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**MINUTES**  
**KITSAP COUNTY PLANNING COMMISSION**  
**Administration Building - Commissioner's Chambers**  
**January 8, 2008, 1:00 pm**

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These minutes are intended to provide a summary of the meeting flow and content and should not be relied upon for specific statements from individuals at the meeting.

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**The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Administration Building – Commissioner's Chambers located at 619 Division Street, Port Orchard, WA 98366.**

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Members present: Chair John Taylor, Fred Depee, Linda Paralez, Michael Gustavson, Tom Nevins, Lou Foritano, Jim Sommerhauser and Vice Chair Lary Coppola. County Commissioners present: Jan Angel, Steve Bauer, Josh Brown, Nancy Grennan. Staff present: Larry Keeton, Scott Diener, Shelley Kneip, and Planning Commission Secretary Amanda Walston.

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**1:06:01**

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***Attendees introduce themselves and offer appreciation for the efforts of all involved. The intent of the meeting is to share and gain greater understanding of the roles and expectations of the Planning Commission. Larry Keeton will lead the group through the agenda.***

**1:09:28**

***Depee:*** Sees the Planning Commission as a recommending body and filter between the public and the County Commissioners. Staff's presentation is an interpretation of our findings and decisions. What, explicitly, matters to and makes a difference to you? How can we make sure our time is well-spent?

***Suggestion for Commissioners:*** When a committee or group provides comments or efforts on issues or documents coming before you, please give recognition to individuals by name where appropriate, instead of just the department or entire body. It allows them to feel part of the process.

**1:14:17**

***Paralez:*** This commission suffers from difference of opinion on our roles and the nature of our input. In our meetings, we struggle with the amount of time spent battling details of one sentence or paragraph and whether to include a more global perspective. We need balance among our personalities and have clear direction as to what you want us to spend our time on. Should we be verifying every detail or are we trying to give an overall picture?

**Kitsap County Planning Commission – January 8, 2008**

1 **Commissioner Bauer:** *Fred, what I hear is a concern that the Planning*  
2 *Commission's message that we hear may be filtered or diluted by staff's*  
3 *presentation. The other point you'd like to see is for the Board recognize the*  
4 *individual efforts of the Planning Commission as well as other groups.*

5  
6 **Depee:** *Agrees and notes that recognition can be a way of calling people*  
7 *to action if they realize that individual efforts can make a difference.*

8  
9 **1:19:08**

10  
11 **Bauer:** *Linda, I'm hearing you ask for some direction from us on the role of the*  
12 *Planning Commission and whether we want to see a focus on the specific details*  
13 *or a more broad view of planning and policy.*

14  
15 **Paralez:** *I can see how the details may be helpful to the staff, but I don't*  
16 *think the Commissioners really want the minutiae.*

17  
18 **Taylor:** *Agrees and prefers a "summary" approach when receiving*  
19 *information from staff in meetings. Evaluate the concept, not the minutiae.*

20  
21 **Gustavson:** *Comes from engineering background. Each of us thinks we*  
22 *have something individual to offer here to the county, and many of us do*  
23 *outside research, which allows our Planning Commission to bring a broad*  
24 *perspective and insight to you. Also feels that sending information*  
25 *through Staff to the Commissioners filters the message.*

26  
27 **1:22:00**

28  
29 **Bauer:** *I'm hearing that each of you has your own area of interest and expertise*  
30 *and do lots of outside homework and research and try to bring that forth to the*  
31 *public and your fellow Planning Commissioners, and you'd like to see that*  
32 *message communicated more directly to the Board.*

33  
34 **Coppola:** *Every year we meet like this, we go over the same subject. The*  
35 *intent of what we want you to hear is diluted by Staff.*

36  
37 **Sommerhauser:** *Believes time and deadline constraints don't allow for full*  
38 *review and discussion on projects or issues. Believes we bring the public*  
39 *voice to you. There are nine of us and only three of you. 80% of what we*  
40 *do is listening to public input and trying to interpret and communicate that*  
41 *to the Board. Our salient points are not always coming through. Believes*  
42 *minutes really need to be detailed enough to catch these points, so that if*  
43 *they are lost in staff's presentation, Commissioners can read them in the*  
44 *minutes. Questions the three-minute time limit on speaking in public*  
45 *hearings.*

