

RESOLUTION NO. 207 - 2024

Providing for the Annual Review and Potential Amendment of the Final 2025 DCD Long Range Docket and Workplan, amending the Kitsap County Comprehensive Plan, Land Use Map, Zoning Map and Associated Development Regulations

WHEREAS, the Washington State Growth Management Act (GMA), RCW 36.70A.130(5), currently mandates that Kitsap County's Comprehensive Plan and development regulations be comprehensively reviewed and, if needed, revised at least every ten years. The most recent Kitsap County update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan with Ordinance 534-2016, with nearly annual amendments through 2022 with Ordinance 612-2022; and

WHEREAS, Kitsap County expects to complete its current comprehensive update no later than December 2024; and

WHEREAS, the GMA, RCW 36.70A.130(1), also mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation and sets forth a docketing process, RCW 36.70A.470, to accomplish this; and

WHEREAS, Chapter 21.08 of Kitsap County Code (KCC) implements RCW 36.70A.470 and establishes procedures for persons to propose amendments to the Comprehensive Plan; and

WHEREAS, KCC 21.08.030 provides that the Board of County Commissioners (Board) will establish a schedule for an annual review and potential amendment of the Comprehensive Plan including associated changes to development regulations; and

WHEREAS, the GMA, RCW 36.70A.130(2), and KCC 21.08.040 requires all proposed amendments to the Comprehensive Plan be considered concurrently so that the cumulative effects of the amendments can be determined; and

WHEREAS, the GMA, RCW 36.70A.130(1), and KCC 21.08.070 requires all Comprehensive Plan amendments to conform to both the GMA and Kitsap Countywide Planning Policies as well as be internally consistent; and

WHEREAS, Chapter 21.08 of Kitsap County Code describes a public participation process that complies with the GMA, RCW 36.70A.035 and RCW 36.70A.140, and provides for early and continuous public participation in the development and amendment of the Comprehensive Plan and associated development regulations; and

WHEREAS, on June 3, 2024, following timely and effective legal notice, the Board of County Commissioners conducted a work study to consider a draft docketing resolution.

WHEREAS, on October 16, 2024, following timely and effective legal notice, the Board of County Commissioners conducted a work study to consider a draft docketing resolution.

WHEREAS, on December 2, 2024, following timely and effective legal notice, the Board of County Commissioners held a public hearing to consider written and verbal testimony on this draft docketing resolution.

WHEREAS, on December 9, 2024, the Board of County Commissioners deliberated on the scope and details of the final docket.

NOW, THEREFORE, BE IT RESOLVED:

1. **Areas of Consideration:** The annual amendments to the Comprehensive Plan (and associated development regulations, as necessary) considered for 2025 will be as follows. For projects that cannot be completed in 2025 or which must be phased, the follow-on work and adoption would be considered for 2026; these work products would be the subject of a new docket resolution in mid-to-late 2025.
 - A. **County-sponsored amendments:** Kitsap County departments shall develop and analyze the following amendments to the Comprehensive Plan for further consideration pursuant to Kitsap County Code (KCC) Chapter 21.08.
 1. **Sea Level Rise Vulnerability and Risk Assessment:** This consultant-managed project is due June 2025 and will analyze sea-level rise and impacts, characterize risk and evaluate County vulnerabilities (including roads, utilities and other infrastructure), reach out to potentially affected landowners, and identify updates to the Kitsap County Comprehensive Plan, KCC Title 15 Flood Hazard Areas, KCC Title 19 Critical Areas, KCC Title 22 Shoreline Master Program, and other development regulations.
 2. **Comprehensive Plan Update:** A) The Parks, Recreation, and Open Space (PROS) Plan will be adopted into the Comprehensive Plan and there may be revisions to Chapter 6 PROS Element. B) DCD will introduce a Rural and Resource Lands chapter and review rural Land Use Reclassification Requests (LURRs) that were deferred from the 2024 Comprehensive Plan Update. DCD will use as a 'rural character' baseline and evaluate the 2010 Comprehensive Plan Update Rural and Resource Lands chapter. Alternative energy siting will be discussed and code prepared due to its proportional impact to rural Kitsap County. Boundary Line Adjustment code will be discussed and

code prepared due to its impact on neighborhoods and private property acquisition. Initial scope is noted herein; however, additional scope in early 2025 may indicate that some work may take longer than staff resources allow. In this instance, adoption may also occur in 2026, subject to the docket and resolution.

