



MINUTES

KITSAP COUNTY BOARD OF COMMISSIONERS

November 17, 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:

6:30) Meeting Called to Order with Pledge of Allegiance.

6:30 PM) Continuation of the November 10, 2003 public hearing to deliberate and consider adopting the proposed 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.

Chair Angel said this is a continuation from the November 10, 2003 public hearing to deliberate and consider adopting the proposed 2003 Comprehensive Plan Amendments.

South Kitsap Industrial Area Plan ("SKIA") and Implementing Regulations:

Laura Ditmer, Department of Community Development, said there is a decision matrix is before the Board along with the additional testimony received from last Friday as well as an errata sheet that supplements the decision matrix. She said there are also plan options for the Board along with proposals for amendments. Relative to SKIA, Ditmer said staff

recommends the Board approve the South Kitsap Industrial Area Plan with the Implementing Regulations adopting the business center designation with master plan requirements. She suggested that the Board defer and remand to staff the other industrial lands to be brought before the Board within the next six months.

Discussion was held between the Board and staff regarding whether the Board would be deferring all of the industrial lands.

Chair Angel made a motion that the Board add the following two paragraphs to Section 1.6 - Urban Joint Planning Area Planning Process ... *"the 1999 Comprehensive Plan Amendment stated that in the Memorandum of Agreement for SKIA would clearly define issues that would be addressed through joint planning. This MOA indicated that the 1998 UGA lands are included in the joint planning process to provide a means for cooperatively resolving issues relating to long time service provisions. The memorandum of agreement further describes the purpose of joint planning for the UGPA lands to provide a process for resolving outstanding issues relating to environmental protection services and facilities and government.*

In view of the specific and limited requirements located in the 1998 UGA lands as described in the Comprehensive Plan and the memorandum of agreement, these UGA lands are subject to this 2003 Sub-Area Plan regarding only the issue of long term service provision. The goals and policies of the 1998 Comprehensive Plan as amended also applies to the 1998 UGA lands. The UGPA lands based on these same documents are subject to all the elements of the Sub-area plan as well as those goals and policies of the 1998 Comprehensive Plan as amended."

Discussion was held among the Board regarding whether the intent of the motion was to take the environmental planning process out of the SKIA lands, the intent is to add the paragraphs to the existing plan approved on November 14, 2002, the update from the Port of Bremerton on November 7, 2003, staff being non-supportive of the motion proposed by Chair Angel and the difficulty in responding to this type of language when it has not been reviewed.

Commissioner Endresen noted the following are non-formal incremental motions and the Board would vote on the entire package later.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the September 30, 2003 South Kitsap Industrial Plan. Motion carries. Chair Angel voted, No.

Discussion was held regarding the Port of Bremerton's letter dated November 7, 2003, implementing regulations, the November 7, 2003 proposal continuing the same process that is currently in effect, a portion of SKIA having been already developed and the six month window allowing the SKIA property owners to propose certain portions of their land holdings for the different land use permit options.

A **motion** was made by Commissioner Endresen and seconded by Chair Angel that the Board modifies the boundary of the sub-area to include the Rod Reid/Alpine Evergreen property as presented on map #3. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board supports the revisions as submitted by the Port of Bremerton in the letter dated November 7, 2003. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends the second sentence on page 5, paragraph 2 to read... *The plan intends to provide opportunities for development that creates or retains employment including but not limited to professional, technical and manufacturing fields.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends the second sentence on page 10, paragraph 3 to read... *The plan intends to provide opportunities for development that creates or retains employment including but not limited to professional, technical and manufacturing fields.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board inserts the following on page 13, paragraph 2 - the word "to" in ...*the SKIA will be able to accommodate approximately ...* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends the last sentence to read on page 41, paragraph 4, Section 3.7... *"These lands will become part of the SKIA UGA and the underlying zoning designation will change from rural residential to business center for economic development purposes."* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board inserts on page 75, paragraph 7, section 7.6.1 information on when the City of Bremerton is prepared to include the SKIA within an expansion of the water services area. **(Motion withdrawn)**