**Kitsap County Planning Commission – January 8, 2008**

**1:28:05**

**Bauer:** *So, you see the role of the Planning Commission as a representative of the County, processing and identifying big issues from the public perspective and opinion to the staff or Commissioners. One way you see to make sure that your message is not being filtered is to have minutes that are inclusive of the kinds of details that the discussion and decisions are based on.*

**Sommerhauser:** *We have seen the minutes prepared both ways. I feel the details from our discussions need to be reflected, at least in summary, so you can see where and how we wrestled with them.*

**1:30:56**

**Foritano:** *Believes the level of detail in the minutes is pretty good. Would like to know what the Commissioners consider as our primary focus. Does not believe our job is to second guess judgment or decisions of staff or legal, but to pay attention to the public and provide our best judgment on issues before the County. Believes the three-minute time limit is plenty of time for the different schools of thought to be made clear at public hearings. Believes our processes are redundant, and meetings should be held jointly with the Board, at least for Public Hearings.*

**1:34:18**

**Bauer:** *So you believe the detail in the minutes are good; you want to know what we see as the fundamental value and importance of the Planning Commission and you'd like to see us combine some of our processes.*

**Nevins:** *Would it be helpful to see who voted each way on the motions?*

**Paralez:** *The dilemma in having scientists and engineers on this commission, and I am one myself, is that we care about issues such as Best Available Science and other topics prevalent in our peer groups. I have resisted the urge to educate others with my opinion. I feel the best way to impart this knowledge is to provide it to the staff instead of using the Planning Commission as a soapbox to the public. I do feel it is my place to share these thoughts with the staff and they can determine what to do with it.*

**1:37:50**

**(Keeton, Taylor turn the floor over to the Commissioners for their responses.)**

**Kitsap County Planning Commission – January 8, 2008**

1 **Commissioner Angel:** *I am thankful for the nine of you who bring something*  
2 *different to the table, and your differences allow for healthy discussion. We are*  
3 *first asking you to do what we do which is first to do your homework, and we*  
4 *have that expectations, that you read the material and do your homework.*  
5 *Secondly, we want to make sure you have materials you need and that you get it*  
6 *timely and have the support of the staff. Third, we want you to listen to the*  
7 *public's view hear what they are saying; bring that to a conclusion and make a*  
8 *recommendation. You are critical to us as Commissioners.*

9  
10 *It is important to me that minutes come through timely and the detail in the*  
11 *minutes is also very important too. Yes, voting with names attached will be*  
12 *helpful, since it lets us see how the process transpired. Sometimes the initial*  
13 *vote can be one direction and then after discussing it, there can be a dramatic*  
14 *change in the final vote. It's good to see that.*

15  
16 *Joint meetings in past have been successful and we should consider it again.*  
17 *Yes, a lot of the same people attend to give the same testimony, so we do have*  
18 *some doubling up in that regard.*

19  
20 **1:40:50**

21  
22 **Commissioner Brown:** *Thanks the Planning Commission for their time and*  
23 *work. Minutes are what I rely on most. I think having a clear summary of*  
24 *managers is fine, and who voted either way. I have noticed that as you are*  
25 *talking, you have dialog that sometimes changes each others' opinions, so it*  
26 *would be helpful to see the votes. A minority opinion would also be helpful.*

27  
28 *I would be disappointed if the Planning Commission was up on a soapbox. That*  
29 *is not the role any of us should have. We're all individuals with different*  
30 *opinions, but your role is to vet the information from the public.*

31  
32 *We have had some very sensitive issues and will have more coming through; in*  
33 *dealing with these issues, your role is to find a compromise between both sides*  
34 *and allowing the growth to happen and making it reasonable and in line with*  
35 *people's wishes. The Planning Commission has done a very good job of this.*  
36 *Keyport was very successful and Manchester was tough, but we got through it.*

37  
38 *We are open to suggestions on what we can do to help make things better.*

39  
40 **1:44:00**

41  
42 **Angel:** *When abstaining from a vote, we would like to know why you did so.*  
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**Kitsap County Planning Commission – January 8, 2008**

**1:44:20**

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**Sommerhauser:** *If we continue with the current process of passing our recommendation through staff, if staff could provide us with their discussion or report on our recommendation, it might be helpful. I've heard staff, in the Board meetings, go over each of our points and recommendations item by item, and then say at the end whether they agree or disagree. They do give you our recommendation, and it would be good for us to hear or see what they plan to present to you.*

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**Kneip:** *The Finding of Fact is relatively important and provides the summary of the Planning Commission's recommendation. Maybe all of the Planning Commission could sign off on it, would that be sufficient in reflecting your decisions?*

