M I N U T E S
KITSAP COUNTY PLANNING COMMISSION
August 5, 2003


9:04 A.M.

Meeting Called to Order – Introductions and Agenda Review.

- Approval of Minutes as corrected from February 25, March 4, March 25, May 6, May 20, June 3 (Work Study), June 3 (Public Hearing) and June 17, 2003.

William Matchett noted that the minutes for June 3, 2003, could not be approved at this time as they were still under review with corrections pending.

A motion was made by William Matchett and seconded by Monty Mahan that the Planning Commission approve the Minutes of February 25, 2003, as corrected. Vote: Aye: 7, Abstained: 2 (John Taylor and Deborah Flynn). Motion carried.

A motion was made by William Matchett and seconded by Monty Mahan that the Planning Commission approve the Minutes of March 4, 2003, as corrected. Vote: Aye: 7, Abstained: 2 (John Taylor and Mike Gustavson). Motion carried.

A motion was made by Deborah Flynn and seconded by Monty Mahan that the Planning Commission approve the Minutes of March 25, 2003, as corrected. Vote: Aye: 7, Abstained: 2 (John Taylor and William Matchett). Motion carried.

A motion was made by William Matchett and seconded by Monty Mahan that the Planning Commission approve the Minutes of May 6, 2003, as corrected. Vote: Aye: 6, Abstained: 3 (John Taylor, Lary Coppola, Chair, and Mark Flynn). Motion carried.

A motion was made by William Matchett and seconded by Monty Mahan that the Planning Commission approve the Minutes of May 20, 2003, as corrected. Vote: Aye: 8, Abstained: 1 (Lary Coppola). Motion carried.
A motion was made by William Matchett and seconded by Monty Mahan that the Planning Commission approve the Minutes of June 17, 2003, as corrected. Vote: Aye: 6, Abstained: 3 (William Matchett, Monty Mahan, Deborah Flynn). Motion carried.

Planning Commission Meeting Minutes - Not on Agenda – Potential Summarizing of Meeting Minutes

Laura Ditmer advised the Planning Commission that she would be providing samples of summarized meeting minutes for their review and discussion at the August 19, 2003 meeting. The current, longer format was taking 2-3 days to transcribe and provided unnecessary detail. Summarized minutes, in conjunction with recordings of the meeting, would meet any legal requirements. The recordings could be utilized should verbatim testimony be required. A variety of options would be provided for the Planning Commission to consider. It was stressed that the substantive information would be retained, as would be evident when the Planning Commission compared the summarized versions with the current, longer version. Although the intent was to move away from the “he said, she said” format currently utilized, it was agreed that there were instances when it was appropriate to credit an individual with either a specific quote or stand on certain issues. It was felt by Staff that this could still be accomplished with a summarized version.

Planning Commission Meeting Minutes – Not on Agenda – Quality of Tape Recordings of Planning Commission Meetings.

Laura Ditmer noted that tape recordings of the meetings often did not provide a clear recording of all testimony. Various options had been tried without consistent success. In conjunction with summarizing of the minutes, the Planning Commission was being asked to consider some options for ensuring the quality of future recordings.

One alternative was to purchase a better recording system, although that was not in this year’s budget. Lary Coppola, Chair, asked if summarizing the minutes would provide enough savings in billable time to purchase a better sound system. Although it was not in this year’s budget, Laura Ditmer would look into that option. Kamuron Gurol, Director, stated that supplemental budget requests were presented in the fall. He would look into the matter to see if it could be folded into the budget requests that were to be submitted to the County Board of Commissioners.

Another alternative was to move the Planning Commission hearings to the County Board of Commissioners Chambers located at the Courthouse. That option would provide quality sound system, public seating, etc. William Matchett noted that option had been addressed in the past and nine people did not fit behind the County Board of Commissioners’ desk. John Ahl also noted that there would be parking issues to address if they changed to that location. John Taylor noted the County Board of Commissioners location would be even more crowded than the current location.

Lesa Renfro, from the audience, questioned whether the minutes would still be a legal document if they were edited. The minutes would lose their integrity if information
were excluded at the County’s discretion. Summarizing of the minutes was the
government controlling the public’s voice. Lary Coppola, Chair, noted that he was
satisfied that summarized minutes, combined with recordings of the hearings, would be
in compliance with the law.

Continuation of July 15, 2003 Public Hearing for deliberation and possible
decision on: Comprehensive Plan Amendments (Phase I) - Interim
Rural Forest

Lary Coppola, Chair, noted that additional Public Testimony was being accepted on the
Interim Rural Forest due to extensive revisions since the last Public Hearing. Due to
the number of individuals scheduled to testify, this agenda item was being addressed
first. Written testimony would be accepted until 4:30 p.m. on August 12, 2003. The
Planning Commission would defer a decision until the August 19, 2003 meeting. Oral
testimony at this meeting was limited to three minutes.

Deanna Pierson from the Bear Lake community, was concerned about allowing outdoor
gun ranges in the Interim Rural Forests. The Interim Rural Forest zoning was
established for residential and forestry uses. If gun ranges were to be allowed within
Interim Rural Forest zones, the distance from residences and buffers should be
increased. Due to the dense population in Kitsap County, Ms. Pierson felt that safety
was not sufficiently addressed when considering gun ranges in Interim Rural Forest
areas with homes throughout the area.

Stan Reeve questioned the reasoning behind the change in density from four dwelling
units per 20 acres to one dwelling unit per 20 acres.

Dave Jones, President of Kitsap County Association of Realtors, stated the Realtor’s
Association supports the Quality of Life Program and its tenants: (1) building better
communities; (2) ensuring economic vitality; (3) providing housing opportunities, such
as affordable housing; (4) preservation of our environment; and (5) protecting the
rights of property owners. The proposed Interim Rural Forest program allowed for
25% development with 75% to remain undeveloped. It was the Realtor’s Association
opinion that those percentages should be reversed. The Kitsap County Association of
Realtors strongly disagrees with changing from a 20-year moratorium on the
undeveloped portion to a permanent designation. A copy of the Quality of Life
Brochure was provided for the record. Additional copies could be obtained by the
Planning Commission or interested parties by calling (360) 692-8852 or sending an
e-mail to kcar@telebyte.net to request a copy.

Marty Ereth, Habitat Biologist, Skokomish Tribe, noted that the Rural Forest
Committee was made up of stakeholders, including technical staff from the Suquamish
and Port Gamble Tribes. The Committee met with a facilitator on three occasions in an
attempt to reach a consensus on a number of items. Testimony from the July 1, 2003
Public Hearing confirmed that a consensus was not reached during the Interim Rural
Forest Committee meetings. The Skokomish Tribe supports the comments and
opinions presented by technical staff from the Suquamish and Port Gamble Tribes.
There is concern about the fate of Interim Rural Forests, most of which are relatively
undeveloped, and the associated watersheds that serve fish, wildlife and people, including landowners who are managing their property as forestland. The long-term stability of these watersheds is in question when looking at continuing residential development. Further fragmentation and reduction of the habitat required for long-term maintenance of fish and wildlife is perhaps the greatest threat to the continued viability of native salmon and trout. Streams draining from the Kitsap Peninsula can support significant numbers of native salmon and trout, with few comparable low elevation watersheds in the Pacific Northwest in such close proximity to urban centers.

There is a parallel planning process currently underway, conducted by the Nature Conservancy and the Washington Department of Fish and Wildlife. This “Ecosystem Conservation Planning” work has identified the Kitsap Peninsula as worthy of large-scale landscape protection. This decision was based on numerous factors, such as contiguous forestland, the larger Puget Trough Eco Region, rare plant communities, plant and animal species of concern, undeveloped marine shorelines and high quality refugia streams and wetlands. The initial study did not include fish communities such as the Hood Canal summer chum, which will only increase the importance of preserving the area. The Study’s findings revealed that the watersheds surrounding eastern Hood Canal contain many ecological features that are of statewide and global significance, designating them a high priority for protection. The Skokomish Tribe supports alternatives that keep the rural forests intact to the greatest extent possible. The Skokomish tribe supports the efforts of the Port Gamble and Suquamish Tribes and supports their continued participation on this issue. The remaining stakeholders are also encouraged to work together to reach a consensus. Any decisions should take into account the uniqueness and importance of these areas for the current landowners, as well as future residents of Kitsap County and the state of Washington.

