

ORDINANCE NO. 493-2012

ORDINANCE REGARDING 2012 UGA REMAND COMPREHENSIVE PLAN UPDATE TO KITSAP COUNTY COMPREHENSIVE PLAN

BE IT ORDAINED:

Section 1. **General Findings.** The Kitsap County Board of Commissioners makes the following findings:

1. On May 7, 1998, the Board of County Commissioners (Board) adopted the 1998 Kitsap County Comprehensive Plan. Adoption of the 1998 plan satisfied the requirements set forth in the Growth Management Act (GMA).
2. On December 11, 2006, the Board adopted amendments to the Comprehensive Plan and associated development code in accordance with the requirements for a 10-Year Update. This Comprehensive Plan was appealed to the Central Puget Sound Growth Management Hearings Board (CPSGMHB), case No. 07-3-0019c. This CPSGMHB found the updated Comprehensive Plan, other than wastewater planning and Rural Wooded Incentive Program, to be compliant with GMA. On June 5, 2008, the CPSGMHB found the entire Comprehensive Plan to be GMA compliant. The petitioners challenged this ruling to Thurston County Superior Court, where the Court upheld the Board's ruling in January, 2009 and found the Plan in compliance. Subsequently, the petitioners appealed to the Washington State Court of Appeals, Division II.
3. On July 7, 2010, the Washington State Court of Appeals, reversed in part the original CPSGMHB compliant order and remanded the decision back to the CPSGMHB for review and decision.
4. On August 31, 2011, the CPSGMHB issued a final decision and order on remand to Kitsap County. *Suquamish Tribe et al. v. Kitsap County*; CPSGMHB No. 07-3-0019c. The decision focused on three issues and includes:
 - **Urban Density/Minimum Densities.** The CPSGMHB found local circumstances did not support the County's reduction of minimum densities in its UGAs from five to four dwelling units per acre in the Urban Low and Urban Cluster Residential designations. The Board concluded the reduction and resultant UGA expansion created inconsistencies with the comprehensive plan, did not comply with RCW 36.70A. 110, and was not guided by GMA Goals 1 and 2 on Urban Growth and Reducing Sprawl, respectively.
 - **Land Capacity Analysis - Accounting for Environmentally Critical Areas Twice.** The CPSGMHB determined the County "double-dipped" and that it discounted twice for constrained lands in its Urban Restricted designation. Specifically, the County's use of a lower zoning that accounts for critical areas after critical areas were already discounted understates the actual capacity for development of Urban Restricted designated lands.
 - **Land Capacity Analysis - Minimum Density.** The CPSGMHB found four dwelling units per acre was not an appropriate capacity multiplier in the County's Urban Low and Urban Cluster designations; it is not a supportable measure of capacity based on local

circumstances; and is not consistent with the GMA Goals, the Buildable Lands Report (BLR) and the County's Comprehensive Plan.

5. In response to the CPSGMHB decision County began review of eight out of ten Urban Growth Areas (UGAs) that had been challenged and addressed in the Remand Order. These UGAs consist of:
 - Kingston
 - Silverdale
 - Central Kitsap
 - East Bremerton
 - West Bremerton
 - Gorst
 - McCormick Woods/ULID#6, and
 - Port Orchard/South Kitsap

Section 2. General Procedural Findings. The Kitsap County Board of Commissioners makes the following findings regarding the public participation process of the 2012 Comprehensive Plan Remand:

1. Over the course of November 2011 through May 2012, Kitsap County staff met with local community groups, councils, chambers of commerce, appellants and capital service providers to discuss the Hearings Board Remand Order, associated schedule, as well as draft documents for public review and comment.
2. On November 7 and 10, 2010, following timely and effective public notice, Kitsap County held two public open houses and workshops to discuss the Hearings Board Remand Order, associated schedule, as well as visioning of Urban Growth Areas and associated capital facilities service.
3. On January 25 and 26, 2012, following timely and effective public notice, Kitsap County held two public open houses to review and comment on the preliminary draft land use alternatives and the associated land capacity analysis assumptions.
4. On February 6, 2012, following timely and effective public notice, the Board held a special public hearing to consider testimony on the range of alternatives to be analyzed in the Draft Supplemental Environmental Impact Statement (SEIS) Capital Facilities Plan, proposed Development Regulations and Comprehensive Plan amendments.
5. On February 13, 2012, following a timely and effective notice, the Board held a work-study session to select the range of alternatives and policy concepts to be analyzed in the draft documents.
6. On May 7, 2012, Kitsap County issued a notice of availability and application for the Draft SEIS, Capital Facilities Plan, Proposed Development Regulations and Comprehensive Plan

amendments for a 30-day public, tribe and agency review and comment period. The comment period closed on June 6, 2012.

