



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS

November 10, 2003

The Board of Commissioners met on the above-stated date. Present were Chair Jan Angel, Commissioner Chris Endresen, Commissioner Patty Lent, County Administrator Malcolm Fleming and Clerk of the Board, Opal Robertson. (THE BOARD OF COMMISSIONERS' PUBLIC MEETINGS AND PUBLIC HEARINGS ARE AUDIO AND VIDEO TAPED).

10:00) Meeting Called to Order with Pledge of Allegiance.

PROCLAMATIONS/RESOLUTIONS/RECOGNITION:

10:00) – 1 **Resolution** proclaiming Thursday, November 15, 2003 "America Recycles Day" in Kitsap County. **Staff Contact:** Gretchen Olsen, 337-4626.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 201-2003*** thereby proclaiming Thursday, November 15, 2003 "America Recycles Day" in Kitsap County. Motion carries unanimously.

10:00) – 2 Presentation of the "America Recycles Day" in Kitsap County poster contest winners. **Staff Contact:** Gretchen Olsen, 337-4626.

Terrie Washburn, Public Works Solid Waste Division, gave a brief overview of the poster contest and announced and presented awards to the following winners: Heather Jungkeit, Alyssa Hutchinson, Renae Thorne, Andie Avery, Ryan Davis, Mallory Horch, Tessa Allison, Jacqueline Schaeffer, Jessica Bean, Taylor Burbank, Madeline Corbin, Kelly Williams, Sydney White, Erma Atienza, Kaitlyn Corbin, Mitchell Henderson, Kacey Loyd, Jacob Priddis and Abigail Skifstad.

10:00) – 3 Presentation of the *Waste Wise Local Government Champion Award* by the Environmental Protection Agency Region X. **Staff Contact:** Gretchen Olsen, 337-4626.

Mary Kay Witella, Environmental Protection Agency, gave a brief summary of the Waste Wise program stating that it is a free, voluntary partnership program in which Kitsap County is one of approximately 1300 participants across the country. She said Kitsap County has

been in the program since 1999 and this is the third year in a row that Kitsap has won the award.

10:00) – 4 Presentation by Paul Rogerson, APA/PAW Chair, of the *American Planning Association/Planning Association of Washington Award* for the Chico Watershed Alternative Futures Planning Project. **Staff Contact:** Jim Bolger, 337-7165.

Paul Rogerson, American Planning Association, gave a brief overview of the annual awards program for planning excellence in Washington State. He said in this year's environmental category; there were two excellent applications with one of them being the Chico Watershed Alternative Futures Planning Project. He said the award was presented at the State Planning Conference but also offered to present on a local level.

10:00) – 5 **Resolution** appointing **John Collins** to the *East Kitsap Salmon Habitat Restoration Committee* completing a 3-year term ending June 18, 2004. **Staff Contact:** Jan Koske, 337-4650.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 202-2003*** thereby appointing **John Collins** to the *East Kitsap Salmon Habitat Restoration Committee* completing a 3-year term ending June 18, 2004. Motion carries unanimously.

10:00) – 6 **Resolution** reappointing **Richard Barringer** to the *Southworth Ferry Advisory Committee* for an additional 4-year term ending November 9, 2007, representing South Kitsap County. **Staff Contact:** Jan Koske, 337-4650.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board adopts **Resolution No. 203-2003*** thereby reappointing **Richard Barringer** to the *Southworth Ferry Advisory Committee* for an additional 4-year term ending November 9, 2007, representing South Kitsap County. Motion carries unanimously.

10:00) – 7 **Resolution** appointing **Cathy Hall, Jerry Rice, Kevin Wojcik, Sam Granato, Grant Griffin and Ruth Enderle** to the *Kitsap County Lodging Tax Advisory Committee*. **Staff Contact:** Jan Koske, 337-4650.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 204-2003*** thereby appointing **Cathy Hall, Jerry Rice, Kevin Wojcik, Sam Granato, Grant Griffin and Ruth Enderle** to the *Kitsap County Lodging Tax Advisory Committee*. Motion carries unanimously.

