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MINUTES
KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioner's Chambers
June 10, 2008, 6:30 pm

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.

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.

Members present: Chair Fred Depee, John Taylor, Michael Gustavson, Tom Nevins, Lou Foritano, Lary Coppola, Jim Sommerhauser and John Hough and Linda Paralez
Staff present: Scott Diener, Heather Adams, Larry Keeton, Eric Baker, Angie Silva and Planning Commission Secretary Amanda Walston.

Others Present: Art Castle, Vivian Henderson, Tami Keehn, Danny Horovitz, Sean Parker, Stephen Shepard, Jeff Coombe

6:30:21

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

Depee adopts the agenda as posted.

C. Public Comments

(Depee hears none, moves to next item.)

D. Approval of Minutes

- June 10, 2008

E. Public Hearing: Code Development – Eric Baker, Special Projects

6:33:40

Eric Baker: presented a brief overview of proposed Code Revisions. These Code amendments cover a wide variety. He presented a PowerPoint previously shown and intended today for those citizens unable to see them previously. These amendments are meant to serve three purposes. First, this is the second of a three phase process intended to address emerging issues not every one in Titles 17 & 18. A number of other changes are currently being proposed through another process that will run through 2008 and will be coordinated through the Department of Community Development; contact person is Heather Adams at 337-7181.

The second component speaks to achieving urban densities in the Urban Growth Areas. Many of these areas contain lower density, pre-Growth Management Act

1 *developments making it cost prohibitive to provide urban services to them. The*
2 *County is hoping to provide additional densities as well as urban amenities and is*
3 *also looking to find that delicate balance between consistency and flexibility,*
4 *depending on how you read the Code. Going too far in either direction does not*
5 *serve the people well. Balance is the goal. Following are some of the larger*
6 *items.*

7
8 *Subdivision Standards – Past requirements imposed have not been specific*
9 *enough to show what exactly a plat should look like nor what amenities to*
10 *provide. To achieve this, the County is looking at ways to reduce lot areas and lot*
11 *widths. Bake showed reduced lot sizes from 60 to 40 feet to allow areas to*
12 *achieve greater densities on the same site previously 60 feet. Also by reducing*
13 *setbacks mainly in front yard areas, the ability will exist to provide flexibility for*
14 *the home portions allowing homes to be located closer to sidewalks and*
15 *roadways making them more pedestrian friendly. Garages will still need to be set*
16 *back the 20 feet minimum with some developers are going with garages to the*
17 *rear of the homes additionally, staff is currently working on standards for alleys.*

18
19 *Sidewalks – As density increase, the need to provide sidewalks becomes more*
20 *critical. They are an urban amenity per the GMA. As urban areas become denser*
21 *and as annexations occur, there is a need for more consistency between the*
22 *County and cities with provision of sidewalks. Currently, sidewalks have been*
23 *required in a hit-and-miss configuration; none, one side only, both sides and*
24 *become more consistent. Again, consistency is the desired outcome of this Code*
25 *revision.*

26
27 *Paralez asked if the County has a bias for placing utilities to the side of roads on*
28 *either side as opposed to tearing up the roadway.*

29
30 *Baker responded there is no bias per se, but an option to place utility*
31 *infrastructure in either the County rights-of-way or in a ten-foot utility easement*
32 *located in both sides of a road.*

33
34 *Paralez then asked if both practices are used and Baker responded that both*
35 *under roads and under paved surfaces; can't say for certain under sidewalks.*

36
37 *Parking –Another major component as lots become smaller. Currently Code*
38 *allows for one vehicle for every man, woman and child or 2 ½ persons per*
39 *residence. With smaller lots, this increases the need for ½ additional spaces.*
40 *Guest, parking can be achieved through on street parallel or angle parking along*
41 *sidewalks or through a new provision of set-aside parking throughout a*
42 *development. Baker showed an example of this provision.*