7. On May 7, 2012, Kitsap County mailed postcards to 4,913 property owners notifying them of proposed zoning changes on their property.
8. On May 15 and 17, 2012, following timely and effective public notice, Kitsap County held two open houses on the Draft SEIS, Capital Facilities Plan, Proposed Development Regulations and Comprehensive Plan amendments.
9. On May 21, 2012, following timely and effective public notice, the Board and Planning Commission held a joint administration briefing to discuss contents of the Draft SEIS, Capital Facilities Plan, proposed Development Regulations and Comprehensive Plan amendments.
10. On June 4, 2012, following timely and effective public notice, the Board held a public hearing to consider public testimony and written comment on the proposed draft documents.
11. On June 6, 2012, the 30-day comment period closed on the Draft SEIS, Capital Facilities Plan, proposed Development Regulations and Comprehensive Plan amendments.
12. On June 11 and 18, 2012, following timely and effective public notice, the Board began deliberations and approved a preferred land use alternative, plan policy document, and associated development regulations.
13. On August 10, 2012, Kitsap County issued a notice of Final SEIS availability and notice of intent to adopt in the newspaper of record.
14. On August 27, 2012, following a timely and effective notice, the Board held a public hearing to consider testimony on the Final SEIS, Preferred Alternative, Capital Facilities Plan, as well as proposed Development Regulations and Comprehensive Plan amendments. The Board closed the hearing for public testimony and continued the hearing for decision only.
15. On August 29, 2012, the Board continued its public hearing from August 27, 2011 to deliberate on the proposed comprehensive plan amendments, map amendments and capital facilities plan amendments.
16. On August 29, 2012, Kitsap County issued a SEPA addendum pursuant to WAC 197-11-560(5) and 197-11-625.

Section 3. Substantive Findings. The Board of County Commissioners makes the following findings with respect to the amendments to the Comprehensive Plan and Capital Facilities Plan:

1. These amendments were developed in consideration of the goals of the GMA for the development of local comprehensive plans, as codified at RCW 36.70A.020, and reflect a careful balancing these goals within the local conditions of Kitsap County.
2. These amendments were developed according to and are found to comply with the requirements of the GMA, chapter 36.70A RCW.

3. The amendments adopted by this ordinance are within the range of the alternatives analyzed in the Draft SEIS and Final SEIS.
4. There has been early and continuous public participation in the review of the proposed amendments, as required by the GMA, and consistent with KCC 21.08 and the State Environmental Policy Act.
5. The Board bases its findings and conclusions on the entire record and all of the testimony, oral or written, and exhibits submitted to the Board. Any finding that should be deemed a conclusion, and any conclusion that should be deemed a finding, is hereby adopted as such.
6. The Board has considered the following criteria consistent with Kitsap County Code Sections 21.08.160 and 21.08.170, and makes the following findings:
 - a. Circumstances in Kitsap County have substantially changed since the adoption of the 1998 Comprehensive Plan and/or subsequent amendments;
 - b. New information is available that was not considered in the adoption of the 1998 Comprehensive Plan and/or subsequent amendments;
 - c. The proposed amendments are consistent with or support other plan elements and/or development regulations;
 - d. The proposed amendments reflect the goals, objectives and policies of the Comprehensive Plan;
 - e. The proposed amendments are consistent with the Countywide Planning Policies; and
 - f. The proposed amendments are compliant with the requirements of the Growth Management Act.
7. The Board has reviewed the Central Puget Sound Growth Management Hearings Board Decision in *Suquamish Tribe et al. v. Kitsap County*; CPSGMHB No. 07-3-0019c. Final Decision & Order on Remand (8/31/2011). The Board finds that the remand issue has been addressed and resolved.

