

MINUTES

KITSAP COUNTY PLANNING COMMISSION May 25, 2004

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5
6 The Kitsap County Planning Commission met on the above-stated date at
7 the Presidents Hall, 1200 Fairgrounds Rd, Bremerton, Washington 98311.
8 Members **Present:** Tom Nevins, John Ahl, John Taylor, Monty Mahan,
9 Michael Gustavson, Mark Flynn, Lary Coppola, Deborah Flynn and Dean
10 Jenniges. Staff Present: Eric Baker and Holly Anderson, Secretary.

11
12 Chair Nevins Called the Meeting to Order and made introductions

13
14 Approval of Minutes

15 16 May 11, 2004

17
18 A **motion** was made by Deborah Flynn and seconded by John Taylor
19 that the minutes of March 9, 2004 be approved subject to a wording
20 change on page 86, line 19. Add words “in ready for development
21 area” following the word hanger. Motion carried. The vote: yes-8,
22 Against-0, abstained-1.

23 24 PUBLIC HEARING

25
26 Draft ordinance and potential amendments to the County Code,
27 addressing regulations for Agriculture and Equestrian activities.

28
29 Chair Nevins explained the process for public comments stating there
30 would be a three-minute time limit on each comment and asked that
31 comments be directed towards actions citizens would like the
32 Planning Commission to take.

33
34 Eric Baker, Department of Community Development staff - Two years
35 ago in July of 2002, Kitsap County embarked on a process to revise
36 existing agricultural and equestrian regulations. The process began
37 with an open house attended by approximately 130 citizens at the
38 Silverdale Community. Attendees outlined a series of concerns they

1 had with existing regulations, some of which made it overly
2 prohibitive, if not impossible, for certain agricultural activities such as
3 commercial stables and riding arenas to exist. The Board of County
4 Commissioners then decided that the process to revise current
5 regulations should start with a Community Committee comprised of
6 six members of the agricultural community, two from each of the three
7 commissioner districts, four members of the regulatory community
8 and two members of the Conservation District for a total of twelve
9 individuals. This group met 11 times over the course of a year at
10 various Kitsap County locations. Public testimony was received at
11 the beginning and end of each meeting with time for discussion
12 amongst the audience members as well as the Committee members.
13 The Committee covered a diverse range of topics including
14 agricultural structures, livestock quantities, setbacks, riding arenas
15 and stables. The Committee reviewed all comments and information
16 received as well as regulations from other jurisdictions and Best
17 Available Science (BAS) from locations around the western Puget
18 Sound region and other western states. In July of 2003, the
19 Committee came up with a recommended set of regulations heard by
20 the Planning Commission on February 10, 2004, at its first public
21 hearing on this matter. Approximately 40 citizens testified on the
22 proposed amended regulations. Comments addressed areas such as
23 concerns about livestock density, confinement area vs. pasture and
24 the recommended five-acre exemption for livestock densities. This
25 proposed provision states that properties five acres and larger are not
26 restricted in the number of animals on the property nor do they need
27 to apply for a Conservation District Farm Plan. Pursuant to that
28 public hearing, the Planning Commission made a number of changes
29 to the proposed amended regulations. These changes are noted on
30 the document before the Commission at this hearing. Baker then
31 reviewed concerns about current regulations. These included their
32 being too static; whether they either could or could not be met and
33 lack of flexibility to the regulations. Also, the Conservation District
34 that has an excellent program to develop Farm Management Plans
35 was not given any stake in the current ordinance creation process.
36 For example, if you had a Farm Plan allowing for a certain number of
37 animals on your property, if the regulations stated you must have a
38 smaller number, then the Farm Plan was not available to allowing for