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board deletes: 1) on page 79, paragraph 4 "Bremerton" from the Bremerton Kitsap County Health District; 2) on page 79, paragraph 5 "Bremerton" from the Bremerton Kitsap County Health District; and 3) on page 80, paragraph 1 "B" fro "BKCHD". Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends the following on page 83, paragraph 1 "2002 to 2004." Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board inserts on page 84, paragraph 3 "*destination 2030*" at the end of the paragraph. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends the last sentence to read on page 87, paragraph 2 "...*strategies have been evaluated and are included in section...*" Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board amends on page 90, table 1, line 16 "*2917 to 2017*" Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board adds a reference to the "*Kitsap County Stormwater Management Guide*" on page 99 (which ever Guide is in effect at the time). Motion carries unanimously.

The **motion** was restated by Chair Angel to add the following two paragraphs to Section 1.6 as read earlier regarding the Urban Joint Planning Area Planning Process (see motion above). **Motion dies for lack of second.**

Discussion was held between the Board and staff regarding where the underlined portions on pages 19-20 originated from, whether this information was in the previous plan, the 1999 plan amendments, whether the Port of Bremerton agrees with the added portions, the earlier language proposed in the October 15, 2003 letter from the Port, language from the Comprehensive Plan v. language from the Memorandum of Agreement, whether this is intended to exclude the Port's land from the sub-area planning, the different options for landowners to take advantage of and whether the Port's November 7, 2003 letter replaces the proposals stated in their October 15, 2003 letter.

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board adds the following paragraph to Section 1.6 - Urban Joint Planning Area Planning Process "*The 1999 Comprehensive Plan Amendment stated that in the Memorandum of Agreement for SKIA would clearly define issues that would be addressed through joint planning. This MOA indicated that the 1998 UGA lands are included in the joint planning process to provide a means for cooperatively resolving issues relating to long time service provisions. The memorandum of agreement further describes the purpose of joint planning for the UGPA lands to provide a process for resolving outstanding issues relating to environmental protection services and facilities and government.*" Motion carries unanimously.

A **motion** was made by Chair Angel that the Board adds the following paragraph to Section 1.6 - Urban Joint Planning Area Planning Process "*In view of the specific and limited requirements located in the 1998 UGA lands as described in the Comprehensive Plan and the memorandum of agreement, these UGA lands are subject to this 2003 Sub-Area Plan regarding only the issue of long term service provision. The goals and policies of the 1998 Comprehensive Plan as amended also applies to the 1998 UGA lands. The UGPA lands based on these same documents are subject to all the elements of the Sub-*

area plan as well as those goals and policies of the 1998 Comprehensive Plan as amended. **Motion dies for lack of second.**

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the September 30, 2003 South Kitsap Industrial Area Plan as amended. Motion carries. Chair Angel votes, No.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the South Kitsap Implementing Regulations with a proposed business center designation for the urban joint planning area with master plan requirements; amends the regulations to include testimony given by Rod Reid inclusive of the submitted land use table; and further directs staff to refine zoning ordinances reflecting the plan and applying current zoning practices during the interim period. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board inserts on page 19, #B4 ... *Ship building, dry dock, ship repair dismantling.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board adds on page 19, #B4.a ... *"Aircraft building/assembly, repair and dismantling."* Motion carries unanimously.

Kamuron Gurol said staff would make the necessary grammatical edits and changes to the plan.

George's Corner Limited Area of More Intense Rural Development (LAMIRD):

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board amends the November 10, 2003 motion to defer this matter to be processed with the 2004 Comprehensive Plan Amendments. Motion carries unanimously.