43
44 *Active Recreation Areas (ARA) – Many assume this means tot lots. It can also*
45 *include amenities such as sport courts, grassy areas, picnic tables, gazebos,*
46 *trails and other such recreational spaces. With smaller lots and less yard space,*
47 *activities people use to do in their backyards become problematic and the need*
48 *for these active recreational areas more necessary. Location needs to be*
49 *centrally located on appropriate lots with open visibility*

50 *Landscaping – Code requires street trees on most lots on street or in front yard.*
51

6:42:20

1
2
3 *Sommerhauser asked if there is two different numbers for lots relative to*
4 *requirements for Active Recreation Areas. Baker responded that one is for*
5 *straight platting or 260 square feet per lot and the other for Performance Based*
6 *Development or 390 square feet per lot. Reason for difference is with PBD, the*
7 *lots are smaller.*

8
9 *Accessory Dwelling Units (ADUs) –The Code does not include any provisions for*
10 *ADUs this time. There is a formalization of a process call Guest houses. These*
11 *have no kitchens and other restrictions. They are largely restricted to two*
12 *habitable rooms and one bathroom, with the idea being that you would not be able*
13 *to live in one without using the main residence for basic needs such as cooking*
14 *and laundry. These are also referred to as Mother-in-law quarters.*

15
16 *Other changes being considered for Mixed Use Zone as the County looks to*
17 *improve flexibility for mixing commercial or higher density residential uses*
18 *include:*

19
20 *Master Sign District –This would allow for large projects to consolidate their*
21 *signage on a single large monument to be located at the entrance to the*
22 *development and limited to two signs per development on projects greater than 20*
23 *acres in size.*

24
25 6:45:10

26
27 *Mineral Resource Regulation – This affects two entities; Kitsap County and the*
28 *State Department of Natural Resources (DNR). Seems that no matter what Kitsap*
29 *County does, it creates a “Catch 22” situation. A citizen can’t get a Mineral*
30 *Resource permit from the State until you get approval from the County and the*
31 *County won’t grant approval until you have sign off from the DNR. Even more*
32 *problematic is an attempt to remove this designation from a parcel of land. In the*
33 *revision, this problem will hopefully go away.*

34
35 *Recreational Vehicle Camping – Concept here is to include specified areas for*
36 *recreation vehicles to locate for camping where recreational vehicle camping is*
37 *allowed as provided in the Code in rural areas if accessory to parks or recreation*
38 *facilities. This type of activity often happens in parking lots and it would be nice*
39 *to have designated areas provided for this activity.*

40
41 *Also included are several definitions previously absent in the Code such as*
42 *Porch, Net Developable, Acreage and Sub-area Plan.*

43
44 *Land Use Buffers – Consolidated the current six different classifications each*
45 *called something different and found in different sections of the Code, into two*
46 *categories to address the actual intent of buffers, these being screening and*
47 *landscaping.*

48
49 *Common language/Clarification – This provision is intended to use common*
50 *language and eliminate words no longer used such as ordinance or Title. The*
51 *intent is to improve understanding and interpretation of the Code.*

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6:47:45

Baker: Although this is a very large document of 270 pages, only about 10% of the document pertains to the changes addressed here today.

Fred Depee asked about number of lots in straight lot development reference earlier and Baker responded it was 40 lots or more. If more is desired then you can do PBD which allows for additional housing types.

John Taylor asked if any of these proposed changes require notice to title and Baker responded that some changes on an Administrative Conditional Use Permit (ACUP) and Conditional Use Permit, it is not to title, but all the changes submitted are recorded/stored/kept into a binder for research purposes and then recorded all at once. Generally this applies to larger commercial/industrial projects and not to single-family development.

Taylor then questioned the same about short plats and Baker responded with not at this time. Title 16 will be part of Phase III coordinated through the Department of Community Development and any changes to short plats will appear in that process.

6:50:20

Chair Depee opened up the floor for comments from the public and listed criteria for speaking. It was also noted that speakers need to address specific sections of Title 17 to which they wish to speak.

