

1 FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE PLANNING
2 COMMISSION TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT REGARDING
3 AMENDMENTS TO THE KITSAP COUNTY COMPREHENSIVE PLAN AND LAND USE
4 MAP, CAPITAL FACILITIES PLAN, KITSAP COUNTY CODE TITLE 17, ZONING MAP,
5 AND NON-MOTORIZED FACILITIES PLAN

6 **Section 1. General Findings.**

7 The Kitsap County Planning Commission finds as follows:

- 8 1. Kitsap County is subject to the requirements of the Washington State Growth
9 Management Act (GMA), Chapter 36.70A RCW.
- 10 2. The GMA, RCW 36.70A.130(5), mandates that Kitsap County’s Comprehensive Plan
11 and development regulations be reviewed and, if needed, revised at least every 8-years.
12 The most recent Kitsap County 8-year update concluded with the adoption of the 2016
13 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016.
- 14 3. The GMA, RCW 36.70A.130(1), also mandates that Kitsap County’s Comprehensive
15 Plan and development regulations be subject to continuing review and evaluation.
- 16 4. RCW 36.32.120(7) provides that the county legislative authorities shall make and
17 enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations
18 as are not in conflict with state law.
- 19 5. Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making
20 amendments to the Comprehensive Plan. In making amendments, the County must
21 consider whether the proposed amendments are consistent with and support plan
22 elements and or development regulations, and if not, what additional amendments to the
23 Plan and/or development regulations will be required to maintain consistency; whether
24 the proposed amendment to the Plan and/or regulation will more closely reflect the goals
25 and policies of the Comprehensive Plan; whether the proposed amendment is consistent
26 with the Kitsap County-wide Planning Policies; and whether the proposed amendment
27 complies with the requirements of the GMA.
- 28 6. The final docket adopted by the Board of County Commissioners on April 4, 2018 by
29 Resolution No. 064-2018 allows for the consideration of certain amendments during
30 Kitsap County’s annual Comprehensive Plan amendment process for 2018.
- 31 7. There has been public participation in the review of the proposed amendments, as
32 required by the GMA, and consistent with the State Environmental Policy Act and Kitsap
33 County Code.
- 34 8. Public outreach regarding the proposed amendments was conducted through:
35 a. A dedicated and up-to-date web page;
36 b. Legal notices published in the official newspaper of record for Kitsap County;

- 1 c. Announcements posted to subscribers of www.nextdoor.com in Kitsap County;
- 2 d. Electronic announcements and notifications to:
 - 3 i. Subscribers of relevant lists in the Kitsap County Electronic Notification
 - 4 System;
 - 5 ii. Relevant Kitsap County advisory groups; and
 - 6 iii. Relevant local, state, and federal agencies;
- 7 e. Notification letters to federally recognized tribes with usual and accustomed areas
- 8 in Kitsap County and relevant tribal organizations;
- 9 f. Notification signs posted at the location of site-specific amendments;
- 10 g. Postcard notifications to property owners of record near site-specific amendments
- 11 and other geographically limited amendments; and
- 12 h. Meetings with various interested parties.

13 **Section 2. General Procedural Findings.**

14 The Kitsap County Planning Commission finds as follows:

- 15 1. On November 22, 2017, the Board of County Commissioners reviewed a catalog of
- 16 Comprehensive Plan amendments suggested by staff and interested parties and
- 17 determined that a review of the Comprehensive Plan was necessary in 2018.

- 18 2. On November 27, 2017, Kitsap County issued a Notice of Public Hearing in the legal
- 19 publication of record regarding the content of the proposed docket.

- 20 3. On December 11, 2017, following timely and effective legal notice, the Board of County
- 21 Commissioners held a public hearing to consider written and verbal testimony on the
- 22 proposed docket.

- 23 4. On December 27, 2017, during a regularly scheduled and properly noticed meeting, the
- 24 Board of County Commissioners adopted the initial docket of amendments by Resolution
- 25 No. 246-2017.

- 26 5. On March 28, 2018 and April 4, 2018, during regularly scheduled and properly noticed
- 27 meetings, the Board of County Commissioners reviewed the status of all the amendments
- 28 and considered potential changes to the docket.