10:00) – 8 Ratify **Resolution** welcoming home the **USS Bridge** from deployment in support of *Operation Iraqi Freedom*. **Staff Contact:** Terrie O'Neill, 337-4481.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board ratifies and adopts **Resolution No. 205-2003*** thereby welcoming home the **USS Bridge** from deployment in support of *Operation Iraqi Freedom*. Motion carries unanimously.

ITEMS SET FOR TIME CERTAIN:

Karanne Gonzalez, Department of Community Development, gave a brief summary of the following open space applications stating the Planning Commission had approved with conditions.

10:00) A Public hearing to consider an application filed by **Dolores Helstrom** for Current Use Assessment Open Space-General on 8.44 acres located at 4493 NE Stevens-Uhler Road in North Kitsap, Commissioner District No. 1. **Total Fiscal Impact:** None, neutral. **Source of Funds:** The tax reduction is a tax shift within the Kitsap County General Fund. The resulting tax shift is approximately \$536 - .004 cents per parcel. **Staff Contact:** Karanne Gonzalez 337-4993.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent the Board approve the application filed by **Dolores Helstrom** for Current Use Assessment Open Space-General on 8.44 acres located at 4493 NE Stevens-Uhler Road; further that an Order be executed so stipulating. Motion carries unanimously.

10:00) B Public hearing to consider an application filed by **Gale and Kay Gray** for Current Use Assessment Open Space-General on 8.36 acres located at 23052 Tulin Road in North Kitsap, Commissioner District No. 1. **Total Fiscal Impact:** None, neutral. **Source of Funds:** The tax reduction is a tax shift within the Kitsap County General Fund. The resulting tax shift is approximately \$901 - .007 cents per parcel. **Staff Contact:** Karanne Gonzalez 337-4993.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent the Board approve the application filed by **Gale and Kay Gray** for Current Use Assessment Open Space-General on 8.36 acres located at 23052 Tulin Road in North Kitsap; further that an Order be executed so stipulating. Motion carries unanimously.

10:00) C Public hearing to consider an application filed by **Debbie Harp** for Current Use Assessment Open Space-General on 6.62 acres located at 4493 NE Stevens-Uhler Road in North Kitsap, Commissioner District No. 1. **Total Fiscal Impact:** None, neutral. **Source of Funds:** The tax reduction is a tax shift within the Kitsap County General Fund. The resulting tax shift is approximately \$729 - .006 cents per parcel. **Staff Contact:** Karanne Gonzalez 337-4993.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent the Board approve the

application filed by **Debbie Harp** for Current Use Assessment Open Space-General on 6.62 acres located at 4493 NE Stevens-Uhler Road in North Kitsap; further that an Order be executed so stipulating. Motion carries unanimously.

10:00) D Public hearing to consider an application filed by **Darren and Suzanne Glaser** for Current Use Assessment Open Space-General on a 10-acre parcel located at 87 SW Pine Road in South Kitsap, Commissioner District No. 2. **Total Fiscal Impact:** None, neutral. **Source of Funds:** The tax reduction is a tax shift within the Kitsap County General Fund. The resulting tax shift is approximately \$186 - .001 cents per parcel. **Staff Contact:** Karanne Gonzalez 337-4993.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board approve the application filed by **Darren and Suzanne Glaser** for Current Use Assessment Open Space-General on a 10-acre parcel located at 87 SW Pine Road in South Kitsap; further that an Order be executed so stipulating. Motion carries unanimously.

10:00) E Continuation of the Closed Record Appeal hearing to consider an appeal filed by the **Prospect Point Beach Club Homeowners' Association** of the Hearing Examiner decision to approve with conditions the Chamber's single family residence front yard setback variance from 50 feet to 25 feet. The proposed project is located on the north side of Banner Road SE near Olalla and south of SE Prospect Drive in South Kitsap, Commissioner District No. 2. **Total Fiscal Impact:** N/A. **Source of Funds:** N/A. **Staff Contact:** Jeff Smith, 337-7022.

