The Planning Commission met on the above-stated date at the Silverdale Community Center, Poplar Room, 9729 Silverdale Way, Silverdale, Washington. Members Present: Richard McConaughy, Chair; Linda Rowe; Lary Coppola; Deb Flynn; William Matchett; Michael Gustavson; Tom Nevins; John Ahl; Mark Flynn. Staff Present: Eric Baker; Laura Ditmer; Karanne Gonzalez, and Jeannie Carstensen, Secretary.

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

9:05 A.M.

Public Hearing to consider: 1) The application of Pope Resources for Current Use Assessment – Open Space for conversion of approximately 36.04 acres (a portion of the town of Port Gamble) in North Kitsap County, which includes some saltwater shoreline, the historic cemetery, ball fields and picnic areas within the town.

Karanne Gonzalez said that this application was unique in that Kitsap County has never had a town designated Open Space; it was unusual to have a town owned by one landowner. The area that Pope Resources was proposing for the application includes the cemetery, baseball field, ocean field for picnicking, basketball fields, and tennis courts as well as open fields and areas where people can park. She said Jon Rose and Gary Duvall are present to answer specific questions about the town. She noted that the town has a Historic Landmark designation and believes a portion of it will be zoned Rural Historic Commercial. She said the applicant’s intention was to keep this in Open Space classification for 7 to 10 years, and then pursue redevelopment of the town. She noted that Pope Resources was aware of compensating tax and there is no prohibition in the Open Space Public Benefit Rating Resolution that would not allow for that conversion. She said that she did include all policies and goals within the current Open Space Plan and they do support public access and encourage recreational facilities.
She also pointed out that there are other recreational facilities such as golf courses that are included in this category. She said that this classification only covers the land area, not the structures, and the areas around the homes were exempt from this classification. She explained they would make this area available for special events and social functions. She recommended approval of this application.

(Lary Coppola arrived at hearing.)

Karanne Gonzalez said the property tax shift would be about $12,000.00 and noted that the compensating tax based on today’s value would be $173,312.00 over a 10-year period. She said that the application qualifies for this designation under the following:

**HIGH PRIORITY RESOURCES**

- Fish-Rearing Habitat – ponds and primary stream buffers.
- Archaeological and Historical Sites.

**MEDIUM PRIORITY RESOURCES**

- Secondary Stream Buffers.
- Geologic and Shoreline features.

**LOW PRIORITY RESOURCES**

- Private Recreation Area.

Linda Rowe said it seemed that most of the properties that are coming before them are going into the open space program and remaining indefinitely. She asked Karanne Gonzalez if she could comment on that issue?

Karanne Gonzalez said that Pope Resources' staff was upfront about that that issue with the County and as she looked through the Open Space Plan, RCW, and policies, she found that issue was not addressed.

Deb Flynn said a portion of the property tax is shifted from the landowner to other taxpayers; then was the portion of the property tax repaid to them once the open space designation was removed?

Karanne Gonzalez said no.

John Ahl asked about the historic status of this area and questioned if a fee would be charged for its use?

Karanne Gonzalez said they did review this with the Long-range Planning staff and found the Open Space classification was not in conflict with plans for redevelopment of that site.

Jon Rose, President of Olympic Property Group, which is the real estate arm of Pope Resources, said in 1999, requested in 1999 that Port Gamble be allowed to have the zoning changed to allow for economic development, since with the mill closure in 1995, the economics of the town had turned upside down. He said their company worked hard to find a way to plan for the future of Port Gamble and made several attempts to have the town included within the UGA, but those attempts were appealed and the designation overturned and Port Gamble ended up being designated as a Rural area after reclassification. He reported that the legislature recognized Areas of More Intensive Rural Development that were not urban or rural, but that were considered something else. He said that Port Gamble, with its sewer treatment plant and miles of water pipe, seemed to be neither urban nor farmland. He said Pope Resources has worked with Kitsap County and the Planning Commission to get a Rural Historic Designation for the town that would allow it to redevelop to its once maximum development capacity. He said that development is going to happen, but at a slow rate. He reported that Pope Resources has spent the past year in post-zoning -- trying to see how the town functions today. He said that Pope Resources only source of revenue for the town is rent and because of costs associated with paying staff from maintenance, property management and the museum, they operate with a huge deficient. He explained that they have some commercial buildings that have never been rented out because they have not wanted to refurbish them, as they have not had the zoning to make it a good investment. He explained that this is the first year that the old butcher shop and service station are listed with a commercial broker; they have also added an in-home business in the downtown area. He noted that the results from the zoning effort are there, but the town is not going to change overnight. He desired to see Port Gamble develop in a thoughtful, staged program, and until that time they are trying to hold down costs everywhere they can. He said there is a lot of confusion about whether this is a public or private area. He said they have always allowed informal use of the grounds and will continue to do that. He noted that there are 30-acres of grass that needs to be mowed which is one of their biggest expenses at a cost of $60,000.00 per year. He said this year they are promoting the town as a place for meetings and conferences. In conclusion, he said, the public has benefited by using these 36 acres for decades and they would like to be allowed to charge for special events.
Richard McConaughy asked if they planned on signage that specified allowable access?