- 29 6. On April 4, 2018, during a regularly scheduled and properly noticed meeting, the Board
- 30 of County Commissioners adopted the final docket of amendments by Resolution No.
- 31 046-2018.

- 32 7. On April 25, 2018, site-specific amendment #18-00495 (Ace Paving Co; Port Orchard
- 33 Sand & Gravel Co) was withdrawn by the applicant from the 2018 docket.

- 34 8. From June 28, 2018 through August 7, 2018, following timely and effective public
- 35 notification, the Department of Community Development held a public comment period

- 1 on the proposed amendments, staff reports, and State Environmental Policy Act (SEPA)
2 determinations.
- 3 9. On July 10, 2018, July 11, 2018, and July 12, 2018 the Department of Community
4 Development held public open houses to share and discuss the amendments with
5 interested citizens.
- 6 10. On July 3, 2018 and July 17, 2018, during regularly scheduled and properly noticed
7 meetings, the Planning Commission conducted work study sessions with the Department
8 of Community Development to review and discuss the proposed amendments.
- 9 11. On July 31, 2018, during a specially scheduled and property noticed meeting, the
10 Planning Commission conducted work study sessions with the Department of
11 Community Development to review and discuss the proposed amendments.
- 12 12. On June 29, 2018 and July 13, 2018, Kitsap County issued a Notice of Public Hearing in
13 the legal publication of record regarding the content of the proposed amendments.
- 14 13. On July 17, 2018 and July 31, 2018, following timely and effective legal notice, the
15 Planning Commission held a public hearing to consider written and verbal testimony on
16 the proposed amendments.
- 17 14. On August 21, 2018, September 4, 2018, and September 18, 2018, during regularly
18 scheduled and properly noticed meetings, the Planning Commission considered the
19 proposed amendments and made recommendations via approved motions during
20 deliberations.
- 21 15. On September 18, 2018, the Planning Commission approved findings of fact,
22 conclusions, and recommendations on the proposed amendments during a regularly
23 scheduled and properly noticed meeting and forwarded them to the Department of
24 Community Development and the Board of Commissioners for consideration.

25 **Section 3. Non-Motorized Facilities Plan – Findings.**

26 The Kitsap County Planning Commission finds as follows regarding the Non-Motorized
27 Facilities Plan amendment:

- 28 1. The amendment incorporates the 2018 updates to the Non-Motorized Facilities Plan
29 (NMFP) into the Capital Facilities Plan; strengthens policy for implementing the NMFP
30 in the Kingston urban growth area; updates the Regional Routes Maps, Bicycle Route
31 Numbering Map, and Community Maps in the NMFP; and clarifies the Capital Facilities
32 Plan and the NMFP.
- 33 2. The Non-Motorized Citizens Advisory Committee (NMCAC) conducted an extensive
34 periodic review from January 2016 to March 2018 of the non-motorized routes identified
35 in the Non-Motorized Facilities Plan (NMFP). The committee analyzed the routes based

1 on existing policies and how the non-motorized network supports connections between
2 communities as well as connections within communities.

- 3 3. The NMCAC reviewed the Kingston Community Trail Plan proposed by the Kingston
4 Citizens Advisory Council and recommended amendments to the NMFP that are
5 consistent with the NMFP.
- 6 4. On June 25, 2018, the Departments of Community Development and Public Works
7 published a staff report analyzing the amendment and recommending adoption of the
8 amendment as proposed.
- 9 5. On June 29, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
10 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
11 Notice of the SEPA determination was published in the legal publication of record on
12 June 29, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
13 this non-project SEPA decision.
- 14 6. The amendment, as proposed:
 - 15 a. Is supported by the Capital Facilities Plan;
 - 16 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
17 Comprehensive Plan, and other applicable laws and policies;
 - 18 c. Is consistent with the applicable decision criteria in Kitsap County Code
19 21.08.070, as demonstrated in the findings and conclusions of the staff report and
20 adopted herein;
 - 21 d. Reflects current local circumstances; and
 - 22 e. Promotes the public interest and welfare of the citizens of Kitsap County.

