

Kitsap County Comprehensive Plan's Racially Disparate Impact Parts

Selected Definitions

HB 1220 added new terms in the housing element statute. Commerce developed the following definitions with a statewide stakeholder group of planners to create a common understanding of the undefined terms.

- **Discriminatory effect:** The effect, regardless of intent, of differentiated outcomes for a group based on a protected classification. May be an action or failure to act. Protected classifications include race/color, national origin, religion/creed, sex/gender/domestic violence status, familial status, disability, marital status, sexual orientation and military/veteran status.
- **Disinvestment:** A process by which a community is not prioritized for investment, or by which a system, policy or action disincentivizes investment in a specific area. Disinvestment processes occur over time, often in the long term.
- **Displacement:** The process by which a household is forced to move from its community because of conditions beyond their control.
 - *Physical displacement:* Households are directly forced to move for reasons such as eviction, foreclosure, natural disaster or deterioration in housing quality.
 - *Economic displacement:* Households are compelled to move by rising rents or costs of home ownership like property taxes.
 - *Cultural displacement:* Residents are compelled to move because the people and the institutions that make up their cultural community have left the area.
- **Displacement risk:** The likelihood that a household, business or organization will be displaced from its community.
- **Exclusion in housing:** The act or effect of shutting or keeping certain populations out of housing within a specified area, in a manner that may be intentional or unintentional, but which leads to non-inclusive impacts.
- **Gentrification:** The process of neighborhood change resulting in households being unable to remain in their neighborhood or move into a neighborhood that would have been previously accessible to them. The neighborhood change includes economic change in a historically disinvested neighborhood, such as rising land values and rising housing costs, as well as demographic change representing a shift in the income, racial composition, or educational level of residents. This is also referred to as “neighborhood exclusionary change” or “exclusionary displacement.” Gentrification creates discriminatory effects when it forces the displacement of long-time residents and businesses.
- **Inclusionary zoning:** A regulatory tool that requires permanent affordable units to be included within new residential development projects, or requires payment for



construction of such units elsewhere (fee-in-lieu). “Permanent” refers to affordable unit availability in the long term, specifically, for 50 years as defined by Washington code.

- **Infrastructure:** The facilities and systems that serve a country, city, or area, such as transportation, parks, communication systems, energy and utility systems, and schools.
- **Market forces:** Economic factors that impact the provision, price and/or demand for housing.
- **Racially disparate impacts:** When policies, rules or other systems result in a disproportionate impact on one or more racial groups.

DRAFT

Community History and Population Characteristics

Community History

Before the White settlement of what is now known as Kitsap County, the land and islands between Puget Sound and Hood Canal were home to the Suquamish Tribe, the S'Klallam Tribe, and the Skokomish Tribe.¹ In Kitsap County, the Suquamish and the Port Gamble S'Klallam people live on and protect the land and waters of their ancestors for future generations as guaranteed by the Point Elliot Treaty of 1855. In addition, the Treaty of Point No Point of 1855 ensures that the Jamestown S'Klallam, Skokomish, and Chimakum People maintain their hunting, fishing, and gathering rights on "usual and accustomed" grounds which include land and waterways within Kitsap County.

The Suquamish Tribe had permanent villages throughout what is now Kitsap County, in locations like Poulsbo, Silverdale, Hansville, and Bremerton.² However, Suqua, the principal village of the Suquamish Tribe, was located in present day Suquamish on the Agate Passage.

The S'Klallam Tribe were deeply rooted throughout the Hood Canal area, living in seasonal and permanent villages and sharing sites in Port Gamble and Port Townsend with the Chemakum people.³ The S'Klallam hunted, fished, and gathered in locations in the San Juan Islands, in the Olympics, along the Straits of Juan De Fuca, and along Hood Canal.

The Skokomish Tribe was the largest community part of the nine Twana Indians people, whose aboriginal territory encompassed the Hood Canal drainage basin, or much of what is now known as central Kitsap County.⁴

In 1855, the Point No Point and Point Elliot treaties relegated the Suquamish to the Port Madison Reservation. The S'Klallam and the Skokomish were assigned to the Skokomish Reservation at the south end of Hood Canal in present day Mason County. Although the S'Klallam were assigned to the Skokomish Reservation, many members of the S'Klallam Tribe stayed near Port Gamble across the bay in Little Boston. In 1938, the S'Klallam received their own reserve called the Port Gamble Reservation.

The California Gold Rush in 1850 was the driving force behind the White settlement on the Kitsap Peninsula. San Francisco, the largest city on the West Coast of North America, burned down several times, and the resulting great demand for lumber sent sea captains and entrepreneurs to the Puget Sound. In 1853, Maine native W.C. Talbot incentivized the forced relocation of S'Klallam people to construct a lumber mill in Port Gamble. Philadelphia native William Renton opened a mill in Port Orchard in 1854 and another in Blakely Harbor on Bainbridge Island.

