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MINUTES
KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioner's Chambers
June 24, 2008, 9:00 am

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, Jim Sommerhauser, John Hough, Linda Paralez and Robert Baglio

Staff present: Scott Diener, Larry Keeton, Eric Baker, Angie Silva and Planning Commission Secretary Amanda Walston.

Others present: Douglas Coover

Members absent: Lou Foritano

9:02:25

A. Call Meeting to Order, Introductions

Depee introduces new Planning Commission member, Robert Baglio.

Baglio looks forward to contributing to the process.

B. Adoption of Agenda

Depee adopts the agenda as posted.

C. Public Comments

Depee acknowledges Douglas Coover, representing Harrison Medical Center

D. Approval of Minutes

Deferred to the next meeting

E. Director's Update – Larry Keeton, Department of Community Development

Deferred

9:05:43

F. Deliberations: Code Development – Eric Baker, Special Projects

Baker: Reviews matrices listing changes made at the Work Study and all public comment from the Public Hearing or received by Special Projects.

Kitsap County Planning Commission – June 24, 2008

1 **Baker:** *Shelley Kneip will not be here, but a memo has been provided on Isla Verde on*
2 *Straight Plats. This issue has been well-reviewed by Legal and much discussion has*
3 *taken place.*

4
5 **Paralez and Baker clarify that the two additional comments provided have been**
6 **included in the matrix.**

7
8 **9:09:08**

9
10 **Baker asks for questions or comments regarding the Isla Verde case.**

11
12 **Sommerhauser:** *I have browsed this document and believe it supports my*
13 *opinion that you cannot make a blanket request for property unless a case is*
14 *already in the record. Is this your judgment and opinion with Shelley's legal*
15 *input?*

16
17 **Baker:** Yes.

18
19 **Nevins:** *My general opinion on all recommendations sent before the County*
20 *Commissioners is to be fairly cautious when approaching decided law that we*
21 *don't push ourselves into unnecessary challenges. The question could come up*
22 *again in Phase III next year, but at this point I would be cautious if we do not*
23 *have the directive or record to support the change.*

24
25 **Gustavson agrees that if you claim a requirement, something must appear in the**
26 **record.**

27
28 **Baker:** *After legal review, we do not have evidence to require Active Recreational*
29 *Opportunities in straight plats, which are a requirement for any subdivision. Staff*
30 *strongly supports them, and will discuss them in Phase III. This would remain a*
31 *voluntary requirement.*

32
33 **Sommerhauser:** *Your differentiation appears to be whether it is voluntary or not,*
34 *but I think it is partially voluntary but also to provide some other purpose or*
35 *deliberative action in the record.*

36
37 **Baker:** *It is County Legal opinion that voluntary programs are a straight set aside. It is*
38 *not a subdivision without it. It is up to the Planning Commission to make motions if they*
39 *wish to defer the topic to later in Phase III.*

40
41 **9:16:08**

42
43 **Gustavson:** *On a different topic, I was quite concerned by Bill Palmer's*
44 *comment that a stakeholders group was developed by the county and then the*
45 *majority of the meetings were canceled by staff. Two weeks before our Public*
46 *Hearing they were given a copy to review and they felt the stakeholders group*
47 *was circumvented. This should be of concern to the county and I recommend*
48 *this process go back to the stakeholders for processing.*

49
50 **Baker:** *The stakeholder group was convened 2 ½ years ago and a series of meetings*
51 *were held.*

Kitsap County Planning Commission – June 24, 2008

1 **Baker:** *They received a release of the first draft in August 2007, which is not drastically*
2 *different than this version. In those nine months of review, we did hold meetings and*
3 *each time the second draft was delayed, emails and notifications went out. The*
4 *stakeholders were all well aware that the draft was available during that time. I believe*
5 *that they were included and I do not believe their comments on the code were slighted.*
6

7 *Some very clear differences are established in this process. Some people believe*
8 *certain things should be kept in and some believe they should be left out. These issues*
9 *and lines will continue all the way through this process.*

10
11 **9:19:30**

12
13 **Gustavson:** Ron Ross and Bill Palmer commented directly to me and were very
14 upset about it.

15
16 **Depee:** *I was a part of that group and attendance was very sparse at meetings,*
17 *but we also had a public hearing on this and they could have shown up for it but*
18 *they didn't. I know how much effort Eric and Angie spent to spur participation,*
19 *and I know the lack of response they got from the stakeholders because I was*
20 *part of the group. They knew about it and had the chance, and they let it go until*
21 *now.*

22
23 **Baker:** *Please don't take my comments to mean the Planning Commission shouldn't*
24 *ask for more information if they need it, only that it shouldn't be a blanket comment to*
25 *remand it back due to lack of public input.*

26
27 **Sommerhauser:** *Does your matrix include any of the comments made at the*
28 *County Commissioners' meeting last night, such as Mr. Ross's?*

29
30 **Baker and Nevins clarify that comments made at the County Commissioners'**
31 **meeting will be included as part of the record for the public hearing held by the**
32 **Board of County Commissioners on this topic, as the Planning Commission's**
33 **public comment timeframe has passed.**

34
35 **9:22:20**

36
37 **Depee asks Baker to address items of concern to Mr. Coover and Harrison**
38 **Hospital, which are Performance Based Development standards applying to**
39 **residential but not commercial.**

40
41 **Baker:** *(Refers to page 6, comment #28 of the Comment Matrix and Section 17.425 of*
42 *the Code.) The intent of Performance Based Development is to provide latitude,*
43 *flexibility and innovative design in land use developments. Harrison Hosp has asked*
44 *that the code extend the same standards for commercial. Staff agrees this is*
45 *appropriate and important to include provisions that allow for these innovations.*

46
47 *The revision allows provision of access parking and circulation, adequate streets,*
48 *sidewalks and pedestrian amenities. The language is intentionally broad and general.*
49 *It is the flexible instead of prescriptive element that makes this work. If you make it*
50 *restrictive, it doesn't allow for the innovation in design and application we are looking for.*

Kitsap County Planning Commission – June 24, 2008

1 **Baker:** *Next would be common open space to show a public benefit to the reduction of*
2 *these standard requirements. A minimum of 15% of common open space would be*
3 *onsite and accessible to the public. Landscaping requirements are also at 15%.*

4
5 **Gustavson:** *Can Open Space be a covered area?*

6
7 **Baker clarifies that the key is availability to the public with reasonable frequency,**
8 **so it could be covered or enclosed as long as it is open or accessible. Gustavson**
9 **asks for inclusion of clarifying statements on this.**