23 **Section 4. Kingston Urban Village Center – Findings.**

24 The Kitsap County Planning Commission finds as follows regarding the Kingston Urban Village
25 Center (UVC) amendment:

- 26 1. The amendment removes the mixed-use requirement in the Urban Village Center (UVC)
27 zone; clarifies incentive-based parking programs; removes completed Subarea Plan
28 policies; and revises the allowed density in the UVC zone.
- 29 2. The Department of Community Development developed this amendment with a Kingston
30 UVC Workgroup, which was charged with identifying and addressing priority barriers to
31 achieving the existing vision and planned growth in the Kingston UVC zone.
- 32 3. On June 25, 2018, the Department of Community Development published a staff report
33 analyzing the amendment and recommending adoption of the amendment as proposed.
- 34 4. On June 29, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
35 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
36 Notice of the SEPA determination was published in the legal publication of record on

1 June 29, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
2 this non-project SEPA decision.

3 5. The amendment, as proposed:

- 4 a. Is supported by the Capital Facilities Plan;
- 5 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
6 Comprehensive Plan, and other applicable laws and policies;
- 7 c. Is consistent with the applicable decision criteria in Kitsap County Code
8 21.08.070, as demonstrated in the findings and conclusions of the staff report and
9 adopted herein;
- 10 d. Reflects current local circumstances; and
- 11 e. Promotes the public interest and welfare of the citizens of Kitsap County.

12 **Section 5. George's Corner LAMIRD Boundary Adjustment – Findings.**

13 The Kitsap County Planning Commission finds as follows regarding the George's Corner
14 LAMIRD Boundary Adjustment amendment:

- 15 1. The amendment adjusts the southeast boundary of the George's Corner LAMIRD to align
16 with platted parcel lines and critical areas; and re-designates and re-classifies portions of
17 two split-zoned parcels.
- 18 2. On July 17, 2018, the Department of Community Development published a staff report
19 analyzing the amendment and recommending adoption of the amendment as proposed.
- 20 3. On July 17, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
21 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
22 Notice of the SEPA determination was published in the legal publication of record on
23 July 17, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
24 this non-project SEPA decision.
- 25 4. The amendment, as proposed:
 - 26 a. Is supported by the Capital Facilities Plan;
 - 27 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
28 Comprehensive Plan, and other applicable laws and policies;
 - 29 c. Is consistent with the applicable decision criteria in Kitsap County Code
30 21.08.070, as demonstrated in the findings and conclusions of the staff report and
31 adopted herein;
 - 32 d. Reflects current local circumstances;
 - 33 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 34 f. Is justified by changed or changing conditions;
 - 35 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
36 designations; and
 - 37 h. Will be compatible with neighboring properties and not likely adversely affect the
38 value of those properties.

1 **Section 6. Public Facility Designations and Park Classifications – Findings.**

2 The Kitsap County Planning Commission finds as follows regarding Public Facility Designation
3 and Park Classification amendment:

- 4 1. The amendment re-designates and re-classifies approximately 2,883 acres acquired in
5 recent years by Kitsap County for the Port Gamble Forest Heritage Park.
- 6 2. On July 16, 2018, the Department of Community Development published a staff report
7 analyzing the amendment and recommending adoption of the amendment as proposed.
- 8 3. On July 17, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
9 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
10 Notice of the SEPA determination was published in the legal publication of record on
11 July 17, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
12 this non-project SEPA decision.
- 13 4. The amendment, as proposed:
- 14 a. Is supported by the Capital Facilities Plan;
 - 15 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
16 Comprehensive Plan, and other applicable laws and policies;
 - 17 c. Is consistent with the applicable decision criteria in Kitsap County Code
18 21.08.070, as demonstrated in the findings and conclusions of the staff report and
19 adopted herein;
 - 20 d. Reflects current local circumstances;
 - 21 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 22 f. Is justified by changed or changing conditions;
 - 23 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
24 designations; and
 - 25 h. Will be compatible with neighboring properties and not likely adversely affect the
26 value of those properties.

