

ORDINANCE NO. 480-2011

**RELATING TO GROWTH MANAGEMENT, AMENDING THE KITSAP COUNTY
COMPREHENSIVE PLAN**

BE IT ORDAINED:

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

- 1) The Washington State Growth Management Act Revised Code of Washington 36.70A.130, mandates that Kitsap County's Comprehensive Land Use Plan (Comprehensive Plan) and corresponding Zoning Code and Map be subject to continuing review and evaluation.
- 2) Kitsap County has adopted its Comprehensive Plan pursuant to the Growth Management Act Chapter Revised Code of Washington 36.70A, and the Comprehensive Plan provides that it will allow for amendments to the Land Use and Zoning maps, Plan policies, and implementing regulations consistent with Growth Management Act, County-wide Planning Policies, applicable plan policies and other requirements of federal, state and/or local laws (Comprehensive Plan, Policy LU-33). Policy LU-34 directs the County to docket and consider Plan amendments and related amendments to regulations comprehensively consistent with Revised Code of Washington 36.70A.
- 3) Kitsap County Code, Chapter 21.08 Annual Comprehensive Plan Amendment Procedures, Section 21.08.040, provides that the Board of County Commissioners will establish a schedule for review and possible amendment of the Comprehensive Plan each year.
- 4) The Comprehensive Plan guides future growth in Kitsap County and responds to changes in conditions or assumptions. The Comprehensive Plan Amendment process provides an opportunity for members of the public to suggest amendments to the County's Comprehensive Plan, and to Kitsap County Code, if required to maintain consistency with the Comprehensive Plan.
- 5) The Board of County Commissioners finds that the Comprehensive Plan amendments adopted in this Ordinance are consistent with the Growth Management Act, County-wide Planning Policies, and other applicable requirements. In conducting review of these amendments, Kitsap County has followed state law, and particularly given attention to Revised Code of Washington 36.70A.370.

Section 2. General Procedural Findings. The Board of County Commissioners makes the following findings regarding the process and public participation aspects in amending the Comprehensive Plan:

1) On February 14, 2011, following timely and effective public notice, the Kitsap County Board of Commissioners adopted Resolution 032-2011, which set forth a process and timeline for the annual Comprehensive Plan Amendment process pursuant to Kitsap County Code 21.08.040, and which included an initial docket. The resolution identifies a public participation schedule for development and amendment of the comprehensive plan and development regulations through the Planning Commission and Board of County Commissioners' processes, and the docket described the specific aspects of the comprehensive plan and development regulations that would be reviewed for possible amendments.

2) As discussed in more detail below, the 2011 Comprehensive Plan Amendments include consideration of the adoption of requirements for textual and policy revisions relating to Chapter 3, 'Rural and Resource Lands' and Chapter 8 'Transportation' of the Comprehensive Plan and the Capital Facilities Plan.

3) Agricultural Goals and Policy Amendments, Rural and Resource Lands Chapter 3 of the Comprehensive Plan.

Pursuant to Resolution 032-2011 the Board of County Commissioners directed staff to amend the Comprehensive Plan, Chapter 3, 'Rural and Resource Lands' to revise goals and policies to strengthen connections in the growing food system of local farmers, food distributors and consumers, while providing appropriate protections and advisories. The goals and policies will recognize agriculture as a viable industry and provide the policy support for preparation of a 'right to farm' ordinance.

The amendments enhance the understanding of a diverse County agricultural base of economics and sustainability of farms and farming practices. The 2011 Agricultural Strategic Plan and Inventory is recognized as a base document for food system and policy refinement in Kitsap County. New policies support farm retention and preservation and allow for agricultural activities in 'Farming Focus Areas' noted in the 2011 Agricultural Strategic Plan and Inventory. Worker housing standards, enhanced permit or use notification procedures, Transfer of Development Rights program development, agri-tourism, equine activity and support, and adequate water and services infrastructure all have policy support.

The planning process for revisions to Chapter 3 agricultural goals and policies began with Board of County Commissioners direction in December 2010 to provide detailed review and preparation in 2011. In early 2011, the Kitsap County Food and Farm Policy Council reviewed goal and policy statements. The public process included public meetings and County staff conversations with citizens and members of the farming community, as noted below:

- Department of Community Development and Board of County Commissioners staff collaborated with the Kitsap County Food and Farm Policy Council in

developing agricultural goals and policies. The County staff and Kitsap County Food and Farm Policy Council coordinated updates, schedules and timelines, contact information, handouts, and meetings and events.

- The Kitsap County Food and Farm Policy Council held public meetings regarding proposed goals and policies in 2011. Department of Community Development provided assistance to assure goals and policies were implementable and consistent with other goals, policies and 'format' of the Comprehensive Plan.
- On August 8, 2011, the Kitsap County State Environmental Policy Act Official issued a Determination of Non-significance and Notice of Adoption of Existing Environmental Documents for the proposed agricultural goals and policy revision to Chapter 3 of the Comprehensive Plan pursuant to State Environmental Policy Act, Chapter 43.21C Revised Code of Washington; the Determination of Non-significance comment and appeal period expired August 23, 2011 and no State Environmental Policy Act appeals were filed. The "Notice of Intent to Adopt" for Chapter 3 was sent to the Washington State Department of Commerce, Growth Management Services Review Team on August 9, 2011, pursuant to Revised Code of Washington 36.70A.106 and Washington Administrative Code 365-195-620, and no responsive comments have been received from the Department of Commerce.
- In March 2011, the Kitsap County Food and Farm Policy Council presented Department of Community Development an initial draft set of Comprehensive Plan policies for consideration in the 2011 Comprehensive Plan cycle. Staff reviewed and modified these policies as necessary. The modified goals and policies were presented to the Kitsap County Food and Farm Policy Council on September 15, and deemed by the County and the Kitsap County Food and Farm Policy Council ready for Planning Commission review and recommendation.
- On Sep 20, 2011 following timely and effective public notice, the Kitsap County Planning Commission held a workstudy, a public hearing, and deliberations on the proposed amendments and voted 8-0 to approve the proposed goals and policies, consistent with the 'Sep 20, 2011 Department of Community Development-Proposed Comprehensive Plan Agricultural Goals & Policies, Public Comments Matrix'. Six citizens attended.
- Staff briefed the Board of County Commissioners on the proposed agricultural goals and policies at its October 26, 2011 work-study meeting. No changes were discussed.
- On November 14, 2011, following timely and effective public notice, the Board of County Commissioners conducted a public hearing to accept oral and written comments regarding the Planning Commission recommendation for the revisions to goals and policies of Chapter 3 of the Comprehensive Plan. The public hearing was continued until December 12, 2011 for decision only.

