The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Fairgrounds, President’s Hall, 1200 Fairgrounds Road, Silverdale, Washington. Members Present: Deborah Flynn, Tom Nevins, Mark Flynn, Lary Coppola, Mike Gustavson, William Matchett, John Ahl, John Taylor, Monty Mahan. Staff Present: Laura Ditmer, Jason Rice, Kelly Robinson, Shannon Bauman, Renee Beam, Clyde Stricklin, Eric Toews, Pamela Younce.

6:48 P.M.

Meeting Called to Order – Introductions and Agenda Review.

Lary Coppola, Chair, noted there was a very full Agenda with a large number of people signed up to testify. Public Testimony, therefore, would be limited to three minutes per person. The President’s Hall was only available for Planning Commission use until 9:30 p.m. Clyde Stricklin would act as timekeeper and notify each speaker when they had one minute remaining. Lary Coppola, Chair, noted that he would cut off any speakers at precisely three minutes.

➢ Public Hearing on Development Code Amendments.

Lary Coppola, Chair, indicated gun range issues, which appeared to be a major topic for discussion would be covered under Development Code Amendments. Anyone who had not signed up to speak under this issue should sign up with the list held by Laura Ditmer.

Kelly Robinson, Department of Community Development, began the discussion as the Staff person in charge of going through the first cycle of Development Code Amendments. The County is currently in Step six of a nine step process that began in September 2002. Staff put together a list of candidate, proposed, Code Amendments, most of which were housekeeping items; some were pretty substantive. Those proposed Amendments were presented to the Planning Commission in September 2002, with a smaller list presented to the Board of County Commissioners with a couple of workshops in December 2002 and January 2003. Staff then came back to the Planning Commission with a list that the Board of County Commissioners had endorsed for consideration by the Planning Commission.

There were two work-study sessions: May 6, 2003 and May 20, 2003, when the Planning Commission went through the proposed amendments and made a number of suggestions and changes. Those now appear in the Hearing Draft being presented at this meeting for Public Testimony. After Testimony has been concluded, the Development Code Amendments will be brought back to the Planning Commission in
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the middle of July, at which time they will consider making Findings of Fact and Recommendations to the Board of County Commissioners with specific recommendations on each item. Some time in July, August or September 2003, the Board of County Commissioners will hold at least one more Public Hearing, taking action in late Summer.

Kelly Robinson noted that Staff had done an outreach to stakeholders, having sent letters soliciting comments from organizations they believed to have an interest in particular items on the agenda. Some comments were received and had been passed out to the Planning Commission. There were two additional responses received since the last meeting. The first is an email from Art Castle of the Home Builder’s Association of Kitsap County, relating to accessory dwelling units outside the Urban Growth Area. The other was a letter from the Olympic Property Group responding to a number of points and making suggestions which could be considered for next year’s candidate list for Code Amendments if this is done on an annual basis, which will probably be the case.

The document that the Planning Commission is taking testimony on and working from tonight was noted, with the point made that there were only 25 copies which, unfortunately, did not allow all attendees to receive a copy for their review. To ensure the property document was being reviewed, it was noted that the cover page said, “Summary of Changes” and covered 35 items, noting which had changed based instructions received from the Planning Commission. The document then went item-by-item to include a major heading, background statement explaining the problem that Staff was trying to solve with the amendment, then specific code language changes relating to each case.

With regard to gun range issues, there are two items. One of them is simply a housekeeping detail that takes the material from Title 10. The portion that covers no shooting areas, defines public and private gun ranges and how they are permitted was being moved to the Zoning Code since that was where the actual permitting would be covered. The Use Table had a new line added for Public Gun Ranges, indicating where they are allowed as a Conditional Use. That issue had never been fully acknowledged and Staff was not attempting to provide clarification on that matter.

The second revision is more substantive. It establishes three interim rules for siting new public gun ranges in rural areas. There must be 40 acres; only 15% of the total acreage could be used for the actual cleared area of the gun range, with the remainder left as forest area; and at the time an application is submitted, there cannot be any established houses or homes within 1500 feet of the edge of the 40 acre parcel. There is an exemption for gun ranges that are fully enclosed.

Due to time constraints, Kelly Robinson noted he would not be addressing each of the other items individually. However, since the majority of those in attendance appeared to be interested in this particular issue, he wanted to provide some clarification before Public Testimony began. He noted he was prepared to answer any questions before beginning public testimony.
Lary Coppola, Chair, asked if there were any questions. Doug Kitchens, from the Poulsbo Sportsman Club, wanted to know how the criteria was developed for their Code Requirements regarding gun ranges. Kelly Robinson stated Staff had reviewed criteria for comparable jurisdictions, such as Pierce County, and chose the criteria that best suited Kitsap County from those other areas.

Doug Kitchens asked if Staff had utilized any input from Citizen’s of Kitsap, given that there were already 4-5 gun ranges established in Kitsap County. Kelly Robinson noted he was aware of those ranges but that their input had not been solicited. He had spoken with some of the gun range people and sent out materials to them, but there was no specific outreach to the gun range or sportsman’s community.

Woody Colyott, President of the Poulsbo Sportsman’s Club, noted he was never notified of this meeting or any of the outreach meetings. Although Poulsbo Sportsman Club was one of the largest gun clubs in the area, they appeared to have been ignored by Kitsap County Staff. At the least he felt they should have been notified of the situation in order to properly prepare for this meeting.

Lloyd Philips asked whether any of the existing gun ranges in Kitsap County would qualify under these new proposals. Kelly Robinson noted he was unsure but believed most of the existing gun ranges were located on smaller properties inside urban areas, as opposed to rural areas. The purpose of these rules was to create an opportunity for new gun ranges specifically in rural areas. He did note, however, that he would find out how existing gun ranges compared to the new proposed ordinances and get back to Mr. Phillips if he would provide Kelly with contact information.

Lary Coppola, Chair, asked that, in the interest of time, since there would be a public hearing on this, people contact Kelly Robinson directly and ask him their questions. Kelly Robinson provided his phone number (360-337-4495) and email ‘krobinso@co.kitsap.wa.us.’ In addition to being able to contact him directly, Kelly noted that all documents were posted on the County website at ‘kitsapgov.com’ with the Planning Commission page containing all documents, memos and related materials that have come before the Planning Commission. One individual from the audience noted that the website was not available but it was confirmed by Staff and audience members that they had been able to access it without problems. Another member from the audience noted the gun range information was on the website but it was not easy to locate as it was in the back of the Hearing Draft on pages 48 and 49 relating to gun regulations.

Lary Coppola, Chair, noted there were 27 people signed up to testify and asked that they begin with the Public Testimony portion. He established that he would call the first person to testify and advise who was to follow them so that they could proceed in a timely manner.

Dr. Richard K. Graves, Pastor at the Bible Baptist Church in Poulsbo, noted he had been there for twelve years. As a member of the Poulsbo Sportsman Club he had taken Youth Groups through different classes on the range on a regular basis. There are also a number of their members who shoot there. The Poulsbo Sportsman Club was
considered a community involvement for youth and family activities. There are other groups considering developing a gun range, and they would be seriously restrained by the 40 acre requirement, including the limitation to 15% of the 40 acres. His opinion was that these requirements were terribly extreme. Anyone who had ever shot on a range, with the different berms or dirt pilings that they shoot into, would realize that they are very safe. There are no problems with safety as far at Poulsbo Sportsman Club that he is aware of in the capacity of Range Officer. There are no accidental discharges. They have had no accidents. They have a very controlled range with various Range Officers there from 9:00 a.m. until 5:00 p.m. The acreage requirement of 40 acres may be what is needed to turn an 18-wheeler around, but it’s not needed for a gun range.

Dr. Graves encouraged the Planning Commission look at ranges already existing within Kitsap County to see how they operate without the 40 acre, 15% requirements. Gun ranges are a Public involvement area. Additionally, he disagreed with the “housekeeping” change, moving the matter from Coding to Zoning. Gun ranges operate as a business; paying taxes and doing everything else a normal business would do. If golf ranges were restricted to 15% outside of the clubhouse, there wouldn’t be much of a golf range. Dr. Graves closed his comments by respectfully requesting the Planning Commission to reconsider the 40 acres and 15% as being too extreme; outside normal and ordinary standards. Existing gun ranges in Kitsap County should be evaluated and an outreach made to them for their input. Gun ranges are part of the community development, families and developing of young people. Additionally, the Poulsbo Sportsman Club provides services to many military personnel, including Marines and Navy personnel from Bangor and Bremerton Naval Shipyard, who use their range for practice on a regular basis.

Doug Kitchens, Poulsbo Sportsman Club, noted that the Poulsbo Sportsman Club occupied 34 acres and is one of five other ranges in the Kitsap County. None of the other ranges would meet with the minimum criteria being proposed. Kelly Robinson had recommended that the people contact him; Doug Kitchens noted he would prefer that Kelly Robinson send him some information on how Staff developed the criteria, to include the Counties contacted and the information received. Mr. Kitchens noted he could be contacted at Reid Real Estate in Silverdale or email could be sent to DKitchens@Reidrealestate.com. He then noted that the Poulsbo Sportsman Club had over 3,000 community members visit the club last year. Mr. Kitchens noted that perhaps there was a need for a Zoning Ordinance that encompasses gun ranges, but he disagreed with moving it entirely from Section 10. All of the proposed revisions were onerous and did not have any input from people involved in gun ranges, who know how they operate. Kitsap County’s Staff or the Planning Commission should appreciate the number of people in the community who shoot; the number of 3,000 represents ordinary members of the community, Law Officers, Military Personnel, Kitsap County Sheriff’s Department and many others. It is important that there be an ordinance relating to gun ranges and Mr. Kitchens would be willing to be part of a Committee, with numerous other experienced individuals willing to volunteer their time to help Staff develop a Zoning Ordinance that would work. In closing, Mr. Kitchens petitioned the Planning Commission to say “no” to this. Put it back on the table and make it right for everybody. Make sure current gun ranges are able to meet any requirements that are established.
Woody Colyott, Poulsbo Sportsman Club, again stated that the Poulsbo Sportsman Club had not been specifically notified of this meeting. This was deemed by him to be a slap in the face from Kelly Robinson and the Planning Commission. Chapter 10 specifically addresses the requirement for Review Committees. He is part of that Committee, set up to review any changes to existing ordinances. It appeared to him that the Planning Commission did not appear to even be following their own regulations.

Vivian Henderson, Kitsap Alliance of Property Owners, acknowledged some of the comments had been touchy lately. She stressed that none of her comments were meant to be taken personally. She further expressed her appreciation to the Planning Commission for providing their time to the community, noting that they were a Public Hearing Office and did not write the materials. She also expressed her appreciation to the gun organizations for attending. On behalf of Kitsap Alliance of Property Owners a written response was distributed, commenting on various items. Due to time constraints Ms. Henderson noted she would try to cover only the major issues, rather than going over each item. Kitsap Alliance of Property Owners believes any government document that starts with the words “we have always assumed” should strike fear in the hearts of citizens. There are also serious problems with the term “nonconforming lot.” That has been an issue for a long time and has built to the equivalent of indicating they are not desirable. Ms. Henderson challenged the Planning Commission to eliminate that term. It used to be referred to as Grandfathering, which was far more acceptable.

Ms. Henderson stressed that she could think of no good reason for the elimination of accessory dwelling units on nonconforming lots. When Commissioner Andresen was asked for the reasoning behind this, she replied that it was to avoid increasing density in rural areas. Allowing accessory dwelling units on conforming lots increases density and thereby nullified that logic. Ms. Henderson noted that she resided with her husband on 2 acres. They could potentially have their son move in with them, leading to three people on 2 acres. If he were to get married, that would then be four people on two acres. Density would be increased, even if there were no accessory dwelling unit. If increasing density in certain areas were the real purpose, why not limit the number of people allowed to reside on a certain amount of acreage, regardless of whether it was in one home of accessory dwelling units. That would accomplish the same thing and make as much sense as eliminating accessory dwelling units on smaller lots. The limitation of accessory dwelling units is an assault on family units. In most places accessory dwelling units are provided for family members to keep them in close proximity to caring relatives. It may allow family members to reside independently and be less of a burden on the fragile social services. Kitsap Alliance of Property Owners considers this to be a second assault on lots that do not conform to current zoning. The first assault was when the County down zoned all land outside the Urban Growth Areas. Now, disallowing accessory dwelling units on legal, nonconforming lots will be a second assault. What will be next? Owner’s can’t rebuild if their houses burn? This should be stopped right now. As handouts were distributed to the Planning Commission, Ms. Henderson asked that they consider each comment as an attempt to be helpful. Lary Coppola, Chair, noted his appreciation.
Rick Reitmeyer, Vice President of Poulsbo Sportsman Club and from the infamous “First Board” that the Board of County Commissioners put together with Presidents of the Gun Club. The Board was ignored by the Board of County Commissioners in the process. Noting that the Code Ordinance requires the Board be brought together, he was unsure how to proceed or grasp this proposed ordinance change. Expecting somebody to have 40 acres and only be able to use a little over 100 square yards in the middle of it for a gun club was excessive, especially after factoring in additional buffering requirements. Additionally, it was unclear why Gun Clubs were being addressed as nonconforming uses. In terms of the two biggest Gun Clubs in the County, Poulsbo Sportsman Club and Kitsap Rifle and Revolver Club, they were on their present locations before there really was a County Code, so how could they be nonconforming? Mr. Reitmeyer made specific reference to someone who had written a letter to the Editor complaining about the noise from the Kitsap Rifle and Revolver Club and a Military Shooting Range which were only a quarter mile apart. What wasn’t addressed at that time was why would someone move between two gun ranges if they don’t like the sound of gunfire? Mr. Reitmeyer encouraged the Planning Commission to go back and contact people who are experts such as Gun Clubs, Shooting Groups or even the NRA. Most importantly, the Planning Commission should remove the negative label of nonconforming use. There is a constitutional right to bear arms and that includes the right to go out and practice with and shoot those arms. You don’t need a million miles around you to do so safely. There are 16 year old kids allowed to drive a car, a 3-4,000 pound car, yet this proposed Ordinance seemed to indicate that people can’t control a half ounce of lead shooting into a 20 foot high berm. Again, the Planning Commission was encouraged to have Staff go back and check with the experts to come up with something that makes sense. Mr. Reitmeyer also expressed his support of “grandfathered” rather than nonconforming use.

Mike Shiano, Resident of Kitsap County, touched on a couple of areas relating to the Gun Ordinance proposal. Especially with everything that has gone on since September 11, the Planning Commission and Kitsap County Staff need to realize that these rifle ranges are a necessity; not just for the military or public. Many different institutions use these facilities to train. There was no objection to establishing safe rules; there needs to be guidelines. The proposed Ordinance, however, is excessive, particularly in limiting use to 15% of the property. The Ordinance could stipulate putting up walls or sound barriers; things that can be looked at by people who design Gun Ranges for a living. These decisions should not be made solely by people who are just dabbling in this ordinance. The Planning Commission and Staff should take a look at that and determine how to develop a solution that would meet everybody’s requirements, not put a black label on shooters as if they can’t be trusted. It’s insulting. If someone moved next to a horse ranch and then complained about the smell, requesting an ordinance because of it, would the County then say from now on horse ranches could only utilize 15% of the property to contain the odor? Whatever happened to personal responsibility, which is what we’re dealing with. Shooters are responsible for their actions, as are any people who move in next to a gun range. Let’s stop throwing mud and work together.

William M. Palmer, Land Use Planning Consultant, provided a handout regarding the last item on the Code Amendments relating to allowing Auto related uses in...
neighborhoods. The Auto related use had been in the neighborhood business or neighborhood commercial zone since at least 1983, possibly 1978. Why it was taken out in 1988/1989 is unknown. There appears to be no salient rationale as to why it was taken out and he supports putting it back in, with his handout highlighting some of the rationale for doing that. Additionally, Mr. Palmer commented on Departmental Rules approved by the Planning Commission, basically having the Director initiate Administrative Code Interpretation. He has been in that position before and understands the need, there should be something included in the proposed text that would require the Director to consult the Prosecuting Attorney’s Office. That would probably occur anyway, but it should be formalized. With regard to the third party review, allowing the County to charge applicants fees for hiring Consultants to review information already provided by the applicant, Mr. Palmer specifically asked what the justification was for that. Additionally, he would like to know the frequency for that type of issue to determine if it was really needed.

Mr. Palmer continued with the subject of codifying simple boundary line adjustment rules, having spoken a few years ago on this particular issue. The only justification he could find was the statement located in the proposed text about occasionally having unbuildable lots created by boundary line adjustments. Mr. Palmer voiced his opinion that there should be more documentation and justification before a decision was made as to whether this was really necessary. In closing, regarding the limitation on accessory dwelling units, he noted his agreement with Vivian Henderson’s comments against that particular proposal.

Richard A. Brown noted the revisions relating to auto-related uses in neighborhood zones seemed to go back to 1998 when there was a dispute over a pit stop. As it stands, the South Kitsap area of Jackson and Lund, in the middle of Port Orchard, cannot have any remodeling of the existing service station, such as adding a restaurant, because you cannot make a nonconforming use more nonconforming. There appears to be no rationale for not removing it at this time. If a customer wanted to put in a Novas Glass Shop on the corner of Jackson and Lund, they couldn’t do it because that’s automotive related. You can’t put any automotive related items on that site. A secondary issue was with regard to nonconforming lots. Mr. Brown noted that, in his opinion, every lot beyond the City limits, created in the old days, would now be considered as a nonconforming lot. Will every lot outside the Urban Growth Boundary be considered nonconforming now? It’s foolishness. With regard to accessory dwelling units, as prices go up mom and dad often have to move in with their kids or vice-versa. That should be allowed. Mr. Brown voiced his agreement with Vivian Henderson, noting that the proposed restrictions were ridiculous. Mr. Brown closed by asking that the Planning Commission take a hard look at all of the items before them and he expressed his appreciation for their consideration.

Mr. Arvan Reese expressed his appreciation for the opportunity to address the Planning Commission. The shooting sport is one of many recreational activities which touches on every segment of the growing Kitsap County population. It involves not only the active participants and the businesses who support this activity. It should be considered as any other legitimate business enterprise. As such, shooting ranges must continue be considered as vital contributors to the economic viability of the County. It
is important that consideration of regulations for shooting ranges is done with a focus of public safety; not from the emotional anti-gun focus groups. As Kitsap County continues to grow and the interests of this increasing population becomes more complex, it is timely and appropriate that the Planning Commission thoroughly consider Code Revisions regarding shooting ranges. The January 17, 2003 final Board of County Commissioners list recognizes the subject of shooting ranges requires a “complex or substantive change.” Regretfully, simply transferring regulations to Zoning for companion recommendations, adding them to the Rural Land Use Table with special siting considerations is overly simplistic and ill advised. Not only does this proposal effectively regulate shooting ranges to rural populations, in consideration of urban pistol ranges, it also totally fails to address the legitimate public safety and environmental concerns associated with shooting ranges. Examples would be noise abatement, projectile containment, range safety procedures, etc. The simple truth is that shooting ranges constitute an activity that would legitimately fall within the domain of Chapter 10, Peace, Safety and Morals; possibly under Chapter 6, Business Licensing and Regulation. It does not even remotely fall under Chapter 17, Zoning. This may have been well-intended, but also appears to be an attempt to avoid realistically readdressing this more complex, substantive issue. There are resources available throughout the gun community, including a densely populated coast that would look forward to regulation of shooting ranges. It is certainly suggested that the Planning Commission table these proposed amendments and appoint a subcommittee to develop a more thorough, more comprehensive alternative.

Richard Gust, representing Central Kitsap School District, commented on two amendments before the Planning Commission. Amendment #13, requesting a change in setbacks outside Urban Growth Areas. The Central Kitsap School District would note that the current setback requirement is 50 feet with the proposal increasing that to 75 feet. Central Kitsap School District noted safety considerations and asked that the amendment not be passed, that it remain at 50 feet. The Central Kitsap School District understands the Planning Department’s request for larger buffers in rural area but stressed that the School District had safety considerations for the community and students when providing larger buffers with access to their schools from pedestrian walkways.

The Central Kitsap School District also was concerned about Amendment #20 with reference to the term “playground.” This is a new term, introduced in this language, yet it is undefined from the School District’s standpoint. The Central Kitsap School District is asking that Kindergarten students be provided with 75 square feet of playground space per child. As a School District they provide approximately 80 square feet as permanent school buildings for their children and Kindergarten levels. The playground requirement would appear to be excessive unless it also includes the playfields that are also located on that site. That cannot be determined by the language utilized and they are therefore asking for clarification. The Central Kitsap School District also noted that the site securing fence was specified as a minimum height of four feet, with the maximum height left blank and undefined, which they would like to have clarified, as well.
Bill Geil expressed concern regarding the change regarding Gun Ranges from Chapter 10 to Chapter 17. Mr. Geil noted and extensive Naval career in the area beginning in 1943. The majority of his work experience was with surface to air missiles, safety officer and nuclear warhead safety officer on missiles. He stressed that he understood safety in the construction business and small arms. Half of his career had been in teaching small arms, to include three years at the Naval Academy. Small arms are very important and safety is even more important. It is his understanding the Poulsbo Sportsman Club has never had a major problem with safety. Most of his work in the last twelve years has been with the Sub Base Bangor Marksmanship Team, rifle and pistol who utilized the Poulsbo Sportsman Club extensively for practice shooting. Two years ago a four-man team won both rifle and pistol in the Pacific Fleet; that had never been done before in the history of the Navy. Based on Mr. Geil’s experience, the Poulsbo range is one of the safer ones; having been involved with probably 75 small arms ranges in this country and abroad. The Poulsbo Sportsman Club safety is hard to beat. Mr. Geil expressed concern over the change from Chapters 10 to Chapter 17, noting that in conversations with Officers at the Poulsbo Sportsman Club the issue had never been addressed with them. In closing, he suggested that the Planning Commission might want to look into it before changing anything, noting that, “If it ain’t broke, don’t fix it.”

Dorothy (Dusty) Meyer noted that seven years ago she ran for County Commissioner. Normally it could be considered that a marksman was a rifle that could be aimed, but that everybody should have their point of view, including the NRA. There were great expectations in the cities, not the rural areas, when the Growth Management Act was passed. However, our Commissioners, who are paid $100,000 a year in tax dollars, seem to feel they have to hire other expertise. Ms. Meyer noted she had a Bachelor’s Degree in architecture and knew good buildings. She also was Licensed in Geology and knows where Kitsap County’s water is. There used to be an underground source in Poulsbo, but Poulsbo is sinking. When you take the water out, it does not go back. There are developments all over Kitsap County which use water. More toilets flushing, showers, dishwashers, lawn watering and energy. The County is connected to an inadequate sewage system. The Commissioners state that if we want more water we’ll get it from another source. Where? Not Jefferson County. Not Canada. Canada wouldn’t sell water to New York State when they needed it. Canada said it was wasted, which it often is. Rural Residents want to vote on any kind of development that is going to go into rural growth areas. That’s the American way. Why are we hiring outside Consultants when we have plenty of experts here. I’m a senior citizen. I know construction. I know what our land can take and what to do with it. If you’re aware of the water situation, there are two countries in Europe that are buying our water rights. Why? Maybe because we’re running low? Think about it.

John Kott, Poulsbo Sportsman Club, would like to propose a different approach to the shooting proposal. It would seem that the way the proposal was written it would, essentially stop the development of any more shooting ranges in Kitsap County. Residing in a rural part of Kitsap, there is a notable amount of uncontrolled shooting going on in the woods around him all the time. Mr. Kott noted he would love to see another shooting range somewhere in the north end, with the hope that it would stop the uncontrolled shooting in the neighborhood. At least there would be a place for
people to go shoot safely. If these regulations go through, that won’t happen. Mr. Kott closed by asking that the Planning Commission consider that perspective.

Steve Rupp, Member of the Poulsbo Sportsman Club, spent most of his adult career writing requirements, regulations and so on, and implementing them at the shipyard. He has learned that if you are going to write rules, you want to make sure that you never change a rule unless there’s a good reason to change it. As discussed at the beginning of the meeting, he will contact Kelly Robinson to clarify the reasons for the changes. He didn’t see that there was a clear reason for why it was necessary to make these changes. Additionally, when making rules you always involve experts and involve those who can be affected by the rules to make sure you get accurate input. Earlier in this meeting there was discussion about some Committee that was required in order to revise Ordinances that was not consulted, although that was needed. There should be experts involved, as well as groups from the public sector. Mr. Rupp noted that although he is not a County Planner or a Lawyer, he would certainly volunteer what expertise he could offer in an effort to make sure Staff received the right input and developed the right rules so everyone could end up with something that was needed.

Joe Veals, Poulsbo Sportsman Club, expressed his appreciation to the Planning Commission for the opportunity to speak, noting a couple of his issues had already been addressed. Of note was that the Law Enforcement agencies in the area used the Poulsbo Sportsman Club for qualification purposes. Far reaching aspects of that are that there are people from King County Jail who live on the this side of the water using the range for practice. There are Officers from the Seattle Police Department who use the Poulsbo Sportsman Club range. Part of the reason why it’s there, is the uniqueness of the environment we live in within Kitsap County. Keep in mind that these law enforcement officers who practice on our range, are not charged anything. It’s a public service the Poulsbo Sportsman Club provides.

Mr. Veal further addressed concern regarding the criteria and parameters proposed in this ordinance. With 40 acres and only 15% allowed for use scares him. The reason being is it’s too flat. It lacks substance, criteria, special engineering that is needed to develop safe ranges that can be utilized, not only in a safe manner, but by more people to handle the anticipated increase in population.

Laura Overton Johannes stated that the main problem with the County Code right now is that gun ranges are not allowed in rural areas and there is a moratorium. As a landowner, she believes there needs to be more gun ranges, rather than having neighbors trespassing on her property and shooting guns on her property. She doesn’t know when they’re doing it and it’s a big safety issue. The intent of the proposed standards should be to allow recreational gun ranges to be sited in the county. The standards should be based on input for people to develop better criteria so they can actually be sited in the County. Ms. Johannes expressed concern over the 40 acre minimum lot size. Lot size should be dependent on the type of weapon to be used. A small bore 22 range could be set up safely on less than five acres, just as one example. There are all different kinds of guns; different styles of shooting; different types of ranges. There needs to be the possibility for a recreational shooting facility in the County. Additionally, the limitation to 15% of the property for development was
unrealistic. This is a recreational use that people do with their families. It’s not just a bunch of guys going out to shoot. There needs to be space allowed for parking, barbecues and other family oriented uses. Ms. Johannes closed by asking that the Planning Commission will get some input from experts before making any final recommendations or decisions.

Patrick Eithon, South Kitsap, addressed the proposed Ordinance Amendment allowing auto-related uses in neighborhood commercial zones. The definition of neighborhood commercial says that commercial centers occur on smaller sites and are intended to provide quick stop shopping needs. That would seem to mean a convenience store, the one thing that is not allowed in the Commercial Use Table. Anything with the word automotive is not allowed. That doesn’t seem reasonable and it would appear to be contradictory. Additionally, Mr. Eithon noted that when he was growing up they weren’t referred to as convenience stores, they were corner stores. Some sold gasoline, where he used to work. He would like to be rewarded by having these changes in the ordinance.

Lois McMahan acknowledged that the Planning Commissions’ time is very important. Whether or not they took an oath of office, it was important for every public servant to recognize that they are serving the public. There is not a way to serve the Public and at the same time try to deprive them of their constitutional rights. There are two constitutional rights in jeopardy with these proposals. The second amendment right and the rights of a property owner. Those rights are key to all the other rights we have as Americans and absolutely must be protected. The Planning Commission has a job to help do that and Mr. McMahan would like to encourage them to do that. The second amendment right has been talked about quite a bit and he believes that there can be very safe shooting conditions on less than 40 acres. That should be left up to the experts, some of whom have testified today and volunteered to provide Staff with additional information. It is very important that these facilities be allowed to exist in our County. Our Law Enforcement Departments use them and Citizens need them to learn how to handle firearms safely; the expansion of such facilities should not be limited in any way. Although he had not received one of the copies of the Ordinance this evening, he had heard reference to other items directly relating to individual property rights. One of them had to do with accessory dwelling units. It is very important for families to be able to take care of their family members. Society should encourage that kind of behavior. Accessory dwelling units also can encourage economic growth. Right now homeowners are bearing the brunt of the property taxes, paying over $1,000 per $100,000 assessed value. There are many other places in the State where it’s only $300. So think about the property owners when you’re thinking about limiting potential growth and limiting how they utilize their land.

Jeremy McMahan, Recording Secretary for the Kitsap County Rifle and Revolver Club, commented that he had heard some very eloquent speeches about property setbacks and public rights and would like to remind everyone about government principals. Perhaps there were some anecdotal issues or scenarios which prompted the proposed revisions. If so, that would be a bad way to govern. The only other motive might be related to some kind of environmental concern. The 15% requirement relating to gun ranges (which he noted had not been listed in the Bremerton Sun’s list of proposed
restrictions) would keep property owners from using their land in a manner that would best serve/benefit them. As the owners of the property, it would behoove them to act responsibly and take care of their land. It is not the government’s responsibility.

Dorothy W. Kent was scheduled to speak but felt her concerns had been sufficiently covered by previous speakers.

Brad Smith, President of Kitsap County Rifle and Revolver Club, appreciated the Planning Commission sharing their time. As part of a Civics Lesson, the Planning Commission is representing a form of government and, as so eloquently presented earlier, the sole purpose of government is to protect the individual rights of people. We are a society operating under mob rule. Any time there is an Ordinance, Rule or Code about anything there is the possibility that it could be violating the rights of an individual. Kitsap Rifle and Revolved Club have been there since 1926. The United States Navy has used their range for almost two years for training purposes. The Kitsap County Sheriffs use it, as do many other law enforcement officials. It is a safe environment for people to come, learn and train. As a body of people, he would encourage the Planning Commission to realize that they are impacting individual rights in a large way. As a further comment, any time anyone can tell you what you can and cannot do with your property, it’s no longer your property; it’s theirs. That’s a point that should be thought about very carefully because property rights and individual rights are eroding too quickly to the needs of the mob. The proposal of 40 acres with 15% of the acreage usable is totally untenable and unacceptable. The Kitsap County Rifle and Revolver Club is currently working on a comprehensive plan to expand their range, which would bring more revenue into Kitsap County. It would also provide for a broader use by law enforcement relating to tactics and training. The proposed limitations aren’t even close to what would be needed. They aren’t even enough for a parking lot, let alone to operate a safe environment for law enforcement training, military use and such. Mr. Smith asked that the Planning Commission consider carefully any decision they make. It is the Planning Commission’s responsibility, according to their own guidelines and ordinances, to put together a Committee and they have not done so. This ordinance should be scrapped as it stands. Bring on the Advisory Committee as they are authorized to do. There have been a lot of eloquent speakers and experts here tonight willing to donate their time. Please take this into consideration.

John Lesser thanked the Planning Commission for allowing him the opportunity to speak. Most of what he’d wanted to say had already been said. In summary, he stated that this rewrite is just plain bad planning. If it goes into effect it’s harmful. He stressed that people who know what’s going on should take a look at it, put somebody into it and do it right. There seems to be a lot of talk about the need for more recreation, people need more to do. Let’s have recreation in Kitsap County. This ordinance would be contrary to that.

Tom Hamilton, President of the Bremerton Track and Skeet Club and a member of the Poulsbo Sportsman Club, noted he is a Resident of Mason County and he was being allowed the opportunity to see what they have to look forward to when they get to their Comprehensive Plan process. It was noted that the only way the Poulsbo Sportsman
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Club found out about this issue and meeting was through the newspaper this weekend. He got on the internet and, with much difficulty and multiple phone calls to the Planning Office, found the pertinent pages which he had previously noted were 48 and 49 on the website. Mr. Hamilton added his support to the previous speakers, stating that he believed the proposed changes were short-sighted. There are a lot of different aspects related to shooting. They are a shot bearing club, which is a very big difference from a high powered club. Each one of these venues requires special attention. In looking at these changes, they’re very restrictive but not nearly detailed enough to cover the diverse areas involved in shooting. Additionally, the Planning Commission should look at the benefit to the existing clubs and to the community on safe courses. Mr. Hamilton urged the Planning Commission to really look at these proposed changes and allow all those who had offered to volunteer their time to participate and help with any questions the Planning Commission might have.

Merton Cooper expressed appreciation for the Planning Commission for putting in their time. He was another one on the original Committee that was ignored. The County came back with new stuff, ignoring what the Committee had to say. In reading this, it’s just as bad as the original. In the original you could shoot on 10 acres, but nothing less. So one step to the side onto a one acre piece of property somehow made it no longer safe to shoot at the same target as had been done before that “one step.” The way this is written, if shooting were done on a private range as a guest, it was allowed. If, however, the property owner were paid any kind of fee, the property owner would have to meet the 40 acre, 15% usage requirements. Somebody doesn’t know what they’re doing. Additionally, the proposal states there can’t be any residence within 500 yards of the boundary of that 40 acres. If your range is on one side of that 40 acres, and the property is on the other side of that 40 acres, that’s nearly half a mile away from your range. But if the property is on the same side as the range, it would only be a quarter mile away. It doesn’t make sense. There is not requirement that the range be located in the center of the property; only a limitation regarding property boundaries. Mr. Cooper closed with the that the whole thing be thrown out with Staff and the Planning Commission starting over.

Peggy Lesser expressed her appreciation to the Planning Commission for listening to all the opinions. As a recreational shooter she wants and needs to be able to continue to recreationally shoot in Kitsap County where she lives. She objects to the proposals before the Planning Commission that would remove gun ranges from the list of what is defined as Private Recreational Facilities. That is precisely what a gun range is, a Private Recreational Facility and it should be treated as such. The same standards should apply as facilities such as amusement parks and race tracks. They produce noise and are regulated as private recreational facilities, as should gun ranges. By defining them and establishing gun ranges as a special item in the proposed Rural Use Table, gun ranges will be subjected to nearly impossible conditions. Gun ranges would not be able to meet those conditions and it is highly likely that the ultimate result would be the disappearance of all gun facilities from Kitsap County. That is an unacceptable result and the Planning Commission should not allow that to happen. Our local government officials should be promoting recreational facilities. People are taxed in many ways just for that purpose. Private Recreational Facilities should not be regulated out of this district. Ms. Lesser closed by urging the Planning Commission to reject the proposed
changes and protect gun ranges, recommending that the matter be taken back to the
drawing board and done right.

Jack Hamilton expressed appreciation to the Planning Commission for their services.
With 52 pages and only 3 minutes to comment, fortunately most of the people had
already taken care of a lot of his issues. Historically, this country started out with this
stuff called zoning to keep the slaughter houses and livery stables out of the center of
our towns. Then it led to some social decisions, such as not putting saloons next to the
school houses. Then moving Houses of Ill Repute away from churches. We’ve come a
long way since then. Here we are, with these changes, talking about establishing how
far a church has to be away from a street because it’s in what is defined as a rural area
as opposed to an urban area. We talk about things like accessory dwelling units or
guest quarters, where we worry about whether they have kitchens and outside doors.
We talk about residential hotels and wonder what they are. We talk about rural inns
and determine what they will be. We talk about home daycare centers and put such
restrictions on them that you can’t have home daycare centers in Orchard Creeks or
Poulsbo Place; you just can’t do it. The real bottom line is that what we’re doing is
we’re allowing Staffs of Professional Urban Planners to take over control of what we do
as Citizens. The concept of nonconforming lots is arbitrary and political in nature.
Once you make that decision, you deprive that owner of that property for their
enjoyable use. In reality it’s a tremendous restriction on the freedom of that individual.
That’s not what we have elected officials for. They’re supposed to protect individual
rights. They hired you, the Planning Commission, to help them understand how to do
that. Mr. Hamilton closed by asking that the Planning Commission look at that
primary constitutional responsibility to protect individual rights before moving forward
on any of the proposed items. It’s circular logic with no technical evidence to support
any of these changes, with a whole bunch of them not making any sense at all.

Lary Coppola, Chair, noted that before Michael Svard came up, there were a couple of
people who asked if it was too late to sign up to speak. This topic had originally been
limited to 8:00, but there were three other people asking to speak. One had already
spoken but didn’t understand that this was not limited to the gun range issue. It was,
therefore, decided that they would be allowed to speak, with the request that they keep
their comments as brief as possible in order to stay on schedule.

Michael Svard expressed his appreciation to the Planning Commission for the
volunteered time and the hard work they have done on behalf of Kitsap County. He
would also like to challenge the paid staff of Kitsap County to a couple of things.
Having lived in the area for 26 years, and being a Real Estate Broker for 14 years he had
attending multiple public meetings over the years. It seems like it’s constantly a game
of take away with the Planning Staff of Kitsap County. They work 40 hours, come up
with a way to take away something else the Citizens like and enjoy, then schedule a
public hearing. Mr. Svard challenged the Planning Staff to come up with a way to plan
something that gives the citizens more freedom, opportunity and more business
opportunities in Kitsap County.

Mr. Svard further stated that regarding accessory dwelling units, they were created
under the Growth Management Act as a way to give property owners something back
after their lands were down-zoned; basically a little bone in the bowl. It’s probably the only part of the Growth Management Act that, in his opinion, might work. The rest of the Growth Management Act has had some major problems with regard to affordable housing, being a complete and utter failure in Kitsap County. Creation of accessory dwelling units currently is the most affordable way to create housing units in Kitsap County. Housing Units are created for family members, disabled parents, older children, transitional housing for teenagers and senior housing, temporary housing and guest housing. It also helps neighbors who are in the process of divorcing or just down on their luck. That’s a pretty major social good that citizens of Kitsap County spend a lot of subsidized dollars on. Those accessory dwelling units help out without any government subsidies. Accessory dwelling units help property owners pay their property taxes and mortgages. They compensate for the Growth Management Act down-zone that happened in 1998. They keep families living, working and staying together. Accessory dwelling units also help in the case of healthcare, to have live-in or live-by health care for those that are older. Accessory dwelling units help the folks who live in them to reside in safe and secure residential areas, rather than higher crime areas that may be “more affordable.” They help young folks get started and help the older folks transition from a housing unit possibly to an assisted living facility. Accessory dwelling units help to integrate our community at all income levels and cost taxpayers nothing. Mr. Svard urged the Planning Commission to keep the accessory dwelling unit zoning in the current Comprehensive Plan.

Sue Schroader, Project Manager with the Urban Project Group, Pope Resources, Real Estate Development Division, noted that on May 19, 2003 she sent a 4-page letter stating some of the suggested code amendment additions and objections. As a member and owner of the Historic side of Port Gamble, Pope Resources represents the largest land owner attending the meeting. She did not want to discuss some of the issues that would likely be moved to next year’s agenda, preferring to cover some of the objections that were passed to them. In a site plan review, Section 17.10.02, requires a technical expert, as needed, to support an administrative decision or recommendation to the Hearings Examiner with the cost to be paid by the applicant as a supplemental application fee. Pope Resources noted their objection to this ordinance, noting that site plan review fees are excessive in their own right. Additionally, Staff should be trained to make the decisions based on existing Code. If an administrative decision or recommendation to the Hearings Examiner needs to be supported by a third party report, the Director should first be required to ensure there is a valid objection before entertaining any expense. Should an objection be deemed to have potential validity, any objection should tried to be handled in-house first. If all else fails, the Director can request a third party report and offer up an estimate to the applicant regarding the cost. The applicant should be given 30 days to respond. If the Hearings Examiner requests a third party review from a technical expert due an inability to provide the information in-house, the County should then absorb the cost of this in-house request or, at a minim, share the expense with the applicant 50/50.

Ms. Schroader additionally noted signage criteria in Section 17.44.550 relating to several businesses that share a common access be required to share signage. Pope Resources noted their objection to this, as well, as it does not address the one-ownership, one-site issue of Port Gamble. The 100 remaining sites, for example, are
owned and managed by Pope Resources. The entire site has applied for approximately six parcel numbers, but is not platted. Several businesses share common access with the site. Each business is unique and needs independent signage. Ms. Schroader, on Pope Resources behalf, requested that this section have an exception added at the end relating to the National Historic District of Port Gamble due to the nature of the one owner port-side property. They requested that multiple signage may be granted upon review and approval by the Director in accordance with the Port Gamble Zoning Code Chapter 321-B-080.

Matt Ryan, from Brownsville, although there is an established process for adopting Comprehensive Plans, they are sugar coated Comprehensive Plans that were slowly built with draconian changes which is reflected in the final materials. The reality of the State law is clear. Nonconforming uses shall be phased out. If people can't create new homes on these nonconforming lots or modify existing accessory dwelling units, we are creating tremendous problems for the property owners. With regard to the shooting ranges, if the criteria is adopted as presented, future plans such as those of the Kitsap Rifle and Revolver, which would make a wonderful range, would be damaged. When I was in office, people at the Bremerton Landfill considered a range up by the airport that never went through. With regard to the accessory dwelling units, the more road blocks we put in the way of families, the higher the cost will be to government. We are approaching an aging baby boom generation which will strain our resources. You don't have to be 75 to require assistance with your care; 40% of applicants for long-term care are 65, 30% are under 18. It could be a daredevil teenager who snowboards into a tree. The odds are better than 2:1 that your parents may require assistance. Only 20% of long-term care is in institutional settings. This means it will be in homes, which means potential accessory dwelling units. Mr. Ryan noted his hope that the Planning Commission would throw this thing out.

Doug Kitchens, speaking again, noted that in a third party review, as he understood it, an applicant submits an application for a permit to the County Staff. The County Staff, as the experts and professionals, make the determination as to whether or not that application is valid under existing Ordinance. If for some reason there is a dispute over that, it goes to the Hearings Examiner. Staff now wants the applicant to pay for them to defend their position against the applicant. The applicant should not have to pay. The Staff should be able to support their position, if not, the County should pay for it, not the applicant.

Lary Coppola, Chair, closed the Public Testimony portion of this proceeding. Written testimony would be accepted by the Department of Community Development up until June 17, 2003 at 4:30 p.m. Any questions on that procedure were directed to the members of the Staff.

Public Hearing on Kitsap County Emergency Flood Ordinance.

Renee Beam began the discussion, noting they had looked over the comments made at the last hearing. There were some copier problems resulting in poor quality copies with Renee indicating more legible copies would be made available to the Planning Commission.
Renee Beam noted the highlighted areas indicated language added to the format document to make it more comparable to County Code. In other words, language added specifically by the Prosecuting Attorney could be used in the Code. Highlighted and underlined areas indicated changes from the existing language from Chapter 15, made to be consistent with the Model Ordinance. Staff was attempting to bring Kitsap County documentation into compliance with the State Flood Code or Model Ordinance. Strikeouts and changes were necessary to bring the existing code into compliance and to be consistent with other county codes, such as the Zoning Code, etc. The underlined new language came directly from working with the Model Ordinance and other codes.

It was stressed, again, that all these changes were an attempt to make all of these consistent under the County Code Book. With the specific comments received on May 20, 2003 at the Work Study Session, Renee Beam first noted her appreciation for Mike Gustavson’s comments. She noted he was right when discussing not exceeding 50% of fair market value; it had since been requested that that wording be deleted. For further reference, basically Staff was attempting to make this Ordinance consistent with the other Codes that are looked to. When discussing the issue of 50% of fair market value, the only guidance that the County Staff was given was the Assessor’s Records. The State Shoreline Management Act specifies use of the Assessor’s Records if there is a loss. That’s all they had to use and that is where that came from.

In keeping with the comments made under that Section, as outlined in her memo, the section that the Planning Commission was most concerned with under #1, Section 15-12-090 comes straight from the Model Ordinance. It was specifically one of the sections where Kitsap County was probably most out of compliance. That’s why it’s worded the way it is. There was a specific section addressed in the memo, Page 11, Paragraph 2, of the original Ordinance, basically addressing what were substantial improvements, to be consistent with Codes that dealt with new residences.

The next Section, Item 2, Page 11, relating to Coastal High Tidal language was within the existing flood ordinance, using the term tidal surges. In comments from Commissioner Gustavson, there was references to tsunamis, etc. This area does not have that type of situation a lot. There are, however, tidal surges from very northerly storms with a low pressure zone and a very strong north wind. That would equate, basically, with that same thing as a high velocity water or tidal surge. There are actual definition as to what a tidal elevation has to be in order to be considered a tidal surge. However, during her tenure there have been storms that would be considered to have caused damage as tidal surges and it is, therefore, Staff’s suggestion that it remain unchanged.

With regard to the other three comments on 15.12.1303 relating to construction in reach of high tide, there was concern as to how this would relate to over the water structures, such as ones mentioned that do not fall within the national flood insurance program. Mike Gustavson stated they were prohibiting all new construction. Renee Beam clarified that it related only to construction over the water. Mike Gustavson stated that was not how it read, with Renee agreeing to attempt to adjust the wording for better clarification, noting that Staff was limited in their options as they were trying
to comply with a national standard. Mike Gustavson noted the word “prohibit” was of particular concern to him.

There was some concern with Item 4 concerning the term “sand dunes.” Again, they’re referring to B zones, which are very rare. She did, however, find some examples along coastal areas that are subject to severe flooding hazards. While there is no definition of sand dune, she would certainly equate this to a situation where this would be looked at as a beach berm. There have been serious complications with the berms actually being breached. Staff would attempt to find a way to clarify the language, looking at beach berms as relating to sand dunes. Renee noted she would check with the Department of Ecology, anticipating that they would accept the interpretation of beach berms relating to sand dunes.

Lastly, Staff spoke with the Planning Commissioners about the variance section. Staff had looked at it closely and agreed that it would probably be best to eliminate that entire section, which has been done in the Emergency Flood Control Ordinance. What they have done is addressed this through the Procedures Ordinance, leaving in the special criteria that addresses specific flood variances. Items A through K are left within, addressing specifically those issues that are pertinent. With that, Staff asked the Planning Commission consider their comments and responses. Perhaps they could look at them in greater detail, scheduling a later date for further discussion and/or adoption.

Lary Coppola, Chair, asked if there were any questions for the Planning Commission.

John Ahl wanted to know if there was any Public testimony. There was one person signed up, William M. Palmer. Lary Coppola, Chair, noted that the same three minute limitation applied.

William M. Palmer stated it would be very helpful if they had the entire ordinance presented along with the proposed amendments. Reference was made to the AO or AH sections, with no way to see what was in the existing ordinance. It was difficult to relate without that existing Ordinance to compare to the proposed amendments. Mr. Palmer, therefore, asked that, if there is another Public Hearing, Staff provide the Amendments with the existing ordinance.

Mr. Palmer noted he would like to note Section 2, retitled 15.04.050 stated, “violation of any provision of this Chapter shall constitute a Class 1 Civil Infraction...” It goes on to say that, “failure to elevate at least 2 feet above highest basis grade in these zones may result in higher insurance rates.” If you fail to do it and you get higher insurance rates, do you also get a civil penalty? This may be an issue that needs clarification or may be clarified if the entire ordinance were available. Mr. Palmer objected to the amendments on Page 10 Section 15.12.120 where it says construction or reconstruction of residential structures is prohibited in designated flood plains except for repairs. That whole section should be struck out with no notable problems in the original language. Mr. Palmer ended his comments by saying he doesn’t know if there has been a technical advisory group supervising the preparation of these ordinance amendments or not. Hopefully there was and, if so, he would like to have seen their report. If not,
Staff should take a step back and a Technical Advisory Group should be created with a report from such a group made part of Staff’s consideration before any proposed ordinance is ever adopted. It was his recommendation that the proposed Ordinance back for further review.

Richard Brown expressed his sorrow that the word “emergency” seemed to mean “let’s ram it through as fast as we possibly can with as little notice as possible.” If you have land that can’t be covered by wetlands, it’s almost assured it’s on the current assessment to be covered by the flood ordinance. This should be sent back for a Citizen Committee to look at it and figure out exactly where it goes. Mr. Brown noted that he saw no reason why sand dunes on his property should be noted in there and expressed a distrust for Staff on this issue.

Lary Coppola, Chair, noted nobody else had signed up to testify. Public hearing was closed with written testimony submitted to the Department of Community Development no later than June 17, 2003 at 4:30 p.m.

Before proceeding to the next agenda item, Renee Beam noted Staff had the entire Flood Ordinance available and would be more than happy to provide it to interested parties. Additionally she asked that everyone recall that their attempt was to bring County Ordinance into compliance with the State Ordinance.

BREAK (8:30 – 8:35 p.m.)

Laura Ditmer began the discussion by noting that they had completed the first part of the 2003 Comprehensive Plan Amendments. Staff would be presenting the three Sub-Area Plans: the South Kitsap Industrial Area, Kingston and South Kitsap Urban Growth Area ULID #6. Staff expected to receive oral testimony on those Sub-Area Plans and then deliberating on Findings of Fact. Following that, Staff would present the policy document with the intent for revisions, then go into a LAMIRD discussion and a brief overview of that.

Lary Coppola, Chair, noted at this point everyone could ask the Planning Commissioners, prior to going forward with the Sub-Area Plan recommendations, if there were any public disclosures that they needed to make.

John Taylor noted that he would recuse himself due to lack of involvement. Lary Coppola, Chair, also recused himself from Kingston and ULID #6. Regarding Kingston he serves on the Board of the Economic Development Council with John Rose of the Olympic Property Group who is involved in part of that, even though their property does not appear to come into this at all. He was recusing himself to ensure there was no apparent conflict of interest. Regarding ULID #6 he also serves on the Board of the Kitsap Regional Economic Development Council with Linda Niebanck at McCormick Land Company and McCormick Land Company and McCormick Woods are past clients of his business. Again, he does not want there to be any apparent conflict of interest.
With that, going forward, Lary Coppola, Chair, asked if anybody in the audience had concerns with any of the other Planning Commissioners who might recuse themselves. With no objections, Lary Coppola, Chair, noted they could move forward.

Comprehensive Plan Amendments (Part I) **Sub-Area Plan Review** - **Kingston**

Shannon Bauman, Department of Community Development, provided a brief overview prior to receiving Public Testimony. The Findings of Fact were provided for the Kingston Sub-Area Plan and integrated land. The Planning Commission had held two Public Hearings to review the Plan and Public Testimony. On May 6, 2003 the Planning Commission voted to approve and forward Alternative B contained in the Draft Sub-Area Plan supplemental environmental impact statement, and Findings/Recommendations with Alternative B forwarded to the Board of County Commissioners. In addition they had recommended adopting the population allocation of 2004 Alternative B for the Kingston Sub-Area Plan.

Lary Coppola, Chair, asked if anyone had any questions for Shannon Bauman. With no questions, the meeting was opened to Public Testimony.

Walt Elliott set up a display to address the transportation element. He asked that, before forwarding this plan to the Board of County Commissioners, the Planning Commission recognize the need for further study of the transportation situation and allow for further planning. The first page of his presentation showed roads coming out of the Kingston Urban Growth Area as they exist today, with Mr. Elliott noting they are limited and trapped by intersections with traffic convergence. The Kingston Plan plays off a study along this road. At that level, certain standards, on which there was testimony at the first hearing, it was recommended to the County that Staff decided to improve the intersections which trap convergence so that the Urban Growth Area could handle the growth. There’s good news and bad news. The intersections were in fact studied by North Kitsap School District. The bad news is that there is a problem. A study was performed through 2012, on intersections affected by the schools, with the level of standards graded A through F with the County’s level of acceptance being C. Here are the levels (indicated on map): B, F, C. Some were not included because they were not affected by school buses. There are limitations associated with the School Study. They expect a build out at High Horse at 40% and Arborwood at 35%; instead of the 2017 anticipated growth of 100%. The School Study also did not factor in summer traffic increases, ferry lines and other related traffic. The point made was that this is a complex situation which could get a lot worse, or it could be better. The information is at least worth consideration. Mr. Elliott stated his belief that there was enough objective information now to recommend to the Board of County Commissioners that this be looked into. They have been urged to save the environment and there are issues that can affect that; it is important to identify these issues. One road goes through a salt marsh and can’t be readily expanded. Another potential road for expansion would have to go through other critical areas. Time is needed to solve these problems. He urged the Planning Commission to recommend that the Board of County Commissioners give the matter further study.
Mike Gustavson asked if Mr. Elliott was recommending holding up the Kingston plan or that they recommend traffic be reviewed. Walt Elliott recommended that the plan be forwarded to the Board of County Commissioners with the recommendation that this issue be looked at in greater detail so far as public facilities, such as transportation. Not that the plan be completely held up.

Lary Coppola, Chair, verified there were no other questions.

Barney Kim was signed up as the next speaker but did not come forward. Lary Coppola, Chair, asked if there was anyone else who would like to testify on the Kingston Sub-Area Plan. There were none.

Lary Coppola, Chair, closed further Public Testimony. He then asked the Planning Commission if they wished to adopt the plan intact with Findings and Recommendations or take no action at this time.

Tom Nevins moved that the Planning Commission move forward with the Findings of Fact. William Matchett seconded. Lary Coppola, Chair, verified there was no further discussion from the Planning Commission.

Vote: Aye: 7; Nay: 0, Abstained: 2. Motion carried.

Comprehensive Plan Amendments (Part I) Sub-Area Plan/Implementing Regulations Package: Review and Decision the South Kitsap Industrial Area

Darryl Piercy, Department of Community Development, provided a brief overview. The issue before you for consideration on this element of the amendments to the Comprehensive Plan is the Sub-Area Plan and implementing regulations for the South Kitsap Industrial Area. While recently reviewing the documentation for this Sub-Area Plan, including this evening, it was noted that there had been fourteen instances in which this matter had been before the Planning Commission and received Public Testimony or work-study sessions. It is perhaps one of the longest studied areas within the entire Kitsap County process. It has been an ongoing process for well over two years, probably more like five. It represents a tremendous effort on the part of property owners, the community and Staff to put together a package that is both innovative and progressive in terms of promoting economic development, while taking into account the need to protect critical areas, watersheds and downstream issues affected in this area. Over the course of the last several years, there have been tremendous amounts of testimony regarding the importance of economic development in Kitsap County and the role that this Sub-Area Plan will play. Staff has worked with both the City jurisdictions of Port Orchard and Bremerton in developing adequate water and sewer services and other constructive uses for this Sub-Area Plan. In short, this plan represents the ideal in terms of public representation, in terms of the process and also in terms of outcome. It represents a big step forward in the process of economic development and the ability to expedite through many processes through the outlying development areas under consideration for adoption. Darryl Piercy urged the Planning Commission to forward
this particular proposal. He then offered to answer any questions the Planning Commission might have.

Lary Coppola, Chair, asked if there were any questions. None were received and Public Testimony began.

Delpha O. Jordan was signed up to Testify, but did not come forward.

Linda Niebanck chose not to Testify at this time.

Lary Coppola, Chair, asked if there was anyone who wanted to discuss the South Kitsap Industrial Area at this time. There was no Public Testimony. The Public portion of the Hearing was closed.

Lary Coppola, Chair, asked the Planning Commission how they would like to proceed. He noted that they could entertain motions to move forward with the rules and regulations as Findings of Fact or to take no action.

Monty Mahan moved that they forward the South Kitsap Industrial Area Sub-Area Plan to the Board of County Commissioners. Mike Gustavson seconded the motion.

Lary Coppola, Chair, asked if there was any discussion. Mike Gustavson noted that they had discussed at a work-study on deleting the word “recommendation” on Page 5. These are not recommendations and using that word is not appropriate. Lary Coppola, Chair, asked if there were any further comments.

Darryl Piercy noted if the proposed amendments by the Planning Commission were included in the amendments with the elements of discussions from the work-study, they had been included in the final document. For example the numbering issue that were brought forward as part of that discussion, as well as some of the other clean up efforts. Those were included as modifications requested by the Planning Commission in the work study of today. Staff would make corrections to those items and have the documents prepared for their signature.

Lary Coppola, Chair, verified there was no further discussion and proceeded to a vote.

Vote: Aye: 7; Nay: 0, Abstained: 2. Motion carried.


Laura Ditmer, Department of Community Development, noted that January 2003, Staff had forwarded Findings of Fact and Recommendations from the Planning Commission. In April 2003 the Board of County Commissioners sent back to Staff their request to modify the Sub-Area Plan. Over the course of the last year, Staff had been working on developing a plan that seeks to further address developing an Urban Village Center, mixed use, town center, coordination of open space, trails,
transportation and housing. Over the past 2-3 months, Staff had brought the Sub-Area Plan and implementing development regulations before the Planning Commission. The Planning Commission was now being asked to consider the Findings of Fact and recommendations, as well as to allow for one last time, Public Testimony on the Sub-Area Plan.

Lary Coppola, Chair, opened the Public Testimony part of the proceedings.

Jerry Harless noted he had been involved in the process over the past two years. This Sub-Area Plan includes an expansion of the Urban Growth Area and contradicts several provisions of the Growth Management Act and is a contradiction of countywide development planning policies. It was not legal before, it is not legal today. He would request that the Planning Commission recommend denial of the Sub-Area Plan to the Board of County Commissioners until they can ensure they are in compliance with their own regulations and those of the State.

Linda Neebank, McCormick Land Company, provided maps showing various areas of the Urban Growth Area and Kitsap County. She noted that in 1994 Comprehensive Plan for Kitsap County designated this area urban, ULID #6, McCormick Woods, McCormick North and McCormick West and it extended all the way from Bremerton, around through Gorst to the east side of Port Orchard. That plan was subsequently invalidated. In 1995 the County adopted and voted bonds for a sewer, acknowledging the long range intent to have this be an urban area. That sewer was built and was in place, serving McCormick Woods, McCormick North and McCormick West. The 1996 plan for Kitsap County designed this area as the entire ULID #6 area, McCormick Woods, McCormick North and McCormick West as urban. That plan was later invalidated. The 1998 plan designated McCormick Woods and McCormick North as urban and designated McCormick West as Urban Reserve with Urban Joint Planning areas to resolve specific issues of government, environment protection, etc. That plan was appealed to Growth Management Hearings Board, who denied the appeal. They stated this is an urban area, a valid urban area. It is not an island, it is not sprawl, and it is supported by sewer and water with provisions available for urban services. The 1999 Comprehensive Plan, which was the amended plan, resulting from the Hearings Board decision, corrected the finding and established this process that has been going on since 1999. The Planning Commission made recommendations in the last quarter of 2001, to the Board of County Commissioners with their decision made in April 2002, adopting the preferred alternative and modified it. They reclassified it as Urban Village Center, really a distinct place and location. Staff and the Planning Commission have reviewed, modified and repaired, working with Department of Community Development and the Steering Committee for a number of months, and have established those for a few more uses, including Urban Cluster, Residential Zone, Mixed Use Zone and a special zone of Urban Village Center. The result is a plan for an Urban Growth Area in the unincorporated area of Kitsap County area, maybe adjacent to Bremerton and near the City of Port Orchard. It is bounded by the east and on the west by Rural Residential Lands and so it is preserved and cannot be expanded. It is further preserved with a line on the south and west side by an action of Kitsap County establishing a 2000 acre park and open space system so there can’t be any sprawl beyond the edges of this contained urban community. This is a wonderful opportunity
and wonderful example of what can happen when the County has a forward vision and when there is an opportunity to work with land that can accommodate projected growth in Kitsap County.

Lary Coppola, Chair, asked if there was anyone else who would like to speak. There were none and he closed this portion of the Public Hearing.

John Ahl moved that Planning Commission recommend approval of the Findings of Fact, including recommendations of the Planning Commission to the Kitsap County Board of County Commissioners documented to be looked at dated June 2003 with the following specific changes.

On Page 5: Paragraph 24, change the year to 2003. Paragraph 26 Line 3, delete the word “more” at the end of the line. Paragraph 26, Lines 4, 5, and 6 delete the word “greater.” The last sentence would be “proposed sub area plan... as set forth...” the last of that paragraph should be deleted. Paragraph 27, the wording “promotes public interest and welfare of the citizens of Kitsap County” should be deleted. The entire sentence should be deleted “The Planning Commission finds that the proposed code ordinance... to be consistent with the Sub-Area Plan and should be approved. Paragraph 28, eliminate the words “promotes public interest and welfare” and say should be approved.

Recommendation 1, five lines down, eliminate the word “the narrative text goals and policies” so that the sentence reads, “The Planning Commission nevertheless recommends approval of the proposed plan and Sub-Area Plan dated April 22, 2002.

William Matchett noted that on Page 26, seven lines down there is a period after infrastructure. Leave the rest of that sentence.

John Ahl also noted that also under Paragraph 28, move “effectively” to the end.

John Ahl noted that these had all been addressed in the work study sessions. Mike Gustavson noted that he missed Paragraph 6, Goals, should have been deleted.

Mike Gustavson seconded the motion.

John Ahl verified there was no further discussion by the Planning Commission.

Vote: Aye: 7; Nay: 0, Abstained: 2. Motion carried.

Comprehensive Plan Amendments (Part I) Policy Review relating to LAMIRDs

Jason Rice, Department of Community Development, provided a brief review as to what had occurred to date. This item was in Phase 1 of a 2 part process. Discussion will revolve around textual policy as proposed by Staff to the Planning Commission for consideration. The issues that they will be hearing testimony on deal with changes and
proposals for modifications to include updating information and removal of outdated information, as well as references to the Sub-Area Plans as discussed.

Polices relate to and are included in the Introduction Chapter, Language Chapter, Chapter 2, and Chapter 3 as discussed. This will also include additional policy revisions dealing with the discussion that Staff Members had with the Planning Commission at the last work study session that revolved around Interim Growth Forest plans and the result of community work and recommendations for policies in the Rural Resource Chapter. It will also include policy direction for managing these to identify county-owned parks and going down the initial docket, noting that copies were available to those who wished them.

Additionally, for consideration was the designation for a LAMIRD for the Corner of Highway 104 and Hansville road, known as George’s Corner, and for the intersection of Highway 3 and Pioneer Way in North Kitsap north of Poulsbo known as Pioneer Way and Community Industrial Park. Staff Reports have been produced for both and the initial document is available on the website for those who have access. Staff Reports are also available on the website relating to findings from Directions from the Board of County Commissioners based on 2001 Annual Amendment and Review Process directing Staff to consider two areas, one is rural development.

Staff has recommended approval of the George’s Corner LAMIRD based on the findings on the requested designation and there is an application with a site-specific request which is included. Staff is not recommending approving of a LAMIRD for the Pioneer Way intersection at this time. Staff requires further criteria direction with deferral policy discussions and processes. So at this time Jason noted he was turning the matter over to the Planning Commission to begin receiving Public Testimony.

Lary Coppola, Chair, opened the Public Hearing portion of the proceedings. Policy Revisions of the Docket Review. There was one person signed up to testify, Jerry Harless, with a reminder that the three minute time limit is still in effect.

Jerry Harless expressed his appreciation, once again, for the opportunity to express his views on this policy. The Department of Community Development has presented you with a document of minor text amendments. What they’re asking you to consider is limited rearrangement, which he referred to as “facing away from the iceberg.” This represented the clear statutory duty in Section 215 of the Growth Management Act to take corrective action in response to the manifest failure of the County’s Growth Management Act planning framework to achieve its principal objective. That principal objective is the accommodation of 5/6th of new urban growth in its cities and Urban Growth Areas and the remaining 1/6th in rural areas at rural densities. As you will read in the letter I have just handed you, less than half of the housing in population growth areas are actually being located in the cities and Urban Growth Areas. While the majority continue to sprawl into the rural areas eventually. Central Puget Sound Growth Management Hearings Board has condemned this urban sprawl in the previous century in Kitsap County. The Growth Management Act requires Kitsap County to encourage growth in Urban areas and to reduce sprawl. You’ll also read that the Growth Management Act specifically requires Kitsap County to adopt and implement
measures which are reasonably likely to ensure consistency with the Growth Management Act policy framework that was defined, encouraged and advanced on September 2, 2001. A reasonable person would conclude that in order to achieve results within this five year period, these changes need to be implement somewhere during the beginning of that period. Yet no action was proposed in the 2002 Plan Amendment Docket and no action is recorded today as part of the 2003 docket. A course correction was called for nearly two years ago, yet the helmsman continues to steer directly for the iceberg. My question to you is how does the County intend to address the manifest failure of the Growth Management Act planning framework and to prevent this sprawling pattern of growth in Kitsap County and comply with what is clearly what is within the State Law. As the Planning Commission, part of the responsibility resides with you. Are you content to renew the deck chair as a way out or do you have the courage to request a course change. The Growth Management Act accountability will ultimately be handed down by the Hearings Board, but it should begin right here.

Vivian Henderson noted that, as a member of Kitsap Alliance of Property Owners, she had not really had the opportunity to review the materials on this matter. She also noted that, when listening to testimony, that we’re supposed to contain sprawl and put people in the Urban Areas. She would like to remind the Planning Commission that many of the people are sprawled and she’s one of them. There may be a problem if the stance is that “it’s okay if I’m sprawled, but it’s not okay if you’re sprawled.” On Page 5, Item 4, Page 26, Urban Restricted, there is the reference to Urban Separators which has really created some problems with the Kitsap Regional Coordinating Council Greenbelt. Ms. Henderson noted it is private property, with the site to be maintained, retaining native vegetation. These are things that she is concerned with that stick out at her. Rural Character. Planner speak. It was noted that all of her comments would be provided in a clear, written format, but that she felt she needed to address them in person, as well. Page 7, Paragraph 4, covers Industrial Development in designated Industrial Areas stating they should consider greater setbacks. Why don’t we just use incentives; just quit trying to regulate everything to death. At the bottom of Page 7, it relates to housing. Don’t you think it’s a good idea that if you have a committee that included homebuilders and people that are knowledgeable about providing housing? Why was that struck? I think it’s weird that it’s being struck.

Ms. Henderson noted that she also wanted to bring something to the Planning Commission’s attention that they may not have seen. There is a lot of talk about endangered species and critical areas. There was a Press Release from May 28, 2003 from the U.S. Fish & Wildlife Service, Assistant Secretary of the Interior for Wildlife and Parks, Craig Manson. He said that the endangered species act is broken. That’s not news to a lot of us. He goes into the lawsuits and goes on to state that in most instances designation of critical habitat provides little additional protection for endangered species. It’s interesting that it should come from the Department of Fish & Wildlife. Does that mean that we shouldn’t protect critical areas? No, I don’t believe that and Kitsap Alliance of Property Owners doesn’t believe that. However, he goes on to say in almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitats. Kitsap Alliance of Property Owners has been saying that from the very beginning. Florida’s
Press Release states, “Starting this month, the Fish & Wildlife Service also began inserting new language into its critical habitat action plans that are published in the Federal Register that begins with a disclaimer.” The disclaimer states, “Designation of critical habitat provides little additional protection to species.” I would just like you to keep that in mind while you’re sitting there, letting Kitsap County take away more of our property rights.

Lary Coppola, Chair, asked if there was any one else who wanted to comment; there were none. He then stated that they were not going to close the Public Hearing but that they were going to continue it until July 1, 2003 at this same location and time.

