density? If we are trying to limit density in these areas, won't the density be part of the specific application? Given that duplexes (and other attached, shared wall units) are less energy intensive, might we want to encourage their development? Perhaps when we are giving permits outside of the zoning intent, we could encourage attached housing? There may be a valid reason for this requirement, but I don't see it. Please clarify reasons.

4. TOPIC: Silverdale Design Criteria referenced but already not being used (I saw this many times, mostly as: ""Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3)."" And Generally, I could see the sentiment - preventing large non-human

centered development in this area. However, it struck me that the design standards are in place assuming some future ""town center"" which is cool and great, but I'm concerned about the valley between now and that moment. (Perhaps this comment gets a little outside the bounds of this ordinance.)

Silverdale design criteria in Waaga Way town center (referenced in ordinance) ""10.3 Design Principles

A. The Waaga Way Town Center shall be a pedestrian and bicycle-friendly environment built to a human-scale with convenient pathways, connecting buildings and parking lots in a landscaped setting."" However, the Silverdale Design Standards for Waaga Way have already been not implemented with the development of the Trails - with a giant dangerous parking lot. Now, there is a senior care facility across the street, but for the seniors to get to the shopping, they have to navigate a fussy crosswalk and then go up a short but steep hill ...and then they have to walk all the way around the parking lot to safely navigate stores.. God help them when they need to cross the main road within the parking lot. In addition, there are apartments going up behind the senior center (important note of clarification, I am not against the apartments or the senior center, just using them for example here). These apartments, in their hearing - note that the transit center at the Trails is part of their planning and the response is the Kitsap transit is ""probably"" going to maintain at least one route through here? Go ahead, Go stand at the corner of Clear Creek Rd NW and Greaves Way. As a pedestrian, what can you do? You can (1) walk all the way to Frontier on Greaves Way (Greaves Way is lovely to walk, with buffered and landscaped sidewalks - note: there is nothing this way for at least a mile; you can (2) cross Clear Creek and go to the Trails - shopping - watch for cars; you can (3) attempt to catch a bus at the transit center...note that you need to cross Clear Creek AND the shopping center entrance at Pacific Crest; you can (4) walk past the bus terminal and South towards Kitsap Mall - watch for traffic that is getting on the highway; you can (5) turn around and walk down Clear Creek note: there are no services this way. Your choices are slightly better on a bike, only that you are able to move faster. Having sidewalks alone with new development does not solve the problems of the pedestrian. There needs to be a way to get places. If the transit center is relocated, these people are isolated.

For reference:

<https://www.kitsapgov.com/dcd/PEP%20Documents/Silverdale%20-%20Waaga%20Way%20Town%20Center%20Design%20District.pdf>

5. TOPIC: Mixed Use said to be encouraged in this ordinance.

In the Buildable Lands Report 2021 Appendix of Reasonable Measures on p. 14 Exhibit 4 says that the Zoning Table Update will promote mixed use development. However, mixed use is not promoted in the Zoning Table Update

Ordinance. It is defined. The only section with mixed use in it that was not a definition is lined out. If we want to have mixed use, and I argue that we should, especially in places where buildable land in non-rural zones is scarce, we must proactively encourage it. Downtown/Old Town Silverdale is a perfect example of a place where mixed use makes sense. There is a lot of commercial but little housing. Combining them reduces transit and car needs and adds vibrancy.

General comments that are related as I read the Buildable Lands Report and did a little of my own research on the census 2020 results and the locations of services. I am, throughout, primarily concerned with the future that we are bringing by not thinking about the people who live here or may live here in future.

1. We are maybe doing better but still dealing with enough vesting and exceptions that our ""Rural Residential"" designation is a complete misnomer in some places. As I see it, especially along Anderson Hill and Dickey Rd. We need more housing; don't get me wrong. We have put in housing, but it is greenfield housing dependent on cars. A few places to see what I mean: P. 18 of the Buildable Lands Report 2021 shows that Kitsap County growth from 2013 - 2019 was more rural than the target. - Exhibit 6: Shares of Population Growth in Urban and Rural Kitsap County, Actual versus CPP Targets P. 50 of the Buildable Lands Report 2021 Exhibit 34: Residential Building Permits and Achieved Density in Rural Unincorporated Kitsap County, 2013- 2019

Shows that building permits issued during the period for Rural Residential, Rural Wooded, and Rural Protection zoned areas were double to more than double the maximum allowed density. This density should be infill development.

Development in the rural areas of ""Silverdale"" has an added problem of being across Hwy 3 from all of the commercial services. It's dangerous and time consuming to get over there. Even if you lived on Provost/Old Frontier because there are only two crossing points: Anderson Hill - where the non-motorized facilities end at the traffic circle. Traffic even blocks the short, isolated, 'bike lane' whenever school is starting or getting out ~OR~ Newberry Hill - where there is no safe way to cross the Hwy on and off ramps. Thousands of ""Silverdale"" residents live on the wrong side of the hwy, and we keep developing more over there.

There is minimal housing within the commercial core of Silverdale. What does that mean? Silverdale is a commercial, medical, and retail hub of the county; with minimal housing, that means that nearly all trips to this core are by car, exacerbating environmental and public health challenges. More mixed use and multifamily housing is necessary (preferable to nearly all other housing development in Silverdale).

Infill development is better than green or brownfield on the outskirts of town. We say this in our zoning tables; we say this in our comprehensive plan, and yet... development is happening in green fields. (See Dickey Pit, See Sterling Hills) - Both Dickey Pit and Sterling Hills not only required exceptions, but rezone, and decisions to allow construction of housing adjacent to an airport, mining, and industrial (not allowed adjacent) From the Dickey Pit Staff Report, ""Per allowed densities in KCC 17.420.052 and .054 for the proposed zones, a minimum of 126 dwellings (315 people) and a maximum of 2,904 dwellings (5,227 people) could be proposed on the site."" This report is only for the proposed comprehensive plan change to add the Dickey Pit to the Silverdale UGA, and not for an actual development, but that shall follow. These 315 to 5,227 people will all have to drive to everything, vastly increasing traffic on Dickey Rd., Willamette-Meridian Rd, and Anderson Hill Rd. Proposed Non-motorized routes do not connect to any services; a trail to the airport? Okay. Externalities keep adding up every time we choose development on the outskirts.

2. TOPIC, ""AFFORDABLE HOUSING"" On p. 18 of the Appendix of Reasonable Measures in Exhibit 7 - ""Additionally, the County is currently underway on negotiating a Development Agreement, that includes requires 10% of the total units to be affordable housing in the Silverdale UGA."" This development agreement was completed - signed out of the hearing examiner 12/13/2021 (<https://www.kitsapgov.com/dcd/HEDocs/21-01506%20HE-NOD.pdf>). However, this development agreement is only ONE potential building area, and that area is in a zone designated either industrial, or urban low residential AND is not adjacent to any services. The Dickey area is separated from commercial essential services, like grocery and medical as well as retail, by Hwy 3 with no safe pedestrian or transit options into the commercial core.

Affordable housing is about more than just housing - people need to safely access work and food. More affordable housing is encouraged, for sure. Incentives or requirements for affordable housing within safe walking distance of services and workplaces would multiply the benefits."

36. Carrie OHora 1260 NW Cedar Ln, Poulsbo, Washington 98370 (425) 221-5898  
[fullofire29@hotmail.com](mailto:fullofire29@hotmail.com)

- "After careful review of the Zoning Ordinance updates dated 1/19/2022 I am finding two zoning use tables with conflicting information for Rural Residential Zones in the 193 page document. One table starts on page 45, the other on page 154. Both tables contain Rural Residential Zoning specifically. A number of the Rural Residential Allowed uses in the first zoning table eliminate the condition that the property must be served by a county right of way. Numerous other

Allowed Uses should have that designation listed for rural residential zones. The county right of way condition is in keeping with rural character and protecting private easement holders. Limiting these uses to county maintained right of way roads prevents conflicts, code enforcement reports, nuisance claims, and even court costs by preventing these activities deeper in rural areas only served by private roads. I am listing the allowed uses that do not have the county right of way condition on the first table and/or second table but should, but not listing those that do have the county right of way condition already in the new ordinance.

- 17.415.135-Manufactured/mobile/RV/park-model/Tiny home park
- 17.415.030-Adult Family Home
- 17.415.550-Transitory Accommodations
- 17.415.080-Bed and Breakfast 1-4 rooms and 5 or more rooms
- 17.415.275-Home Business Minor and Moderate
- 17.415.570-Vacation Rentals
- 17.415.125-Conference Center (not permitted on one table, Conditional on the other)
- 17.415.185-Event Facility
- 17.415.450-Restaurants with or without drivethrough service, (not permitted on one table, Conditional on the other)
- 17.415.370-Nursery, Retail
- 17.415.375-Nursery, Wholesale
- 17.415.140-Day-Care Center
- 17.415.145-Day-Care Center, home based
- 17.415.290-Kennel or Pet day-cares
- 17.415.295-Kennel, Hobby
- 17.415.540-Tourism Facilities, including outfitter and guide facilities (not on one table, Conditional on the other)
- 17.415.475-Veterinary clinics/animal hospitals/wildlife shelter
- 17.415.090-Campground
- 17.415.115-Club
- 17.415.240-Golf Course
- 17.110.535-Parks and Open Spaces-Recreational Active (Parking not addresses either)
- 17.415.410-Recreational Facilities, indoor
- 17.415.415-Recreational Facilities, outdoor
- 17.415.485-Shooting/gun facility, indoor (no other specifics noted on the ordinance either)
- 17.415.490-Shooting/gun facility, outdoor (no other specifics noted on the ordinance either)
- 17.415.245-Government/Public Structures

17.415.395-Places of worship  
17.415.460, 17.415.465, 17.415.120- Schools  
17.415.105-Cemetary  
17.415.130-Contractors Storage yard  
17.415.225-Funeral Home  
17.415.325-Manufacturing and fabrication, light (not one one table, but Conditional on the other)  
17.415.535-Top soil production, stump grinding, firewood cutting, and composting  
17.415.035-Aggregate extractions sites  
17.415.020-Accessory Use or Structure

I also feel that on page 89, line 45 one year to apply for a variance after discovery of a noncompliant ADU is far too long. Many life, health, and fire safety risks could go uninspected in that time period. This should be limited to 90 days.

Adult Family Home and Group Living ordinances should get closer review as well. A close look at the issues that Lakewood has had with their AFH is a large number of Western State patients with violent histories not safe for release into the community being released to Adult Family Homes throughout the state, but in particular in Lakewood due to cheaper housing availability. One such violent offender attacked and murdered someone in Lakewood in 2018. Suggesting something as simple as Adult Family Homes cannot accept patients with criminal violent offenses without meeting stricter facility criteria like camera monitoring, secure fencing, emergency alert alarms for the workers, etc."

37. Lyle Burbidge P. O. Box 472, Manchester, Washington 98353 (360) 710-8468  
[lyle4007@msn.com](mailto:lyle4007@msn.com)

- "To : Kitsap County Commissioners

Re : Proposed Zoning Changes to the Comprehensive Plan

Date: February 13, 2021

As a citizen of Kitsap County and a Manchester Community member I am alarmed at some of the proposed changes to the zoning codes, and in particular, one of the codes that suddenly changed in reference to the Manchester LAMIRD. On the zoning table there now is a code regarding Transitory Housing that applies to the all rural, nonincorporated areas in Kitsap County including the Manchester LAMIRD. I am asking the Kitsap County Commissioners to re-examine this carefully, and if it is to remain in the zoning codes the way the KC Planners have worded it, to change the permitting designation from "P" Permitted to "C" Hearing Examiner Conditional Use Permit. Be aware, our

community had no input to this zoning change that took place in 2018, because we were not aware it would apply to the Manchester LAMIRD. It was not on the zoning table under the Manchester LAMIRD until the proposed changes were shown. I contend that by Kitsap County changing the wording of the State RCW 36.01.290, it will affect private property owners in a punitive way and will not ensure services to the homeless as was intended. Therefore, it will require the scrutiny of a Hearing Examiner with every application for Transitory Housing to protect the rights of private property owners, as well as protect the safety, health and welfare for all involved.

I have studied RCW 36.01.290 entitled, Hosting the homeless by religious organizations. The Kitsap County code regarding Transitory Housing, as it is written, is not what is mandated by the state (as was suggested at recent Q&A meetings). The state legislation addresses "Religious Organizations" specifically, and it clearly states this in EVERY paragraph. Religious Organizations have the resources and the greater support of a congregation to ensure the requirements of the legislation are met (water, sewage, garbage pick-up, services etc.). The individual property owner should not be financially responsible for the expenses of these necessary services. The counties' interpretation is a far stretch of the state's intent of the legislation detailed in RCW 36.01.290 and puts the ownness and financial responsibility onto private property owners. I am one of those property owners and do not accept this responsibility. I see Kitsap County's interpretation of RCW code 36.01.290 as egregious. Something that started out as an intended benevolent act will negatively impact private property owners. If a homeless individual(s) chooses to set up camp on my lot and does not obtain a permit or seek permanent housing in the future, I have no recourse. The county does not include any guidelines or requirements that can be enforced to protect private property owners. In addition, I wonder when Kitsap County will begin to fulfill its responsibility to the homeless with an inter-governmental approach to the problem (state, county and city)? One that is a concerted effort and provide services, proper disposal of waste, adequate potable water for handwashing and cooking, mental health counseling and rehabilitation for those with addiction issues. The way the code is currently written for temporary Transitory Housing, with the designation for permitting as P, is a disastrous plan that will lead to animosity in communities.