4) North Kitsap Trails Association "String Of Pearls Trail Plan" and associated Comprehensive Plan Amendments

Pursuant to Resolution 032-2011 the Kitsap County Board of County Commissioners directed staff to amend the Comprehensive Plan, Chapter 8, 'Transportation' to revise planning documents, goals and policies that support the goal of a consolidated countywide trails plan, including updating elements of the Kitsap County Non-Motorized Plan.

The Comprehensive Plan includes multiple goals and policies regarding the importance of non-motorized facilities to the County's transportation, parks and open space systems. Throughout 2009 and 2010, the North Kitsap Trails Association conducted 27 public presentations, three of which were published public open house meetings to discuss options and elements of a proposed trail plan for North Kitsap. The public process also included several public meetings, discussions, and County staff conversations with citizens and members of the trails community, as noted below:

- On September 2, 2011, North Kitsap Trails Association submitted the String of Pearls Trail Plan to the County to consider for adoption.

- On September 9, 2011, the Kitsap County State Environmental Policy Act Official issued a Determination of Non-significance and Notice of Adoption of Existing Environmental Documents for the proposed trails planning goals and policy revisions to Chapter 8 of the Comprehensive Plan pursuant to State Environmental Policy Act, Chapter 43.21C Revised Code of Washington; the Determination of Non-significance extended comment and appeal period expired October 10, 2011, two comments were submitted and no State Environmental Policy Act appeals were filed. The "Notice of Intent to Adopt" for Chapter 8 was sent to the Washington State Department of Commerce, Growth Management Services Review Team on September 7, 2011, pursuant to Revised Code of Washington 36.70A.106 and Washington Administrative Code 365-195-620, and no responsive comments have been received from the Department of Commerce.

- On September 20, 2011, following timely and effective public notice, the Planning Commission held a briefing and work-study session to review and discuss the proposed trail plan and comprehensive plan changes.

- On October 4, 2011, following timely and effective public notice, the Kitsap County Planning Commission held a public hearing to consider verbal testimony on the draft amendments. Written testimony for consideration through the Planning Commission process was extended and closed on October 12th at 4:30PM.

- On October 18, 2011, the Kitsap County Planning Commission, following timely and effective notice, deliberated on the NK String of Pearls Trail Plan and

proposed Comprehensive Plan Amendments. At this meeting, the Planning Commission recommended several changes and or additions to the staff edit matrix affecting language in the trail plan and subsequently voted 8-0 to approve staff's recommendation with changes so-noted.

- On November 14, 2011, following timely and effective public notice, the Board of County Commissioners conducted a public hearing to accept oral and written comments regarding the Planning Commission Recommendation for the revisions to goals and policies of Chapter 3 of the Comprehensive Plan. The public hearing was continued until December 12, 2011 for decision only.

5) Transfer of Development Rights Policy Amendments, Rural and Resource Lands Chapter 3 of the Comprehensive Plan.

Pursuant to Resolution 032-2011 the Kitsap County Board of County Commissioners directed staff to consider policy changes to the Transfer of Development Rights program as noted in the Comprehensive Plan, Chapter 3, 'Rural and Resource Lands'. Policy analysis and revision of the Comprehensive Plan discussion of Transfer of Development Rights would clarify the intent of the County's program to preserve rural lands while conveying density and other urban intensifications to urban designated receiving sites.

The County entered into an Inter-Local Agreement with the City of Port Orchard on June 14, 2011 to provide funding for the examination of Transfer of Development Rights rural sending sites and potential prioritization. The City would consider applying the resultant Transfer of Development Rights rural sending sites program to its City core as receiving sites for potential density and development bonuses. The County would consider companion zoning code changes in 2012 and the Inter-local Agreement is scheduled to expire Jun 30, 2012. The public process is as noted below:

- Beginning in early 2011, Department of Community Development staff attended several regularly-scheduled County and County/City meetings hosted by the Puget Sound Regional Council and the Washington State Department of Commerce. The objectives of these meetings are to share Transfer of Development Rights programs, successes, failures and strategies among various jurisdictions.
- On September 28, 2011, the Kitsap County State Environmental Policy Act Official issued a Determination of Non-significance and Notice of Adoption of Existing Environmental Documents for the proposed Transfer of Development Rights policy revision to Chapter 3 of the Comprehensive Plan pursuant to State Environmental Policy Act, Chapter 43.21C Revised Code of Washington; the Determination of Non-significance comment and appeal period expired October 17, 2011 and no State Environmental Policy Act appeals were filed. The "Notice of Intent to Adopt" for Chapter 3 was sent to the Washington State Department of Commerce, Growth Management Services Review Team on September 29,

2011, pursuant to Revised Code of Washington 36.70A.106 and Washington Administrative Code 365-195-620, and no responsive comments have been received from the Department of Commerce.

