

ORDINANCE NO. 414 2008

**RELATING TO GROWTH MANAGEMENT, AMENDING AND MAKING
CORRESPONDING AMENDMENTS TO THE KITSAP COUNTY ZONING MAP**

BE IT ORDAINED:

Section 1. The Kitsap County Board of Commissioners (BCC) makes the following findings:

- 1) The Washington State Growth Management Act (GMA), RCW 36.70A.130, mandates that Kitsap County's 2006 Comprehensive Land Use Plan (Comprehensive Plan) and corresponding Zoning Code and Map be subject to continuing review and evaluation.
- 2) Kitsap County has adopted its Comprehensive Plan pursuant to GMA Chapter 36.70A RCW, and the Comprehensive Plan which includes an Urban Low Residential land use designation. The Urban Low Residential comprehensive plan designation encompasses three zoning designations, i.e., Urban Restricted Residential; Urban Low Residential; and Urban Cluster Residential. Changes between these zones do not require a comprehensive plan amendment.

Section 2. General Procedural Findings. The BCC makes the following findings regarding the process and public participation aspects for amending the Kitsap County Zoning Map:

- 1) On July 22, 2008, following timely and effective public notice, the Kitsap County Planning Commission held a work study on the Highland Woods Rezone.
- 2) On August 12, 2008, following timely and effective public notice, the Kitsap County Planning Commission held a work study on the Highland Woods Rezone.
- 3) On August 26, 2008, following timely and effective public notice, the Planning Commission held a meeting a voted unanimously to approve the Highland Woods Rezone.
- 4) On October 13, 2008, following timely and effective public notice, the Board of County Commissioners held a public hearing on the Highland Woods Rezone.

Section 3. Substantive Findings related to the Zoning Map amendments. The Board of County Commissioners makes the following findings related to the Zoning Map amendments:

- 1) Highland Woods LLC, tax parcels 052301-2-026-2009 and 052301-2-027-2008; request to re-zone 42.84 acres from Urban Cluster Residential:(UCR) to Urban Restricted Residential (UR) zoning.

- i) The BCC finds that the Planning Commission recommendation is appropriate and the proposal should be approved at this time. The Planning Commission was presented a staff report and, hence, voted to recommend approval, noting the zoning re-zone requested by applicant from UCR to UR zoning is consistent with The Kitsap County Comprehensive Plan policies and the Kitsap County-Wide Planning Policies. The BCC incorporates that Planning Commission's findings and recommendation into its findings and conclusions regarding this rezone.

Section 4. NOW THEREFORE, BE IT FURTHER ORDAINED, that the Kitsap County Board of Commissioners, based on the foregoing findings, does hereby adopt, pursuant to the Growth Management Act, Chapter 36.70A RCW, and Article 11, Section 11 of the Washington Constitution, and the Kitsap County Comprehensive Plan and Kitsap County Code:

- 1) The revised Zoning Map attached hereto as Attachment 1, including the site-specific redesignations/rezones discussed above. Specifically, the following zoning change shall be implemented:
 - a) The Highland Woods LLC parcel, as depicted on Attachment 1, is rezoned from Urban Cluster Residential to Urban Restricted Residential.

Effective Date. This ordinance shall take effect immediately.

Severability. If any provision of this ordinance or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provision to other persons, entities or circumstances is not affected.

ENACTED this 13th day of October 2008.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**



ATTEST:

Opal Robertson
Opal Robertson
Clerk of the Board

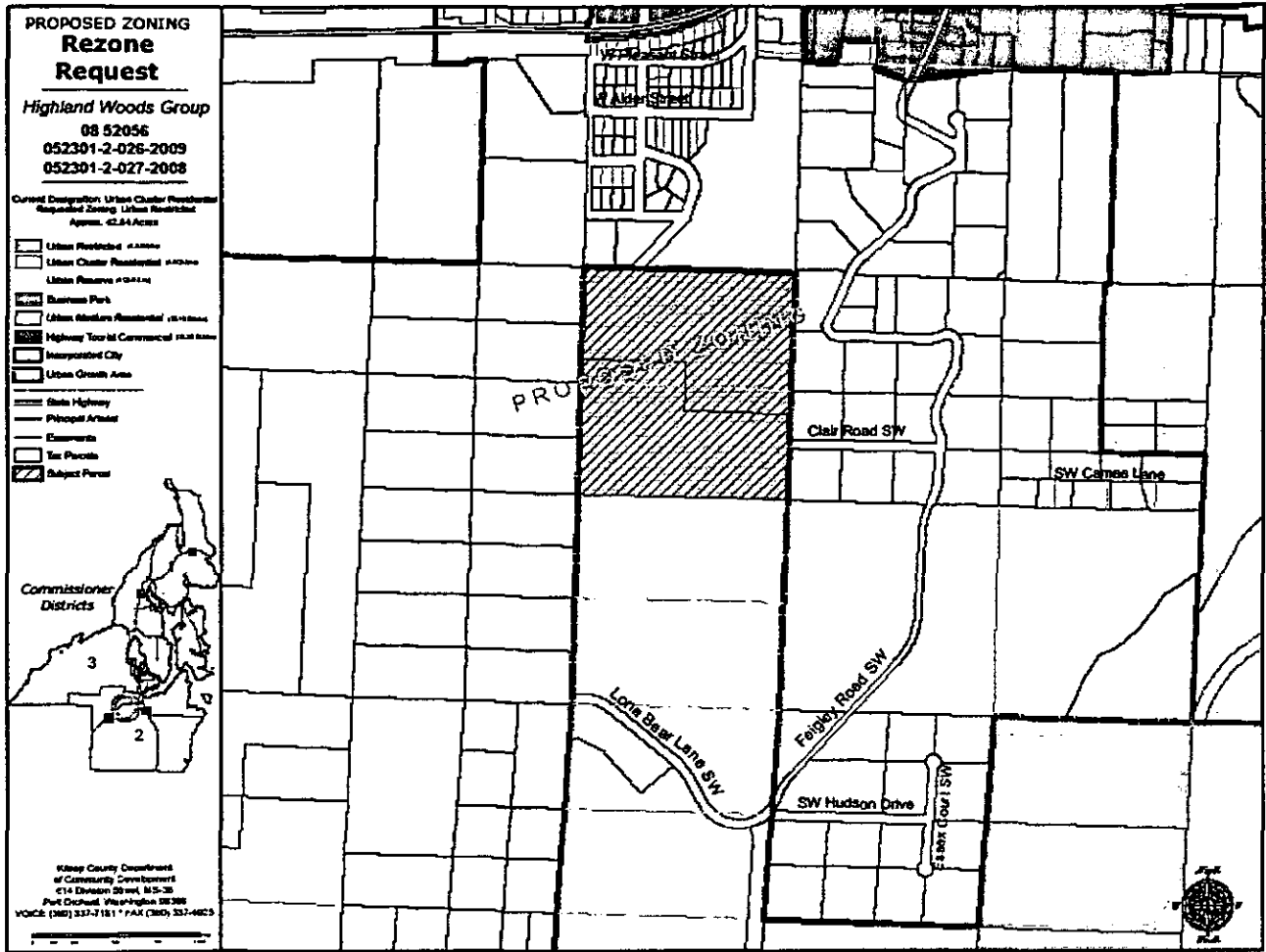
Steve Bauer
STEVE BAUER, Chair

Josh Brown
JOSH BROWN, Commissioner

Jan Angel
JAN ANGEL, Commissioner

Approved as to form:

Shelley E. Kneip
Deputy Prosecuting Attorney



ATTACHMENT 1

**KITSAP COUNTY
COMPREHENSIVE LAND USE MAP
and ZONING MAP**

Ord# 414-2008