Section 4. NOW THEREFORE, BE IT FURTHER ORDAINED, that the Kitsap County Board of Commissioners, based on the foregoing findings, hereby:

1. Approves the Preferred Alternative for the Kingston, Silverdale, Central Kitsap, East Bremerton, West Bremerton, Gorst, McCormick Woods/ULID#6 and Port Orchard/South Kitsap Urban Growth Areas (UGAs).
2. Approves Comprehensive Plan, Capital Facilities and Development Regulation Amendments dated August 2012 as reflected in Attachment A, incorporated herein by this reference.
3. Approves the Draft and Final Supplemental Environmental Impact Statements (SEIS) dated May and August 2012. These environmental documents are intended to supplement the 2006 Draft and Final Environmental Impact Statements. The Draft and Final SEIS is in Attachment B, incorporated herein by this reference.

4. Approves and implements the revised land capacity methodology and assumptions for sizing UGAs as summarized in the Draft and Final SEIS (Attachment B).
5. Approves an increase in minimum density, from 4-9 dwelling units per acre to 5-9 dwelling units per acre for the Urban Low and Urban Cluster Residential zoning classifications as summarized in Attachments A and B.
6. Approves a new urban zoning classification Senior Living Homestead, with densities ranging from 5-9 dwelling units per acre. This zoning classification is located in the Central Kitsap UGA and applied to the properties commonly known as Royal Valley and Minder Farms.
7. Approves any amendments, incorporated herein by reference as indicated in Attachment C and Attachment D, to the Comprehensive Plan, Capital Facilities Plan and Draft and Final SEIS reflected in Attachments A and B.

Section 5. Effective Date: This Ordinance shall take effect on **August 31, 2012.**

Section 6. Severability: If any sentence, section, provision, or clause of this ordinance or its application to any person, entity or circumstance is for any reason held invalid or unconstitutional, the remainder of the ordinance, or the application of the provision to other persons, entities, or circumstances is not affected.

Section 7. Scrivener's Error: Should any amendment to Kitsap County Comprehensive Plan, Capital Facilities Plan and Development Code that was passed by the Board during its deliberations be inadvertently left out upon publication, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board.

DATED this 21st day of August, 2012.



ATTEST:

Dana Daniels
 Dana Daniels
 Clerk of the Board

KITSAP COUNTY BOARD OF COMMISSIONERS

Robert Gelder
 ROBERT GELDER, Chair

Josh Brown
 JOSH BROWN, Commissioner

Charlotte Garrido
 CHARLOTTE GARRIDO, Commissioner

Approved as to Form:



Shelley Kneip
Deputy Prosecuting Attorney

Unofficial Copy

ATTACHMENT C

**KITSAP COUNTY COMPREHENSIVE PLAN UPDATE
Edits from Public Testimony and Staff Review**

AUDITOR'S NOTE
LEGIBILITY FOR RECORDING AND COPYING
UNSATISFACTORY IN A PORTION OF THIS
INSTRUMENT WHEN RECEIVED.

The table below is intended to illustrate revisions for the Final draft documents related to the 2012 Urban Growth Area (UGA) Remand Process released on August 10, 2012. These final draft documents include a Final Supplemental Environmental Impact Statement (FSEIS), Comprehensive Plan Amendments, a final Capital Facility Plan (CFP), and Kitsap County Code Amendments for Titles 13 (Water and Sewer), 17 (Zoning) and 18 (Environment). This table is based upon public testimony received as of August 27, 2012. The Board of County Commissioners deliberated and approved the Final documents at their August 29, 2012 briefing. Revisions are highlighted yellow.

