The Kitsap County Planning Commission met on the above-stated date at the Eagle’s Nest Conference Center, 1195 Fairgrounds Rd, Bremerton, Washington 98311. Members Present: Tom Nevins, Michael Gustavson, John Ahl, Lary Coppola, John Taylor, Deborah Flynn and Dean Jenniges. Member Absent: Mark Flynn, Monty Mahan. Staff Present, Cindy Baker, Angie Silva, Albert Williams, Jim Bolger, Cindy Read, David Nash, Consultant Mark Personius and Planning Commission Secretary Holly Anderson. Five members of the public were present.

9:00 AM

A. Acting Chair Tom Nevins called the meeting to Order and introduced the Planning Commission members present.

Approval of Minutes

B. March 22, 2005 Minutes

A motion was made by Lary Coppola and seconded by Dean Jenniges that the Planning Commission minutes of March 22, 2005 be approved. Motion carried.

C. Public hearing to consider oral and written testimony on options for the Kitsap County Updated Land Capacity Analysis (ULCA) methodology and assumptions, (unincorporated residential portion). The ULCA will be used to determine the amount of residential land available for distribution of populations reported in the 2004 Countywide Planning Policies.
Cindy Baker, Director, Department of Community Development (DCD) – Made the staff presentation expressing the need to be sure all information on the Land Capacity Analysis issue were covered and all questions answered. Baker introduced Mark Personius, consultant on this project who has done the majority of the oversight. She also introduced Cindy Read and Dave Nash, County Geographical Information System (GIS) staff, present to answer logistics of the numbers used in the methodology. Lastly, Baker introduced Angie Silva and Albert Williams, co-lead staff on this project who compiled the large packets of information distributed today. Lastly, she introduced Jim Bolger, Acting Manager for Long Range Planning and Manager for the Natural Resource Division of DCD. Baker referenced the packet noting that most of the information was previously reviewed by the Planning Commission. There is however some last minute corrections needing addressed and inserted in the packets and Baker walked the Planning Commission through these changes. Baker did not intend to re-address material already covered. She referenced each document in the packet without further explanation if there were no changes.

First, the Land Capacity Analysis is an estimate of available land. The citizen committee who worked on this process, attempted to find balance in the assumptions, not in the overall outcome. Following a briefing Monday with the Board of County Commissioners, there were some issues that needed updating but there was no time between the meeting and this morning’s public hearing to make those changes. Most changes for example are clerical errors, not substantive in nature. There is only one substantive change that she will address shortly. The committee roster needs to have each member’s affiliation noted. A new table provides additional detail on the explanation of Options 1 and 2, relative to the re-developable, underutilized lands. Attachment 7 is a summary of the Updated Land Capacity Analysis and shows it to be for the unincorporated UGAs for vacant lands and for buildable lands with totals. It also summarizes all data compiled and gives population estimations with the Updated Land Capacity Analysis. Attachment 9 is new. It is a comparative analysis. The Board asked that an additional Option 1A be included which is a comparative between Options 1 and 1A. Option 1A slightly changes the assumptions on re-developable, underutilized land and on sewer availability. The table in 1A explains the differences, not the analysis, just the assumptions. However, upon review, page 3 assumptions did not change and Angie Silva
distributed an insert showing the changes in assumptions. Baker noted that when all edits and changes are completed, the Planning Commission will be given a new, cleaned up version. Attachment 10 is new and is an explanation of 1A, further explaining the re-developable, underutilized lands in detail. This attachment reaches a deeper level of detail than most prefer but it is now available if needed. Attachment 11 uses Silverdale as an example, showing the numbers that support the previous explanation of Options 1 and 1A. There was one math correction in Attachment 15 that Baker noted for the Planning Commission members. She compared the old and new document. The original document showed 197 but should be 209. This only applies in Silverdale. Attachment 12 printed out too small and a new, more readable version was prepared to replace the old one. Attachment 13 is new and lists comments from the Kingston Subarea work group. Attachment 14 is a letter detailing input from city planning directors. These are for reference and not new data.

- Dean Jenniges – Why go to Option 1A. The valuation is set by County Assessor and if he reads this correctly, Option 1A will change that.

Baker – This analysis contains only two assumptions; the remainder stays the same. The Board of County Commissioners objected to two of the assumptions.