10
11 **9:28:20**

12
13 **Baker reviews site design and structural height.**

14
15 **Sommerhauser:** *How can you apply structural height to a design standard when*
16 *the code already has a limit? Which do you use?*

17
18 **Baker:** *No number is specified, so design standards will prevail until the code is*
19 *amended. Generally, when multiple requirements exist, the more restrictive will apply.*

20
21 **Sommerhauser:** *If no less than 500 square feet shall be calculated for Open*
22 *Space. Can six 450 square foot areas be aggregated together to meet the*
23 *minimum?*

24
25 **Baker:** *No. Calculation has been an issue in the past, and has been clarified.*

26
27 **Gustavson:** *Most hospitals eventually need expansion. I want to be sure we*
28 *don't restrict a hospital from dramatic future expansion if needed as it will be a*
29 *tremendous public benefit.*

30
31 **Baker:** *At the time of application and if a hospital knows what its ultimate goal will be,*
32 *we want them to come into this and say that at some point, we may provide some kind of*
33 *restructure and this will help save them from potential issues in the future. It balances*
34 *against how far in the future you want to look, even though it may bind you in the current*
35 *situation.*

36
37 **9:33:10**

38
39 **Depee questions if a variance to the 65 foot height limit is allowed.**

40
41 **Baker:** *65 feet is the current allowance, this would allow beyond that if benefits exist and*
42 *impact minimized.*

43
44 **A motion is made by Commissioner Sommerhauser and is seconded by**
45 **Commissioner Gustavson to approve the submitted revision to code, subject to**
46 **amendment.**

47
48 **The VOTE:**
49 **Unanimous**

50
51 **Motion Carries**

9:35:28

1
2
3 **Baker:** *Number 29 in the Comment matrix also applies to Harrison Hospital's concerns.*
4 *This provides the ability to revise structural height without going through the entire*
5 *process. This revision will allow the option to add structural height revision at a later*
6 *date through major public process. This revision also allows individuals making*
7 *alteration to a dwelling unit, such as moving from attached to detached, through major*
8 *public process.*

9
10 **Nevins clarifies and Baker confirms that these are within the confines of a**
11 **Performance Based Development, not Accessory Dwelling Units in a rural area.**

12
13 **Gustavson questions why Dwelling Units are specified in a commercial**
14 **application. Baker clarifies that this code section is inclusive of all Performance**
15 **Based Development, regardless of zoning.**

16
17 9:38:00

18
19 **Gustavson suggests reviewing the code by chapter and paragraph, instead of**
20 **following the Comment matrix.**

21
22 **Depee calls for a motion on Item 29 in the matrix**

23
24 **A motion is made by Commissioner Paralez and seconded by Commissioner**
25 **Hough to approve the amendment to Code Section 17.425.110 (Matrix Item 29) as**
26 **written.**

27
28 **The VOTE:**
29 **Unanimous**

30
31 **Motion Carries**

32
33 **Baker suggests reviewing the Matrix first and then going back to cover any**
34 **additional items by chapter and paragraph.**

35
36 **Paralez agrees that the matrices capture the whole intent and is much more**
37 **efficient.**

38
39 **A motion is made by Commissioner Sommerhauser and seconded by**
40 **Commissioner Taylor to approve the amendment to Code Section 17.425.045**
41 **(Matrix Item 28) as modified.**

42
43 **The VOTE:**
44 **Unanimous**

45
46 **Motion Carries**

47
48 9:42:11

49
50 **Baker asks for discussion on the Planning Commission Discussion Matrix to**
51 **address all concerns regarding Planning Commission concerns and comments.**

1 **A motion is made by Commissioner Paralez and is seconded by Commission**
2 **Taylor to approve these comments as written.**

3
4 **Gustavson:** *In Matrix Items 7 and 10 (Section 17.110.290 and 17.110.440), staff*
5 *notes that these are also covered in other sections. In both cases, please*
6 *include the words "See Also" and include that paragraph or code number for*
7 *ease of reference.*

8
9 **9:44:38**

10
11 ***Nevins believes there are cross references throughout the document and is***
12 ***concerned with doubling the size and suggests leaving the document as is.***

13
14 **An amendment to the motion is made by Commissioner Gustavson and seconded**
15 **by Commissioner Taylor to include the Code Sections and references.**

16
17 **Taylor:** *Anything we can do to make this more user-friendly for the public is*
18 *helpful. The community has commented that it is so complex they throw up their*
19 *hands.*

20
21 ***Sommerhauser is concerned that adding two references without consistently***
22 ***adding them throughout the document could create ambiguity and open up legal***
23 ***challenge.***

24
25 ***Depee asks that Planning Commission members' opinion be presented as such***
26 ***and not as expert advice.***

27
28 ***Baker clarifies that inconsistency can create a variety of hazards and challenges.***
29 ***A sweeping change may be possible to address in Phase III to allow for consistent***
30 ***references and languages.***

31
32 **The VOTE** *(on the amendment to the motion to include Code Sections and references):*

33
34 **Yes: 2**

35 **No: 4** *(Paralez, Hough, Nevins, Sommerhauser)*

36 **Abstain: 1** *(Baglio)*

37
38 **Motion Fails**

39
40 **9:48:25**

41
42 **Depee:** *In Item 21 regarding Director's Interpretation, I ask for definition of who*
43 *makes the decision. This is so lax that he could designate a Code Enforcement*
44 *Inspector all the way to a Department Head to interpret. This is a remnant of a*
45 *good old boy system and can be abused. I suggest terminology that clarifies one*
46 *person as the final decision maker on any item that comes for Director's*
47 *Interpretation.*

48
49 **Gustavson:** *I would suggest language to state, "Where there is disagreement*
50 *between the applicant and decision-maker, the ultimate decision will be made by*
51 *the director himself."*

Kitsap County Planning Commission – June 24, 2008

1 **Keeton:** *I have reviewed the 17 Hearings Examiner decisions on preliminary plats. I'm*
2 *trying to find where the research and decisions and determinations come from.*

3
4 **Depee:** *I want the requirements spelled out in the preliminary hearing, not the*
5 *end result. That is too expensive a decision to put off until the end.*

6
7 **Keeton:** *The way code is written says the Director is responsible for the Department.*
8 *Court gives responsibility and authority to the director. Reality is that staff is doing the*
9 *work to represent the department and the Director.*

10
11 **Gustavson:** *The definition of Director in Section 17.110.225 says the Director of*
12 *Department of Community Development or the duly authorized designee. That's*
13 *where I wanted to add in my suggested language because it is more specific.*