Stella Wood (?), representing the Bear Lake Community, notes that the proposed changes indicate gun club members were consulted regarding gun range changes. There was no mention of citizens from the Bear Lake community or any other surrounding areas being asked for their input, despite the impact gun ranges would have. Additionally, she had not seen anything in the Interim Rural Forest plans that addressed the issue of water. Ms. Wood requested a clear statement from the County concerning the overall water situation in Kitsap County: is it good, in between or poor? The Bear Lake Community has a 55 member system which is totally accredited with the State and Ms. Wood would like to know how these changes would affect their area and how the issue of water was being addressed with the Interim Rural Forest changes, Deborah Flynn had Ms. Wood indicate on the map where she lived in relation to Interim Rural Forest areas. Ms. Wood indicated her property, noting that it was immediately adjacent to an Interim Rural Forest area.

Lary Coppola, Chair, verified with Kamuron Gurol that there was an application pending for a gun range which was to be located in an Interim Rural Forest area. He stressed that the gun range issue was not related to the Interim Rural Forest plan being considered at this time. Gun Range applications were processed through the standard Department of Community Development application process, with some neighbors having attended a preapplication meeting. Interested parties could contact the Department of Community Development and would be kept informed on the status of the conditional use permit process. It was stressed by Kamuron Gurol, Director, that
the Conditional Use Permit Process was separate from the Interim Rural Forest process being addressed at this meeting. There is some overlap with three concurrent processes at this time. There is a conditional use permit application pending for a gun club that proposes the site be on Interim Rural Forest land. There are also Code Amendments proposed relating to changes in gun range ordinances. If members of the community did not want to address the gun range issue as it related to the conditional use permitting process, it would be more appropriate to bring this up as part of the Code Amendments rather than the Interim Rural Forest planning process.

Deanna Pierson noted the pending application was not the only issue. The concern, overall, was placing gun ranges in Interim Rural Forest areas and the impact it could have on communities and their livelihoods. Lary Coppola, Chair, restated that the Code Amendments would be the appropriate forum for this subject. Deborah Flynn noted that the proposed Code Amendments were scheduled for a decision only, not for public testimony.

Rod Reid, Alpine Evergreen, expressed concern regarding the July 15, 2003 memo regarding Interim Rural Forests. He was concerned that County Staff had provided one Report relating to the Interim Rural Forest Committee meetings and now, at the end of the process, the materials were being changed after review by the new Director, Kamuron Gurol. It would appear that not all interested parties received a copy of the revisions. In a recent meeting by Staff with the Interim Rural Forest Committee it became apparent there were people who had not received the second, revised Staff Report. It was appreciated that the matter was being left open for written testimony, but this was still handled inappropriately. There was a lot of public testimony at the President’s Hall that resulted in the initial Staff Report that was now being redone.

Mr. Reid felt the Rural Wooded Incentive Plan was one of the most innovative ideas seen in Kitsap County. This had been discussed even before the Growth Management Act. Mr. Reid had submitted a letter dated May 20, 2003 showing a majority supported this plan. The recent changes are not supported by a majority from the Committee. One unacceptable change was that 75% of the parcel would be permanently preserved. By changing this from the original 20 year planning horizon, Staff had pulled the rug out from under the entire plan.

Mr. Reid stated his belief that adding the Transfer of Development Rights was the actual reason for the Director revising the initial Staff Report. There had never been a Transfer of Development Rights program that would work in Kitsap County. If this proceeded, however, the only way Mr. Reid and his company would participate was if a prestudy were done in advance to determine if it was feasible for Kitsap County. There is no need for an expensive two-year study to determine if Transfer of Development Rights would work in Kitsap County. The Department of Community Development was already understaffed with an over aggressive work plan. A two-year study would only worsen that situation. Three-Minute Time Limitation Reached.

Lary Coppola, Chair, noted that Mr. Reid had been reading his speech. Although the time limit had been reached for oral testimony, Mr. Reid could still submit written testimony. Lary Coppola, Chair, asked Mr. Reid what he would do if the Interim Rural
Forest plan was approved as written. Mr. Reid stated that, with the additional bridge being built, he would have to consider whether new residents would be willing to purchase 20-acre parcels. It was likely they would, but that was not a good solution for the County. Kitsap County had the opportunity to address the situation and do something now.

Mike Gustavson prefaced his comments by stating they actually pertained to all of the major property owners. In Snohomish County the minimum equivalent lot size was 2.3 acres per lot instead of the proposed 5 acres. It was acknowledged that any program needed to be financially viable for the landowner or it wouldn’t be used. If the plan were revised to a 2.3 lot equivalent instead of 5 acres would result in an equivalent of 1.25 acres per lot. Combine that with an increased density such as 5 lots per acre there could be increased development while still preserving forestland. Essentially, the landowners were asked if this type of change would make it more worthwhile for the landowners to sell their properties in very small, consolidated pieces or trade off those rights in some form within the County. There were still misgivings about Transfer of Development Rights and how they will operate without increasing the cost of land. However, would it be more appealing to landowners if the one lot per five-acre equivalent were changed to one lot per 2.3 acres equivalent and coupled with permanently setting aside forestland for forestry use.

Mr. Reid stated he would consider a revision along those lines. It was stressed that too much reduction might result in urban-type densities in rural areas that did not follow with the Growth Management Act. Mike Gustavson stated that if the septic fields and wells were in the forest, the back lot would be forest and retain a more open, rural environment than comparable densities within the city. Ron Reid stressed all he could say at this point was that there was an opportunity here.

Vivian Henderson, Kitsap Alliance of Property Owners, does not support the changes to the Interim Rural Forest plan. Particularly setting aside 75% of the Interim Rural Forest as permanent forestry. The goal was to preserve, not conserve, which was very different. Kitsap County residents who wanted to preserve forestry would not allow any logging practices. Densities of one dwelling unit per 5 acres would not provide homes that wage earners in Kitsap County could afford. Regarding the Transfer of Development Rights, it was her opinion that new Director, Kamuron Gurol, has seized this is an opportunity to make a name for himself. Until Kitsap County can prove Transfer of Development Rights are cost effective, Kitsap Alliance of Property Owners considers them to be de facto regulatory taking. The Kitsap Citizens for Responsible Planning had provided the County with a letter supporting the proposed changes, stating that putting more lots on the market will reduce the cost of property. That might not be a bad thing, with a 2.5 acre lot in South Kitsap that had no utilities recently selling for $79,000. Adding more lots, however, could cause dire environmental damage. By building more homes we are increasing the endless sprawl. The individuals who signed the Kitsap Citizens for Responsible Planning letter, in Ms. Henderson’s opinion, were showing an attitude of sprawl for me but not for thee.

Harvey Hubert, a tree farm owner and resident of Central Kitsap, signed and still agreed with Rod Reid’s letter dated May 20, 2003. The July 28, 2003 meeting with
Kamuron Gurol resulted in his belief that Kitsap County was simply delaying the process further by including the Transfer of Development Rights and making the remaining 75% of the land permanently undevelopable. Landowners in Kitsap County had looked at Transfer of Development Rights in the past and determined they were not applicable to Kitsap County. Setting aside 75% of forestland as permanent forestry was going too far. As a landowner he would not be interested in participating in such a program. He would, however, participate in a program that had a 20 year review, as originally proposed.

