

ORDINANCE No. 383-2007

RELATING TO GROWTH MANAGEMENT AND REPEALING THE INDUSTRIAL MULTI-PURPOSE RECREATIONAL AREA COMPREHENSIVE PLAN POLICY AND LAND USE DESIGNATION, AS WELL AS ASSOCIATED URBAN HOLDING AREA ZONING CLASSIFICATION AND DEVELOPMENT REGULATIONS

BE IT ORDAINED:

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

1. The GMA, pursuant to RCW 36.70A.130(3), requires Kitsap County to "review, at least every ten years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area." Additionally, "[t]he county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period."
2. On December 11, 2006, Kitsap County completed its 10-year update to the Comprehensive Plan pursuant to RCW 36.70A.130(3) and enacted Ordinance 367-2006, Ordinance 368-2006, Ordinance 369-2006 and Ordinance 370-2006 adopting the 2006 10-year Comprehensive Plan Update, the Draft and Final Environmental Impact Statements, and amendments to Kitsap County Code Titles 17, 18, and 21. Within these Ordinances, Kitsap County adopted certain revisions pertaining to the Industrial Multi-Purpose Recreation Area (IMPRA) and the Urban Holding Area (UHA) Zone located within the South Kitsap Industrial Area (SKIA) urban growth area (UGA).
3. On December 20, 2006, Kitsap County published a notice of adoption with the newspaper of record. This notice initiated the 60-day appeal period for the 10-year Update to the Comprehensive Plan.
4. On January 22, 2007, these revisions relating to the IMPRA and the UHA zone were appealed to the Central Puget Sound Growth Management Hearings Board (CPSGMHB) in the case *CHECK et al. v. Kitsap County*, CPSGMHB No. 07-3-0009 ("*CHECK*").
5. As part of a settlement agreement with the petitioners in *CHECK*, the Board wished to evaluate all options, including consideration of rescinding the revisions relating to the IMPRA land use designation and the UHA zoning classification.

6. On May 14, 2007, the Board approved a settlement agreement with the petitioners in *CHECK* to repeal, with conditions, the IMPRA/UHA designation and zoning in the Comprehensive Plan and development regulations.
7. On May 15, 2007, notice of intent to adopt was submitted to the Department of Community, Trade, and Economic Development. The notice requested expedited review under RCW 36.70A.106 for the development regulations amendments.
8. On May 16, 2007, Kitsap County published, with the newspaper of record, a Statement Environmental Policy Act (SEPA) Determination of Non-significance, and a notice of intent to adopt and public hearing. These notices were mailed to interested parties of record, agencies, and affected tribes.
9. On May 30, 2007, the SEPA comment and appeal period closed.
10. On June 11, 2007, the Board, following a timely and effective notice, held a public hearing to consider testimony on the proposed repeal of the IMPRA Comprehensive Plan policies and land use designation, as well as associated UHA zoning classification.

Section 2. NOW THEREFORE, BE IT FURTHER ORDAINED, that the Kitsap County Board of Commissioners, based on the foregoing findings, hereby repeals the Kitsap County Comprehensive Plan Land Use goals and policies and land use designation related to the Industrial Multi-Purpose Recreational Area as follows:

1. Comprehensive Plan Figure 2-2, Comprehensive Plan Map-South, is amended consistent with Attachment A.
2. Comprehensive Plan Section 2.2.4, in the Land Use Chapter, is amended to revise the gross acreage for the SKIA UGA as follows:

South Kitsap Industrial Area UGA

The South Kitsap Industrial Area (SKIA) UGA is located along SR 3 southwest of the Gorst UGA in the southern portion of the County. It is approximately 4,700 3,726 gross acres. The SKIA UGA is a major manufacturing center and is designated a "Regional Manufacturing/Industrial Center Suburban City" by PSRC. The SKIA UGA is currently unassociated with any incorporated jurisdiction. With the Bremerton National Airport and other Port of Bremerton facilities within this UGA, future planning for the area is very important to the county's long and short-term economic diversification.