1	FSEIS	South Kitsap Fire and Rescue (SKFR)	<p>Table 3.3-9 of the Draft SEIS. Kitsap County Fire Protection Inventory SKFR Fire Rating: 5</p>	<p>Add correction Section 4.3.8 in FSEIS amending Table 3.3-9 of the Draft SEIS. Kitsap County Fire Protection Inventory SKFR Fire Rating: 4.5</p>	<p>Approve proposed revision.</p>
2	CFP Exhibit 48	South Kitsap Fire and Rescue (SKFR)	<p>Kitsap County Fire Protection Inventory SKFR Fire Rating: 5</p>	<p>Kitsap County Fire Protection Inventory SKFR Fire Rating: 4.5</p>	<p>Approve proposed revision.</p>
3	Comprehensive Plan Section 2.2.4 ULD #6/McCormick UGA	City of Port Orchard	<p>The ULD #6/McCormick UGA is located southwest of the City of Port Orchard, and totals approximately 2,213 2,400 gross acres in size. The UGA is characterized by relatively recent suburban type single-family residential development and a golf course. As of April 2012, the ULD #6/McCormick UGA is almost entirely annexed by the City of Port Orchard. The remaining unincorporated UGA portions contain public facilities that serve only the UGA. It is expected these parcels, which are owned by the City of Port Orchard, will be annexed in the future. currently unassociated with two abutting incorporated jurisdictions, the cities of Bremerton and Port Orchard. With sewer service provided by City of Port Orchard and water by both Bremerton and Port Orchard, association discussions will have to specifically include agreements about the future of these and other urban services. Additionally, with the close proximity of this UGA to the Port Orchard/South Kitsap, SKIA and Gort UGAs, association will require enhanced coordination to ensure the logical annexations throughout the south end. Goals and policies specifically for the</p>	<p>The ULD #6/McCormick UGA is located southwest of the city of Port Orchard, and totals approximately 2,213 2,400 gross acres in size. The UGA is characterized by relatively recent suburban type single-family residential development and a golf course. As of April 2012, the ULD #6/McCormick UGA is almost entirely annexed by the City of Port Orchard. The remaining unincorporated UGA portions contain public facilities that serve only the UGA. It is expected these parcels, which are owned by the City of Port Orchard, will be annexed in the future. currently unassociated with two abutting incorporated jurisdictions, the cities of Bremerton and Port Orchard. With sewer service provided by City of Port Orchard and water by both Bremerton and Port Orchard, association discussions will have to specifically include agreements about the future of these and other urban services. Additionally, with the close proximity of this UGA to the Port Orchard/South Kitsap, SKIA and Gort UGAs, association will require enhanced coordination to ensure the logical annexations throughout the south end. Goals and policies specifically for the ULD #6</p>	<p>Approve revision with edits as follows: The ULD #6/McCormick UGA is located southwest of the City of Port Orchard, and totals approximately 2,213-2,400 gross acres in size. The UGA is characterized by relatively recent suburban type single-family residential development and a golf course. As of April 2012, the ULD #6/McCormick UGA is almost entirely annexed by the City of Port Orchard. The remaining unincorporated UGA portions contain public facilities that serve only the UGA. It is expected these parcels, which are owned by the City of Port Orchard, will be annexed in the future. currently unassociated with two abutting incorporated jurisdictions, the cities of Bremerton and Port Orchard. With sewer service provided by City of Port Orchard and water by both Bremerton and Port Orchard, association discussions will have to specifically include agreements about the future of these and other urban services. Additionally, with the close proximity of this UGA to the Port Orchard/South Kitsap, SKIA and Gort UGAs, association will require enhanced coordination to ensure the logical</p>