27 **Section 7. Parks, Recreation, and Open Space Plan – Findings.**

28 The Kitsap County Planning Commission finds as follows regarding the Parks, Recreation, and
29 Open Space Plan amendment:

- 30 1. The amendment updates the discussion and strategies sections of Chapter 6 (Parks,
31 Recreation, and Open Space) of the Comprehensive Plan consistent with the new 2018
32 Kitsap County Parks, Recreation, and Opens Space Plan (which is updated every 6-years)
33 adopted by the Board of County Commissioners on February 26, 2018 by Resolution No.
34 040-2018.
- 35 2. The 2018 Kitsap County Parks, Recreation, and Opens Space Plan was developed
36 through an extensive public participation process, which included:

Planning Commission Findings of Fact & Recommendation

- 1 a. More than 1,100 comments and responses were collected through an online
2 survey between August 23, 2017 and November 10, 2017;
 - 3 b. Public open houses on October 3, 2017, October 10, 2017, and October 17, 2017;
 - 4 c. A public comment period (November 1, 2017 – December 31, 2017) on the
5 preliminary draft plan;
 - 6 d. A public comment period (January 10, 2018 – February 23, 2018) on the final
7 draft plan;
 - 8 e. Public meetings on February 7, 2018, February 12, 2018, and February 26, 2018;
 - 9 f. The Kitsap County Parks and Recreation Advisory Board held a public hearing on
10 February 21, 2018;
 - 11 g. The Board of County Commissioners held a public hearing on February 12, 2018
12 and February 26, 2018.
- 13 3. On June 25, 2018, the Department of Community Development and Parks Department
14 published a staff report analyzing the amendment and recommending adoption of the
15 amendment as proposed.
 - 16 4. On June 29, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
17 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
18 Notice of the SEPA determination was published in the legal publication of record on
19 June 29, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
20 this non-project SEPA decision.
 - 21 5. The amendment, as proposed:
 - 22 a. Is supported by the Capital Facilities Plan;
 - 23 b. Is consistent with the GMA, the Countywide Planning Policies, the Kitsap County
24 Comprehensive Plan, and other applicable laws and policies;
 - 25 c. Is consistent with the applicable decision criteria in Kitsap County Code
26 21.08.070, as demonstrated in the findings and conclusions of the staff report and
27 adopted herein;
 - 28 d. Reflects current local circumstances; and
 - 29 e. Promotes the public interest and welfare of the citizens of Kitsap County.

30 **Section 8. Affordable Housing Policy Review – Findings.**

31 The Kitsap County Planning Commission finds as follows regarding the affordable housing
32 amendment:

- 33 1. The amendment adds a new strategy (Affordable Housing Inventory and Transportation
34 Analysis) to the Comprehensive Plan.
- 35 2. On June 25, 2018, the Departments of Community Development and Human Services
36 published a staff report analyzing the amendment and recommending adoption of the
37 amendment as proposed.

- 1 3. On June 29, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
2 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
3 Notice of the SEPA determination was published in the legal publication of record on
4 June 29, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
5 this non-project SEPA decision.
- 6 4. The amendment, as proposed:
 - 7 a. Is supported by the Capital Facilities Plan;
 - 8 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
9 Comprehensive Plan, and other applicable laws and policies;
 - 10 c. Is consistent with the applicable decision criteria in Kitsap County Code
11 21.08.070, as demonstrated in the findings and conclusions of the staff report and
12 adopted herein;
 - 13 d. Reflects current local circumstances; and
 - 14 e. Promotes the public interest and welfare of the citizens of Kitsap County.