**1:46:20**

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**Sommerhauser:** *They tend to be very condensed and most of the discussion is lost.*

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**Kneip:** *Would it be useful if the Finding of Fact included more detail? A lot of judicial boards use them and they go over every fact and issue and every point.*

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**Foritano:** *This goes back to what the Commissioners want to see. Do you want to see our discussion one very decision in that Finding of Fact or should it just be the net product or conclusion?*

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**Brown:** *I agree that we want the net product in the Finding of Fact, and then we can also go back and review the minutes. We use a combination of the two and it really helps us to have both available.*

**1:48:26**

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**Bauer:** *Back in my time on the Planning Commission, I thought all the questions and information I had needed to be shared with the public. I never went to staff or other commissioners outside the meetings, I asked when the public was there, but I learned that they don't always need to see and hear all the minutiae. I became more effective in working with other Commissioners and staff in a partnership with the public.*

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*My sense is that the role of the Planning Commission is that it depends heavily on the matter before you. If dealing with ordinances and things with more detail, then you will have to work in that level of detail. If it is planning, I expect you to reflect the bigger picture of the world and provide a look at that kind of policy planning role. It will change depending on what you are looking at. The confines of those discussions should be law and policy.*

**Kitsap County Planning Commission – January 8, 2008**

1 **Bauer:** *The Planning Commission is really reflective of the community. Debate*  
2 *is healthy; while we don't need to be pounding away at a specific agenda over*  
3 *and over, at the end of the day the different aspects and beliefs we have help us*  
4 *look at the big pieces of the picture and gives a more balanced insight.*

5  
6 **1:51:00**  
7

8 **Taylor:** *This issue is time consuming and has been ongoing for years. Maybe*  
9 *we can expand the Findings of Fact to be more representative of what our*  
10 *recommendation was, because what it consists of now is pretty limited. Maybe a*  
11 *summary or addendum can be attached. I don't have a problem of noting who*  
12 *voted for what, but does legal see any issues with it?*

13  
14 **Kneip:** *Not at all. It's good to have a public record.*

15  
16 **Bauer:** *I look at this as a partnership between the Planning Commission, Staff*  
17 *and the Commissioners. We are not at odds with each other. We can have*  
18 *legitimate differences, but we need to be respectful of each other and not make*  
19 *things personal.*

20  
21 **Depee:** *The bottom line feeling many people have is that you are being*  
22 *influenced by staff's interpretation instead of what the Planning*  
23 *Commission intended. I don't know how to solve that, maybe have a*  
24 *Planning Commission member available to answer questions when staff*  
25 *makes its presentation to the County Commissioners. For controversial*  
26 *issues, there is mistrust because of that interpretation. I didn't even know*  
27 *until now that you read the minutes, I always thought that staff just briefed*  
28 *you on our meetings and recommendations.*

29  
30 **1:53:58**  
31

32 **Angel:** *My district members met with me monthly for better communication and*  
33 *because I didn't feel that the connection was clear through paper. It was very*  
34 *helpful, although we only did that for big issues.*

35  
36 *Over the past seven or eight years, I have had the same degree of concern with*  
37 *what the Planning Commission wants us to hear versus what the staff presents,*  
38 *which is why I started requesting and reading the minutes and why I think it is so*  
39 *important that staff capture those minutes and run them through you to us.*

40  
41 *Our Department now is running much better and doing a better job now than it*  
42 *has ever done before. I know you haven't always gotten the things you have*  
43 *requested in the past regarding maps and policies and documents, but it has*  
44 *improved and your time is valuable, and we appreciate what you do.*

**Kitsap County Planning Commission – January 8, 2008**

**1:56:15**

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**Sommerhauser:** *Occasionally items come up that we would like to look at but are not a part of the docket. Do we have latitude to bring this up as we need to if it relates to a docket item even if it creates additional staff work?*

*An example is Chair Taylor’s passion relating to sewer connectivity. It is not a specific docket item, but it is a major concern we have relating to the projects we are looking at now and will see in the future. If you see our questions in the minutes and you know it’s not a docket item, can you give us some feedback to go forward with it or drop it?*

**Bauer:** *We spend a lot of time going through this docket and deciding what is going to be included in it. If we add something to it, something else would have to fall off of it.*

**Brown:** *Our draft docket is extremely full, it’s right on the edge. Staff has already told us that if it is in the 2008 docket, we will work on it, but we may not be able to complete everything.*