1 any flexibility. Staff and the Board of County Commissioners thought
2 this was wrong and that the Conservation District Farm Plan is an
3 excellent method to do a site-specific analysis on a piece of property
4 to determine how many animals would be appropriate based on
5 certain waste management strategies and that flexibility should be
6 given. The proposed new regulations regarding animal densities,
7 setbacks for confinement areas and manure storage areas, are all
8 flexible based on the outcome of the Conservation District Farm Plan
9 analysis. Kitsap County contains a wide variety of property uses with
10 topography either complimentary, or not, to current uses. The
11 Conservation District Farm Plan gives the option to do the site-
12 specific analysis of each property to inform property owners what the
13 holding capacity should be. The Farm Plan has three excellent
14 qualities: 1) the ability to determine how to maximize the use of your
15 land while maintaining Best Management Practices (BMPs); 2) Farm
16 Plan if done by the Conservation District, is free; and 3) it opens up
17 an avenue to federal subsidies that are currently not available without
18 a Farm Plan. Lastly, with regard to riding arenas and existing
19 stables, current regulations only allowed for obtaining a Conditional
20 Use Permit if money is received to board a horse because it is
21 considered a commercial business. The facility also must be 200 feet
22 away from the nearest property line. Not many Kitsap County
23 properties would be able to operate under these restrictive
24 regulations. The Committee looked to revise this restrictive
25 regulation. It concluded that only properties of a particular size or
26 properties where buildings are a certain distance from property lines
27 or other homes, would need to apply for any permit, most specifically
28 not a Conditional Use Permit, which cost \$2,500 and are very cost
29 prohibitive. The current proposed change is that only properties less
30 than two and a half acres in size or if a stable or arena facility is within
31 100 feet of other residences or 50 feet from property lines, need to
32 apply for an Equestrian Impact Activity Permit, the equivalent of a
33 Home Business Permit, costing \$250. This would allow properties
34 less than two and a half acres in size to have riding arenas and riding
35 stables, while still mitigating concerns from members of the non-
36 agricultural/equestrian community. It appears the non-
37 agricultural/equestrian community has not been well represented at
38 the various committee meetings, work/studies and public hearings on

1 this issue. Kitsap County rural areas have a wide variety of
2 residential uses such as forestry, agricultural, cross-country
3 motorcycle racing as well as shooting ranges. These various uses
4 need to be compatible with one another. The proposed regulations
5 include the flexibility of a Conservation District Farm Plan that will
6 make it easier for the citizens in rural Kitsap County to peacefully co-
7 exist with the variety of uses. The Planning Commission asked Baker
8 to add that a Farm Plan does not necessarily need to be prepared by
9 the Conservation District. There are private consultants available for
10 this service as well. All plans are designed based on the Department
11 of Agriculture standards.

12
13 Chair Nevins gave an overview of public hearing protocol and stated
14 that each speaker would have three minutes to make oral comment.

15
16 Jerry Darnall – North Kitsap resident with a 15-acre Ferrell-to-Fork
17 swine operation near Kingston, spoke addressing three issues with
18 newly proposed regulations. 1. The definition of pastures and yard
19 setbacks. On March 9, 2004, Eric Baker stated the County receives
20 80-90 complaints per year, less than five being in excess of five
21 acres. He questions whether or not the larger acreage needs to be
22 included in new regulations. No reason for more regulations and
23 government control on the small farmers. 2. Problem with requiring
24 80% vegetative cover in pastures. He does not grow grass, but a
25 proprietary mix that his pigs only graze off the top 6 inches. After that
26 he disks it, replants and it is ready for grazing again in sixty days.
27 There are short periods of time when he has no pasture. Does this
28 meet pasture requirements or is he out of compliance and will need to
29 move to another county? 3. Setback of 50 feet from property line. If
30 this goes into effect, the North and South Kitsap FFA programs are in
31 violation because they are right at the property line.

32
33 Lorrie Ekstrom - Asked to be able to submit additional written
34 comments following this hearing. Does not believe three minutes is
35 adequate time to address concerns. Six people were on the
36 Agricultural Committee for over eleven months and worked hard on
37 the overall plan for Kitsap County. She then read their mission
38 statement to the Planning Commission the main theme being to

1 protect the economic and recreational vitality for all citizens in support
2 of the agricultural community. The Committee feels that although the
3 Farm Plan is a good idea, it should not be mandatory.

4
5 Chair Nevins said that although the intent was to end all comments at
6 the close of tonight's hearing, he would allow two more days until
7 close of business, 4:30 PM, on May 27, 2004. Hard copy mail and
8 email will be accepted. He asked that the email be sent directly to the
9 Planning Commission Secretary.