Tami Keehn, a resident on Bethel corridor, had concerns is with commercial mixed use section associated with an Administrative Conditional Use Permit (ACUP). She asked that it be changed to P for Permitted. One difficulty in selling properties, is that the ACUP takes longer and scares people off who might want to locate an office in that area. She knows several interested buyers who want simple office and storage space. The permit process is simpler. She is referencing 17.352.020.

6:53:45

Paralez: Asked Baker why mixed use is classified as an ACUP and he clarified the reason being that there is a relatively open set of uses from a wide variety of commercial t residence. It is a mix within the zone itself. The County does not want to see it become entirely one or the other. The ACUP designation allows the Department to gauge the balance. He confirmed for Paralez that it is the complexity of uses allowed that makes the decision difficult.

Paralez added that apparently the County is trying to accommodate a number of possibilities allowing for flexibility.

6:56:00

1 **Art Castle – Homeowners Association thinks the current draft update is simply too**
2 **large. It attempts to codify every possible scenario rather than simply provide for**
3 **the Health, Safety and Welfare of the citizens of Kitsap County.**

4
5 **The proposed protections (changes) to the Code insure that no builder or**
6 **developer will be able to use any creative techniques to achieve building what the**
7 **market demands. The results of the proposed changes are a Code that is rigid**
8 **and inflexible. Predictability is critical in the development community and to**
9 **insure such, hard lines must be drawn. An alternative would be to write a Code**
10 **that makes clear what is allowed and required; minimums and maximums, yet also**
11 **one that lets the market determine how to achieve this.**

12
13 **Developers and builders now struggle to build affordable housing for working**
14 **families with all the regulations that drive up the costs. The Code does not need**
15 **to dictate every miniscule detail. The proposed changes go way beyond**
16 **protection. Perception is that the Code is saying “What’s mine is mine and what’s**
17 **yours is also mine.”**

18
19 **Castle then references specific sections in his comments. First, Section**
20 **17.110.690. The revisions do not seem to allow designated RV storage or parking**
21 **areas. 17.382.060. The issue of concern about alley setbacks should be clarified**
22 **through front yard setbacks. 17.425.04, Performance Based Development. Castle**
23 **thinks the intent is to allow creativity for property developers but instead it**
24 **actually limits what can be achieved. First, there is the 20% of the land in open**
25 **space. Here he suggested the Commission and County review a Washington**
26 **State Supreme Court case (Camas) that allows requirements for a specific amount**
27 **of open space for project approval. Continuing on, he reiterated the 20% of gross**
28 **acreage for starters, another 20% for sidewalks and roads plus stormwater ponds**
29 **and mitigation. After adding in setbacks, buffers and any additional restrictive**
30 **conditions “made up” by the Hearing Examiner, a builder or developer is left with**
31 **20-25% of gross acreage to meet housing needs in the Urban Growth Areas to**
32 **provide housing units.**

33
34 **On the issue of tot lots, experience shows that these areas are rarely used for**
35 **recreation but more often used for dumping lawn clippings. The County should**
36 **also look at whether there is an existing park located within a short distance of the**
37 **property. Park Impact Fees are collected from every single family dwelling but**
38 **according to market value; the land should be credited against the Impact Fee at**
39 **the Building Permit level. The development community feels that open space and**
40 **recreational amenities should not be included because the market should**
41 **determine this, not a Planner or the Hearing Examiner.**

42
43 **17.82.037. A development of 30 or more lots requires a planner review based on**
44 **200 square feet of amenities per lot. Again Castle recommended reviewing the**
45 **Camas Case that set specific requirements and does not provide the rationale**
46 **nexus for the project itself. Plats with 50 or more lots would be required to give**
47 **up acreage the size of 130 yards by 60 yards plus end zone and bench area or a**
48 **commercial size swimming pool.**