Chair Angel said she has reviewed the record as well as the videotape of the October 27, 2003 public hearing and did not have additional questions. She closed the record.

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board affirms the Hearing Examiner's decision subject to the conditions contained in his conclusions, thereby denying the appeal. Motion carries unanimously.

OPPORTUNITY FOR PUBLIC COMMENTS ON AGENDA ITEMS ONLY:
(Please limit comments to 2minutes)

OTHER BUSINESS AND CONSENT ITEMS:

1) MISCELLANEOUS ITEMS:

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board:

- A. Approve Minutes of October 27, 2003.
- B. Approve Warrant Nos. 3087176 through 3088037 in the amount of \$2,735,909.62.

- C. Refer to the Prosecutor's Office and the Risk Manager: 1) Claim for Damages filed by Allen R. Miller; 2) Claim for Damages filed by Jill Annette Beal; 3) Summons, Complaint filed by Harold Friedman and Debra Friedman; and 4) Summons and Petitions for Removal & Request for Jury Trial filed by West Sound Narcotics Enforcement Team and the Kitsap County Sheriff's Department.
- D. Adopt Formal Decision of the Board of Commissioners, RE: The Suquamish Tribe Appeal of the Application for Whitehorse Residential Community Preliminary Plat.
- E. Adopt Formal Decision of the Board of Commissioners, RE: The North Kitsap Coordinating Council Appeal of the Whitehorse Golf Course Site Development Activity Permit.

Motion carries unanimously.

2) **ADMINISTRATIVE SERVICES DEPARTMENT:**

- A. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Kitsap Regional Economic Development Council (KC-043-02B)** for promotion of economic development in Kitsap County. **Total Fiscal Impact:** \$63,000. **Source of Funds:** General Admin & Operations Fund. **Staff Contact:** Malcolm Fleming, 337-4403. Motion carries unanimously.
- B. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 206-2003*** thereby transferring a file server from the Auditor's Office to the Department of Administrative Services and a laptop computer from the Commissioners Office to the Department of Administrative Services. **Total Fiscal Impact:** N/A. **Source of Funds:** N/A. **Staff Contact:** Terece Bryan, 337-4413. Motion carries unanimously.
- C. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Purchase and Sale agreement with **Royal Valley, LLC (KC-468-03)** for the property located at 616 Sidney Avenue, Port Orchard WA. **Total Fiscal Impact:** \$385,000 + closing costs. **Source of Funds:** Real Estate Excise Tax. **Staff Contact:** Carolyn Siems, 337-4412. Motion carries unanimously.

3) **JUVENILE SERVICES DEPARTMENT:**

- A. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract amendment with **Wellspring Therapy Services (KC-321-03A)** to provide functional family therapy to 22 moderates to high-risk youth and their families utilizing Community Juvenile Accountability Act Funds. **Total Fiscal Impact:** \$45,100 included in the 2003 Juvenile Dept Budget. **Source of Funds:** DSHS Community Juvenile

Accountability Act Funds. **Staff Contact:** Patricia Bronson, 337-5470. Motion carries unanimously.

- B. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the interlocal agreement with **Educational Service District #101 (KC-441-03)** to continue to provide the Corrections Learning Network to the Juvenile Department. **Total Fiscal Impact:** Unable to determine cost of electricity for use. **Source of Funds:** Current budget has adequate funds for utility costs. **Staff Contact:** William Truemper, 337-5406. Motion carries unanimously.

