

AN ORDINANCE IMPOSING A 180-DAY MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS FOR DEVELOPMENT WITHIN THE AREA OF THE WAAGA WAY EXTENSION AND PROPOSED CONNECTOR ROADS AND DECLARING AN EMERGENCY

WHEREAS, 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). The Comprehensive Plan has been subsequently amended during the period of 2000 through 2007.

WHEREAS, in February 1998, the Kitsap County Department of Public Works completed a Silverdale access and circulation study. This study identified a need for a connector road between State Route 303/3 interchange, and Clear Creek and Old Frontier Roads.

WHEREAS, on December 11, 2006, the Board adopted the Silverdale Sub-Area Plan and expanded the Silverdale Urban Growth Area to accommodate the projected growth for the 2025 planning horizon. Specifically, the Waaga Way area was designated and zoned for a variety of new commercial, employment and residential opportunities.

WHEREAS, in December 2007, the Board adopted a 6-Year Transportation Improvement Plan that dedicated significant financial resources to the construction of the new Waaga Way Extension Road.

WHEREAS, the Waaga Way Extension Road is designed to provide connection between Clear Creek and Old Frontier Roads and is associated with the Washington State Department of Transportation's State Route 3/303 Interchange. This Extension Road is designed to have limited full-motion access points along its length to facilitate traffic flow.

WHEREAS, not all properties within the surrounding Waaga Way Extension Road have direct access to the Extension Road limited access points.

WHEREAS, with the Extension Road's design including limited access points combined with the challenging topography in the area, conflicts may occur as the locations of private development reduce opportunities for a comprehensive and cost-effective connector road system through the area. For example, a project may locate a building or parking lot within the logical location of a connector road which would require amending the roadway location to reflect the development. This may defeat the intent or developability of the connector roadway system.

Adopted at 11/17/08
BOCC ~~Work Study Session~~
PM Briefing

WHEREAS, in April through October 2008, Kitsap County Special Projects and Department of Public Works have been working with an advisory committee, made up of developers, property owners and local residents in this area, to prepare draft Comprehensive Plan language and illustrations to determine the intent, location, funding and design of these Waaga Way connector roads.

WHEREAS, Kitsap County published a notice of application and SEPA determination regarding the adoption on the proposed language and these illustrations on August 23, 2008, and held public hearings before the Planning Commission on September 9, 2008 and before the Board of County Commissioners on October 27, 2008.

WHEREAS, Kitsap County is authorized by RCW 36.70.795 and RCW 36.70A.390 to impose a moratorium.

NOW THEREFORE, BE IT ORDAINED:

Section 1. Preliminary Findings. The recitals set forth above are hereby adopted as the Kitsap County Board of Commissioner's findings in support of the moratorium imposed by this ordinance. The Board may, in its discretion, adopt additional findings at the conclusion of the public hearing referenced in Section 4. In addition, the Board makes the following findings of fact:

1. The intent of the connector roads is to distribute trips from the Waaga Way Extension by collecting traffic and channeling it to the Extension Road at the limited number of full-motion access points.
2. The County is in process of conducting a full public participation program to develop alternatives that take into consideration natural systems and topography in the location and design of proposed connector roadways that will help minimize impacts to environmental features to be completed in December 2008.
3. The Waaga Way connector road process is intended to establish predictability for future development while providing appropriate flexibility as projects evolve from the programmatic level of detail to project-specific.
4. Vesting of private development within the proposed locations of these connector roads, prior to adoption, may hamper the rational location of these roadways and limit property access to the County's public investment in the Waaga Way Extension Road.
5. The Board hereby finds that an emergency exists and there is a need to immediately adopt a moratorium for the area shown in Attachment A with respect to the location of the Waaga Way Connector Roads.

Section 2. Moratorium. A moratorium is hereby imposed upon the acceptance of any new applications for permits proposing to development within the location of the proposed alternatives of the Waaga Way Connector Roads.