49 **This section also requires the Home Owners Association to perpetually maintain**
50 **the open space areas. If so, then the Home Owners Association should receive**
51 **market value for all open space amenities and be credited against the Park Impact**

1 **Fees. He referenced Baker's language allowing Low Impact Development with**
2 **curbs and sidewalks required. If development is served by retention/detention**
3 **ponds, then sidewalks should only be required on one side of the roadway or**
4 **street.**

5
6 **When Chair Depee asked Castle exactly what the cited case specifies, Castle said**
7 **the judge ruled that specific requirements were not required.**

8
9 **Chair Depee asked Castle to clarify his comments and recommendation on parks**
10 **and open space. Castle responded that if you have public parks nearby, there is**
11 **no need to require the additional land dedication for open space within plats**

12
13 **Chair Depee noted that relative to the 20% land dedication to start with, one**
14 **challenge is to leave that to the planner's discretion if a specific amount is not**
15 **designated.**

16
17 **Tom Nevins asked for the specific case name from the court and Baker said he**
18 **was familiar with the case and could provide the Commission with copies.**

19
20 **Chair Depee calls next speaker.**

21
22 **7:04:20**

23
24 **Stephen Shepard: Resident of South Kitsap congratulated Eric Baker on the**
25 **Hearings' Board decision and agrees with Tammy Keen's earlier statements.**

26
27 **Vivian Henderson with KAPO agreed with Art Castle and thanked him for his**
28 **comments. Henderson disagrees with the proposed Code revisions as explained**
29 **by Baker. This is not what people want or how they want to live in Kitsap County.**
30 **She is also angry at the way government is micro-managing everyone's lives. The**
31 **County is telling people they can't have a swing set in their yard because there is**
32 **not enough room for that or for a backyard barbeque, no place for anyone to park.**
33 **She wished more citizens who will be affected by these changes were present at**
34 **this hearing. She thought that if they knew what Kitsap County has planned for**
35 **their future lifestyles they would be. It is impossible to comment on this**
36 **information. It is too big, and it's too much. There are too many issues. How can**
37 **anyone give valuable, meaningful advice?**

38 **She then addressed Accessory Dwelling Units. Government continues to impose**
39 **hardships for those taking care of their own. Guest houses with no kitchen. This**
40 **is absurd. She said she is ashamed of the leaders in Government for creating**
41 **such a difficult and expensive process. She keeps waiting for people to do**
42 **something.**

43 **Next, she discussed kennels. There is no definition for Pet Daycare. Henderson**
44 **then read a statement prepared by William Palmer that said the proposed**
45 **amendments appear to be an improvement over the 2006 Zoning Ordinance.**
46 **However, in the 2006 Ordinance, there are too many uses that appear to be**
47 **allowed but in fact this is not so unless either an ACUP or a Hearing Examiner**
48 **CUP are approved. The 2008 Zoning Ordinance appears to be less of a problem.**
49 **In Section 17.381.010 (A), the inserted language in red suggests there are**
50 **provisions within the Code with which permitted uses need to comply. This needs**

1 *to be clarified. Questioned if the intent was to comply with subdivision standards,*
2 *lucid requirements, stormwater drainage or what.*

3 *Public comments are still needed to address many of the changes and KAPO*
4 *members hope that the Planning Commission will not take hasty action but allow*
5 *ample time for more public comment. Palmer's statement said that many of their*
6 *members have lost everything just trying to get a permit.*

7 *It is time and cost prohibitive and Henderson said she was embarrassed for*
8 *Kitsap County and hopes that some common sense can be put back into*
9 *planning. Finally, she asked the Commission to forgive her impatience with*
10 *county government but she has been fighting issues such as these for a long time*
11 *and said that people should be able to live in what they want and can afford and*
12 *not be forced to live all shoved together as described in the proposed*
13 *amendments.*

14
15 7:10:00
16

17 *Jim Sommerhauser expressed confusion about Henderson's statement and*
18 *whether it is critical of over-government or was it under-government.*