14
15 **Keeton:** *If you are saying the only person that can sign off on an application is me, I*
16 *have to personally sign 5000 applications. That won't work. I appoint people to do*
17 *various things, from reviewing an application to enforcing the code.*

18
19 **Gustavson:** *No, only any appealed decisions.*

20
21 **Keeton:** *Every decision type can be appealed, so you are saying every application has*
22 *to be signed by a Director.*

23
24 **Baker:** *It would seem awkward to include anything else in the code. The director is*
25 *conducting work through staff. I don't think codifying conflict resolution that implies there*
26 *is a rift is appropriate.*

27
28 **10:02:00**

29
30 **Taylor:** *I appreciate the concern, but question if this is the place to try resolving*
31 *these issues. We are talking about departmental procedures, oversight and*
32 *chain of command.*

33
34 **Depee:** **That's why I would like the appendix to define that the Director is making**
35 **and issuing decisions.**

36
37 **Sommerhauser asks and Gustavson rereads the language he proposed to add to**
38 **the definition in Section 17.110.225.**

39
40 **Keeton:** *Are you concerned about who can be designated as a director in my absence?*

41
42 **Depee:** *I am concerned that in order to get final clarification on an issue, I want*
43 *the interpretation to come from the Director.*

44
45 **Keeton:** *The method you would use is to request a Director's Interpretation on an*
46 *ambiguous section in the code.*

47
48 **Depee:** *But the answer that comes back is that the Director's Interpretation is*
49 *the view of the Department or Staff.*

10:05:25

1
2
3 **Keeton:** *The only way you can get a Director's Interpretation is if an applicant formally*
4 *requests it. Staff cannot ask for it. We are trying to clarify another opportunity for the*
5 *applicant to do this by referring to the policies and decisions that have been issued by*
6 *the director. I can tell you that I sign all Director's Interpretations. They are vetted*
7 *through Staff and Legal and then I sign them.*

8
9 **Baglio:** *It sounds like Fred has issues; he can request a Director's Interpretation*
10 *to clarify the ambiguous code. The means are already here, you just need to*
11 *take that step and make the request for the interpretation.*

12
13 **Keeton:** *Yes. That is already available and at no cost, because it is an interpretation of*
14 *the code. You just need to make sure it is an ambiguous issue. It's not a place to*
15 *question or protest a clear code requirement.*

16
17 **Sommerhauser:** *I believe Mike's amendment to the motion is in the wrong place. It*
18 *should be under 17.455.010 in the first paragraph, and it should be inserting some*
19 *language here that it is only the director, with no one else assigned.*

20
21 **Gustavson retracts his amendment to the motion.**

22
23 **A motion is made by Commissioner Gustavson and seconded by Commissioner**
24 **Taylor to revise the lead sentence in Section 17.455.010 to read "It is the**
25 **responsibility of the Director (capitalized), himself, to interpret..."**

26
27 **The VOTE:**

28
29 **YES: 6**

30 **No: 1 (Baglio)**

31
32 **Motion Carries**

33
34 10:11:35

35
36 **Sommerhauser:** *The changes made to Item 21 addresses the comments about*
37 *having a public record of these interpretations.*

38
39 **Gustavson suggests wording that specifies a data file be made accessible to the**
40 **public.**

41
42 **Sommerhauser:** *The way this is written is broader, and provides for all Code*
43 *Interpretations, Hearings Examiner decisions on such interpretations as well as*
44 *the Board review. It provides access to the public for everything and I think this*
45 *language is very adequate.*

46
47 **Nevins:** *Section 17.455.010.E requires that interpretations be made available to*
48 *the public via data file on the County Website.*

49
50 **Depee asks about inclusion of a timeline for posting.**

51

1 **Baker clarifies that Title 21 will specify timelines and that would be the place to**
2 **comment or request that.**

3
4 10:14:07

5
6 **Taylor:** *When completed, will it be computer word searchable?*

7
8 **Baker:** *Yes, that is our expectation.*

9
10 **Gustavson:** *This is a subset of our discussions, not the whole picture.*

11
12 **Paralez restates her motion to approve the Planning Discussion Matrix as written.**
13 **Changes made to Section 17.455.010 are separate changes outside this document,**

14
15 **The VOTE:**
16 **Unanimous**

17
18 10:16:30

19
20 **Taylor asks for clarification on the Silverdale Trip Bank.**

21
22 **Baker:** *We evaluated the environmental impacts for Silverdale at a level higher than in*
23 *other areas of the County. We have done environmental review for up to 500 trips in the*
24 *downtown area. It is meant to expedite mixed use and infill development. A trip bank is*
25 *a set number of trips that each development applies for and subtracts from, that is*
26 *analyzed for impacts to traffic and environmental purposes..*

27
28 **BREAK**

29
30 10:18:35

31
32 **RECONVENE**

33
34 10:31:20

35
36 **Baker reviews the Errata Matrix, clarifying that it includes minor or general**
37 **changes as opposed to substantive changes, and asks that when approving to**
38 **include the removal of a typographical error on Item 12.**

39
40 10:40:11

41
42 **A motion is made by Commissioner Paralez and seconded by Commissioner**
43 **Sommerhauser to revise the Planning Commission discussion Matrix to correct**
44 **17.110.615.**

45
46 **The Vote:**
47 **Unanimous**

48
49 **Motion Carries**

50

1 **A motion is made by Commissioner Gustavson and seconded by Commissioner**
2 **Taylor to change the description of a porch from 1/3 enclosed to ½ enclosed.**
3

4 **Gustavson:** *I have a building that has a porch with a side and a back wall, but it*
5 *is still a porch.*
6

7 **Taylor:** *Can't you request a Director's Interpretation?*
8

9 **Baker:** *No, because this is not an ambiguous portion of code. The idea is that porches*
10 *can go further into the setbacks than the building itself. We are trying to mirror other*
11 *jurisdictions and incorporate this definition.*
12

13 **Baglio questions and Baker clarifies that a 1/3 enclosure would use the house wall**
14 **as the enclosed portion, leaving three sides open.**
15

16 **Nevins:** *The intent here is to prevent the porch from becoming an additional*
17 *room on the house.*
18

19 **The VOTE:**

20 **Yes: 1**

21 **No: 6** (*Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)
22

23 **Motion Fails**
24

25 **10:46:40**
26

27 **Baker suggests removal of (Item #10) the section in the Errata Matrix regarding**
28 **active recreational opportunities in its entirety due to the legal discussion held**
29 **earlier on this issue. It was included before final legal advice was issued.**
30

