
9:00 A.M.
Meeting Called to Order – Introductions.

9:05 A.M.

➢ Elect the Chair and Vice-Chair of the Planning Commission for 2001.

Chair:
A Motion was made by Deborah Flynn and seconded by William Matchett that the Planning Commission elects John Ahl Chair for 2001. John Ahl was elected by unanimous vote.

Vice-Chair:
Nominations were made by William Matchett for Linda Rowe and seconded by Nobi Kawasaki; and by Deborah Flynn, seconded by Linda Rowe for Richard McConaughy.

The subsequent voice vote resulted in a tie; after which Richard McConaughy stated that he would defer to Linda Rowe, who had more time on the Planning Commission.

Minutes of Oct. 31, 2000:
A Motion was made by Deborah Flynn and seconded by Nobi Kawasaki that the Planning Commission approves that Minutes of October 31, 2000. Vote: Aye: 5; Nay: 0; Abstain: 1 (Matchett not present at meeting.) Motion carried.
Study Session to review the procedure for the Kitsap County Comprehensive Plan Amendment process with County staff.

Chair John Ahl said that he and Nobi Kawasaki had a preview of this plan on Monday, January 8, 2001; at this meeting County staff will give a presentation to the Commission. He said that there would be a public hearing on this Ordinance Amendment on Jan 30, 2001 at the Kitsap County Fairgrounds in Bremerton. He said, if the members had questions following staff presentation, this meeting could be continued for further discussion before the public hearing.

Robin Tyner introduced the staff to the Planning Commission and explained that in order to go through all of the information in an understandable process they will take the issues step by step. She said in the site-specific requests, the purple form is the actual application form. She said that this application was for the person who wanted a rezone to zone his property Commercial, Industrial, etc. She reported that first; the applicant will need to submit a Pre-application form with a $50 fee. With that, she continued, the applicant will receive a “Fact Sheet” outlining what will not be accepted during this Comprehensive Plan amendment process. She said that the applicant will then know what types of amendments will be accepted, so they may choose whether they wish to pay their money and move forward. After the form has been filled out and their fee paid, she continued, the preliminary environmental review will be done and they will be scheduled for a hearing with County staff. At that hearing, staff will discuss with the applicant what documentation they will need to process this amendment. She said that staff would provide all of the information in writing following the pre-application meeting so the applicant can decide whether to move forward, submit a full application and pay $2,750 to begin this amendment process. Once the full application is received, with the $2,750 fee, she continued, staff will determine if the application is complete. She said if the application was incomplete, staff will notify the applicant, in writing, of the information still necessary and establish a date to get the information in for staff review and placed on the docket. She reported that the docket would contain a list of all the completed applications. She said that once the docket was completed it would be presented to the Planning Commission along with individual staff recommendations for each application. She said that staff would develop a final summary report and discuss the amendment proposals with the Planning Commission. She then explained that the Planning Commission could determine how many study sessions will be necessary for the amendment process before moving forward to the Board of Commissioners.
Deborah Flynn asked if the site-specific zoning requests could be heard separately from the larger parcels of property?

Robin Tyner said that could be possible, however, much of the process would depend on how many applications for large parcels were received.

Deborah Flynn felt it was a good idea to look at everything together, since one amendment could affect others cumulatively.

Robin Tyner explained that the “docket” was a list of every application submitted for Comprehensive Plan amendment. She said that staff would review each proposal individually, create a staff recommendation for each application and then prepare a combined report for the Planning Commission.

Nobi Kawasaki said in the larger context, the Growth Management Act stated that amendments must go to the public with the procedures first, in an ordinance. He said that overall the Planning Commission would review the ordinance that will outline for the public what will be needed for this process.

John Ahl said that on the Fact Sheet it listed the things that will not be accepted in this amendment process. He asked if there was a way to make the list what they can apply for, in a positive way instead of negative? He felt that the Fact Sheet should serve as guidance for applicants.