*Also, it may surprise some of you how much all three of us disagree with our staff. There have been several times when we have challenged and questioned them pretty rigorously for different reasons. I know you don’t always see it, but we also meet one on one with our staff to really go through these items.*

**1:59:20**

**Keeton:** *We, as staff, have a responsibility to give the Board all the available options, even if we disagree with the Planning Commission. At least in the past year we have made sure your opinions are noted, as are our disagreements if applicable. We have a professional responsibility to provide our opinion to the Board as well providing your opinion.*

**Sommerhauser:** *Planning Commission should pay attention to agenda items for Wednesday afternoon work studies and come listen if you can when they hear items we have recommended on.*

**Angel:** *Maybe we can send a copy of the matrix from the work studies to you, so that you can see what was presented.*

**2:01:00**

**Diener:** *(Reviews provided materials.) The 2008 draft docket will largely drive staff’s schedule as well as the Planning Commission’s Agenda. Item A-1 includes Silverdale Design Districts, updates to the Design Standards for the Bethel Corridor and Kingston downtown master planning efforts.*

**Kitsap County Planning Commission – January 8, 2008**

1 **Diener:** *Item A-2 will address various code amendments to Title 16, 17, 18, and*  
2 *21. In Item B, we will continue planning efforts for the Hansville and Illahee*  
3 *LAMIRDs with scheduled completion in 2008, although Illahee will be a huge*  
4 *effort. Item C1 deals with site specifics from the Manchester area.*

5  
6 It is important to know that if it is on the docket we can work on it, if not we won't  
7 be able to address it this year.

8  
9 **2:04:00**

10  
11 **Depee:** *Questions if the fee for site-specific applications has always been*  
12 *\$2,750.*

13  
14 **Diener:** *Confirms the price was the same in 2007. Notes that the docket is not*  
15 *our entire work plan, and we also handle routine Growth Management Act*  
16 *compliances.*

17  
18 **(Depee questions site specific fees again; Diener defers the question to**  
19 **Eric Baker.)**

20  
21 **Coppola:** *Would like the Board to consider repealing the Bethel Corridor*  
22 *design standards and making them consistent with the development*  
23 *guidelines that exist for other areas.*

24  
25 *(Discussion continues on the Bethel Corridor design standards)*

26  
27 **2:07:14**

28  
29 **Keeton:** *When are joint Public Hearings between the Planning Commission and*  
30 *the Board appropriate? There are other times when the Planning Commission's*  
31 *input is needed prior to the Board's hearing.*

32  
33 **Kneip:** *They have been done before, most often when we have an extremely*  
34 *large docket in the interest of time and efficiency. No legal requirements. The*  
35 *benefit is that same testimony from the public and questions from eth Planning*  
36 *Commission are heard at one time and recorded in one document. There are*  
37 *really no legal requirements governing when we can and can't use them, though*  
38 *there are some times when the Board may need the Planning Commission's*  
39 *opinion first.*

40  
41 **Gustavson:** *We do all hear the same thing. It used to be an old rule of thumb for*  
42 *developers that you shouldn't bother going before the Planning Commission, just*  
43 *go straight to the Commissioners hearing. On the Critical Areas Ordinance joint*  
44 *hearing, wasn't there a legal requirement for the Board to have another public*  
45 *hearing?*

**Kitsap County Planning Commission – January 8, 2008**

1 **Kneip:** *The standard requirement under any ordinance is that there is a Public*  
2 *Hearing before the Commissioners with 10 days notice. Growth Management*  
3 *Act matters also require enhanced public participation and the Planning*  
4 *Commission process. What practically happens is that the Commissioners have*  
5 *a hearing later on when they adopt the ordinance, because the adoption of the*  
6 *ordinance must take place at a public hearing. It is possible that they could hold*  
7 *a first public hearing and adopt it at that time, but it doesn't happen very often*  
8 *because they have so much information to consider.*

9  
10 **Gustavson, Kneip clarify that it must be at a public hearing, not just a**  
11 **public meeting, that the ordinance be adopted.**

12  
13 **2:10:54**

14  
15 **Sommerhauser:** *I am not against joint public hearings. When the*  
16 *Planning Commission hears a matter, we have to make a*  
17 *recommendation to the Commissioners. Although Commissioners are*  
18 *gladly welcomed to show up and listen if they have a particular interest,*  
19 *requiring the them to sit through our public hearing when they still have to*  
20 *wait for our recommendation before they take action seems like a waste.*