- On October 18, 2011 following timely and effective public notice, the Kitsap County Planning Commission held a workshop on the proposed policy amendments.
- On November 1, 2011 following timely and effective public notice, the Kitsap County Planning Commission held a public hearing, and deliberations on the proposed amendments and voted 8-0 to approve the proposed policies with no changes to staff's recommendations.
- Staff briefed the Board of County Commissioners on the proposed goals and policies at its November 2, 2011 work-study meeting. No changes were discussed.
- On November 14, 2011, following timely and effective public notice, the Board of County Commissioners conducted a public hearing to accept oral and written comments regarding the Planning Commission Recommendation for the revisions to agricultural goals and policies of Chapter 3 of the Comprehensive Plan. The public hearing was continued until December 12, 2011 for decision only.
- 6) Capital Facilities Plan. Pursuant to Resolution 032-2011, the Kitsap County Board of County Commissioners directed staff to revise portions of the Kitsap County Capital Facilities Plan. To fulfill this requirement, the Kitsap County staff held a series of meetings involving the citizens and community representatives. Proposed amendments to the six-year capital facilities plans were concurrently considered through the County budget process, as provided in Revised Code of Washington 36.70A.130.
- a) On November 28, 2011, following timely and effective public notice, the Board of County Commissioners conducted a public hearing to accept oral and written comments regarding the amendments to the Kitsap County Capital Facilities Plan.

Section 3. Substantive Findings related to North Kitsap Trails Association 'String Of Pearls Trail Plan' and associated Comprehensive Plan revisions to 'Transportation' Chapter 8 of the Comprehensive Plan. The Board of County Commissioners makes the following findings related to the Plan revisions and with respect to the text and policy amendments to the Comprehensive Plan:

1) The Kitsap County Planning Commission reviewed a Department of Community Development staff report on the revisions to Chapter 8 of the Comprehensive Plan and subsequently, made findings pertaining to the proposed Comprehensive Plan amendment; the Planning Commission considered compliance with Kitsap County

Code, goals and policies of the Kitsap County Comprehensive Plan, and the goals and policies of the Growth Management Act (Revised Code of Washington 36.70A.020). Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission.

- 2) Kitsap County Code 21.08.160 sets forth general criteria that the Board of County Commissioners must consider when making amendments to the Comprehensive Plan. In making such amendments, the Board of County Commissioners must consider whether circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan, and whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
- 3) Kitsap County Code 21.08.170 also sets forth criteria for making textual and area-wide amendments to the Comprehensive Plan. In making such amendments, the Board of County Commissioners must consider whether the proposed amendment is consistent with and supports other plan elements and/or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency, whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan, whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies, and whether the proposed amendment complies with the requirements of the Growth Management Act.
- 4) The Planning Commission was presented a staff report and deliberated on the revisions to trails planning goals and policies of Chapter 8.
- 5) The Board of County Commissioners hereby adopts and incorporates by this reference, the findings made by the Kitsap County Planning Commission on November 1, 2011 for the revisions to goals and policies of Chapter 8, which found that the proposed general text amendments met the criteria or recommendation or decision, as per Sections 21.08.160 and 21.08.170 of the Kitsap County Code and met the Growth Management Act.
- 6) Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission. Additionally, the Board finds:
 - a) The proposed amendments are consistent with Growth Management Act goals in Revised Code of Washington 36.70A.020.
 - b) The proposed revisions are consistent with Kitsap County Code 21.08.160. Specifically there is new information about the relevance of trail planning in Kitsap County which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.

c) The proposal is consistent with Kitsap County Code 21.08.170. Specifically, the proposed Plan is consistent with the Comprehensive Plan. The proposed amendment is consistent with Kitsap County-wide Planning Policies, and the proposed amendment complies with the requirements of the Growth Management Act as noted earlier.

d) Comprehensive Plan Chapter 8 'Transportation, section 8.2 'Transportation Goals and Policies' shall be amended as follows:

8.2.10 Non-motorized Travel

Goal 18. Develop a system of non-motorized transportation facilities that are constructed primarily within the right-of-way of existing and proposed public streets or roads and that provide safe transportation between a variety of regional, inter-community and local county destinations for bicyclists and pedestrians.

Goal 18. Develop a system of non-motorized transportation facilities within existing right-of-ways and identified routes through open space that provide safe transportation between a variety of regional, inter-community and local county destinations for bicyclists and pedestrians.

Policy T-75 Implement the Mosquito Fleet Trail Master Plan. All improvements in the Bicycle Facilities Plan that overlap with the Mosquito Fleet Trail Plan are considered high priority projects.

Policy T-75 Implement the Mosquito Fleet Trail Plan and North Kitsap String of Pearls Trails Plan to guide development of non-motorized facilities in their areas of concentration.

Section 4. Substantive Findings related to Agricultural Goals and Policy revisions to the 'Rural and Resource Lands', Chapter 3 of the Comprehensive Plan. The Board of County Commissioners makes the following findings related to the Plan revisions and with respect to the text and policy amendments to the Comprehensive Plan:

1) The Kitsap County Planning Commission reviewed a Department of Community Development staff report on the revisions to Chapter 3 of the Comprehensive Plan and subsequently, made findings pertaining to the proposed Comprehensive Plan amendment; the Planning Commission considered compliance with Kitsap County Code, goals and policies of the Kitsap County Comprehensive Plan, and the goals and policies of the Growth Management Act (Revised Code of Washington 36.70A.020). Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission.

2) Kitsap County Code 21.08.160 sets forth general criteria that the Board of County Commissioners must consider when making amendments to the Comprehensive

Plan. In making such amendments, the Board of County Commissioners must consider whether circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have substantially changed since the adoption of the Comprehensive Plan, and whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.

