

ORDINANCE NO. 5062

**AN ORDINANCE** of the City Council of the City of Bremerton, Washington, amending the Comprehensive Plan, as follows: Amend the Land Use Map to reflect cartographic updates; change in Land Use Designation for Fire Station #2 from Transportation, Utilities and Public Facility to Public Sector Redevelopment Site; amend text and Official Land Use Map designating a Manufacturing and Industrial Center for the SKIA UGA; text and map amendments designating equivalent County land use designations of assigned UGAs into existing City designations; and a Land Use Map amendment assigning land use designations for City owned lands outside of City limits.

WHEREAS, the City of Bremerton adopted a Comprehensive Plan on December 1, 2004 by Ordinance No. 4917 and has been subsequently amended by Ordinances No.; 4954, 4962, 4985, 4998, 5025, 5034, and 5037, hereinafter referred to as the "Comprehensive Plan"; and

WHEREAS, the Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements and the plans from other jurisdictions; and

WHEREAS, to assure that comprehensive plans remain relevant and up to date, the GMA requires each jurisdiction to establish procedures whereby amendments to the plan are considered by the City Council (RCW 36.70A.130(2)), and limits these amendments to once each year unless an emergency exists; and

WHEREAS, the City of Bremerton has established a procedure for amending the Comprehensive Plan in Title 20.10.010 of the Bremerton Municipal Code (BMC), that limits amendments to the Comprehensive Plan to no more than once each year; and

WHEREAS, on July 25, 2008 the Washington State Department of Community, Trade, and Economic Development received notification of the Comprehensive Plan Amendment docket for 2008; and

WHEREAS, no public comprehensive plan amendment applications were submitted in the 2008 Comprehensive Plan amendment docket, all amendments are initiated by staff to correct inconsistencies with Kitsap County's Comprehensive Plan, to address changing circumstances relative to land use needs, and the need to designate comprehensive plan land uses for anticipated annexation areas; and

WHEREAS, on August 6, 2008 a Notice of Adoption of Existing Environmental Documents pertaining to amendment docket items 3 and 4 of the proposed action was filed with Washington State Department of Ecology under the provisions of WAC 197-11-630; and

WHEREAS, on August 7, 2008 the public was notified by a legal advertisement in the Kitsap Sun of the opportunity to make comment and participate in the public hearing by the Planning Commission; and

WHEREAS, on August 16, 2008 a SEPA DNS was issued for amendment docket items 1, 2, and 5 with an administrative appeal deadline of September 1, 2008 and no appeals were filed; and

WHEREAS, on August 19, 2008 the Planning Commission conducted a public hearing on the 2008 Comprehensive Plan Amendment Docket, and the Planning Commission recommended the City Council approve the amendments as presented; and

WHEREAS, on September 30, 2008 the public was notified by a legal advertisement in the Kitsap Sun of the opportunity to make comment and participate in the public hearing by the City Council; and

WHEREAS, on October 15, 2008 the City Council conducted a public hearing and considered all testimony prior to their decision; and

WHEREAS, the proposal meets requirements of the Washington State Growth Management Act (GMA); and

WHEREAS, the proposal is consistent with Kitsap County Countywide Planning Policies (KCCPP).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** The findings and conclusions adopted by the Planning Commission on August 19<sup>th</sup>, 2008 and attached hereto as **Exhibit A** are adopted and incorporated as if set forth fully herein.

**SECTION 2.** The City of Bremerton Comprehensive Plan is hereby amended by approving and adopting docket items 1-5 as follows:

**Docket Items:**

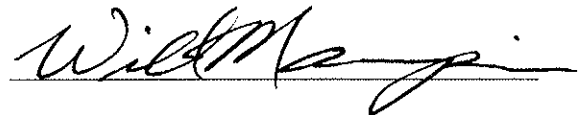
1. **Land Use Map:** Amend the Land Use Map (Pg. LU-46) to show cartographic updates, corrected UGA boundaries, and corrected Kitsap County land use designations, more particularly described in **Exhibit B** affixed hereto.

2. **Fire Station #2:** Change in Land Use Designation for Fire Station #2 from Transportation, Utilities and Public Transportation to Public Sector Redevelopment Site, more particularly described in **Exhibit C** affixed hereto.
3. **SKIA UGA:** Amendments to Comprehensive Plan text, pages 40 and 41, and the Official Land Use Map. Designating a Manufacturing and Industrial Center (MIC) for the South Kitsap Industrial Area UGA, more particularly described in **Exhibit D (Text) and Exhibit E (Map)** affixed hereto.
4. **Land Use Equivalencies:** Text and Map amendments illustrating equivalent Kitsap County Land Use designations to corresponding City designation for all UGAs assigned to the City by Kitsap County, more particularly described in **Exhibit F (Text), Exhibits G, H, I, J, (UGA maps)** affixed hereto.
5. **City Owned Land:** Map amendment designating City owned land with City Land Use designations of Watershed (WS), Low Density Residential (LDR), and City Utility Lands (CUL), more particularly described in **Exhibit K** affixed hereto.

**SECTION 3. Severability.** If any provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remainder of this ordinance. Provided however, that if any provision of this ordinance is held invalid or unconstitutional, then the provision in effect prior to the effective date of this ordinance shall be in full force and effect for that individual provision as if this ordinance had never been adopted.

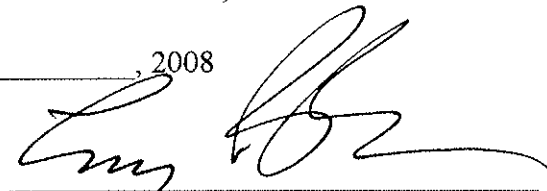
**SECTION 4. Effective Date.** This Ordinance shall take effect and be in force ten (10) days from and after its passage, approval, and publication as provided by law.

PASSED by the City Council the 15th day of October, 2008



WILL MAUPIN, Council President

Approved this 16th day of October, 2008



CARY BOZEMAN, Mayor

ATTEST:

APPROVED AS TO FORM:

*Carol S. Etgen*  
CAROL ETGEN, City Clerk

*MAE for*  
ROGER A. LUBOVICH, City Attorney

PUBLISHED the *20th* day of *October*, 2008  
EFFECTIVE the *30th* day of *October*, 2008  
ORDINANCE NO. *5062*

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STATE OF WASHINGTON }  
COUNTY OF KITSAP } SS  
The Above and foregoing is Hereby Certified  
to be a true and correct copy of:  
*Ordinance # 5062*  
City Clerk: *Carol S. Etgen*  
Date: *10/24/08*