15 **Section 9. Clarifying Edits – Findings.**

16 The Kitsap County Planning Commission finds as follows regarding the clarifying edits:

- 17 1. The amendment includes non-substantive edits that are for clarification or consistency
18 purposes only and do not change the intent or interpretations of policies or regulations.
- 19 2. On June 25, 2018, the Department of Community Development published a staff report
20 analyzing the amendment and recommending adoption of the amendment as proposed.
- 21 3. On June 29, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
22 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
23 Notice of the SEPA determination was published in the legal publication of record on
24 June 29, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for
25 this non-project SEPA decision.
- 26 4. On August 21, 2018, the Department of Community Development submitted a revised
27 amendment to the Planning Commission in response to public comment.
- 28 5. The amendment, as revised:
 - 29 a. Is supported by the Capital Facilities Plan;
 - 30 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
31 Comprehensive Plan, and other applicable laws and policies;
 - 32 c. Is consistent with the applicable decision criteria in Kitsap County Code
33 21.08.070, as demonstrated in the findings and conclusions of the staff report and
34 adopted herein;
 - 35 d. Reflects current local circumstances;
 - 36 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 37 f. Is justified by changed or changing conditions;

- 1 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
- 2 designations; and
- 3 h. Will be compatible with neighboring properties and not likely adversely affect the
- 4 value of those properties.

5 **Section 10. Site-specific Amendment #18-00369 (Richardson) – Findings.**

6 The Kitsap County Planning Commission finds as follows regarding site-specific amendment
7 #18-00369 (Richardson):

- 8 1. Site-specific amendment #18-00369 requested the re-designation and re-classification of
9 1.33 of 3.49 acres on two split-zoned parcels within the Central Kitsap Urban Growth
10 Area.
 - 11 a. Landowner: Lois I. Richardson
 - 12 b. Applicant: Mark Timkin
 - 13 c. Parcel Tax Acct #: 232501-4-019-2000; 232501-4-064-2004
 - 14 d. Existing Land Use Designation: Urban Low Density Residential
 - 15 e. Requested Land Use Designation: Urban High Intensity Commercial
 - 16 f. Existing Zoning Classification: Urban Restricted (1-5 du/ac)
 - 17 g. Requested Zoning Classification: Commercial (10-30 du/ac)
- 18 2. On June 25, 2018, the Department of Community Development published a staff report
19 analyzing the amendment and recommending adoption of the amendment with
20 conditions.
- 21 3. On July 5, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
22 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
23 Notice of the SEPA determination was published in the legal publication of record on
24 July 5, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for this
25 non-project SEPA decision.
- 26 4. On September 18, 2018, the Planning Commission recommended revising the conditions
27 by extending the deadline for the acquisition and transfer of development rights to June
28 30, 2024.
- 29 5. The amendment, as conditioned by the Planning Commission:
 - 30 a. Is supported by the Capital Facilities Plan;
 - 31 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
32 Comprehensive Plan, and other applicable laws and policies;
 - 33 c. Is consistent with the applicable decision criteria in Kitsap County Code
34 21.08.070, as demonstrated in the findings and conclusions of the staff report and
35 adopted herein;
 - 36 d. Reflects current local circumstances;
 - 37 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 38 f. Is justified by changed or changing conditions;

- 1 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
- 2 designations; and
- 3 h. Will be compatible with neighboring properties and not likely adversely affect the
- 4 value of those properties.

5 **Section 11. Site-specific Amendment #18-00431 (Ueland Tree Farm LLC) – Findings.**

6 The Kitsap County Planning Commission finds as follows regarding site-specific amendment
7 #18-00431 (Ueland Tree Farm LLC):

- 8 1. Site-specific amendment #18-00431 requested the re-designation and re-classification of
- 9 five parcels totaling 96.57 acres within rural Central Kitsap.
 - 10 a. Landowner: Ueland Tree Farm, LLC
 - 11 b. Applicant: Mark Mauren
 - 12 c. Parcel Tax Acct #: 242401-4-005-1008; 242401-4-006-1007; 242401-4-007-
 - 13 1006; 242401-4-008-1005; 192401-3-005-2005
 - 14 d. Existing Land Use Designation: Forest Resource Lands
 - 15 e. Requested Land Use Designation: Forest Resource Lands with Mineral Resource
 - 16 Overlay
 - 17 f. Existing Zoning Classification: Forest Resource Lands
 - 18 g. Requested Zoning Classification: Forest Resource Lands with Mineral Resource
 - 19 Overlay
- 20 2. On June 25, 2018, the Department of Community Development published a staff report
- 21 analyzing the amendment and recommending adoption of the amendment as proposed.
- 22 3. On July 5, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
- 23 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
- 24 Notice of the SEPA determination was published in the legal publication of record on
- 25 July 5, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for this
- 26 non-project SEPA decision.
- 27 4. The amendment, as proposed:
 - 28 a. Is supported by the Capital Facilities Plan;
 - 29 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
 - 30 Comprehensive Plan, and other applicable laws and policies;
 - 31 c. Is consistent with the applicable decision criteria in Kitsap County Code
 - 32 21.08.070, as demonstrated in the findings and conclusions of the staff report and
 - 33 adopted herein;
 - 34 d. Reflects current local circumstances; and
 - 35 e. Promotes the public interest and welfare of the citizens of Kitsap County;
 - 36 f. Is justified by changed or changing conditions;
 - 37 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
 - 38 designations; and
 - 39 h. Will be compatible with neighboring properties and not likely adversely affect the
 - 40 value of those properties.