- 3) Kitsap County Code 21.08.170 also sets forth criteria for making textual and area-wide amendments to the Comprehensive Plan. In making such amendments, the Board of County Commissioners must consider whether the proposed amendment is consistent with and supports other plan elements and/or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency, whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan, whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies, and whether the proposed amendment complies with the requirements of the Growth Management Act.
- 4) The Planning Commission was presented a staff report and deliberated on the revisions to agricultural goals and policies of Chapter 3.
- 5) The Board of County Commissioners hereby adopts and incorporates by this reference, the findings made by the Kitsap County Planning Commission on October 4, 2011 for the revisions to agricultural goals and policies of Chapter 3, which found that the proposed general text amendments met the criteria or recommendation or decision, as per Sections 21.08.160 and 21.08.170 of the Kitsap County Code and met the Growth Management Act.
- 6) Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission. Additionally, the Board finds:
 - a) The proposed amendments are consistent with Growth Management Act goals in Revised Code of Washington 36.70A.020.
 - b) The proposed revisions are consistent with Kitsap County Code 21.08.160. Specifically there is new information about the relevance of the food system and agricultural activities with Kitsap County which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
 - c) The proposal is consistent with Kitsap County Code 21.08.170. Specifically, the proposed Plan is consistent with the Comprehensive Plan. The proposed amendment is consistent with Kitsap County-wide Planning Policies, and the proposed amendment complies with the requirements of the Growth Management Act as noted earlier.
 - d) Comprehensive Plan Chapter 3 'Rural and Resource Lands', section 3A.2.1c shall be amended as follows:

3.A.2.1c Agriculture Policies for Rural Lands

Agricultural land is defined by the Growth Management Act as "land primarily devoted to the commercial production of horticulture, viticulture, floriculture, dairy, apian, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees, or livestock, and that has long-term commercial significance for agricultural production." Long-term soil composition of the land for long term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land." Kitsap County does not have any designated agricultural land nor are any lands within Kitsap County zoned "Agriculture". However, because agriculture is considered a resource use by the Growth Management Act and because food is an important need for all humans, a discussion of the agriculture that is occurring in Kitsap County is described in the paragraphs below.

Kitsap has historically relied on its local farmers for not only food, but for agricultural knowledge, awareness and education. One of the earliest efforts to document farm activity in Kitsap County is the 1956 Washington State Department of Agriculture Report on Kitsap County Agriculture. It served Kitsap then to value agriculture and was recently reviewed to once again affirm agriculture's importance to Kitsap County. *Washington State Farmland Preservation Indicators* prepared by the Washington State Conservation Commission in 2009 provides metrics to evaluate farmland preservation goals and will be used by farmers and related agencies to collect regular agriculture and economic data. In 2009 the Board of County Commissioners created the Food Chain Program to recognize and educate the importance of a localized sustainable food system. Most recently, in 2010, the Board of County Commissioners appointed the Kitsap County Food and Farm Policy Council to support and encourage local food production, distribution, and access, as well as develop strategies for County consideration.

Agriculture is a growing industry business in Kitsap County with 15,294 acres of prime farmland soil designated by the United States Department of Agriculture, with up to that many and a similar number of acres again suitable for either dry-soil crops or with irrigation. The 2007 Agricultural Census identified 664 farm operations in Kitsap, representing an increase of 14% since ever 2002. The Kitsap Conservation District documented 1000 more farms as part of their ongoing County Watershed Inventory.

Kitsap County maintains a Current Use Assessment program for agricultural lands, with 214 enrolled parcels totaling 2,169 acres. The ~~USDA Agricultural Census~~ same source estimates food processing and farming accounts for 113 full-time employees in Kitsap County with a total agricultural value of \$59 million. The same source also estimates Kitsap County farmers' markets bring in over \$1,000,000 annually. Small farms in Kitsap County are increasing in number and in production (reflecting a trend seen across the country) and clearly represent a significant contribution to the County's economic, environmental and community sustainability.

The Kitsap agricultural base ~~of Kitsap~~ is diverse. Farmers grow a ~~cornucopia~~ variety of crops (horticulture, fruits, berries and vegetables; forage and grains; viticulture, vermiculture, organic & non-organic forestry, aquaculture) and ~~carry out~~ perform animal husbandry. In 2007, over half of Kitsap County's agriculture sales (valued at \$7 million) were horticultural products (nursery, greenhouse, floriculture and sod). ~~Besides horticulture,~~ Kitsap County growers are also among the state's leading producers of Christmas trees and sheep, goats, and their products. Additionally, Kitsap County's has eight community-based farmers markets, reflecting the expanding national trend of smaller farms catering to local markets. Because of our growing urban population, and expanding local food outlets, fostering local food production and consumption is an important part of public and economic development policy.

The small farms prevalent in Kitsap, both historically and currently, represent a sole source of income, a partial or second income, or a household supplement of food or fiber, and the value of agricultural activity is significant to many rural households. It is demonstrable that agricultural activities and local food production are important rural activities that are good for public health and provide environmental and economic benefits to Kitsap County.

~~The following goals are established, recognizing the Food and Farm Policy Council will be making recommendations in 2011 on detailed policies regarding the County food production system.~~

Goal 8. Promote a diverseity of agricultural activities.

Policy RL-79¹ The 2011 Kitsap County Agricultural Strategic Plan and Inventory shall be the basis for Kitsap's food system, including agriculture, policies and programs developed by the County. Agricultural mapping detailed in the plan shall be maintained and refined.

Policy 80 Allow agricultural activities and practices from cultivation to harvest as well as on-farm value-added processing within the Rural Wooded, Rural Protection and Rural Residential zoning districts or the Farming Focus Areas identified in the 2011 Agricultural Strategic Plan and Inventory.

Goal 9. Retain and preserve land suitable for agricultural production and encourage the continued practice of farming within the County through regulatory and non-regulatory means.

Policy 81 Develop and adopt a Right-to-Farm ordinance.

Policy 82 Permit all agricultural uses as defined 17.110.050 and agricultural activities as defined in Revised Code of Washington 7.48.310 in the Rural Wooded, Rural Protection and Rural Residential zoning districts.

Policy 83 Slaughtering facilities, meat packing or commercial feed lots shall be limited to the Farming Areas identified in the 2011 Agricultural Strategic Plan and Inventory.

Policy 84 Develop and adopt standards for permitting temporary farm worker housing standards and policies to allow for construction of farm worker housing and infrastructure.

Policy 85 Consider procedures to notify neighboring landowners about approved agricultural uses in the Rural Wooded, Rural Protection and Rural Residential zoning districts.

Policy 86 Coordinate with federal, state and local governments, community groups, and private landowners to promote long-term preservation of farmlands.