10
11 Sharon Call – Washington State Horse Council, thanked the
12 community and the Committee members for their efforts to develop
13 new regulations but does not see the need to rush to adoption. Still
14 have additional issues that need to be considered. Noted the Kitsap
15 County livestock owners to be primarily horse owners. These citizens
16 enjoy the rural lifestyle with the beauty of the natural surroundings.
17 This is why these people chose to live in Kitsap County. The County
18 has the second and third largest Washington State Horseman's Club
19 as well as many other associated clubs and activities. She specifically
20 mentioned a special event called Corey's Day on the Farm for special
21 needs children. Equestrian farmers have asked for little and given
22 much to the local communities. Does not believe many citizens
23 appreciate farming activities. These citizens complain about
24 associated and necessary functions of farming and how they are
25 handled. Farmers pay property taxes the same as the rest of the
26 County's citizens and she asked that their right to farm be protected.
27 Animals teach children many good lessons. This is a traditional way
28 of life that deserves protecting.

29
30 Thomas Hallett –owns property of a little over one acre in size.
31 Proposed regulations are far too restrictive and are set up to expand
32 only with a Conservation District Farm Plan. Thinks the process is
33 backwards. If no problem, let the Conservation District restrict the
34 use and make legal restrictions more expansive. As written, it is an
35 enforcement tool. There are other ways to deal with problems such
36 as a farm advisory commission to set up guidelines for the right to
37 farm. The committee could also arbitrate conflicts. Referenced other
38 jurisdiction's regulations that include wording to the affect that existing

1 uses may continue or be grandfathered. The proposed changes do
2 not have this wording.

3

4 Scott Hall – Resident of South Kitsap and a member of the Howe
5 Farm Stewardship Committee, works with agriculture properties
6 throughout the County. He is also helping an elderly man decide if he
7 wants to continue agriculture use of his property given the proposed
8 changes. Needs assurance his right to farm is protected. Hall is in
9 favor of a farm commission with representation of people with larger
10 acreages and/or larger income-producing agricultural activities.
11 These residents are owners of very expensive land that could
12 eventually come down to cows vs. condominiums.

13

14 James Kent – A Central Kitsap resident and employee of the Sheriff's
15 Office, thinks major issues are with the process that has taken place
16 for amending the current code. Does not think the composition of the
17 Committee is a true representation of the majority of property owners
18 in Kitsap County. He referenced Baker's statement that there were
19 70-80 complaints against farm uses last year, the majority of which
20 were against people with less than five acres. Most people are small
21 hobby farmers. This process started with the intent to remove overly
22 restrictive language, however it now appears to be more restrictive to
23 small property owners and less restrictive to those owning more than
24 five acres. Told would be a tool to use when complaint filed against
25 someone. Rules are not needed to apply when someone doesn't like
26 what the neighbors do. Other issues deserve more attention for
27 enforcement than this issue.

28

29 Sheridan Kent – Agrees with everyone tonight. Asked what is less
30 restrictive about the proposed changes other than no Conditional Use
31 Permit (CUP) is required costing \$2,500. Does not think most people
32 even applied for a CUP anyway and if so, it wasn't being enforced.
33 Should not be an issue of how much land a person owns, but should
34 be an issue that everyone is a landowner with livestock. The
35 agricultural/equestrian community needs to work together on issues
36 to help keep Kitsap rural and keep farms in Kitsap County. Everyone
37 has a right to farm and are protected under state laws relative to
38 nuisances. The Humane Society and Health District are available to

1 deal with specific issues such as animals and water quality.
2 Requiring 80% vegetative ground cover will require irrigation that is
3 counter to water conservation during dry summer months. A 50-foot
4 setback creates more of a problem. It puts animals into a smaller
5 confinement area with the same amount of waste production. Again,
6 this is a management issue and neighbor issues should be
7 reasonably mitigated. If a farm exists first when someone moves in
8 next door, then the new resident is aware of the existing farm when
9 they move in and can therefore expect to be living next to farming
10 activities. At the last public hearing it seemed as though speakers
11 were not being heard. Nothing has changed in the proposal. It also
12 appears that even if changes were made, they are now back to the
13 original wording. She asked that the peoples' comments be
14 considered.