19
20 *Henderson responded that she never used the term "under-government" and that*
21 *she didn't get angry until she heard Baker talk about all the new restrictions being*
22 *proposed. She asked Sommerhauser to please read the statement she read.*

23
24 *Paralez: Commented that she reacted similarly to Henderson on Accessory*
25 *Dwelling Units and questioned why amenities such as bathrooms or if kitchens*
26 *are not allowed. She was unclear as to the problem with these amenities.*

27
28 *Henderson said her issue is that there were no changes made and then asked*
29 *Paralez if she has had any experience with an Accessory Dwelling Unit.*

30
31 *Paralez responded no, but thought the County should be more than amenable in*
32 *cases such as taking care of elderly parents. She also said it appears to her that*
33 *this is the Director's intent in the new language and said the Commission was not*
34 *disturbed about the changes.*

35
36 *Henderson suggested that the Planning Commission needs to have an Accessory*
37 *Dwelling Unit briefing session with Larry Keeton, Director of the Department of*
38 *Community Development in order to better understand the issues attached.*

39
40 *Chair Depee thought this comes up later in Title 16.*

41
42 7:14:00
43

44 *Baker said that staff has made a few presentations in the past associated with*
45 *issues surrounding Accessory Dwelling Units. This item is located in Title 17.*
46 *There are legal issues with it and a memo was circulated with the Growth*
47 *Management Hearings Board's ruling. Because of that, the Board of County*
48 *Commissioners decided not to make any changes.*

49
50 *Paralez asked Henderson if this clarifies her issues,*
51

1 *Chair Depee noted that questions should be for clarification purposes only.*

2
3 7:16:10

4
5 *Sommerhauser spoke in an attempt to clarify that Henderson’s dissatisfaction*
6 *with government in this instance is directly related to Baker’s comments in his*
7 *presentation that smaller lots and smaller homes will provide a wider range of*
8 *options for development. He asked Henderson if she was against that*

9
10 *Discussion followed about questions for clarification only and not to be used in*
11 *an argumentative sense.*

12
13 7:17:35

14
15 *Dave Pedersen, a contact person for the Gamblewood community, He brought*
16 *documents to reference. The Code revisions affect the fate of many landowners.*
17 *The Planning Commission should note that Title 17 refers to citizens’ needs, yet*
18 *they are never referred to. He does not get the impression that citizens outside his*
19 *community are concerned about the retention of rural character. It indicates the*
20 *adjacent property is a great investment opportunity. It shows zero consideration*
21 *for the ten rural parcels surrounding that property.*

22
23 *Chair Depee asked Pedersen if he was referring to the Comprehensive Plan*
24 *zoning changes or Title 17 of the Kitsap County Code that today’s hearing*
25 *addresses.*

26
27 *Pedersen said he is speaking to Title 17 and started with Section 17.305.010*
28 *saying it should read, “This zone promotes low density rural development that*
29 *protects the rural character. . .”instead of “. . . consistent with the rural character. .*
30 *. ” The word change makes a big difference. At 17.110.655, RV Vehicle Camping*
31 *Park, Pedersen thought the word camping should be removed from Section*
32 *17.100.647 as the terms campground or camping are now considered a*
33 *recreational activity. He said that in 17.110.655, any reference to sports has been*
34 *eliminated and all that the wording does is rezone. From a developer’s point of*
35 *view, if camping is a recreational activity then it is already accepted as part of the*
36 *activity. If the changes are approved, the County will be removing the*
37 *consistency and then placing restrictions on that activity. Pedersen hoped people*
38 *would take into account the visual impact to every home facing the permitted*
39 *Camping Park. On the Zoning use table, Section 17.381.050 #46, Recreational*
40 *Activities should apply. He does not think camping is directly associated with any*
41 *kind of recreational activity. It does not apply because the word camping should*
42 *not apply. The most current application for an RV park is only the second one*
43 *submitted to the Department in the past 10 years. He requests that this provision*
44 *either be crossed out or prohibited in rural residential zones.*

