



# KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682

Larry Keeton, Director

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## **SITE-SPECIFIC COMPREHENSIVE PLAN AMENDMENT APPLICATION STAFF REPORT**

**DATE:** August 24, 2009

**STAFF:** Heather Adams, Associate Planner

**APPLICANT:** Richard Bjarnson

**PROPERTY OWNER(S):** Richard Bjarnson

**FILE NO:** 09 78870

**ASSESSOR'S ACC'T:** 262702-1-079-2007

**NUMBER OF PARCELS:** 1

**LOCATION:**

**UGA:** Kingston UGA

**CURRENT USE:** Storage Shed to Henry's Hardware

**CURRENT ZONING:** Urban Medium

**REQ. ZONING:** Change zoning designation from Urban Medium (UM) to Highway Tourist Commercial (HTC) at a 3,000 square foot project site.

**ADDITIONAL PARCELS:** N/A

**RECOMMENDATION:** **APPROVAL**

### **VICINITY:**

The subject parcel is approximately 3,000 square feet located in Kingston, Wa. The proposed amendment application requests a change in land use and zoning from Urban Medium (UM) to Highway Tourist Commercial (HTC). The surrounding zoning is HTC to the south and west of the property. To the east and north of the property the zoning is UM. Surrounding uses in the area are a grocery store, fast food restaurant, gas station, and a feed store.

### **PHYSICAL CHARACTERISTICS OF SITE:**

The current land use is a small storage shed for Henry's Hardware (approximately 3,000 square feet) .Current Kitsap County critical area maps show a non-fish habitat stream on the

western portion of the subject parcel. Site-specific development proposals will be reviewed for compliance with KCC Section 19.400 (Critical Areas Ordinance).

### **BACKGROUND:**

The applicant's goal for the proposed Site Specific Comprehensive Plan Amendment is to bring the current attached storage shed of Henry's Hardware into compliance. The parcel became split zoned after a Boundary Line Adjustment was performed to fix the encroaching shed on the neighboring parcel.

### **SEPA STATUS**

A SEPA Determination of Non-significance (DNS) was completed on August 17, 2008, by Dave Greetham, SEPA Responsible Official. The DNS was issued after using the optional DNS process in WAC 197-11-355. DNS comments are as follows:

The SEPA comment period previously occurred concurrent with the Notice of Application dated July 24, 2009. Pursuant to WAC 197-11-060(5), phased SEPA review is being utilized. Should the request be approved, all future subdivision activity would require additional environmental review, including submittal of a wetland and stream delineation report.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. There is no further comment period on the DNS.

### **PUBLIC UTILITIES, SERVICES, AND TRANSPORTATION:**

The project site is located within the following public utility areas:

Water:	PUD #1
Sewer:	Kitsap County Public Works
Stormwater:	Private on-site

The following public services are available to the project site:

Police:	Kitsap County Sheriff
Fire:	Fire District #18
Medical:	Fire District #18
Schools:	North Kitsap School District
Parks:	Kitsap County Parks and Recreation Dept. Washington State Parks
Transit:	Kitsap Transit

## **CRITERIA FOR RECOMMENDATION OR DECISION – GENERAL**

For each proposed amendment to the Comprehensive Plan the Planning Commission in reaching its recommendation, and the Board of County Commissioners in making its decision, shall develop findings and conclusions which consider<sup>1</sup>:

- 1. Have circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located substantially changed since the adoption of the Comprehensive Plan?***

**Finding:** Circumstances related to the proposal area have not substantially changed since the adoption of the Comprehensive Plan.

- 2. Are the assumptions upon which the Comprehensive Plan is based still valid, or, is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan?***

**Finding:** Assumptions are still valid; no new substantive information is available that was not considered during the adoption or amendment to the Comprehensive Plan.

## **CRITERIA FOR RECOMMENDATION OR DECISION -**

### **SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENTS**

A proposed site-specific amendment to the Comprehensive Plan may be recommended for approval by the Planning Commission, and may be approved by the Board of County Commissioners, if, in addition to the findings and conclusions required in KCC Section 21.08.160, all of the following criteria are also satisfied.