4) **DEPARTMENT OF PERSONNEL AND HUMAN SERVICES:**

- A. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Cash Advance agreement with **WA State Department of Social & Health Services (KC-434-03)** for the Substance Abuse, Developmental Disabilities and Aging and Long Term Care programs, to continue a 2-month cash advance provision for the period of July 1, 2003 through June 30, 2004. **Total Fiscal Impact:** None. Kitsap County has received a 2-month cash advance, in the amount of \$917,492 for the Substance Abuse, Dev. Disabilities and Aging & Long Term Care programs to alleviate cash flow problems. The cash advance is passed through from the state. **Source of Funds:** State DSHS. **Staff Contact:** Allen Sharrett, 337-3528. Motion carries unanimously.
- B. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Cash Advance agreement with **WA State Department of Social & Health Services (KC-435 -03)** for the PRSN Mental Health Program to continue the provision of a 2-month cash advance for the period of July 1, 2003 through June 30, 2004. **Total Fiscal Impact:** None. Kitsap County has received a 2-month cash advance, in the amount of \$556,009 for the PRSN Mental Health Program to alleviate cash flow problems. The cash advance is passed through from the state. **Source of Funds:** State DSHS. **Staff Contact:** Allen Sharrett, 337-3528. Motion carries unanimously.
- C. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Welfare to Work Grant contract amendment with **Olympic Consortium and Washington State Employment Security Department (KC-013-00B)** extending the end date to September 30, 2003 and keeping the amount unchanged at \$933,557. **Total Fiscal Impact:** None. **Source of Funds:** Workforce Investment Act – Welfare-to-Work Federal Funds. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.
- D. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the Workforce Investment Act Grant Agreement with **Olympic Consortium and Washington State Employment Security Department (KC-447-03)** to enhance the Consortium's one-stop

workforce development system during the period of October 1, 2003 through September 30, 2004. **Total Fiscal Impact:** \$70,000 expenditure fully offset by grant funds. **Source of Funds:** Workforce Investment Act Federal Grant. **Staff Contact:** Bob Potter, 337-4873. Motion carries unanimously.

5) **DEPARTMENT OF PUBLIC WORKS:**

- A. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 207-2003*** thereby accepting as complete the Port Gamble Road NE Gamble Creek Culvert replacement project (KC-143-03) completed by 3 Kings Environmental, Inc. **Total Fiscal Impact:** Minimal staff time. **Source of Funds:** Road Fund. **Staff Contact:** Jacques Dean, 337-4671. Motion carries unanimously.
- B. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves and executes the contract with **Petersen Brothers, Inc (KC-457-03)** for the installation of guardrail in 11 locations throughout Kitsap County. **Total Fiscal Impact:** \$88,971.25. **Source of Funds:** Road Fund. **Staff Contact:** Gordon Roycroft, 337-4891. Motion carries unanimously.
- C. A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts **Resolution No. 208-2003*** thereby authorizing four steel beams deemed surplus be made available for emergency reconstruction of a bridge to restore access to the community on Cantu Lane in Central Kitsap, Commissioner District #3. **Total Fiscal Impact:** Unknown. **Source of Funds:** Road Fund. **Staff Contact:** Randy Casteel, 337-4866. Motion carries unanimously.

6) **CONTRACTS APPROVED BY COUNTY ADMINISTRATOR /OR DEPARTMENT DIRECTORS (Pursuant to Section 3.56.075 Kitsap County Code:**

- A. Summary report of contracts approved for the month of October. **Note:** No action by the Board required, informational only.

7) **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD:**
(Please limit comments to 3 to 5 minutes)

- A. Dave Card and Ayvon Card addressed the Board with concerns about the recent Kitsap Transit ballot issue.
- B. Joyce Merkel and Colleen Carlson addressed the Board with concerns about the Golden Rule Tattoo shop located in old town Silverdale. Merkel also submitted a petition regarding the business.
- C. Mike Eliason addressed the Board with concerns about public input.

- D. Ron Ross addressed the Board with concerns about the fish and wildlife habitat assessment, zoning fees and a nine lot short plat previously discussed.
- E. Vivian Henderson addressed the Board with concerns about the Shoreline Management Act.

8) BOARD OF COMMISSIONER'S COMMENTS:

- A. Commissioner Lent said she attended/participated or will be attending the following meetings: BRAC meeting in WA, DC, Kitsap County Consolidated Housing Authority and a School Superintendents meeting.
- B. Commissioner Endresen said she attended/participated or will be attending the following meetings: Welcoming the USS Bridge, Port Gamble S'Klallam Winter Auction, WSAC Western District meeting, International Trade Luncheon, Bainbridge Economic Development Council and the Puget Sound Regional Council Staff Interview Process.
- C. Chair Angel said she attended/participated or will be attending the following meetings: Port Orchard Party and the WSAC Western District meeting.