31 **A motion is made by Commissioner Sommerhauser and seconded by**
32 **Commissioner Taylor to remove (Item #10) the section in the Errata Matrix**
33 **regarding active recreational opportunities in its entirety.**
34

35 **The VOTE:**

36 **Yes: 6**

37 **No: 1** (*Nevins*)
38

39 **Motion Carries**
40

41 **Baker:** *Item #11 addresses sidewalks in straight plats. (References McCormick*
42 *Woods) As you drive into a development, the main street is considered an urban sub-*
43 *collector which would require sidewalks on both sides. The individual loop roads are*
44 *considered very low volume local roads, which require sidewalks on one side. This*
45 *would require sidewalk on both sides for consistency purposes.*
46

47 **Depee:** *Is this on 40 lots or less?*
48

49 **Baker:** *Yes, it is based on volume of 400 trips or less.*
50

51 **Depee:** *Who determines how the roads are classified?*

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1 **Baker:** *Road standards are very prescriptive and determined by the Director's assigned.*

2
3 **Taylor asks for clarification on what will change.**

4
5 **Baker:** *Very low volume local roads will not change – it is 1 side or less. Minor local*
6 *roads will change to require sidewalks on both sides for consistency. (Gives examples*
7 *of different road classifications.)*

8
9 **10:53:00**

10
11 **Gustavson asks if the different road classification definitions could be included**
12 **from highest to least use for user readability.**

13
14 **Baker:** *We try to avoid duplicating other policy documents and instead direct them to the*
15 *existing documents. We can actually bullet those out to provide for clarity.*

16
17 **Taylor questions how this will apply to private roads.**

18
19 **Baker:** *The note indicates, "...or traffic of similar volumes". Private roads with less than*
20 *40 homes would require sidewalks on one side; more than 40 would require both sides.*

21
22 **10:55:50**

23
24 **Baglio:** *The last sentence, "the Director may require on both sides based on site*
25 *specifics," is a catch all that should probably come out. There are certain*
26 *requirements for road standards that address any specific issues.*

27
28 **A motion is made by Commissioner Baglio and seconded by Commissioner**
29 **Taylor to remove the last sentence of Item # 11 of the Errata Matrix.**

30
31 **The VOTE:**

32 **Yes: 3**

33 **No: 4** (*Sommerhauser, Nevins, Paralez, Hough*)

34
35 **Motion Fails**

36
37 **11:00:20**

38
39 **A motion is made by Commissioner Sommerhauser and seconded by**
40 **Commissioner Hough to include a bulleted list of the types of roadways in Item**
41 **#11 of the Errata Matrix.**

42
43 **Paralez suggests allowing staff to simplify or clarify, instead of specifying bullets.**

44
45 **The Vote:**

46 **Unanimous**

47
48 **Motion Carries**

49
50 **A motion is made by Commissioner Paralez and seconded by Commissioner**
51 **Gustavson to approve Item #11 of the Errata Matrix as amended.**

Kitsap County Planning Commission – June 24, 2008

1 **Baglio:** *Road standards specify safety and other standards that are cut and dried*
2 *based on trips per day. Leaving the option for a Director's Interpretation is*
3 *unnecessary and can open up instances for ambiguity.*

4
5 **11:03:45**

6
7 **Sommerhauser:** *I have a cul de sac with no car traffic, but it has a trail*
8 *connecting with a hundred people in a day walking that trail. That is the kind of*
9 *thing that you can't build in. Eric, can that decision be made without this*
10 *language?*

11
12 **Baker:** *Removal of this language would still allow possibilities for a change required on*
13 *the basis of public health and safety Through the Hearings Examiner.*

14
15 **Nevins:** *Language left in may reduce the likelihood of need to go to the Hearings*
16 *Examiner.*

17
18 **Baglio questions and Baker confirms that a request for Director's Interpretation**
19 **can be made by the applicant at any time during the process.**

20
21 **The VOTE:**

22 **Yes: 6**

23 **No: 1 (Baglio)**

24 **Abstain:**

25
26 **Motion Carries**

27
28 **11:06:50**

29
30 **Baker reviews Item #12, which removes requirements for street trees.**

31
32 **Depee questions if any specification on diameter or root size is included. Baker**
33 **confirms it is specified with a certain amount of flexibility.**

34
35 **Baker reviews Item #13, which includes alley parking as an option.**

36
37 **Gustavson questions if and Baker confirms that park in the setback is allowed.**

38
39 **Baker reviews Item #14, which intends to make clear which code requirements can**
40 **be changed for residential and commercial Performance Based Developments.**

41
42 **Gustavson questions if residential can go to 35 foot building height.**

43
44 **Baker clarifies that they can go up to the maximum allowed by the zone through**
45 **this process.**

46
47 **Taylor questions the setback between commercial and residential land.**

48 **Baker clarifies it is a minimum of 25 feet, but can be between 25 and 50 feet.**

49 **Baglio adds that it can be reduced down to 10 feet with buffers including fencing.**

50 **Taylor questions if it requires Administrative decision. Baker clarifies it is**
51 **through Land Use review.**

11:12:59

Baker reviews Item #15, which changes the area name.

A motion is made by Commissioner Sommerhauser and seconded by Paralez to approve all changes in the Errata Matrix not specifically amended otherwise.

**The VOTE:
Unanimous**

Motion Carries

11:14:28

Baker: *(References the Public Comment Matrix.) This is listed by Code Section and by Commenter. If you see anything that is not included, it may be referenced in another section.*

Reviews comments and staff response regarding:

Dave Pederson's many requested changes, which were addressed in the Errata Matrix.

David Horovitz's comments related to who makes Director's Interpretations, which we have addressed in discussion today.

Suquamish Tribe's concerns with and opposition to Accessory Dwelling Units in Kitsap County.

Taylor: *I want it in the record that we need a code for Accessory Dwelling Units in the Urban Growth Areas.*

A motion is made by Commissioner Nevins and seconded by Commissioner Taylor to prohibit Guest Houses in the Rural Area.