Policy 87 Develop regulations that permit appropriate farm-related activities secondary to primary farm operations in Rural Wooded, Rural Protection and Rural Residential zoning districts. This includes, but is not limited to, farm infrastructure buildings, commercial activities in

¹ Please note the agricultural policies have been numbered beginning with Policy RL-79. The re-numbering of these policies will occur with the Comprehensive Plan Update of 2016.

conjunction with adding value to products grown on the farm (on-farm processing, community kitchens), farm stands and sales, and other essential farm support activities.

Policy 88 Develop and promote incentives for continued resource uses, including but not limited to a Transfer of Development Rights program, an expedited agricultural activity permit review program, and educational and agritourism activities.

Policy 89 Recognize recreational equine activities and animal grazing uses as compatible uses with agricultural uses and activities because of their economic contribution to the County's agricultural industry and for preserving large parcels of land for other agricultural uses.

Policy 90 Review and amend development regulations to consider impacts of non-farm-related commercial or industrial uses to the Farming Areas identified in the 2011 Agricultural Strategic Plan and Inventory.

Goal 10. Develop and maintain adequate rural public facilities and services that support local agriculture.

Policy 91 Water is an agricultural necessity. Develop and adopt policies with appropriate local, county and state agencies to promote viable coordinated water resources for greater accessibility to water rights for agriculture usage.

Section 5. Substantive Findings related to Transfer of Development Rights Program Policy revisions to the 'Rural and Resource Lands', Chapter 3 of the Comprehensive Plan. The Board of County Commissioners makes the following findings related to the Plan revisions and with respect to the text and policy amendments to the Comprehensive Plan:

- 1) The Kitsap County Planning Commission reviewed a Department of Community Development staff report on the revisions to Chapter 3 of the Comprehensive Plan and subsequently, made findings pertaining to the proposed Comprehensive Plan amendment; the Planning Commission considered compliance with Kitsap County Code, goals and policies of the Kitsap County Comprehensive Plan, and the goals and policies of the Growth Management Act (Revised Code of Washington 36.70A.020). Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission.
- 2) Kitsap County Code 21.08.160 sets forth general criteria that the Board of County Commissioners must consider when making amendments to the Comprehensive Plan. In making such amendments, the Board of County Commissioners must consider whether circumstances related to the proposed amendment and/or the area in which the property affected by the proposed amendment is located have

3.C Transfer of Development Rights

- substantially changed since the adoption of the Comprehensive Plan, and whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
- 3) Kitsap County Code 21.08.170 also sets forth criteria for making textual and area-wide amendments to the Comprehensive Plan. In making such amendments, the Board of County Commissioners must consider whether the proposed amendment is consistent with and supports other plan elements and/or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency, whether the proposed amendment to the plan and/or regulation will more closely reflect the goals, objectives and policies of the Comprehensive Plan, whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies, and whether the proposed amendment complies with the requirements of the Growth Management Act.
- 4) The Planning Commission was presented a staff report and deliberated on the revisions to Transfer of Development Rights policies of Chapter 3.
- 5) The Board of County Commissioners hereby adopts and incorporates by this reference, the findings made by the Kitsap County Planning Commission on November 15, 2011 for the revisions to Transfer of Development Rights policies of Chapter 3, which found that the proposed general text amendments met the criteria or recommendation or decision, as per Sections 21.08.160 and 21.08.170 of the Kitsap County Code and met the Growth Management Act.
- 6) Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission. Additionally, the Board finds:
- a) The proposed amendments are consistent with Growth Management Act goals in Revised Code of Washington 36.70A.020.
- b) The proposed revisions are consistent with Kitsap County Code 21.08.160. Specifically there is new information about the relevance of preservation of rural properties and applicability of Transfer of Development Rights in Kitsap County which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
- c) The proposal is consistent with Kitsap County Code 21.08.170. Specifically, the proposed Plan is consistent with the Comprehensive Plan. The proposed amendment is consistent with Kitsap County-wide Planning Policies, and the proposed amendment complies with the requirements of the Growth Management Act as noted earlier.
- d) Comprehensive Plan Chapter 3 'Rural and Resource Lands', section 3C 'Transfer of Development Rights' shall be amended as follows:

Transfer of Development Rights is a market-based tool for conserving land or structures determined to have public benefit. It complements other incentive-based tools, land or easement acquisition programs, and other regulatory techniques intended to achieve selected growth management objectives. The use of Transfer of Development Rights is authorized by Growth Management Act in the Revised Code of Washington 36.70A.090 as follows:

A comprehensive plan should provide for innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments, and the transfer of development rights.

See Chapter 2, Land Use, for policies relating to urban areas of the county, where Transfer of Development Rights receiving sites would be located.

Goal 20 Promote the Transfer of Development Rights from land valuable to the public, especially rural and resource areas, to urban areas, in order to preserve the rural environment, encourage retention of rural resource-based uses, and avoid the demand for urban service demands in rural areas.

Policy RL-73 Continue efforts to implement an effective and focused Transfer of Development Rights program, as an innovative means to preserve private lands with countywide public benefit, to encourage higher densities in appropriate areas, and reduce residential development capacity in natural resource areas.

Policy RL-74 Consider the reduction of development in the rural area by encouraging the Transfer of Development Rights from private rural lands into the Urban Growth Area as the top priority of the voluntary Transfer of Development Rights Program.

Policy RL-75 Support and work actively to facilitate the transfer of rural development rights to for the following:

- a. Preserve the rural environment, encourage retention of resource – based uses, and reduce service demands in the rural areas.

a. All Rural Lands.