The Kitsap Peninsula was originally part of King County and Jefferson County. Peninsula mill owners applied to the Territorial Legislature for their own county. In 1857, what is now known as

¹ David Wilma – Kitsap County: Thumbnail History, 2006; Historylink.org

² Suquamish Tribe - [Suquamish History and Culture](#)

³ Port Gamble S'Klallam Tribe – [History and Culture](#)

⁴ Skokomish Indian Tribe – [Culture and History](#)



Kitsap County was formally created. The original county seat was in Port Madison, but County commissioners moved it to Port Orchard in 1893, where the county seat currently resides.

The large old-growth trees, lumber mills, shipyards, and waterways were incredibly influential in the early development of the Kitsap Peninsula. In the 1850s, the Kitsap Peninsula was the wealthiest community, per capita, in the Puget Sound, and the Washington mills produced twice as much lumber as four times as many mills in Oregon. In the 1870s, Port Madison alone produced more sailing ships than the entire San Francisco Bay area. Many of the mills in the region closed by the early 1920s, but the mill and company town at Port Gamble continued cutting lumber until 1994, 142 years after first opening.

More recent development of Kitsap County was influenced by the expansion of military facilities, highways, and ferry service. In the 1880s, Port Orchard had a repair facility for naval operations in the Pacific Ocean. This eventually led to the Puget Sound Naval Shipyard at Bremerton being built in 1891 and cementing military activity as a major component of the County's permanent economy. A torpedo testing station in Keyport (1914), the refueling station at Manchester (1938), and the nuclear submarine base at Bangor (1977) were military facility expansions in the 20th century that heavily influenced growth in Kitsap County.

Until World War II, Kitsap County was mostly agricultural except for military activities. Highways like Highway 16, which connects Tacoma and Bremerton, or Highway 3, which connects Bremerton and Silverdale, made possible the development of Kitsap County as a suburban and vacation home area. Reliable and convenient ferry service also aided in parts of the County becoming a bedroom community for people working in greater Seattle. Between 1940 and 2005, Kitsap County's population multiplied by more than five times. In 2022, the County's population was approximately 281,000 people.⁵

⁵ U.S. Census Bureau, Washington Office of Financial Management (OFM), 2022 postcensal estimate.

Displacement Risk

Regional Anti-displacement Planning Policies

Both Puget Sound Regional Council's (PSRC) Multicounty Planning Policies (MPP) and Kitsap County's Countywide Planning Policies (CPP) have policies for cities to identify displacement risk and use strategies to mitigate displacement impacts.

MPP-H-12 says:

"Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible."

CPP-D-6 says:

"As the region continues to grow, population and employment growth is focused within our urban areas. As redevelopment takes place, however, there is a potential for physical, economic, and cultural displacement of low-income households that may result from planning, public investments, private development, and market pressures. As important planning, transportation, and redevelopment takes place:

- a. The Counties and Cities should develop coordinated strategies and interjurisdictional processes between the County and cities to mitigate the impacts of displacement.*
- b. Counties and Cities should also implement flexible strategies that will encourage the development of a range of affordable housing, both public and private."*

CPP-AH-6 says:

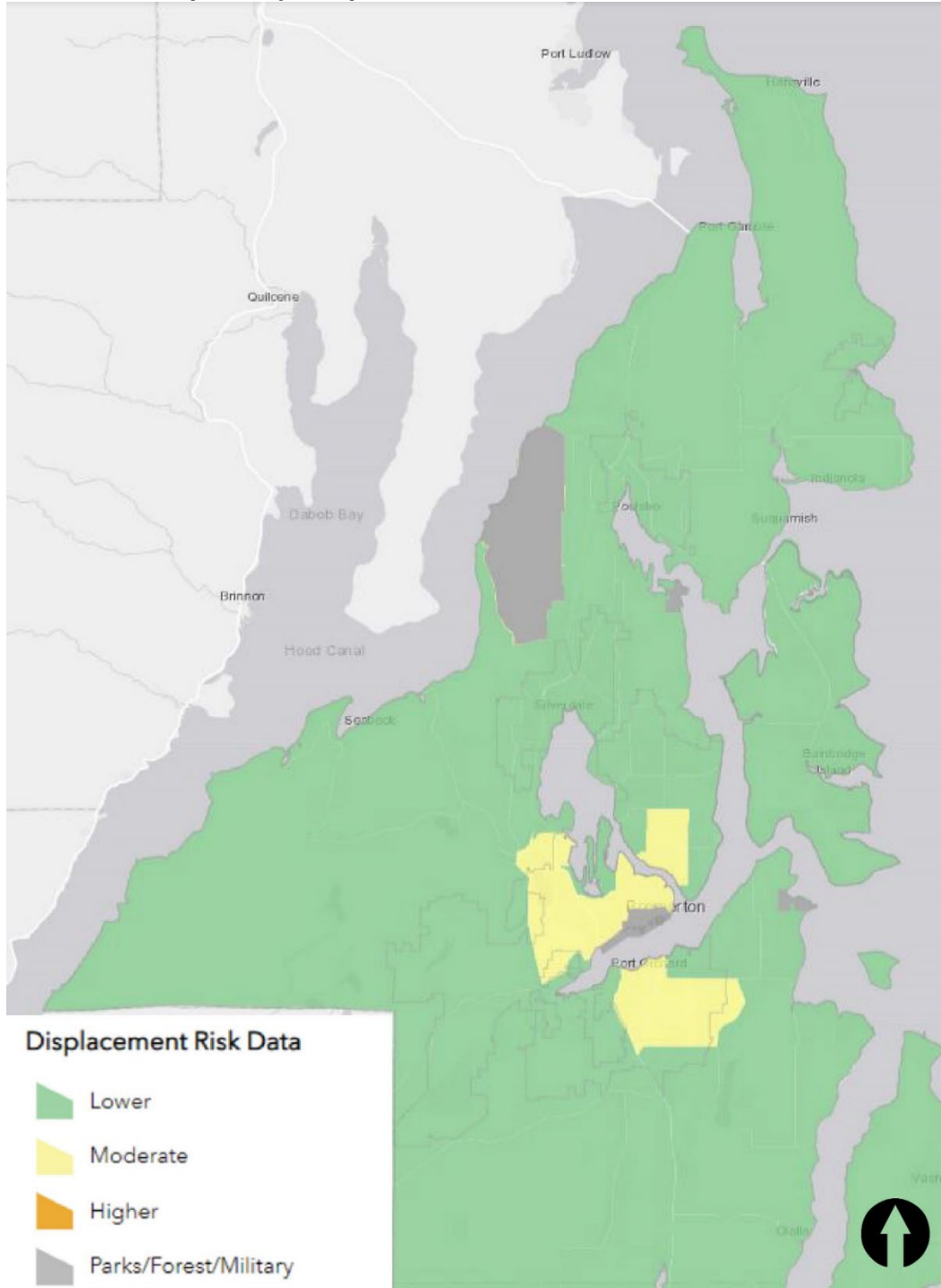
"Physical, economic, and cultural displacement of low-income households may result from planning, public investments, private redevelopment and market pressure. Should develop a range of strategies to mitigate displacement impacts as planning for future growth occurs."



Kitsap County Displacement Risk

According to PSRC's [Displacement Risk Map](#), most of Kitsap County scores low for displacement risk (see **Exhibit 1** below).

Exhibit 1 – Kitsap County's displacement risk



Source: PSRC Displacement Risk Interactive Map, 2023

Comprehensive Plan Land Use and Housing Elements Policy Review

As part of this Racially Disparate Impact analysis, MAKERS’ evaluated the Land Use and Housing elements of the Comprehensive Plan in relation to the following questions:

- Does this policy contribute to racially disparate impacts or exclusion in housing?
- Is the policy effective in accommodating more housing?
- Does the policy increase displacement risk?
- Does the policy language include vague terms that could be used to marginalize communities of color?

The analysis compared goal, policy, and strategy language between the 2016 Comprehensive Plan and the draft 2024 updated Comprehensive Plan. Findings for the Land Use and Housing elements can be found below in Table 1 (LU = Land Use; HHS = Housing and Human Services).

Table 1 – Land Use and Housing RDI Policy Review

Original Policy	Proposed Policy or Development Regulation Changes in Draft Comp Plan	Racially Disparate Impact Connection
<p>No Strategy</p>	<p>New Land Use Strategy 3.a. Explore racial equity assessment tools (e.g., Racial Equity Impact Assessment Toolkit from Race Forward) to evaluate development regulation update proposals.</p>	<p>Commits to exploring whether a formal process that considers racial equity during evaluation or development of new development regulation changes.</p>
<p>LU Policy 6. Where appropriate, encourage mixed use, high density uses, and Transit Oriented Development (TOD) to reduce reliance on the Single Occupancy Vehicle (SOV). Also see LU Policy 15.</p>	<p>New Land Use Goal 12. Facilitate a coordinated land use and transportation pattern that reduces the reliance on the Single Occupancy Vehicle (SOV). Also see New Land Use Policy 6.4.</p>	<p>The average annual cost of owning a car continues to rise, reaching around \$10,000 a year in 2023 (AAA, 2023; New York Times, 2023). Reliance on owning a SOV can place a financial burden on people with lower incomes, which is disproportionately connected to people of color. Additionally, BIPOC communities are disproportionately</p>