- Jenniges – Residential properties are evaluated on three factors. Asked if the factors in 1A are the Assessor’s factors or do they relate to the reclassification of the land.

Mark Personius – Option 1A only looks at how re-developable land is defined for the purposes of the Updated Land Capacity Analysis. Also included are the two suggested changes the Board of County Commissioners asked be made. 1) Re-defining criteria for how to classify underutilized land; and 2) the formula discussed on how to measure sewer constraints—the distance from sewer to lots and how much of a constrain this puts on potential re-development.

- Jenniges – Regarding re-developable lands, asked if this was not up to the landowners and if so, why has criteria been established for the landowner.
Personius - The landowners’ activities are unknown. This is a model attempting to predict what landowners will do based on factors to assist them in determining whether they want to re-develop. It lists items such as zoning, parcel size, access, sewers, etc. that will be placed in the model.

- John Ahl – Asked if the public has seen the revised packet. Procedurally this is not a regular public hearing in that normally both the public and the Planning Commission has had an opportunity to review the final documents and a written recommendation from staff is provided for the Planning Commission to consider.

Baker – The public has had four opportunities previously to review the material.

- Ahl – The only public he sees present are those familiar with the process and/or have served on the committee.

Baker – Asked for Ahl’s preference at this point.

- Puzzled by today’s process that seems more like a work/study session where Baker is explaining what apparently the Planning Commission members have already seen numerous times. Apparently the public is supposed to hear and make its own judgment.

Baker – Items in the packet that have not changed, have been seen by all and are the basis for the hearing. She proposed she end her presentation at this time and open the hearing up for public comment.

- Ahl - Asked if the Department of Community Development has a recommended alternative and Baker responded yes. He then asked that Baker state staff’s recommendation.

- John Taylor – Thanked Cindy for taking the time to present a quick overview of the documents prior to a more detailed presentation.
Baker – Reiterated that the public has reviewed the material in the packets on which staff will base its recommendation. There were however some clarifications necessary based on staff’s meeting with the Board. This Updated Land Capacity Analysis process is moving ahead quickly since there are subarea plans waiting for this information that has been under analysis since January. The most critical information needed to make a recommendation has been presented a total of four times prior to today’s hearing. Baker can state what the Department of Community Development thinks is the appropriate assumption and agreed with Ahl that today’s process was somewhat unusual but she wanted the Planning Commission members to have everything that the Board of County Commissioners has to assist in making their recommendation.

- Deborah Flynn – Questioned the various alternatives, a question that was also raised at the last presentation on Updated Land Capacity Analysis. It is a legal question. Seems there is some confusion as to whether the Byron Harris option is available as an alternative.

Baker – Harris is not finished with his alternative analysis and will not be until the end of this year. Staff needs to finish and has decided to go forward. Harris looked at lots that he thought would be available, but not a cross-section. This skewed utilizing any of his data. Legally, the Harris/Prudential alternative is not a choice at this time.

- Jenniges– Expanded on Ahl’s concern that with previous issues there was more public participation.

Baker – Technically, this should not officially be going through a Planning Commission public hearing process. Next year, if there are any changes, it will not. The Updated Land Capacity Analysis is an implementation tool and should not have been in the Comp Plan at all. It will be removed from the Comp Plan at the end of 2005. It will, however, be brought before the Planning Commission for a work/study to garner the Commission’s thoughts and opinions on the Updated Land Capacity Analysis, which is how it is handled in other jurisdictions.

- Michael Gustavson – Concerned about “urban” residential lands when there is a population allocation that includes the
entire county, urban and rural. This addresses his concern as
to whether there will be enough rural parcels available for
development to accommodate the portion being allocated to
rural. This addresses his concern as to whether urban needs to
be expanded enough to accommodate the total population
allocation and that a harder look needs to be taken at urban
population.

Baker - This will take place as soon as the Updated Land Capacity
Analysis decision is made by the Board of County Commissioners.
Staff and consultant will shift toward subarea planning and analyzing
the rural population. Updated Land Capacity Analysis will
automatically be reviewed in five years. This was a Kitsap Regional
Coordinating Council decision. The Department feels it has adequate
information at this time to make the decisions needed.