- b. Provide protection to significant natural resources, which include but are not limited to habitat corridors, shorelines, and areas with a critical recharging affect.
 - c. Increase the regional open space system consistent with the County Open Space Plan per Kitsap County Code Chapter 18.12.
 - d. Encourage rural farm preservation and other related agricultural activities countywide, as noted in the Comprehensive Plan Agriculture goals and policies.
 - e. Promote interconnected rural non-motorized greenbelt corridors to provide alternative mode of transportation and recreation activities consistent with Section 2.9 Opens Space and Greenways.
 - f. Promote the use of innovative land use development techniques in rural areas by clustering, and to employ low impact development practices.
 - g. Provide bonus Transfer of Development Rights credit for non-conforming lot sending sites, which were created prior to the adoption of the Kitsap County Comprehensive Plan (legacy lots).
 - h. Encourage compact development within defined urban centers and provide convenient and attractive commercial and personal service centers.
 - i. Preservation of historic sites consistent with goals and policies of Section 2.2.10 Historic Preservation of the Land use Element, Comprehensive Plan.
- Policy RL-76 Promote Transfer of Development Rights by facilitating the transfer from private property owners with sending sites to property owners with receiving sites, and by working with cities to develop interlocal agreements that encourage transfers into cities and within adopted appropriations.
- Policy RL-77 Require private properties qualified as sending sites to provide a protected area of sufficient size to provide public benefit. Priority candidates for sending sites are:

- b. Lands contributing to protection of significant landscape or habitat features.
- c. Lands contributing to the protection of environmentally sensitive susceptible features including but not limited to aquifer recharge areas, and sites supporting federally threatened or endangered species, and/or wildlife habitat corridors.
- d. Lands that contribute to preservation of scenic views or maintaining the rural character or that are suitable for inclusions in and provide important links to the regional open space system.

Policy RL-78 Consider the following as candidate for Transfer of Development Rights receiving sites:

- a. Unincorporated Urban Growth Areas and incorporated cities may receive Transfer of Development Rights to include but not limited to increase project density, building height, and reduce off-street parking in urban centers.
- b. Preferences should be given by locations within designated urban centers, or adjacent to transit stations and park and ride lots. Transfers to incorporated areas shall be detailed in an Interlocal agreement between the city and County.

Section 6. Substantive Findings related to the amendments to the Kitsap County Capital Facilities Plan. The Board of County Commissioners hereby adopts by reference Resolutions 191-2011, 192-2011, 193-2011, 194-2011, 195-2011, 196-2011, and 197-2011.

- 1) The proposed capital facility amendments are consistent with the Kitsap County Comprehensive Plan and the 2011-2012 budgets. The Plan reflects circumstances related to the proposed amendments that are no longer valid and there is new information available which was not considered during the adoption of, or during the last annual amendment to, the Comprehensive Plan.
- 2) The proposed amendment is consistent with Kitsap County-wide Planning Policies, and the proposed amendment complies with the requirements of the Growth Management Act, specifically Revised Code of Washington 36.70A.120 and Revised Code of Washington 36.70A.070(3).

Section 7. NOW THEREFORE, BE IT FURTHER ORDAINED, that the Kitsap County Board of Commissioners, based on the foregoing findings, does hereby adopt, and/or ratify pursuant to the Growth Management Act, Chapter 36.70A Revised Code of Washington, and Article 11, Section 11 of the Washington Constitution:

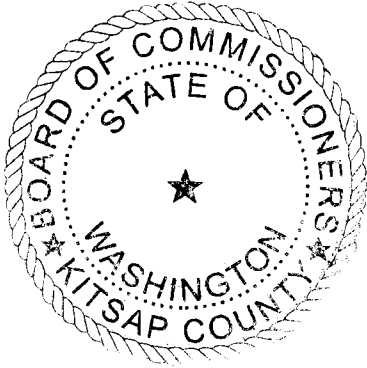
- 1) The amendments to the Capital Facilities Plan attached hereto as Appendix A and incorporated herein by this reference.
- 2) The amendments to Comprehensive Plan Chapter 8 'Transportation, section 8.2 'Transportation Goals and Policies' as set forth above in Section 3(6)(d) of this Ordinance.
- 3) The amendments to Comprehensive Plan Chapter 3 'Rural and Resource Lands', section 3A.2.1c as set forth in Section 4(6)(d) of this Ordinance.
- 4) The amendments to Comprehensive Plan, section 3C 'Transfer of Development Rights', as set forth in Section 5(6)(d) of this Ordinance.

Section 8 Typographical/Clerical Errors. Should any amendment made to this Ordinance that was passed by the Board during its deliberations be inadvertently left out of the final printed version of the plan, maps, or code, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board, and shall be corrected.

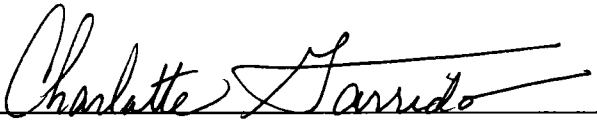
Section 9 Effective Date. This ordinance shall take effect immediately.

Section 10 Severability. If any provision of this ordinance or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provision to other persons, entities or circumstances is not affected.

DATED THIS 12 day of December, 2011.



KITSAP COUNTY BOARD OF
COMMISSIONERS

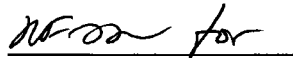


CHARLOTTE GARRIDO, CHAIR



ROBERT GELDER, COMMISSIONER

ATTEST:



Dana Daniels
Clerk of the Board



JOSH BROWN, COMMISSIONER

Approved as to form:



Shelley E. Kneip
Deputy Prosecuting Attorney

Attachments:

Appendix A: Capital Facilities Plan Elements

RESOLUTION NO. 191-2011
Resolution Adopting the 2012 through 2017
Six-Year Transportation Improvement Program

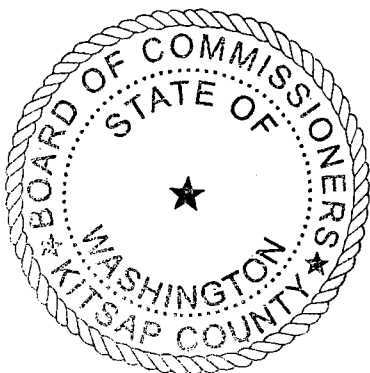
WHEREAS, in compliance with RCW 36.81.121 and WAC 136-14, the Board of Kitsap County Commissioners hereby certifies that a priority array of potential projects on this County's arterial system and a bridge condition report were prepared by the County Engineer and made available to the Board of County Commissioners during the preparation of a proposed six-year comprehensive road construction program for the period January 1, 2012 to December 31, 2017 and,

WHEREAS, in further compliance with said law the Board has held thereon a public hearing this 12th day of December, 2011,

BE IT HEREBY RESOLVED, by the Board of Kitsap County Commissioners, in regular session assembled, that the attached Six-Year Transportation Improvement Program (TIP) for Kitsap County Roads be adopted as set forth in detail, for the period mentioned, consisting of pages numbered 1 through 15 which are incorporated and made part of this resolution.