21  
22 **Kneip:** *This is also good when there is a lot of controversy surrounding an issue,*  
23 *or when it will have a high impact.*

24  
25 **2:12:30**

26  
27 **Keeton:** *So I'm hearing that maybe we should only hold these as needed in*  
28 *times of heightened public interest or when the docket is too full.*

29  
30 *Next on the agenda is the Kitsap County compared to the Pierce County*  
31 *Planning Commission model.*

32  
33 **2:13:00**

34  
35 **Gustavson:** *A few years ago, Monty Mahan was a Planning Commission*  
36 *member and suggested that we should look at the Pierce County model*  
37 *which involved the Planning Commission taking staff's recommendations,*  
38 *making a decision and then passing it onto the Board. Instead of now*  
39 *when staff presents to us, then takes our recommendation and reports to*  
40 *the Board.*

41  
42 **Kneip:** *Since 1963, our Planning Commission has been set up as an advisory to*  
43 *the staff, which is an advisory to the Board. Pierce is a chartered county and are*  
44 *not subject to the statutes that we are, and is not bound like we are to Title 36.*  
45 *There are three different Planning Commission structures under the current*  
46 *statues and two different County-enabling ways.*

## Kitsap County Planning Commission – January 8, 2008

1 **Kneip:** *One is to have only a Planning Commission and a Planning Director, and*  
2 *they both report direct to the Board.*

3  
4 *Another way, which is the County-enabling statute we have, is to allow the*  
5 *County to establish a Planning department and the Planning Commission is*  
6 *advisory to the department. The Planning Department then makes*  
7 *comprehensive plan amendments and zoning decisions and they then relay their*  
8 *opinion along with the Planning Commission recommendations. Our staff makes*  
9 *great efforts to communicate exactly what the Planning Commission wants and*  
10 *to specify or differentiate where any disagreements would be.*

11  
12 *A third structure allows for a Planning Commission that would act as an arm of*  
13 *the municipality reporting directly to Board, but the statute assumes that the*  
14 *Planning Commission must do all the work and preparation including the*  
15 *comprehensive plan. I don't believe anyone wants to see our Planning*  
16 *Commission take that on.*

17  
18 *The statute also states that if you have a Planning Department, you have to have*  
19 *a Planning Commission to assist that department in its duties. It almost implies*  
20 *that we have to do it this way. I don't think it would be challenged if we changed*  
21 *it to allow the Planning Commission to report directly to the Board, but it would*  
22 *require Board action and repeal the adoption from 1961 and will take a lot of*  
23 *work and restructuring.*

24  
25 *I think the system we have today is the best compromise in having the*  
26 *department complete all the work and the Planning Commission evaluate and*  
27 *make decisions, advising the staff, who then communicates with the Board.*

28  
29 **2:18:24**

30  
31 **Sommerhauser:** *I think it is a perception that the Planning Commission is*  
32 *not being listened to and that staff is not reporting what we say. I also*  
33 *think that is a false perception, because I have sat and listened when staff*  
34 *is making its presentations and they always say "this is what the Planning*  
35 *Commission recommends and this is what we, as staff, recommend." I*  
36 *think what we are recommending is truly going to*

37  
38 **Angel:** *It is that way now, but has not always been the case.*

39  
40 **Taylor:** *I have highlighted that our job states that "we shall make Findings*  
41 *of Fact and conclusions there from shall be reported to the department."*

42  
43 **Gustavson:** *Shelley, Is there a problem with changing that to say that we*  
44 *shall make our Findings and conclusions to the Board?*

**Kitsap County Planning Commission – January 8, 2008**

**2:20:21**

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2  
3 **Kneip:** *The resolution was written to mirror the language of the statute, but I*  
4 *don't think there is any problem with tweaking it. May not even need to do it*  
5 *through a resolution, we may be able to do it with a policy or procedure.*

6  
7 **Gustavson:** *So the Board can decide if they want to do that.*

8  
9 **Nevins:** *Based on a few past incidences, I think we are better served with*  
10 *present set-up because in the past we ran more afoul with law by not*  
11 *having the staff's input there to help us see those.*

12  
13 **Taylor:** *Can this go to the County Commissioners' Docket?*

14  
15 **Brown, Angel agree they can look at it.**

16  
17 **Brown:** *In the Pierce County example, they have an executive and a council,*  
18 *does the entire Planning Commission come in and brief the council?*