Nevins: *The problem with Guest Houses is the only major distinction that exempts it from the stricter requirements and limitations applied to Accessory Dwelling Units is that it cannot have a kitchen. This creates a potentially unenforceable requirement if someone applies for and gets an approved guest house and then later violates the code and puts in a kitchen. This is a huge issue in the rural area and I think they should be eliminated completely.*

Baglio: *Completely eliminating them seems ridiculous. There are options and requirements. If the requirements can be met, it should be an option.*

Gustavson: *We are trying to include smart growth policies and the median home price in communities that have them is \$182,000 higher than those without.*

11:22:15

1
2
3 **Sommerhauser:** *The Board of County Commissioners discussed this in their*
4 *meeting. Opening this section up, opens the entire thing. If we leave it, at least*
5 *until the next Comprehensive Plan review, we are ok. If we do open it up, we*
6 *can be found in violation.*

7
8 **Gustavson:** *We are currently the most restrictive County in regards to Accessory*
9 *Dwelling Units, and I would say our chance of being challenged is fairly limited.*

10
11 **Depee:** *It is valid to say the potential to be abused exists, but I really don't ever*
12 *buy into that because we always have the potential. Why punish the rest of the*
13 *public by restricting what might happen?*

14
15 **Nevins:** *Right now we could have accessory quarters attached to the house that*
16 *could serve as guest house. The problem is that Growth Management Act*
17 *funding clearly states that Accessory Dwelling Units are dwelling units. Now we*
18 *have said it is not a dwelling unit because it does not have a kitchen, which may*
19 *or may not survive a challenge. If that is addressed in Phase III, the same*
20 *challenge may come out, but if you mess with it now the door is opened.*

21
22 11:27:50

23
24 **Sommerhauser:** *If we make a change, and the door is opened, the Tribe is likely*
25 *to follow through with an appeal.*

26
27 **The VOTE:**

28 **Yes: 3**

29 **No: 4** *(Gustavson, Hough, Baglio, Taylor)*

30
31 **Motion Fails**

32
33 **Discussion and clarification continues that the Chair may vote on any motion, not**
34 **only to cast tie-breaking votes.**

35
36 11:30:15

37
38 **A motion is made by Commissioner Nevins and seconded by Commissioner**
39 **Sommerhauser to eliminate the rest of the sentence following the words "...guest**
40 **houses not to exceed 900 square feet." in Section 17.381.060 (Item #8, page 172)**

41
42 **The VOTE:**

43 **Yes: 3**

44 **No: 5** *(Gustavson, Hough, Baglio, Taylor, Depee)*

45
46 **Motion Fails**

47
48 **A motion is made by Commissioner Nevins and seconded by Commissioner**
49 **Sommerhauser to disallow conversion of existing structures into Guest Houses in**
50 **Section 17.381.060.H**

1 **Baglio clarifies that is doesn't read conversion, it reads remodel.**

2
3 **Hough asks for significance of the change.**

4
5 **Baker clarifies that setbacks would allow a garage or other storage structure to be**
6 **five feet from the property line.**

7
8 **The VOTE:**

9 **Yes: 3**

10 **No: 5 (Gustavson, Hough, Baglio, Taylor, Depee)**

11
12 **Motion Fails**

13
14 **11:35:25**

15
16 **Taylor questions the complexity of and need for having guest houses, accessory**
17 **dwelling units, auxiliary dwelling units, instead of just having one use type.**

18
19 **Depee states many garages include living quarters so owners can live in it while**
20 **building a main residence, which is one thing the different use types attempts to**
21 **address.**

22
23 **Baker:** *Another distinction is that guest houses are not supposed to be rent-able. They*
24 *should be significantly smaller and people should be able to live there, but still require*
25 *access the main residence to eat or do laundry, etc. They must be dependent on the*
26 *main dwelling.*

27
28 **Baker:** *Quadrant Homes has concerns on increasing parking spaces and the exclusion*
29 *of garages as parking areas. Some people want more parking and some, including*
30 *Quadrant, want less in these developments. Reducing lot sizes from 90 to 60 to 40 feet*
31 *only magnifies the need for parking.*

32
33 **Depee asks and Baker clarifies that the proposed revision will be .5 offsite spaces**
34 **and 2 onsite spaces. Quadrant Homes wants no reduction or change in garage**
35 **designation and prefer a reduction in the current requirement.**

36
37 **11:40:20**

38
39 **Hough:** *In the last 60 days we've experienced the most substantial cultural*
40 *change in transportation we may see in our lifetimes. The resolve of that will be*
41 *more than public transportation and more than parking; it will be re-design of*
42 *automobiles, and specifically size. So do the designs being changed reflect the*
43 *size of current or future vehicles?*

44
45 **Baker:** *Size regulations for parking spaces straddle the line between too small for large*
46 *Sport Utility Vehicles and too large for smaller sedans. With a cultural shift, the smaller*
47 *vehicles allow ample room, which I think will help. The curbs will make the difference*
48 *and the locations will change.*

49
50 **Baker and Hough clarify that the overall square footage calculated in the space**
51 **size requirements includes an overall reduction in the estimated size of vehicles.**

Kitsap County Planning Commission – June 24, 2008

1 **Nevins:** *Earlier today we eliminated amenities based on this. How is half a*
2 *parking space different than when we talk about parking instead of amenities?*

3
4 **11:44:10**

5
6 **Baker:** *The component here is life, safety and traffic to keep people out of the way of*
7 *travel for fire and public safety issues. It is a different standard applied to the code.*

8
9 **Baglio:** *Parking requirements in commercial developments seem to have been*
10 *relaxed or reduced, but we are seeing an increase on residential based on the*
11 *idea that people will drive less. A garage is designed to house a car and it*
12 *seems unreasonable to assume that a garage won't be used for that because*
13 *people have too much stuff.*

14
15 **Baker:** *It is a standard reality and it is not far-fetched to assume that many lots have no*
16 *parking in their garage at all. Commercial is different and we are actually looking for*
17 *more. Mixed use has been relaxed to allow for the shift between the two.*

18
19 **11:47:07**

20
21 **Gustavson:** *Homeowner's Associations can also play a part in this. The original*
22 *McCormick Woods covenant dictates no overnight street parking, which forces*
23 *cars into the garage. Quadrant could incorporate a small storage space into their*
24 *lots and free up the garage.*

25
26 **Baker:** *We have included set-aside and we have allowed storage facilities to help fulfill*
27 *part of the requirements.*

28
29 **Gustavson:** *Would a Homeowners Association rule override some of these*
30 *restrictions and still meet the intent? Can we do that without being so restrictive?*

31
32 **Baker:** *Conditions Covenants and Restrictions can usually be more restrictive, but not*
33 *less strict.*

34
35 **11:50:05**

36
37 **A motion is made by Commission Taylor and seconded by Commissioner Paralez**
38 **to require 2.0 parking spaces.**