Jon Rose said that he would work with Karanne Gonzalez on appropriate signage.

Linda Rowe said she had a problem with the philosophy of wanting to shift the tax burden to other taxpayers and thinks the intention is to stay in this designation.

Jon Rose felt the Open Space classification would be a great benefit to the public.

Linda Rowe said perhaps it would be good to charge for the use of the ballpark to help offset costs.

Jon Rose said it would require hiring more staff to collect fees, which would not be cost effective.

Lary Coppola asked what their budget deficient was?

Jon Rose did not want to say on public record, but offered to say off record.

Lary Coppola asked if the company had considered selling the property?

Jon Rose said yes.

Lary Coppola asked how many primary jobs were lost when the mill closed?

Jon Rose said he did not know, but noted that there are very few primary jobs left in town.

John Ahl said he knew the Planning Commission had recommended approval on 1 or 2 golf courses, and questioned if that was for the greens and fairways or for the land that was left undisturbed?

Karanne Gonzalez said golf courses are valued at 2 different levels; there is the land and building value and the commercial value. She said they are covered through the RCW, Comprehensive Plan, and Open Space Plan, as being eligible as a private recreational facility. One of the major reasons why they want to go into the Open Space program is because usually it is designated forest lands and there is a lot of acreage that gets converted into
the golf course and they want to go into another program where that compensating tax is not payable.

William Matchett asked if there would be waterfront access?

Karanne Gonzalez said no, the shoreline area is very steep.

Tom Nevins said he would like to see them put together a work plan that addresses the state law that this program falls under.

William Matchett felt that the public would get benefit from the approval of this application.

Deb Flynn said she thinks there is benefit to the public and noted they have approved applications simply because it contributes to the rural landscape and believes the benefit here is worth the tax shift.

A Motion was made by Richard McConaughy and seconded by Lary Coppola that the Planning Commission approves the application of Pope Resources for Current Use Assessment – Open Space for conversion of approximately 36.04 acres (a portion of the town of Port Gamble) in North Kitsap County, which includes some saltwater shoreline, the historic cemetery, ball fields and picnic areas within the town. Vote: Aye: 8; Nay: 1; Abstain: 0. Motion carried.

- Public Hearing to consider the application of David and Kate Beal for Current Use Assessment – Open Space for approximately 2.26 acres (lots B and C of Short Plat No. 7006 (located at 700 Hwy 308, Poulsbo, North Kitsap County).

Karanne Gonzalez passed around the drawing of the short plat for the members to review. She said David and Kate Beal had previously submitted an open space application, which still continues on Lot A of Short Plat 7006. She said the property that they purchased was an old farm and pasture in the Kingston area. She said they have developed it with a single-family home; Lot A has an orchard, field and old barn with a Type-3 stream. She noted that the Beals planned to develop the property and install fencing and they have had a farm plan prepared to allow them to pasture a few horses. She reported they are now ready to add in Lots B & C to the Open Space classifications, which are shoreline parcels, 2.26 acres in size with this being a conservancy shoreline as well. She reported that there is a large wetland area associated with the shoreline. She said the Beals wanted to keep their options open in order to install the fencing, mostly on Lot A. She reported that they have been asked to update their farm plan when they bring the horses onto the farm. She said the tax shift on this property would be about $350.00 per parcel. She said that staff
had recommended approval of this application and it qualified for this designation because of the following:

**HIGH PRIORITY RESOURCES**

- Wetlands, ponds and streams.
- Significant Wildlife Habitats.
- Farm and Agricultural Conservation Land.

**MEDIUM PRIORITY RESOURCES**

- “Conservancy” Shoreline Dogfish Bay.

A Motion was made by Richard McConaughy and seconded by William Matchett that the Planning Commission approves the application of David and Kate Beal for Current Use Assessment – Open Space for approximately 2.26 acres (lots B and C of Short Plat No. 7006) located at 700 Hwy 308, Poulsbo, North Kitsap County. Vote: Aye: 9; Nay: 0; Abstain: 0. Motion carried.

- Study Session with County staff to review the proposed changes to Title 17 of the Kitsap County Code, as it relates to the storage of junk motor vehicles and the inconsistencies between the County Zoning Ordinance and the Public Nuisance Ordinance, passed in September 2001.

Eric Baker submitted copies of the proposed changes to the Zoning Ordinance and the current Public Nuisance Ordinance, updated September of 2001 by the Board of County Commissioners, to the members. He said the Public Nuisance Ordinance is meant to act as Phase III of the County’s enforcement process to remedy damaged and inoperable vehicles, scrap materials and other public nuisances that are found on pieces of property. He noted before adoption of this Ordinance, upon receipt of a complaint, an officer would go to the property and assess whether it was valid, speak to the property owner, and then send a letter detailing the corrections that were necessary to be made. He said if the letter failed to gain compliance, a civil citation would be issued by District Court in Silverdale at a cost of $475.00 per citation and if the property owner did not respond, it would go to collections. He noted that at this time no lien is put on the property and it can still remain a public nuisance. He said that after the letter and citation are issued, the department can request that the property owner sign an agreement to get the property cleaned up within a set number of days and if that does not occur or the individual does not wish to sign it, the County can then issue a Notice of Public Nuisance, which would be taken before the Hearing Examiner. He
explained that if the Hearing Examiner deems the property to be a public
nuisance, the County could have the Public Works Department come in and
remove the materials and bill the property owner for the clean up. For the
record, he said, there are a very small number of properties, maybe 3 or 4 per
year who must be taken to this point to resolve. He said before the Public
Nuisance Ordinance was adopted, a property owner was not allowed to store
any damaged or inoperable vehicles outdoors at all. Now, individuals can
store up to 6 damaged or inoperable vehicles on their property if they are
screened from all other properties and right-of-ways and the individual enters
into an Environmental Mitigation Agreement, in which the owner agrees to
drain all fluids from the vehicle or install pads or pans under various portions
of the vehicle, to prohibit contaminates from absorbing into the soil.

Linda Rowe asked if 6 inoperable vehicles were an acceptable number to the
“car buffs”? 

Eric Baker said yes.

Michael Gustavson asked the cost to the County to prosecute after the first
warning?

Eric Baker said under the new system they would be able to challenge 1 ticket
all the way, but after that one citation, they are able to go to the Public
Nuisance Ordinance; it takes roughly 180 hours of the prosecutor’s time, and
costs between $10,000.00 and $15,000.00.

Michael Gustavson asked if it would be more cost effective to tow away the
vehicle at a cost to the County, with the consent of the owner?

Eric Baker said to take away the vehicles, they would have to obtain the title
and most people do not have the title. He said that was an issue that was
explored early on in the process, but he did not remember the total cost. He
said they would have to gain the owner’s consent, obtain the title, and pay for
towing. This can be quite expensive, possibly from $20,000.00 to $25,000.00.

Michael Gustavson said he felt it would be cheaper to tow the vehicles at
$200.00 each, than pay for the legal expenses.

Eric Baker said there would be a number of people calling up and complaining
about themselves so that the County would cover the expense of the clean up.

Linda Rowe said there probably are people who would like to clean up their
property, but do not have the means to do so.
Eric Baker said staff would grant a series of extensions, often based on the owner’s monetary ability to remedy the situation. He reported that the County also had a program through the Health District to get things towed away for free. He said they try to take every possible route to get the property owners to clean up their property and noted that sometimes if they issue citations; other areas open up for them to receive assistance from the State or Federal Government.

Michael Gustavson felt if properties were cleaned up, the County would get the money back because more taxes would be collected.

Eric Baker said the cost of these clean ups would be high. He said they would see costs recouped by properties in the city being cleaned up, but not in the County. He felt it was important to give plenty of notice for the public hearing so that everyone that has an opinion about it has the ability to air it at a hearing.

Richard McConaughy thanked Eric Baker for his insightful presentation.

➢ Work Plan Discussion.

- Laura Ditmer submitted a copy of the SKIA Plan Working Draft. She informed Members of an Open House that is scheduled for tonight at the Bremerton Airport from 6:00 p.m. to 8:00 p.m. with another Open House scheduled for Wednesday, June 12, 2002 at the same location.

- A Motion was made by Deb Flynn to clarify for the record the Memorandum dated May 21, 2002, the subject being the January 29, 2002 Minutes and the Memorandum dated March 26, 2002 regarding the additional Kingston DEIS Alternative. Vote: Aye: 9; Nay: 0. Motion carried.

- It was noted that the next meeting is scheduled for June 25, 2002.

No further discussion being heard, the Meeting adjourned at 11:00 A.M.

MINUTES approved this _____day of ____________, 2002.

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Richard McConaughy, Chair

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Jeannie Carstensen, Secretary