BE IT FURTHER RESOLVED, that, pursuant to RCW 36.70A.130(2)(a)(iii) and KCC 21.08.020(H), the Board of County Commissioners hereby incorporates portions of the Six-Year Transportation into the Kitsap County Comprehensive Plan, Appendix A – Capital Facilities Plan. This incorporation by reference replaces and updates the Transportation section, specifically the subsection entitled "Capital Facilities Projects and Financing: 2007-2012." The portions of the TIP that are incorporated are only those components necessary for the Capital Facilities Plan, as set forth in the current Capital Facilities Plan.

PASSED and adopted this 12th day of December, 2011.



BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

Charlotte Garrido
Charlotte Garrido, Chair

Josh Brown
Josh Brown, Commissioner

Robert Gelder
Robert Gelder, Commissioner

Dana Daniels
Clerk of the Board



ATTEST:

**SIX YEAR
TRANSPORTATION IMPROVEMENT PROGRAM
2012 TO 2017**



Kitsap County Department of Public Works

614 Division Street, MS-26 • Port Orchard, Washington 98366-4699

R. W. Casteel, P.E., Director

SECTION I

This Section contains information on the total six year project list. Included in this section, you will find a complete listing of the projects with their Priority Numbers. Also, you will find an alphabetical listing of the projects which cross-references the project name to its Priority Number.

Funding, Project Cost and Project Timing Information is given for the life of each project listed on the T.I.P.



Kitsap County Department of Public Works

614 Division Street, MS-26 Port Orchard, Washington 98366-4699

R.W. Caspell, P.E., Director

KEY TO INFORMATION CONTAINED IN THE SIX YEAR TIP

Functional Class This is the functional classification for the road on which the project is located as listed in the current Kitsap County Road Log. The numeric codes used are as follows:

- | | |
|---------------------------|------------------------------|
| 06- Rural Minor Arterial | 14- Urban Principal Arterial |
| 07- Rural Major Collector | 16- Urban Minor Arterial |
| 08- Rural Minor Collector | 17- Urban Collector Arterial |
| 09- Rural Local Access | 19- Urban Local Access |

Priority No. This is the priority number assigned to the project for the 6-Year Transportation Improvement Program. The priority is derived from a number of factors. Typically the highest priority numbers (lowest numerically) are assigned to ongoing projects that will be worked on in the first year of the program. The remaining priorities are assigned based on criteria such as safety and/or capacity needs, structural condition, availability of funding and timing of the funding, especially for the various State and Federal Funding programs.

As may be expected, the assignment of priority numbers is a complex process involving a great deal of judgement and subjectivity on the part of the people preparing the program. The underlying constraint that influences the program is the requirement that the program budget be balanced with anticipated revenues. If, for instance a project has State funding attached to it, the project may have a high priority, but the priority may slip if the anticipated State funding is not obtainable. When projects have only Local (County) funding, it is important that projects which are more critical in terms of Safety or Preservation have the higher Priority.

It is also very important that the Public has input into this process. As stated before, the prioritization process is a highly subjective one and we need Public input in order to balance the judgements that we make.

Project Identification This is a listing of the project name and a summary of the work in general and a description of the work to be accomplished in the program year. This information is pretty much self explanatory, except to note that the Federal Aid Number is a Contract Number assigned to the project when Federal Funds are actually scheduled to be spent. Also, the Road Log or Bridge Numbers are identification numbers that are assigned to roads and bridges within our Road Database.

Improvement Type Codes

- | | | |
|--|---------------------------------------|--------------------------------|
| 01 - New construction on new alignment | 08 - New Bridge Construction | 21 - Transit Capital Project |
| 02 - Relocation Project | 09 - Bridge Replacement | 22 - Transit Operational |
| 03 - Reconstruction | 10 - Bridge Rehabilitation | 23 - Transit Planning |
| 04 - Major Widening | 11 - Minor Bridge Rehabilitation | 24 - Transit Training / Admin. |
| 05 - Minor Widening | 12 - Safety / Traffic Operation / TSM | 31 - Non Capital Improvement |
| 06 - Other Enhancements | 13 - Environmentally Related | 32 - Non Motor Vehicle Project |
| 07 - Resurfacing | 14 - Bridge Program - Special | |

Funding Status

- S** - Project is selected by the appropriate selection body and funding has been secured by the lead agency.
P - Project is subject to selection by an agency other than the lead and is listed for planning purposes. (Funding has not been determined.)

Total Length This is the project length to the nearest hundredth.

Utility Code(s) This is the code letter(s) for the utilities that would need to be relocated or are impacted by the construction project.

C - Cable TV	G - Gas	P - Power	T - Telephone
S - Sewer (other than agency-owned)	W - Water	O - Other	

Project Phase This column contains the row headings for the three main phases of a project. These phases are Preliminary Engineering (P.E.) which consist of all Engineering Study and Design Activities for the project. Next is the Right of Way Acquisition phase (RMW) which consists of all activities related to negotiating and purchasing Rights of Way needed for the project. Lastly is the Construction (Const) phase which entails all of the construction activities associated with the project.

Month/Year Phase Starts This column list the estimated dates that a project phase will start. If a date is not entered next to a project phase, then that phase is assumed to be complete, not required or the specific project scope does not anticipate additional work until some other action is taken. (i.e. Concept Evaluations show that only P.E. is being done, until it is determined to go forward with the project. **Federal Fund Code & Federal Cost By Phase** These columns reflect the federal funding program and the amount of these funds to be applied to a project. A listing of the program codes and their descriptions follows:

STPU, STPR & STPN These abbreviations refer to the Federal Surface Transportation Program. These Federal programs are currently funded under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. These programs are administered by the Washington State Department of Transportation (WSDOT) Local Programs Division in conjunction with the Puget Sound Regional Council (PSRC) and the Regional Federal Highway Engineer.