15

16 Margaret Vingo – North Kitsap resident with 2 ½ acres. Property is in
17 compliance but thinks this proposed change is entirely unnecessary.
18 Do not need supervision to manage animals. Science is constantly
19 changing. Willing to upgrade and maintain horses in best possible
20 situation because of pride in her animals. Her horses are a breed
21 that grows on air; therefore maintaining two inches of grass for an
22 eco-pasture around the perimeter of her house is ludicrous. When
23 she asked her veterinarian which one of her horses should be on
24 grass, he just rolled his eyes. Changes are unnecessary for grown-
25 ups to have imposed on them.

26

27 Lou Fitch – A lifetime resident of Kitsap County with family owning
28 horses back in the 1940's. Her parents started the Silver Spurs
29 Saddle Club. Thinks proposed regulation changes are wrong and
30 agrees with every speaker tonight. Asked the Planning Commission
31 to take a serious look at this issue for the citizens of Kitsap County.

32

33 Sue Boblett – Resident of a 20-acre Central Valley farm with
34 approximately 25 horses. The Conservation District prepared a Farm
35 Plan for them last year and her family was excited about it. The Plan
36 is unworkable. Cannot live with the Conservation District's
37 regulations. The Conservation District requires six inches of grass at
38 all times. The farm has a boarding stable and what the Conservation

1 District wanted to do was confine animals to a small area around the
2 barn, with the remainder of the property in six inches of grass.
3 Boarders would not agree to leaving their horses on a farm with a
4 mud hole around the barn. Does not see how anyone can have six
5 inches of grass year around in Kitsap County. Horses are
6 supplemented with hay and grain; they do not rely on grass for feed.
7 Hopes the revised regulations are not approved.

8

9 Regina Twidwell – Many people are just getting involved in this issue
10 yet it seems like the Planning Commission is getting ready to
11 conclude the matter. Asked the Planning Commission members to
12 recognize that farmers may have rights that are being violated.
13 Thinks Kitsap County proposed this change because it made an error
14 in judgment due to fear of urban sprawl. Need to consider the farm
15 community's right to farm. Seems farms are under attack from
16 government that collects revenue from farmers. Logic dictates that if
17 farmers do not care take their land, it will not serve their needs. It is
18 unrealistic to assume that all farmers are guilty of poor care taking.
19 She asked the Planning Commission to stop attempting to regulate
20 peoples' rights with what they can do with their lands. If the main
21 reason for the Planning Commission's discussion is about County
22 revenue, she recommended a different approach. The Conservation
23 District is undermanned to handle the need if all farmers approached
24 them simultaneously for a Farm Plan. Does not think the
25 Conservation District is a friend to the farmer. She noted that there
26 are many volunteers in this industry in many ways. Realistically, 35%
27 of volunteers are affected by the County's regulations and may be
28 forced to move out of the area. Read statement urging people to get
29 involved. She suggested using the election process to remove
30 people from office thus indicating displeasure with regulations.

31

32 Chair Nevins Tom requested that speakers adhere to the three-
33 minute time limit to allow everyone time to speak and noted that
34 Planning Commission members are volunteers, not elected officials.
35 He said if each speaker did not have enough time to make all points
36 during the three-minute time allowed, written comments will also be
37 accepted through close of business, 4:30 PM, on June 27, 2004.

38

1 Sally Sullivan – Is a South Kitsap resident and owner of a pig
2 sanctuary. Biggest concern is the 5-acre issue. With easement to
3 the road, she has 5.01 acres; without the easement, she has 4.86.
4 Which scenario will the County consider? She encouraged horse
5 people to keep fighting to protect their interests. Another concern she
6 sees in the proposed amendments is the classification of ferrets as a
7 farm mammal. Caution was given urging citizens to be aware of
8 government sneaking unwarranted issues into existing regulations.

9

10 Mary Stever – Her problem is different than most. Has cock fighting
11 roosters next door and does not see any regulations for this problem.
12 Where is help for her? The noise and smell is unbearable. She sees
13 new regulations making it worse and she has no recourse but to
14 move.