Furthermore, and specifically to the point of Transitory Housing being allowed in the Manchester LAMIRD, I have additional concerns for the following reasons:

Transitory Housing, whether Permanent or Temporary needs to be located where residents can easily access county services, food and transportation.

Manchester has no grocery store. There are no close-in county services and the bus transportation routes are geared towards ferry commuters and ferry satellite parking.

There are no current regulations/guidelines that can be enforced at this time regarding how to deal with transitory occupants that do not apply for temporary permits and have no access to sewage facilities (bathrooms or sewage hookups for RVs that are not mobile). In addition, how will hosts (property owners) be protected when there is illegal dumping of litter or occupants are doing illegal activities?

Currently, Kitsap County does not have legal authority to evict unlawful encampments and will not have that authority until they can provide alternative housing for those who are not able to meet the regulations of Temporary or Permanent Transitory Housing. This shows there is no protection for hosts if those in Transitory Housing do not meet guidelines or break laws.

Again, I understand the intent is to help the homeless; however, Kitsap County's plan needs more thought, discussion and intergovernmental planning and resources, or it will seriously impact the rights of property owners, as well as the health and safety of Kitsap County citizens.

Respectfully,

Lyle Burbidge

360-710-8468"

38. Susan Shaw 1659 Miracle Mile Dr E, Port Orchard, Washington 98366

[lunadimiel@wavecable.com](mailto:lunadimiel@wavecable.com)

"To the Kitsap Board of County Commissioners;

3 issues concerning the insertion of new uses ("Transitory Accommodations") into the Manchester LAMIRD's zoning:

1. The state code concerning hosting the homeless (RCW 36.01.290) applies only to religious organizations. Kitsap County deigned to add charitable, public, and private entities to those who can legally be permitted to create encampments on their property. (There is a question as to whether, with the definition of KCC 17.505.040 concerning Single-Family Transitory Accommodations including "any person who controls property", this might include tenants, who could host 2 entire extra households on property they don't even own.) I don't know why the

county is encouraging hosts other than those mandated by the state - as even with all of the resources available to the county, it has not been able to manage encampments effectively on its own land. Why would those of lesser means be able to do better, and why should entire neighborhoods suffer because of it?

2. Part of that same section of the RCW reads: ""Nothing in this act is intended to change applicable law or be interpreted to prohibit a county, city, town, or code city from applying zoning and land use regulations allowable under established law to real property owned by a religious organization, regardless of whether the property owned by the religious organization is used to provide shelter or housing to homeless persons." Manchester never had a "Transitory Accommodations" use before this proposed update, whether temporary or permanent. The county needs to ensure the fullest possible protections to the community by applying the highest standard of its zoning regulations (C) not the lowest (P).

3. Lastly, paragraph 8 of RCW 36.01.290 states: ""An appointed or elected public official, public employee, or public agency...is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section." This seems to be shifting the consequences of poor political decision-making to those who have to live in the neighborhoods where there is guaranteed to be unlawful activity as a result of those decisions - people who never gave their assent to any of this.

As a result of all of these concerns, I strongly urge you to either strike line #128 ("Permanent Transitory Accommodations") entirely, or at the very least, change it and lines #804 & #806 to Hearing Examiner Conditional Use permitting in the Manchester LAMIRD.

Thank you for your consideration."

39. Fred Hubbard 802 BABY DOLL RD SE, PORT ORCHARD, Washington 98366 (360) 550-1108 [Fred@fredhubbard.com](mailto:Fred@fredhubbard.com)

- "I would like to begin by requesting a policy change on public outreach. Specifically that zoning changes of this kind receive much better outreach, as to inform the majority of property owners about said changes. This change should include a much better outline of the coming changes, presented to the property owners of Kitsap county in a way that is easy to read and understand as to exactly how it will affect the property rights bundle that accompanied the purchase of their real property in Kitsap county.

Second. I request Zoning Uses #128- Permanent Transitory Accommodations, be changed from "P" or permitted to "C" or conditional use based on a hearing examiner conditional use permit.

Furthermore I request that #804- Transitory Accommodations (Single Family), as well as #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be removed from applicable and accepted zoning uses.

I am requesting these changes as a life long Kitsap County resident who for years, was proud to call Kitsap county my home. Due to the rise in crime, ugly, filthy tent cities and intravenous needles laying about in yards and on streets I am no longer proud to call Kitsap my home and have become to feel it is no longer a safe place to raise a family. The county rule changes will exacerbate the issues as they have done in the past and seem for some reason to continue to follow the same path that has led us here."

40. Julene Nikolac PO BOX 4988, south Colby, Washington 98384 (360) 710-3299

[ktmm@ymail.com](mailto:ktmm@ymail.com)

"1. "Transitory accommodations" should be located where the residents can easily access county services, food and transportation. Manchester is a food desert (there is no grocery store), there are no close-in county services and the bus transportation is primarily geared toward ferry commuters and ferry satellite parking.

2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?

3. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?

4. Who is responsible for garbage collection and regular pick up?

5. What behavioral and personal accountability stipulations are required of the participants and how are the residents removed if they don't conform?

6. What recourse will neighbors have if crime increases after the accommodatoons go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the facility?

7. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density of the LAMIRD? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed, and what assurances can be made that the current allowable density is not usurped?

In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations

(Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C"- Conditional. (That is, Hearing Examiner Conditional Use Permit.)

It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop-gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change."

41. Alson Williams 221 Mitchell Ave, Port Orchard, Washington 98366 (360) 551-8876

"We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered.

These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

The motivation behind offering temporary and permanent accommodations for homeless residents is indeed a noble gesture, but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations.

1. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?

2. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?

3. Who is responsible for maintaining a clean site, free of garbage, litter, waste, debris, garbage collection and regular pick up?

4. What behavioral and personal accountability stipulations are required of the participants and how are the residents corrected or removed if they don't conform?

5. What recourse will neighbors have if crime increases after the accommodations go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the facility?

6. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density? Does this open the possibility of building more tiny/skinny homes on a lot than is currently

allowed, and what assurances can be made that the current allowable density is not usurped?

In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations (Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C"- Conditional. (That is, Hearing Examiner Conditional Use Permit.)

It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved and with prior notification, feedback/input and concurrence/approval of adjacent affected neighborhoods. Providing housing, whether it be temporary or not, is only a futile stop-gap measure if it doesn't degrade adjacent neighborhoods and communities, while also delivering support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change.

Thank you. Cordially, Alson Williams"

42. Sande Fernan 410 S Charleston Ave, Bremerton, Washington 98312

[catssande@comcast.net](mailto:catssande@comcast.net)

"We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered.

These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates.

The motivation behind offering temporary and permanent accommodations for homeless residents is indeed a noble gesture, but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations.

1. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?

2. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?

3. Who is responsible for maintaining a clean site, free of garbage, litter, waste, debris, garbage collection and regular pick up?
4. What behavioral and personal accountability stipulations are required of the participants and how are the residents corrected or removed if they don't conform?
5. What recourse will neighbors have if crime increases after the accommodations go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the facility?
6. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed, and what assurances can be made that the current allowable density is not usurped?

In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations (Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C"- Conditional. (That is, Hearing Examiner Conditional Use Permit.)

It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved and with prior notification, feedback/input and concurrence/approval of adjacent affected neighborhoods. Providing housing, whether it be temporary or not, is only a futile stop-gap measure if it doesn't degrade adjacent neighborhoods and communities, while also delivering support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change.

Thank you."

43. Allan Williams 7550 East Alki view court, Port Orchard, Washington 98366

[willned@frontier.com](mailto:willned@frontier.com)

"To the Board of County Commissioners;

Regarding 5c of Section 1: General Findings

I do not think the ""current local circumstances"" in Manchester are at all helpful to the homeless compared with those in the Port Orchard and Bremerton area because very few of the homeless would have transportation to the support and

services they need, Manchester does not have a grocery store, food bank or pantry, cold weather or emergency shelter, connection to social and medical services, access to areas where work is found, so the ""accommodations"" could be ""transitory"".

I do not see much help for the homeless to escape from homelessness with these changes except permanent housing.

Regarding Section 1, 5d;

I have concerns about the public's health because of the Kitsap Sun Nov 6th, 2021 article about the clean-up of the homeless site at Veterans Park in Port Orchard. According to the article, Kitsap county commissioner Rob Gelder, the county could not guarantee that ""dumpsters and bathroom facilities"" there ""will not have to be removed in the future"" because of problems with them. I am also concerned with the safety and morals of our youth because of needles and interaction with the homeless in our residential community. Would manchester fare better?

So I am asking for Conditional use permits to be required, rather than Permitted on lines 128, 804 and 806.

Thank You"

44. WendyStephens 1831 Ginger Pl. E., Port Orchard, Washington 98366 (360) 473-8315  
[wendystephens2009@gmail.com](mailto:wendystephens2009@gmail.com)

"Recently my husband and I have been informed of the changing demands of that housing issues throughout the county but are especially concerned with how some of the Proposed Zoning Updates that will be administered in our rural neighborhood Manchester. It sounds like these are not just temporary changes to the zoning rules but will be in place in perpetuity and it is crucial that they be thoroughly examine both the short- and long-term consequences of these proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates in our neighborhood.

The motivation behind offering temporary and permanent accommodations for homeless residents is indeed a truly noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD (Limited Area of More Intense Rural Development). They are as follows:

1. These ""Transitory accommodations"" should be located where the residents can easily access county services, such as, food and transportation services, like they do in the bigger cities. Manchester doesn't provide food resources like food banks, grocery stores or restaurants. Furthermore, there are no close-in county services, such as public restrooms and showers and the bus transportation are mostly for the schools, shipyard employees and for ferry commuters that need rides to and from the park and rides or other ferry parking.
2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What county department will be the long-term administrator of these areas?
3. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?
4. Who is responsible for garbage collection and regular pick up?
5. What behavioral and personal accountability stipulations are required of the participants and how are the residents removed if they don't conform?
6. What recourse will neighbors have if crime increases after the accommodations go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the encampment facility?
7. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density of the LAMIRD? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed, and what assurances can be made that the current allowable density is not usurped?

In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations, #804- Transitory Accommodations (Single Family) and #806- Transitory Accommodations (Small, Large, Safe Park, and Indoor) be changed from "P"- Permitted to "C"- Conditional. (That is, Hearing Examiner Conditional Use Permit.)

It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stopgap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change.

The above questions all really need to be thoroughly thought-out before being executed. My husband works is a Union Operator and most all his jobs in the last 15 years have been in downtown Seattle because he mostly helps builds high-rises. With that being said, living in Manchester he commutes to downtown Seattle daily. Parking at the park and ride, taking the fast ferry and then then using his scooter to get to his jobsite. In the last two years, since Covid started, he has personally seen Seattle homelessness drastically change first-hand.

Unfortunately, like everywhere, homelessness and encampments have immensely increased there. Before and after work he has to through a lot of streets to get to his jobsite at the Convention Center. He has been accosted twice from homeless people in the last year. One man tried to steal his backpack, right off his back. Recently, a homeless man started screaming at him while on his scooter and threw a big glass jar at him, just missing his head. Not to mention, daily he is dodging used needles, human waste, garbage, tents, sees people going to the bathroom on the streets, using drugs and sees fights and other crimes. He has even witnessed murder. Also, when taking public transportation, he has endured assaults and crimes, defecation, people urinating and open-air drug use. Furthermore, homeless sleeping on the bus and the horrible smells. He tries to avoid taking the bus unless he absolutely necessary. With the changing of the times and defunding of many police programs, they can only do so much. Currently, there is very limited patrolling in our neighborhood. So, I am highly concerned about the safety of our neighborhood. I am especially concerned about our elementary school if these permits are approved. I am not saying all homeless are drug users or even violent, but it has definitely increased over the years. And sometimes it only takes a few bad seeds to make it all a bad experience. I am simply using my husband's experiences as an example of what could eventually happen if things are not thoroughly thought-out, planned and managed properly. Growing up and working in Seattle and having a father who was a Beat Cop in Downtown Seattle I can tell you homelessness has always been there, but it has not always been this bad and poorly managed. I moved out of Seattle into a rural area hoping that I would not see encampments and the crime and drug use that often come with it. I hope that you will consider my questions and concerns and those of others in our neighborhood of Manchester and county. If this becomes state mandated and absolutely has to be in our neighborhood, I ask that all transitory accommodation in Manchester need a ""Manchester Conditional Use Permit"", instead of just a regular permit. I strongly believe and hope that this will ensure the highest level of security, conditions and public input for any tented encampments that the county allows here."

45. Nicholas Bond 216 Prospect Street, Port Orchard, Washington 98366 (360) 874-5533  
[nbond@cityofportorchard.us](mailto:nbond@cityofportorchard.us)

- Please find comments from the City of Port Orchard attached.