- Gustavson – The other significant item is the impact of the
  Critical Areas ordinance (CAO) regarding available lands. He
  notices that in the urban areas, staff is allocating average
  wetland buffer to increase from 75 to 85 feet. Yet the County’s
  proposal for wetland buffers is 200 feet. These are significant
  departures and thinks this issue needs to be settled before
  making a recommendation on the Updated Land Capacity
  Analysis.

Baker – When the Updated Land Capacity Analysis began, it was
thought that work would be completed on the CAO. The challenge
was in how to get a head start on this issue, even if it changed, in
order to make a comparison. The comparison was made to show the
Planning Commission the difference. Because a new CAO was not
adopted, staff, by law, must select the existing ordinance (Option 1).
Option two in the packets has proposed assumptions to see how it
will impact the numbers. However, the Board of County
Commissioners will analyze each assumption but currently want
across the board assumptions so they can “mix and match”
accordingly. There are seven assumptions on which the Board will
make its decision based on assumptions only, not the numbers.

Mark Personius – Under Option 1, critical areas are measured in the
GIS database as mapped, not typed. Therefore it is unknown if the
wetlands are types 1-4. Those are the State classifications. Instead,
wetlands are measured and evaluated on types 2 and 3, based on staff review of actual applications received. Under the current Code, buffers for Type 2 and Type 3 are 100 feet and 50 feet respectively. An average of 75 feet was then used in the current analysis to measure. For Option 2, it is estimated that an additional 10 feet will be added under the proposed Critical Areas ordinance.

Baker – Responded to Lary Coppola’s question that the Harris option would have been number 5.

- A motion was made by Lary Coppola and seconded by John Ahl that the Planning Commission open the public testimony portion of this hearing followed by the County declaring its preferred option.

- D. Flynn – Thought the public should have the option to comment on the County’s preferred option.

- Coppola – Withdrew his motion.

- Acting Chair Tom Nevins recapped:
  1. County’s preferred option
  2. Public testimony
  3. Planning Commission deliberation and recommendation to the Board of County Commissioners

Baker – There are two re-developable lands in 1A and it focuses on sewers. Baker prefers Option 1A and she read through the assumptions. Believes what the Board would like from the Planning Commission is to know what assumptions it prefers as being the most reasonable and balanced of the different assumptions. For example, Attachment 4 starts with re-developable, underutilized lands as the first assumption that is a reduction factor. This means you start out again with total gross acreage for vacant and underutilized lands. The Department of Community Development favors a compromise between 1 and 2.

- Jenniges The Citizen Advisory Group recommendation shows 6 votes for Option 2 and 1 for option 1. Asked if staff was ignoring the Group’s recommendations.
Baker – 1A is a combination of Options 1 and 2. This is why the Department favors Option 1A. The first page shows the total gross vacant acreage and the next page is underutilized. This is the total residential land identified on the GIS mapping. Option 2, page 3, is the re-developable, underutilized lands, a reduction factor.

- Jenniges – Underutilized implies it can be re-developed.

Baker – That is correct.

- Jenniges – Referenced another status, re-developed, underutilized land.

Baker – Explained that the first page shows a starting point with vacant and underutilized lands. This is the big picture. Next is the reduction factors, including underutilized, because these are not going to all be included by taking them out or leaving them in. It will not be 100% of the underutilize lands. Page 3 shows assumptions for reducing the re-developable and underutilized lands.

Personius – explained Option 1 in detail and responded to the question of how many lands will redevelop in the next 20 years. The methodology for Buildable Lands in Options 1 and 2 are very similar. Taken into account is parcel size, zoning and home value. These factors determine the likelihood of a parcel actually subdividing. The differences between Options 1 and 2 address how large the parcel will be before it becomes unlikely to subdivide. Therefore, in the Urban Low zone, Option 1, if the parcel is 5 times the minimum zoning size, it would only redevelop if the building value is less than 1 ½ times the median value of the home in that UGA. Median home values differ within each UGA. This recognizes the different values within each UGA. Parcels 2 ½ acres or more in an Urban Low zone were removed from the inventory. Option 1A looks at increasing the cap size, i.e. any parcel 10 times the minimum zoning size becomes a five-acre parcel. This adds anything over five acres back into the inventory. Next, Option A states that if the whole parcel is more than 10 years old it was likely to re-develop but not so if less than 10 years old, Option 1A does not consider the year the home was built and recognizes that parcels at least ten times the minimum zoning size should be left in the inventory. It is thought that at some point, the
parcel size out weighs the value component of the home that is already there.

- Acting Chair Nevins – Does not follow the acreage associated in this option given that five times the minimum zoning size would be 1 acre not 2.5 acres in Urban Low zoning.

Personius – The total minimum size needed to place an additional home would be 4/10 of one acre.

- Acting Chair Nevins – Does not know of any ½ acre zone within a UGA.

Personious – There are no minimum lot sizes in zones, just density size.

- Acting Chair Nevins – This indicates that 10 acres in an Urban Low Zone would have the capacity for 50 homes. Clarified that if the property is greater than 10 acres then it is likely to re-develop but if under 10, it is very likely to re-develop regardless of the home that is already there.

Personius – That is the intent of Option 1A, to make sure that the larger parcels stay in the inventory, regardless of the home value.

- Gustavson – A house has to be quite old to justify tearing it down because often it is less expensive with a house that is 20-30 years old to remodel than destroy and re-build. Also, the first person to build on a parcel will most likely build on the best location, which typically creates a problem for re-development to the maximum allowed.

Personius – There are properties that could accommodate more dwellings but the existing home is sitting on the best site.

- Coppola - Asked for clarification that Option 1A does not consider the age of the house. Options 1 and 2 still consider the age.

Baker – The Board removed this consideration from Options 1 and 2 because of the rapid increase in property values. Option 1A allows for a property owner to remove dwellings from the property and
construct several new ones. The Board believes it is to the citizens’
advantage not to value the home. The difference between 1998
regulations and the proposed Option 1A is approximately 4 acres.
This is the best guess in what can be done to calculate in Updated
Land Capacity Analysis. It is defensible and has more reality, and
even with more scrutiny, the analysis is basically the same.

- Acting Chair Nevins– Understands the Departments preferred
  Option is 1A and proceeded to open the public comment
  portion of the hearing.

PUBLIC TESTIMONY

Art Castle – Executive Vice President of the Home Builders
Association and a member of the Citizens Advisory Group, thanked
the Department of Community Development staff for conducting a
fair and open process. Throughout this process, there was much
constrain exercised, always looking for a defensible model. Castle
suggested that some reality be added to the re-developable lands.
Option 1A presumes that lands will re-develop to a higher density
over the next 20 years and as previously stated, will be revisited
again in five years. Thinks Option 2 is preferred or some minor
modifications could be made to Option 1. As to Option 1A,
suggested both the Board and staff take another look at a
methodology dealing with sewer constraints, judging distance to
parcel size. Sewer constraints are a major concern. Castle read a
summary of comments on Options 1 and 2, giving rationale for these
being his preferred options. Castle submitted the written comments
for the record.

Vivian Henderson – Her comments were mostly housekeeping
issues. She asked staff to remove her name from the group since
Dick Brown was appointed to represent Kitsap Alliance for Property
Owners (KAPO) in this matter. Henderson expressed her
disappointment that not many committee members were present and
asked if the other members knew that Option 1A is the Department of
Community Development’s preferred choice--and if not, asked that
the meeting be continued.

Fred Depee – South Kitsap resident – Said that the more technical an
issue, the fewer citizens attend. In Option A, Attachment 9, Depee
favored removing the year of building—this is not as important as the
condition of the house. When acquiring a parcel for development,
age is not a relevant condition. The options listed in the documents
were reduced down. The assessed value of property is more of a
contributing factor than stressed in the options. Depee assumed
that the Citizens Advisory Group (CAG) thought Harris was
discounted because the data was from a market point of view and did
not think it was given enough credence. In the end, he was in favor
of Option 1A.

No further testimony being heard, Acting Chair Nevins closed the
testimony portion of the public hearing.

- Gustavson – Asked Baker where the “People per household
  size” language came from and she confirmed it came from
census data.

- Jenniges – Understood Fred Depee’s testimony to indicate his
  preference to be Option 2 but in the end, he stated he was in
  favor of Option 1A.

Baker – Reiterated that staff made every attempt to provide the best
assumptions and that the Planning Commission needs to make a
recommendation on the best assumptions because the various
options already exist.