15

16 Neal Cooper – President of homeowners association in area where
17 Mary Stever lives. He concurred that the problem with the fighting
18 cocks is unbelievably bad. There are 100 cock fighting roosters,
19 raised to fight and kill, not as pets. Impossible to get assistance from
20 any agency. Have already tried Health District, Sheriff's Office, and
21 Community Development. His neighborhood needs help.

22

23 Collin Young – Asked who was behind this proposed regulation
24 change and who will benefit. Believes this is based on issues with
25 animal waste and complaints from neighboring properties. Animal
26 waste should be addressed by the Health District. Believes this is
27 another opportunity to make government bigger, more wasteful and
28 more invasive of citizens' rights and liberties. With this ordinance
29 amendment, Kitsap County Code Enforcement will be responding to
30 complaints about every chicken and duck. Suggests that every
31 complaint be filed in writing and fined if not valid. Finally, if Board of
32 County Commissioners votes for this proposed change, the public
33 needs to remember this at election time. He referenced a specific
34 Farm Plan cost.

35

36 Kristina Cullefer – She is disappointed with the Planning Commission.
37 Not happy with members passing notes while people are speaking.
38 She hopes the members are getting the message from the people

1 that the new regulations are not wanted. She spoke in favor of a farm
2 commission. Has never had complaints from neighbors. Believes
3 she has a right to do as she pleases with her own land.

4
5 Nadine Ross – Told that as of today, only the original draft of code
6 changes were posted on the County’s website. The latest version is
7 not there, only the 10/24/03 version. This frustrates and confuses the
8 public, as they are not able to come to hearings of this nature with
9 correct information. Thinks the County has current ordinances in
10 place to deal with issues such as the fighting roosters. If County staff
11 cannot handle the problem with existing regulations, why impose
12 more? Objects to the Farm Plan requirement. Not sure the about
13 natural resource clause. Is it State, local or Conservation District?

14
15 Ron Ross – Submitted four different copies of regulation changes.
16 The first dated 4/2/03, second, 10/24/03, third 3/17/04 and the fourth
17 again 10/24/03. Asked which one is being worked with? Said this is
18 absolutely out of hand. The entire program should be aborted. At
19 first people with riding arenas were asked to sign a document stating
20 they would never be used for commercial purposes. This is wrong. If
21 it is a private facility, it cannot be used commercially. It should not be
22 made so that commercial endeavors in farming are bad. Again, the
23 mention in the regulations for the Department of Natural Resources.
24 Kitsap County does have a Department of Natural Resources. This is
25 confusing because it is not clear which DNR is being referenced. The
26 County should not be dealing with small animals of any kind. Nothing
27 is mentioned about what can be done on small parcels. On page 2,
28 bottom line, it references 24 poultry. Before that in the definition
29 section, it states 12 poultry. Regarding setbacks, do not put all of the
30 burden on livestock property owners. Neighbors should also be
31 involved in adjoining setbacks.

32
33 Janet Arrants – Have owned horses in Kitsap County for 18 years
34 and have never had complaints from neighbors. How will proposed
35 regulation changes affect her property? Will citizens get to vote on
36 use of their own property?

37

1 George Arrants – Thinks the Committee has been directed to put
2 regulations on small property owners that are financially prohibitive.
3 Currently have buildings on property that do not meet proposed
4 setbacks. How will these be affected? Density in area has increased
5 dramatically. Emphasized that cause is not from animal owners it is
6 from people that move into areas where they are unfamiliar with
7 existing uses. The Board of County Commissioners needs to
8 understand this. Asked why reference to existing enforcement
9 ordinances is not listed in proposed regulations. Also asked who will
10 enforce complaints. He talked with Sheriff's Office and was told that
11 their work load has already increased due to animal complaints. He
12 is disenchanted with Kitsap County and with Silverdale. When he
13 retires in seven ½ years he will probably move out of the County
14 because government is making it too difficult to live in the County.