		represented in fatal traffic crashes, pedestrian traffic deaths, and bicyclist traffic deaths (Governors Highway Safety Association, 2021).
HHS Policy 12. Identify and remove regulatory barriers that limits access to or the provision of a diverse affordable housing supply.	<p>Kitsap County has proposed to remove minimum lot sizes and dimensions, increased densities, increased heights, and reduced setbacks in many urban residential zones. All proposed changes are meant to remove regulatory barriers and make it easier to build more housing.</p> <p>Also see Housing Policy 2.1.</p>	<p>A lack of affordable housing impacts all low-income households and raises the risk of people becoming homeless. Regionally, homelessness disproportionately effects people of color.</p> <p>Regulatory barriers also negatively impact affordable housing development. Therefore, removing barriers makes it easier to build affordable housing, which has positive impacts for people of color.</p>
HHS Policy 14. Disperse affordable housing opportunities throughout the County.	<p>An important policy to keep in the Comprehensive Plan. The draft update document updates this policy in "Housing Policy 6.3."</p> <p>Consider further updates to language that include priority near higher opportunity areas.</p>	<p>Concentrating affordable housing in limited parts of a jurisdiction has negative impacts on the residents, who are more likely to be people of color. Concentration of affordable housing not only are correlated with areas of less investment, but it also limits people's ability to have choices on the areas they can live.</p>
No Policy	New Housing Policy 1.4. Coordinate with Tribes, cities, agencies, and community organizations,	A policy added in the draft Comprehensive Plan Update to support decreasing displacement

	especially cultural groups, on strategies to mitigate the impacts of displacement in the preservation, rehabilitation, and development process.	risk. Also, see housing strategies 1.f and 1.g
No Policy	New Housing Policy 1.6. Support programs and resources that reduce energy use and increase climate resiliency in housing preservation, rehabilitation, and development, especially for communities historically marginalized and underserved.	A policy added in the draft Comprehensive Plan Update that gets closer to specifically calling out supporting climate resiliency and improving sustainability for racial groups that have historically been disparately impacted.
No Strategy	New Housing Strategy 2.d. Evaluate existing development regulations and consider modifications to allow for boarding houses, Single Room Occupancy buildings, and micro-units. This would include definitions, modifications to use tables, and dimensional regulations. Additionally, examine how applications of the relevant building codes may affect the viability of these housing types.	Single Room Occupancy (SROs), micro-units, and other co-living housing can provide market-rate housing as low as 50% AMI. Updating development standards to allow these will positively impact more affordable housing.
No Policy	New Housing Policy 3.3. Mitigate documented displacement impacts occurring as part of the affordable housing development process.	A policy added in the draft Comprehensive Plan Update to support decreasing displacement risk.
No Policy	New Housing Policy 6.2. Coordinate with Tribes, jurisdictions, agencies, and community partners to identify and remove local	A policy added in the draft Comprehensive Plan Update that specifically calls out support “for populations historically



	regulatory barriers that limit the provision of a diverse supply of housing units affordable to low-, very low-, and extremely low-income households, especially for populations historically affected by systematic inequities.	affected by systemic inequities.” Also, see housing strategies 6.c., 6.d., and 6.e.
No Goal	New Housing Goal 8. Mitigate risk of displacement	A Goal added in the draft Comprehensive Plan Update to support decreasing displacement risk.

Recommendations

MAKERS has completed reviews of Washington state new housing legislation and completed a RDI analysis on Kitsap County’s current Comprehensive Plan Land Use and Housing elements. Below are highlighted adjustments that Kitsap County’s draft updated Comprehensive Plan has included that could increase inclusion and reduce disparate impacts.

- Increasing densities in current single-family UGA areas as locations for more affordable and varied housing choices. This includes allowing and reducing barriers to townhomes, ADUs, and duplexes.
- The updated Draft Comprehensive Plan has recommended reducing or removing minimum lot sizes, minimum lot dimensions, setbacks, and parking mandates.
- The updated Draft Comprehensive Plan has recommended allowing specific LAMIRDs to develop ADUs by right.
- The updated Draft Comprehensive Plan has recommended a policy to pursue tools to improve and streamline permit review processes, including efforts to reduce permitting timelines, bolster staff capacity for permit and application review, and other improvements to processes related to regulatory predictability.
- The updated Draft Comprehensive Plan has recommended a policy to evaluate existing development regulations and consider modifications to allow for boarding houses, Single Room Occupancy buildings, and micro-units. As SROs, micro-units, and other co-living housing can provide market-rate housing as low as 50% AMI.