Utility Local Improvement District 6 ("ULID#6") and Implementing Regulations:

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the ULID #6 Sub-Area Plan. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board modifies the plan designating the 20-acre school site as urban cluster residential as requested by McCormick Land Company and supported by South Kitsap School District. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board adds the May 6, 2003 Planning Commissions suggested recommendation for public input (clarifying that there was additional public participation through the Planning Commission) and supported by staff. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves Water Table 7.1 providing the correct numbers. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board approves Section 7.2.3, Public Education Facilities paragraph deleting and replacing with the following --- *South Kitsap School District is acquiring approximately 60 acres to use for future school facilities, the site is located on the north side of Old Clifton Road immediately west of the proposed medium density residential area near the proposed village center.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves Section 7.2.4, Parks and Recreation inserting the following paragraph --- *In April of 2003, Kitsap County purchased approximately 1,200 acres of parkland south and west of the sub-area together with lands already acquired or owned by Kitsap County and or the State of Washington. This creates the approximately 2,000 acres, which is Coulter Creek Heritage Park. This park was established cooperatively with McCormick Land Company defines the edge of the urban area and will contribute to active and passive recreation for South Kitsap residents now and in the future.* Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the language regarding the City of Port Orchard Water System 7.2.5 and the 7.2.5 C - Capital Improvement Program for the Port Orchard Service area. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves Section 7.2.6, Wastewater Collection and Treatment Facilities adding the system is owned, operated and maintained by the City of Port Orchard. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves placing "*task completed*" next to Section 7.3, Goals and Policies. Motion carries unanimously.

Discussion was held regarding modifying Policy 1.5 to coordinate planning of on site trails and parks so that to the extent possible, the open space connects to Coulter Creek Heritage Park.

Laura Ditmer said staff did not support the language, there is a difference between urban or UGA and rural lands and staff wanted to keep the distinction as written in the plan.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves Goals and Policies 8.2 -- replacing the reference to interlocal agreement with memorandum of agreement. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board affirms the mid-range population allocation of 6,400 necessary to support the Sub-area plan. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts the Implementing Regulations for ULID#6. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves amending the language in Attachment #2 of the Implementing Regulations proposed by McCormick Land Company to read ... *approval by the Director upon recommendation from the Fire Marshal*. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves reducing the minimum lot width to 40 feet (330.060, Urban Low Density Lot Requirements). Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves changing the rule on the area of master planning to read – *master planning requirements prior to any new development within an area zoned in whatever category in the sub-area, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development provided the Director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development*. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves – adding zero lot line developments may be approved with zero setbacks (350.040 B-2, Urban Cluster). Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves eliminating minimum lot area requirement (340.060, Urban Medium). Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves modifying the language in 351.030 to read – *design multi-family projects to be oriented to public streets or common open spaces and to provide pedestrian and vehicular connections to the existing neighborhoods*. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves modifying the language in 351.070 to read – *Open space shall be provided in or adjacent to multi-family development for the residents of the development*. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves retaining the first sentence in 340.020 A and modifying the last

sentence to read – *public access shall be provided to water bodies as required by the Shoreline Management Act*. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves amending the language to add landmarks as possible gateway focal points (340.040). Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the language moving sub-paragraphs 1-4 to the guidelines and omitting them from the requirement. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the recommended language in 340.100. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the recommended language in 340.220. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the recommended language amendment in 340.225. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the recommended language amendment in 340.230. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the recommended language amendment in 340.270. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the recommended language amendment in 353.020. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board supports adding language allowing skating or ice rinks. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves replacing the word "*facilitate*" with alternative language such as, *encourage* on Page 1, D (Master Plan). Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the ULID #6 Sub-Area Plan and Population Allocation as amended. Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves the population allocation as described in the Department of Community Development final recommended language. Motion carries unanimously.

Kingston Sub-area Plan:

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts the Kingston Sub-area Plan - Preferred Alternative B. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board amends the Kingston Sub-Area plan adding the new section relating to the modified Arborwood property under Urban Reserve as set forth in the language revised by staff. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board defer the Sherrard Site Specific request until next year after the 2025 population allocation numbers are completed; further that the applicant not be required to pay re-submittal fees. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the Bradley Site Specific request and the Waggoner Site Specific request with a revised proposal to include a boundary line adjustment to protect the sensitive areas and a concomitant agreement for joint access with the Bradley request to not increase access over the existing stream. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the population allocation for the Kingston Urban Growth Area of 640. Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves the Kingston Sub-Area Plan as amended. Motion carries unanimously.