The UGA currently abuts the City of Bremerton's watershed area, and the Port of Bremerton has executed an interlocal agreement with the City of Port Orchard for sewer and other services. Both the cities of Bremerton and Port Orchard provide

water service. Association of the UGA must include these jurisdictions with discussions of economic development goals, revenue sharing, and annexation. Goals and policies related to the SKIA UGA can be found in Chapter 15. The UGA policies reflect the intent that the majority of 20 years' population growth, based on official growth management forecasts adopted by the Washington State Office of Financial Management, should be accommodated within UGAs; that public services and capital facilities should be provided to support the planned level of growth within the UGAs; and that development patterns in UGAs should be distinct from rural areas. UGA goals and policies also address future annexation or incorporation of unincorporated areas through the UGAMA process as defined in the CPPs.

3. Comprehensive Plan Section 2.2.8, related to the IMPRA land use designation and related goals and policies, is repealed as follows:

~~**Industrial Multi-Purpose Recreational Area (IMPRA).** Due to its growing economy and position within the region, Kitsap County has an increasing opportunity to attract industrial and recreational projects that can provide economic benefits to the citizens of the County. Due to the varying size and character of these projects, additional large tracts of land in consolidated ownership should be designated in the urban areas of Kitsap County. The IMPRA designation and accompanying urban holding area is intended to provide land for such emerging economic opportunities consistent with Kitsap County economic diversification goals. These uses include large-scale industrial facilities, institutions of higher education, major sports and recreational facilities including stadium, arena, motorsports, athletic field and playground facilities and other similar uses requiring large land areas for development. As the size, scope, and nature of these opportunities are diverse and currently unknown, this designation provides flexibility in future zoning and development regulations. This designation allows no urban uses unless and until a development agreement, master plan and appropriate environmental and capital facilities planning have been approved by the Board of County Commissioners.~~

~~Goal 21 Preserve areas for emerging economic development opportunities.~~

~~Policy LU 103 Prior to or concurrent with an application for a large-parcel economic opportunity project, a development agreement for property(s) located within the IMPRA will be negotiated for public review and consideration by the Board of County Commissioners as a Type IV Legislative action (consistent with KCC Title 21). This agreement shall outline implementing regulations that balance the needs of the emerging opportunity with those of the public interest. Aspects to be covered by the agreement include:~~

- ~~• The allowed industrial or recreational uses for the area as well as any accessory commercial or other uses complementary to the goals of the economic opportunity and/or the South Kitsap Industrial Area;~~

- ~~Signage regulations that consider such factors as, but not limited to, the nature and scale of the economic opportunity project and maintaining compatibility with surrounding designations;~~
- ~~Height regulations that consider such factors as, but not limited to, the nature and scale of economic opportunity project, the needs of local fire districts and character of the surrounding area;~~
- ~~Landscaping, setbacks, buffers, off street parking, open space and other implementing regulations and development standards;~~
- ~~Requirements for all projects to submit for master plan approval by the Board of County Commissioners before receiving approval for any urban uses; and~~
- ~~Any additional environmental analysis that may be required during project review.~~

~~Concurrent with approval of a development agreement, a master plan, SEPA required environmental analysis and capital facilities planning may be approved for the IMPRA.~~

~~Policy LU-104 Master plans developed within the IMPRA shall include the following:~~

- ~~Project details indicating consistency with the Kitsap County Comprehensive Plan, all applicable state and federal laws and KCC as amended by the approved development agreement;~~
- ~~Full environmental analysis required by a SEPA determination; and~~
- ~~Capital facilities planning for the area consistent with the County's need for updating its Capital Facilities Plan (CFP).~~

~~Policy LU-105 Upon approval of a development agreement and project specific master plan, Kitsap County shall update its CFP to acknowledge the planned urban levels of infrastructure provision and funding strategies for the area.~~

~~Policy LU-106 The IMPRA designation shall sunset if no development agreement or master plan has been approved within 5 years of adoption. Additionally, this designation may be terminated by approval of property owners consisting of a minimum of 60% of the property within this designation. If the designation sunsets or is terminated, properties within the IMPRA shall revert to their previous designations.~~