Ted Labbe, Port Gamble S’Klallam Tribe, had testified at the July 1, 2003, hearing previously and now provided a letter representing many of the Tribe’s concerns. The new Interim Rural Forest proposal improves on what was originally presented by the County. The tribe supports the permanent protection of 75% of the Interim Rural Forests, although there are still some concerns. The document submitted is still a proposal, not a functional, cohesive program. There are some things that will need to happen to make it a functional program, such as development of a Transfer of Development Rights program. It is important that the County be allowed the time to develop the Transfer of Development Rights and other programs properly. Throughout the Interim Rural Forest Committee meetings, the landowners stressed a need for flexibility and choices. This revised plan offers a variety of optional programs for the landowners to choose from. The Tribe would encourage, however, that the Planning Commission consider this proposal for just a quarter of the Interim Rural Forest lands on an experimental basis, rather than 100% as proposed. If the plan were implemented on the entire 54,000 acres of Interim Rural Forest, it could result in more than 8,000 new lots in rural areas. The Planning Commission should not rush headlong into this before knowing how it will play out. Additionally, the proposal calls for an eight-fold density increase in shoreline areas, increasing from one dwelling unit per 20 acres to one dwelling unit per 2.5 acres. The Tribe does not support this change as it could have too much impact on returning forests and unstable slopes along the Hood Canal where many of these properties are located. Shoreline areas should be maintained as they are very important as critical habitats.

Holly Manke White, of Manke Lumber, stated her attorney had originally provided the Planning Commission with a letter dated June 30, 2003, followed by a second letter dated July 15, 2003. Ms. Manke distributed another copy of the July 15, 2003 letter, noting an additional page had been added at the back. This addition was a drawing representing the proposed method for implementing the proposed Rural Shoreline Preservation Plan. The entire area of the shoreline is represented, up to the highest point of elevation and including all intermediate benches. Setbacks, based on the elevation, are also set aside in the drawing. The designated area represents the only area where Manke Lumber would be asking to transfer out one dwelling unit per 2.5 acres, putting it on the upland area. The drawing shows how clustering would be utilized to preserve the permanently established waterfront. Ms. Manke indicated a shoreline area long the Hood Canal that is owned by Manke Lumber Company and designated as Interim Rural Forest. The Courts and Growth Hearings Board have ruled that the land is Interim Rural Forest, not long-term commercial forestland. The Interim Rural Forest is Rural Residential land where forestry is encouraged through assessment and incentive programs for the benefit of the public and open space. Any
timber management on these lands is on a small scale. It is not on the scale envisioned by the Growth Management Act for long-term commercial forestry. Although Manke Lumber participated in a Greenway program in King County, selling land to both Federal and State entities, that was not their intent in Kitsap County. The Kitsap County property was waterfront property with a substantially higher value than the property sold in King County. Manke Lumber supports developing a Transfer of Development Rights program, provided it does not mean waiting on a Rural Wooded Policy and developing ordinances. The Manke Lumber Company submitted a proposal to the Planning Commission as part of the July 15, 2003 letter, called the Rural Shoreline Preservation Plan. This proposal is consistent with the requirements of the Growth Management Act. The earlier letter, dated June 30, 2003, outlines the Snohomish and Pierce County programs, both of which were supported by the same Board that reviewed Manke’s plan. The densities allowed in those programs were down to one dwelling unit per 2.3 acres. Based on other programs, the record supports a density of one dwelling unit per 2.5 acres density on waterfront properties.

Peter Schrappen stated that, as Executive Director, he represented the West Sound Conservation Council, consisting of nine conservation organizations and over 2,000 members. The Conservation Council realized that developers would try to squeeze money out of the natural settings, either by paving it over and developing it or selling off the lots. With only monetary concerns, the developers are not considering how 10,000 new homes will be accommodated in Kitsap County. The Planning Commission should look toward the future with this plan and not be shortsighted. Transfer of Development Rights should be given a chance. On their own, developers would not consider the impacts of their developments on lost forestry, crowded classrooms and loss of habitat. The Planning Commission should consider what it was that attracted them to Kitsap County originally, what attracted people to move here and what will attract them in the future. Rural sprawl is not what attracts people. Once the land is paved over and developed, those trees will be gone. None of the landowners are addressing the issue of maintaining forests, only how much land they can develop. Once the 10,000 units are developed, the residents of Kitsap County will lose their heritage. Mr. Schrappen asked that the Planning Commission not sell out Kitsap County.

Mike Gustavson noted that if zoning were left unchanged, that would leave one dwelling unit per 20 acres. The landowners have indicated that, without a better alternative, they were prepared to sell their property as 20 acre lots. If that were to occur, from a homeowner’s perspective, the land would be cleared to utilize the 20 acres, leaving no woods at all. Mike Gustavson verified with Mr. Schrappen that this was not the Conservation Council’s goal. Unless that was the Council’s goal, serious thought should be given to the alternative to the proposed plan.

Mike Eliason, as Government Affairs Director, represented the Kitsap County Association of Realtors. He was also the Countywide Director of Kitsap County Conservation District, although he was not representing them on this matter. Mr. Eliason had prepared a speech but it would exceed the time limit and he would submit it as written testimony before August 12. Mr. Eliason took offense from Mr.
Schrappen’s comments. Mr. Eliason’s relatives founded the Poulsbo area in the 1890s and it was offensive to suggest he would develop in Kitsap County without consideration for the impacts. He was a member of the Nature Conservancy long before the Association of Realtors. Throughout the County the Nature Conservancy had used cooperative efforts, not regulation, to provide a number of permanently preserved acres for conservation. Planning should move away from ways to regulate this issue and work toward finding a way to cooperate with landowners to bring about forestry conservation. The Association of Realtors was opposed to designating any property in a permanent status. Affordable housing has frequently been a concern. If the Planning Commission looks at the long-term, with the goal of providing affordable housing, no lands should be permanently excluded from future development. Additionally, the Department of Community Development is currently working on creating a land inventory for Kitsap County. This information will be very important in identifying how much land is truly available and how much development is needed for anticipated growth. The Association has not taken a position on the matter of Transfer of Development Rights, although they are concerned that the Director has expressed an inability to develop that program and meet the goals for the 2003 Comprehensive Plan amendment cycle. Transfer of Development Rights is a very complicated program with a lot of pros and cons and before they can form an opinion they will need more information on how it is going to work in Kitsap County. Mr. Eliason noted he had more testimony, which he will submit in writing due to time constraints.

Laura Johannes noted the main goal of this plan as it developed over the last decade or so was to slow growth. The secondary goal was that, when development does occur, the least amount of land should be used to accommodate the growth. Ms. Johannes did not support delaying the plan for development of the Interim Rural Forest program. Over a year ago the Planning Commission eliminated due dates from the Comprehensive Plan and stated Interim Rural Forests would be a priority. Even before the Growth Management Act the landowners made a lot of compromises. The original plan met all the guidelines and rules established by the Central Growth Management Hearings Board. Ms. Johannes supports the density of one dwelling unit per 5 acres overall density, as well as setting aside either 50-75% for a 20 year period. The 50-75% was in the original plan and the final percentage should be evaluated to ensure it can be accomplished with inclusion of setbacks, roads, etc. The Planning Commission is being asked to choose between the plan that the landowners support or to encourage development at one dwelling unit per 20 acre. Any Interim Rural Forest program should be supported by both large and small landowners. One difference between a Transfer of Development Rights program and the Rural Wooded Plan is that this works for small landowners. If looking at lot sizes of 20 acres, Ms. Johannes believed the large landowners be supportive as a way to meet the needs of smaller landowners.

Betsy Cooper stated the Interim Rural Forest is a change in the programmatic zoning that affects our county as a whole. The main objective of the Comprehensive Plan seems to be that this is the first step in two phase process to look at lands that are not appropriate for larger forest activities. There only appears to be one aspect considered, however, which is the potential development opportunity. Kamuron Gurol’s memo dated July 15, 2003, specifies the intention is to look at this as a large scale, connected landscape of rural forest land maintaining rural character, economic value and natural...
resource uses. This proposal does not provide any specific suggestions on how they will maintain larger contiguous natural landscapes without resulting in sprawl throughout that landscape. This type of sprawl would result in the need for additional services more in keeping with urban developments. Specifically the proposal does not address whether urban services, such as water, will be provided to those locations. Providing such services goes against the tenets of providing urban services in rural areas. Ms. Cooper believes this action is premature and should be looked at more broadly. The Transfer of Development Rights program should be evaluated further to determine how to achieve natural resource protection while also providing benefits and protection to the landowners.

Richard A. Brown stated this process began thirteen years ago and is again being considered with a new Director. This time, however, the Director has brought forward more information after the Committee had reached an agreement. Some Tribal representatives had stated there was no consensus. Mr. Brown felt that when the tribes are involved, there will never be a consensus with development. The Tribes want to protect their land and taking private landowner’s land off the market. The Planning Commission has to consider the large landowners, with 80% of everything over 20 acres owned by three landowners. How are we are going to lock that land up with the new bridge coming. Additionally, Transfer of Development Rights is experimental at best. It was studied in the past with Maryland used as an example. The problem was that Maryland had to buy back all the Transfer of Development Rights. With 35 years’ experience in developing, building low income housing, subdivisions and everything that has to do with real estate it’s apparent that nothing lasts that long in Kitsap County. If the Planning Commission intended to pass this plan as written, there should be some way of changing as needed down the road, either through a five year review or some other process. It’s critical to the economics of Kitsap County that the plan can be changed at some time in the future. The plan should be passed, otherwise the burden on rural landowners is just extended and will result in the loss of trees and 20 acre parcels. The big landowners need to be protected and helped, otherwise Kitsap County will be in big trouble.

Richard Anderson, Kitsap Audubon, concurred with Ted Labbe and Peter Schrappen. Throughout the United States it has been done wrong. Land has already been clear cut, maybe twice, and this is at least one step forward to try and do it right.

Dawn Pucci, Forest Practice Coordinator, Suquamish Tribe, stressed the Tribes are not trying to take anyone’s land and she has heard nothing but support for the incentive programs. The Tribes support landowners benefiting from their land, either by selling it in 20 acre parcels or set aside percentages as forestry. Either of those would not result in more pavement or the potential 2,700 houses on 13,500 acres in Kitsap County. The Tribes only want to ensure that landowners develop the land responsibly. There are two plans referred to as the Rural Wooded Incentive program. It should be noted that the original program established 25% permanent open space and applied to 25% of the land, not all the Interim Rural Forest acreage. The original plan allowed for 50% or 25% land development, which was the Rod Reid letter. The new plan applies to the entire Interim Rural Forest area. The Tribe supports the County’s new language, including the Transfer of Development Rights program. Kamuron Gurol and Staff have
done a very good job at representing testimony and written input and the new plan is an improvement on the original plan. There wasn’t a lot of consensus at the Interim Rural Forest meetings, which is represented in the new plan. Permanent preservation of forestland and shoreline issues were also not addressed in the first plan. The county is providing landowners with a range of voluntary options, to include the Rural Wooded Incentive Program, Transfer of Development Rights Program, etc. Having these options and flexibility is appropriate and should help the landowners, allowing them to stay in forestry as long as they can.

John Ahl asked if the Tribe supported incorporating the recommendations of staff and Kamuron Gurol into this year’s Comprehensive Plan amendment process. Ms. Pucci stated they did support the recommendations with some minor language edits that she had submitted for the record. Changes were made purely for the purpose of clarification.

Mary Bertrand of Barker Creek noted one issue not addressed in any of the testimony or planning was “sustainability.” The County needs to do more in depth studies before making decisions to rezone forests, etc. There is currently a group studying water resources that should be considered before making a decision. The County’s natural resources need to be identified. The land inventory that is to be done might affect the feasibility of the Transfer of Development Rights. The County needs to ensure that any plan preserves the natural resources in the Urban Growth Area. Overall, the Planning Commission should ensure that sustainability is considered when making any decisions.

William M. Palmer objected to the process by which the Transfer of Development Rights program was presented. If the private sector puts forward a request at the last minute or in the middle of the process, they are quickly advised the process is too far along and any request must be addressed as part of a separate process. Now, toward the end of the process, the Transfer of Development Rights has been introduced. Mr. Palmer also asked that the Planning Commission remember the rural PUD program which was supposed to preserve 35-50% of rural areas within the County as open space, essentially locking up that land. Over the years Mr. Palmer recalls a lot of issues relating to financing and the ability of forest landowners to keep production ongoing. Part of the financing issue was based on the future development potential of the property. Without that development potential, a key component is removed and limits the landowner’s ability to maintain and grow trees. The Christmas tree business has already been damaged by competition from other areas, such as Oregon. The Committee and landowners did a lot of work and that work is pretty much ignored under the new plan. Mr. Palmer felt that the Planning Commission should stick with the original proposal.

Monty Mahan noted that the Capital Facilities Plan was based on 20 acre zoning. Staff was asked to research how the increase in lots would affect the Transportation element of the Capital Facilities Plan and provide that information at the next meeting. Staff was also asked to provide information at the next meeting as to what densities could be supported with the rural transportation network in the areas of higher density.
Monty Mahan presented a question to the property owners involved. It was his opinion that they should be able to do something with this land and had the right to expect some returns. Over the past 40 years he has seen a lot of forestland go away and would like to see some permanent protection for future generations. Mr. Mahan asked that the landowners consider what density would be necessary on 25% of the land to make it feasible for them to permanently preserve the remaining 75%.

Lary Coppola, Chair, noted that the Public Hearing on Interim Rural Forests was closed. Written testimony would be accepted until 4:30 p.m. Tuesday, August 12, 2003. A decision is anticipated at the next scheduled hearing on August 19, 2003.

Laura Ditmer clarified that the Planning Commission had information in their binder on the Interim Rural Forest with additional materials provided since the initial documentation. The additional information was to be incorporated together, none of it was “replacing” existing materials. Staff would present the combined information at the August 19, 2003 meeting, to include additional testimony, to allow for broader discussions. John Ahl clarified there was no recommendation being made at this time regarding Interim Rural Forest.

The following testimony was provided during the Interim Rural Forest discussion and has been separated as it appears to be unrelated to any agenda items.

Lesa Renfro from Silverdale had written letters to the County with some questions and suggestions regarding development by Olympic Road, although she had never received a response. With waterlines being placed along the entire Road, she would like to know if the intent was to tap into the Hood Canal. If so, why was water being brought in from that direction. She also wanted to know if that area was going to be developed, noting that Qwest had established almost 1,000 addresses off Littlewood Lane. Littlewood Lane is crossed by water and covered by trees that tap into the stream, which is labeled as unclassified water. That unclassified water should be classified as a fish bearing trout stream. Has there been a plan for development accepted by the citizens? It would appear that work is proceeding although it is unclear whether or not the community has accepted it or not. Ms. Renfro would like to know what the plans were for handling runoff from a development, if one goes in there. Where are the true lowlands of that particular township(s) and will the runoff go to her property? Ms. Renfro asked that the Planning Commission identify where the wetlands are that will contain the water and prevent it from going into the stream. Everyone must adapt in life, but as people we have some choice. We all have to adapt but we all have to know the cost of growth versus natural consequences versus greed.

BREAK: 10:30 - 10:35 A.M.

John Taylor noted that during the break he had requested that Kamuron Gurol arrange to have the air conditioner moved by the next meeting on August 19. The air conditioner had not been in use prior to this due to seating configuration and the
inability to obtain a quality recording over the air conditioner noise. Staff noted they
would see what could be done. Additionally they would attempt to determine if there
was a way to use the County Board of Commissioners chambers in a manner that would
provide sufficient seating for the Planning Commissioners.

Comprehensive Plan Amendments (Phase I): Initial Docket LAMIRDs Text Amendments

Laura Ditmer noted that LAMIRDs and Site Specifics were related and should be
discussed together. She would, however, like to review Textual changes to the Initial
Docket LAMIRDS. The Planning Commission was asked to be very clear on their
recommendations, which would be presented to the County Board of Commissioners
on September 8, 2003.

Lary Coppola, Chair, verified all Planning Commissioners had read and were familiar
with the revisions. Each Commissioner was then asked for their input on the revisions.

Deborah Flynn had reviewed the clarifications/revisions requested of Staff on two
policies and was comfortable with those changes.

Mike Gustavson moved that Page 14, Item 3 have the words “elected” and
“governmental” deleted. There was no second to the motion.

Mike Gustavson stated that Tribes are not elected officials or governmental entities.
Laura Ditmer noted she would review the terminology to ensure it was consistent with
KRCC wording. Both Laura Ditmer and Jason Rice clarified that the Planning
Commission was being asked to address only the revised text. If there were additional
revisions that Planning Commissioners would like to make, those should be addressed
separately as part of future amendments.

William Matchett noted that the vague wording of Item 5, “based on demonstrated
need” had been discussed at the previous meeting. Review of draft minutes from that
meeting clarified that this language was chosen intentionally with the decision to be a
legislative call by the County Board of Commissioners.

Mike Gustavson wanted to address the wording relating to greenbelts. Lary Coppola,
Chair, verified with Staff that the greenbelt language was part of the Comprehensive
Plan approved on May 7, 1998, and not part of the textual changes being reviewed by
the Planning Commission at this time. Once the Planning Commission had addressed
the textual changes being presented, they could review the Comprehensive Plan
wording for the coming year’s process, reflecting their desire to reword and clean up
the Comprehensive Plan.

A motion was made by Mike Gustavson that Page 7 encourage the use of
low impact development standards based on current technology. William
Matchett seconded.
Deborah Flynn verified that the proposed text did not need to be changed and that this would be an addition to the existing language. The proposed wording was not determined, only that it should encourage innovative low impact development standards to reduce stormwater impacts. Laura Ditmer noted Mike Gustavson was introducing new policy language that might not be appropriate, given that the Planning Commission was in the decision making process. Staff would review other areas of the Comprehensive Plan to determine if this could be addressed elsewhere. If not, the additional language could be included as part of the 2004 Comprehensive Plan amendment process or the Planning Commission could choose to delay making a decision at this time. Deborah Flynn stated that the annual review provided all Planning Commissioners with the opportunity to review materials and introduce changes. The additional language could have been submitted at that time and there was no reason for it to be added at this late date. Additionally, the Planning Commission should not add language during the decision process that had not been part of the public review process.

William Matchett withdrew his second of the motion.

William Matchett noted the proposed text was sufficient and the additional language could be addressed as part of next year’s process.

Jason Rice clarified for the Planning Commissioners was not being asked for a decision on Page 9, RL-31 regarding the Interim Rural Forest. The Interim Rural Forest program had been replaced by the Kamuron Gurol’s proposed changes with written testimony accepted until August 12, 2003. The Planning Commission would address the matter of Interim Rural Forests at the next scheduled meeting on August 19, 2003.

A motion was made by William Matchett that the general text amendments Page 2 through the top of Page 8 be adopted with the changes specified on the sheet titled “Planning Commission Request” providing clarification of Page 65 and Revisions for Page 105. Mike Gustavson seconded.

Vote: Aye: 8, Nay: 0, Abstained: 1 (John Taylor). Motion carried.

Comprehensive Plan Amendments (Phase I): LAMIRD - Pioneer Way

Staff referred to their previous findings and analysis of this area, noting it was difficult to support a LAMIRD based on the limited development in existence prior to 1990, although there are existing developments that have occurred since 1990. This LAMIRD does not relate to any individual property owner; it involves multiple owners.

A motion was made by John Taylor that Pioneer Way be included as a LAMIRD. Mike Gustavson seconded the motion.

John Ahl noted that if the area were evaluated from a larger perspective, there are a lot of other residential and industrial areas that should be addressed with the LAMIRD boundaries. If the intent was to limit industrial growth, that was an admirable goal. It was still inappropriate to ignore the adjacent properties.
John Ahl asked for the reasoning behind selecting Pioneer Way and George’s Corner as LAMIRDs. There were other areas that appeared to be more pertinent which were being overlooked, such as Keyport, Hansville and Rocky Point. Those are well established, well known areas of more intensive rural development and would seem to higher priorities for LAMIRD consideration. Jason Rice clarified that Staff had been directed by the County Board of Commissioners to address the two LAMIRD areas under consideration at the conclusion of the 2001 Comprehensive Plan amendment process. The two locations were chosen due to a number of site specific amendments for these areas. The County Board of Commissioners had asked that Staff define boundaries based on the criteria established for LAMIRDs, rather than addressing the site specifics amendments in a piecemeal manner. Laura Ditmer further clarified that these were the first two LAMIRDs to be addressed. Staff has also identified other areas that will be reviewed as part of each Comprehensive Plan amendment process.

Tom Nevins noted that the Growth Management Act guidelines specified that LAMIRDs should be based on development prior to 1990. It would appear that neither LAMIRD met that criterion. With regard to the site specific-amendments that had led to consideration of these two locations, Mr. Nevins had specifically voted against those and his opinion had not changed. It would seem that these areas are going to be developed in any event and there would be infill. Although a LAMIRD boundary would make it more difficult to spread, it still seems like this particular application is a bit of a stretch. In consideration of John Ahl’s comments, he recommends they shelve both LAMIRDs and go to a more comprehensive planning process. Jason Rice clarified Tom Nevins was recommending more of a countywide analysis.

William Matchett asked which boundary John Taylor was moving the Planning Commission accept, with Jason Rice noting there was no proposed boundary. John Taylor clarified that his intention was to get the issue moving forward. There will be more LAMIRDs forthcoming and the Planning Commission should step in the direction of progress by approving the Pioneer Way LAMIRD. With regard to the boundary lines, Staff can determine those.

**Vote:** Aye: 2, Opposed: 7, Abstained: 0. Motion defeated.

It was clarified that the Planning Commission was concurring with the Staff Recommendation that this area be revisited as part of an overall rural policy discussion. Tom Nevins stated that when projects were prioritized, this may not be the highest priority.

- Comprehensive Plan Amendments (Phase I): **LAMIRD - George’s Corner**

The George’s Corner LAMIRD was tied in with the Bjarnson site-specific application. Jason Rice stated the boundary for George’s Corner meets the LAMIRD criteria. A rezone of the Bjarnson property may have an impact on the final LAMIRD boundary determination.
A motion was made by John Taylor that George’s Corner be approved as a LAMIRD with Staff to determine the boundary. Mike Gustavson seconded the motion.

Lary Coppola, Chair, asked if before they review George’s Corner, should they address the Bjarnson site specific first. Jason Rice and Laura Ditmer noted they should probably be reviewed together, although they would be voted on as separate issues.

John Taylor modified his initial motion to specify that the boundary be defined as the red line on the map.

Monty Mahan noted that the red line did not follow parcel lines and should be adjusted to reflect those. Additionally he asked that Staff provide more information as to how the LAMIRD and Bjarnson relate to each other. Lary Coppola, Chair, asked if John Taylor would withdraw his motion pending further discussion.

John Taylor withdrew his motion regarding the George’s Corner LAMIRD and boundary lines.

Comprehensive Plan Amendments (Phase II): Site Specific Amendments

BJARNSON:
Deborah Flynn stated when Albertson was being considered, the County Board of Commissioners promised the community it would not lead to an outward spread of high impact developments. Development should not continue to spread in this area. The location would increase traffic in an area that does not need to be expanded. It competes with commercial businesses in Kingston. Deborah Flynn stated she does not support the Bjarnson site specific amendment. If discussing a LAMIRD, it was recommended that the boundary be limited to what’s already developed and kept as tight as possible.

William Matchett realized that a LAMIRD is intended to limit the spread of existing development. Based on that, this LAMIRD should be held to the tightest boundary possible.

Tom Nevins recalled that when the third corner of this intersection was under consideration for North Sound Bank, the vote was split with the County Board of Commissioners ultimately approving that site. This appeared to be a similar situation and would likely be approved by the County Board of Commissioners in the end. Regardless, he opposed encouraging any further development at that intersection.