- D. Flynn – Asked if the Citizens Advisory Group was introduced
to the Committee members.

Personius – Following the Citizens Advisory Group’s work, Option 1A
came by design and discussions with the Board. The Committee
produced all options except Option 1A. Staff did not make its
recommendation known prior to this public hearing.

- D. Flynn – For clarification asked if staff changed its
  recommendation to Option 1A because the Board of County
  Commissioners wanted this option.
  Baker – All assumptions were discussed.
• Coppola – Asked if the Committee would have a chance to
explore Option 1A, or not.

Castle – The Citizens Advisory Group did not have a chance to
review Option 1A. It did however recommend the first four options
plus Harris/Prudential.

Baker – Concurred that the Citizens Advisory Group did not review
Option 1A.

• Gustavson – Asked how other jurisdictions completed the Land
Capacity Analysis without first addressing sewers.

Baker – Agreed that the sewer component is a troublesome issue.

• Coppola – Sewers drive the process. If sewers were addressed
first and the infrastructure in place, then developing
underutilized land would not be such a large issue.

Baker – Studies have shown that land costs will increase in 2-3 years
with or without sewers because of value. Without analyzing sewers,
the market factor is reduced.

• Taylor – Thinks the driving market factor for developable land is
sewers in all documentation. Gave examples in Silverdale area.
Sewer lines are determining market factor. It is very expensive
for developers to do.

Baker – Sewers have been in the planning process for the Updated
Land Capacity Analysis.

• Nevins – Reiterated to his fellow Planning Commissioners that
the issue needing addressed today is to consider public
testimony, deliberate and make a recommendation to the Board
of County Commissioners on Updated Land Capacity Analysis.

• Jenniges – Referred to Art Castle’s concern over Critical Areas
ordinance and age versus condition of a structure.

Personius – The County Assessor does an analysis of fair, good or
excellent condition of a structure. Possibly for the next analysis,
consideration of age versus condition would be a good idea to
address. When exploring and formulating Option 1A, it was
discovered that more in-depth analysis did not change the outcome.
First number came out to be the best number.

Baker – Noted that the home value was incorporation in the analysis.

- Jenniges – Using Esquire Hills as an example, he said that the
capability of the land to perk is an important factor.

- Taylor – A motion was made by John Taylor and seconded by
Michael Gustavson that the Planning Commission’s
recommendation on Updated Land Capacity Analysis be
delayed and that a presentation from sewer purveyors be
scheduled. Taylor needed to know how future sewer problem
would be handled.

- D. Flynn – Uncertain that obtaining sewer information at this
time is prudent and could not see how it relates to the issue at
hand. She suggested getting sewer information in the near
future.

- Coppola – Thought several planning issues should be stopped
until sewer issue is satisfied.

- Jenniges – Agreed with Deborah Flynn and thought Options 1
and 2 did consider sewers. He was prepared to move forward
with a recommendation to the Board of County Commissioners
on current information provided.

- Gustavson– Displayed a map prepared for him for the
Department of Community Development staff at his request that
he interprets to indicate zero gain on sewer lines.

THE VOTE: In favor of the motion—Michael Gustavson and John
Taylor; Against the motion—Dean Jenniges, Deborah Flynn and Tom
Nevins; Abstained—Lary Coppola and John Ahl.

The Motion died for lack of majority.
A motion was made by Dean Jenniges and seconded by Deborah Flynn that the Planning Commission accept and recommend to the Board of County Commissioners, Option 1A as proposed by the Department of Community Development staff.

DISCUSSION:

• Jenniges – Analysis can go on forever but staff has prepared an acceptable analysis for the Updated Land Capacity Analysis. A precise, exact Land Capacity Analysis can never be reached. All issues have been considered and thought that the previous motion made prior to the one now on the floor, was an attempt to hold up the process. At this point, it is the best estimate possible.

• D. Flynn – All options proposed are good in some way; it is a very close estimate. It appears that some Planning Commission members want more concrete data. She asked Baker if this is defensible relative to the Critical Areas ordinance and was told yes. She noted the only difference between 1 and 1A is sewers and undevelopable land. There is enough information to enable the Land Capacity Analysis to move forward to the Board of County Commissioners.