Section 3. Effective Period for the Moratorium. The Kitsap County Board of County Commissioners hereby finds and declares that an emergency exists which necessitates that this ordinance become effective immediately in order to preserve public welfare and to prevent the potential for development within the Waaga Way area that may be contrary to this

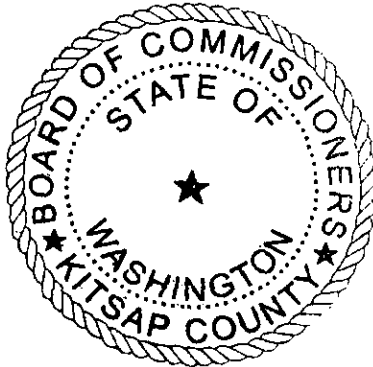
comprehensive planning effort. Accordingly, the moratorium set forth in this ordinance shall be in effect immediately and shall expire in 180 days (May 15, 2009), unless terminated sooner by the Kitsap County Board of County Commissioners.

Section 4. Public Hearing. Pursuant to RCW 36.70.795 and RCW 36.70A.390, the Kitsap County Board of Commissioners will set a public hearing within sixty days from the date this Ordinance is passed.

Section 5. Declaration of Emergency. The Kitsap County Board of Commissioners hereby declares for the public interest, safety and welfare reasons set forth above, that an emergency exists necessitating that this ordinance take effect immediately upon its passage.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause of phrase of this ordinance.

DATED this 17th day of NOVEMBER, 2008.



ATTEST:

Opal Robertson
Opal Robertson
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

