

Kitsap County Planning Commission Minutes – May 16, 2017

**KITSAP COUNTY PLANNING COMMISSION
Kitsap County Administration Building
Commissioner's Chambers
May 16, 2017 @ 1:00 pm**

These minutes are intended to provide a summary of meeting decisions and, except for motions made, should not be relied upon for specific statements from individuals at the meeting. If the reader would like to hear specific discussion, they should visit Kitsap County's Website at <http://www.kitsapgov.com/dcd/pc/default.htm> and listen to the audio file (to assist in locating information, time-stamps are provided below).

Members present: Robert Baglio (Chair); Gina Buskirk (Vice Chair); Tom Nevins; Richard Shattuck; Spencer Stegmann; Jim Svensson

Members absent: Karanne Gonzales-Harless; Aaron Murphy; Joe Phillips

Staff present: Jim Bolger, Assistant Director; Kathlene Barnhart, Planner; Steve Heacock, Planner; Tasha Santos, Clerk

01:03:25

A. Call Meeting to Order, Introductions

01:03:51

B. Adoption of Agenda

01:03:57

- **Motion:** Gina moves to adopt agenda as presented.
 - **Second:** Jim Svensson seconds.
 - **Discussion:** None
 - **Vote:** 6 in favor; 0 opposed – Motion carries.

01:04:08

C. Approval of Minutes

01:04:17

- **Motion:** Gina Buskirk moves to approve May 2, 2017 minutes as presented.
 - **Second:** Spencer Stegmann seconds.
 - **Discussion:** None.
 - **Vote:** 6 in favor; 0 opposed – Motion carries.

01:04:33

D. Work Study: Title 15 (Flood Code) – Kathlene Barnhart

01:10:22

E. Deliberations: Critical Areas Ordinance

01:23:03

- **Motion:** Spencer Stegmann moves to amend 19.000.105 *Statement of Purpose* to add definition of critical areas.
 - **Second:** Richard Shattuck
 - **Discussion:** None
 - **Vote:** 5 in favor; 1 opposed – Motion carries.

01:26:36

- **Motion:** Tom Nevins moves to amend 19.000.110 *Applicability*
 - **Second:** none

01:29:14

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- **Motion: Robert Baglio moves to undo staff recommended changes from 19.000.110.D**
 - **Amendment: Robert Baglio amends motion to add words “County ordinance, state or federal law”.**
 - **Second: Gina Buskirk**
 - **Discussion:**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
1:35:07
- **Motion: Robert moves to remove line 7 and 8 from 19.100.120.C Review Authority**
 - **Second: Gina Buskirk**
 - **Discussion**
 - **Vote: 4 in favor, 2 opposed – Motion does not carry**
01:48:48
- **Motion: Robert Baglio moves to change item C to 60 days and item D to 30 days in Section 100.120.D.2**
 - **Robert withdraws motion.**
01:51:26
- **Motion: Richard Shattuck moves to strike “to configurations immediately prior to the time the structure was damaged or destroyed” from new Staff Changes in section 100.130A.4 and replace with verbiage as submitted in writing.**
 - **Second: Gina Buskirk**
 - **Amendment: Gina Buskirk moves to amend motion to replace six months with 24 months for reconstruction deadline.**
 - **Second: Tom Nevins**
 - **Vote: 6 in favor; 0 opposed – Motion to amend motion passes**
 - **Amendment: Richard Shattuck amends motion to replace six months with one year for permit application deadline.**
 - **6 in favor; 0 opposed – Motion carries as amended.**
02:05:28
- **Motion: Tom Nevins moves to strike section 19.100.130.A.3 as provided in written testimony.**
 - **Second: Spencer Stegmann**
 - **Vote: 1 in favor; 5 opposed – Motion does not carry.**
02:13:50
- **Motion: Robert Baglio moves to strike the word “habitable” before “structures” in Section 100.130 Danger Tree Removal**
 - **Second: Spencer Stegmann**
 - **Discussion: Includes structures like a gazebo.**
 - **Vote: 5 in favor, 1 opposed – Motion carries.**
02:17:07
- **Motion: Tom Nevins moves to amend 100.135.a.1 to reflect written testimony given to Staff**
 - **Second: Jim Svensson**
 - **Vote: 1 in favor, 5 opposed – Motion does not carry.**
02:23:13
- **Motion: Tom Nevins moves to strike the word “the” and replace with the word “a” prior to “permitted use” in Section 100.135.a.1**