39
40 **Taylor:** *I see this as an additional cost to developer and ultimately the*
41 *homeowner. We are squeezing down on land; just put your cars in the garage.*
42 *In my development, one family has turned the two car garage into a garden shop*
43 *and bought a tent to house the cars.*

44
45 **The VOTE:**

46 **Yes: 6**

47 **No: 2** *(Gustavson, Sommerhauser)*

48
49 **Motion carries**

50
51

1 LUNCH

2
3 11:52:45

4
5 RECONVENE

6
7 12:38:10

8
9 ***Baker reviews public comment (#5) from Quadrant Homes on Landscaping***
10 ***Screening Buffers***

11
12 ***Baker reviews public comment (#7) from Quadrant Homes, in which the definitions***
13 ***for Frontage, Open Space and Impervious Surfaces are questioned.***

14
15 12:41:10

16
17 ***Gustavson questions whether pervious surfaces would count as hard scape,***
18 ***Baker clarifies that it would be considered a pervious surfaces, but could likely be***
19 ***mitigated through Low Impact Development standards.***

20
21 ***Depee questions whether the Low Impact Development Standards review has***
22 ***progressed, Baker clarifies that Art Castle's leadership committee is coordinating***
23 ***its final report and findings.***

24
25 ***Depee and Baker discuss that road standards would likely be a continuing issue***
26 ***that goes beyond Code Development and into Public Works equipment,***
27 ***technology and other items of larger scale.***

28
29 12:44:18

30
31 ***Baker reviews public comment (#8) from Quadrant Homes, which disagrees that***
32 ***gross floor space applies to single family detached or duplexes, Performance***
33 ***Based Development qualifies as a Major revision.***

34
35 ***Baker reviews public comment (#9) from Quadrant Homes, which requests that***
36 ***installation on street trees be deferred to home construction.***

37
38 ***Sommerhauser questions whether this applies to commercial. Baker clarifies that***
39 ***it does not, as this section only addresses residential subdivisions.***

40
41 ***Baker reviews public comment (#10) from Quadrant Homes, which questions***
42 ***whether their monument sign would need a permit. Baker confirms it would.***

43
44 ***Baker reviews public comment (#11) from Dave Pedersen, which asks to restrict***
45 ***the allowance of Recreational Vehicles and Camp Grounds in the rural area to***
46 ***Conditional Use Permit and only on lots greater than 15 acres.***

47
48 ***Nevins: I understand why he was agitated. The real estate advertisement he***
49 ***presented is what angered him, but it is not listing the specific use as permitted***
50 ***and a project ready to go, it is just standard advertising language.***

1 **Gustavson questions whether this issue appears again.**
2

3 **Baker:** *If you look at RV Camping Parks, Footnote 46 indicates it is only allowed as an*
4 *accessory use to a public or private recreational facility. It is a Conditional Use Permit*
5 *and requires all the hearings and other steps.*
6

7 **Gustavson asks about Institutional uses.**
8

9 **Baker:** *At this point, the fairgrounds would probably be one kind of institutional facility*
10 *that may hold those kinds of events. Usually it is sports complexes that also allow*
11 *camping when they hold events.*
12

13 **Gustavson questions whether Recreational Vehicles can be parked in a yard if**
14 **visiting a home. Baker clarifies that such parking is allowed, but health**
15 **requirements must be met.**
16

17 12:52:15
18

19 **Baglio and Baker clarify that the 15 acre minimum acreage requirement was at the**
20 **request of Mr. Pedersen. Staff supports the restriction to a Conditional Use**
21 **Permit, but does not specify a minimum acreage in the Code Revision.**
22

23 12:55:03
24

25 **Baker reviews public comment (#12) from Dave Pederson requesting that we**
26 **replace the words 'consistency' with 'protects'. Staff does not recommend action.**
27

28 **Baker reviews public comment (#13) from Bill Palmer on behalf of Kitsap Alliance**
29 **of Property Owners, which questions the lack of provisions for Accessory**
30 **Dwelling Units in the listed areas.**
31

32 **Gustavson suggests changing the zoning type from Conditional to Permitted.**
33 **Baker states that any change in any component of the Accessory Dwelling Unit**
34 **language would subject us to appeal. Gustavson retracts.**
35

36 12:57: 52
37

38 **Baker reviews public comment (#14 & 15) from Bill Palmer on behalf of Kitsap**
39 **Alliance of Property Owners, which questions the lack of provisions for kennels**
40 **and the abundance of Administrative Conditional Use types. Staff notes that**
41 **Phase III will address these issues.**
42

43 **Baker reviews public comment (#16) from Danny Horovitz asking to change mixed**
44 **use and commercial zones from Conditional Use to Permitted. Staff feels the land**
45 **use review is appropriate and notes that Phase III will address or at least review**
46 **this issue.**
47

48 **Depee questions when Phase III will start and Gustavson questions what it will**
49 **cover.**
50

1 **Baker:** *Titles 16, 21 and a more comprehensive review of 17 will be covered.*
2 *Stakeholder meetings will probably start sometime in the next month. You can expect*
3 *that anything moved into Phase III will not be simpler, and likely will be more complex.*
4

5 1:01:24
6

7 **Baker reviews public comment (#7) from Danny Horovitz which asks for**
8 **clarification on numerous definitions, specifically Mixed Use Zone and Mixed Use**
9 **Development.**

10
11 **Baker clarifies the differences between Mixed Use Zoning and a Mixed Use**
12 **Development is that a Mixed Use Zone allows up to 100% either way, while a**
13 **Mixed Use Development requirement is total gross floor area for residential uses**
14 **not to exceed 80% and you cannot exceed 50% commercial. You do not have to**
15 **be in a Mixed Use Zone to have a Mixed Use Development; it is allowed in almost**
16 **all Commercial Zones and a number of the Limited Areas of More Intensive Rural**
17 **Development.**

18
19 **Gustavson states that a benefit of the mixed use is attractiveness to commercial**
20 **owners, but we regulate this excessively instead of letting the market drive that.**

21
22 **Baker:** *This can be an issue and while Mr. Palmer is a proponent of a high degree of*
23 *flexibility, but compatibility to the surrounding areas plays a major role.*
24

25 **Baker reviews public comment (#18) from Danny Horovitz which states that no**
26 **more than 25% of homes in a development be Model Homes.**
27

28 **Gustavson asks if a staged home counts as a model home. Baker clarifies that it**
29 **does not, as it is usually a sample or main office space that is not actually**
30 **intended to be lived in and has no facilities hooked up. This allows for these.**