4. Comprehensive Plan Section 5.2, related to IMPRA goals and policies, is repealed as follows:

~~Goal 4 Kitsap County will provide adequate land for development of large parcel economic opportunity projects to further the County's economic diversification goals.~~

~~Policy ED-26 Kitsap County recognizes the need to provide opportunities for the siting of urban industrial, commercial and recreational projects that provide economic benefits to the County. Due to the varying size and character of these projects, additional large tracts of land in consolidated ownership should be designated for inclusion within the urban areas of Kitsap County. For this purpose, Kitsap County designates an Industrial Multi-Purpose Recreational Area (IMPRA) and Urban Holding Area within the South Kitsap Industrial Area's urban growth area.~~

~~Policy ED-27 As the size and scale of the economic opportunity is currently unknown, any approved development within the IMPRA, and the jobs associated with it, would be adopted as an addition to the countywide employment projections.~~

5. Comprehensive Plan Figure 15-2, Comprehensive Plan Land Use Map – South Kitsap Industrial Area, is amended consistent with Attachment B.

6. Comprehensive Plan Section 18.1, related to IMPRA goals, is repealed as follows:

Goal 21	Adopt new Industrial Multi-Purpose Recreation Area regulations.	Department of Community Development	High
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Section 3. This ordinance is in response to an appeal filed with the Central Puget Sound Growth Management Hearings Board and is enacted as an exception to the schedule set forth in RCW 36.70A.130(2) and Kitsap County Code Chapter 21.08.

Section 4. Should any amendment to Comprehensive Plan and associated Land Use map that was passed by the Board during its deliberations on June 11, 2007 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.


Effective Date: This Ordinance shall take effect immediately.

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.

DATED this 11th day of JUNE, 2007.




KITSAP COUNTY BOARD OF COMMISSIONERS



Chris Endresen, Chair


Voted NO

Jan Angel, Commissioner



Josh Brown, Commissioner

ATTEST:



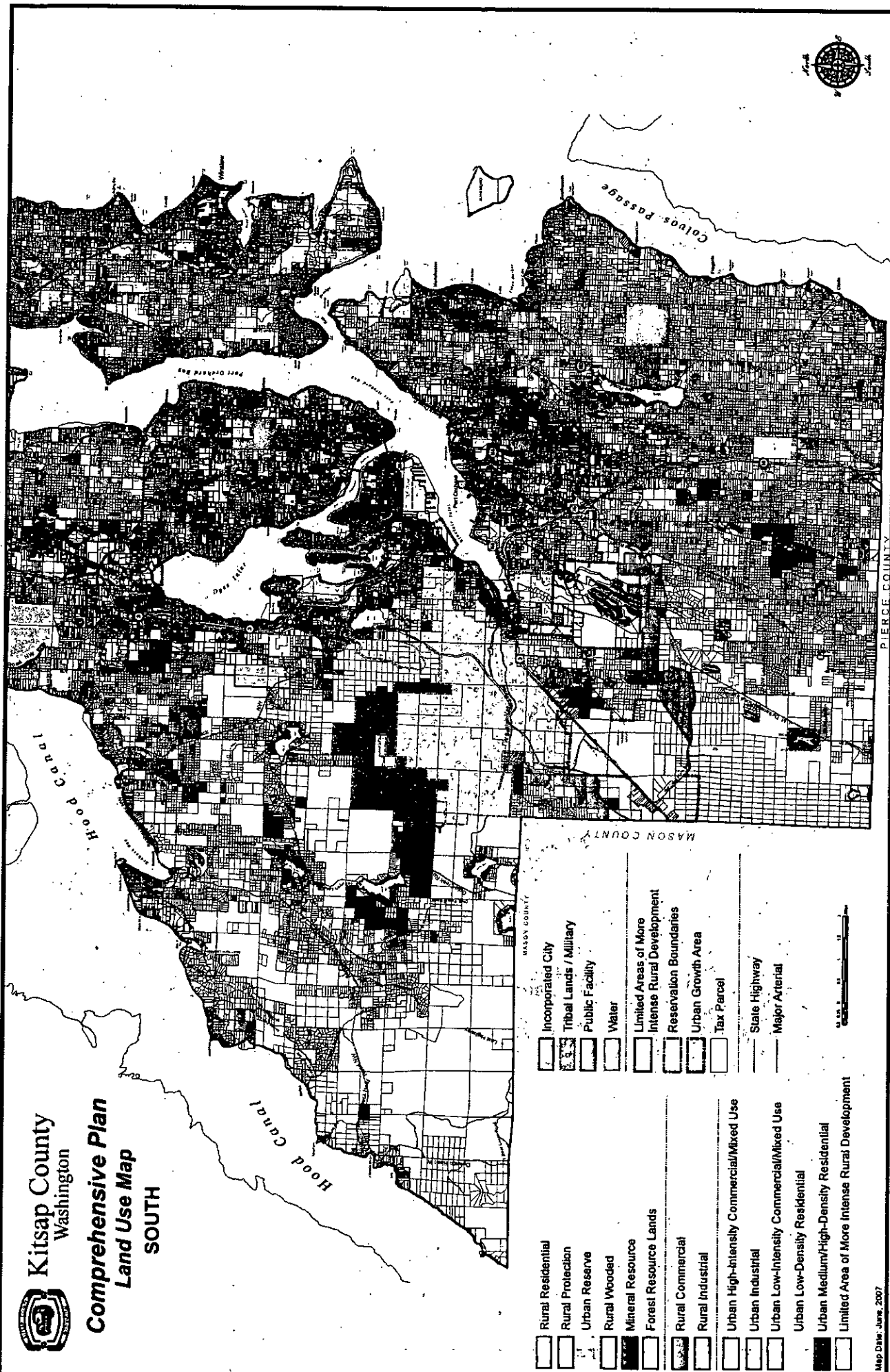
Opal Robertson
Clerk of the Board

Approved as to Form:

Lisa J. Nickel
Deputy Prosecuting Attorney



**Kitsap County
Washington**
**Comprehensive Plan
Land Use Map**
SOUTH



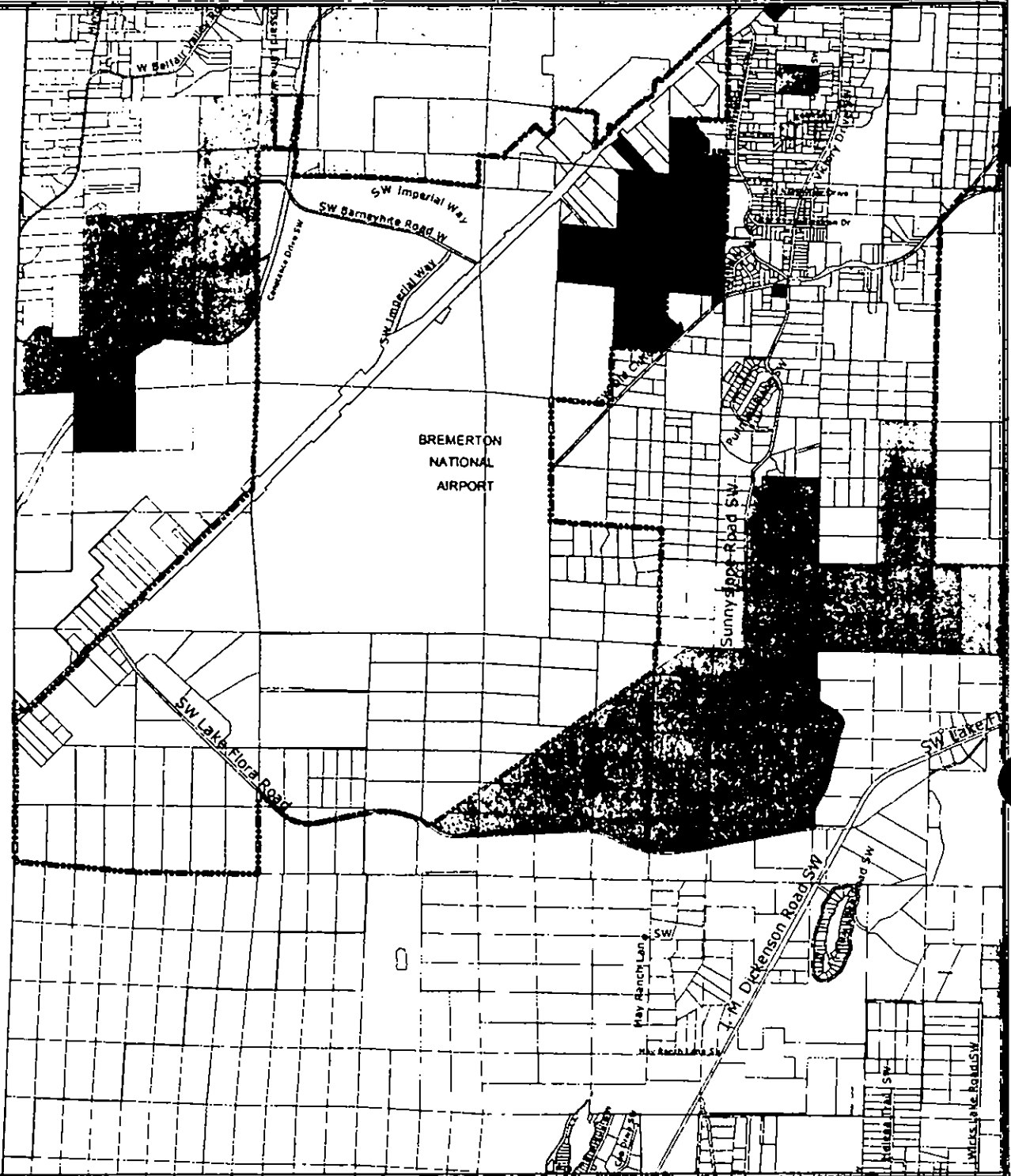
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|--|--|--|---|
| | Rural Residential | | Incorporated City |
| | Rural Protection | | Tribal Lands / Military |
| | Urban Reserve | | Public Facility |
| | Rural Wooded | | Water |
| | Mineral Resource | | Limited Areas of More Intense Rural Development |
| | Forest Resource Lands | | Reservation Boundaries |
| | Rural Commercial | | Urban Growth Area |
| | Rural Industrial | | Tax Parcel |
| | Urban High-Intensity Commercial/Mixed Use | | State Highway |
| | Urban Industrial | | Major Arterial |
| | Urban Low-Intensity Commercial/Mixed Use | | |
| | Urban Low-Density Residential | | |
| | Urban Medium/High-Density Residential | | |
| | Limited Area of More Intense Rural Development | | |



Map Date: June, 2007

Figure 2-2 Comprehensive Plan Land Use Map - South

MASON COUNTY



South Kitsap Industrial Area Comprehensive Plan Land Use Map



Kitsap County Department of Community Development
614 Division Street, MS-36, Port Orchard, Washington 98366
VOICE (360) 337-7181 * FAX (360) 337-4925



The map was created from existing map sources, not from field surveys. While great care was taken in using the most current map sources available, no warranty of any sort, including accuracy, fitness, or merchantability accompany the product. The user of this map assumes responsibility for determining its suitability for its intended use.



* THIS MAP IS NOT A SUBSTITUTE FOR FIELD SURVEY
REFER TO THE KITSAP COUNTY ZONING MAP FOR PARCEL SPECIFIC ZONING

- Rural Commercial
- Rural Industrial
- Mineral Resource
- Rural Protection
- Rural Residential
- Rural Wooded
- Urban Industrial
- Public Facility
- Urban Growth Area
- Incorporated City
- Tax Parcel

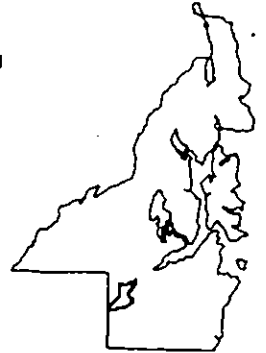


Figure 15-2 SKIA Comprehensive Plan Map