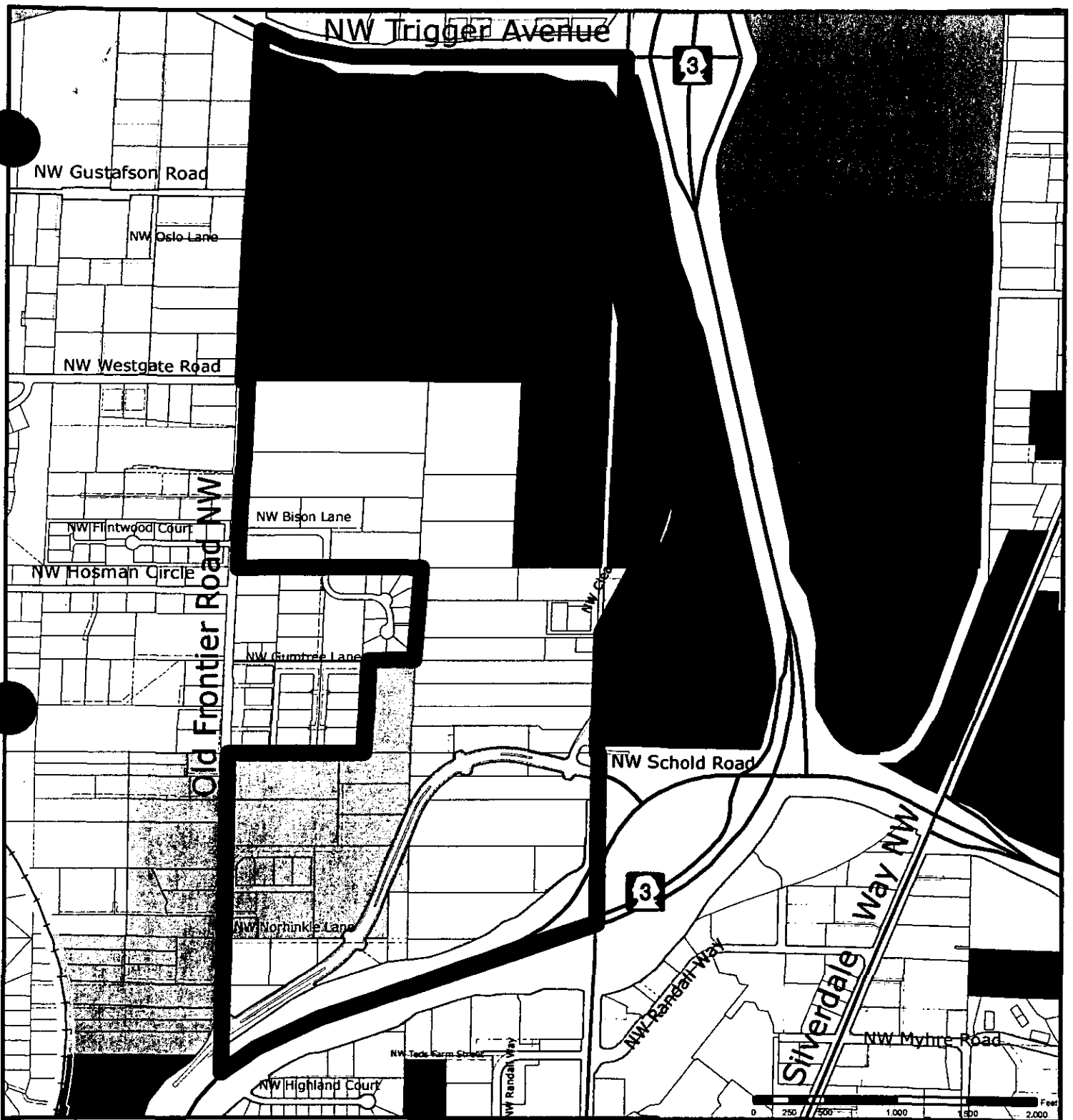
Steve Bauer
STEVE BAUER, Chair

Josh Brown
JOSH BROWN, Commissioner

Jan Angel
JAN ANGEL, Commissioner

Approved as to form:

Sue Neke
Deputy Prosecuting Attorney



- Business Center
- Business Park
- Regional Commercial (10-30 DU/Ac)
- Highway/Tourist Commercial (10-30 DU/Ac)
- Mixed Use (10-30 DU/Ac)
- Industrial
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- State Highway
- Arterial
- Tax Parcels
- Moratorium Area

Waaga Way Moratorium Area



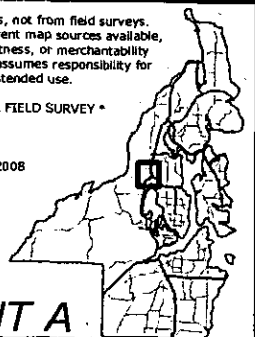
Kitsap County Department of Community Development
614 Division Street, MS-36, Port Orchard, Washington 98366
VOICE (360) 337-7181 * FAX (360) 337-4925

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* THIS MAP IS NOT A SUBSTITUTE FOR FIELD SURVEY *

DRAFT

Map Date: November 17, 2008



ATTACHMENT A

Ord# 417-2008

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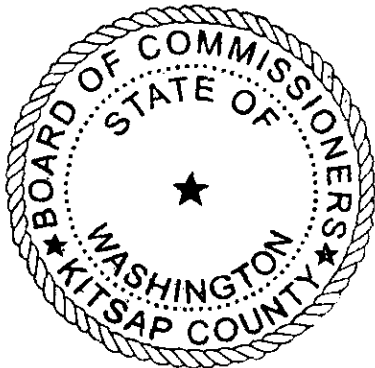
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DATED this 17th day of November, 2008.