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- **Second: None**
02:26:06
- **Motion: Tom Nevins moves to amend definition of practical alternative and reasonable alternatives in on page 34, line 19 of draft.**
 - **Second: Spencer Stegmann**
 - **Vote 1 in favor, 5 opposed – Motion does not carry**
02:33:05
- **Motion: Tom Nevins moves to amend definition of reasonable alternative**
 - **Second: None**
02:34:08
- **Motion: Tom Nevins moves to amend item 7 in section 100.135 to require buffer reductions in excess of 25% to require a type III process.**
 - **Second: None**
03:01:07
- **Motion: Robert Baglio moves amend Section 100.155 to not require a notice to title except on geological hazard areas.**
 - **Second: Spencer Stegmann**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:03:11
- **Motion: Tom Nevins moves to amend 100.105.B as supported by staff in Change Matrix**
 - **Second: Richard Shattuck**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:03:45
- **Motion: Tom Nevins moves to amend 100.125 as supported by staff in Change Matrix.**
 - **Second: Richard Shattuck**
 - **Vote: 6 in favor; 0 opposed – Motion carries.**
03:07:21
- **Motion: Gina Buskirk moves to add new paragraph E in section 100.120 as supported by staff in Change Matrix**
 - **Second: Jim Svensson**
 - **Vote: 5 in favor; 1 opposed – Motion carries**
03:11:25
- **Motion: Gina Buskirk moves to amend 100.130 as supported by staff in Change Matrix**
 - **Second: Richard Shattuck**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:16:28
- **Motion: Richard Shattuck moves to reject staff supported change in section 100.165**
 - **Richard withdraws motion**
03:18:11
- **Motion: Richard Shattuck moves to amend definition of “adjacent” in section 150.100 as supported by staff in Change Matrix**
 - **Second: Jim Svensson**
 - **Vote: 3 in favor, 3 opposed – Motion does not carry**
03:24:15

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- **Motion: Richard Shattuck moves to amend 150.150 Bank Stabilization as supported by staff in Change Matrix**
 - **Second: Jim Svensson**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:26:17

- **Motion: Gina Buskirk moves to amend 150.160 as supported by staff in Change Matrix**
 - **Second: Spencer Stegmann**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:28:11

- **Motion: Gina Buskirk moves to amend 150.165 as supported by staff in Change Matrix**
 - **Second: Richard Shattuck**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:29:19

- **Motion: Richard Shattuck moves to amend 150.170 as supported by staff in Change Matrix.**
 - **Second: Jim Svensson**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:30:36

- **Motion: Robert Baglio moves to amend 150.230 as supported by staff in Change Matrix**
 - **Second: Gina Buskirk**
 - **Amend: Robert moves to amend motion to include “certified” arborist as supported by staff**
 - **Vote: 5 in favor, 1 opposed – Motion carries**
03:32:47

- **Motion: Richard moves to delete 150.260 Draining**
 - **Second: Tom Nevins**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:33:17

- **Motion: Jim Svensson moves to amend 150.265 as supported by staff in Change Matrix**
 - **Second: Gina Buskirk**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:35:08

- **Motion: Richard Shattuck moves to amend 150.290 as supported by staff in Change Matrix**
 - **Second: Gina Buskirk**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:40:01

- **Motion: Gina Buskirk moves to amend 150.315 Fen as supported by staff in Change Matrix**
 - **Second: Jim Svensson**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:41:37

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- **Motion: Jim Svensson moves to amend 150.325 Fish and Wildlife Habitat by staff in Change Matrix.**
 - **Second: Richard Shattuck**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:43:39
 - **Motion: Spencer Stegmann moves to amend 150.xxx with new definition of functions and values**
 - **Second: Jim Svensson**
 - **Vote: 0 in favor, 6 opposed – Motion does not carry**
03:51:03
 - **Motion: Gina Buskirk moves to amend 150.xxx Geologic Assessment as supported by staff in Change Matrix.**
 - **Second: Tom Nevins**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:51:50
 - **Motion: Richard Shattuck moves to delete 150.385 Grazed wet meadows as supported by staff in Change Matrix.**
 - **Second: Robert Baglio**
 - **Vote: 5 in favor, 0 opposed – Motion carries**
03:55:45
 - **Motion: Richard Shattuck moves to delete 150.410 Hazardous substance as supported by staff in Change Matrix**
 - **Second: Spencer Stegmann**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:56:38
 - **Motion: Richard Shattuck moves to amend 150.415 Hearing Examiner as supported by staff in Change Matrix**
 - **Second: Jim Svensson**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:58:50
 - **Motion: Richard Shattuck moves to delete 150.440 Impervious Surface from draft as supported by staff in Change Matrix**
 - **Second: Gina Buskirk**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
03:59:20
 - **Motion: Gina Buskirk moves to amend 150.455 Mitigation as supported by staff in Change Matrix**
 - **Second: Tom Nevins**
 - **Vote: 5 in favor, 1 opposed – Motion carries**
04:02:50
 - **Motion: Richard Shattuck moves to amend 150.490 Ordinary High Water Mark as supported by staff in Change Matrix**
 - **Second: Spencer Stegmann**
 - **Vote: 6 in favor, 0 opposed – Motion carries**
04:03:25
 - **Motion: Spencer Stegmann moves to delete 150.515 Pond as supported by staff in Change Matrix**