15

16 Patricia Sisson – Owns a small farm on a narrow strip of land
17 surrounded on three sides by unused property. Her horses are in
18 woods around her home on undeveloped property she does not own.
19 Can only afford a small parcel. Will be forced to move to another
20 county. Suggested that additional population is the problem and
21 asked that the County stop allowing commercial zoning on property
22 that is currently farmland. Thinks Kitsap County is turning into
23 another Seattle.

24

25 Bill McLaughlin – Resident of Seabeck – Does not see anything
26 addressing the requirement for new neighbors to build 100 feet from
27 his buildings. Sees this as an education problem. Believes
28 complaints come from new residents unaware of existing farming
29 uses in the area. Conservation District is already overworked. What
30 will guarantee he could get a Farm Plan prepared in a timely manner?
31 The proposed new regulations will not work. Nothing to address
32 grandfathering existing non-conforming parcels.

33

34 Donald Todd – Resident of Seabeck – Questioned what is being
35 regulated. Referenced complaint numbers from Conservation District
36 as being 80-90, some of which are small farms. At the last public
37 hearing, the Conservation District representative said they responded
38 to 2,000 complaints per year. The current proposal is not less

1 restrictive but more prohibitive. With proposed setbacks horse will be
2 in 40 feet of land. Understand that commercial stables could not exist
3 under current rules. Suggested changing regulations for commercial
4 stables. The new regulations will prohibit farming in Kitsap County.
5 Right to farm commission is good idea. Tell Board of County
6 Commissioners to allow citizens to vote on this ordinance change.
7 Let the neighbors work it out by vote. Give the property owner
8 flexibility and stay off his farm.

9

10 Diane Ramsey – 18 year resident of Kitsap County - Moved from
11 Bellevue to get away from urban sprawl. She applied for a Farm Plan
12 2 ½ years ago and is still waiting for a call back. Thinks this process
13 is flawed because enforcement is writing and interpreting laws that
14 should be written by elected representatives, interpreted by courts
15 and enforced by enforcement officers. Need to set this proposal
16 aside, impose a moratorium and set up a farm commission of sorts.
17 Many other jurisdictions have set up similar advisory committees with
18 a dozen members (see hand-outs submitted) thus avoiding
19 enforcement creating laws. She explained what other counties did for
20 right to farm. Already have right to farm under State law. Skagit
21 considers farming and ranching a natural resource to be protected
22 from suburban sprawl. We need this in Kitsap County. The Planning
23 Commission has a resource in one of its members who assisted in
24 establishing an Agricultural Advisory Committee in Pierce County.
25 Since this has been done before, she believes it can be done again in
26 Kitsap County.

27

28 Ron Gascoyne – Is a fifteen-year resident of Kitsap County and a
29 member of the Agricultural Committee. Gave example of an
30 unusable regulation in the original ordinance wherein a building could
31 be place 200 feet from the property line but with five acres (320 feet
32 wide and 600+ feet long) where can a barn legally be placed? The
33 Committee did listen to the entire community. He has two five-acre
34 parcels joined as ten. He gave example where his permit was
35 approved but not in compliance with ordinance. He does not think
36 divisions in the County are communicating. He has a stable in
37 Seabeck and has never received a complaint about his operations.
38 Any issues are dealt with among neighbors. Citizens do not need to

1 be regulated on farms because of a few complaints. Kitsap County is
2 a rural area that people enjoy. Kitsap County needs fewer
3 regulations, not more. What a person has on their property should be
4 their own.

5
6 Linda Heath – Is a proud member of the equestrian community.
7 When her family purchased their home, the real estate brokers
8 specified the equestrian activities allowed as a benefit. Need to be
9 allowed to keep what activities were allowed at time of purchase or
10 have them grandfathered in so as not to have these amenities taken
11 away. Asked if any of the Planning Commission members actually
12 live on property with animals. There are ways to handle complaints
13 on a case-by-case basis. The proposed regulations are
14 unreasonable and unaffordable. Establishing a farm commission is a
15 good solution. Most people take pride in their animals, which is one
16 reason why they live here. There are places of higher home density
17 for others to live if they do not want to be located next to a farm.