Public meeting adjourned at 11:45 AM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

JAN ANGEL, CHAIR

CHRIS ENDRESEN, COMMISSIONER

PATTY LENT, COMMISSIONER

ATTEST:

OPAL ROBERTSON
CLERK OF THE BOARD

DATE APPROVED

* See Resolution Journal Volume No. 58

** See Ordinance Journal Volume No. 12

OTHER MEETINGS ATTENDED BY THE BOARD:

- 11/10/03 12:00 PM Lunch
 1:30 PM Executive Session- BCC Conf Rm (personnel issues)
 2:00 PM Executive Session- BCC Conf Rm (personnel issues)
 2:30 PM PM Admin Meeting – BCC Conference Room
 7:00 PM BOCC Comp Plan Amend Mtg - BCC Chambers
- 11/11/03 Veterans Day Holiday! ! !**
- 11/12/03 8:30 AM Work Study Session – PW 3rd Floor Conference Room
- 11/17/03 10:00 AM AM Admin Meeting – BCC Conference Room
 12:00 PM Lunch with Elected Officials – Twetens
 1:30 PM Executive Session – BCC Conf Room (Personnel issues)
 2:00 PM PM Admin Meeting – BCC Conference Room
 6:30 PM BOCC Comp Plan Amend Mtg – Presidents Hall
- 11/18/03 8:00 AM KCCHA Housing Authority Mtg – Housing Office
 2:00 PM KRCC 2060 Mtg – Bremerton C of C Conference Room
- 11/19/03 8:30 AM Work Study Session – PW 3rd Floor Conference Room
 12:00 PM Lunch with Legislators - Twetens

**THE NEXT REGULAR BOARD OF COMMISSIONERS MEETING
WILL BE HELD NOVEMBER 24, 2003.**

Visit the County's website at www.kitsapgov.com

(The Board of County Commissioners public meetings are re-televised on public access television BKAT (ComCast Ch.12 and Charter Communications Ch. 3) Monday nights at 5 PM, Tuesdays at 8 PM and Wednesday at 1 AM).

NOTE: KITSAP COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY. INDIVIDUALS WHO REQUIRE ACCOMMODATIONS SHOULD CONTACT THE COMMISSIONER'S OFFICE AT (360) 337-4428 OR TDD (360) 337-7275 OR 1-800-816-2782. (PLEASE PROVIDE TWO WEEKS NOTICE FOR INTERPRETER SERVICES).

UPCOMING TIMED AGENDA ITEMS:

(PLEASE NOTE: These dates and times are tentative and subject to change).

NOVEMBER 10, 2003 – 7:00 PM

Continuation of the October 15, 2003 public hearing to: 1) receive oral and written testimony and consider:

- South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations
- Population Allocation component for ULID-6
- Population Allocation component for Kingston Urban Grown Area,

and 2) to begin deliberations on the 2003 Comprehensive Plan Amendments including:

- South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations
- Interim Forest Resource Lands ("IRF")
- George's Corner Limited Area of More Intense Rural Development (LAMIRD)
- Pioneer Way Limited Area of More Intense Rural Development (LAMIRD)
- Kingston Subarea Plan
- Utility Local Improvement District 6 ("ULID#6") and Implementing Regulations
- Site Specific Comprehensive Plan Amendments
- General Comprehensive Plan Text Amendments and Corrections. **(Note: This meeting will be held in the Board of Commissioners Chambers).**

NOVEMBER 17, 2003 – 6:30 PM:

Continuation of the public hearing to consider the Board of Commissioner's deliberation and possible decision on the 2003 Comprehensive Plan Amendments including:

- South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations
- Interim Forest Resource Lands ("IRF")
- George's Corner Limited Area of More Intense Rural Development (LAMIRD)
- Pioneer Way Limited Area of More Intense Rural Development (LAMIRD)
- Kingston Subarea Plan
- Utility Local Improvement District 6 ("ULID#6") and Implementing Regulations
- Site Specific Comprehensive Plan Amendments
- General Comprehensive Plan Text Amendments and Corrections.