45
46 *Chair Depee allows Pedersen to continue past time limit*

47
48 *Pedersen continued his testimony by stating that 75% of the eight parcels have*
49 *one house per lot. He was concerned that this will import all kinds of transient*
50 *people into an area that is not transient.*

1 *He suggested that the Planning Commission vote for a minimum lot size of 15*
2 *acres. This will immediately reduce the concern for safety and health. An*
3 *example to illustrate his concern was the buffer requirements. He said it is*
4 *impossible to enforce people developing these facilities to properly buffer the*
5 *area. His property would potentially have to deal with this type of development if*
6 *the proposed changes to the Code are approved. He said developers could be*
7 *forced to build fences with razor wire or six build six-foot walls. Transient*
8 *individuals have no intention of living within the Code provisions. He continued*
9 *to express concern over transient people.*

10
11 *17.110.133 buffer screening means a buffer and he asked that the old term*
12 *“consistency” be incorporated back into this language. 17.360.070 Landscaping –*
13 *letter A. The County does not enforce this code; therefore the area crossed out*
14 *should remain. Pedersen spoke to the Kingston Industrial Park stating he finds it*
15 *hard to accept the County’s decision to go forward with the fuel storage without*
16 *requiring a bond. Without enforcement, the Code is useless. He does not think*
17 *that property owners are not informed or aware and then asked if these people are*
18 *certified engineers or biologists. He informed the Commission that there are now*
19 *four bio-hazardous businesses sitting on top of an aquifer recharge area that is*
20 *used for drinking water.*

21
22 *Finally, he said his community has been greatly impacted and hopefully a*
23 *document he submitted for the record will help convince the Commission that*
24 *existing rural properties will be affected, even though Baker otherwise.*

25
26 7:32:35

27
28 *Danny Horovitz, Realtor: said many of these issues affect him and he read a letter*
29 *into the record that said he spent 15 hours reviewing Code changes and that the*
30 *document is far too big and complicated to understand. He had the following*
31 *comments or questions:*

- 32
33
 1. *Asked who makes the final decision on the changes.*
 - 34 2. *Administrative Conditional Use Permits in new zoning areas are mixed- use*
35 *zoning. If so then why is the Department requiring an Administrative*
36 *Conditional Use Permit if it is in a zone that allows for other commercial*
37 *uses? We want to see office space in this area with a P for permitted for all*
38 *proposed uses. This is the only way to meet the densities for the mixed*
39 *use zoning that should also include attached single family residences. If a*
40 *developer or builder has to meet the densities or goals, why does it require*
41 *an Administrative Conditional Use Permit?*
 - 42 3. *The Code is still very vague in many places. Developers will shy away if*
43 *there are not specific timeframes. If given time, I could probably find*
44 *hundreds of places where the Code language is too vague.*

45
46 7:37:10

47
48 *Sommerhauser asked Horovitz if most of his comments are related to proposed*
49 *changes or where he thinks changes are needed.*

50

1 *Horovitz responded that his comments and questions applied to both. There are a*
2 *lot of problems with how vague things are and an immense amount is left up to*
3 *interpretation. It is discouraging, doesn't encourage developers to build on*
4 *properties with this requirement or achieve the intent for mixed use zones.*

5
6 *Sommerhauser explained that this is the first of several phases of development.*

7
8 *Paralez asked Horovitz if, as a developer, he preferred a more restrictive Code and*
9 *he replied that he would prefer less Code in terms of size and restrictiveness and*
10 *asked how to achieve this request.*

11
12 *Paralez commented that less Code may be more restrictive.*

13
14 *Horovitz thought that more interpretation would require an army of staff in the*
15 *Department*

16
17 7:39:35

18
19 *Chair Depee asked Horovitz what he saw taking the place of a Director's*
20 *interpretation and Horovitz answered that he would like to see one person*
21 *responsible. We will inevitably have conflict. How do we give developers or*
22 *private landowners clear direction on how decisions will be made, if DCD points to*
23 *Public Works and they point to the Health District?*