**CITY OF PORT ORCHARD**  
**Development Director**

216 Prospect Street, Port Orchard, WA 98366  
Voice: (360) 876-4991 • Fax: (360) 876-4980  
[nbond@cityofportorchard.us](mailto:nbond@cityofportorchard.us)

[www.cityofportorchard.us](http://www.cityofportorchard.us)

February 23, 2022

Kitsap County Commissioners  
619 Division Street  
Port Orchard, WA 98366

Re: Kitsap County Zoning Use Table Update

Dear Commissioners Garrido, Wolfe, and Gelder:

The City of Port Orchard previously commented on the proposed zoning use table update in September 2022 and our concerns remain as revisions to the proposed legislation still contain the deficiencies that we identified. As such, the City remains opposed to the current proposal as written because it negatively effects the City of Port Orchard's urban growth area and, due to these negative impacts and inconsistencies with Port Orchard's standards, the proposed code has significant potential to cause problems for the City upon annexation, and likely will cause these problems for the County until annexation.

Our previous comments addressed the following three main subjects:

1. "Manufactured/Mobile/RV/Park-Model/Tiny Home Park" and "Recreation Vehicle Camping Park."
2. Pending Port Orchard Appeal.
3. Places of Worship/Schools.

While our previous concerns related to these 3 uses remain, today's letter addresses only the "Manufactured/Mobile/RV/Park-Model/Tiny Home Park" and the "campground" land uses.

The proposed "Manufactured/mobile/RV/park-model/tiny home park" use is problematic for numerous reasons. It appears to be a use that aims to allow for long-term residential occupancy and may be aimed at solving homelessness issues. Unfortunately, as defined, this use will create inconsistent uses while not appropriately creating stable and supportive housing for people experiencing homelessness.

**1. The use is incompatible with rural areas.** This use is inappropriate in rural areas because it would be directing growth in a manner that is inconsistent with the countywide planning policies, the GMA, and PSRC's Vision 2040/2050. The use as described may result in density levels that are inconsistent with and incompatible with rural areas. Currently, the described use is proposed to be allowed in the rural RR, RP, and RW zones by CUP, the Urban Commercial zone by CUP, and in urban residential

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zones as an ACUP. In addition, it is likely that residents of these facilities will require services which may be difficult to provide in rural areas. A recently proposed RV Camping Park to be located in the City of Port Orchard UGA proposed 101 units on a 9.77-acre site for a density of 10.33 units per acre. This density would be inappropriate in a rural area.

**2. The use title should be revised.** If the proposed change is to move forward, the title of the use should be changed to remove RVs from use as housing. As described in the City of Port Orchard’s previous letter, RVs should not be included in the land use title or in the definition because RVs under state law are not intended for permanent residential use. Travel trailers could potentially replace the term RV in the definition as they are specifically exempt from the state subdivision act. The definition and use title should at a minimum, be revised to read as follows:

“Manufactured Home, Mobile Home, Tiny House, Tiny House with Wheels, Park-Model and Travel Trailer Park”

For clarity purposes and to be consistent with State law, all Recreational Vehicles should be excluded from this definition because RVs are not intended for permanent occupancy. The definition for Recreational Vehicle found in state law states (underline and bold for emphasis):

(7) "Recreational vehicle" means a vehicular-type unit **primarily designed for recreational camping or travel use** that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes.

**3. Permanent Supportive Housing, Transitional Housing, Emergency Housing and Shelters.** Under ESSHB 1220 passed by the legislature in 2021, cities were required to adopt codes to allow Permanent Supportive Housing, Transitional Housing, and Emergency Housing and Shelters in accordance with state law. The County should follow suit. The County is proposing a new land use which may create homeless housing, but as described, it will lack the required services associated with transitional housing and supportive housing.

RCW 36.70A.030(19) defines “permanent supportive housing” as housing for people who need “comprehensive support services to retain tenancy” and describes permanent supportive housing as being

paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.

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While transitional housing is defined as “a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.” RCW 84.36.042(2)(c). Like permanent supportive housing, transitional housing is only effective when paired with supportive services. The absence of these services as part of this use, and allowing this use so far from services, make this use incompatible with serving the homeless.

Instead of adopting a mixed housing model which could lead to extreme density and disorder, the County should consider separating manufactured, mobile, park model, and tiny house park standards that provide affordable housing from other land uses which are aimed at addressing homelessness. As written, the City is concerned that private individuals will be seeking permits for homeless encampments that lack appropriate oversight, resources, and services for the residents. KCC 17.415.305 as written includes no additional requirements for projects serving vulnerable homeless populations.

**17.415.305 Manufactured/mobile/RV/park-model/tiny home park.**

Manufactured home/mobile/RV park/park-model/tiny home park must meet the following requirements:

A. Utilities. The use, individual units, or individual sites shall be completely and adequately served by utilities for potable water and sanitation approved by the Health District.

B. Accessory buildings. Buildings and structures accessory to a home shall be allowed. Automobile parking spaces may be covered with a carport.

C. Access. All drives within the park shall be constructed in accordance with Title 12. Drives, sidewalks and paths shall be provided consistent with county road standards.

D. Screening. There shall be sight-obscuring fencing, or landscaping or natural vegetated buffers at least eight feet wide on all sides of the park. Such screening shall contain openings suitable to provide direct pedestrian access to adjoining streets and trails.

E. Site plan. A complete and detailed site plan shall be submitted in support of the permit. The site plan shall show the locations and dimensions of all contemplated buildings, structures, spaces, driveways, parking, and roads and recreational areas. Consistent with the underlying zoning, standards set forth in KCC 16.24.040 and 16.24.050 apply. The Director may also require additional information as necessary to determine whether all the above conditions and other applicable provisions of this code are met.

**4. Conditions for development of Manufactured/Mobile/RV/Park-Model/Tiny Home Parks need to be comprehensive and consistent with the underlying zone.** Proposed KCC 17.415.305 appears to be presented as a complete list of requirements as opposed to the usual zoning practice of incorporating general development standards and then adopting supplemental performance standards specific to the described use or zone. The requirements of the underlying zone should still be applicable, as should the County requirements for stormwater, SEPA, Impact Fees, and other

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County standards. This section should be revised to clarify that these conditions are supplemental to other KCC code requirements, including but not limited to SEPA, Concurrency, Stormwater Requirements, etc.

**5. Campground land use designation - Duration and frequency of use.** The County is correctly distinguishing between “Manufactured/Mobile/RV/Park-Model/Tiny Home Parks” and the “campgrounds” with campgrounds being intended for “vacation, or other similar transient, short-stay purposes.” However, the proposed code is likely to ensure that campgrounds become a revolving door of residents rather than a use that is reserved for recreational users and tourists. In KCC 17.415.090, Campgrounds are mandated to be “recreational and transient” and are prohibited from allowing “camping for more than thirty days within a forty-day time period.” However, this is not going to prevent homeless individuals from hopping from one site to another and will likely mean that these areas become transient homeless encampments where services are not being provided. The County needs to provide more safeguards to ensure that recreational campgrounds are limited in the number of stays per year and for shorter duration stays. One-to-two weeks should be the maximum duration stay and 3-4 stays per year should be the maximum. In addition, campground operators need to be required to keep records to ensure compliance with these requirements is met and should be required to furnish these records to the County upon request.

Thank you for considering our comments. Port Orchard stands ready to quickly work with the County to create zoning in the Port Orchard annexation area that meets the needs of the City, the County, and the future residents and businesses who will occupy that area.

Sincerely,

*Nicholas Bond*

Nicholas Bond, AICP  
Community Development Director

46. Carrilu Thompson P O Box 431, Manchester, Washington 98353 [carriwho@aol.com](mailto:carriwho@aol.com)

- I have attached a comment letter.

Board of County Commissioners

February 12, 2022

614 Division Street MS-4

Port Orchard, WA 98366

Dear Commissioners-

I believe the Proposed Zoning Changes need additional time to be vetted to a larger cross section of the community and do not believe the repercussions of these changes have been thoroughly thought through. We have rallied to the call of the County every time there has been a request of us and, this time, we need more time from the County to make sure that the proposed zoning changes will not cause irreparable damage to the Manchester Plan and its intent. The following are some of the reasons there needs to be more study and time for citizen's input:

- The calendar of public presentations and opportunities to give input to the county looks impressive but what you don't see is that not one of those meetings went line by line through the very confusing and difficult to find (in their entirety) proposed changes. Many residents have attempted to read through the documents provided online but these are lay people who are not educated to the language of long-term planning and have given up trying to navigate through the proposed changes and their definitions.
- The 2018 zoning changes that allow for temporary and permanent transitory accommodations in all residential and commercial areas of Manchester were never presented to the residents and never opened to community input.
- Deeper investigation into the state's mandate for this type of zoning reveals that the state provided for a county and local interpretation of the RCW and did not say it was a mandate at all but more a guide. Therefore, there can be a more restrictive and protective application applied to protect citizens and their property.
- Upon more research, it has been uncovered that when there are conflicts with a zoning issue, the stricter rule shall apply. These proposed zoning changes run contrary to the existing Manchester Plan and their repercussions should be more thoroughly examined before enacting. Allowing for temporary and permanent transitory accommodations will add greater density per parcel than is currently allowed in the Manchester Plan. Once the density has been broached, what will protect the community from developers coming in with higher density developments?
- Both Accessory Dwelling Units and Guest Houses will be allowed on the same property in the proposed zoning. Again, this is in violation of our current plan and also opens the door for more density in the future. It should be one or the other that is allowed- not both!

Affordable housing is an important issue but going forth with a disregard of current community plans is not the answer. The County needs to discern between homelessness and lawlessness. Those who are truly homeless deserve human services and programs that will help them gain access to a positive future and housing where they can easily access those services and more. For those who have chosen to live outside the law, there needs to be treatment beds, counseling and programs that help them to heal. Placing these folks on property with no easy access to programs and services and no consequences for adverse behavior does nothing to help anyone but only perpetuates the crisis.

Thank you for your time and consideration.

Carrilu Thompson

Long Time Manchester Resident

47. Travis Nation 8009 E Barsay Ln, Port Orchard, Washington 98366

[tannin\\_crimps0a@icloud.com](mailto:tannin_crimps0a@icloud.com)

"As a citizen of Kitsap County and a Manchester Community member I am alarmed at some of the proposed changes to the zoning codes, and in particular, one of the codes that suddenly changed in reference to the Manchester LAMIRD. In the zoning codes there now is a code regarding Transitory Housing that applies to the all rural, nonincorporated areas in Kitsap County, including our LAMIRD. I am asking the KC Commissioners to re-examine this carefully and if it is to remain in the zoning codes the way the KC Planners have worded it, to change the permitting requirement from "P" Permitted to "C" Hearing Examiner Conditional Use Permit. BE aware, our community had no input to this zoning change that took place in 2018, because we were not aware it would be applied to our LAMIRD at that time. It was not on the zoning table until the proposed zoning table was recently produced. I am also contending that because the wording and intent of the RCW was changed by Kitsap County, it cannot be applied to private property owners in the same way. It will require a Hearing Examiners awareness of each specific situation to protect the rights of private property owners as well as protect their safety and health.

I have studied RCW 36.01.290 entitled, Hosting the homeless by religious organizations. Citizens of Kitsap County need to know why the county added, "charities, public entities, private property owners" to the state's religious organization mandates? This legislation was not intended to take this broad of sweep. That is not mandated by the state as Kitsap County (KC) employees have suggested at the Q&A meetings. The mandate addressed "Religious Organizations" specifically, and it clearly states this in EVERY paragraph of RCW 36.01.290. The zoning KC approved as far as transitory housing and encampments, now applies this to all unincorporated rural areas including LAMIRDS. The counties' interpretation is a far stretch of the state's intent of the legislation detailed in RCW 36.01.290 and puts the ownness and financial responsibility onto private property owners. I am one of those property owners and do not accept this responsibility. I see this as an egregious act imposed by the county. Something that started out as a benevolent act, I cannot support because of the lack of control afforded me if homeless individual(s) camp on my lot and choose not to obtain a permit or seek permanent housing in the future. The county does not include any guidelines or requirements that they can enforce to protect private property owners. In addition, I wonder when KC will begin to fulfill its responsibility to the homeless with a joint effort with other governmental agencies (state and city)? One that is a concerted effort to provide services, proper disposal of waste, adequate potable water for handwashing and cooking, mental health counseling, and rehabilitation for those with addiction issues? These responsibilities cannot be placed on private

property owners and be expected to meet all the requirements of RCW 36.01.290. This is a disastrous plan that will unravel quickly.

Furthermore, and specifically to the point of Transitory Housing being allowed in the Manchester LAMIRD, I have additional concerns for the following reasons:

a) Transitory Housing, whether Permanent or Temporary needs to be located where residents can easily access county services, food and transportation. Manchester has no staple food services available (there is no grocery store). There are no close-in county services and the bus transportation routes are geared towards ferry commuters and ferry satellite parking.

b) There are no current regulations/guidelines that can be enforced at this time regarding how to deal with transitory occupants that do not apply for temporary permits and have no access to sewage facilities (bathrooms or sewage hookups for RVs that cannot get to a sewage treatment facility if the RV is not mobile). In addition...how will host (property owners) be protected when there is illegal dumping of litter or occupants are doing illegal activities?

c) Currently, Kitsap County does not have legal authority to evict unlawful encampments and will not have that authority until they can provide alternate housing for those who are not able to meet the regulations of Temporary or Permanent Transitory Housing. This shows there is no protection for hosts if those in Transitory Housing do not meet guidelines or breaks laws.