19  
20 **Gustavson:** *I'm not sure.*

21  
22 **Brown:** *Some background would be helpful*

23  
24 **2:22:12**

25  
26 **Kneip:** *(Will get more information.)*

27  
28 **Brown:** *From a common sense perspective and being mindful of time, we would*  
29 *need to look at logistically how to get all of you to our meetings.*

30  
31 **Coppola:** *At a meeting seven or eight years ago in Pierce County, the*  
32 *Planning Commission debated issues and their council asked questions.*

33  
34 **2:24:00**

35  
36 **Angel:** *Section 12 includes a line saying the Planning Commission can ask for or*  
37 *request a task force be appointed for certain issues. If you had questions like the*  
38 *sewer issue, it appears that you do have the ability to request a taskforce to*  
39 *examine it.*

40  
41 **Sommerhauser:** *One question we have had is how and when we can*  
42 *contact legal staff and whether they advise us or staff. I don't want legal*  
43 *advice, but I want to know what the current state of the law is before I vote*  
44 *on something. Right now, staff communicates with legal and then brings*  
45 *back their answer, why can't we just them?*

## Kitsap County Planning Commission – January 8, 2008

1 **Kneip:** *That is the way our office is structured. The Planning Commission is an*  
2 *advisory to the staff; staff is our client, the Planning Commission is not. We will*  
3 *come in and give process information from time to time, and we have given*  
4 *presentation on policy to the Planning Commission. There is some concern*  
5 *about attorney/client privilege. There have been awkward instances when a*  
6 *member has asked some thing that is considered privileged information, and all*  
7 *Planning Commission meetings are public record.*

8  
9 **2:28:30**

10  
11 **Sommerhauser:** *My questions have been on the state of the law? We*  
12 *are a statutory board, required by law. Why can't we hear legal opinion?*

13  
14 **Kneip:** *Maybe this is best posed to the Commissioners.*

15  
16 **Foritano:** *I think this is isolated. If staff knows up front we may have a*  
17 *complicated issue, they get legal input first.*

18  
19 **2:30:25**

20  
21 **Keeton:** *Best Available Science is next.*

22  
23 **Kneip:** *Suggests that legal can come in and brief the Planning Commission at a*  
24 *later meeting where we can go more in depth.*

25  
26 **Keeton:** *This is a proposal to ask the Board to review the performance of the*  
27 *Planning Commission. As performance measurement goals are developed*  
28 *within the department, maybe we can create them at the same time for the*  
29 *Planning Commission?*

30  
31 **Angel:** *Let's defer it. We need to be consistent with how we handle this with all*  
32 *our advisory boards.*

33  
34 **Grennan:** *There is a deliberative process on an annual basis that can address*  
35 *this.*

36  
37 **Bauer:** *It might be interesting to see how many times the Board has overturned a*  
38 *Planning Commission recommendation or gone for or against the*  
39 *recommendation.*

40  
41 **Brown:** *We previously reviewed the Hearings Examiner record. Maybe we can*  
42 *create a similar matrix showing the decisions and outcomes.*

Kitsap County Planning Commission – January 8, 2008

2:34:50

1  
2  
3 **Keeton:** *The codification of Planning Commission Bylaws is next. They are not*  
4 *currently in our code, and we want to ask should they be? I have seen it both*  
5 *ways where it is actually written into code and also where it is held by by-laws.*  
6

7 **Sommerhauser, Diener discuss which version of the by-laws is most**  
8 **current. Diener confirms that the 2005 set included in the material packet**  
9 **is the most current.**

10  
11 **Bauer:** *I think a governing body should be handling this kind of thing. I can't*  
12 *imagine the Board electing its own by-laws. Why did the Planning Commission*  
13 *do this? This is something that should have been done by the board.*  
14

15 **Diener:** *The process standing now, mostly out of tradition, is that the Planning*  
16 *Commission was adopting the by-laws annually at the start of each year. Today*  
17 *we are looking at whether to codify that and whether they should be changed at*  
18 *all. This is looking at rules on motions, how to elect, attendance policies,*  
19 *staggering of terms and other such matters. If the Board codifies this, it takes*  
20 *away any interpretations on how the rules should be read or applied. Staff*  
21 *believes we should at least look at what we have and determine if it is sufficient*  
22 *and whether to make these changes.*  
23

24 2:36:37

25  
26 **Angel:** *As a Board we need to look at this, go through it and make a*  
27 *determination of what we have done, and what changes, if any, should be made*  
28 *and we can go from there.*  
29