24
25 7:41:02

26
27 *Sean Parker, architect, has spent most of his career on residential housing on*
28 *some scale and was chairman of the Bainbridge Island Planning Commission. He*
29 *reviewed the code revisions, referenced 17.382, and commented that for those*
30 *who specialize in non-standard Land Use Planning, Performance Based*
31 *Development is the only way to go. He is pleased that staff has recognized that*
32 *lots of good can come from this component His concern is that these areas are*
33 *most applicable when lots are 7, 8 and 10 thousand square feet yards with 20-foot*
34 *setbacks, garages etc that work well with low densities.*

35
36 *He does not see where Performance Based Development addresses significantly*
37 *higher density developments He felt many people know of this new urbanist way*
38 *of developing higher density plats. The focus is on streetscape to try and provide*
39 *as much common open space as possible, private open space, reduce impact of*
40 *cars. This is an example of what our current Code does not allow. For instance*
41 *with four lots, side by side, sharing an alley, you end up with the needed parking*
42 *space and reasonable lot sizes. But, it brings the houses right up to the street.*
43 *You have a reasonable footprint, ability for a detached garage if you want. More*
44 *important is that the cars are in the back out of the way so your streetscape is*
45 *human elements. We have got to allow these kinds of things to happen.*

46
47 *Parker is asking that the requirements for Active Recreation Areas, landscaping,*
48 *parking, setbacks, etc. be postponed until we have a chance to take it into the*
49 *next phase. He believes the changes being proposed are meant for large lots thus*
50 *smaller lots will suffer. Allowances need to be made for these as well.*

1 ***Parker proposed requiring developers on small lots to have provisions for***
2 ***certainty (?) and then let them do it.***
3

4 ***In conclusion, Parker's request was that the Commission not act on the language***
5 ***as written now but to wait and address his concerns not listed in the proposed***
6 ***changes.***
7

8 7:48:25
9

10 ***Commissioner Gustavson said it was nice to hear a professional's point of view***
11 ***and told Parker the Commission would be happy to entertain language he crafted***
12 ***to address the missing items. He said there is time to work with this.***
13

14 ***Parker's response was that he is looking for an attitudinal change. He feels there***
15 ***is a mindset for everything below 40 acres. It takes much more thought and skill***
16 ***to make that work. He thinks a dividing line is needed that allows a different set of***
17 ***attitudes for these lower density sizes and lots.***
18

19 ***Sommerhauser said he assumes that the record will be held open for additional***
20 ***comment.***
21

22 ***Chair Depee noted the next Planning Commission meeting is June 24.***
23

24 7:50:48
25

26 ***Jeff Coombe, resident and developer in Silverdale: said it was about a year ago***
27 ***that Kitsap County had to toil through budgets. Currently the County has 57***
28 ***unfunded mandates for which they have to budget. He would like to see the***
29 ***elimination of sections 17.32.037. Active Recreation Areas, Passive Recreation***
30 ***Areas, Landscaping and Parking. It is an unfunded mandate. The citizens don't***
31 ***want that.***
32

33 7:53:10
34

35 ***Chair Depee, seeing no other speakers, closed the public hearing.***
36

37 ***Baker said the next deliberations are two weeks from tonight, June 24, 2008. He***
38 ***expressed concern about review time if comments are allowed to be submitted***
39 ***through June 17, 2008 at 4:30 PM.***
40

41 7:54:00
42

43 ***F. For the Good of the Order:***
44

45 ***Larry Keeton Director, Department of Community Development, said the***
46 ***Department is moving forward with Phase III of Code Development. We have a lot***
47 ***of good comments to review and discuss. He mentioned:***
48

49 ***Chapter 21 addresses process and who handles decisions. For Title 17, the point***
50 ***of contact is Heather Adams who is collecting all the input and concerns.***
51