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- 1 ○ Second: Gina Buskirk
- 2 ○ Vote: 6 in favor, 0 opposed – Motion carries
- 3 04:04:36
- 4 ● **Motion: Richard Shattuck moves to delete 150.565 Reasonable Use definition.**
- 5 ○ Second: Gina Buskirk
- 6 ○ Richard Shattuck amends motion to clarify deleting staff proposed
- 7 definition in draft, and revert to previous definition.
- 8 ○ Second: Spencer Stegmann
- 9 ○ Richard Shattuck withdraws amendment to motion
- 10 ○ Vote: 3 in favor, 3 opposed – Motion does not carry.
- 11 04:10:32
- 12 ● **Motion: Robert Baglio moves to delete staff recommended changes to 150.565 and**
- 13 **keep current definition**
- 14 ○ Second: Jim Svensson
- 15 ○ Vote: 4 in favor, 2 opposed – Motion does not carry.
- 16 04:16:44
- 17 ● **Motion: Jim Svensson moves to amend 150.610 Shorelines as supported by staff in**
- 18 **change matrix.**
- 19 ○ Second: Spencer Stegmann
- 20 ○ Vote: 6 in favor, 0 opposed – Motion carries
- 21 04:18:10
- 22 ● **Motion: Robert Baglio moves to amend 150.xxx Significant Trees to 18 inches**
- 23 ○ Second: Richard Shattuck
- 24 ○ Amend: Robert Baglio amends definition to state 8 inches and 48 inches
- 25 high.
- 26 ○ Second: Gina Buskirk
- 27 ○ Vote: 6 in favor, 0 opposed – Motion carries
- 28 04:22:18
- 29 ● **Motion: Gina Buskirk moves to amend 150.690 Wetlands, isolated as supported by**
- 30 **staff in Change Matrix**
- 31 ○ Second: Tom Nevins
- 32 ○ Vote: 5 in favor, 1 opposed – Motion carries
- 33 04:26:43
- 34 ● **Motion: Spencer Stegmann moves to amend 200.205C as supported by staff in**
- 35 **Change Matrix**
- 36 ○ Second: Jim Svensson
- 37 ○ Vote: 6 in favor, 0 opposed
- 38 04:38:09
- 39 ● **Motion: Robert Baglio moves to amend 200.210 B & C as supported by staff in**
- 40 **Change Matrix**
- 41 ○ Second: Gina Buskirk
- 42 ○ Vote: 5 in favor, 1 opposed – Motion carries
- 43 04:49:57
- 44 ● **Motion: Richard Shattuck moves to adopt 200.215C as supported by staff in Change**
- 45 **Matrix**
- 46 ○ Second: Gina Buskirk
- 47 ○ Vote: 6 in favor, 0 opposed

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04:52:29

- **Motion: Richard Shattuck moves to amend 200.220B as supported by staff in Change Matrix**

- **Second: Gina Buskirk**
- **Vote: 6 in favor, 0 opposed**

04:55:48

- **Motion: Richard Shattuck moves to amend 200.220C.1.A as supported by staff in Change Matrix**

- **Second: Spencer Stegmann**
- **Vote: 6 in favor, 0 opposed – Motion carries**

- **Motion: Richard Shattuck moves to amend 200.220C.1.A to allow for up to 50% in all categories of wetlands**

- **Second: Spencer Stegmann**
- **Vote: 4 in favor, 2 opposed – Motion does not carry**