30 **Sommerhauser:** *When I first came onto the Planning Commission I*  
31 *questioned our rules and how they contradict our by-laws. Clarification is*  
32 *definitely needed.*  
33

34 **Angel:** *I'd like to look at the 1961 resolution and see how it applies.*  
35

36 **Kneip:** *The statute hasn't changed.*  
37

38 2:37:50

39  
40 **Gustavson:** *I found a few inconsistencies. On page one in the middle of*  
41 *Section 10 on the fourth line, insert the words "for four years" after the*  
42 *word 'office'. Of more significance, last page section eight, item two says*  
43 *the right to free association said a Planning Commissioner cannot be a*  
44 *part of another office, but there are people who sit on more than board all*  
45 *around the state and country.*  
46

**Kitsap County Planning Commission – January 8, 2008**

**2:38:32**

1  
2  
3 **Kneip:** *There is case law on that regarding incompatible offices. If you can't do*  
4 *both jobs, then you shouldn't serve on both. There are some cases where it is*  
5 *specifically disallowed, but I don't think Planning Commission is one of them.*

6  
7 **Gustavson:** *Item five says that no member can be a resident of any city.*

8  
9 **Kneip:** *That issue has come up before and the rule is that if the person cannot*  
10 *function without a direct conflict with another office, then they cannot hold both.*

11  
12 **Coppola:** *According to the Ethics Officer of the American Planning*  
13 *Association, as long as there is no direct conflict of interest and no ethical*  
14 *problems, it is not an issue.*

15  
16 **Brown:** *This is the first we've seen of this. I hope you understand that there are*  
17 *times when there will be a potential conflict. Bethel Corridor is an example in*  
18 *terms of the city's possible annexation and I hope you would recuse yourself.*

19  
20 **2:42:32**

21  
22 **Coppola:** *Due to the amount of work anticipated, I do not believe I will be*  
23 *able to accept chairmanship of the Planning Commission if we follow the*  
24 *traditional rotation, would like to see it stay with the South district.*

25  
26 **Keeton:** *Direction I'm getting is to review it this year, look at the codification, do it*  
27 *the right way and we will move on.*

28  
29 **Sommerhauser:** *I proposed the document before you which includes*  
30 *research from the American Planning Association. I couldn't find anything*  
31 *related to elected officials.*

32  
33 *The number of votes required for the Planning Commission to take action.*  
34 *Currently our by-laws say it has to be a majority of the whole Planning*  
35 *Commission. We had that happen last meeting when we had an issue*  
36 *that was stopped because it only had four votes. However, our ordinance*  
37 *says it is a majority of the quorum and you may not require more unless*  
38 *under state law.*

39  
40 **2:45:44**

41  
42 **Kneip:** *State law says for amendments of the comp plan and official controls that*  
43 *the vote must be a majority of the entire body. I think it actually works now to use*  
44 *the official majority of the whole, but you can use a quorum for internal matters,*  
45 *such as elections and things like that.*  
46

**Kitsap County Planning Commission – January 8, 2008**

1 **Sommerhauser:** *Questions the process to recall or remove a chair or vice*  
2 *chair.*

3  
4 **Keeton:** Let's defer this to the next meeting.

5  
6 **Coppola:** Section A-1, is there a list of potential representatives you  
7 choose from?

8  
9 **Kneip:** *That mirrors statute as well that the Chair of the Board makes the*  
10 *appointments, but each member of the board provides a list of potential*  
11 *appointments. In the past, Commissioners have made sure that there are always*  
12 *three representatives for each district.*

13  
14 **Angel:** *We advertise, go through applications, choose our list and bring I forward*  
15 *to our fellow commissioners.*

16  
17 **Coppola:** That is different from what is written here. The way I read it, a list is  
18 proposed from each district, instead of the Commissioner of each district  
19 choosing who they want from that list.

20  
21 Angel: Yes, and then it is a vote from the Board.

22  
23 **2:49:30**

24  
25 **Keeton:** The issue on viewsheds and tree ordinances will be tabled as this is not  
26 the correct place or time. Are there any other pressing issues?

27  
28 **Depee:** Are you close to appointing someone?