John Ahl felt that the term LAMIRD was being misused. There is no reason why all corners of an intersection should require commercial development. A LAMIRD designation does not appear appropriate for this area at this time, particularly based on the Growth Management Act guideline that the LAMIRD be based on development prior to 1990. If the intent is to establish rural industrial zoning at this location, which he is not recommending, it should be approached in that manner. The LAMIRD should not be used just to rezone an area. The LAMIRD should be used to recognize areas
where substantial development has occurred, identifying and establishing boundaries for those areas.

John Taylor stated this intersection had 3 out of 4 corners designated as commercial, with access from major roads in North Kitsap. Of the 13.5 acres being considered, only approximately 5 acres can be developed due to wetlands, setbacks, and other requirements. It would be more appropriate for the landowner to develop the land for commercial use, rather than residential homes that are unlikely to sell. Common sense seems to indicate all four corners should be commercial. The traffic is already there and this would keep the traffic concentrated in that one area. The rezone appears to be the most feasible option for the landowner and he would support it.

Monty Mahan has concerns, but would likely support creating a LAMIRD that includes the Bjarnson property. While agreeing with what John Ahl said but would like to have a boundary established.

Mike Gustavson verified this could be approved as a site specific without also approving the LAMIRD. The property could be considered on its own or as part of the LAMIRD process.

Mark Flynn stated that just because three corners are developed he isn’t convinced the fourth corner should also be commercial.

Lary Coppola, Chair, questioned whether there was a demand for additional commercial developments in that area. Considering development occurring in Kingston, such as development of Arborwood and White Horse, there might be a demand for additional commercial development in the area. Mike Gustavson considered downtown commercial Kingston to be built out completely. Jason Rice noted there had been public testimony for both sides, either that this would create competition or address the need for creating jobs.

Lary Coppola, Chair, verified that the Staff had recommended approval.

Deborah Flynn disagreed that there was a demand for commercial development, noting there were already vacant buildings and lots zoned for commercial use available in Kingston. There is no demand right now for additional business in this area. Without the LAMIRD the option would be available to expand the area in the future should that need arise. Additionally, the Kingston Urban Growth Area could also be expanded in the future, with a preference that any additional development occur in Kingston.

John Ahl feels the demand argument is weakened by the lack of development on the third corner that had been zoned commercial. There has been no noticeable change to that location since the rezone. Jason Rice noted that a grading permit has been issued for that site with a plan in place for a bank to be built at that location.

Tom Nevins had observed a lot of empty space in Kingston that had the potential for commercial development, which caused him to question the need for this commercial designation. Mr. Nevins did not anticipate any rapid development in the Kingston
Lary Coppola, Chair, noted that Bjarnson owns a grocery store in downtown Kingston and wondered if the owner intended to close the Kingston store and relocate it to this site. If that were the owner’s intent, the benefit of rezoning the property was questionable. Jason Rice was unaware of any plans along that line but could not confirm what the landowner’s future plans might be.

**A motion was made by John Taylor that the site specific amendment for a rezone be approved for the Bjarnson property. Mike Gustavson seconded the motion.**

Monty Mahan clarified that if Bjarnson goes for a vote and is defeated, the LAMIRD would still be open for discussion with tighter boundaries.

**Vote: Aye: 3, Opposed: 6, Abstained: 0. Motion defeated.**

**Continuing Discussion - Comprehensive Plan Amendments (Phase I): LAMIRD - George’s Corner**

It was clarified that the Staff Recommendation was to approve both the LAMIRD and Bjarnson site specific.

**A motion was made by Deborah Flynn that the George’s Corner LAMIRD be abandoned at this time and considered as part of a countywide approach. John Ahl seconded the motion.**

John Ahl noted that the Findings of Fact would reflect the reasoning. It was also clarified that the motion was intended to deny the LAMIRD and was not providing further direction to Staff at this time.

Monty Mahan asked when Staff would begin looking at other potential LAMIRDS in the County. Staff indicated that the earliest that would occur would be next year. The County has a phased approach that looked at smaller LAMIRDS as a group and larger areas, such as Keyport and Hansville, as community plans. Priorities for the next cycle of amendments had not been established, which prevented Staff from providing a more specific timeframe.

John Taylor clarified that the Pioneer Hill LAMIRD had been disapproved. If this LAMIRD is disapproved, both would not be addressed again as part of this year’s Comprehensive Plan amendment process. John Ahl and William Matchett noted they were only making recommendations with the final decision left to the County Board of Commissioners.

At Staff’s request the motion was clarified. The motion was for denial of the LAMIRD at this time. It did not meet the Growth Management Act requirement regarding development prior to 1990. Deborah Flynn noted that if three out of four corners of an intersection being designated commercial were established as a LAMIRD guideline, the County would be over run with LAMIRDS based on corner stores and gas stations. John Taylor asked if it was being suggested that this be approached as a site specific zoning...
request and was advised that was not the issue. The reason for a motion to deny this LAMIRD was that there are more appropriate LAMIRDS and this particular property doesn’t qualify based on established standards.

A motion was made by Mike Gustavson that debate on this agenda item be closed and that the Planning Commission proceed with a vote. There was no opposition.

The Planning Commission proceeded with a vote on the Motion to deny George’s Corner as a LAMIRD.

Vote: Aye: 8, Opposed: 1, Abstained: 0. Motion carried.

➢ Continuation of July 15, 2003 Public Hearing for Decision Only: Development Code Amendments

Due to time constraints the Agenda item of Code Amendments was continued to the next meeting on August 19, 2003. This continuation would allow the Planning Commission to focus on and complete the Site Specific Amendments and Map Correction items.

Before proceeding, Deborah Flynn noted that agendas now indicated a time for each agenda item, which had not been done in the past. There was concern that this would limit discussion in order to comply with specified times. For Public Hearings, the time specifications could prevent the Planning Commission from proceeding immediately to the next agenda item if discussion were completed ahead of schedule. Laura Ditmer noted that the timeframe was merely a suggestion. It should not be applied to Public Hearings as Deborah Flynn was correct that if a time were established for a specific item, the Planning Commission could not address that item before the established start time.

➢ Comprehensive Plan Amendments (Phase II): Site Specific Amendments to the Comprehensive Plan Land Use and Zoning Map

BURGESS:
Applicant: Rosalyn Burgess; Representative: William Palmer; Permit: #0306248; Parcel Size: 1.28 acres. Current Comprehensive Plan designation is Manchester Village Low Residential; proposed designation for this site is Manchester Village Commercial.

Clarification was provided regarding a letter from the Manchester Community Committee that indicated a vote had occurred. This letter was invalid as there were no signatures. Additionally, Lary Coppola, Chair, noted his name was included as having voted on the matter when he had not.

Clarification was provided regarding a petition that had been submitted at the last Public Hearing. Staff noted that the majority of the signatures were from individuals who did not reside in the Manchester Community.
Lary Coppola, Chair, asked for details on what was allowed under Manchester Village Commercial Zoning. Jason Rice provided an extensive list that include most business businesses with the specific exclusion of automotive-related uses. Deborah Flynn noted current zoning allowed for subdividing the parcel into 0.5 acre sites. With clustering, the property could be subdivided into parcels as small as 0.25 acres. Lary Coppola, Chair, noted the property was adjacent to a road with high traffic and a speed limit of 50 miles per hour; it was unlikely that it would be used for residential development. Other Planning Commissioners noted there were other residential areas in the county with comparable speed limits. Lary Coppola, Chair, also noted that the property was at the very edge of the Manchester boundary.

A motion was made by John Taylor that they approve the rezone request for the Burgess property. Mike Gustavson seconded the motion.

Tom Nevins indicated he supported maintaining the existing designation established by the Manchester community and passed by the Planning Commission.

John Ahl felt the property was not appropriate for housing, while also not wanting to proceed with a rezone based on the community’s objections.

Mike Gustavson noted he had discussed the matter with the applicant and was advised that the Manchester 42 Committee had not objected to the rezone. John Ahl noted that Mike Gustavson should recuse himself from voting on the matter due to his private conversation with the applicant.

