



Executive Summary

Issue Title: Zoning Use Table Update
Meeting Date: June 21, 2021
Time Required: 30 minutes
Department: Department of Community Development (DCD)
Attendees: Jeff Rimack, Angie Silva, Dave Ward, Liz Williams, Darren Gurnee

Action Requested At This Meeting: Project status update and confirm direction for the public facilities categorical use.

Background

The Department of Community Development (Department) is working on an update to the zoning use tables found in Kitsap County Code (KCC) Title 17 'Zoning'. The purpose of the update is to remove barriers to investment and help support affordable housing and economic development within Urban Growth Areas (UGAs). These guiding project principles, where appropriate, are also focused on Limited Areas of More Intensive Rural Development (LAMIRD), and the Rural Commercial and Rural Industrial zones. Internal coordination between County Departments and feedback from interested parties and key partners has supported the development of proposed amendments throughout the process.

The project was postponed in October 2020 to allow the Department to focus on two state-mandated projects that are due June 30, 2021, along with providing additional time to adequately "carve" out recent Port Gamble development code amendments adopted in 2020. The Department anticipates release of a formal recommendation in July 2021. Two planning commission work studies are planned in August 2021, a 30-day public comment period will begin in late August 2021, and public hearing in September 2021. The proposed outreach and participation methods include electronic notifications, a dedicated webpage that includes project materials and links to four virtual meetings hosted by the Department with question and answer sessions, and one-on-one meetings with interested parties upon request. The Board reviewed and provided feedback about the draft public participation plan on May 10, 2021. Moving forward, the Department will provide project status updates to the Board on a monthly basis following the July 2021 public draft release.

Considerations for Public Facilities

On June 10, 2021, the Department met with the Kitsap Public Utility District regarding the level of permit review and scaling of public facilities. Currently, the zoning code combines public facilities in one category and defines the use as:

17.110.640 Public facilities.

“Public facilities” means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, waste handling facilities designated as public facilities in the comprehensive solid waste management plan, parks and recreational facilities, schools, public works storage facilities and road sheds, and utilities such as power, phone and cable television.

Kitsap County Code requires a Conditional Use Permit or Administrative Conditional Use Permit in all but two zoning designations. The KCC permits public facilities outright in the Suquamish Village Commercial and Parks zoning designations. However, the allowed use table footnote 17.410.050 A.16. applies to the Public facilities categorical use in all zones. This footnote states:

17.410.050 A.16. The erection, construction, alteration, or maintenance of overhead or underground utilities by a public utility, municipality, governmental agency, or other approved party shall be permitted in any zone; provided, that any permanent above-ground structures not located within a right-of-way or easement shall be subject to the review of the director. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title. Water towers which exceed thirty-five feet in height, solid waste collection, transfer and/or handling sites in any zone shall be subject to a conditional use permit. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.530.

The feedback received suggests scaling public facilities by type and size and adding development standards that are commonly applied as conditions during land use review in order to streamline the permit review process for smaller facilities such as a reservoir, pump house, or fiberoptic node. It was suggested this change can reduce the time needed to review a permit for small public facilities that play a role in extending infrastructure in both urban and rural areas.

Furthermore, it was explained utility providers have an opportunity to acquire funds through federal and state programs to construct infrastructure for areas in Kitsap County that are underserved by public facilities. The funding specifically calls out broadband, water provision, and sewer infrastructure as qualifying project types. The time required to process a permit through a Conditional Use Permit or Administrative Conditional Use Permit process may cause a project to exceed the allowed timeframes of an awarded grant and ultimately disqualify the project for funding. Supporting community and economic development at appropriate urban and rural parameters are goals of this project and Comprehensive Plan. However, proposing revisions to rural zoned land outside of LAMIRDs currently exceeds the scope established in the project workplan.

At this briefing, the Department is seeking direction from the Board of County Commissioners regarding whether Kitsap County should:

1. Split the public facilities category by type and scale.
2. Add development standards for public facilities that are commonly applied as conditions during land use review, such as size, parking, and screening requirements.
3. Consider streamlining the land use permit review in not only urban areas, LAMIRDs but also the rural residential zones from a CUP to an ACUP or P as part of this project.

Project Timeline & Schedule

The Board of County Commissioners and planning commission provided feedback on the public participation plan in May 2021. The Department met with parties affected by the Port Gamble Redevelopment Plan, starting on 6/16/2021, to confirm an adequate “carve” out of recent Port Gamble development code amendments adopted in 2020. Additional meetings will continue into July as necessary.

On 6/15/2021 the planning commission received a briefing that provided a more detailed outline of the public process. The briefing discussed the formal release of a public draft in late July 2021 that will allow the public to attend two study sessions, attend two project webinars, and review the proposal for two months before the planning commission public hearing in late September 2021. Press releases and meetings with the Community Advisory Committees or Councils will begin in July and August prior to the study sessions to provide project information regarding how to access project documents, opportunities to learn about the project, and how to provide feedback during the public process. The project is on track for planning commission recommendation by December 2021 and approval by the Board of County Commissioners in March 2022.

Next Steps

- Continue meetings with Port Gamble parties.
- Confirm direction for public facilities.
- Incorporate changes as necessary based on direction.
- Schedule next briefing with the Board of County Commissioners in late July.
- Conduct initial outreach with Community Advisory Committees or Councils.

Attachments: