The Planning Commission met on the above-stated date at the Silverdale Community Center, Poplar Room (A-Frame) 9729 Silverdale Way, Silverdale, Washington. Members Present: John Ahl, Chair, Linda Rowe Vice-Chair, Richard McConaughy, Deborah Flynn, Val Torrens, William Matchett, Gwendolyn Shepherd, Laura King and Lary Coppola. Staff Present: Karanne Gonzalez, Robert Alire, Jason Rice, Robin Tyner and Karen Halbeck, Secretary.

9:00 A.M.

Meeting Called to Order – Introductions.

9:05 A.M.

A Motion was made by William Matchett and seconded by Linda Rowe that the Planning Commission approves the Minutes of November 7, 2000. Vote: Aye 6; Nay: 0; Abstain: 1 (Coppola not present at the hearing.) (Shepherd and McConaughy not present at this time.) Motion carried.

A Motion was made by William Matchett and seconded by Deborah Flynn that the Planning Commission approves the Minutes of December 5, 2000. Vote: Aye: 6; Nay: 0; Abstain: 1 (Coppola not present at the hearing.) (Shepherd and McConaughy not present at this time.) Motion carried.

(9:06 a.m. Gwendolyn Shepherd arrived at the meeting.)

9:10 A.M.

➤ Update on the process for Current Use Assessment - Timberland Open Space applications by County staff.

Karanne Gonzalez handed out a memorandum to the Planning Commission, which included a response from Shelley Kneip of the Prosecutors Office on the Timberland Open Space Application process. She reported that she had sent a memo to the Prosecutors Office to get a legal opinion on whether these applications could bypass the Planning Commission and go directly to the Board of Commissioners. She explained that in the memorandum from Shelley Kneip she provided the following response: “There is no requirement that the Planning Commission make recommendations on timber land current use assessments prior to the Board of County Commissioners making a
final determination. Moreover, we could find no local ordinances, resolutions, policies or
procedures that would need to be amended to change the process. Thus, the application process
can be changed so long as it still meets the statutory and administrative requirements.
However, we advise that some sort of written document setting forth the process be generated
for future reference.” She said there are specific criteria that must be met for handling
Open Space Timber Land that are not part of the Public Benefit Rating System. She
further reported that if these applications went directly to the Board of Commissioners,
it would save the Planning Commission 17 hearings a year based on the amount of
hearings last year. She said that she would still keep the Planning Commission
informed of those lands when they are in combination with the Current Use
Assessment - Open Space applications, which would still be reviewed by the Planning
Commission.

William Matchett asked if these were the applications for lands that were just under 20
acres?

Karanne Gonzalez said yes, these were the transfer applications from the Assessor’s
Office. She then gave a brief explanation of a few Timberland Open Space properties
for Lary Coppola’s benefit. She explained that the applicant needed a timber
management plan for the site and the purpose of this plan was for growing trees or for
forest products. She said that there are no conditions that the Planning Commission
can add to the application, the permits are issued through the Department of Natural
Resources so even the County’s Critical Areas Ordinance does not apply. She said that
staff just reviews these applications to make sure that they have met all of the
necessary criteria.

John Ahl said that because the Planning Commission had no latitude to make any
changes, it just became a “rubber stamp” process.

Linda Rowe said that hearing these applications was very time consuming for the
members.

No further discussion being heard, a Motion was made by Laura King and seconded
by Val Torrens that the Planning Commission no long review the applications for
Timberland Open Space and they are forwarded directed to the Board of
Commissioners for decision. Vote: Aye 8; Nay 0 (McConaughy not present at this
time.) Motion carried.

Study Session to consider the oral and written testimony presented at the public
hearing on January 30, 2001 and formulate a decision on the
Robert Alire said that at the Planning Commission’s request the staff made the revisions in the revised document that highlighted the add-ons and the cross-outs, which he reviewed. He said that at the public hearing on January 30th, the members raised several questions, which he responded to.

1. Should community councils, other state and local agencies and cities have to pay the application fees for Comprehensive Plan amendments? Answer: This is a political question. From a legal standpoint, the basis for exempting them should be articulated; i.e. how is the county’s review going to take less staff time for those requests than for others; or is there some other basis for waiving fees for them? There are possible reasons for treating governments differently, but not the community councils.

Robert Alire and the Planning Commission discussed the reasoning that the County should or should not charge a fee for the amendment process.

Val Torrens felt that if the Board of Commissioners appointed them then they were an ad hoc group and should not be charged, whereas a community group who formed themselves should be charged.

Deborah Flynn said for example, the Board of Commissioners appointed the Kingston Steering Committee; the Kingston Citizen Area Network is a private organization.

John Ahl felt that some of these committees had a specific plan that they were working on and he wondered why they would be coming forward to request amendments to our Comprehensive Plan that were not related to the issue(s) that the Board appointed them to give input on.

Val Torrens said that some of these groups had requests that they would like the Board of Commissioners to work on.

Deborah Flynn felt that if the Planning Commission had an issue(s) that they felt strongly about in this amendment process, then they should make a recommendation to the Board of Commissioners.

(Richard McConaughy arrived at 9:12 a.m.)

2. Should timelines be established for different stages of the review and amendment process? Answer: The staff recommends that timelines not be established for the first review. Staff suggests waiting until completion of the first review. This will provide...
practical experience on how long each of the steps will take and where the County needed to improve timeliness in the review. At this point, staff does not have reliable estimates on how many and what type of amendments will be requested or how time-consuming they would be.

Robert Alire said that the staff recommended that timelines not be established on the first amendment review and just see how this process will work and he gave some ideas of what will happen during the review process. He said that staff does not want to put themselves in a bind by setting specific timelines which may not be realistic. There will be an open period of time during which amendment applications will be accepted.

Laura King asked if there would be suggestions taken at this study session for corrections to the Comprehensive Plan?

Robert Alire said that applications for mapping errors would be taken when the process is opened.

Lary Coppola asked if there was a certain end time when the Comprehensive Amendment process will close for this year?

Jason Rice said that would be by the end of this year.

Val Torrens suggested that there should be time lines established for the first portion of the amendment process. Further, she said, in the Procedures Ordinance it should be spelled out that a time line would be placed in the Ordinance for the next review period.

Robert Alire agreed with Val Torrens.

3. Staff recommends that the re-submittal time for Site specific requests that have been denied be kept at three years for the following reasons: a) Staff time for review of requests (costly to tax payers and department resources). b) It is unlikely that significant change in policy direction or community trends would occur in one or two years. Without change, it’s unlikely that the findings would be different. c) Impacts and costs to the community or neighborhood (notification requirements, interested parties having to monitor actions and repeat testimony). This is an administrative issue. There is no legal requirement either way.

(9:24 a.m. Robin Tyner arrived at meeting.)

William Matchett agreed with item 3b. He said he did not agree with item 3a; if the applicant wanted to spend the money, he should have the right to reapply for an amendment during the next review period.
Val Torrens said she agreed with items 3a and 3c. She reported that a lot of times issues come up and the citizens have to keep on top of; items that have been changed by the County and the idea of bringing the same Amendment issues in year after year and go through this process was redundant. She then questioned whether the fees for each type of Amendment would actually cover the entire costs?

Jason Rice said that this was an estimate based on the number of hours necessary to do the work.

Lary Coppola said if that was the case, then if the applicant came back a third time for the same issue the fee should be 0.

Robert Alire said that even though the applicant would be applying for the same Comprehensive Plan amendment, staff would need to determine if none of the issues have changed since the time it was submitted previously.

Linda Rowe said that she still felt that 3 years was too long for an applicant to wait to re-apply for an amendment, in case the review process remained closed for 5 years.

John Ahl asked if there was anyone that was a strong advocate for the 3-year plan?

Val Torrens said she was not a strong advocate for the 3-year plan, but questioned whether there will be a Comprehensive Plan review every year or only every 5 years? She suggested that the language be changed so that the applicant cannot come back consecutively to have the same amendment presented to the County. She said that the staff has to go through a detailed review process for each application to provide clear documentation in case the applicant chooses to file a lawsuit against the County.

Linda Rowe asked if a 2-year limitation was a reasonable length of time, because issues can still change significantly in this County over a 2-year period?

Deborah Flynn suggested that it may be unwise to set a specific language that specifies how many years an applicant would need to wait to reapply for an amendment, at least during the first amendment process. She said that if the Comprehensive Plan is reviewed every 5 years, then the applicant might have to wait for 10 years before he can resubmit his application.

John Ahl felt that the goal of these limitations were so that people do not come back to the County to consider frivolous requests. He said even though the Planning Commission does not like to go through the same process over and over again we are still a democratic society and that is how things are done. He suggested that the
County remain silent during the first review process, and if there are a lot of applications then there could be a limiting provision added to the Procedures Ordinance. He questioned whether the County really had the right to deny an applicant’s request to submit an item for a Comprehensive Plan amendment?

Laura King said she agreed with John Ahl’s suggestion.

Robin Tyner said that the application fee was not the driving factor in the staff’s recommendation to require that the applicant wait three years to submit another application after it had been denied. She said that a stronger factor was the impact to the neighbors and the community that have to go through this hearing process again and again on issues that may change the regulations in a certain area of the County. She suggested that the Planning Commission think about this issue as the impact to the surrounding community.

Laura King felt that if the neighborhood cares about their community they need to be involved and that is their obligation to keep informed.

Val Torrens said that the community will say that they are not paid to come to these meetings and hear the applications issue by issue, it takes too much of their time. She said that the vast majority of the work that is done by a small minority of people.

Laura King said it is notice of due process to be heard by the community.

John Ahl suggested that since the Planning Commission had not received this document prior to this study session, that the Commission take a 15-minute recess to review the entire document before the issues are fully debated.

The Planning Commission took a 15-minute break.

Robert Alire said that the Prosecutors Office has determined that these procedures will become a separate chapter in the County’s Procedures Ordinance. He said that the content would not change, just the information.

Deborah Flynn asked about the process that the members would follow. She questioned how the staff would present the recommendation to the Board of Commissioners if the Planning Commission’s recommendation differed from that of the staff?
Robert Alire said that staff will bring forth the Planning Commission’s recommendation to the Board of Commissioners and they will also state the staff’s recommendation.

Val Torrens asked about the staff memorandum from Robin Tyner and if the fees were located in a separate document?

Robin Tyner said that the fee schedule is already in the County’s Zoning Ordinance except for the $50 Pre-application Review Fee, which is new.

Val Torrens suggested that the $50 fee be included within the specific application fee instead of listing it separately.

Jason Rice said that the $50 should be separate in case the applicant does not decide to go forward with the amendment application.

Linda Rowe recalled that at the public hearing on January 30, 2001, the fee structure was not an item of concern, however, it was expressed that community councils be added to the list of those who could apply for Comprehensive Plan amendments.

John Ahl said that the Planning Commission embraced community councils as an organization.

Deborah Flynn said on Page 5 Section .090 and Page 6 Section .100 Item#7, the Planning Commission discussed these items following the public hearing and felt that there should be some “wordsmithing” so it could be more easily understood.

Robin Tyner said that staff has reviewed the wording in those sections and it was determined that the wording should remain the same.

William Matchett said that adding wording in parenthesis in Item 7 that the staff would make this available for the applicant would be very helpful.

Deborah Flynn suggested that the Planning Commission wait to make a decision on whether to impose the 3-year time frame for those applications that are denied by the County.

Robin Tyner said that the Planning Commission will need to take action at this meeting.

No further discussion being heard, a Motion was made by Deborah Flynn and seconded by Richard McConaughy that the Planning Commission recommends that Section .606 General Review Procedures Item 7 be stricken
from the Comprehensive Plan and Development Regulation Review and Amendment Procedures.

Deborah Flynn said that she made this motion because she felt that it will not be a major problem and if an application comes back to the Planning Commission for review the year following denial; it will still be fresh in everyone’s mind.

Linda Rowe felt that the people in the community have to review these issues over and over and this should not override the issue of the amendment and she still strongly advocated the 2-year limitation instead of 3, adding that way the applicant would have an extra year to re-group before presenting a Comprehensive Plan Amendment.

Richard McConaughy felt that there will not be that many people that will submit their application again if it was once denied and he would advocate for opening up this process and see how many come back the second time.

Vote: Aye 8; Nay: 1 (Torrens) Motion carried.

Val Torrens said the reason that she voted no was because there was no wording included in the motion that the wording would be added again if the County receive a large amount of Comprehensive Plan amendments that were denied the previous year.

A Motion was made by Val Torrens and seconded by William Matchett that following the first year Amendment Process timelines will be added for the Amendment Review Process and a revision that prior to the third amendment year there would be consideration of language for re-submittal of application denials.

Richard McConaughy felt that this was overkill for this process.

Val Torrens said from her experience on the Planning Commission, if the wording is not specifically outlined, it will be forgotten.

Deborah Flynn supported Val Torrens suggestions because they are amendments to the Procedures Ordinance.

Vote: Aye: 5: Nay: 3 (King, Coppola, McConaughy) Abstain: 1 (Shepherd). Motion carried.
A Motion was made by Val Torrens and seconded by William Matchett that the $50 Pre-Application fee be added to the Fee Schedule in the County Zoning Ordinance. Vote: Aye 8; Nay: 1 (King). Motion carried.

A Motion was made by Laura King and seconded by Linda Rowe that the Planning Commission approves Comprehensive Plan and Development Review and Amendments Procedures with the caveats as amended.

Linda Rowe asked whether on the Site-Specific Application Requirements, there should be a section on the Pre-Application form for the applicant to specify what change they are requesting?

Robert Alire said yes, that would be added to the Pre-Application request form.

Vote: Aye: 9; Nay: 0 Motion carried unanimously.

Val Torrens noted a letter from Rodney Winger that was mailed to each of the members following the hearing regarding the Bethel Road Corridor.

Jason Rice said Mr. Winger is on the list for a site-specific application, not a mapping error.

- Review the Status of Plan Related Work Items, dated August 1998 and ascertain whether certain items from that Plan should be included in the 2001 Comprehensive Plan Amendment Process.

John Ahl noted that previously the members discussed having an unofficial poll of items that each member would like to be included in the amendment process and the Planning Commission should come prepared at this meeting with a list of the items that each felt was most important for review during the Comprehensive Plan Amendment process.

Deborah Flynn:

- RL10 Develop provisions that permit clustering of residential development in rural areas. The process for developing the provisions should include public involvement and the participation of interested property owners and Tribes.
- NS 10 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.
- NS-10a Kitsap County will initiate review of further aquifer and wellhead information to determine the need for revision to the Critical Areas Ordinance, Zoning Ordinance and other implementing development
regulations to ensure that impacts to groundwater quality and quantity are minimized. This will be particularly important within urban growth areas where the highest intensity of land use will occur resulting in a high percentage of impermeable surfaces.

Val Torrens:

- Kitsap County will review its development standards for commercial development to ensure that they address site size, use and design for different types of commercial activities. Supplemental regulations of development guidelines will be considered, as appropriate, for parking, access, signs, view protection, landscaping and other issues relating to the quality, appearance and functioning of commercial areas.

- The County will develop standards and guidelines intended to encourage development of high-quality, higher density development in the UGA. This will include revising site planning requirements, zoning standards and design guidelines. (Design criteria similar to Bethel Road Corridor and Kingston on a countywide basis.)

Richard McConaughy:

- He noted sections NS 10 and NS 10 that were recommended by Deborah Flynn.
- Kitsap County will review its development standards for commercial development to ensure that they address site size, use and design for different types of commercial activities. Supplemental regulations or development guidelines will be considered, as appropriate, for parking, access, signs, view protection, landscaping and other issues relating to the quality, appearance and functioning of commercial areas.
- Kitsap County will work with cities, local districts and the private sector to establish a common, ongoing method to monitor the supply of developable commercial and industrial sites and to improve opportunities for the expansion of existing facilities and the establishment of new economic enterprises. The Kitsap County Geographic Information System may be used as a regional database for this information.

John Ahl:

- Maintain an industrial land inventory report which identifies vacant land without major natural limitations and which is or could be zoned for industrial.
Joint Planning Areas and interlocal agreements prepared for: Poulsbo, Central Kitsap, Port Blakely, Port Orchard, Campus Station and the South Kitsap Industrial area.

Areas of more intensive development become part of the Plan. It is time to lock those up. The major plans should be updated.

Pursue the implementation of a program to designate “limited areas of more intensive development” in the rural areas to include: Manchester, Suquamish Kingston and Port Gamble.

Remove redundant definitions and clauses from the Comprehensive Plan to reduce the bulk of these documents.

Linda Rowe:

Develop provisions that permit clustering of residential development in rural areas.

Val Torrens:

Work with appropriate state agencies and community organizations to conduct a thorough, countywide inventory of habitat types and areas with important habitat elements. Based upon this inventory, a habitat protection plan should be developed that recommends areas most in need of protection or restoration.

Robin Tyner said that staff would review these suggestions and get back to the Planning Commission with the staff recommendations.

WORK PLAN DISCUSSION:

- Robin Tyner gave a review of the current draft of the County-wide Planning Policies and the involvement between the Kitsap Regional Coordinating Council and the Planning Commission. She said she would mail copies of the Policies to the Commission for discussion at their meeting on February 27, 2001.

- Jason Rice presented an update on the discussions between the County and the City of Poulsbo regarding Poulsbo’s proposed Urban Growth Area.

- Staff noted that there would be a discussion on airport protections in the spring of 2001.

No further discussion being heard, the meeting adjourned at 11:03 a.m.
### DOCUMENTS DISCUSSED AT STUDY SESSION

<table>
<thead>
<tr>
<th>Document No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>A.</td>
<td>Revised Planning Commission Agenda dated February 6, 2001</td>
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<tr>
<td>B.</td>
<td>Memorandum to the Planning Commission from Karanne Gonzalez regarding the Timberland Open Space public hearing process, dated February 6, 2001</td>
</tr>
<tr>
<td>C.</td>
<td>Staff Report to the Planning Commission from Robert Alire regarding the Review and Amendment Procedures dated February 5, 2001</td>
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<tr>
<td>E.</td>
<td>Kitsap County Comprehensive Plan Status of Plan Related Work Items dated 08/17/98.</td>
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MINUTES approved this ________ day of ________________, 2001.

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John Ahl, Chair

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Karen Halbeck, Secretary