Robin Tyner said that it would be a good idea to make this a positive form. She said with the area-wide requests, staff was a bit handicapped in giving responses in the beginning. She felt that what the applicant needed to do was fill out the blue sheet (Text/area-wide Comprehensive Plan Amendment Application), look at the Fact Sheet and submit this to the County staff without a fee. A meeting would be scheduled, she continued, to discuss the proposed policy change, determine if it is appropriate and then the applicant could decide if he wanted to go forward and submit a $900 fee.

Richard McConaughy asked what would keep someone from requesting that an ordinance be entirely re-written?

Robin Tyner said they would be able to make this request if they filled out the application and submitted the $900 fee.

John Ahl asked for the rationale for charging these fees?
Robin Tyner said that the fees were in the fee schedule approved by the Board of Commissioners as part of the Zoning Ordinance; the $50 fee is the only new fee for the Pre-Application Conference, because this is for a departmental review only.

William Matchett said that there should a distinction on the Site Specific Land Use Amendment Application; this application should be for the owner of record only.

Robin Tyner agreed and said that the signature line would be changed. She then explained that the map corrections were for errors that the applicant felt the County had made on their property. Specifically, she said, the definition reads: “When the land use designation or a zoning classification on a parcel or parcels of land does not reflect the direction or decision of the Board of County Commissioners.” She said that there is no fee for this, but a form must be filled out for this request. She said that the applicant/property owner would still meet with staff to review the application form and determine if it is in fact a map correction. She said if it is not a mapping error by definition, the owner could then apply as an area-wide or site-specific request. She said that where this may become a problem is if the applicant feels this is a mapping error and it is not by definition.

Linda Rowe asked if a mapping error could be a property that inadvertently had 2 different zones?

Robin Tyner said not exactly, and explained some of the reasons that there may be 2 zones on one parcel. She then gave the members copies of the Comprehensive Plan and Development Regulations Review and Amendment Procedures. She explained that what was important were the requirements of the application and the evaluation criteria, which is the meat of this Ordinance. She said that this would be an amendment to the Land Use Procedures Ordinance. She reported that there have been two suggestions to be added to this amendment: a definition for a completed application and a description of the Zoning Ordinance, along the lines of a “vested” application.

John Ahl asked if the application would be vested when the staff sent a letter to the applicant stating that the application was complete?

William Matchett said that the response letter would outline what will be needed for a complete application.

Deborah Flynn said that there should be a date specified for these completed applications.

John Ahl said that could be defined by the actions taken by the Department of Community Development.
Robin Tyner said that that staff would define a completed application.

Nobi Kawasaki said if the County gets a lot of applications near the closure of the application process, it could be a problem without a date of receipt. He said the question would be if this ordinance will be used again in the future then the dates couldn’t be put in place; it would need to be more general.

Robin Tyner said that each change would require an amendment process.

Robert Alire reiterated that this was an amendment to the County’s Procedures Ordinance.

Nobi Kawasaki felt that there needed to be a date certain to be controlling.

Robin Tyner said that there was a pre-application review process, which she defined earlier, then there would be a general review of the procedures with the applicant.

John Ahl asked about the Findings of Fact, Conclusions and a staff recommendation like they receive with the open space applications and so forth; will those be submitted with each application for Comprehensive Plan Amendment? He asked if this could become a very complicated process for the Planning Commission?

Robin Tyner said that staff would provide a packet with each application, which will include the Findings, Conclusions and Recommendations for the Planning Commission to review.

Jason Rice said that the Findings of Fact and Recommendations are done in the Staff Report.

Robin Tyner said under the General Review Procedure, the Definitions Section, the Board of County Commissioners will determine whether the amendment process will be opened each year and specify which sections of the Comprehensive Plan will be reviewed during that year’s amendment process.

Richard McConaughy asked if General Review was different than Site Specific?

Robin Tyner said yes. She explained that General Review Procedures were outlined in Section .060; Site Specific Application Requirements were listed in Section .100.

Richard McConaughy asked if these amendments would be independent from the Comprehensive Plan Amendment process?
Robin Tyner explained that an amendment proposal is only allowed when the Comprehensive Plan Amendment process is opened by the Board of County Commissioners; public notification is given and the County proposals are brought forward in a public hearing process. She made it clear that if the Board of Commissioners does not open the amendment process, then no amendments can come forward. She then explained that the Development Regulations could be amended. She said if someone comes forward with an application and it was denied by the Board of Commissioners, the applicant would have to wait for 3 years to bring this same application forward again.

Nobi Kawasaki asked what will become of the text amendments that the Planning Commission would not have time to review during this Amendment process?

Robin Tyner said that staff could recommend that those applications be brought forward during the next amendment process, probably the following year.

Nobi Kawasaki was concerned if someone came forward with a large text request that there was no time to review it this year; it should not be denied but brought up the following year.

Robin Tyner agreed and said that the only problem would be if the Board of Commissioners did not open up the amendment process next year. She said that if staff felt that a particular application should be denied, it would be discussed during the Pre-Application conference, prior to the applicant submitting the amendment fee.

Deborah Flynn suggested that the General Review Criteria state that the Board of County Commissioners could open up the Comprehensive Plan Amendment Process for specific issues and not all issues that pertain to the Plan.

Robin Tyner said that staff would check with Sue Tanner from the Prosecutor’s Office on that wording to see if it can be changed.

Nobi Kawasaki said he was concerned that the Growth Management Act required that the amendment process be an “all or nothing” procedure.

Robin Tyner said that in Section .070 it outlined how specific items of discussion will be added to the docket and the 3 types of applications.

Richard McConaughy said in Section .090, Text or Area-wide applications, the form is to be signed by the owners and that should be changed to the applicant.
Robin Tyner said they would make that change, so it is not necessary to be an owner to make a text change. She expressed that only under Site Specific Applications should the owner be the one making the request.

Deborah Flynn suggested that staff prepare a list of items acceptable for map corrections.

Robin Tyner said that staff would add that correction; it was accidentally deleted. She then explained that under Section .120 General Criteria outlines the process for review and what staff would present to the Planning Commission for a public hearing. She then outlined the criteria for Text and Area-wide Amendments, noting that there will be Findings and Conclusions prepared by staff for each application.

Nobi Kawasaki asked at what point the Planning Commission would discuss changes to Urban Growth Areas (UGAs)?

Robin Tyner said most of the UGAs are under sub-area planning at this time, so no proposals will be accepted until the subarea plan is done. She reported that those changes would then be handled through the Puget Sound Regional Council.

Nobi Kawasaki asked if an applicant wanted the area rezoned and it was in a UGA, would the Planning Commission not consider those rezones?

Robin Tyner agreed. The Planning Commission and staff then discussed who was responsible for the UGAs.

Jason Rice said if there was an Interlocal Agreement, then the County and the city would work jointly on the request.

Robin Tyner then outlined the process for Map Correction Applications for the members, noting that the information in the application must clearly state the intent or direction of the Board of Commissioners that supported the request.

Nobi Kawasaki asked if there were specific criteria for map corrections?

Robin Tyner said that the criterion was in the definition section: “When the land use designation or a zoning classification on a parcel or parcels of land does not reflect the direction or decision of the Board of County Commissioners at the time of the adoption of the 1998 Comprehensive Plan”, this is the criteria that must be met by the applicant.

Nobi Kawasaki asked if staff would provide Findings and Conclusions for Map Corrections as well?
Robin Tyner said that was a good question.

Nobi Kawasaki said that since the map was part of the Comprehensive Plan under the GMA, he felt that there should be Findings and Conclusions for any amendments made to that map.

Robin Tyner said that Findings and Conclusions could be included in the staff’s summary report. She then noted that there would be an Environmental Review Process, Public Notice and comment for each application.

Nobi Kawasaki said in Section .130 instead of “or”, it should be clearly stated that there would be a public hearing before the Planning Commission and again before the Board of Commissioners, so that it is understood that each application will have two public hearings.

Robin Tyner said in conclusion, there was an Appeal Section and Severability. She said that staff would take the comments and make changes to this draft and do an underline and cross out version for the Planning Commission to review. She recommended to the members that if they have more suggestions, they should get them to the staff before the next study session.

John Ahl asked the members if they felt there should be another study session before the public hearing? The Planning Commission felt they did not need another study session.

Robin Tyner said that in the Indexing System, there is a list of the people who have written letters regarding upcoming changes they would like to make during the amendment process. She said that this list was for the Planning Commission to see the types of applications that have been submitted. She said that staff would be bringing forth some proposals during the amendment process that will be included on the docket. She explained that if during the course of the public hearings, the Planning Commission realizes changes that the members would like to bring forth, if it is not on the docket it cannot be heard during this amendment process, unless the Planning Commission wants that ruling to be changed.

Nobi Kawasaki said that there were a lot of issues that should be reviewed during this amendment process, which won’t happen due to time constraints. He suggested that the Planning Commission prepare a list of items that should be amended for staff to add to the docket.

Jason Rice suggested that there be a public meeting during the amendment process to get input on what should be amended during this process.
William Matchett felt that the Planning Commission needed to go through the list of projects to see which ones needed to be included in this year's amendment process.

Nobi Kawasaki said within the items listed as “Text Changes” there could be many priorities.

Robin Tyner said that staff must clearly specify what text will be amended this year. She then gave examples of processes that may be denied for text changes for this amendment process.

Nobi Kawasaki said there might be some citizen groups who would not want to pay the $900 fee for the Text or Area-wide Application, but they may want to lobby the Planning Commission to make those changes instead.

Robin Tyner cautioned the members that this is “a very slippery slope”; the County was making Comprehensive Plan amendments, which is a very involved process and should not be taken lightly. Her feeling was, if there was something minor, then staff would bring this forward to the amendment process.

William Matchett said on the 1st page of the Status of Plan Related Work Items dated 08/17/98, there are some projects that are underway and then such issues as: Working with the Port Gamble and Suquamish Tribes to execute agreements which provide a framework for cooperative discussion on comprehensive planning issues. He asked if the Tribes should pay the fee for this process?

Robin Tyner said that this was a policy issue, and that would need to be addressed in this amendment process. She said that the Planning Commission should begin working on these agreements. She said that as a body, they could lobby the Board of Commissioners to add these items to their work plan.

Richard McConaughy asked if there are a few of these items on the Status of Plan Related Work Items that have become glaring problems?

Robin Tyner said yes, NS 10 on page 2 for example, it states that within 1 year of adoption of the Comprehensive Plan, the county should work with the Kitsap Public Utility District to assess designation of additional Critical Aquifer Recharge Areas and further refine the designation of Aquifer Recharge Areas of Concern. She said that the wording on this policy could be changed to accommodate the change of date. She said that those Rural Policies would be going through the amendment process this year.

The members then discussed some of the policies and when the Planning Commission should handle them.
John Ahl gave examples from the list of issues that seemed nebulous.

Richard McConaughy asked where in this list was the review of the Industrial/Commercial lands?

Robin Tyner said Industrial and Commercial Lands could be found in Section LU 20 on page 1 and then on pages 4 and 5 Sections ED-6, ED-15, and ED-22.

Nobi Kawasaki said when the Comprehensive Plan was in its final process, the information received by the Planning Commission was not clear and further information was necessary. He said that there are items from this list that still need to be completed, including criteria for Rural Villages.

Robin Tyner said that criteria for Rural Villages would be part of the Rural Policies that will come before the Planning Commission during the next amendment process.

John Ahl suggested that each of the members pick out their individual important issues that could be included in the amendment process, and bring them forward at the next regular meeting on February 6, 2001.

Robin Tyner said that the Fact Sheet was important to help staff determine what items need to be amended during this Comprehensive Plan Amendment process.

John Ahl said that ultimately the Board of County Commissioners will decide what issues will be important to amend during this year's process.

Richard McConaughy said looking at the Status of Plan Related Work Items he would like the opportunity to bring more than one issue back to the staff for the discussion at the February meeting.

Deborah Flynn asked if suggestions for Comprehensive Plan amendments needed to come from this list?

The Planning Commission members said no, but suggested that if it was not from this list that there had to be a good reason for adding it.

John Ahl said that the Planning Commission has been agonizing over what should be brought forward for amendment without the fee for the application and he felt that would become clearer to the members at the public hearing on January 30, 2001.

Nobi Kawasaki asked at the hearing, would the members get sidetracked if they get into the individual issues? He felt that all the Planning Commission will have time for during the public hearing was the ordinance amendment.
John Ahl felt that the public would come forward with ideas for the general procedure that may not have been thought of by the staff and the Planning Commission.

Deborah Flynn said that there would be a fine line between the information necessary for the amendment process and those site-specific requests.

Robin Tyner said that her concern was to clearly state at the public hearing which items will not be opened for review by the County during this amendment period, such as reducing a 5-acre parcel into two 2-1/2 acre sites. She said there would be certain issues that will not be considered under any circumstances, and the public will need to know what those will be.

Nobi Kawasaki said that the fundamental question was the scope of this public hearing.

John Ahl felt that it should be made clear at the onset that this hearing would be for comments regarding the Comprehensive Plan Amendment process and not site-specific requests.

William Matchett said that this becomes a problem if the rural areas must remain at 5-acre minimum lot sizes when most of the parcels in the rural areas are 2-½ acres.

Robin Tyner said for the public hearing, the Fact Sheet should not be included in the discussion and suggested handing out an information sheet at the hearing of what could be accepted during the Amendment Review Process.

Nobi Kawasaki suggested that the caption for the Fact/Information Sheet should be the scope of what will be covered during the process instead of what will not be considered.

John Ahl said that the Planning Commission would like to present the positive aspect of this amendment process.

Robin Tyner agreed and said that staff shall concentrate on what can be done during this process.

Nobi Kawasaki asked what was the method for receiving information from the Board of Commissioners?

Robin Tyner said she would talk to each of the Board members individually. She felt it was unlikely that there would be significant changes recommended by the Board of Commissioners.
Nobi Kawasaki asked Karen Halbeck to send her meeting notes to the members that were not present at this study session, so that they could get “up to speed” before the public hearing on January 30, 2001.

Work Plan Discussion:

• Planning Commission Meeting of February 6, 2001, discussion on this list of priorities from the Status of Plan Related Work Items. Robin Tyner said that staff would bring in the upcoming work plan.

• The Planning Commission members then discussed the Poulsbo Subarea Plan, including the meeting that County staff had with the Poulsbo staff during December 2000.

No further discussion being heard, the meeting adjourned at 11:20 a.m.

Documents Discussed During Study Session

<table>
<thead>
<tr>
<th>Exhibit No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>A.</td>
<td>Planning Commission Agenda, January 9, 2001</td>
</tr>
<tr>
<td>C.</td>
<td>Pre-application Environmental Review for Site-specific Comprehensive Plan Amendments dated 1-8-01.</td>
</tr>
<tr>
<td>D.</td>
<td>Facts Sheet, undated</td>
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<tr>
<td>E.</td>
<td>Site Specific Land Use Amendment Application, undated</td>
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<tr>
<td>F.</td>
<td>Text/Area-wide Comprehensive Plan Amendment Application dated 12-5-00.</td>
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<tr>
<td>G.</td>
<td>Comprehensive Plan Amendment Application Process, undated</td>
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MINUTES approved this ______ day of __________, 2001.

KITSAP COUNTY PLANNING COMMISSION

____________________________________________  John Ahl, Chair

____________________________________________  Karen Halbeck, Secretary