31
32 1:07:40
33

34 **Baker reviews public comment (#19) from Danny Horovitz which asks to allow**
35 **rolled curbs. Staff recommends against this as current plats utilizing them are**
36 **experiencing great difficulty in meeting its intent. Staff also recommends removal**
37 **of the Active Recreational requirement from this section.**
38

39 **Baker reviews public comment (#20) from Sean Parker which questions the ability**
40 **of the revisions to allow flexibility and innovative design. Staff believes the**
41 **current proposed revisions and setbacks will meet the suggested development**
42 **pattern. Staff proposes changing the garage setback from 20 to 10 feet.**
43

44 1:12:49
45

46 **Baker reviews public comment (#21) from Art Castle on behalf of the Kitsap**
47 **Homebuilders Association which asks for reduction in setbacks with construction**
48 **of an alley.**
49

50 **Baglio questions and Baker clarifies that if an alley is constructed, setbacks could**
51 **be reduced to 10 feet from the front and back yard.**

Kitsap County Planning Commission – June 24, 2008

1 **Hough:** *When I recalled the presentation, the auto court was part of the alley, why are*
2 *you forcing the car back into the alley or parallel to the garage?*

3
4 **Baker:** *The idea is that the auto court will operate as a parallel parking spot on two sides*
5 *of the alley, depending on where the garage door is located.*

6
7 **Hough:** *Why does it matter where the garage door would be? If we do it this*
8 *way, it allows for two spaces in the garage, one in the court and one in the alley.*
9 *Why would you do that? It encroaches on green space and others, why force it*
10 *into parking?*

11
12 **Baker clarifies that none of this is required, but allows for the possibility.**

13
14 **Hough:** *But why? The alley is not a traveled street. Why do we do this? It is a*
15 *lifestyle choice. Why are we trying to force this on people? His proposal was a*
16 *compromise made to maximize quality of living and still allow for these*
17 *requirements. What is the benefit of restricting it even further? Your proposal*
18 *seems to be driven by more and more cars and I don't agree. I think people want*
19 *yards, places for kids to walk and play and be.*

20
21 **1:18:08**

22
23 **Baker:** *Many of those wants that people have can also be tied directly to the need for I*
24 *could see the reduction by five feet as long as the garage doors are not exiting into the*
25 *alley, and 10 feet if they do exit or face the alley, which would still allow for safety. If*
26 *there is inadequate parking, the wants you mention for livability can be detrimentally*
27 *impaired as sidewalks become unusable and safety become an issue.*

28
29 **A motion is made by Commissioner Sommerhauser and seconded by**
30 **Commissioner Gustavson to allow for setbacks of five feet if the garage door does**
31 **not access the alley and 10 feet if the garage door faces the alley.**

32
33 **The VOTE:**
34 **Unanimous**

35
36 **Motion Carries**

37
38 **1:22:28**

39
40 **Baker reviews public comment (#22 & 23) from Art Castle on behalf of the Kitsap**
41 **Homebuilders Association which requests removal of the Active Recreational**
42 **areas, Performance Based Development and to specifically allow storage for**
43 **Recreational Vehicle parking. Staff removed the Active Recreational**
44 **requirements, but does not remove Performance Based Development. Staff also**
45 **proposes revision to allow, as a Conditional Use, for enclosed and accessory**
46 **storage for Recreational Vehicles in the Urban Restricted, Urban Low and Urban**
47 **Medium zones.**

48
49 **Gustavson:** *Why not allow in rural areas and what do you mean by enclosed?*
50

Kitsap County Planning Commission – June 24, 2008

1 **Baker:** *Enclosed means inside a building, not just covered. Clustered housing is*
2 *generally not found in Rural zoning, unless it is a very large number of non-conforming*
3 *lots.*

4 **1:25:50**

5
6 **Hough:** *By saying it has to be sized consistently to the predominant building, you*
7 *wouldn't be able to make a door and roof large enough to actually house the*
8 *Recreational Vehicle, so why not just say you can't do it?*

9
10 **Baker:** *In general, we are looking for the designation of the area at the time of plat, it is*
11 *constructed or planned for before the homeowner comes in. It could still be considered*
12 *an amenity, but the question is if the value compared to the lot size is significant enough.*

13
14 **1:27:58**

15
16 **Taylor:** *Port Ludlow has covenants that do not allow for parking of boats or any*
17 *of these things, but they have a dedicated area for the storage of such items.*

18
19 **1:29:15**

20
21 **Baker reviews public comment (#24 & 25) from Jeff Coombe which opposes the**
22 **requirement active recreational areas, parking, sidewalks and street trees in**
23 **subdivisions and Performance Based Developments. Staff notes, but does not**
24 **propose action.**

25
26 **Baker reviews public comment (#26) from Doug Skrobut which opposed Lot**
27 **Requirements for Urban Medium and Urban Cluster zones. Staff proposes**
28 **revisions to allow for deviation to standard regulations except for density.**

29
30 **Baker reviews public comment (#27) from Doug Skrobut which questions the**
31 **seven acre minimum lot size in the Business Park zone as hard to achieve. Staff**
32 **recommends deferral to Phase III.**

33
34 **Discussion continues and it is clarified that Active Recreational requirements are**
35 **still included in Performance Based Developments but not for straight plats.**

36
37 **1:33:40**

38
39 **BREAK**

40
41 **1:45:20**

42
43 **RECONVENE**

44
45 **A motion is made by Commissioner Sommerhauser and seconded by**
46 **Commissioner Paralez to approve with amendments to any items.**

47
48 **The VOTE:**
49 **Unanimous**

50
51 **Motion Carries**

1:47:06

1
2
3 **Depee asks for additional attention to be given to the Director's Interpretation and**
4 **to see a documented procedure and time limit for changes implemented.**

5
6 **Sommerhauser questions and Baker confirms that by removing the Active**
7 **Recreational requirement from straight plats, it also removes the five percent or**
8 **less grade requirement. All requirements are in effect for Performance Based**
9 **Development.**

10
11 **Gustavson:** *Section 17.381.040 beginning on the use tables (referenced on*
12 *several pages) – can you explain why there are both Administrative Conditional*
13 *Use types as well as Permitted?*

14
15 **Baker:** *Footnote 46 specifies that for Adult Family Homes with 6 or less residents and*
16 *proprietors, it will be permitted; more than 6 will require an Administrative Conditional*
17 *Use permit.*

18
19 *Respectively, Footnote 34 specifies that for Bed & Breakfast houses with five or more*
20 *rooms require a Hearings Examiner decision; four or less would not.*