Interim Rural Forests

Clyde Stricklin expressed his appreciation to the Planning Staff for everything they did to prepare the presentation. He noted there were a lot of people in attendance who were on the committee who may wish to speak. He stressed that the proposal was just to update the Comprehensive Plan with the progress made through a Citizen’s Committee. The status of the plan being that they were going to make a change and, as further review occurs with the Citizen’s Committee Group, they will update it so that language is included and updated as the Committee makes recommendations. The current recommendation is that they keep meeting in terms of Interim Growth Forests. Areas designated as Interim Rural Forests must provide for an incentive program providing for a density up to one dwelling unit per five acres. If you transfer those densities to the 75% as forestry activities, regulated by the Forest Practice Act. There are two additional policies. One encourages clusters using up to 25% in size. That would go through the rural design process to identify the design elements of those clusters. That process would reflect on other areas of planning, encouraging that this area also be included in that.

Lary Coppola, Chair, asked if there were any questions.

John Ahl asked if they were to expect a document to be heard as part of the Comprehensive Plan Amendment to reflect those recommendations?

Clyde Stricklin noted that the Planning Commission had the document which recommends the changes in the Comprehensive Plan, changes to the textual part and changes to existing policy in the plan. The document just referred to going through the process that they have begun. Clyde Stricklin further noted that, first they were going to make the policy changes that document the process where they were. He noted that one policy states “Kitsap County shall develop and implement an incentive program.” There will be a policy developed that can be worked with and developed.

John Ahl verified that the revisions were more stating what was going to be done, but not making any substantive changes at this time.

Clyde Stricklin noted that they were going to reflect the progress the Committee had made. They did not get into the substance of some of those issues. They did make extensive progress.
Tom Nevins was curious as to how many new building lots in the Interim Rural Forest would be created. Clyde Stricklin noted that they had done some rough estimates which would be defined by the Growth Management Act. According to the Hearings Board, one unit per five acres is the overall density that you can have. What the Committee and the Interim Rural Forest land owners and people that are concerned about it are wondering is how can you say that you will preserve the forestry activities to it’s best extent and use the other parts of the land to its best advantage and still keep the rural character. The concept that you can save 75% of the forest and develop some of the other areas as clustered developments if you cluster those developments with buffers that would be specially designed. The issue of how that would be accomplished is part of the ongoing discussion. There is the possibility that it could be done and that is as far as the discussion has progressed. The Commission will allow you to come forward with some models to look at and actually try to implement them, but that’s as far as it has gone.

Tom Nevins noted that he was trying to picture a parcel with 40 acres, zoned where it’s one house per 20 acres, allowing two lots. With the incentive program, would they then be allowed to have five units if they left 75% as forestry, clustering the five units.

Clyde Stricklin noted that was correct. The units would have to be moved around on the property to ensure that 75% was left as forestry; not necessarily just open space, but as forest. The purpose of the Interim Rural Forest designation supports the continued growth of forests. The owner or developer would have to figure out a way, based on knowledge of the site, to design it so that the clusters could be in the designated area, leaving out wetlands, critical areas and those areas, using those as part of the design and leaving interim growth buffers between the clusters and other adjacent parcels of other clusters. As far as the Committee was able to get, there are a lot of other issues that need to be addressed.

Mike Gustavson asked for clarification if the buffer came out of the area allowed for the housing or the 75% allowed for the Interim Rural Forest. Clyde Stricklin noted that it was either; it was a design issue. It would have to be dealt with on each individual application. The starting point is 75% which may or may not include the buffer depending on the design. The buffers would be to keep a rural environment, where houses aren’t looking right into each other’s backyard; so that’s part of the concept. A number of other areas where there was concern were shoreline issues; how to deal with those areas. Can you get greater densities? Can you transfer those densities from Interim Rural Forest areas to other properties into Urban areas where they could help meet density requirements? There is some density that you could transfer to some other areas. There is a lot more that has to be done to work out those other issues. In the short amount of time allowed thus far, they have come up with one dwelling unit on 20 acres as a good base. That was a significant finding. One dwelling unit on five acres was good for transfers and for developing certain pieces of the property to keep it at the rural density. After that you do have to go over site specifics or design issues before you can work it out further. Each property will need to be addressed individually.

Lary Coppola, Chair, asked if there were any other questions.
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Deborah Flynn noted the Policy says the length of the current plan is 20 years. What will occur when the 20 years are up? Clyde Stricklin noted that basically they would review the issues. The concept was whether the land be preserved in perpetuity, allowed to be reviewed by Forestry, or how often do you want to revisit this issue. You’re required to look at Planning every ten years; required to look at Urban Growth Areas every five years. If you lock these areas up forever, you don’t have anyplace else. The 20 year review ensures against locking up 54,000 acres in perpetuity with leaseholds or agreements or deed restrictions.

Lary Coppola, Chair, asked if there were any other questions. The Public Testimony portion was opened with the comment that there were five people scheduled to testify and five minutes left before the Hall needed to vacated.

Rod Reid, Alpine Evergreen, expressed his appreciation. He had been in front of the Planning Commission before, trying to get this issue solved for a long time. It’s been five years, and he noted he would specifically ignore the past because they were here now and that’s what counted. As part of the Interim Rural Forest Committee, although there were only a few meetings, there was some real group work done. Everything came out and there were some tremendous ideas. They had reached 100% consensus as much as they could with a lot of opinions had been set forth that could be good ideas. Having attended the Work Study before this Public Hearing he was aware that the Planning Commission had received the Consultant’s Report, a letter from Alpine Evergreen with eleven different people signing off on it, a letter from Tom Donnelly with five signers and the Staff proposal on the amendments. He would like the Planning Commission to consider the following business. This is not about developing rural land. It’s about saving marginal forest land for as long as we can. Think about the old saying, “is the glass half full or half empty?” In this case the glass is 75% full, not 25%. If you do nothing, what will happen? If those people that own this marginal forest land have to sell their property for some reason, they might have to sell some off, it will be that one dwelling unit per twenty acres. That is a poor use of land. Are we really protecting the resource if we sell of 20 acre tracts? The answer, in his opinion, is no. The Planning Commission has all the information that they need to make a decision. There is no more information needed. They haven’t had the information long for review, but they have all the information they need. He gave his permission for them to make that recommendation based on the information they already had.

Lary Coppola, Chair, noted that the hearing was being continued to July 1, 2003 and asked if there was anyone on the signup sheet that would be willing to defer until that date.

Vivian Henderson noted she could be very brief and made the statement, “Ditto.”

Harvey Hubert noted he was a small land owner and also a member of the Committee. He wanted to say that all the information was already in front of the Planning Commission and he would certainly agree if they would proceed with it. The matter had been going on since 1998. He recommended approval.
Bill Lynn wanted to provide a handout related to the matter and wanted to make some brief comments before the July 1, 2003 meeting. He noted that he represented Manke Lumber Company which owns the majority of the Interim Rural Forest Designation shoreline properties in Kitsap County. They would encourage the Planning Commission to consider something contemplated with the 1990 plan. That is to have a subcategory of incentives that specifically apply to shorelines for the specific purpose of encouraging preservation of shorelines. What they are proposing to the Planning Commission and to the Committee is a modification of the Rural Interim Growth Forest incentive program that follows seven of the nine criteria for planning in all the wooded areas. With a twist that applies exclusively to the shoreline Interim Rural Forest properties because in the Rural Wooded Incentive Program the owner can choose which portion of the land be set aside for forestry. The needs of the shoreline in Kitsap County are going to dictate which areas are going to be preserved for the shoreline areas; the area immediately adjacent to the shoreline. It takes up the entire scope of the shoreline, plus another buffer equal to the height plus 33% of the height which is a substantial area. What makes it unusual is that you’re telling the landowner to set aside the most valuable and expensive part of their land that would obviously be used and that would offer direct shoreline access. Because of that their shoreline recommendation was urged, with approval of the Wood Support with a slightly higher density incentive. The last point was that the Committee never reached a decision for the sole reason that they ran out of time, which they have done tonight. They were literally kicked out of the room. And there was no place to continue the discussion. But it is certainly an idea that the Board of County Commissioners felt worthy of discussion back in 1998 and they would like to continue that discussion.

Laura Overton Johannes deferred her opportunity to speak until the next Public Hearing on July 1, 2003.

Lary Coppola, Chair, thanked the speakers and noted that they would be reconvening the Public Hearing on July 1, 2003 at 6:30 p.m. at the same location.

Lary Coppola, Chair, noted there was one area left that nobody had signed up to discuss. That is LAMIRDs. Jason Rice had previous covered that issue. Lary Coppola, Chair, asked if there was any further action needed on that. There were no questions or comments and the matter was deferred to July 1, 2003.

Mark Flynn moved that the meeting adjourned with John Taylor seconding the motion.

9:30 P.M.

No further discussion being heard, the meeting was adjourned.

DOCUMENTS ADDRESSED AT MEETING

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A. Art Castle Email dated June 3, 2003 re: Item #33, Prohibit Accessory Dwelling Units on Non-Conforming Lots Outside the Urban Growth Area.


C. Kitsap Alliance of Property Owners Review of Kitsap County’s Development Code Amendments May 6, 2003 relating to the June 3, 2003 Public Hearing

D. Letter from William H. Palmer, Consultant, re: Proposed Ordinance Amendments Allowing Auto-Related Uses In Neighborhood Commercial Zone

E. Arvan D. Reese II, Undated Letter relating to Gun Related Ordinances

F. Matt Ryan Testimony, undated


H. William T. Lynn letter dated June 3, 2003 re: Interim Growth Forest Designation

I. Email dated 6/3/03 to Clyde Stricklin from Ted Labbe re: Interim Growth Forest

MINUTES approved this __________ day of ____________________, 2003.

________________________________________
Lary Coppola, Chair

________________________________________
Planning Commission Secretary