		<p>UJLD #6 UGA can be found in Chapter 15. Additionally, as part of the 2012 UGA Remand process, it was determined that the UJLD #6/McCormick UGA was oversized in the 2006 Comprehensive Plan with an excess population of 1,313 people. However, with the full annexation of the area within the UGA in April 2012, adjustment to the boundary is not legally possible. Consistent with policy LU-15, any future population allocation discussions at the Kitsap Regional Coordination Council should address this overage prior to any new population being distributed.</p>	<p>UGA can be found in Chapter 15. Additionally, as part of the 2012 UGA Remand process, it was determined that the UJLD #6/McCormick UGA was oversized in the 2006 Comprehensive Plan with an excess population of 1,313 people. However, with the full annexation of the area within the UGA in April 2012, the area is now fully within the incorporated municipal limits of the City of Port Orchard. Adjustment to the boundary is not legally possible. Consistent with policy LU-15, any future population allocation discussions should coordinate with the City of Port Orchard through their comprehensive planning efforts in addressing future population allocations with the Kitsap Regional Coordinating Council. at the Kitsap Regional Coordination Council should address this overage prior to any new population being distributed.</p>	<p>annexations throughout the south end. Goals and policies specifically for the UJLD #6 UGA can be found in Chapter 15. Additionally, as part of the 2012 UGA Remand process, it was determined that the UJLD #6/McCormick UGA was oversized in the 2006 Comprehensive Plan with an excess population of 1,313 people. However, in April 2012 with the majority of the area full has been annexed then of the area within the UGA by the City of Port Orchard. Adjustment to the boundary is not legally possible. Consistent with policy LU-15, any future population allocation discussions should be coordinated with the City of Port Orchard through its comprehensive planning efforts, as well as addressing future population allocations through the Kitsap Regional Coordinating Council with the expectation that the Kitsap Regional Coordinating Council will address these issues prior to any new population being distributed. at the Kitsap Regional Coordination Council should address this overage prior to any new population being distributed.</p> <p>Approve revision with edits as follows:</p> <p>Coordinate with the City of Port Orchard to resolve any South Kitsap population allocations through Future County and City comprehensive planning efforts and with the expectation that any population issues will be addressed through the Kitsap Regional Coordinating Council to address these issues prior to any new population being distributed.</p>
<p>4</p>	<p>Comprehensive Plan Section 2.2.4 Policy LU-15 and Section 13.1 Policy POSK-7</p> <p>City of Port Orchard</p>	<p>Policy LU-15 and POSK-7 Resolve the oversizing of the UJLD #3/McCormick UGA before allocating any new population to the South Kitsap area through the KRCC.</p>	<p>Policy LU-15 and POSK-7 Coordinate with the City of Port Orchard for resolution of any South Kitsap population allocations through future comprehensive planning efforts with the Kitsap Regional Coordinating Council. Resolve the oversizing of the UJLD #3/McCormick UGA before allocating any new population to the South Kitsap area through the KRCC.</p> <p>Revise language as shown below:</p>	<p>Resolve the oversizing of the UJLD #3/McCormick UGA before allocating any new population to the South Kitsap area through the KRCC. Revise language as shown below:</p>
<p>5</p>	<p>Title 17 Senior Living Code</p> <p>Paulson Road Citizen Comments</p>	<p>C. All projects must include a large-scale, integrated portion of its gross acreage in open space, of which 20% of such open space must be located outside of critical areas and their buffers. Passive recreational amenities including regional and local trail systems are encouraged as part of the open space.</p>	<p>C. All projects must include a large-scale, connected and integrated portion of its gross acreage in open space, of which 20% of such open space must be located outside of critical areas and their buffers. The open space shall be configured as to provide wildlife connectivity through the project site. Passive recreational amenities including regional and local trail systems are encouraged as part of the open space.</p>	<p>C. All projects must include a large-scale, connected and integrated portion of its gross acreage in open space, of which 20% of such open space must be located outside of critical areas and their buffers. The open space shall be configured as to provide wildlife connectivity through the project site. Passive recreational amenities including regional and local trail systems are encouraged as part of the open space.</p>

6	<p>Title 17 Senior Living Code</p>	<p>Paulson Road Citizen Comments</p>	<p>E. Vehicular access to NE Paulson Road is limited to emergency vehicles only. Any emergency accesses to NE Paulson Road must be constructed with gates, bollards or other moveable barriers to meet this requirement.</p>	<p>E. All new vehicular access to NE Paulson Road is limited to emergency vehicles only. Any emergency vehicle accesses to NE Paulson Road must be constructed with gates, bollards or other moveable barriers to meet this requirement. All existing access points onto NE Paulson Road shall be decommissioned with the approval of any new development. Provided, that any existing access to existing residential or agricultural uses may continue; limited to the user's trip generation as of August 31, 2012.</p>
7	<p>Title 17 Sewer Connection Section 17.383.010</p>	<p>Project staff</p>	<p>17.383.010 Applicability. The regulations apply to both urban and rural development. Additional wastewater requirements located in Kitsap County Code and other applicable local and state regulations shall also apply. These regulations apply to all development proposed after the effective date of the ordinance codified in this chapter and located outside of urban growth areas (UGAs) and limited areas of more intensive rural development (LAMIRDs).</p> <p>17.383.020 Definitions. Public Sewer Connection in UGAs. In accordance with KCC 13.12.020, Health District Ordinance 2008A-01 and WAC 246-272A-0025, all new development or existing development requiring a replacement on-site septic system and is located within an urban growth area must connect to public sewer if the property is within two hundred (200) feet of an existing public sewer main that has adequate capacity for the development.</p>	<p>17.383.010 Applicability. The regulations apply to both urban and rural development. Additional wastewater requirements located in Kitsap County Code and other applicable local and state regulations shall also apply. These regulations apply to all development proposed after the effective date of the ordinance codified in this chapter and located outside of urban growth areas (UGAs) and limited areas of more intensive rural development (LAMIRDs).</p> <p>17.383.020 Definitions. Public Sewer Connection in UGAs. In accordance with KCC 13.12.020, Health District Ordinance 2008A-01 and WAC 246-272A-0025, all new development or existing development requiring a replacement on-site septic system and that is located within an urban growth area must connect to public sewer if the property is within two hundred (200) feet of an existing public sewer main that has adequate capacity for the development.</p>
8	<p>Title 17 Sewer Connection Section 17.383.020</p>	<p>Project staff</p>	<p>A. "Public sewer system" means a sewerage system which is: 1. Owned and operated by a city, town, county, or other municipal corporation such as a water, sewer, or water-sewer district, public utility district, port district, or federal, state, local agency or department thereof, or a person regulated by the Utilities and Transportation Commission; and 2. Consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal of sewage; and 3. Approved by or under permit from the Department of Ecology; the Department of Health or the local health officer; and 4. Located within a UGA or LAMIRD or otherwise approved pursuant to RCW 36.70A.110(4).</p> <p>B. "Community sewage disposal system" means any system of piping, treatment devices and/or other</p>	<p>A. "Public sewer system" means a sewerage system which is: 1. Owned and operated by a city, town, county, or other municipal corporation such as a water, sewer, or water-sewer district, public utility district, port district, or federal, state, local agency or department thereof, or a person regulated by the Utilities and Transportation Commission; and 2. Consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal of sewage; and 3. Approved by or under permit from the Department of Ecology; the Department of Health or the local health officer; and 4. Located within a UGA or LAMIRD or otherwise approved pursuant to RCW 36.70A.110(4).</p> <p>B. "Community sewage disposal system" means any system of piping, treatment devices and/or other</p> <p>Approve proposed revision.</p>