William Matchett sympathized with the landowner. However, the Manchester Community had just completed a lengthy process to develop their community plan. It was not appropriate for the Planning Commission to break with that plan the first time it was questioned. William Matchett felt such a change would eliminate the community’s trust in the Planning Commission. While agreeing that there was a valid reason for requesting the change in zoning, he was unwilling to vote against the community’s wishes.

Mark Flynn supported the local planning efforts. Although change would occur over time, it would be ill advised to change the plan given how recently it was established.

Lary Coppola, Chair, noted he had to recuse himself because Ms. Burgess was a previous client.


CHOI:
Applicant: Choi Byong Jik and In Sook; Representative: William Palmer; Permit: #0305684; Parcel Size: two parcels 9.63 and 13.85 acres. Current Comprehensive Plan designation is Rural Protection with a density of one dwelling unit per ten acres; proposed designation is for Neighborhood Commercial.
A motion was made by William Matchett that the rezone request for the Choi property be denied on the grounds that it is part of the George’s Corner LAMIRD. John Taylor seconded the motion.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.

BROWN-RICE-KRUEGER:
Three applicants represented by William Palmer; Permit: #0306112; Parcel Size: 8.81 acres. Current Comprehensive Plan designation is Rural Protection with a proposed designation of Highway Tourist Commercial and inclusion in the Port Orchard Urban Growth Area.

Tom Nevins noted there were multiple parcels being considered under different headings that could be considered as part of the Port Orchard Urban Growth Area Joint Planning Process. Mr. Nevins would vote as necessary to help that process occur, rather than dealing with each property one at a time. If addressed individually, he would be voting against the rezone. The other Planning Commissioners were asked for their input as to whether these applications should be deferred to the City’s Joint Planning Process, as recommended by Staff.

John Ahl stressed the applicants had already gone through extensive delays and would like a timeline for when the City and County would study this area. Laura Ditmer indicated a general timeline had the first meeting scheduled for next month and a final recommendation anticipated as part of the 2004 Comprehensive Plan amendment process. Prioritizing of McCormick Woods, the property’s current designation as Rural Protected and the property’s location in an anticipated Joint Planning area had prevented this from being addressed as a higher priority earlier in the process.

John Taylor restated that the City had testified they would provide services to the current applications in this area. Lary Coppola, Chair, also verified that critical areas would be addressed as part of the site plan review should the rezone be approved.

Lary Coppola, Chair, verified the properties could still be included in the Joint Planning Process, regardless of what the Planning Commission did now. Tom Nevins noted that if it were rezoned prior to the Joint Planning Process, it would likely force the direction of that process and affect the outcome.

Deborah Flynn asked if the Joint Planning Process would include this and the other pending site specific applications. Laura Ditmer stated there was no formal boundary established at this time, but these locations were likely to be included once that boundary was established.

Mike Gustavson expressed his opinion that this intersection and adjacent areas were appropriate for major developments. Due to wetland constraints, there would need to be enough acreage to accommodate any major developments. It would make sense for a large, planned development to occur in this area with good visibility and access from all directions.
Monty Mahan noted current county environmental restrictions were more than adequate to protect critical areas. The landowners should not be put off any longer. Lary Coppola, Chair, noted the landowners had been put off for years while the county lost $1 million in tax dollars while Gig Harbor continued to attract business and money.

**A motion was made by Monty Mahan that the Brown-Rice-Krueger rezone request be approved. John Taylor seconded.**

Deborah Flynn preferred this be developed as part of a Joint Planning Process, which would start within a month. Although it could still be part of that process, even with the rezone, it would limit the options of the process.

John Ahl noted that an affirmative vote might encourage the County Board of Commissioners to move forward with the Joint Planning Process.

Lary Coppola, Chair, noted this zoning change had been part of every Comprehensive Plan except for 1998. It was not his opinion that the final approval of the 1998 Comprehensive Plan was related to the exclusion of these properties.

Deborah Flynn noted that the State Fish and Wildlife Foundation had made the effort to send comments stating the area should be handled more carefully due to critical areas. Lary Coppola, Chair, verified concerns would be addressed in the site plan review process. Monty Mahan agreed, stating his experience was that the County's Ordinance was sufficient in that area.

**Vote: Aye: 6, Opposed: 3, Abstained: 0. Motion carried.**

**BLACKJACK VALLEY ASSOCIATES:**


**A motion was made by Mike Gustavson that the Blackjack Valley Association rezone request be approved. John Taylor seconded.**

William Matchett opposed the rezone and felt it should be deferred as part of the Joint Planning Process. Jason Rice verified for the Planning Commission that this rezone request had also been pending for almost ten years.

**Vote: Aye: 6, Opposed: 3, Abstained: 0. Motion carried.**

**WATERS:**

Applicant: Robert Waters; Representative: William Palmer; Permit #0306112; Parcel Size 4.32 acres. Current Comprehensive Plan designation is Rural Protection with a proposed designation of Highway Tourist Commercial and inclusion in the Port Orchard Urban Growth Area.
A motion was made by Mike Gustavson that the Waters rezone request be approved. John Taylor seconded.

Vote: Aye: 6, Opposed: 3, Abstained: 0. Motion carried.

LOCKHART:
Applicant: Pat Lockhart; Representative: Phil Struck, Parametrix; Permit #0306112; Parcel Size 21.02 acres. Current Comprehensive Plan designation is Urban Reserve with a request for the addition of a Mineral Resource Overlay. Staff is recommending approval.

A motion was made by Mark Flynn that the Lockhart Mineral Resource Overlay request be approved. Monty Mahan seconded.

John Taylor want to know if use of the railroad for transporting materials could be required as part of an approval. Larry Coppola, Chair, noted he had traffic concerns, as well. John Ahl felt it was unlikely that they would use the railroad, particularly if the materials were to be used locally. Deborah Flynn noted when the Comprehensive Plan was first adopted, the first order of business was to designate resource lands of long-term significance. Mineral resource lands were to be designated as they came up due to limited resources. It was the County’s goal to protect those lands specifically for that use. Identifying and utilizing local sources would reduce pollution created by transporting materials in from other areas. Information provided when developing the Comprehensive Plan would seem to indicate mineral resources in Kitsap County were limited. Laura Ditmer noted she had worked for the Department of Natural Resources and confirmed natural resources were limited in the Kitsap County area. Transporting materials in from other areas not only contributes to pollution, but also drives up costs. These resources are only identified as geotech studies are performed and property owners come forward with applications.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.

LONGWELL:
Applicant: Donna Longwell; Permit #0306319; Parcel Size 2.5 acres. Current Comprehensive Plan designation is Rural Residential with a request for a zoning change to Neighborhood Commercial. Staff is recommending approval.

A motion was made by Mike Gustavson that the Longwell rezone request be approved. Mark Flynn seconded the motion.

Tom Nevins noted this rezone request was motivated by the property’s proximity to a gun range. John Ahl noted the gun range location would argue against a residential type development. John Taylor asked how would the zoning be affected if the gun range were to close or relocate. The Planning Commissioners in general felt that was unlikely but, should that occur, it was adjacent to other commercial properties and would probably be zoned for that higher use.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.
MCCORMICK LAND COMPANY:
Applicant: Linda Niebanck; Representative: Doug Skrobut; Permit #0306260; Parcel Size 120 acres. Comprehensive Plan designation is Rural Residential with a request for a Mineral Resource Overlay.

A motion was made by William Matchett that the McCormick Land Company request for a Mineral Resource Overlay be approved. Monty Mahan seconded the motion.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.

OLMSTEAD:
Applicant: Clear Creek Nursery; Representative: Gary Lindsey; Permit #0306327; Parcel Size 7.29 acres. Comprehensive Plan designation is Business Park with a request for a commercial designation. Staff had determined that Neighborhood Commercial would be the most appropriate designation.