Again, I understand your intent on helping the homeless; however, Kitsap County's plan is not well thought out and seriously impacts the rights of property owners as well as the health and safety of Kitsap County citizens. The wording of the Washington State Mandate in reference to Religious Organizations does have guidelines that religious organizations can provide and follow... this will not work the same for all private property owners. Please refer to the Notes-Findings section of Washington State RCW 36.01.290.

Respectfully,  
Travis Nation"

48. Gary Washington 98366 (360) 981-0286

- The fact that you are looking at applying this to Manchester doesn't make any sense. There's no store, no food services, no room. Look across at Bainbridge Island and there are plenty of options. You can almost hit it with a rock. Politicians behind this need to be voted out of office. And I will be doing my part to try. (Garrido at least)

49. paul drotz 1246 colchester dr e, port orchard, Washington 98366 [drotz123@msn.com](mailto:drotz123@msn.com)

- I suggest you listen very carefully to the concerns from the Manchester committee!

50. Jan Fuller 5709 Watauga Beach Dr E, Port Orchard, Washington 98366 (360) 871-4280  
[doogie7981jf@gmail.com](mailto:doogie7981jf@gmail.com)

- All transitory housing of any kind in Manchester must have a Hearing Examiner Conditional Use Permit.

51. BOBBIE DAVIS 11127 PIONEER RD NW, SEABECK, Washington 98380 (360) 509-6336  
[jettin02@comcast.net](mailto:jettin02@comcast.net)

- "Allowing an event facility to operate in a rural community for as much as 50% of a month is far too generous. Most especially if weekdays are included in the allowance, due to the noise level generated by this venue. As a taxpayer I am also concerned about what impact a commercial venue would have on the value of my property as a rural location.

Work and school schedules necessitate early rising, being able to sleep at a reasonable hour is a vital consideration.

I am very appreciative of the Department of Community Development revisiting the zoning regulations for rural protection.

Thank you for allowing me to comment. Sincerely, Bobbie Davis"

52. Chad Davis 11127 NW Pioneer Rd, Seabeck, Washington 98380 (360) 315-1243  
[chadpdavis@gmail.com](mailto:chadpdavis@gmail.com)

- "I am writing to comment on section 17.415.195 of the Kitsap County Zoning Use Table which deals with an Event Facility; I am specifically concerned with number of days allowed and noise generated.

Currently the zoning regulation states ""Leave ten consecutive days of each month free of events..." (Paragraph B, Line Item 2 of Section 17.415.195.) which in my opinion is far too many days that a rural neighborhood should be subjected to a commercial business potentially impacting residences with noise.

A far more equitable compromise would be the proposed revision that states ""Leave no less than 14 consecutive days each month free of events..."

Additionally, the regulation as currently written states ""If required, the applicant will prepare a noise level assessment, which may result in noise mitigation or attenuation requirements..." (Paragraph F, Line 17.415.195.)

I am very much in favor of the proposed amendment which would REQUIRE a noise level assessment if amplification systems are being used.

As someone who lives directly next door to an event facility that is attempting to obtain permits to operate (Seabeck Stables Wedding Venue) I can personally attest to the noise generated when an event is being held. The noise inside my house when amplifiers are being used is definitely what any reasonable person

would consider excessive, to the point that I am unable to open my windows when a reception is being held due to the noise of music and DJs speaking into a microphone. The noise far exceeds the county mandated 55db at the property lines, and I can actually hear it over the TV with the windows closed. I also know my neighbors are experiencing the same issues.

As someone that has to get up early for work (4 am) the noise level most definitely impacts my day to day life, and I would ask the Department of Community Development please take this into consideration when updating the Zoning Use Table. I am a life long resident of Kitsap County and a property owner that pays property taxes. I understand that while the county is growing, and compromises need to be made, I do not feel that individuals moving into a existing residential neighborhood and setting up a commercial event facility that generates so much noise and impacts so many families is in the best interest of the community or the county as a whole.

Thank you for considering my comments and thoughts when updating the zoning regulations.

Respectfully,

Chad Davis"

53. Nick Chamberlin 1331 Nipsic Ave, Bremerton, Washington 98310 (206) 850-2869

[nickchamberlin@msn.com](mailto:nickchamberlin@msn.com)

- "The Event Facility shall be responsible in ensuring the roadway is cleaned on a regular basis, whether through ""Adopt a Road"" or other program. With the recent events being held in our neighborhood, there was a significant increase in beer cans and bottles, broken glass and trash alongside the road."

54. Travis McElfresh 9053 Kaija Ln NW, Seabeck, Washington 98380 (425) 241-4651

[nwkayaker@gmail.com](mailto:nwkayaker@gmail.com)

- "Thank you for the opportunity to provide comment on the proposed changes to the Zoning Use Table Update. My wife and I appreciate that you must balance the demands and desires of many disparate interests. We moved to 9053 Kaija Ln NW in October 2020 to raise our family in peace and solitude. Through the summer of 2021, our neighbors two parcels over began their (non-permitted) ""Seabeck Stables"" wedding venue business. They are currently applying for a permit, which would inherit the proposed updates to this Zoning Use Table. I'll address the key changes that would help make the wedding venue integrate better into our rural community.

""Leave no less than 14 (instead of ten) consecutive days of each month free of events"". While this is an improvement, it means that the wedding venue could still destroy 2 out of 4 precious weekends every month. Weekends are a time where we should be able to enjoy our property, the peace, the wildlife... not the intrusion of a loud event. Last summer, we could hear the base of the music and the voice over the the PA system and the laughing/screaming roar of the drunk wedding guests from INSIDE our home when we would much rather have enjoyed being outside by a fire detoxing from the work week. It was extremely upsetting...it felt like someone had taken away, stolen, the money we had put into our property and the peace we were seeking.

""Written notification shall be provided to the owner of any parcel immediately adjacent"" - we have 5 and 10 acre lots out here near Seabeck Stables. We are two parcels adjacent to Seabeck Stables and the noise was so loud it appeared to be coming from our immediate adjacent neighbor. This update should ""any parcels within 2-parcel away boundary"".

""Noticing shall include the contact information for the event manager that is available at all times during events"" - there should be some requirement that the event manager must answer their phone during the event or return voice messages within 5 mins or this is meaningless in trying to curb excessive noise or traffic hazards.

Hours of operation. The current hours of operation are M-Sat 8AM-8:30PM and Sunday 8AM - 8PM. Last year, these non-permitted wedding parties lasted well past 10PM. There should be some update to better incentivizes the event manager end within the hours of operation.

""Noise mitigation or attenuation must be installed prior to use of amplified systems"" - How will this be assessed or enforced? This needs more specification or it will be left to interpretation and/or ignored completely (as was the case last year even without a permit).

Thank you for the consideration."

55. Terry Gombos PO Box 33, Seabeck, Washington 98380 (360) 621-4645

[terrygombos@aol.com](mailto:terrygombos@aol.com)

- Terry L Gombos

Kitsap County

My name is Terry and I am a resident of Kitsap County and reside on Chalet Lane NW, Seabeck. I would like to provide the following public comments regarding Kitsap County Zone Use Table Update:

- **17.415.195 Event Facility A.1 Number of Event Participants** – A 200 person participation limitation would severely impact my particular neighborhood (Upper Pioneer Road/Chalet Ln Nw, Seabeck). Both access roads are private single lane access roads currently showing signs of deterioration due in large part to the ongoing construction on the far end of Turko Lane. **Please consider limiting to 100 participants based on smaller venues, ie. wedding events.**
- **17.415.195 Event Facility B.2 Number/Frequency of Events** –**Please consider changing current frequency of ten (10) days of the month free too no less than fourteen (14) days free of events based on size of venue, and density/ruralness of neighborhood.**
- **Fire Safety Note:** Having attended Central Kitsap Fire Department neighborhood briefings, our specific neighborhood community is limited as to escape routes, (one-way in/out), no nearby fire hydrants, and limited emergency vehicle access. During periods of Burn Bans/High Fire Danger, the increase in traffic, guests and support service providers add to an already dangerous situation. This situation is magnified when alcohol sales are permitted and cigarette use is allowed. Size/type of the venue should always be considered during periods of fire danger.

Thanks Terry L Gombos

56. Lindsay Lewis 11107 NW Pioneer Rd, Seabeck, Washington 98380

[lindsayraelewis@gmail.com](mailto:lindsayraelewis@gmail.com)

- I support the proposed amendments to 17.415.195 Event Facility in Rural Residential paragraph B.2 and B.4. This would change the ten consecutive days of each month free events to no less than 14 consecutive days each month free of events with event days not to exceed 50% of its calendar month. This amendment would also require written notice to adjacent parcels which I think is fair. I also support the amendment proposed in paragraph F requiring noise mitigation or attenuation to be installed prior to use of amplified systems. I have been affected by what must be an unmitigated amplified system as when events occur at this particular venue the noise level at my residence has been very loud. I appreciate the effort put forth with these proposed changes to help preserve the rural nature of our community while providing compromise to allow for venues to operate in the area.

57. Paul Roller 9073 KAIJA LN NW, SEABECK, Washington 98380 (805) 468-9283

[pjr2000@aol.com](mailto:pjr2000@aol.com)

- "I currently live adjacent to the property in Seabeck with a permit application, 21-03091, for a Wedding Venue pending approval. Although no permit has been approved, the property owner has been hosting weddings for profit for the past year. Problems associated with the wedding venue have included significant noise from loud music, amplified voices and crowd sounds. There is also considerable traffic (up to 60 cars and 200 people) traveling the privately owned and maintained road without approval from the other property owners sharing the private road. I was not notified by the property owner that any of these events would be occurring despite living directly next to the property. I don't believe any of the other residents in the area were notified prior to any of the events.

These events have a caused a great disturbance in the area over the past year and have significantly impacted the normally quiet and serene setting that attracted me to live here. In order to prevent these sorts of events from being approved in the future in quiet residential settings, I fully support the proposed zoning changes. Specifically, I support the requirement for a sound analysis to be performed and effective noise mitigation to be installed prior to the use of amplified systems or assembling crowds of over 50 persons due to voices and other noise produced in a festive setting. I also support the requirement for written notification to be provided to adjacent neighbors including the event calendar.

I would like to see a requirement added for the special case where access is via a privately owned road. Approval to use the road for event access should be required to be obtained from the majority of the residents sharing the road."

58. Steve & Sarah Dibert 9093 Kaija Ln NW, Seabeck, Washington 98380-8736 (360) 620-9091 [sarahdibert99@gmail.com](mailto:sarahdibert99@gmail.com)

- "Comment regarding Proposed Changes to Existing Zoning Use Regulations

A 1-2.) 200 participants is far too many for this rural area with close neighbors on all sides of the property line. Amplified music and voices have been reportedly heard by neighbors as far as 1 mile down Pioneer road. 200 participants also mean transportation for 200 people, which dramatically increases the traffic on Pioneer and the danger to pedestrians.

B 1-4.) I appreciate the limits required for these events to give the neighbors in earshot a break, but I can't imagine having to deal with loud events being heard from my backyard on the daily, for 1/2 a month, every month.

C) Again, I appreciate the rules stated for hours of operation to decrease the impact on neighbors. But Seabeck Stables Wedding Venue is surrounded by quiet living people. The noise, even within these hours will still greatly disrupt the peace.

D) Constant traffic, even 1/2 a month at a time, will take a huge toll on the residential roads, and the edge of the road. Neighbors will have to pull off as far as they can to pass by other cars because it is not a full two-lane road and almost a one-lane road.

E) I do agree that landscaping and fencing barriers should be installed, they may help with the noise (although not much) and help with privacy.

F) Yes,, I agree that a sound mitigation system should be installed."

59. Lisa Roller Seabeck, Washington 98380 [espressoatthebeach@gmail.com](mailto:espressoatthebeach@gmail.com)

- "I fully support the proposed changes to the Zoning Use Table, especially the requirement for the installation of noise mitigation or attenuation prior to the use of amplified systems. I live on a property next to Seabeck Stables, who has recently applied for a wedding venue permit (# 21-03091), and who has held at least six large events over the past year. All of these events had loud crowd noise, amplified voices, and amplified music. The sound level was overwhelming—both indoors and outdoors—to the point where normal activities were significantly disrupted. Had noise mitigation or attenuation been installed, my husband and I might not have suffered as much as we did. My first

choice would be no amplified sound at all, especially in rural neighborhoods where sound carries more easily.

The other proposed change which I believe is critical is the notification requirement to the parcel owner immediately adjacent to the event venue prior to the event. We received no notice at all for any event held by Seabeck Stables. We would be enjoying a quiet Summer evening outdoors and all of a sudden party music would start playing full blast. We had to go indoors because it was so disturbing. Another time, we were having a birthday party outdoors with another couple and the DJ's obnoxious voice came blaring into our yard. If we had known that there would be a huge party next door, we would have made other plans.

In short, I support any proposed changes to the Zoning Use Table that protect neighbors from the disruption caused by these types of venues that, frankly, do not belong in rural or residential neighborhoods at all.

Thank you for the opportunity to submit these comments."