29  
30 **Brown:** Not yet, I'm trying to encourage compromise

31  
32 **2:50:39**

33  
34 **Gustav:** *A big issue is our continued association with PSRC. At some*  
35 *point we should meet with the Board to go over points we are now aware*  
36 *of. (Gives examples.)*

37  
38 **Angel:** *Refer this issue to Nancy Grennan. The Board has already made plans*  
39 *to discuss this and when we hold our session on this, the Planning Commission*  
40 *is welcome to attend.*

41  
42 **Gustavson:** *Would you like a recommendation from the Planning*  
43 *Commission on this?*

44  
45 **Bauer:** *No, this is not an appropriate issue for the Planning Commission to*  
46 *consider.*

**Kitsap County Planning Commission – January 8, 2008**

1 **Angel:** Right now, staff is working with information coming from Public Works.

2  
3 **Grennan:** *We have Angie Silva in Special Projects working on this to find out*  
4 *what we are required to do, what our options are and other details.*

5  
6 **Gustavson:** What is the timeline for presenting information to you?  
7

8 **Grennan:** No later than end of January.  
9

10 **2:53:15**

11  
12 **Taylor:** *My goal is for the Planning Commission to become more of a*  
13 *planning body and to stop so much 'crisis' management. We should really*  
14 *look at the ramifications 10 – 20 years down the road of our decisions*  
15 *today. I'd like to be ahead of the ball on the Growth Management*  
16 *Hearings Board and the PSRC.*

17  
18 **Depee:** *Timing on some of the issues we've seen has been squeezed*  
19 *because of time constraints we have felt like we have to race and rush*  
20 *through them. The question comes up do you want to do it right or just*  
21 *right now?*

22  
23 **Brown:** *That is a shared frustration based on the Hearings Board, our docket,*  
24 *State law, Growth Management Act and PSRC among others. Having better*  
25 *feedback from you and our staff helps us see that you feel rushed and that we*  
26 *may need to do better. Community Plans are a good example of when you really*  
27 *should be taking the time you need.*

28  
29 **Depee:** *Agrees that Community Plans need more time. Mostly technical*  
30 *or minor issues can be hurried a bit.*

31  
32 **2:57:25**

33  
34 **Brown:** *Community plans are coming to us again this year also. People in these*  
35 *areas have very strong opinions and some of them wanted their plans done last*  
36 *year. It's not realistic though, because things come up, like the moratorium,*  
37 *which takes precedence over what we want to do. We know how much work we*  
38 *have to put into these.*

39  
40 **Sommerhauser:** *Another issue is that we are operating on a fixed*  
41 *meeting schedule that doesn't always gel. Sometimes we may need to*  
42 *add another meeting to our regular schedule. If you always wait until the*  
43 *next regular Planning Commission meeting, you will certainly be up*  
44 *against the wall.*

**Kitsap County Planning Commission – January 8, 2008**

**2:59:09**

**Taylor:** *We have suggested for Title 17, that we do an all day weekend session to get it done.*

*Can we expect a summary of this meeting that will allow us to see who answers what?*

**Keeton, Brown:** *Notes are being taken and the Commissioners will bring it to our next Board Retreat so we can really take a look at it.*

**Sommerhauser:** *How will minutes be handled?*

**Diener:** *Same as regular Planning Commission minutes. Amanda is coordinating them.*

**Keeton:** *Wastewater taskforce item will also be deferred.*

**Taylor:** *The next regular Planning Commission meeting will be held on January 22<sup>nd</sup>.*

**3:02:00**

**Depee compliments staff and wants to make it clear that they have done a good job.**

**Gustavson asks when we will see code revisions.**

**Keeton:** *We need to come back to the Board. We are looking at breaking out specific pieces and bringing it to the Board to fit into their schedule. We want to tie it to the changes we are seeing with LIS. We will have an advisory board to the department that will also look into this.*

**Gustavson questions whether all pieces of the code are necessary.**

**Keeton:** *We are looking at law and the requirements. We are also going back to the process of reviewing. Staff has slowly begun requiring more data because of past issues or appeals. We need to examine it more closely to see what we really need. Thanks to all for their time.*

**Time of Adjournment: 3:07:23**

**Kitsap County Planning Commission – January 8, 2008**

**EXHIBITS**

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- A. Meeting Agenda
- B. Revised Department of Community Development Organizational Chart
- C. Draft 2008 Comprehensive Plan Amendment Docket
- D. Specific Points for Item 8 – Codification of PC Bylaws (from Jim Sommerhauser)
- E. Resolution No. 60-1961 (Creation of the Kitsap County Planning Commission)
- F. Kitsap County Planning Commission Rules of Procedure (signed May 24, 2005)

**MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.**

\_\_\_\_\_  
**John Taylor, Chair**

\_\_\_\_\_  
**Amanda Walston, Planning Commission Secretary**