Site Specific Comprehensive Plan Amendments:

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board defers the Brown/Rice/Krueger Site Specific amendment application to the joint planning process with the City of Port Orchard UGA with completion on or before the end of the year 2004. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board defer the Blackjack Valley Associates Site Specific amendment application to the joint planning process with the City of Port Orchard UGA with completion on or before the end of the year 2004. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board defer the Waters Site Specific amendment application to the joint planning process with the City of Port Orchard UGA with completion on or before the end of the year 2004. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board defer the Sedgwick Joint Venture Site Specific amendment application to the joint planning process with the City of Port Orchard UGA with completion on or before the end of the year 2004. Motion carries unanimously.

Interim Forest Resource Lands (“IRF”):

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board adopts the Interim Rural Forest Revised Hybrid Language dated September 30, 2003. Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board approves adding a phrase providing housing at rural densities in Policy RL-10. Motion carries unanimously.

Discussion was held between the Board and staff regarding possibly deleting Policy RL-10a, re-instating RL-10a with revisions, how rural character will be preserved and urban growth in rural areas will be prevented, whether staff can implement within six months, having the staff work-program reflect the Board’s priorities, six months being an aggressive timeline when stakeholders and Planning Commission review is required, many of the previous actions taken by the Board requiring additional follow-up work within 2004, committing timeline to no later than the end of the year and possibly adopting a resolution outlining a timeline.

A **motion** was made by Chair Angel and seconded by Commissioner Endresen that the Board approves Policy RL-10a stating – *Prior to accepting any applications pursuant to this policy, the County shall adopt development regulations on or before a nine month period following the adoption of the 2003 Comprehensive Plan docket and specifically address the criteria and objectives of this RL-11a – RL-11g section including but not limited to how rural character will be preserved and urban growth in the rural area will be prevented.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves Policy RL-11b, option 1 and inserting 40 years. Motion carries. Chair Angel voted No.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves Policy RL-11b (5) stating – *clusters developed under this program shall provide a vegetated buffer of 100 feet from existing public roadways or equivalent visual separation from adjoining properties in order to preserve rural character and aesthetic values of rural wooded lands.* Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board approves Policy RL-11b (9) stating – *To ensure each proposal submitted for review pursuant to this policy and associated implementing regulations complies with these requirements and preserves rural character and prevents urban growth in the rural area, a site plan review process with Hearing Examiner required. That site plan review process may be combined with a hearing on a preliminary plat or short plat application. In conducting the site plan review the Hearing Examiner may approve a proposed site plan if the Examiner finds that the proposed site plan complies with policies RL-11a through RL-11g and associated implementing regulations.* Motion carries unanimously.

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board approves Policy RL-11c (4) stating – *Forestry within the “Wooded Shoreline Preserve” area shall be subject to the State Forest Practices Act.* Motion carries unanimously.

A **motion** was made by Commissioner Endresen and seconded by Commissioner Lent that the Board approves Policy RL-11e stating – *In cooperation with landowners, stakeholders and others the County will develop and implement a system to monitor the effectiveness of all Rural Wooded Incentive Programs and the compatibility and impacts of land uses in Rural Wooded areas. Monitoring will be conducted on annual basis and presented in a report by January 31 of the following year. In addition, a 10,000-acre or 5-year threshold for a “stop and assess” report will be implemented, where all applications will be halted until a report has been generated and submitted.* Motion carries unanimously.

A **motion** was made by Commissioner Lent and seconded by Commissioner Endresen that the Board approves Policy RL-11h stating – *The Implementing and Development Regulations will include language to inform future purchasers that urban level services will not be provided to these lands.* Motion carries. Chair Angel voted No.

A **motion** was made by Commissioner Endresen that the Board approves Policy RL-11i stating – *The implementation ordinance will included a provision for a viable TDR program.*
Motion died for lack of second.

A **motion** was made by Chair Angel and seconded by Commissioner Lent that the Board approves the Interim Rural Forest Hybrid language as amended. Motion carries unanimously.

Public meeting adjourned at 9:45 PM.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY WASHINGTON**

CHAIR

COMMISSIONER

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).