		<p>facilities which:</p> <ol style="list-style-type: none"> 1. Conveys, stores, treats and/or provides subsurface soil treatment and disposal on site or on adjacent or nearby property under the control of the users; and 2. The system is not connected to a public sewer system; and 3. Is designed to serve more than one single-family dwelling or one multi-family dwelling but the design capacity does not exceed three thousand five hundred gallons of sewage volume per day. <p>C- "Large on-site sewage system (LOSS)" means an on-site sewage system (OSS) that consists of an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats, and provides subsurface soil treatment and disposal of domestic sewage with design flows of at least three thousand five hundred gallons of sewage volume per day up to and including one hundred thousand gallons of sewage volume per day.</p>	<p>facilities which:</p> <ol style="list-style-type: none"> 1. Conveys, stores, treats and/or provides subsurface soil treatment and disposal on site or on adjacent or nearby property under the control of the users; and 2. The system is not connected to a public sewer system; and 3. Is designed to serve more than one single-family dwelling or one multi-family dwelling but the design capacity does not exceed three thousand five hundred gallons of sewage volume per day. <p>C- "Large on-site sewage system (LOSS)" means an on-site sewage system (OSS) that consists of an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats, and provides subsurface soil treatment and disposal of domestic sewage with design flows of at least three thousand five hundred gallons of sewage volume per day up to and including one hundred thousand gallons of sewage volume per day.</p>	
<p>9</p>	<p>Title 18 Silverdale SEPA Exemption Section 18.04.100</p>	<p>Project staff</p> <p>18.04.100 Categorical exemptions for infill development:</p> <p>A. In order to accommodate infill development in the Silverdale Infill Area, except for in the Urban Low Residential (UL) and Urban Restricted (UR) zones, the county establishes the following exempt levels for construction of residential developments, mixed use, and commercial non-retail developments under RCW 43.21C.229.</p> <ol style="list-style-type: none"> 1. For residential developments in the Urban Medium Residential (UM) and Urban High Residential (UH) zones, up to the maximum total number of available trips in the Silverdale Mixed Use Infill Trip Bank, as established by the department of public works; or 2. For (a) mixed use developments or (b) commercial (non-retail) developments in the Neighborhood Commercial (NC), Highway/Tourist Commercial (HTC), Regional Commercial (RC), and Mixed Use (MU) zones, up to the maximum total number of available trips in the Silverdale Mixed Use Infill Trip Bank, as established in subsection 3 below by the department of public works. The 	<p>18.04.100 Categorical exemptions for infill development:</p> <p>A. In order to accommodate infill development in the Silverdale Infill Area, except for in the Urban Low Residential (UL) and Urban Restricted (UR) zones, the county establishes the following exempt levels for construction of residential developments, mixed use, and commercial non-retail developments under RCW 43.21C.229.</p> <ol style="list-style-type: none"> 1. For residential developments in the Urban Medium Residential (UM) and Urban High Residential (UH) zones, up to the maximum total number of available trips in the Silverdale Mixed Use Infill Trip Bank, as established by the department of public works; or 2. For (a) mixed use developments or (b) commercial (non-retail) developments in the Neighborhood Commercial (NC), Highway/Tourist Commercial (HTC), Regional Commercial (RC), and Mixed Use (MU) zones, up to the maximum total number of available trips in the Silverdale Mixed Use Infill Trip Bank, as established in subsection 3 below by the department of public works. The 	<p>Approve proposed revision.</p>