21
22 **Gustavson:** *A discrepancy exists under Section 17.110.105. The definition*
23 *specifies 10 rooms, but you are proposing to change the footnote otherwise.*

24
25 **A motion is made by Commissioner Gustavson and seconded by Commissioner**
26 **Taylor that we leave the definition limit at 10 guestrooms allowed.**

27
28 **Baker:** *We differentiate because once you move above four rooms there are several*
29 *ancillary impacts, including parking, shoreline factors and non-conforming lots.*

30
31 **Gustavson:** *It is inconsistent with the note, they should match.*

32
33 **Baker:** *Leaving the definition at 10 is a good way to get that.*

34
35 **The VOTE:**

36 **Yes: 4**

37 **No: 4** (Sommerhauser, Hough, Paralez, Nevins)

38
39 **Motion Fails**

40
41 1:55:05

42
43 **Gustavson suggests changing the footnote from 'up to four' to five.**

44
45 **Baker:** *I believe changing the definition to read ten is the best way to handle it or we can*
46 *change the note as we are talking about.*

47
48 **Sommerhauser questions and Baker clarifies that the prior mentioned concern**
49 **was impacts, but in reviewing what is allowed by code, this definition would be**
50 **inconsistent.**

1 A motion for reconsideration is made by Commissioner Sommerhauser and
2 seconded by Commissioner Taylor.

3
4 Sommerhauser clarifies that the only change being made is to change the
5 definition to read up to ten rooms.

6
7 The VOTE:

8 Yes: 5

9 No: 3 (*Hough, Paralez, Nevins*)

10
11 Motion Carries

12
13 1:58:50

14
15 A motion is made by Commissioner Gustavson and seconded by Commissioner
16 Taylor to change the size limit of allowed storage containers from 25 to 40 feet (in
17 Section 17.110.693)

18
19 *Gustavson questions and Baker clarifies the difference between storage and*
20 *shipping containers. By placing size restrictions, the intent is to allow small or*
21 *temporary storage containers and to disallow shipping containers, or rail.*

22
23 Sommerhauser: *I don't think most folks want a 40 foot container in their neighborhood.*

24
25 2:04:38

26
27 The VOTE:

28 Yes: 1

29 No: 7 (*Depee, Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)

30
31 Motion Fails

32
33 A motion is made by Commissioner Gustavson and seconded by Commissioner
34 Taylor to delete the design criteria in Section 17.354.010.

35
36 *Gustavson cites the criteria for the Bethel corridor as an example, which has*
37 *produced no changes due to cost and effort being too great. It is also what is*
38 *considered desirable at the time of implementation and will be very outdated in*
39 *2010.*

40
41 *Baker clarifies that these were already approved through public community*
42 *process.*

43
44 The VOTE:

45 Yes: 1

46 No: 7 (*Depee, Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)

47
48 Motion Fails

2:08:05

A motion is made by Commissioner Gustavson and seconded by Commissioner Taylor to add the caveat, to Footnote 21 in Section 17.381.050 Footnote 21, “or a solid fence at the property line” and remove the term “25 foot screening buffer.”

Baker clarifies that nothing prohibits a solid fence from being used, but there are also other issues being contained such as odor or noise, not just light.

The VOTE:

Yes: 1

No: 7 (*Depee, Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)

Motion Fails

2:12:00

A motion is made by Commissioner Taylor and seconded by Commissioner Gustavson to reduce the 25 foot buffer requirement to 10 feet.

Baglio: There is a possibility of reduction through other mitigation.

Sommerhauser: If it rains, materials could leach onto the grounds of the adjacent property and 10 feet would not protect them but 25 feet would.

The VOTE:

Yes: 3

No: 5 (*Depee, Hough, Paralez, Nevins, Sommerhauser*)

Motion Fails

A motion is made by Commissioner Gustavson and seconded by Commissioner Taylor to eliminate paragraph A in Section 17.415.535 that says, “strive for 50% of jobs to pay the average.”

The VOTE:

Yes: 1

No: 7 (*Depee, Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)

Motion Fails

2:18:15

Gustavson questions Section 17.420.035 which talks about technical experts licensed by the state being included as part of a list issued by the County for all projects.

Baker clarifies that this was covered and voted on during the Planning Commission Matrix and has been deferred to Phase III.

1 **Gustavson questions is Transfer of Development Rights will be covered in Phase**
2 **III, Baker confirms that the program was already validated a month ago.**

3
4 **2:22:00**

5
6 **A motion is made by Commissioner Gustavson and seconded by Commissioner**
7 **Taylor to change the parking requirement for senior housing from one to twp**
8 **spaces per duty employee under Section 17.435.030**

9
10 **The VOTE:**

11 **Yes: 1**

12 **No: 7** (*Depee, Baglio, Hough, Paralez, Nevins, Sommerhauser, Taylor*)

13
14 **Motion Fails**

15
16 **2:25:49**

17
18 **Gustavson motions to amend stadium parking to one space for two instead of one**
19 **for four. Hearing no second, the motion fails**

20
21 **2:30:00**

22
23 **Gustavson:** *This code is too oppressive and too restrictive.*

24
25 **Nevins:** *In order to stay on the correct side of the law and still allow for flexibility,*
26 *it has to be complex.*

27
28 **Sommerhauser calls for the question**

29
30 **The VOTE: (to approve the entire staff proposal subject to the amendments made)**

31 **Yes: 6**

32 **No: 2** (*Taylor, Gustavson*)

33
34 **Motion Carries**

35
36 **Baker:** *Findings of Fact will be ready for you at the next meeting.*

37
38 **Sommerhauser:** *Please remember that a minority report must be submitted*
39 *through the entire body of the Planning Commission. If sent otherwise, it is a*
40 *personal opinion.*

41
42 **2:33:35**

43
44 **A motion is made by Commissioner Hough and seconded by Commissioner**
45 **Paralez to adjourn the meeting.**

46
47 **The VOTE:**

48 **Unanimous**

49
50 **Time of Adjournment: 2:50:31**

51

Kitsap County Planning Commission – June 24, 2008

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EXHIBITS

- A. Phase II Code Development: Comment Matrix
- B. Phase II Code Development: Planning Commission Discussion Matrix
- C. Phase II Code Development: Errata Matrix
- D. Email from Angie Silva Subject : Phase II Code Development: Comment and Discussion Matrices
- E. Email (Comment) from Douglas Coover of Harrison Hospital
- F. Email (Comment) from Doug Skrobut of McCormick Land Company

MINUTES approved this _____ day of _____ 2008.

Fred Depee, Planning Commission Chair

Amanda Walston, Planning Commission Secretary