18
19 Chuck Hislop – Is a local fire fighter who married into horses. If
20 agricultural and equestrian property is not managed properly, it dies.
21 It is a management problem. He addressed costs associated with
22 developing his farm. Explained the many problems he had with the
23 County during this time. The ordinance amendment is challenging
24 their way of life. Increased home density is the problem. Farm
25 people take care of their land. Neighbors that complain about farm
26 smells purchased their homes knowing a farm, with associated noise
27 and smell, already existed next door. Government regulations are
28 troublesome. This way of life is being challenged and needs
29 protected.

30
31 Sue Machacek – Is a resident of Mason County. Explained why she
32 left Kitsap County. She did not like the fact that she purchased land,
33 paid her taxes; yet, local government dictates what she can do with
34 portions of her land that she pays for with her tax dollars. In other
35 words, she does not agree with required setbacks that she is still
36 required to pay for with her taxes but cannot use as she sees fit.

37

1 Al Whitworth – Owns a horse farm owner in Hansville that is also
2 used for other activities such as weddings. If proposed regulations
3 are approved, his liability insurance costs will put him out of business.
4 Wants to retain his right to farm and keep his business. If have to
5 keep his horses on 6 inches of pasture his veterinarian will not like it.

6
7 Angela Schauer – Member of the County Farm Bureau, Washington
8 Farm Bureau and American Farm Bureau. The problems addressed
9 at this hearing are not new. Since 1997, she has become an
10 advocate for farming. Problem is with the proposed regulations.
11 Thinks they are full of loopholes. As a Farm Bureau Member, there
12 are policies in place. These policies include the desire to not have
13 excessive government. Believes the Planning Commission members
14 should also be fighting against excessive government. Farmers in
15 Kitsap County are a minority that needs an association to protect their
16 rights. People who abuse animals have created this problem.
17 County has right to prosecute offenders. Worried that regulations
18 proposed touches too many things under agriculture term. The word
19 agriculture means different things in different regions of the state.
20 Need to be aware of the creation of a farm commission because it
21 could also become a bureaucracy. Most people are not generating
22 income from their farm but are working to support it. Have met
23 farmers from every state in the union. Universal problem is created
24 when human interaction is eliminated through regulations. We need
25 arbitration and mediation with reasonable people. Asked government
26 not to try to solve this problem with written code. The human factor is
27 needed.

28
29 Frank Tower – Addressed all farm issues but mostly horses. Has
30 watched other states regulate farms out of business. The horse
31 industry is large industry supporting 141 million jobs. It is also one of
32 the largest recreational business in the United States. Regulations
33 will not help. Would rather see money go to help law enforcement
34 protect citizens against violators.

35
36 Tom asked if anyone else wanted to speak.

37

1 Ron Griffin – Addressed large commercial operations.
2 Recommended building heights be limited as well as square footage
3 and recommended percentage of land used for confinement and
4 consider all buildings in the lump sum. Suggested moderate
5 requirements on wetland areas and a volume limit on manure
6 storage. Possibly 25 to 50 cubic yards without additional buffers
7 should be required. Thought a Conditional Use Permit should be
8 required as it allows the public a chance to comment on a proposed
9 development use. The purpose of the proposed regulations is to
10 ease the burden on small farming businesses. Asked the Planning
11 Commission to consider easing of restrictions by responding to
12 questions not debated or fully discussed by the Committee. His
13 questions addressed consistency with how other home businesses of
14 similar scale and impact are treated, if a different activities is
15 proposed generating similar light, noise, traffic and visual impacts,
16 would it be permitted without a Conditional Use Permit or other review
17 process to allow all stakeholders the opportunity to comment on the
18 proposal. If the proposed regulations are approved, he supports a
19 process allowing for interested parties and nearby landowners to
20 have an opportunity to review and comment before new or expansion
21 is permitted to an existing operation. His family has farmed in the
22 Puget Sound region since the late 1800's and he supports agriculture
23 as well as forests and open space. Has not seen a farm replace a
24 subdivision of homes. Has seen forests and open space become
25 parking lots and riding arenas. Cautioned giving development special
26 treatment under the term agriculture. Riding arenas are recreational
27 facilities, not agriculture. Asked the Planning Commission to consider
28 impacts from farming activities the same way it considers any other
29 development activity.