(Note: This hearing will be held at the Presidents Hall, Kitsap County Fairgrounds, 1200 NW Fairgrounds Road, Bremerton, WA).

NOVEMBER 24, 2003:

10:00) A Public hearing to consider an application filed by **Stuart Dupen** for Current Use Assessment Open Space-General on 4.78 acres of a 5.78-acre parcel located at 14571 Misty Vale Road on Bainbridge Island in North Kitsap, Commissioner District No. 1. **Staff Contact:** Steve Morse, (206) 780-3759.

10:00) B Public hearing to consider an application filed by **Thomas Goodlin and Cestjon McFarland** for Current Use Assessment Open Space-General on 3.0 acres of a 4.50-acre parcel located at 10257 Darden Lane on Bainbridge Island in North Kitsap, Commissioner District No. 1. **Staff Contact:** Steve Morse, (206) 780-3759.

- 10:00) C** Public hearing to consider an application filed by **Craig Hobbs** for Current Use Assessment Open Space-Timberland on 14.3 acres in two parcels located on at 9750 Mandus Olsen Road on Bainbridge Island in North Kitsap, Commissioner District No. 1. **Staff Contact:** Steve Morse, (206) 780-3759.
- 10:00) D** Public hearing to consider adopting a **Resolution** vacating a portion of Christmas Tree Lane deeded to Kitsap County and recorded on April 4, 1973. The portion requesting to be vacated is unopened and un-maintained and vacation of this right-of-way would not deny access to any properties. The proposed vacation is located in South Kitsap, Commissioner District #2. **Total Fiscal Impact:** Tax revenue on portion vacated. **Source of Funds:** Road Fund. **Staff Contact:** Jim Barnard, 337-3636.
- 10:00) E** Public hearing to consider a **Petition to Vacate** a portion of **County Road #233** filed by **Spadon Brothers, Inc.** The portion requesting to be vacated is approximately 11,600 square feet (40' width x 290' length). The road is not expected to be of use for vehicular, pedestrian or park/greenway purposes in the foreseeable future. The proposed vacation is located in South Kitsap, Commissioner District No. 2. **Total Fiscal Impact:** \$2,950 + tax revenue on portion vacated. **Source of Funds:** Petitioner and Road Fund. **Staff Contact:** Jim Barnard, 337-3636.



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS

November 10, 2003 - PM

The Board of Commissioners met on the above-stated date. Present were Chair Jan Angel, Commissioner Chris Endresen, Commissioner Patty Lent, County Administrator Malcolm Fleming and Clerk of the Board, Opal Robertson. (THE BOARD OF COMMISSIONERS' PUBLIC MEETINGS AND PUBLIC HEARINGS ARE AUDIO AND VIDEO TAPED).

ITEMS SET FOR TIME CERTAIN:

7:00) Meeting Called to Order with Pledge of Allegiance.

7:00 PM) Continuation of the October 15, 2003 public hearing to **1)** accept oral and written testimony and consider:

- South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations
- Population Allocation component for ULID-6
- Population Allocation component for Kingston Urban Grown Area,

and **2)** to begin deliberations on the 2003 Comprehensive Plan Amendments including:

- South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations
 - Interim Forest Resource Lands ("IRF")
 - George's Corner Limited Area of More Intense Rural Development (LAMIRD)
 - Pioneer Way Limited Area of More Intense Rural Development (LAMIRD)
 - Kingston Subarea Plan
 - Utility Local Improvement District 6 ("ULID #6") and Implementing Regulations
 - Site Specific Comprehensive Plan Amendments
- General Comprehensive Plan Text Amendments and Corrections.

The meeting was called to order with the flag salute.