60. Bill Palmer, verbal testimony (paraphrased from public hearing 2/14/2022)

- Objects to the entire use table update
- Have been as consistent in participating through the process as they could be
- Disappointed in staff's failure to respond to the 16 questions in their public comment letters to the Planning Commission
- Wants opportunity to review answers to questions before the board takes action
- Object to postulation that an ordinance like this has no financial impact
- Objects to regulation creep from ordinances and comp plan in last 2 years
- Process is very frustrating, spent a lot of time on comments
- Ordinance not ready for prime time, should go back through a vetting process

61. KEDA, see attached

62. KAPO, see attached

63. MCAC, see attached

64. Max Platts, WSDOT Aviation, see attached

65. Stuart Chishold and Mary Ellen Houston, Olalla Wines, see attached



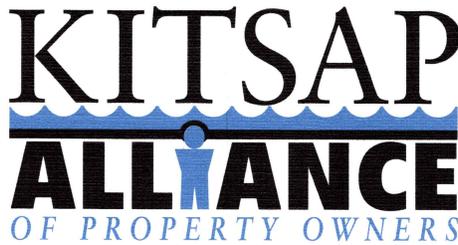
February 10, 2022

RE: Kitsap County Zoning Use Table Update

FM: Kathy Cocus, Business Development Director, KEDA

Thank you for including KEDA and the community in this process. We have reviewed the redline documents and note the following:

- Inclusion of these **new categories** reflects the changing economy, population and business uses in Kitsap, the region, and beyond. We applaud the following as they directly impact either tourism or entrepreneurship:
  - Shared work/maker space
  - Event facility
  - Resort
  - Marina support services
  - Arboreta, botanical garden
- Express concern on **assembly and packaging** now part of manufacturing, light
  - The change allows this in the following zones which we have noted and appreciate:
    - C in UVC
    - P in BC, BP and Ind
    - ACUP in RI
  - The change disallows in the following zone where before it was a conditional permit and causes some concern:
    - C
    - RC
  - Assembly and packaging businesses could take advantage of vacant office space (excluding class A) as companies continue to downsize their office footprints in favor of remote work. Additionally, built industrial spaces in Kitsap County are constrained. Often, those considering expansion or relocation are not able to wait for build to suit and/or infrastructure upgrades to meet their timelines. Examples of companies that could perhaps locate in a commercial zone:
    - Music accessory manufacturers
    - Light cable (audio/video) assembly and manufacturing
    - Control manufacturers
    - All with limited footprints
  - As noted in the light industrial description, there is no outside storage and no hazardous material or gas use.



February 11, 2022

Board of County Commissioners  
KITSAP COUNTY  
619 Division Street  
Port Orchard, Washington 98366

SUBJECT: KITSAP ALLIANCE OF PROPERTY OWNER'S Testimony of  
Objection To The Zoning Ordinance Use Table Update

Honorable Commissioners:

Monday February 14, 2022, the Board is scheduled to take testimony on the proposed Zoning Ordinance Use Table update. This letter and the attachments hereto are testimony the KITSAP ALLIANCE OF PROPERTY OWNERS (KAPO) is submitting in support of our objection to this proposed action by the Board of Commissioners.

You will note that the attached letters were ones our organization submitted to the Planning Commission. But before the Planning Commission could hold its Public Hearing, DCD staff reviewed our testimony and summarized our analysis along with that of others and prepared a "matrix of public comment." Our organization was greatly disappointed in how DCD staff condensed and "cast" our testimony and then in the recommendation staff made to the Planning Commission. Of course, we disagree with and object to the recommendation of the Planning Commission. We noted too that other citizens who took the time to submit testimony were disappointed with the recommendation of the Planning Commission.....especially those people who submitted substantive comments.

KAPO is resubmitting our prepared testimony submitted to the Planning Commission for the following reasons:

1. Our organization analyzed the proposed changes to the Zoning Ordinance in detail and therefore our conclusions are detailed. *Note here that whenever there is a document exceeding 100+pages of regulations, no "executive summary" can substitute for a "point-by-point" analysis.*
2. In our two-letters presented to the Planning Commission we posed a total of 16-questions, five in the first letter and 11 in the second. DCD staff and later the Planning Commission did not answer any of the questions we posed/asked in these two-letters. The "Comment Matrix" that DCD staff used

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to summarize citizen input provides no indication that the issues KAPO has with the proposed Use Table Update were first presented as questions followed by discussion of the issues and then recommendations for action. We in KAPO believe that our questions deserved to have been answered by either DCD staff or the Planning Commission.

3. Based on KAPO's experience in "public process" we have no assurance that the Board will actually read testimony submitted to the Planning Commission. Since DCD's summary of comments is often dismissive in nature and it is certainly the case in how our testimony was reviewed, thus, it is appropriate that the Board have the opportunity to review the full text of our analysis.
4. KAPO is requesting that before the Board takes action that might lead to approval of the Use Table Update that either the Board directly answer our questions (in detail) or have DCD staff provide the detailed answers to our 16-questions.

Besides the foregoing, KAPO maintains that a good part of the paralysis and lack of staff in DCD to process permits is due to the overburden of regulatory measures. As example of this inability of DCD to process permits in a timely manner, Commissioner Gelder was presented with an instance whereby one applicant having submitted complete permit applications has waited 7-going on 8-months for a public hearing date (and still does not have even a target date for a public hearing)! In this example, there were no subsequent request for more information. Never mind the fact that Kitsap County's own Title 21.04 provisions stipulate that applications are to be processed within 120-days from the time application submittals are declared complete. "Regulation creep" is partly to blame.

Just in the last 1-1/2 years KAPO has participated in now three ordinance review processes. Ostensibly, each of these proposed ordinances were instances where State mandates provided the impetus for new ordinance provisions. But in each instance, DCD staff or Public Works staff decided to use these processes to add more regulatory measures. **The Use Table Update is just another example.** According to staff (in either department) all they are trying to accomplish is to "stream line permit review." The problem with that stated objective is: a.) there is no metric discussed as to how adding pages and pages of new regulations will, in fact "stream line permit review" (*by-the-way such is not obvious*); b.) nowhere is there a discussion of the issue of how a new set of regulatory measures will trigger compliance with another regulation in the maze of the regulatory environment Kitsap County has created; c.) the Zoning Ordinance in its present form is well over 350-pages in length and at least another 100-pages will be added to its length with very few regulations eliminated. Thus "stream lined" permit review is well nigh an impossible objective (*what should be proposed is the elimination of 150+ pages of code*); d.) there is no correlation documented to show how these Use Table Updated regulations will promote "housing diversity," "a reduction in the cost of housing" or

economic development;” and e.) with an already complicated regulatory environment, the proposed ordinance amendments will do nothing but increase the already paralyzed permit review process in DCD.

Please honor our request that DCD staff or someone on the Commissioner’s legislative staff, provide answers to the 16 questions found in the two letters submitted to the Planning Commission before the Board moves forward to consider these proposed ordinance amendments. We ask too, that KAPO be given the opportunity to review the answers to the questions we have posed and respond to those answers before the Board takes any final action to approve or amend the proposed code amendments.

A couple of other observations we want the Board to consider in submitting this testimony. KAPO is firmly convinced, especially when comes to how ordinances are constructed that neither DCD nor Public Works Department staff are qualified to make an assessment of how regulatory measures impact the citizens of Kitsap County. In fact, the preponderance of evidence demonstrates County staff is **myopic** in its view of regulation impact. **Is there a need for a witness to that statement? Challenge**, find how many instances in just the recent past when citizens provided critique to ordinances and suggested changes in language that the resulted in a changed ordinance provision? **Go a step further** and find instances when the professional community in Kitsap County has recommended language changes.....how many of those resulted in an actual modification to a proposed ordinance provision. **The answer you will find is.....very, very few.**

A better process for ordinance development involves “**vetting**” proposed provisions with key individuals in groups and the professional community, i.e., the ones who work with ordinances day in and day out. Vetting proposed ordinances is a painstaking process that will and does mean the language of an ordinance will be often the product of compromise. County staff seldom uses such a process and when it has in recent years (such as in the instance of the Storm Water Design legislation) the in put of engineers was totally ignored in the document presented to the Planning Commission.

But in the example of the 2012 Shoreline Master Program citizens of all stripes got a chance to influence what went into that document. Three other examples where DCD staff used a vetting process where citizens and professionals alike were allowed to make positive contributions to the final product: the 2010 amendments to the County’s Comprehensive Plan provisions for Rural Areas, the development of the Agricultural Code (KCC 17.455) and in the 2011 update of the Zoning Use table as headed up by Eric Baker. These are instances of the employment of the “vetting process” when citizens had a role to play in the final product and **knew their views mattered** when the plan or ordinances were before the Board for adoption.

Regarding the Use Table Update now under consideration by the Board, DCD staff **did not use the “vetting process.”** Partial evidence of that statement is manifest in the 16-questions that KAPO has requested the Board to address. Representative of the Manchester Community Council also seemed to have had similar problems with how this Use Table Update came to have its present form. Like KAPO the Council representatives did testify at the Planning Commission Public Hearing along with others.

KAPO would ask the Board to remember that much of what Kitsap County has as assets came to be in project proposals made when the Zoning Ordinance was only 78-pages in length. Such assets include Silverdale north of Bucklin Hill Road, the Ridge Top, McCormick Woods and South Park Village.....to name a few. No comparable projects have been allowed to be implemented in the County since the Zoning Ordinance ballooned first from 78-pages to 159 pages in length in 1999 and now the current code with over 350+pages.

The Use Table Update as previously mentioned adds pages and pages of new regulations. **The benefit to the public (not DCD) has yet to be explained.** What permit applicants know is that when the regulatory environment becomes even more **Kafkaesque than it already is**, they do now and will pay the price in absurd, **budget busting** and painful application fees and expenses.

On a final note, the County is saying there is no financial impact to the implementation of these new regulations. The **absurdity** of that conclusion is staring the County in the face. Consider the fact that the County cannot afford the price of an adequate staffing level in DCD, because the County never, as in **never ever**, makes an assessment of code implementation costs. The elected officials are thus, **never in a position** to even ask the question of whether it can afford to impose new and unneeded regulations or not.

Even though there may be some benefit to changing some uses from “conditionally approved” to permitted outright, KAPO is asking the Board to reject this proposal and to redo the project **with proper vetting** as discussed earlier.

Respectfully submitted,

William M, Palmer, President  
KITSAP ALLIANCE OF PROPERTY OWNERS



September 21, 2021

Planning Commission  
KITSAP COUNTY  
619 Division Street, MS-36  
Port Orchard, Washington 98366

SUBJECT: Zoning Use Table Update

Honorable Planning Commission Members:

The comments herein presented are on behalf of the KITSAP ALLIANCE OF PROPERTY OWNERS (KAPO). Before addressing the content of the Zoning Use Table Update, it is a fair overview assessment to observe that the document before you is organized in such a manner as to be almost incomprehensible. This point will be further detailed in KAPO's critique herein recorded. We have quite a few questions to pose to the Commission and Department of Community Development (DCD) Staff to illustrate just how confusing this document is and how hard it is to track the many changes contained therein.

*Note: This letter deals primarily with the assertions in the "Executive Summary," but makes reference to sections of the code that pose many questions about the three primary objectives to be met by the proposed changes in the ordinance. In fact, our "topic questions" are numbered and in the discussion of these topics other questions are highlighted in bold text. KAPO's next letter will pick up on the numbered questions in this letter and propose other related questions as well as critique and recommendations for what should be in the proposed changes to the Zoning Ordinance.*

#### GENERAL OBSERVATION:

KAPO has a general observation to make in that we believed in the Department's first charge was to re-examine the Allowable Use Tables of the Zoning Ordinance to change wherever possible uses permitted only with conditions to ones that are allowed outright, or to make allowable some uses previously not permitted. Also, it was understood that it might be easier for the ordinance user if the footnotes to the table were moved to a new section of the code. This two-part objective could have been met in a 50-70-page document depending on how the Use Table Charts are formatted and the "extra space requirements" for new subsection number

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assignments. But what was published first was 197-pages to include the staff report and what was forwarded to the Planning Commission for Public Hearing consideration is over 300-pages in length.

Quite obviously, the scope of the project was expanded – way beyond what was/is necessary to “update the use tables.” In May of 2019, KAPO submitted its first set of recommendations to DCD staff. The form of that submittal dealt only with a review of uses permitted, or permitted conditionally. We then questioned the proposed Zoning Use Table update again in July-August of 2020 before the proposed changes were tabled for nine (9) months (without notice to the public).

Because of the complications DCD staff have introduced into this Use Table there is no way to effectively review “all of the proposed changes” in summary fashion. An extensive review is required and every issue that can be challenged will be. DCD staff needs to defend their work and, in the process explain, why proposed provisions of this ordinance were made more complicated and convoluted than the original intent of updating the “allowable use tables.” Our work to review this document is extensive and so is our critique.

#### EXECUTIVE SUMMARY –

The Executive Summary states there are three objectives addressed in this code update:

Housing Equity and Diversity

Economic Development

Making the Code Easier to Use

When these objectives were first presented to the Planning Commission this body received public comment questionings each of these objectives on two bases, how they are defined and what metric is proffered by DCD staff to measure these objectives to determine if the contents of this Zoning Use Table Update meet or can meet these objectives over time.

On July 30<sup>th</sup>, when this code was re-introduced to the Planning Commission, DCD staff could not provide satisfactory answers to these basic questions. Consider this in regard to “equity”. There are two common definition contexts for “equity.” One is political in nature and the other is an accounting use of the term. In the political arena, *equity* is “*justice according to natural law or right or freedom from bias or favoritism.*” (Merriam-Webster). And in accounting *it is the value of an asset less the amount of all liabilities on that asset.* A third definition has emerged in our 2020-2021 social climate – “*it is the state, quality or ideal of being just, impartial and fair.*” And “*the concept is synonymous with fairness and justice.*” (per The Annie E. Casey Foundation).