A motion was made by Deborah Flynn that the Olmstead application be approved with the condition, as stated in the Staff Report, that all existing development is brought into compliance with County Standards. William Matchett seconded the motion.

Lary Coppola, Chair, received clarification that the “existing development” referred to in the Staff Report primarily related to expansion without appropriate permits, with the matter currently being addressed by Code Enforcement.

John Taylor verified that Clear Creek goes through the southern edge of the property and development had occurred well within 200 feet of the creek. Tom Nevins noted that existing development, to include a warehouse, was very close to the stream. There was also a home located adjacent to this property that afforded partial protection to the integrity of the stream. Tom Nevins stressed that any future development should occur away from Clear Creek.

Mike Gustavson questioned whether the conditional statement that existing development be brought into compliance with County Code related to grandfathered development that predates existing standards. Jason Rice noted any future expansion would automatically be required to comply with County Standards. Deborah Flynn wanted clarification on what specifically needs to be brought up to County Standards as indicated in the Staff Report. Lary Coppola, Chair, and Monty Mahan asked if the owner would have to tear down buildings within proximity of creek to meet this requirement. If the buildings are not required to be torn down, John Taylor wanted to know if there was another way to address the issue of critical areas. Jason Rice noted zoning standards are already in place and applicable to this property. They are already in violation of County standards because of expanding without proper zoning and permitting. If the property were rezoned, the owner may have to mitigate or provide additional enhancements to the existing developments to meet County Standards. Mike Gustavson noted that was a Code Enforcement issue and not something that the Planning Commission was supposed to address. Jason Rice agreed, noting that the
Planning Commission was only being asked to consider the change in zoning designation. Any action after approval or denial of the rezone relating to County Standards would be addressed by the County.

John Ahl noted instances in the past where the use of chemicals and fertilizers had been addressed. He would like to know if these issues had been addressed with regard to the proximity to Clear Creek. Jason Rice noted that as part of the original application and planning process that would have been addressed by the Health Department. He did not have the specific details of the original application process for the nursery.

John Taylor noted the Tribes would likely be involved in any future approvals. Jason Rice noted he was unsure if the Tribes were notified of all applications.

John Ahl supported the rezone, considering this to be a good use for the property, with sufficient zoning and protection in existing Codes to ensure any future expansion and development would protect Clear Creek. Larry Coppola, Chair, clarified that the Planning Commission didn’t have any authority to condition preexisting facilities.

Laura Ditmer stated the current issues regarding expansion should be resolved as a condition of any land-use changes. Tom Nevins would like more information regarding what was not in compliance. Monty Mahan asked that this be tabled until the August 19, 2003 meeting. Deborah Flynn expressed a willingness to withdraw her motion until further information was provided regarding what was out of compliance with County Standards. William Matchett noted that conditioning a rezone would require a written contractual document to enforce it.

Mark Flynn, Larry Coppola, Chair, and John Taylor asked if the conditional portion of the motion could be removed and only the rezone approved. Anything that did not meet County Standards could be addressed through Code Enforcement. If approved for a rezone, any further site plan review would necessitate the resolution of any code enforcement issues. Deborah Flynn stated she would like to table the motion until further, specific information was provided by Staff as to the areas that did not comply with County Standards and their impacts.

Deborah Flynn withdrew her motion regarding approval of the Olmstead application.

A motion was made by Monty Mahan that the Olmstead Site Specific Amendment rezone request be tabled until the August 19, 2003 meeting, by which time the Planning Commission will have received additional information regarding any noncompliant developments on the property. John Taylor seconded the motion.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.
SEDGWICK JOINT VENTURE:
Applicant: Representative: Bill Palmer, Permit #0305918 and parcel size 9.8 acres. Comprehensive Plan designation is Urban Reserve with a request for a designation of Highway Tourist Commercial.

A motion was made by Monty Mahan that the Sedgwick Joint Venture rezone request be approved. John Taylor seconded the motion.


It was confirmed that, with the exception of the Olmstead application, the decision process had been completed for Site Specific Amendments. The Olmstead site-specific amendment request is continued to the next scheduled meeting on August 19, 2003.

Comprehensive Plan Amendments (Phase II): Map Corrections to the Comprehensive Plan Land Use and Zoning Map

A motion was made by Deborah Flynn that all Map Corrections for FW Outlook LLC, Big O Development, Brass Ring Buildings, Sun Ae Choo, Edgewater Ballfields, Kitsap County General, Ridgetop, Bill Schourup, Sue Sehmel, Steve Steinman and Wood-Pro Cabinets be approved with the Pilger Map Correction to be addressed separately. Mark Flynn and William Matchett seconded the motion.

PILGER:
Deborah Flynn suggested this be approved as a map correction designating the northern strip as commercial and the southern portion as residential. This approval would be contingent on a boundary line adjustment, separating the northern and southern portions, combining the southern residential zoned property with the adjacent residential lot owned by Mr. Pilger. The only problem with the rezoning of this property appeared to be that it was submitted as a map correction. William Matchett noted that the landowner had used that approach based on prior instruction from the County, although it was actually more appropriately addressed as a site-specific request and boundary line adjustment.

A motion was made by Monty Mahan that the northern portion of the property, adjacent to other commercial properties, be zoned commercial with the southern portion to remain Rural Residential. This rezone was subject to revision of the property lines separating the commercial portion and combining the southern Rural Residential portion with the adjacent Rural Residential parcel owned by Robert Pilger. John Ahl seconded the motion.

John Taylor noted he would vote in favor of the motion but felt this process would lead to further confusion for the owner as to how to accomplish his goal.
The draft Planning Commission Minutes from July 15, 2003, were referenced for clarification. It was noted that Mr. Pilger had expressed a willingness to do a boundary line adjustment, noting it was his intent to only rezone the northern strip of the property. Additionally, Mr. Pilger had testified that the portion of the property being rezoned allowed sufficient space for development. Mr. Pilger had met with Kelly Robinson after testifying to obtain information on the boundary line adjustment process.

Vote: Aye: 9, Opposed: 0, Abstained: 0. Motion carried.

It was confirmed that the decision process had been completed for Map Corrections.

➢ Other Business

Before adjourning the meeting, John Ahl noted that he had missed the last public hearing and had viewed the videotape to get brought up to date on testimony and related information. Commissioner Ahl recommended that each of the Planning Commission members take the time to view one of the recorded meetings with an eye toward decorum and other aspects. Viewing the tape had made him aware of how the Planning Commission was presenting itself and it was worthwhile for each member to view the tape, as well.

The motion was submitted by John Taylor and seconded unanimously that the meeting be adjourned. The next meeting was scheduled to occur at 9:00 a.m. on Tuesday, August 19, 2003 at same location.

12:53 P.M.

No further discussion being heard, the meeting was adjourned.

DOCUMENTS ADDRESSED AT MEETING

<table>
<thead>
<tr>
<th>Exhibit No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Planning Commission Agenda dated Tuesday, August 5, 2003</td>
</tr>
<tr>
<td>B.</td>
<td>Exhibit 1 - Quality of Life Brochure provided by Dave Jones</td>
</tr>
<tr>
<td>C.</td>
<td>Exhibit 2 - Memorandum dated 8/5/03 provided by Marty Ereth</td>
</tr>
<tr>
<td>D.</td>
<td>Exhibit 3 - Letter dated 8/4/03 provided by Rod Reid</td>
</tr>
<tr>
<td>E.</td>
<td>Exhibit 4 - Letter dated 7/15/2003 provided by with additional page provided by July 15, 2003 provided by Holly Manke - newly distributed copy includes one additional page</td>
</tr>
<tr>
<td>F.</td>
<td>Exhibit 5 - Letter dated 7/16/03 provided by Dawn Pucci</td>
</tr>
<tr>
<td>G.</td>
<td>Exhibit 6 - Letter dated 8/4/03 provided by Tim Trohimovich</td>
</tr>
</tbody>
</table>
MINUTES approved this ___________ day of _____________________, 2003.

________________________________________

Lary Coppola, Chair

________________________________________

Planning Commission Secretary