	<p>exemption does not apply to stand-alone non-retail commercial development shall exceed 65,000 square feet in size.</p> <p>3. The Silverdale Mixed Use Infill Trip Bank is as follows: referred to in this part was established with the Kitsap County 201206 Comprehensive Plan Update (Ordinances 368-2006 and 370-2006)-</p> <p>a. The residential and mixed use trip bank equals 775 new trips between 2010 and 2025.</p> <p>b. The commercial (non-retail) trip bank equals 6,280 trips new trips between 2010 and 2025.</p> <p>B. In determining whether or not a proposal is exempt, the department shall consider a traffic analysis based on the quantity of development units and the related applicable trip generation. The traffic analysis shall be filed by the applicant at the same time as an application for a permit, license, certificate or other approval. Traffic analysis will follow Traffic Impact Analysis guidelines as set forth in Chapter 20.04. Developments that qualify for this SEPA exemption would still be subject to the Transportation Facilities Concurrency Ordinance (Chapter 20.04). Development will be allowed under this exemption up to the point that all the trips in the trip bank have been taken, unless denied by concurrency.</p> <p>C. Upon approval of the proposal according to the provisions of Title 21, the department shall document the change in total available trips in accordance with adopted administrative guidelines. These exempt levels are not applicable once the total available trips have been utilized.</p> <p>D. The department of public works will monitor the total number of trips taken from the Silverdale Mixed Use Infill Trip Bank as part of the development approval process.</p>	<p>exemption does not apply to stand-alone non-retail commercial development that shall exceed 65,000 square feet in size.</p> <p>3. The Silverdale Mixed Use Infill Trip Bank is as follows: referred to in this part was established with the Kitsap County 201206 Comprehensive Plan Update (Ordinances 368-2006 and 370-2006)-</p> <p>a. The residential and mixed use trip bank equals 775 new trips between 2010 and 2025.</p> <p>b. The commercial (non-retail) trip bank equals 6,280 trips new trips between 2010 and 2025.</p> <p>B. In determining whether or not a proposal is exempt, the department shall consider a traffic analysis based on the quantity of development units and the related applicable trip generation. The traffic analysis shall be filed by the applicant at the same time as an application for a permit, license, certificate or other approval. Traffic analysis will follow Traffic Impact Analysis guidelines as set forth in Chapter 20.04. Developments that qualify for this SEPA exemption would still be subject to the Transportation Facilities Concurrency Ordinance (Chapter 20.04). Development will be allowed under this exemption up to the point that all the trips in the trip bank have been taken, unless denied by concurrency.</p> <p>C. Upon approval of the proposal according to the provisions of Title 21, the department shall document the change in total available trips in accordance with adopted administrative guidelines. These exempt levels are not applicable once the total available trips have been utilized.</p> <p>D. The department of public works will monitor the total number of trips taken from the Silverdale Mixed Use Infill Trip Bank as part of the development approval process.</p>	
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ATTACHMENT D**ADDENDUM TO:****Kitsap County Urban Growth Area (UGA) Sizing and Composition
Remand Final Supplemental Environmental Impact Statement (SEIS)**

Draft SEIS: May 7, 2012
Final SEIS: August 10, 2012

DESCRIPTION OF PROPOSAL AND PREFERRED ALTERNATIVE UPDATES

The Proposed Action consists of amendments to Kitsap County's Comprehensive Plan approved by the County in 2006 consistent with the Growth Management Act (GMA) 10-year update review cycle. The proposed Comprehensive Plan amendments are the result of a remand by the Central Puget Sound Growth Management Hearings Board (CPSGMHB) requiring the County to revisit its Urban Growth Areas (UGAs) to ensure that the County's residential land capacity assumptions reflect local conditions and GMA goals for future growth. As a result of reviewing UGA residential capacities and sizing, the County is also proposing consistency amendments with its adopted Comprehensive Plan Elements, including land use, capital facilities, and others.