**QUESTION - 1:** Which definition is DCD staff using to pair “equity” with diversity? And how is “Diversity” defined? By a “wide array of housing product types?”

**QUESTION - 2:** How is either of these terms measured and especially since they are connected by the word “and.” How can one determine if there is a “wide array of housing product types” that are also “just, impartial or fair?” Keep in mind that because of regulations, the cost of a single-family home is 45-50% higher price in Kitsap County than it would be in a less restrictive jurisdiction say in small town Montana. What is just, impartial or fair about that circumstance?

Regarding the assertion that the Buildable Lands Analysis (BLA) can be used to measure “equity and diversity” is a false premise. A BLA’s primary focus is on the amount of urban classified land to accommodate projected population. What it does not do is make an assessment of what is equitable or not. \* Thus, if the BLA is purported to be the tool to measure compliance with or fulfillment of this objective, it is a fallacious conclusion. This is especially the case when the term “equity” has at least three possible definitions. How can the average citizen know what is being measured and measured in the context of an urban environment?

- *If equity is introduced as a measurement, that opens up the argument for whether the right assumption is made about the “market factor” used to size urban areas, i.e., the made up one all the agencies think works or the “real world conditions” that if properly inventoried would mitigate against limiting supply to drive up costs of housing.*

**QUESTION -3-** The US and Washington State Constitutions both provide for the protection of individuals to own and use their property. Why is it that the protection of this basic right is not an objective of any ordinance or ordinance amendment passed by Kitsap County? What KAPO sees and has seen over the now 20-years of its existence, is an incremental erosion of that basic right. KAPO has never argued for no regulations, but in this same time period we have watched the County “chip away” at this right with new restrictions, one after another to make it so that people who own property cannot use their property without oversight from the “state.” In some cases, it is the state, but mostly it is Kitsap County standing in for the State of Washington.

Because the “state” controls the use of land, the regulatory environment either takes away the use a person can put to his or her property or makes it so costly that value is destroyed. Conversely, in many cases these restrictions make the land become so expensive that the next generation cannot afford the ‘buy-in’ and hence this next generation has or will have no “equity” (note this is defined to be in the accounting sense) to build wealth.

**QUESTION -4:** For Economic Development there are two sub-objectives, 1. “Scaling land uses to streamline the level of permit review required.” And 2. “Adding new land uses based on projects submitted to the Department and comparison of other jurisdictions.” So, how do these two objectives translate into “economic development?”

Consider this situation in the Department,” it takes as long for DCD staff to process an Administrative Conditional Use Permit (ACUP) as it does to have the permit application material sent to the Hearing Examiner for approval – 6-8-months, minimum. *There is a reason for this statement that can be provided in answer to any questions.*

Going straight to a building permit process may sound like a more expedited way for a proposed project to be reviewed, but the assumption that project approval will move faster is not a foregone conclusion. Why? Because the building permit process employs the same “planning/environmental/storm water review as the ACUP – THINK 6-8 MONTHS IN PROCESS! In 2021, it has taken a good six (6)-months just to get to “first review” of a submitted building permit application.

Some even rather simple building permit applications require 11-14 submittal items. That is compared to the only 3-4 required prior to 1995. Noteworthy too, is the fact a homeowner/builder/developer might wait some three – four months just to be told that there are yet “additional exhibits/documents” that have to be submitted. Such permit reviews beleaguer building permit, ACUP and CUP applications as well. The reason for this stagnation can be explained in part by lack of staff in DCD, but the more endemic issue is the “over burden” of regulation compliance. Give attention to the fact that with any given application of the types mentioned above, there are a cumulative total of some 11-different ordinances that might be applicable to a particular permit application. Compliance with all of these ordinances come at a cost, usually in the thousands of dollars.

Unbeknownst to most, is the fact that a person wishing to build a new house on his or her undeveloped parcel may well spend, in addition to the building permit fee and the engineering and design costs of the house, another eight (8)-ten (10) thousand dollars in civil engineering, geo-tech or single-family wetlands analysis / habitat report costs. Often, these reports are for the purpose of “just because.” And none of those costs include “impact fee assessments”, which after February 1<sup>st</sup>, 2022 will be approximately \$5,700.00. All of these costs (except impact fee assessments) are related to ordinance provisions the Planning Commission first reviewed and recommended the Board of County Commissioners adopt.

If one is making an assessment for “economic value” of ordinance provisions, one must for the sake of “equity” (again, the accounting definition) *deduct* the “costs” associated with regulation compliance. Actually, such “deductions” are never

included in the accounting of ordinance implementation. So, it is hard to believe there is a net economic benefit to these ordinance amendments without such “balance sheet reconciliation.”

As for adding “new land uses,” this sounds like a benefit, but is it really? Provisions for Marijuana growing and sales is a relative new use, but it is a highly restricted use by both the State and Kitsap County. Clearly, it is a “cash cow” for the business owner, but is it a “business” contributing to the overall economy of Kitsap County?

How about “air bnb?” A relatively new use and Kitsap County has debated such businesses for at least 3-4-years and have yet to come up with a set of zoning provisions to address this use. So, what uses are “new?” What projects suggested there was need to include them in Kitsap County’s Zoning Ordinance? And what other jurisdictions are making provisions for these “new uses” and what standards or restrictions have these other jurisdictions applied to these “new uses?” “Are their standards appropriate to be used in Kitsap County? And why is there no discussion material to answer these questions?

**QUESTION - 5:** How is it that adding more regulations to the Zoning Ordinance makes the Zoning Ordinance “easier to use?” Clearly, these proposed amendments to the existing Zoning Ordinance are adding to the ordinance and do so in a most disorganized manner.

What could have been done, for example, is to have moved all of the footnotes to the “new section of the code, i.e., Chapter 17.415, then assign the new chapter code reference numbers that are intended to replace the old footnote number. But that is not what was done. For example, in Section 180 new regulations were added for Port Gamble and the other 100+ footnotes were all crossed out. That means this new 17.415 section of the code supposedly has all of the previous footnotes to the Use Table with no reference back to which footnote became a new subsection of this chapter.

To make matters worse, this new section 17.415 introduces yet another set of complications - it starts out with “new regulations” not referenced in the footnotes - for ADUs in Urban (subsection 010) verses Rural areas (subsection 015). There is no reference to the location in the Zoning Ordinance from which these regulations came. So, the conclusion to be drawn is that these are “new ordinance provisions.”

Further the review of this document has yet another hurdle to overcome as there are sections of the document where there is no bold text or underlined text to track what is new (as in proposed language) or existing provisions of the Zoning Ordinance. That fact leaves open the question, “what provisions of this document, i.e., the one in the hands of the Planning Commission will be subject to change? For example, can the provisions of the ordinance pertinent to Port Gamble be changed?

Clearly, these are new provisions to the code. **How about the provisions for multi-family design standards? Can these be changed?** They are not in bold or underlined text.

Back to the subsections 010 and 015, the latter applies to Rural areas and yet, the instruction the Planning Commission received before and on July 30, 2021, was that the provisions applicable to “rural areas of the County,” were not changed in these proposed ordinance provisions, only modifications to the ordinance applicable to urban areas are considered herein.

Even more confusing is the inclusion of Section 17.410 Allowed Uses in Rural Areas. If nothing can be changed in this review, why is this section of the code included in this document?

Also, give attention to the comparison between the Zoning Ordinance in effect between the years of 1981 and 1995. It was 78-pages in length and that included the appendix. Today’s Zoning Ordinance is well over 400-pages in length. **How does that fact square with “Scaling land uses to streamline the level of permit review required?”** What is streamlined, when because of this update there is a prospect of the code having another 100+ pages of regulations? For those keeping track that means Kitsap County’s Zoning Ordinance will be over 500-pages in length..... Conclusion, it will be more complex and convoluted than even the incomprehensible nature of the existing ordinance.

KAPO’s next letter will pick on this question numbering format and deal with specifics of the proposed “use table” and other sections of the proposed ordinance.

Respectfully submitted,



William M. Palmer, President



September 23, 2021

Planning Commission  
KITSAP COUNTY  
619 Division Street, MS-36  
Port Orchard, Washington 98366

**SUBJECT:** Zoning Use Table Update (Continued Testimony)

Honorable Commissioners:

KAPO's September 21<sup>st</sup> letter of testimony dealt principally with the objectives of the Zoning Use Table Update and the presentation of the proposed amendments made available for review and critique. This testimony picks up where the September 21<sup>st</sup> letter ended and addresses specific proposed amendments. In this analysis there are more questions to be answered, some commentary and recommendations for action.

**QUESTION – 6-** Why is Section 165 (which references 17.130.020 Uses permitted and design standards) included in this Code update?

**Issue:** DCD staff has consistently informed the Planning Commission and the public that the Zoning Use Table Update was/is pertinent to “urban areas,” and not to “rural portions of the County. Pardon KAPO and other members of the public for taking DCD staff's word of instruction seriously. Not only was that advisory given to the Planning Commission at their June and July meetings, but also it was what staff told the KAPO Board of Directors on July 14<sup>th</sup> at our meeting with staff.

The problem is the focus of citizen's review has been on Use Table Changes allowable, or allowable with conditions in the “Urban” residential, commercial and industrial zones. Further complicating this issue, is the title of the proposed ordinance “Zoning Use Table Update.” KAPO and likely many other Kitsap County citizens reasoned that the subject matter of the proposal was “use allowances” and not “design standards” or not “Uses permitted and design standards.” It is a disservice to the citizens if the County said “urban,” but really meant “urban” and “rural.” It is also a disservice to the public when DCD staff gets to pick and choose which aspects of the Zoning Ordinance are to be modified and the public review choices are limited to whatever the DCD staff says can be modified.

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**Recommendation:** Eliminate all proposed provisions that affect rural portions of the County (possible exception for LAMRIDs, which in fact, are urban areas surrounded by a rural environment) or open up the public's ordinance review process to accept discussion and critique for any and all aspects of the rural provisions of the Zoning Ordinance. For example, there are needed changes for perimeter property setback requirements in "rural residential" zones as well as for Rural Commercial and Rural Industrial Zones. that at least this organization would like considered that have not been proposed because of the instructions given by DCD staff.

Also, to be eliminated is Section 3 Findings 3.c, which makes reference to "new categorical uses" in Rural Areas.

*Note: Because of the conflict between "use table update" and now "use table and use table and design guidelines" introduced into the proposed ordinance, it appears to KAPO that the whole update process needs restarted with a clean slate and go back to the original charge for what was supposed to be the focus of this code update process.*

**QUESTION – 7-** Why does the document introduce "section numbers" to change code provisions or introduce new provisions of the code?

**Issue:** These section numbers add a new level of confusion to the review of the code by the citizenry and likely the Planning Commission as well. For example, Section 165, is supposedly proposing an amendment to KCC 17.130.020. However, when that section of the code is quoted below this Section number, there is nothing highlighted by bold text other than the KCC 17.130.020, which is displayed in bold text. So, what is proposed for change?

**Recommendation:** Eliminate all of these Section numbers and reference only the KCC 17 sections and subsections that are proposed for change, either by strike through of existing text or red text for that which is new. All of these section references are adding a level of confusion to the proposed ordinance changes that is not necessary and makes the proposal most difficult to decipher what is proposed for change and what is existing text that will not be changed regardless of citizen or Planning Commission recommendations.

**QUESTION – 8-** Why is there a presumption that the public or the Planning Commission know what the existing Zoning Ordinance provisions are? Case in point, a reference is made to a "master Plan" in a Business Center Zone, why is there only a code reference i.e., 17.440 which would make it necessary for the proposed ordinance reviewer to dig out his or her copy of the Zoning Ordinance and look it up? Why not include such code provisions referenced in an Appendix?

**Issue:** This is a problem endemic to the Use Table Update document. Sometimes existing code provisions are incorporated into the document but in this instance, there is only a reference to the existing code. When the existing code is incorporated in this document, it raises the question of what is subject to change even if there is no bold text. If one has to go to the “on line Title 17” that is cumbersome.

**Recommendation:** Add code references as an appendix to the Use Table Update so that the reviewer can better understand what is being changed and what is not subject to change.

**QUESTION – 9- Regarding Rural Industrial Zoning, i.e., 17.330.030 – Special Provisions for “outdoor storage,” why is it necessary to stipulate that business activity to include outdoor storage be conducted wholly within a building when the business is *across the street* from a lot in any residential zone?**

**Issue:** This requirement presumes an impact that may or may not be experienced by the “rural residential” property owner. Differential elevations of property should be a consideration as well as ownership. For example, if the business owner is the same as the residential property owner, what is the supposed “compatibility issue?” If property on one side of the street is higher than the other side, what is the problem?” especially inconsideration of setback and buffer requirements applicable to both residential and business properties. And does it matter if the “road” is a state highway like SR-16, SR-303, SR-305 or SR-3 where the right-of-way is most often well over a 100-foot and thousands of vehicles are passing by the site?” This is an “artificial code provision,” trying to make “one size fit all.”

**Recommendation:** Eliminate this proposed code provision as it unnecessarily restricts business enterprise and would surely increase the cost of development mitigating against “economic benefits” to the County.

