

MINUTES

**KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioner's Chambers
December 9, 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: Fred Depee, Linda Paralez, Lou Foritano, Jim Sommerhauser, John Taylor, Mike Gustavson, John Hough, Tom Nevins, and Robert Baglio

Staff present: Scott Diener, Tamera Beverage, Jim Avery, Larry Keeton, and Planning Commission Secretary Mary Seals

9:00:00

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

Agenda is adopted as posted.

C. Public Comment

D. Approval of Minutes from November 25, 2008

A motion is made by Commissioner Paralez and seconded by Commissioner Foritano to approve the minutes of November 25, 2008.

The Vote:

Unanimous

The motion carries

E. Current Use Open Space: Tamera Beverage, Commercial Appraiser, Assessors

A motion is made by Commissioner Gustavson second by Commissioner Foritano to approve the Open Space Applications by calling out each by name, if there are no questions on it will be approved as a whole, if there are questions that need to be addressed it will be pulled for further discussion. The exception is the Black Jack Creek application which will heard and approved separately.

Discussion is held about the procedural rules to accept the applications at once. Concern is raised about getting clarification on individual ones.

It is suggested to review them one at a time by name, if there are questions they are raised and answered, and if there are objections that application is removed from the bulk approval.

1 **Hough states that he does not see the need for doing this. Each is an individual**
2 **and unique parcel. He believes they should be considered more seriously. He**
3 **recommends that each one is reviewed and a separate vote be done on each.**

4
5 **Depee calls for a vote.**

6
7 **The Vote:**

8 **Yes: 5**

9 **No: 3**

10 **The motion carries**

11
12 **Beverage presents Application for Reclassification from Designated Forest Land**
13 **to Current Use Open Space: Brock George Bergeson**

14
15 **Baglio:** *Was this a mistake that you happened to pick it up when the*
16 *application came in?*

17
18 **Beverage:** *It was a mistake. No, this has been that way. We were notified; someone*
19 *thought there was an error. So we visited the property and then contacted the owners.*
20 *It was not their error, it was ours. The original application from 1980 or so it definitely*
21 *showed the pasture land and that it was being used for grazing cattle. It went into*
22 *designated forest land anyway. It was not an error on the owner's part it was on the*
23 *Assessor's part. It does qualify for this.*

24
25 **Baglio:** *The next question is about the failure to replant the 6 acres that were*
26 *logged.*

27
28 **Beverage:** *That's included in the farmland. They logged it and turned it into pasture.*
29 *They did replant a small area, which is still in forest land. When they cleared it, not*
30 *understanding that when you log you don't need to pull the stumps you need to replant.*
31 *It's not an issue at this point.*

32
33 **Hough:** *What is the tax impact? It's a 60% reduction, but of what number?*

34
35 **Beverage:** *It's a 60% reduction of the 10.25 acre market value. In this case it is a*
36 *reverse tax shift because the designated forest land is the greatest tax shift. They are*
37 *going to be paying more in taxes.*

38
39 **Hough:** *What is the net gain or loss for the county?*

40
41 **Beverage:** *Of those 10 acres, I don't have the exact figure; we're showing a tax shift of*
42 *\$732.00 if it's going from full market value of \$170,000 down to \$85,000. He would have*
43 *been paying \$1,460 and he's going to be paying \$732. Currently on those 10 acres he's*
44 *paying tax on about \$1,500. So he's going to be paying tax on approximately \$84,500*
45 *more than he currently is. That's a return to us of 600-700 dollars.*

46
47 **9:12:19**

48
49 **Beverage presents the Application for Current Use Open Space for Doug and**
50 **Linda Johnson**

51

1 The Planning Commission ok's it to move forward to the motion.

2
3 **Beverage presents the Application for Reclassification from Current Use Farm &**
4 **Agricultural to Current Use Open Space for Sarah Parrington.**

5
6 **Gustavson:** *The parcel has never been developed, but back on page 3, there's*
7 *three houses, farm, outbuildings?*

8
9 **Beverage:** *This is a total of 3 different parcels. Two of the parcels are half income*
10 *producing farm and half timber land. This is the small waterfront parcel that we had in*
11 *farm and agricultural land which it's never been used for that. She's transferring it over*
12 *to Open Space. This is another of the audits we found.*

13
14 **Hough:** *I note that on most of these there's a provision that say public access*
15 *shall not be required. What percentage requires public access? What is the*
16 *impact of that?*

17
18 **Beverage:** *The applicants do not have to allow public access. And in some instances*
19 *public access probably isn't the best, if it's a large wetland area it doesn't really promote*
20 *itself to passive recreation. If in this instance, Ms. Parrington has opened it to public*
21 *access; with the priority resources she has she qualifies for a 50% reduction. When she*
22 *opens it to the public for appropriate access that gives her another 10% reduction off of*
23 *the market value of the property. In this case since it is saltwater front. **She reviews the***
24 ***intended use of the private access for this property.***

25
26 The Planning Commission ok's it to move forward to the motion.

27
28 9:17:08

29
30 **Beverage presents the Application for Reclassification from Current Use Farm &**
31 **Agriculture to Current Use Open Space for Martin Duenhoelter.**

32
33 The Planning Commission ok's it to move forward to the motion.

34
35 **Beverage presents the Application for Reclassification from Designated Forest**
36 **Land to Current Use Open Space Classification for Thomas Tucker.**

37
38 **Discussion is held about which of the three applications is being presented.**

39
40 The Planning Commission ok's them to move forward to the motion.