- 1. Are concurrency requirements for transportation, sewer and water met? Will the change result in significant adverse impacts on adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services?***

**Finding:** Concurrency requirements are satisfactory. The site is already built out to its full potential being that it is only 3,000 square feet and is encompassed by the storage shed that the applicant is trying to bring into compliance.

- 2. Is the proposal consistent with the goals, policies and objectives of the Comprehensive Plan?***

**Finding:** The proposal is consistent with goals, policies, and objectives of the Comprehensive Plan.

## **Kitsap County Comprehensive Plan States:**

*Goal 12. Support the establishment and maintenance of local retail businesses that provide basic consumer goods. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Goal 12 , pg 12-6)*

*Goal 34. Focus commercial growth within UGAs where the county's future population growth will be guided and where public services and facilities will be focused. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Goal 34, pg 12-11)*

*Policy King-42 County shall designate sufficient land for anticipated commercial land uses on its Land Use Map. Designation of new commercial areas should consider countywide population and employment forecasts and the local needs of the surrounding community. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Policy King-42, pg 12-11)*

*Goal 35. Identify land and variety of sites for commercial land uses that are reasonably scaled to the needs of the community. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Goal 35 , pg 12-11)*

*Policy King-43 Kitsap County is encouraged to develop standards for commercial development that identify appropriate site size for different types of centers, appropriate types of uses, and guidelines for design that encourage attractive and efficiently functioning centers. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Policy King-43, pg 12-11)*

*Goal 38. Recognize existing commercial development patterns. (Kitsap County Comprehensive Plan 2006, Chapter 12. Kingston Sub-Area, Goal 38 , pg 12-12)*

- 3. Is the subject parcel suitable for the requested land use designation based upon, but not limited to, access, provision of utilities, consistency with existing and planned uses, environmental constraints and compatibility with the neighborhood?**

**Finding:** The subject parcel is suitable for the requested land use designation. The site is already functioning successfully and has good access, good utility services, and the proposed and use types would be consistent with the already existing uses, it has negligible environmental constraints (see SEPA discussion, *above*), and is compatible with a neighborhood already represented with commercial uses. In addition, the project site is already functioning as a storage shed for Henry's Hardware. (See Current Plan Designation and Surrounding Land Use, *below*)

- 4. Would the proposed amendment create pressure to change the land use designation of other properties or to change land use to that which is generally in the long-term interests of the community?**

**Finding:** The proposed amendment could create pressure to change the land use designation of other properties. However, the surrounding properties already are well-represented with commercial land uses.

**5. *Would the proposed amendment materially affect the Comprehensive Plan's land uses and growth projections?***

**Finding:** The proposed amendment would not materially affect the Comprehensive Plan's land use and growth projections. The change would bring the current use into compliance and should not encourage more commercial development in the area, the change would be negligible as to countywide land use and growth projections as it involves only 3,000 square feet of which is already built out to its full capacity.

**6. *Would the proposed amendment materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall area of the UGAs?***

**Finding:** The proposed amendment would not materially affect the adequacy or availability of urban facilities and services to the immediate area. In addition, to proposed request is only 3,000 square feet and is an existing commercial use.

**7. *Is the proposed amendment consistent with the Growth Management Act (GMA), Kitsap County-wide Planning Policies (CPP), Kitsap County Resolution 015-2008 (2008 Community Planning Docket and Work Program), state (RCW) and local laws, and other applicable inter-jurisdictional policies or agreements?***

**Finding:** The proposal is consistent with the Growth Management Act and Kitsap Countywide Planning Policies. The proposal is not inconsistent with other state and local laws.

The proposal promotes higher density development within the existing UGA consistent with the following provisions of the GMA.