1 **Section 12. Site-specific Amendment #18-00490 (Culbertson) – Findings.**

2 The Kitsap County Planning Commission finds as follows regarding site-specific amendment
3 #18-00490 (Culbertson):

- 4 1. Site-specific amendment #18-00490 requested the re-designation and re-classification of
5 two parcels totaling 69.23 acres within rural South Kitsap and adjacent to the Bremerton
6 Urban Growth Area.
- 7 a. Landowner: Roland Culbertson
 - 8 b. Applicant: Kitsap Reclamation & Materials, Inc
 - 9 c. Parcel Tax Acct #: 292401-4-029-2003; 292401-4-005-2001
 - 10 d. Existing Land Use Designation: Rural Protection
 - 11 e. Requested Land Use Designation: Rural Protection with Mineral Resource
12 Overlay
 - 13 f. Existing Zoning Classification: Rural Protection (1 DU/10 Ac)
 - 14 g. Requested Zoning Classification: Rural Protection with Mineral Resource
15 Overlay
- 16 2. On June 25, 2018, the Department of Community Development published a staff report
17 analyzing the amendment and recommending adoption of the amendment with revisions.
- 18 3. On July 5, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
19 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
20 Notice of the SEPA determination was published in the legal publication of record on
21 July 5, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for this
22 non-project SEPA decision.
- 23 4. On September 18, 2018, the Kitsap County Planning Commission deliberated and
24 determined the proposed mineral resource overlay designation is not compatible with the
25 neighboring properties and the Rural Protection zone. The Planning Commission
26 recommended:
- 27 a. Denial of the requested mineral resource overlay.
 - 28 b. Adoption of the staff recommended revision to Kitsap County Code 17.410.042
29 making aggregate extraction a conditional use in the mineral resource overlay
30 zone.
 - 31 c. Completion of a county-wide mineral resource inventory consistent with Land
32 Use Policy 78.
- 33
- 34 5. The amendment, as revised by the Planning Commission:
- 35 a. Is supported by the Capital Facilities Plan;
 - 36 b. Is consistent with the GMA, the Countywide Planning Polices, the Kitsap County
37 Comprehensive Plan, and other applicable laws and policies;
 - 38 c. Is consistent with the applicable decision criteria in Kitsap County Code
39 21.08.070;
 - 40 d. Reflects current local circumstances; and
 - 41 e. Promotes the public interest and welfare of the citizens of Kitsap County;

- 1 f. Is justified by changed or changing conditions;
- 2 g. Will not create an isolated land use designation (spot zone) unrelated to adjacent
- 3 designations; and
- 4 h. Will be compatible with neighboring properties and not likely adversely affect the
- 5 value of those properties.