05:08:45

- **Motion: Richard Shattuck moves to amend 200.220C1a Buffer Averaging as supported by staff in Change Matrix**

- **Second: Spencer Stegmann**
- **Vote: 5 in favor, 0 opposed – Motion carries**

05:12:47

- **Motion: Tom Nevins moves to amend 220.220c1b Administrative Buffer Reductions to replce “a” with “the”**

- **Second: none**

05:15:19

- **Motion: Gina Buskirk moves to amend 200.220c1b as supported by staff in Change Matrix**

- **Second: Spencer Stegmann**
- **Vote: 6 in favor, 0 opposed**

05:21:30

- **Motion: Gina Buskirk moves to adopt 200.220B2c as supported by staff in Change Matrix**

- **Second: Richard Shattuck**
- **Vote: 5 in favor, 0 opposed, 1 abstention – Motion carries**

05:30:08

- **Motion: Richard Shattuck moves to amend 200.220E Protection of Buffers as supported by staff in Change Matrix**

- **Second: Gina Buskirk**
- **Vote: 6 in favor, 0 opposed – Motion carries**

05:30:59

- **Motion: Jim Svensson moves to amend 200.220F as supported by staff in Change Matrix**

- **Second: Gina Buskirk**
- **Vote: 6 in favor, 0 opposed – Motion carries**

05:32:11

- **Motion: Gina Buskirk moves to amend 200.225B Agricultural Restrictions as supported by staff**

- **Second: Spencer Stegmann**

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- 1 ○ Vote: 6 in favor, 0 opposed – Motion carries
2 05:35:18
- 3 • Motion: Jim Svensson moves to amend 200.225F Trails as supported by staff in
4 Change Matrix
5 ○ Second: Richard Shattuck
6 ○ Vote: 6 in favor, 0 opposed – Motion carries
7 05:37:50
- 8 • Motion: Richard Shattuck moves to amend 200.225G Utilities a supported by staff in
9 Change Matrix
10 ○ Second: Jim Svensson
11 ○ Vote: 6 in favor, 0 opposed – Motion carries
12 05:38:23
- 13 • Motion: Spencer Stegmann moves to amend 200.225H Parks as supported by staff in
14 Change Matrix
15 ○ Second: Jim Svensson
16 ○ Vote: 6 in favor, 0 opposed – Motion carries
17 05:43:29
- 18 • Motion: Jim Svensson moves to amend 200.250B Mitigation as supported by staff in
19 Change Matrix
20 ○ Second: Richard Shattuck
21 ○ Vote: 6 in favor, 0 opposed – Motion carries
22 05:46:12
- 23 • Motion: Richard Shattuck moves to amend 200.250D2 as supported by staff in
24 Change Matrix
25 ○ Second: Gina Buskirk
26 ○ Vote: 6 in favor, 0 opposed – Motion carries
27 05:55:06
- 28 • Motion: Richard Shattuck moves to amend 300.310B as supported by staff in Change
29 Matrix
30 ○ Second: Jim Svensson
31 ○ Vote: 6 in favor, 0 opposed – Motion carries
32 05:57:28
- 33 • Motion: Gina Buskirk moves to amend Table 300.315 as supported by staff in
34 Change Matrix
35 ○ Second: Richard Shattuck
36 ○ Vote: 6 in favor, 0 opposed – Motion carries
37 05:59:22
- 38 • Motion: Gina Buskirk moves to amend 300.315a4 as supported by staff in Change
39 Matrix
40 ○ Second: Richard Shattuck
41 ○ Vote: 6 in favor, 0 opposed – Motion carries
42 06:02:57
- 43 • Motion: Gina Buskirk moves to amend 300.315a8&9 as supported by staff in Change
44 Matrix
45 ○ Second: Spencer Stegmann
46 ○ Vote: 6 in favor, 0 opposed – Motion carries
47 06:04:40

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- **Motion:** Jim Svensson moves to amend 300.315b as supported by staff in Change Matrix
 - **Second:** Gina Buskirk
 - **Vote:** 6 in favor, 0 opposed – Motion carries
06:08:47

- **Motion:** Gina Buskirk moves to amend 300.315i as supported by staff in Change Matrix
 - **Second:** Jim Svensson
 - **Vote:** 6 in favor, 0 opposed – Motion carries

Time of Adjournment: 06:14:28

Minutes approved this 6 day of June 2017



Robert Baglio, Planning Commission Chair



Tasha Santos, Planning Commission Clerk