41
42 **Beverage presents the Application for Classification as Current Use Open Space**
43 **for Hendrick Barner**

44
45 The Planning Commission ok's them to move forward to the motion.

46
47 **A motion is made by Commissioner Foritano and seconded by Commissioner**
48 **Gustavson to approve the Open Space Applications with changes requested for:**
49 **Reclassification from Designated Forest Land to Current Use Open Space for**
50 **Brock George Bergeson, Current Use Open Space for Doug and Linda Johnson,**
51 **Reclassification from Current Use Farm & Agricultural to Current Use Open Space**

1 for Sarah Parrington, Reclassification from Current Use Farm & Agriculture to
2 Current Use Open Space for Duenhoelter, Reclassification from Designated
3 Forest Land to Current Use Open Space Classification for Tucker, and
4 Classification as Current Use Open Space for Hendrick Barner.

5
6 **The Vote:**
7 **Unanimous**
8 **The motion carries**

9
10 **9:20:57**

11
12 ***Beverage re-presents the Application to the Open Space Application for***
13 ***Reclassification from Current Use Farm & Agriculture to Current Use Open Space***
14 ***for Black Jack Creek and addresses the question raised in the previous Planning***
15 ***Commission meeting about the use of this property for mitigation lots for***
16 ***commercial developments. She summarizes by giving examples of other Open***
17 ***Space designations that are income producing.***

18
19 ***Sommerhauser:*** *I think that was part of the question. The other part of the*
20 *question was; can a business do this a opposed to an individual? Does the RCW*
21 *specify benefit to individuals or to businesses?*

22
23 ***Beverage:*** *They state the benefit is to the ownership of the property. They don't care*
24 *whether it's owned by a corporation or individual.*

25
26 **A motion is made by Commissioner Sommerhauser and second by Commissioner**
27 **Paralez to approve the Open Space Application for Reclassification from Current**
28 **Use Farm & Agriculture to Current Use Open Space for Black Jack Creek.**

29
30 **The Vote**
31 **Unanimous**
32 **The motion carries**

33
34 ***Discussion is held with Kitsap County Auditor, Jim Avery about the Hearing***
35 ***Examiner recent ruling to deny a variance application to build a home on a***
36 ***wetland buffer using reasonable measures.***

37
38 **9:29:45**

39
40 ***Chair Depee requests update from Larry Keeton.***

41
42 **F. Director's Update: Larry Keeton, DCD Director**

43
44 ***Keeton gives an overview of the code amendments approved by the BOCC last***
45 ***night and the status of the code revision.***

46
47 **9:39:25**

48
49 **G. 2009 Docket and Long Range Section Work Pan: Scott Diener, Policy and**
50 **Planning Manager, DCD**

51

1 *Diener reviews the 2009 workplan.*

2

3 *Discussion is held about Site Specifics and fees.*

4

5 *Discussion is held about Community Plans and fees.*

6

7 *Discussion is held about Legacy Lots.*

8

9 *Discussion is held about the Planning Commission Bylaws and membership.*

10

11 *Discussion about Silverdale height limits.*

12

13 *Break: 10:42:09*

14

15 *Reconvene: 10:50:23*

16

17 **H. Election of Officers**

18

19 *Depee discusses the process and procedure for electing the chair and vice-chair.*

20

21 **Motion is made by Commissioner Hough and seconded by Commissioner**
22 **Sommerhauser to elect next chair by majority vote and nomination at the next**
23 **meeting (the first meeting in January 2009).**

24

25 *Nevins notes that it is already in the bylaws in that way.*

26

27 **The VOTE:**

28

28 **Unanimous**

29

29 **Motion Carries**

30

31 *Discussion is held about when the chair takes the position. Decision is made that*
32 *it will be upon election.*

33

34 **I. For the Good of the Order**

35

36 **A motion is made by Commissioner Gustavson and seconded by Commissioner**
37 **Sommerhauser to adjourn the meeting.**

38

39 **The VOTE:**

40

40 **Unanimous**

41

41 **Motion Carries**

42

43 **Time of Adjournment: 11:05:35**

44

45 **EXHIBITS**

46

46 **A. Application for Reclassification from Designated Forest Land to Current Use Open Space:**
47 **Brock George Bergeson**

47

48 **B. Application for Current Use Open Space for Doug and Linda Johnson**

48

49 **C. Application for Reclassification from Current Use Farm & Agricultural to Current Use Open**
50 **Space for Sarah Parrington**

50

Kitsap County Planning Commission – December 9, 2008

- 1 D. Application for Reclassification from Current Use Farm & Agriculture to Current Use Open
- 2 Space for Duenhoelter
- 3 E. Application for Reclassification from Designated Forest Land to Current Use Open Space
- 4 Classification for Tucker
- 5 F. Application for Classification as Current Use Open Space for Hendrick Barner
- 6 G. Application to the Open Space Application for Reclassification from Current Use Farm &
- 7 Agriculture to Current Use Open Space for Black Jack Creek.
- 8 H. Planning Commission Rules of Procedure
- 9 I. Resolution no. 226-2008; Providing for Review and Potential Amendment to the Kitsap
- 10 County Comprehensive Plan, Land Use and Zoning Maps and Corresponding Development
- 11 Regulations
- 12 J. Summary of 2009 workplan elements for Policy and Planning, DCD
- 13
- 14

15 **MINUTES approved this _____ day of _____ 2008.**

16
17 _____
18 **Fred Depee, Planning Commission Chair**

19
20 _____
21 **Mary Seals, Planning Commission Secretary**