The Surface Transportation Program (STP) has the objective to fund construction, reconstruction, resurfacing, restoration and rehabilitation of roads that are not functionally classified as local or rural minor collectors. STP also supports funding for transportation enhancements, operational improvements, highway and transit safety improvements, surface transportation planning, capital and operating cost for traffic management and control, carpool and vanpool projects, development and establishment of management systems, participation in wetland mitigation and wetland banking, bicycle facilities and pedestrian walkways.

STP funds have regional allocation through the Puget Sound Regional Council (PSRC). The PSRC suballocates funds by county region based on the percentage of the population. Kitsap region (Cities and County), will receive an allocation of 7 percent from STP funds allocated to the PSRC. The Puget Sound Region is formed by the counties of King, Kitsap, Pierce and Snohomish including Incorporated Cities.

The letters UR & N after STP refer to the functional classification of the road for which the grant has been received. U - Urban, R - Rural and N - National Highway System (NHS). Since the State DOT is responsible for maintaining routes on the NHS, they are the recipients of the STP money set aside for these routes. However, the DOT does allocate a certain amount of that money to pass through to Cities and Counties for use on projects of regional significance.

RAP, CAPP ... Other & State or Other Funds These two columns refer to the various funding sources and their amounts. A listing of these sources and their descriptions follows:

IMPE This denotes the portion of Development Impact Fees which are set aside for road improvements from the fees collected under the County's interim impact fee ordinance. Impact fees are collected to offset system wide impacts that are created by development, which cannot specifically be attributed to a specific land development project. These fees can only be applied to projects which were listed in the development of the interim ordinance.

SEPA These are fees collected from land development projects for mitigation of site specific impacts identified during the land use approval process. These fees can only be used for projects that are specifically identified during the land use process.

RAP This abbreviation refers to the Rural Arterial Program. The Rural Arterial Program (RAP) was established in 1983 to provide funding to counties for improvements on rural major and minor collector arterials. This program is administered by the County Road Administration Board (CRAB). The program utilizes a portion of the Motor Vehicle Fuel Tax to finance projects and generates approximately \$31 million dollars each biennium. Proposed Kitsap County projects are rated in conjunction with proposed projects from other counties in the CRAB's Northwest Region (NWR). Proposed projects are rated according to several factors including accident history, roadway alignment, traffic volume, roadway structural condition and service to the community. The NWR consists of Kitsap, Clallam, Jefferson, Whatcom, Skagit, Island and San Juan Counties.

TIA & UATA These abbreviations refer to the Transportation Improvement Account and the Urban Arterial Trust Account which are administered by the Transportation Improvement Board (TIB).

The Transportation Improvement Account (TIA), created by the State Legislature in 1988, is funded by 1½ cents of the Motor Vehicle Fuel Tax. Through its project selection process, the TIB requires multi-agency planning and coordination and public/private cooperation to further the goal of achieving a balanced transportation system in Washington State. Projects selected for funding must be attributable to congestion caused by economic development or growth, consistent with state, regional and local transportation plans (including transit and rail), and be partially funded by local contributions.

The Urban Arterial Trust Account (UATA) program was established in 1967. The intent of the UATA program is to improve the urban arterial street system of the state by improving mobility and safety while supporting an environment essential to the quality of life of the citizens of the State.

Projects are eligible for cost reimbursement up to 80 percent with higher priority given to those projects with local contributions (including private sector financing) greater than 20 percent.

DOI This abbreviation refers to participation by the State Department of Transportation in projects that involve County Roads and State Highways. These funds are programmed dollars which are listed in the State DOT 6-year and biennial highway construction programs.

SSWM Surface and Stormwater Management Funds come from local revenue generated through a fee assessed to all developed land within unincorporated Kitsap County. The revenue is used to plan, manage, construct, maintain stormwater management facilities within Kitsap County and carry out activities as allowed under RCW 36.89.

CRID All counties have the authority to create County Road Improvement Districts (RCW 36.89) for the acquisition of rights of way and improvement of county roads. Such counties have the authority to levy and collect special assessments against the real property specially benefited thereby for the purpose of paying the whole or any part of the cost of such acquisition of rights of way, construction, or improvement.

TBD It is the intent of the legislature to encourage joint efforts by the state, local governments, and the private sector to respond to the need for transportation improvements on state highways, county roads, and city streets. This is achieved by allowing cities, towns, and counties to establish Transportation Benefit Districts in order to respond to the special

transportation needs and economic opportunities resulting from private sector development for the public good. The legislature also seeks to facilitate the equitable participation of private developers whose developments may generate the need for those improvements in the improvement costs.

Local Funds This column shows the amount of local funds which are to be used on a project. These funds come primarily from the property tax road levy, and the County's share of the State Motor Vehicle Fuel Tax (gas tax) as well as minor contributions from other sources that amount to approximately 1% of the road fund annual revenues.

Total This column reflects the total amount of funding required for each phase. This represents the total estimated project cost for that phase. You will also notice that there is a Total row at the bottom of each project. This row totals the amount of funding from the various sources for the entire project.

Expenditure Schedule These last four columns represent the estimated total dollar amounts to be spent on a particular project phase in a given year. These numbers are shaded in order to give a graphic representation of the project flow from start to finish. You will note that years 4 - 6 are lumped together. This is in response to the fact that the farther into the future the program extends, the less we are certain about the priority and funding for a project. As this program is updated annually, the certainty of a project becomes greater, and the funding sources become more defined, therefore in years 1 - 3 we can provide the additional detail necessary to plan and build the project.

Environmental Data Type For Federally funded projects the type of environmental documentation required for the project is indicated as follows:

- EIS - Environmental Impact Statement
- EA - Environmental Assessment
- CE - Categorical Exclusion