*Note, those with no experience in site design in Kitsap County have a limited understanding of the issues property owners and business developers face when trying to place their business on a site meeting a multitude of code requirements.*

*This is the kind of example when DCD staff could have been well served prior to finalizing the draft of the code by at least, vetting the proposed language with the professional engineers, surveyors, architects, builders and planners who do have that site planning experience. Vetting means having an in-person meeting with the professionals in the County debating / hashing out what is appropriate and what is a handicap to business development.*

**QUESTION – 10 - Why are new footnotes introduced in Section 180 (17.410.050) when all other footnotes to the Use Tables are moved to the new 17.415 Chapter?**

**Issue:** This is one of the many confusing aspects of these proposed code changes. One of the reasons the existing Zoning Ordinance is 400+ pages is because there are separate chapters for each of the LAMRIDS. The Suquamish (17.410A), Port Gamble (17.410B), Manchester (17.410C) all have a separate set of code provisions. However, in the instance of Port Gamble in the context of this Use Table update, its regulations are scattered through out this 197-page proposal and the “tag” for these footnotes as referenced above does not relate to the chapter assignment in the existing Zoning Ordinance. The real issue is, if the objective is to transfer the footnotes attached to 17.410 to a new section of the code, i.e., 17.415 does that mean a code user still has to jump around in the ordinance to find what is applicable to uses in Port Gamble?

In the oh-by-the-way department, why is a new subdivision of the Zoning Ordinance (17.415) necessary when all of the Use Table footnotes are already located in 17.410.050?

**Recommendation:** Resolve the proposed ordinance numbering system to make it a.) compatible with the existing Zoning Ordinance reference system and b.) easier to locate its provisions.

**QUESTION – 11-** Since DCD staff has included in this Use Table Update “design standards” as well as the “footnotes” found in KCC 17.410.050, why have the footnotes found in KCC 17.420.060 been excluded from inclusion in this code update process?

**Issue:** Supposedly, in this Use Table update, the concept is “uses and footnotes.” Even though the footnotes to the use table already occupy a subsection of the code, i.e., 17.410.050 that they would be moved to a new code section – 17.415 wherein the “use regulations” could be found. But in the review of these proposed ordinance changes, we find that “design standards” are included along with use table modifications and footnotes that have a new title “use regulations.” So, if there is more to this Use Table Update, why is the DCD staff saying “design guidelines” are included and then not making any recommended changes to the “design standards or the footnotes to that section of the code, i.e., 17.420.060? Some 58-footnotes are found in this section of the code and in the technical sense these are also “use regulations.”

**Recommendation:** Make a choice. Either have this Use Table Update deal only with allowed uses (or those conditionally allowed) and the footnotes that go with 17.410 or open up the entire update process to include all use restrictions, to include design standards, aka Density and Dimension Standards. If the latter option is taken, then this will require suspending consideration of this proposed ordinance update and initiating a new one, complete with the public input process.

*Note, pertinent to the “design guidelines” as found in 17.420.060, they are in fact, not guidelines at all. They are “regulations” that mandate where on a lot or parcel buildings, parking areas and open space/landscaping must be placed or not placed.*

*In the instance of Footnote No. 25, the stipulation about placement on a lot or parcel can **mandate** that property be subdivided before a building permit could be approved for a single-family detached house. Complicating this “need to subdivide issue” is an unadopted “Director’s Interpretation” issued in March 2020 mandating minimum density requirements in Urban Low and Urban Cluster Zones. At the very least this new “**mandate**, “which is technically not a “code requirement,” should have been included in this code update for public scrutiny, especially if “design guidelines” are included.*

*Regarding this March 2020 Director’s Interpretation, aside from the fact it received no prior public review and even exposure to the public, it has introduced confusion as to how 17.420.060 Footnote No. 25 is applied. And interestingly, the Director’s Interpretation was a “top down” staff decision and lower members of staff were not schooled in how such a decision would or could be implemented. Note this statement is made based on personal interaction with DCD staff, not at the higher levels of the office, but ultimately required the Director’s instruction.*

**QUESTION – 12- Why in Section 17.415.010.G is there a limitation on size of an ADU, i.e., 60% of the main residence or 900 S.F.?**

**Issue:** The “urban areas or urban growth areas” is supposedly the place where the County wants to maximize density. Of course, the mantra of GMA is “pack-em-and-stack-em. Then who cares if the ADU is of equal or greater in size than the main residence? (Citizens no longer have the privilege to care about their neighborhood or community.) If another example is needed look at the “infill provisions” of the Buildable Lands Report – Kitsap County’s version.

GMA was written such that the existing character of residential neighborhoods is of little consequence. That is why, in jurisdictions like the City of Seattle, single-family residential neighborhoods are, in some cases **mandated** to allow duplexes and apartment building next to single-family detached dwellings. GMA is “top-down legislation.” The **mandate** is density of development takes precedent over detached single-family neighborhoods.

Just like Seattle, Kitsap County has embraced the Puget Sound Regional Council’s 2050 plan for the region. That plan essentially ignores citizen input to include the people’s sense of community. So, again, why does it matter about the size of an ADU with respect to the principal residence”

**Recommendation:** Eliminate the ADU size restriction in urban designated areas.

*Note; KAPO has argued and will continue to do so that the citizens of Kitsap County should have a say in how the County is planned. However, the Board of County Commissioners have by their actions, i.e., plans and ordinances adopted that the “peoples voice” is secondary and often in third place behind so-called “state mandates,” grant funding guidelines and staff opinions. Witness what transpired in the lead up to the adoption of the 2016 Comprehensive Plan Update or in the crafting and adopting of the 2017 Critical Areas Ordinance update. If any other examples are needed to illustrate the point, consider how the contents of the Storm Water Design Guidelines were promulgated or how the Shoreline Master Program Update was infused with at least 20-21 “new regulations” not mandated by the State Department of Ecology. There were citizen objections to both these legislative enactments, but the evidence shows, no citizen had a say in how the ordinances were constructed and adopted. Thus, in this instance, contrary to our view of what Kitsap County could be, we are herein suggesting that the planners in Kitsap County crafting this legislation.....be consistent with GMA.*

**QUESTION – 13-** Why is there a need to, in 17.418.015 to make a distinction between an “Attached ADU” verses a “Detached ADU” and why is there a size limitation of 50% of the square footage of the principal residence and why was it necessary to expand the regulatory measures pertaining to ADUs?.

**Issue:** As written, the text includes reference to “affordable housing” being a goal of this code provision. Yet, there are 3x the number of regulations applicable to ADUs in rural areas as is the case for urban. This fact alone is a case for “over regulation of the use,” which in turn increases the cost of the ADU and thus mitigates against “affordable housing.” Further exacerbating the cost of an ADU in a rural area is the fact that there is a separate permitting process to go through prior to building permit submittal. Nearly 20-years of experience with Hearing Examiner approvals of ADUs in rural areas has demonstrated that there is either no opposition to such approvals or maybe a most, neighbors would testify about a single aspect of such a proposal. Also, concerns about “design” are mitigated by the general sparse spacing of the homes, and where there is generous populations of trees in these rural areas.

**Recommendation:** Eliminate the separate application for rural located ADUs allowing them to be approved in the building permit process. Also eliminate, at least, the following criteria for their approval – B.2, B.5 and B.9 and modify B.3 to stipulate a maximum size of 1,200 S.F. regardless of the size of the existing house. (Note: this is a standard used in Pierce County in their rural areas.

**QUESTION – 14-** Why are “Event Facilities” singled out for to have 19-new regulations, especially when such regulations only apply in Rural Residential and Rural Protection Zones?

**Issue:** Again, this relates to the issue of whether or not this Zoning Code Update is meant to address urban uses or whether it has now morphed into a “Pot Pori” of whatever DCD staff wants to change in the ordinance, regardless of original intent of this Use Table Update or what the citizens of the County want. **None of these regulatory measures are necessary!** Event facilities now have to meet Conditional Use Permit criteria. Those same criteria have been used for nigh on 40-years to permit uses that are not allowed outright in any zone, but permitted conditionally.

Just as troubling as the issue of such regulations that are truly not required, is the fact that DCD staff by their inclusion of such regulations are doing an “end run” around what here-to-fore has taken the form of a deliberate process. Perhaps the newer Planning Commission members are/were not aware of how the Agricultural Code was developed. It took a minimum of two-years and lots of meetings with rural property owners who were already or wished to be engaged in agricultural pursuits that also included sales of products. The Agricultural Code applies to the uses made of land in these two-same Zones.

Consider the fact that there are land owners in these two Zones that have been through the CUP process in order to conduct their businesses. There is more than a high probability that DCD staff did not reach out to any of these people to get their input regarding the regulations that apply to their businesses. Thus, **this a unilateral move on the part of DCD staff to increase the regulatory environment, which in fact, is counter veining their (not the publics but staff's) objective number 2 that was addressed in KAPO's September 21, 2021 letter.**

This “new” set of code provisions is exactly the kind of incrementalism subverting the rights of the property owner to make use of his or her land. And it is the kind of incrementalism that has caused Kitsap County's Zoning Ordinance to be over 400-pages in length and headed for 500-pages making it incomprehensible to most of the people residing in Kitsap County.

In KAPO's view this proposed section of the code is the antithesis of the motto of our Republic.....” Government of the people, by the people and for the people.” In stead it is an example of “government of the bureaucracy, by the bureaucracy and for the bureaucracy.”

**Recommendation:** Eliminate this entire section of the proposed code!

**QUESTION – 15-** Why is Section 183 and 184 (which references 17.470.020 “Applicability – How to use design criteria” and 17.470.030 “Multifamily site design Orientation”) included in this Code update?

**Issue:** Granted, this is an “urban” centric set of regulations, but if such “design guidelines are intended to be “use regulations, i.e., new 17.415,” why are they not

proposed to be in subsection of 17.415? The fact that these regulatory measures are maintained in their own separate chapter – 17.470 is indicative that the scope of the Zoning Use Table Update has been greatly expanded.

What is not clear pertains to the reference to chapters 17.480.160, 17.480.180 and to 17.480.240, are these code provisions also subject to change by such inclusion? One could assume the answer is no, but by the reference herein the question remains unanswered. This is especially the case since pages 180-187 have included Chapter F 17.470 – Multifamily Development – Design Criteria. There are 11-subsections to this chapter but there is no bold, underlined or strike through text in this chapter. So, is the provisions therein subject or not to change?

This is just another example of what happens when proposed code amendments deviate from the principal objective or objectives. It is also, another example of how this proposed ordinance does not fulfill the objective of “making the code easier to use.”

**Recommendation:** Eliminate all proposed changes, references to and provisions of Chapter 17.470. If contrary to this recommendation there is somehow a need to make amendments to this chapter of the code, then a.) the scope of the “use table update” needs to be clarified and b.) the public needs to be reinvented in the process to propose and promote changes to the “whole Zoning Ordinance,” not just the advertised “Use Table Update.”

*Note, there is an underlying flaw in the assumption that design can be dictated by regulation. Here are just a few of the issues:*

1. *Guidelines such as included in Chapter 17.470 have subjective interpretations both for the general purpose and for the specific requirements. For example, in 17.470.010.A “To encourage better design and site planning.” According to whom? Besides DCD staff who makes this judgement? Or F. To ensure the compatibility of dissimilar land uses. What is the “compatibility standard?” and who makes this judgement?*
2. *Such guidelines are generally written for circumstances in which the topography is flat or no more than modulating, have no environmental constraints such as wetland or slope buffers and have, in some situations, no direct frontage on a street. So, who makes the judgement as to what is better or worse? On page 182 there are three site layouts for multifamily development, whose judgement is it that determines what is “better” about one site layout verses another or something a site user would propose?*
3. *Often criteria is crafted by individuals with no prior site planning or design experience. Witness the “Silverdale Design Criteria,” (not included in this Use Table Update document). One such section of those criteria creates a “stepped process” for the design of a whole building. One has to complete each of four-steps to get a complete structure.*

4. *Design criteria promote homogenization in design and therefore limit creativity. For example, a lot of people seem to like the buildings found in Martha's Vineyard. And if that is the "look" some people in Kitsap County like and want, what about the people who like and want what they term Northwest architecture? Who is it that says one style is better than another?*
5. *Citizen design tastes change over time. For example, when the Bedford Steveston buildings were first proposed in New York, it provided compact housing that people in New York soon came to view as "ghetto housing" and there was a move to the suburbs to get more open space to raise youngsters. Not the only reason, but conceptually it was why many people wanted out of the big cities. Now, our "modern" design guidelines are promoting a new kind of "ghetto housing" our youngsters may want to abandon when they are rearing their families.*
6. *Design guidelines assume builder/developer pockets are very deep and can afford any whim regulators wish to impose on them. Often forgotten in the implementation of design guidelines is that builder/developers have to make a profit on their projects or the multifamily building will not be proposed. Such building budgets are dependent also on what the market will bear. If, for example, the builder/developer has to price his one or two-bedroom units at levels in excess of say \$2,500.00 (a low price for the City of Seattle) here in Kitsap County, do individuals and couples have the household income stream to pay that much rent. And how long can they pay the "entrance fee" when clearly the cost of rent will escalate in 6-months to a year and every year after that?*

*These are just a few of the issues of design guidelines in the context of a now "over regulated" permitting environment.*

**QUESTION – 16- Why is proposed Chapter 17.415.010.B.6.b – Use Regulations applicable to "Junk Yards" has to have a "Environmental Mitigation Agreement?"**

**Issue:** Junk Yards or Wrecking Yards are land uses that are highly regulated by both the Health District and the Washington State Patrol. In fact, the latter issues a license for such facilities and the Health District standards are quite specific about how fluids are drained from vehicles, where on a site this is to take place, what kind of a facility is necessary to perform this operation, how such fluids can be stored for later transfer to a proper disposal facility (proper in the instance of either a Health District, State Department of Ecology or both approved site or station.