**GMA**

*(1) Urban growth. Encourage development in urban areas where adequate public facilities or services exist or can be provided in an efficient manner. RCW 36.70A.020:*

*(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. RCW 36.70A.110*

*(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public*

facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. 36.70A.070.C.iii

**County Wide Planning Policies State:**

*Livable urban communities and neighborhoods, centers for employment, civic activities, housing:*

- \* Attractive, well designed and livable urban communities, supported by efficient and high quality services and facilities, and providing a range of housing choices.*
- \* Healthy cities that are the region’s centers for employment, affordable housing choices, and civic and cultural activities.*  
*(Countywide Planning Policies 2007, Countywide Growth Patterns: A pg.5)*

*The primary role of Kitsap’s urban communities is to encourage growth, through new development, re-development and in-fill. (See Appendix B for current and projected population distribution.) (Countywide Planning Policies 2007, Roles of Cities and Urban Growth Areas/Urban Communities,,: 1A pg.16)*

*Each of Kitsap’s urban communities should foster its unique vision as a high quality place to live and work. (Countywide Planning Policies 2007, Roles of Cities and Urban Growth Areas/Urban Communities,,: 1B pg. )*

*The basic premise for designating Urban Growth Areas is to encourage the location of urban density residential, commercial and industrial developments in areas where services can be most economically provided. The benefits of directing growth to designated urban areas include:*

- \* Promotion of attractive residential neighborhoods and commercial districts which provide a sense of community (Countywide Planning Policies 2007, Element B. Urban Growth Areas, A pg.16)*

**8. Meets all requirements outlined in the resolution adopting the preliminary docket.**

**Finding:** The proposal is consistent with the resolution adopting the preliminary docket.

**ANALYSIS**

The proposal would rezone one parcel totaling 3, 000 square feet from Urban Medium (UM) to Highway Tourist Commercial (HTC).

According to KCC 21.08.160 and 21.08.180, all decision criteria must be satisfied to Recommend approval. This staff report produced the following findings:

**General Decision Criteria<sup>2</sup>**

1. Meets initial criteria
2. Meets initial criteria

### **Site Specific Decision Criteria**<sup>3</sup>

1. Satisfactory
2. Satisfactory
3. Satisfactory
4. Uncertain
5. Satisfactory
6. Satisfactory
7. Satisfactory

### **CONCLUSION**

This report has identified elements that support a recommendation for approval. The provision of public utilities, proximity to freeway access, and compatibility with the adjacent properties uses create a strong case for the property to be rezoned to Highway Tourist Commercial. In addition, it would bring the current use into conformance.

### **RECOMMENDATION**

Staff recommends **APPROVAL** of this application.

**Attachments:** Arial Map  
Current Zoning  
Proposed Zoning  
Critical Areas

Kitsap County  
2009 Site Specific  
Amendments

Aerial Photography  
**Richard Bjarnson**  
**262702-1-079-2007**

Commissioner District 1  
4.62 Acres  
Current Zoning: Highway Tourist  
Commercial/Urban Medium  
Requested Zoning: Highway  
Tourist Commercial

 Subject Parcel



DRAFT  
Map Date: June, 2009



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Zoning

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**262702-1-079-2007**

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4.62 Acres

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Requested Zoning: Highway  
Tourist Commercial

-  Subject Parcel
-  Tax Parcels
-  Easement
-  Plat-Line
-  Rural Residential (1 DU/5 Ac)
-  Urban Low Residential (4-8 DU/Ac)
-  Urban Medium Residential (10-18 DU/Ac)
-  Urban Village Center (up to 18 DU/Ac)
-  Highway Tourist Commercial (10-30 DU/Ac)
-  Neighborhood Commercial (10-30 DU/Ac)
-  Park (Kitsap County)