3. Agriculture and Policy Planning: This element will likely inform on Comprehensive Plan Year of the Rural and will be run concurrently. Agricultural barriers and policy improvements will be considered alongside and within the context of the Comprehensive Plan Update on Rural and Resource Lands planning and code development efforts. Staff will work with agricultural stakeholders in a to-be-developed agricultural workgroup. Development code revision is expected.
4. Silverdale Subarea Planning and Design Districts: DCD will hire a consultant to work with DCD, the Silverdale community, and its advisory committee on planning issues: 1) Silverdale is a Regional Center and requires planning consistent with the regional centers framework recently updated by the Puget Sound Regional Council. 2) The current design districts, originally developed in 2008, are numerous, in need of a current review, and need to be condensed to a few districts to be more predictable and user-friendly. 3) The planning effort will recommend changes to development code that would reduce barriers to redevelopment of sites that are constrained in size. Examples of barriers include parking, landscaping, and frontage improvements. 4) The planning effort is expected to include analysis of public facilities siting (eg, a Sheriffs' precinct, a community/senior center), parking, connectivity/wayfinding, including access to future Kitsap Transit and multi-modal transit points, water transit, and partnering with agencies.
5. Mineral Resource Overlay (MRO) Removal from Certain Lands: DCD will consider removal of the Mineral Resource Overlay from parcels where there has been a change in circumstances beyond the control of the landowner [WAC 365-190-040(10)(b)(ii)] or the parcel was designated in error [WAC 365-190-040(10)(b)(iii)]. This amendment is primarily intended to remove MRO regulatory restrictions from parcels substantially encumbered with existing residential or commercial uses and may include a limited number of small undeveloped parcels as deemed appropriate by the DCD. Other parcels may be evaluated as part of a future county-wide mineral resource inventory. This effort would be considered alongside other rural Land Use Reclassification Requests being considered in 2025.
6. Short Term Vacation Rentals (STVR): DCD will prepare recommended development code that addresses STVRs and how they will be permitted.
7. Manufactured/Mobile Home Parks: DCD will prepare recommended code to ensure manufactured/mobile parks are retained as viable locations for Kitsap County residents.

8. **Childcare Access:** Adopting code to reflect state standards and innovations to increase childcare availability and affordability.
 9. **Misc Development Code Preparation:** DCD will prepare changes to development code as necessary to accommodate objectives of the 2024 Comprehensive Plan Update adoption as well as the 2025 docket. This effort may require work in 2026 and would be docketed to reflect this.
 10. **Clarifying and Corrective Edits, Map Corrections:** Limited text and map amendments to correct and improve the clarity and consistency of the 2024 Kitsap County Comprehensive Plan and Kitsap County Code. These amendments will be non-substantive and will not change the intent or interpretation of policies or regulations. Map correction requests must include evidence which clearly demonstrates that the Board of County Commissioners' intent or direction at the time of the adoption of the 2024 Comprehensive Plan Ten-Year Update supports the proposed request and amendment.
- B. Applications:** The Kitsap County Department of Community Development shall analyze the deferred rural Land Use Reclassification requests pursuant to Kitsap County Code (KCC) Chapter 21.08.
- C. Other:** The Board may reconsider and revise, by amendment, the scope of this resolution to add or modify the types of applications accepted through this process if a need or inadvertent omission is demonstrated and if a full and cumulative review (including environmental review) and batch consideration can still be concluded by the end of 2025.
2. **Pre-planning for community plan amendment in 2026:** In the last quarter of 2025, DCD will begin pre-planning and preparation for an amendment to the 2008 Illahee Community Plan. The neighborhood in and around the Enetai community, adjacent to the Illahee Community Plan boundaries, is requesting to be added and provided for in the Illahee Community Plan. In late 2025, DCD will begin preparation of a community engagement plan and scoping of an amended community plan.
 3. **Batch consideration:** The Growth Management Act, RCW 36.70A.130, and KCC 21.08.040(A) require that all proposed amendments be considered concurrently on an annual basis (and no more frequently than once per 12-month period), except for those specifically exempted from the batching requirement in KCC 21.08.040(B). The Board of County Commissioners intends to complete the batch consideration of the proposed amendments under this annual docket by the end of 2025.