What we have here in this section of the proposed ordinance is another "over burden of regulation" that is not necessary. All that is necessary to be proposed here is "compliance with the three local and state agencies regulations.

**Recommendation:** Eliminate this subsection of 17.415.010.B.6.b (or whatever the correct subsection reference would be) as found on page 177 of the proposed ordinance.

**QUESTION – 17-** Why is Section F. 17.110.367 the definition of Impervious Surface included in this Code update?

**Issue:** First, this definition is imported from Kitsap County Code Title 12.08.245 (the definition section of that code). This is not a usual circumstance. Often when another code's provisions are material to a Zoning Ordinance, there is a reference citation back to that or those codes provisions. In today's world there would be a "hyperlink." The fact that there is no such hyperlink raises the questions about why not? And why is it even necessary to define "impervious surface(s)" in the Zoning Ordinance?

Perhaps one might suggest that impervious surface areas are material to considerations of setbacks from perimeter property boundaries. No, the setbacks are "building or structure setbacks" not impervious surface areas. **How about zoning buffer/landscaping/building setbacks?** No, buffer requirement language references landscaping and not impervious surface areas. Perhaps parking areas where there is an implied impervious surface. No, see definitions for parking found in 17.110.555, .560, .565 and .567. None of these definitions as found on page 137 of this proposed ordinance reference impervious surface(s). **So, again why is this definition included herein?**

**Recommendation:** Eliminate this definition. If there is reason to have it remain, then this language needs to be added to the definition. "The following do not constitute impervious surfaces or impervious surface areas: *"grasscrete," geowebbs with soil and grass planted cells, any surface structure that allows for the propagation of grass capable also of bearing the weight of vehicles or field areas planted to grass where parking of vehicles occurs principally in the dry months of the year."* If the addition of this language also causes a need to amend Title 12.08.245 so be it.

**CONCLUSION:** The substance of KAPO's testimony is two-fold: 1.) the proposed ordinance provisions do not meet the original intent of the Use Table Update, 2.) is a most confusing and convoluted document to review and 3.) is adding regulations that are not needed. Regarding KAPO's questions, issues, recommendations and italic presented notes as well as reasons for the recommended action and in some instances, commentary as to why the proposed code provision is problematic and why this ordinance is not ready to proceed through the adoption process.

Respectfully submitted for Planning Commission discussion and deliberations.

*William M. Farmer,*  
President

Board of County Commissioners  
614 Division St. MS-4  
Port Orchard, WA 98366

February 2, 2022

Dear Commissioners-

On behalf of the community, the Manchester Community Advisory Council (MCAC) would like to thank both the Department of Community Development and the Planning Commission for their positive response to initial suggestions area residents provided to them on the draft proposed Zoning Table changes. Upon deeper research, we have additional concerns as to the impact some of the proposed changes will have on the Manchester Plan and its mission to protect and preserve the unique character of Manchester and the surrounding community.

We are aware of the changing demands of the housing issues throughout the county but are extremely concerned with how some of the Proposed Zoning Updates will be administered. These are not just temporary changes to the zoning rules but will be in place in perpetuity and it is imperative that they be thoroughly vetted as to the short- and long-term consequences of the proposed changes. We understand some of these changes are due to state mandates but believe there is still room for positive interpretation of those mandates. The motivation behind offering temporary housing/accommodations for homeless residents is indeed a noble gesture but we are not sure the proposals have been thought through to their possible conclusion. As even the county has rejected the installation of tiny home villages in some unincorporated areas of the county, we wish to address important issues surrounding open permitting of the installations in the Manchester LAMIRD. They are as follows:

1. "Transitory accommodations" should be located where the residents can easily access county services, food and transportation. Manchester is a food desert (there is no grocery store), there are no close-in county services and the bus transportation is primarily geared toward ferry commuters and ferry satellite parking.
2. Who will be in charge of overseeing the installation and requirements of the installations in an ongoing capacity? What County department will be the long-term administrator of these areas?
3. How will the surrounding property owners be notified of an application besides a posted sign and who will mediate the required neighborhood meeting?
4. Who is responsible for garbage collection and regular pick up?
5. What behavioral and personal accountability stipulations are required of the participants and how are the residents removed if they don't conform?
6. What recourse will neighbors have if crime increases after the accommodations go in or the garbage isn't regularly picked up? Who is liable if a crime is committed in or around the facility?
7. Since these accommodations allow for more residences per property than our plan currently allows for, how will this impact the future density of the LAMIRD? Does this open the possibility of building more tiny/skinny homes on a lot than is currently allowed and what assurances can be made that the current allowable density is not usurped?

**In the spirit of transparency, we would like Proposed Zoning Uses #128- Permanent Transitory Accommodations changed from "ACUP" to "C"- Conditional, #804- Transitory Accommodations Single Family and #806- Transitory Accommodations, Small, Large, Safe Parks and Indoor be changed from "P"- Permitted to "C"- Conditional. It is important that the county approach this conversation in the most positive fashion possible and transitory accommodations should be situated where the best outcome can be achieved. Providing housing, whether it be temporary or not, is only a futile stop gap measure if it doesn't also deliver support services that help those seeking housing with the opportunity to move up and out of their current situation and provide a constructive avenue for change.**

Signed,

The Manchester Community Advisory Council

**From:** [Platts, Max](#)  
**To:** [Melissa Shumake](#)  
**Subject:** Kitsap County Zoning Table Update Aviation Consultation  
**Date:** Friday, February 18, 2022 10:50:31 AM  
**Attachments:** [Airports and Compatible Land Use Guidebook.pdf](#)

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Good morning,

Thank you for the opportunity to provide written comment to the Kitsap County Zoning Table Update. Washington State Department of Transportation (WSDOT) Aviation Division appreciates the City's efforts, recognizes the substantial time, and resources this represents.

RCW 36.70.547 and 36.70A.510 requires local jurisdictions to formally consult with airport owners, managers, private airport operators, general aviation pilots, ports, and the Aviation Division of WSDOT prior to adoption of comprehensive plan policies or development regulations that may affect property adjacent to public use airports. The main goals of formal consultation are to avoid, minimize, and resolve potential land use conflicts with airports through the comprehensive plan and development regulations. WSDOT strongly recommends that formal consultation be initiated by local jurisdictions as early as possible in the planning process. This is to assure that all parties have an opportunity to work together to find comprehensive solutions of mutual benefit that fulfill the intent of the legislation, consistent with local jurisdictions' land use planning authorities and obligations under law.

WSDOT is available to help Kitsap County organize the formal aviation consultation as well as put you in touch with aviation stakeholders. The importance of airports located in the county to the region and state's transportation system cannot be overstated. It is critical that every effort be made to discourage incompatible land uses that impair the airport's ability to operate as an essential public facility. I have also attached the WSDOT Airports and Compatible Land Use Guidebook which details the consultation process in Appendix A.

We thank you again for the opportunity to comment and remain available to formally consult and provide technical assistance. Please don't hesitate to contact me at 360-890-5258 or [plattst@wsdot.wa.gov](mailto:plattst@wsdot.wa.gov) if you have any questions.

Thanks,  
Max

**T.S. "Max" Platts**  
WSDOT Aviation Division  
Aviation Planner  
Phone: 360-890-5258



**Washington State  
Department of Transportation**

**From:** [Darren Gurnee](#)  
**To:** [Melissa Shumake](#)  
**Subject:** FW: Urgent! Request for Rejection of Proposed Use Table Update Code Amendments  
**Date:** Wednesday, February 23, 2022 11:32:25 AM  
**Attachments:** [Attachment.jif](#)  
[Letter OVV&Winery to Commissioners to Reject Zoning Table Update Feb18 2022-1.pdf](#)

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**From:** stuart@olallawines.com <stuart@olallawines.com>  
**Sent:** Friday, February 18, 2022 9:25 AM  
**To:** Edward E. Wolfe <ewolfe@co.kitsap.wa.us>; RGeleder@co.kitsap.wa.us; Charlotte Garrido <cgarrido@co.kitsap.wa.us>  
**Cc:** Jeff Rimack <JRimack@co.kitsap.wa.us>; Liz Williams <lwilliams@co.kitsap.wa.us>; Darren Gurnee <dgurnee@co.kitsap.wa.us>  
**Subject:** Urgent! Request for Rejection of Proposed Use Table Update Code Amendments

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Dear Commissioners Wolfe, Gelder and Garrido,

Please find attached the Olalla Valley Vineyard & Winery owners' letter requesting that the Board of Commissioners [reject the proposed Zoning Use Table Update code amendments](#) which were considered at the public hearing held on February 14<sup>th</sup>, 2022. Unfortunately, due to illness, we were unable to attend that hearing, however we have a strong, vested interest in this matter.

We trust that you will read this letter and consider the content carefully before making your decision.

Best Regards,

Stuart & Mary Ellen



[www.olallawines.com](http://www.olallawines.com)

Stuart Chisholm & Mary Ellen Houston

Olalla Wines

[stuart@olallawines.com](mailto:stuart@olallawines.com), [maryellen@olallawines.com](mailto:maryellen@olallawines.com)

cell: 253 509-2170, 425 260-0814



Stuart Chisholm & Mary Ellen Houston  
Olalla Valley Vineyard & Winery LLC  
13176 Olalla Valley Road SE  
Olalla, WA 98359

FEB 18<sup>th</sup>, 2022

Board of County Commissioners  
Kitsap County  
619 Division Street  
Port Orchard, Washington 98366

SUBJECT: Olalla Valley Vineyard & Winery Owners Testimony of Objection to the Zoning Ordinance Use Table Update

Honorable Commissioners,

We are writing this letter to strongly and formally object to the proposed action by the Board of Commissioners to add yet another list of regulatory measures via the proposed Zoning Ordinance Use Table Update. Having reviewed the document at length we conclude that the DCDs objective to “streamline permit review” cannot possibly be met. In fact, quite the opposite, i.e., approval of this document can only further exacerbate the lengthy, painful and expensive permitting process already in place. In order to “streamline”, it would appear to be logical to *remove* unnecessary roadblocks/regulations rather than add new ones.

It seems that expert input from Kitsap citizens & citizen groups has been completely ignored during the development of this document and the DCD has not utilized the “vetting process.” So how can this document possibly represent the needs of concerned citizens rather than merely satisfy the whims of the DCD? The answer is, of course it can’t. While it may be true that DCD met with individuals and groups, there is no indication that opinions expressed in such meetings substituted for active debate about the content of the proposed language. None of that took place with this section of the ordinance or as it appears in any other portion of the proposed ordinance. And there was no attempt on the part of DCD to reach out to event business owners (any where in Kitsap County) to have us even comment prior to bringing this ordinance to public hearing.

Having had (and are still having) our own battles with the DCD over alleged CUP violations, we see no benefit to the public, including ourselves, by the adoption of these added regulations.

Specifically pertaining to section “17.415.95 Event Facility” we see absolutely no need for this section at all, because the current code including AG 17.455 has provisions in it for event facilities and frequency. Further, the limitation of events in section 17.415.95.B as “invented” here are, in essence, ludicrous in

the sense that such limit would make any event business financially non-viable. So, at minimum, we respectfully request that section 17.415.95 be removed from the document.

There are several small businesses in rural Kitsap County, ours included, that bring tourist revenue to the county for us and for associated businesses such as restaurants, boarding houses, hotels, theaters etc. **Why is the Kitsap DCD resistant to such development?** We understand that there may be (noise) impacts that some neighbors may perceive as negative, but there are already clear regulations pertaining to “noise” and here as elsewhere, times are changing. Twenty years ago, there were horses on the main thoroughfare in the neighboring Sammamish community of King County. Today, the Sammamish population has exploded, along with the resultant explosion in home and urban development and horses are no longer to be seen on the roads. What is the end game here for Kitsap County? To drive businesses out of the rural portions of the County when some businesses thrive because of their location in Rural Kitsap. What do the Commissioners and the DCD hope to achieve by adding new regulations to the total tune of now over 350 pages? Are there any ulterior political/financial motives in play here that the public is not aware of? There seem to be.

In summary, notwithstanding our request to remove section 17.415.95 from the document, we are requesting that the Board reject this proposal entirely so that it can be re-worked with proper due diligence, including the consideration of inputs from concerned stakeholders, business owners such as ourselves and other individuals. Due diligence to include reviewing and responding to pertinent questions or suggestions posed by Kitsap property owner groups and other citizens and then making changes based on the will of the people of Kitsap County. We thought the process the County used to develop the Agricultural Code was the way this overall ordinance should have been developed. Citizens in that process had a chance to influence the provisions of the ordinance 17.455, but not here in this Zoning Code update.

We understand that the government was set up to serve the people, and not to serve the convenience of bureaucrats. What we are seeing in this document is the latter and not the former.

Respectfully Submitted,

Stuart Chisholm

Mary Ellen Houston

Stuart Chisholm & Mary Ellen Houston  
Owners: Olalla Valley Vineyard & Winery LLC  
[www.olallawines.com](http://www.olallawines.com)