ATTEST:

Opal Robertson
Opal Robertson
Clerk of the Board

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

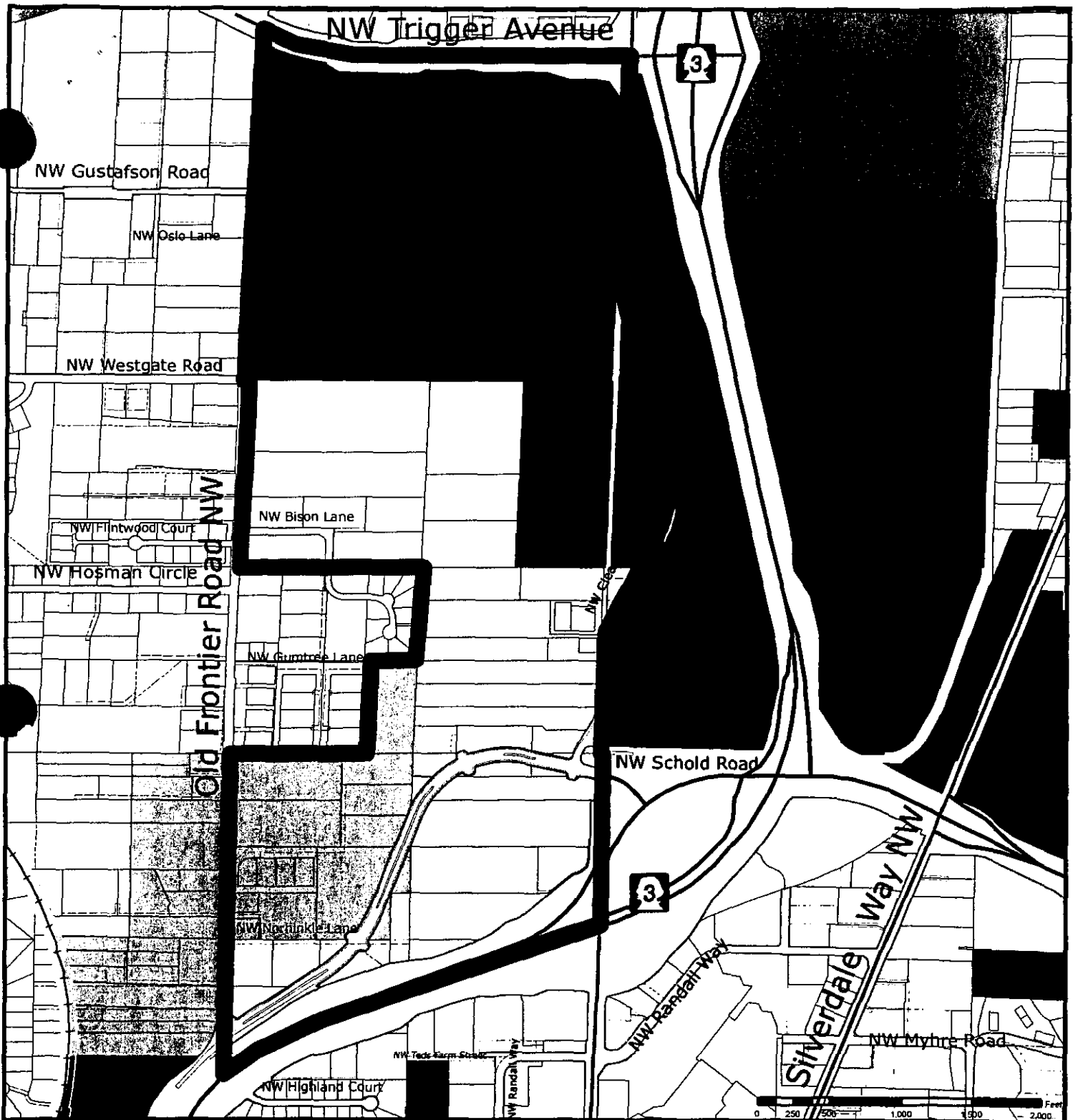
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Approved as to form:

Janet Nibel
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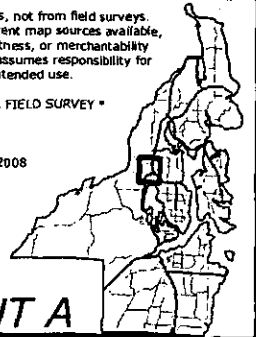
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