The Draft and Final Supplemental Environmental Impact Statement (SEIS) addressed four alternatives: No Action, Alternative 1, Alternative 2, and the Preferred Alternative. The No Action Alternative is required by SEPA and is the continuation of the current Comprehensive Plan adopted in 2006. Alternatives 1 and 2 and the Preferred Alternative review different UGA capacities and boundaries.

Within the range of studied alternatives, the Preferred Alternative assumes amendment of the current Comprehensive Plan to address the Remand. Goals, policies, land use designations and zoning, would be modified. On the whole, the Preferred Alternative would reduce UGA boundaries based on modified densities and land capacity deduction factors reflecting local circumstances and trends.

Kitsap County issued the above referenced Final SEIS on August 10, 2012 together with the proposed Comprehensive Plan and development regulation amendments. The documents were made available in advance of a public hearing held on August 27, 2012 before the Board of County Commissioners. As a result of testimony and comments received between August 10 and 27, 2012, Kitsap County is proposing minor modifications of the Preferred Alternative, listed as follows:

- **Comprehensive Plan Policies:** Clarification on a policy and text referencing coordination with the City of Port Orchard and the Kitsap Regional Coordinating Council (KRCC) regarding population allocations
- **Capital Facilities Plan:** Correction to the fire rating data associated with South Kitsap Fire and Rescue (see clarifications and corrections below for corresponding changes in the Final SEIS).
- **Development Regulations:**

- o Editorial corrections (e.g. grammar) to Title 17 and 18 amendments regarding sewer connection and SEPA infill exemptions, and
- o Clarification of performance standards in the proposed Title 17 Senior Living Code applied to a portion of the Central Kitsap UGA as follows: clarify that open space should be configured to function as a wildlife corridor and clarify access limitations on NE Paulson Road.

The minor modifications clarify proposed policies and regulations but maintain the County's intent to provide for an appropriate County-City coordination process regarding Port Orchard population allocations, and to reduce potential built and natural environment effects in the Central Kitsap UGA.

This addendum provides additional information that does not substantially change the analysis of significant impacts and alternatives in the Final SEIS. The minor modifications to the Preferred Alternative do not change the proposed Urban Growth Area boundaries, land use designations, zoning, or land capacity.

UPDATED CLARIFICATIONS AND CORRECTIONS

Amend Table 3.3-9 of the Draft SEIS, and add as a correction to Section 4.3.8 of the Final SEIS, showing the South Kitsap Fire and Rescue district having a Class 4 fire insurance rating, as follows:

Table 3.3-9. Fire Protection Facilities Inventory

Fire Protection Provider	Number of Stations	Fire Rating	Fire Units ¹	EMS Services	Service Area Population (2010) ²
Central Kitsap Fire & Rescue (Service areas include FPD No 1)	12	4	35	Yes	68,406
South Kitsap Fire & Rescue (includes FPD No. 7 and City of Port Orchard)	16	4 ⁵	36	Yes	72,329
North Kitsap Fire & Rescue (service area also includes FPD No. 14)	5	5	13	Yes	18,622
Poulsbo Fire Department (service area includes FPD No. 18 and city of Poulsbo)	4	4	13	Yes	23,594
		(within city limits)			
		5			
		(outside city limits)			

¹ A unit is the combination of vehicles and equipment that responds to a fire or Emergency Medical Services situation, including engines, ladder trucks, water tenders, rescue units, aid cars and ambulances, and rehabilitation units but not staff or miscellaneous vehicles.

² Service Area Population estimates are from the Office of Financial Management's annual Small Areas Population estimates for 2010. For this purposes of this analysis only 2010 year estimates are presented even though there are new OFM Small Area Population estimates for 2011. This analysis uses 2010 to keep this number comparable to other populations presented in this analysis, which are based on the 2010 US Census. Numbers presented in individual district's plans may reflect the 2011 estimates or individual district estimates and therefore differ slightly from this table.

Source: Individual Fire Protection Districts.