Chair Angel said this is a continuation of the October 15, 2003 public hearing and that the Board would be accepting oral and written testimony on the following items: South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations, Population Allocation component for ULID #6 and Population Allocation component for Kingston Urban Grown Area.

Laura Ditmer, Department of Community Development, said relative to Kingston and ULID #6, staff had moved forward with a population allocation ordinance that was later rescinded. For Kingston population allocation, she said staff has done the analysis, looked at the different options and is now considering a mid-range number of 639. Ditmer said staff has also reviewed the analysis and depending on the Board's ultimate decision after deliberations would determine Kingston's population allocation. Relative to ULID #6, she said the number has always been 6,400 and that has not changed. She asked the Board to continue this matter to November 17, 2003 after receiving tonight's testimony.

South Kitsap Industrial Area:

Tom Donnelly, Kitsap Citizens for Responsible Planning, said he signed up to speak on all three topics and his argument is pretty much the same for all three. He said it appears the Board has time to discuss alternate solutions to impact fees but no time to do the things necessary to make changes to the proposed comprehensive plan. Donnelly believes it is time to do more responsible planning and urges the Board not to approve the proposals.

Utility Local Improvement District #6:

Dusty Meyer said relative to population growth, these plans were not acceptable for Kitsap County in that the county does have the land, water, ecology or the electric power for any more expansion. She urges the Board to stop the waste of Kitsap County.

Jerry Harless, South Kitsap resident, said he is still unclear about what is being proposed for population allocation. He said what is being proposed to the Board is still backward and opposite of what the Growth Management Act (GMA), the County's Comprehensive Plan and the County-wide Planning Policies directs for population and urban growth. Harless said this is still not a 20-year plan and still not the 2022 horizon that the County-wide Planning Policies and GMA directs. He said this matter has gone on for years and urges the Board to move forward with a decision.

Linda Niebanck, McCormick Land Company, said relative to UILD #6 she believes that the record is complete and requests the Board to approve the population allocation using the forms and processes required under GMA and the County's rules and regulations.

Richard Brown said the problem with shuffling the population allocation between Kingston, ULID #6 and other areas is that the numbers allocated to the City of Bremerton has never been used. Brown said what he would like to see in the future is more readily use of the population allocated to ULID #6, Port Blakely and other areas and then pull the population so the growth area can continue along the city boundaries with sewer and water.

Laura Ditmer, Community Development, said prior to submitting to Kitsap Regional Coordinating Council (KRCC), staff did the analysis from the adopted numbers in the comprehensive plan from 2012 through 2017, took that number through the KRCC process and then developed a range for Kingston that would be used for its sub-area planning process. She said based on the analysis for ULID #6, staff determined that there was an

allocation for South Kitsap County of 10,000 with 6,400 of those numbers allocated to ULID #6 and 3,600 to Port Orchard. Based on this, she said the two sub-area plans moved forward, staff has continued to refine the numbers working through the formula that had not been utilized originally and then adopting a mid-range for those number. She said KRCC adopted a range of 0-3,000, staff determined during the summer that there was range of minus 49 to 881 due to the down-zoning of some lands that were mentioned as a result of the public meetings held in Kingston. Ditmer said during this process, several landowners came forward to propose consideration of up zoning of those lands. She said as a result there are four proposals before the Board: Waggoner, Bradley, Aborwood and Sherrard that are included in the Board's decision matrix. Ditmer said staff is recommending approval of three of those proposals and based on the recommendation, staff has taken the acreage for each of the properties, its current designation, the landowners proposal for up-zoning and considering the range of numbers, staff came up with the numbers that are currently before the Board. Ditmer said there is a range of 176 to 1,286 with the mid-range being 639.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board closes the oral portion of the public hearing regarding ULID #6 Population Allocation, Kingston Sub-area Plan Population Allocation and SKIA Sub-Area Plan with the written record remaining open through the close of business on November 14, 2003. Motion carries unanimously.