30

31 Michelle McFadden – Attorney representing a property owner having
32 a code enforcement action filed against him. The owners purchased
33 a farm that had been a 16-stall horse farm on ten acres and used as
34 a breeding farm. When the new owners chose to board horses at his
35 farm instead of continuing with the previous use, he was told this
36 would be a non-conforming use and was fined \$1,600. The County
37 eventually refunded the money but this was the beginning of the
38 County's action to amend the existing regulations. Thinks the

1 ordinance needs to be changed, as it is not effective as it stands now.
2 She sent a letter to the County with suggestions regarding: a
3 grandfather clause for existing operations and riding stables, public
4 vs. private, being problematic because a farm owner could change
5 their mind. Some standards are still too rigid. New homes being built
6 next to existing farms should not cause a nonconforming situation.
7 She suggested changes to riding stable provisions. Does not see
8 need for equestrian impact activity permit. Dust, noise and parking
9 are issues most grown-ups can deal with. The density issue also
10 needs to be addressed using common sense. Her clients would like
11 the amendments to go forward and commended staff for doing the job
12 knowing that this issue is being presented because of complaints filed
13 with the County. She also thanked the Planning Commission for its
14 good work and hoped her suggestions would be helpful.

15

16 Brenda Veneer – Moved to Kitsap County about a year ago, bringing
17 livestock with them. Enjoys living in Kitsap County because of the
18 variety of living conditions available. Will be showing livestock at
19 Kitsap County Fair this year. Asked that her right to farm be
20 protected as well as the rural lifestyle her family enjoys.

21

22 Tim Matthes – President of KAPO. KAPO has received several
23 emails regarding the agricultural provisions. KAPO has not taken an
24 official position on this. It does support ways to improve distribution
25 of timely material prior to hearings as well as allow public more time
26 to testify at hearings. He encouraged the County not to rush adoption
27 of new regulations because some of them may be inadequate or
28 incomplete.

29

30 Chair Nevins closed the oral public comment portion of the public
31 hearing. Written comments will be received through close of
32 business, 4:30 PM, on Thursday, May 27, 2004. US mail or email will
33 be accepted.

34

35 Michael Gustavson – Commented that he serves on Planning
36 Commission with the eight other members present. Reminded
37 audience not to forget that the final decision on this ordinance
38 amendment will be made by the Kitsap County Board of County

1 Commissioners. The Board will also hold a public hearing on this
2 matter. The date is unknown at this time.

3
4 Chair Nevins suggested a good way to be involved in the public
5 process is to read the public notices in the newspapers to access
6 dates and times for upcoming public hearings. He then noted Holly
7 Anderson's email address for additional written input.

8
9 Public hearings are also posted on the County's website.

10
11 No further business being heard, a **motion** was made by Dean Jenniges
12 and seconded by Michael Gustavson that the meeting be adjourned. **The**
13 **Vote: Aye-9; No-0. Motion carried.**

14
15 **Exhibit No. Description**

- 16
17 A. May 25, 2004 Planning Commission agenda
18 B. Sign-in sheet from May 25, 2005 public hearing
19 C. Packet of letters received prior to the May 25, 2004 public hearing
20 D. Packet of hand-outs received from citizens at the May 25, 2004 public hearing
21 E. Packet of emails received after the May 25, 2004 public hearing and before the
22 cut-off deadline of 4:30 PM, Thursday, May 27, 2004
23 F. Two written comments (one letter, one email) from citizens who missed the May
24 27, 2004 cut-off deadline, with responses back from staff
25 G. KitsapFarm Website submitted by Jerry Darnall (included in public hearing
26 hand-outs)
27 H. Washington State Horse Council handout submitted by Sharon Call (included in
28 public hearing hand-outs)
29 I. Legal Notice published in *The Sun* for the May 25, 2004 Planning Commission
30 public hearing
31

32
33 MINUTES approved this _____ day of _____, 2004.

34
35
36
37
38 _____
39 Tom Nevins, Chair

40
41 _____
42 Planning Commission Secretary