6 **Section 13. Site-specific Amendment #18-00528 (Hanley Property LLC) – Findings.**

7 The Kitsap County Planning Commission finds as follows regarding site-specific amendment
8 #18-00528 (Hanley Property LLC):

- 9 1. Site-specific amendment #18-00528 requested the re-designation and re-classification of
10 three parcels totaling 1.02 acres within the Port Orchard Urban Growth Area.
 - 11 a. Landowner: Hanley Property LLC
 - 12 b. Applicant: William Palmer
 - 13 c. Parcel Tax Acct #: 312402-1-037-2004; 312402-1-038-2003; 312402-1-039-2002
 - 14 d. Existing Land Use Designation: Urban High Density Residential
 - 15 e. Requested Land Use Designation: Urban High Intensity Commercial
 - 16 f. Existing Zoning Classification: Urban High Residential (19-30 du/ac)
 - 17 g. Requested Zoning Classification: Commercial (10-30 du/ac)
- 18 2. On June 25, 2018, the Department of Community Development published a staff report
19 analyzing the amendment and recommending deferral of the proposed amendment for
20 consideration within the context of an area-wide amendment, not a site-specific
21 amendment.
- 22 3. On July 5, 2018, Kitsap County, as lead agency for the State Environmental Policy Act
23 (SEPA), issued a Determination of Non-Significance on the proposed amendment.
24 Notice of the SEPA determination was published in the legal publication of record on
25 July 5, 2018. Under KCC 21.04.290(E), there is no administrative appeal process for this
26 non-project SEPA decision.
- 27 4. The site-specific amendment, as proposed, would add an island of commercial zoning in
28 an area with existing fragmented zoning patterns and a UGA with an existing surplus of
29 commercial land capacity. The site should be considered within the context of an area-
30 wide amendment, which would enable a broader assessment of zoning in the area to
31 ensure consistent and compatible future development of the area.

Planning Commission Findings of Fact & Recommendation

1 **NOW THEREFORE**, the Kitsap County Planning Commission recommendations on the 2018
2 Comprehensive Plan amendments are as follows:

3 Non-Motorized Facilities Plan: Concur with the June 25, 2018 Staff Report recommendation to
4 adopt as proposed.

5 Kingston Urban Village Center: Concur with the June 25, 2018 Staff Report recommendation to
6 adopt as proposed.

7 George's Corner LAMIRD Boundary Adjustment: Concur with the July 16, 2018 Staff Report
8 recommendation to adopt as proposed.

9 Public Facility Designations and Park Classifications: Concur with the July 16, 2018 Staff
10 Report recommendation to adopt as proposed.

11 Parks, Recreation, and Open Space Plan: Concur with the June 25, 2018 Staff Report
12 recommendation to adopt as proposed.

13 Affordable Housing Policy Review: Concur with the June 25, 2018 Staff Report
14 recommendation to adopt as proposed.

15 Clarifying Edits: Adopt the amendment as revised and submitted by the Department of
16 Community Development on August 21, 2018.

17 Site-specific Amendment #18-00369 (Richardson): Adopt with the following conditions:

- 18 1. The acquisition and transfer of six (6) development rights consistent with KCC 17.580
19 and Resolution 217-2017 is required and must be completed by June 30, 2024 or
20 approval of this amendment will automatically expire;
- 21 2. The acquisition and transfer of development rights must be completed prior to submitting
22 any land use, development, or building application for the subject parcel(s); and
- 23 3. A notice to title containing the terms of this conditional approval must be recorded on the
24 subject parcel(s) within 90-days of approval.
- 25 4. The comprehensive plan and zoning changes will not take effect until the above
26 conditions are fulfilled.

27 Site-specific Amendment #18-00431 (Ueland Tree Farm LLC): Concur with the June 25, 2018
28 Staff Report recommendation to adopt as proposed.

29 Site-specific Amendment #18-00490 (Culbertson): Deny the requested mineral resource overlay
30 land use designation and zoning classification. Adopt the staff recommended revision to Kitsap
31 County Code 17.410.042 making aggregate extraction a conditional use in the mineral resource
32 overlay zone.

33 Site-specific Amendment #18-00528 (Hanley Property LLC): Concur with the July 10, 2018
34 Staff Report recommendation to refer review to an area-wide amendment.

35

Planning Commission Findings of Fact & Recommendation

1 APPROVED BY THE PLANNING COMMISSION OF KITSAP COUNTY,
2 WASHINGTON, AT A REGULAR MEETING THEREOF, HELD THIS 18th DAY OF
3 SEPTEMBER 2018.

4

5 BY



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GINA BUSKIRK, CHAIR