All proposed amendments shall comply with the following criteria, as applicable. Proposed amendments that do not comply shall be automatically removed from the 2025 docket because they will prevent the batch consideration of the amendments in a timely manner and any such amendment applications shall be

administratively closed by the Department of Community Development except as otherwise provided below.

- A. General Criteria for Land Use Reclassification Requests (hereafter requests):** Requests must further goals of the Growth Management Act, RCW 36.70A, as well as the 2024 Comprehensive Plan Update and KCC 21.08. Requests will specifically be evaluated on:
1. How circumstances related to the request and/or the area in which the property affected by the request is located have substantially changed since the adoption of the 2024 Comprehensive Plan or applicable development regulations;
 2. How the assumptions upon which the 2024 Comprehensive Plan is based are no longer valid, or there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan or development regulations; and
 3. How the requested redesignation is in the public interest and the proposal is consistent with the Kitsap County Comprehensive Plan.
- B. Rural Commercial/Industrial and Type III LAMIRD requests:** Each of the following requirements must be satisfied for a recommendation for approval:
1. Demonstration of an unmet need for the proposed land use designation in the rural area.
 2. Demonstration that Kitsap County's rural character will be preserved or unaffected by the change of designation.
 3. Demonstration that the proposed designation principally serves the rural area.
 4. Demonstration that appropriate rural services are available (ie, water, sewerage, etc) and that urban services will not be required for the proposed designation.
 5. Demonstration that the proposal is contiguous to existing industrial or commercial zoning. (Exceptions to this policy must demonstrate a unique or exceptional need for the proposed land use designation.)
 6. Demonstration that the property is sized appropriately for the proposed land use designation.
 7. Demonstration that there is a lack of appropriately designated and available sites within the vicinity.
- C. Requests within the rural area not pertaining to Commercial or Industrial requests:** If applicable, each of the following requirements must be satisfied for a recommendation of approval:
1. Any proposed amendments to rural and natural resource areas shall not substantially affect the target rural/urban population balance.
 2. Any proposed change to land designated as natural resource land (ie, forest resource or mineral resource lands) shall recognize that natural resource designations are intended to be long-term designations, that approval of a request will not remove the natural resource land

designation, and shall further be dependent on one or more of the following:

- a. A substantial change in circumstances pertaining to the Comprehensive Plan or public policy;
- b. A substantial change in circumstances beyond the control of the landowner pertaining to the subject property;
- c. An error in initial designation; and/or
- d. New information on natural resource land or critical area status.

D. Grounds for denial of requests: The following circumstances are grounds for denial of requests:

1. An incomplete response to a request for additional information more than 30 days past the date of request, unless a later deadline was specified in the request.
2. When a request involves parcels with an active code compliance case in which the proposed request is not a part of the agreed-upon process to address noncompliance.
3. The Board of County Commissioners decides for any reason to stop further consideration of the request or a request is withdrawn by the applicant.

4. Standards of Review: The procedures and requirements for application, review, decision, and appeal of amendments to the Comprehensive Plan are described in Chapter 21.08 of Kitsap County Code.

5. Public Outreach and Participation: Community engagement will occur as described in KCC Chapter 21.08 of Kitsap County Code and in compliance with the GMA. Such outreach may also include mailings, notifications, signs, a website, and other electronic and non-electronic means appropriate to the nature and location of amendment requests. Existing or new advisory committees will be consulted and public meetings will be conducted, as appropriate to the nature and location of requested amendments. Public hearings will also be conducted by the Planning Commission and Board of County Commissioners. Individuals, organizations, businesses, tribal governments, government agencies, and others are invited to provide input and comment on any proposed changes to the Comprehensive Plan and any associated development regulations.

DATED or ADOPTED this 9 day of December, 2024.



BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

Katherine T. Walters

KATHERINE T. WALTERS, Chair

Christine Rolfes

CHRISTINE ROLFES, Commissioner

Charlotte Garrido

CHARLOTTE GARRIDO, Commissioner

ATTEST:

Dana Daniels

Dana Daniels, Clerk of the Board

Approved as to form:

Lisa J. Nickel

Lisa J. Nickel
Deputy Prosecuting Attorney