Board of Commissioners Deliberations:

Laura Ditmer clarifies for the Board that relative to the Olmsted site specific, staff had originally provided a matrix with the recommended approval for urban commercial but the recommendation should be listed as a neighborhood commercial designation instead.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approve the Olmsted site specific for neighborhood commercial designation instead of urban commercial. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board deny the Burgess site specific as proposed by the applicant. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board deny the Choi site specific as proposed by the applicant. Motion carries unanimously.

Chair Angel said there are still concerns about the Brown-Rice-Krueger, Blackjack Valley Associate, Waters and the Sedgwick Joint Venture site specifics and the Board will continue this matter to November 17, 2003.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board defer the decision on the Bjarnson site specific and waive any re-application

fees during the next comprehensive amendment plan process until a LAMIRD for Georges Corner can be addressed. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board defers its decision on the Georges Corner LAMIRD and directs staff to commence a proper community planning process for the LAMIRD that includes the Suquamish Tribe, the property owners and the Kingston Citizens Advisory Committee; further that the process be completed by July 31, 2004. Motion carries unanimously.

The Board defers its decision on the Arborwood, Bradley, Waggoner and Sherrard property site specifics to November 17, 2003 along with the Kingston Sub-Area Plan.

Discussion was held regarding a portion of the Waggoner property that includes a stream, owners preparing a lot line adjustment, possibly approving the Waggoner/Bradley properties "common agreement" condition relative to one access off Hwy 104, the sensitive areas being zoned off and designated urban restricted, population for the area, possible denial of the Sherrard property, non-conforming use of the site, location of the site, current zoning in the area, permitted uses of the area, Sherrard being able to develop the property without changing the zoning and a mixed use urban village designation in the Kingston area.

Discussion was held, comments called for and hearing no objection, a **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board defer the Sherrard site specific to November 17, 2003. Motion carries unanimously.

The Board continues the Kingston Sub-Area Plan Population Allocation, ULID #6 Population Allocation, and the SKIA Sub-Area Plan to November 17, 2003 due to possible additional written comments received through the close of business on November 14, 2003.

Discussion was held regarding additional written comments received on the SKIA Plan, suggested language changes from the Port of Bremerton, whether staff has reviewed the suggested changes, suggested changes in Section 3.6 of the plan, proposed language acceptable to staff, clarification needed from the Port as to whether the November 7, 2003 letter replaces the language in their letter of October 15, 2003 and whether the implementing ordinance will be adopted.

Discussion was further held regarding only three meetings held to discuss Interim Rural Forest, disappointment that the large land owners believed there was no more room to compromise or discuss, relative to the hybrid language possibly changing 20 years to 50 years, consideration of 5 years or 5,000 acres as a limit or sunset, annual report for monitoring due by January 31st of the following year of each year, implementing a development regulation section should include language that purchasers of these lands be informed that urban level of services will not be provided, Transfer Development Rights (TDR) included in the implementing ordinances, deadline for implementing ordinance to be prepared if possible by July 31, 2004, whether TDR's should be part of the implementing

ordinance, lack of consultant dollars for TDR's and an achievable staff deadline for TDR's.

The Board continued Interim Rural Forest for further discussion and deliberation to November 17, 2003.

Public meeting adjourned at 8:20 PM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

JAN ANGEL, CHAIR

CHRIS ENDRESEN, COMMISSIONER

PATTY LENT, COMMISSIONER

ATTEST:

OPAL ROBERTSON
CLERK OF THE BOARD

DATE APPROVED

* See Resolution Journal Volume No. 58

** See Ordinance Journal Volume No. 12

***NEXT REGULAR BOARD OF COMMISSIONERS MEETING WILL BE
NOVEMBER 24, 2003.***

Visit the County's website at www.kitsapgov.com

NOTE: KITSAP COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY. INDIVIDUALS WHO REQUIRE ACCOMMODATIONS SHOULD CONTACT THE COMMISSIONER'S OFFICE AT (360) 337-4428 OR TDD (360) 337-7275 OR 1-800-816-2782. (PLEASE PROVIDE TWO WEEKS NOTICE FOR INTERPRETER SERVICES).