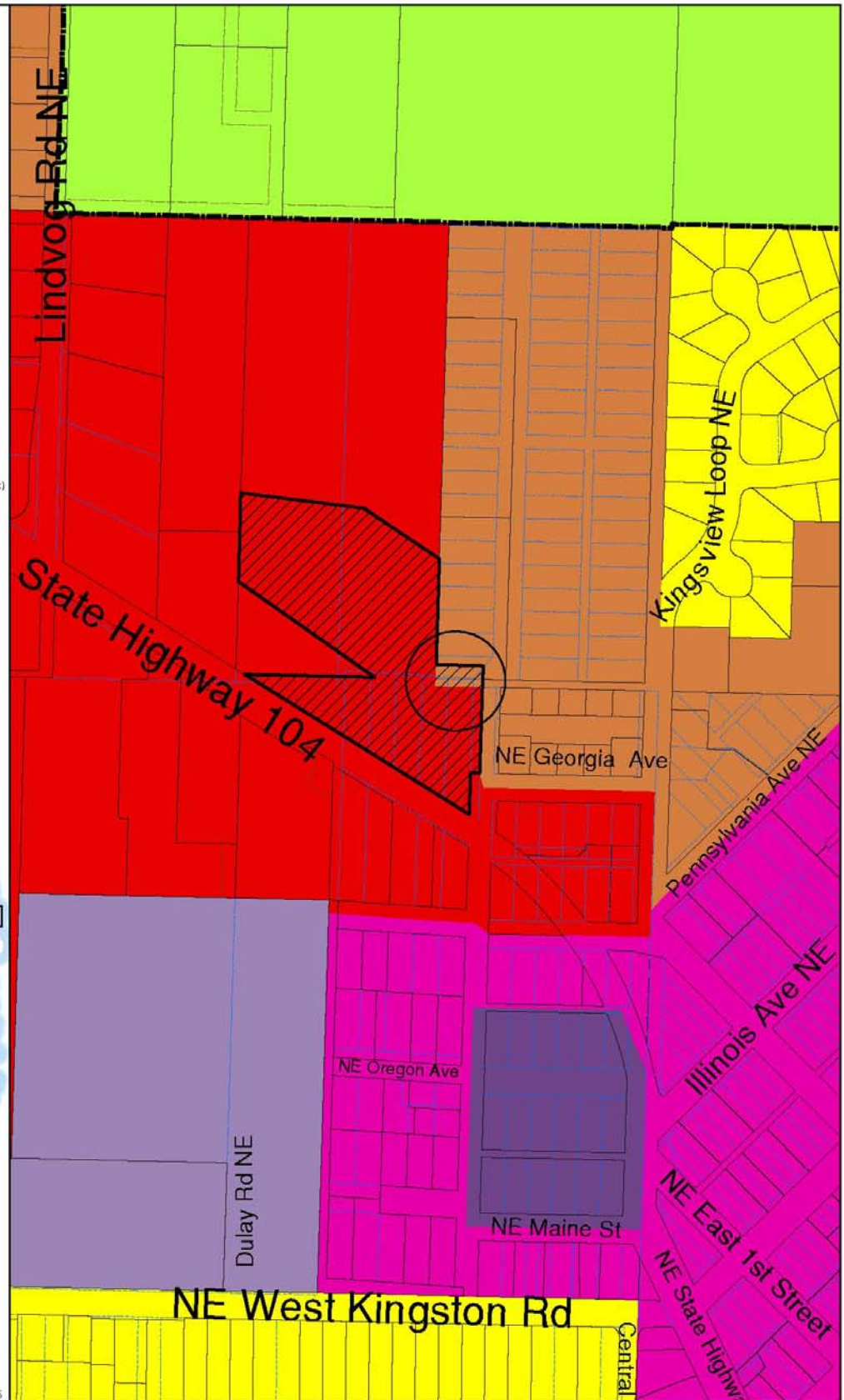


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Proposed Zoning

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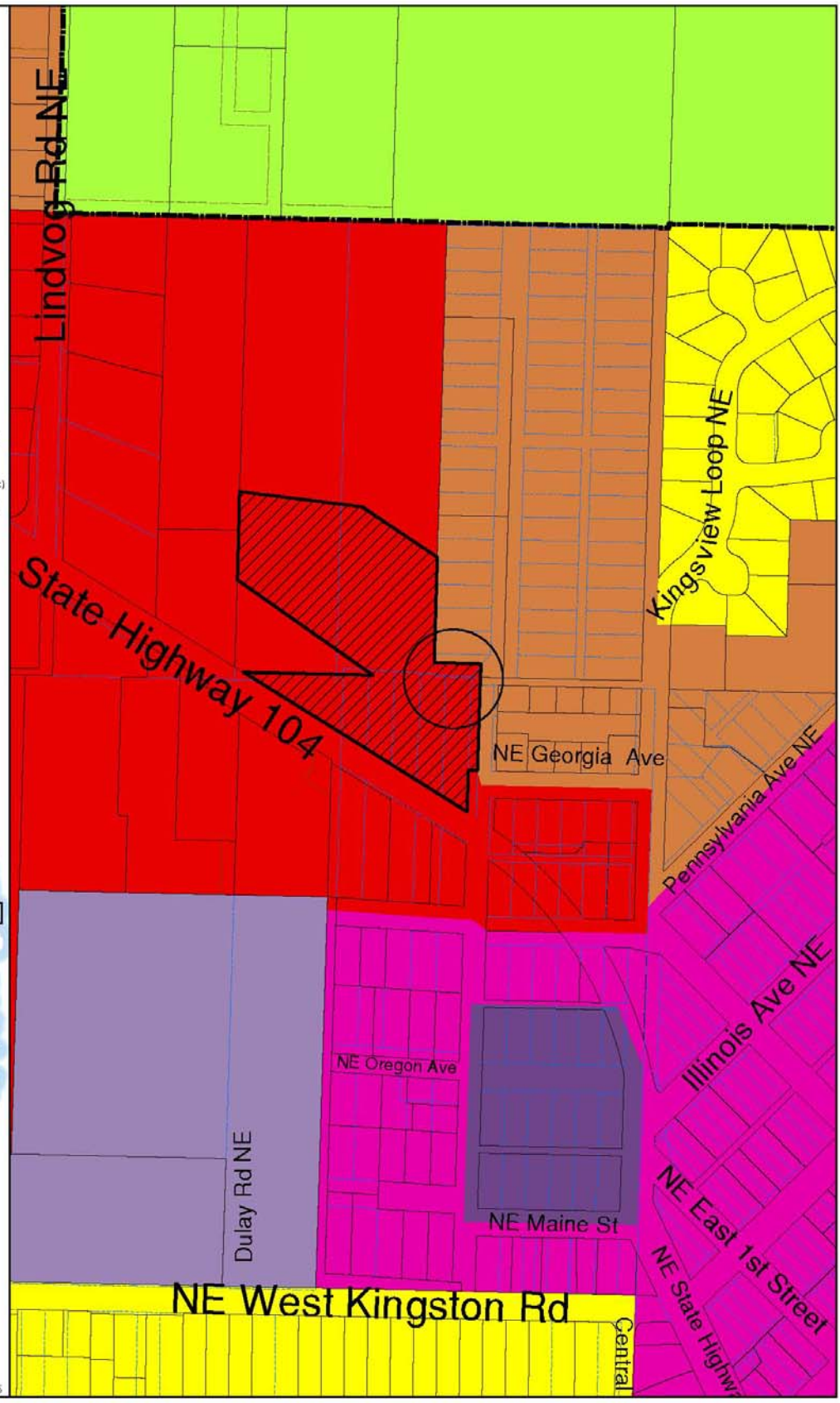


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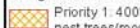
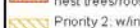
**Kitsap County  
2009 Site Specific  
Amendments**

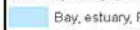
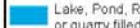
Topography &  
Natural Resources

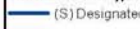
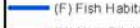
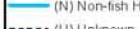
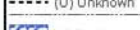
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Tourist Commercial

-  Subject Parcel
-  Tax Parcel
-  20' Contours
-  5' Contours

- Bald Eagle Management Nest  
and Communal Roost Buffers**  
Management Zone Description
-  Priority 1: 400' buffer around  
nest trees/roost sites
  -  Priority 2: w/in 400'-800' of nest  
tree or 500' of shoreline

- Waterbodies (defined in WAC 222-16-030)**  
Waterbody Cartographic Feature Code
-  Bay, estuary, Puget Sound
  -  Lake, Pond, Reservoir, Gravel pit  
or quarry filled with water

- Watercourses (defined in WAC 222-16-030)**  
Fish Habitat Water Type Code
-  (S) Designated Shoreline of the State
  -  (F) Fish Habitat
  -  (N) Non-fish Habitat
  -  (U) Unknown

-  Wetlands
-  Potential Wetlands
-  100 Year Floodplain

- Geohazards**
-  High Hazard Areas
  -  Moderate Hazard Areas



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