1 **Keeton expressed appreciation for everyone's concerns about the complexities of**
2 **the proposed changes. He and staff will go back and look at how to review these.**
3 **The intent is to clarify and simplify it and to manage it better. Also, as future code**
4 **developments proposed, there will be specificity as to where and how it**
5 **affects/impacts the Comp plan and how we think it will achieve the intent.**

6
7 7:56:36

8
9 **Keeton continued by explaining the next phase, Phase III, that will be brought**
10 **before the Planning Commission later this year to talk about processes as you go**
11 **through other parts of the Code and then to the Board of Commissioners in 2009.**
12 **He noted that the intent is to go back and look at why and where requirements are**
13 **coming form. This afternoon we researched why it is required to have sidewalks**
14 **in subdivisions. It turns out it is State law and the purpose is for children to walk**
15 **to and from school.**

16
17 **Chair Depee wanted more discussion about what the Director's interpretation**
18 **allows for in Title 17.**

19
20 **Keeton said that when the public requires a Director's Interpretation, they can**
21 **formally make a written request but there are no provisions for when staff requires**
22 **a Director's Interpretation. This will be addressed in Phase III.**

23
24 **Paralez asked for clarification on whether land use code requires pedestrian**
25 **walkway or sidewalks and Keeton responded that he only noted what State law**
26 **requires. It specifies sidewalk, not pedestrian pathway, and also states why. But**
27 **no, it does not specify what a sidewalk is.**

28
29 **Gustavson noticed that many comments focused on money and cost. These rules**
30 **cost money and he said he would like a presentation on what the costs of these**
31 **requirements are.**

32
33 **Keeton agreed with that and went on to say there are many costs passed on to us**
34 **by the State as well. We have looked at how many of these things can be covered**
35 **in permitting and how to handle these.**

36
37 8:01:00

38
39 **Gustavson noted that the typical response is that we don't get the grant money.**
40 **Regulation costs are more than grant monies out there.**

41
42 **Keeton said they will look into costs and discussions are held with other**
43 **jurisdictions to get ideas on what they are facing and how they deal with them.**

44
45 **Sommerhauser requested that documents submitted into testimony be sent out**
46 **via email tomorrow and will be in hard copy mail tomorrow including the camas**
47 **case.**

48
49 **Scott Diener noted the handouts in back with Heather's contact information. He**
50 **asked that changes and formats be in strike-out or line through version.**

1 ***Baker states if there are other pieces of information that the Planning Commission***
2 ***feels are helpful, please contact staff and let them know what you would like to***
3 ***see or prepare and the sooner the better.***

4
5 **8:04:05**

6
7 ***Sommerhauser added that if staff has any comments on the testimony tonight that***
8 ***would also be helpful. Baker responded that normally that has to wait until the***
9 ***close of a public hearing but he would check.***

10
11 ***Sommerhauser said that allowing eight minutes instead of three caused him***
12 ***concern for others in the audience who might have wished to speak. He said he I***
13 ***would prefer that instead of continuing the testimony that runs over the 8 minutes,***
14 ***that maybe let others who signed up speak first and then if time allows, give***
15 ***additional time to those who have already spoke.***

16
17 **No further business being heard, the meeting is adjourned.**

18
19
20 **Time of Adjournment: 8:05:30**

21
22 **EXHIBITS**

- 23 A. Public Testimony Sign-In Sheet
24 B. Phase II Code Development: Errata Matrix
25 C. Email from Eric Baker to Angie Silva – Subject: FW: Code Revision
26 D. Email from David Lippert to Angie Silva – Subject: Re: Phase II Code
27 Development: Second Draft – CORRECTIONS
28 E. Email from Alison O’Sullivan to Angie Silva – Subject: RE: Code
29 Amendments

30
31 **MINUTES approved this _____ day of _____ 2008.**

32
33 _____
34 **Fred Depee, Planning Commission Chair**

35
36 _____
37 **Amanda Walston, Planning Commission Secretary**