• Gustavson – Was told yes when he questioned if the analysis produced an actual number for land capacity.

Baker – Reminded the Planning Commission members that this analysis is strictly for the unincorporated Urban Growth Areas. The County now needs to take reasonable measures and said that the logic involved in the vision, may be no development. However, this is the initial step needed and without it, subarea planning cannot continue further.

• Taylor – Asked for the purpose and overall goal of the Updated Land Capacity Analysis packet.

Baker – Updated Land Capacity Analysis is a requirement of the Growth Management Act, looking out 20 years. The State of Washington provides counties with the Office of Financial Management (OFM) best guess range. The process has been a
bottom-up approach. The Board of County Commissioners made its decision via Kitsap Regional Coordinating Council (KRCC). The population figures are established and the County now needs to determine if expansion is needed in the unincorporated Urban Growth Areas. Also need to determine the cities’ visions.

- Jenniges – Option 1A is the best option to avoid over-analysis. He reminded his colleagues that this matter would be reviewed in five years. Because of the Board of County Commissioners’ concerns, staff needs to plan for sewer coordination.

Baker – For the Land Capacity Analysis issue, an in-depth sewer analysis can be conducted with still no concrete conclusion being reached. She did suggest however that a sewer information work/study be scheduled.*

- Coppola – If this issue will be addressed in five years, He asked if it will begin in five years or be finished in five years.

Baker – It needs to be monitored every year.

THE VOTE:

In favor of the motion—Dean Jenniges, Michael Gustavson, Lary Coppola, Deborah Flynn, John Taylor and Tom Nevins; Against the motion—0; Abstained—John Ahl. Motion carried.

Motion carried.

A motion was made by John Taylor and seconded by Lary Coppola that Kitsap County sewer purveyors, both urban and rural, be asked to address the Planning Commission relative to their goals and answers to address the sewer issue. The Planning Commission needs to know how to solve the problem of lack of sewers in the UGAs.

DISCUSSION

- Jenniges – Asked what mechanism could be used in developments to save sewer plans.
Baker - Suggested a letter be created by the Planning Commission requesting more information on sewers and then she will discuss this with the Board of County Commissioners. Would like to approach the Director of KRCC, Mary McClure, to obtain some direction on this issue. She also wants to talk with Art Castle regarding his findings on sewers.

- Taylor – Thinks the Planning Commission should rely on Baker to arrange the correct people to be involved in a sewer discussion.
- Ahl – The citizens have asked that taxes not be imposed. This is an activity of electeds.
- Taylor – Noted that the County Road Program is all mapped out both annually and in five-year increments.

Baker – The same plans exist for sewers.

- Ahl – Believes the motion on the floor is an exercise in frustration. A good place to start would be with those areas that are involved with the UGA planning.
- Coppola – Suggested that the press be invited and also recommended amending the motion to determine if there is a plan for sewers.
- Gustavson - Sewers are basic infrastructure.

Baker – Will check into timeframe.

- Jenniges – A good discussion topic at the upcoming Planning Commission retreat would be the mechanism used by the County to support UGAs to in turn, support a sewer plan based on funding such as grants.

THE VOTE:

In favor of the motion—Michael Gustavson, Lary Coppola, Deborah Flynn, John Taylor, John Ahl and Tom Nevins.; Against the motion—Dean Jenniges. Motion carried.
Old Business: NONE

New Business:

A reminder was noted of the Planning Commission retreat to be held at the Givens Community Center, April 26, 2005, beginning at 9 AM.

11:08 AM - No further business being heard, a motion was made by Lary Coppola and seconded by Tom Nevins that the Planning Commission public hearing be adjourned. Motion carried.

Exhibit No. Description

A. April 12, 2005 Agenda
B. Public sign-in sheet
C. PowerPoint presentation prepared for Cindy Baker
D. Updated Land Capacity Analysis packet presented by Cindy Baker
E. Hand-out submitted by Art Castle of the Home Builders Association of Kitsap County
F. Planning Directors’ comments on Updated Land Capacity Analysis
G. Kingston comments received on Updated Land Capacity Analysis
H. Draft agenda for the April 26, Planning Commission retreat
I. Email message from Monty Mahan stating he will not be able to attend the April 12, 2005 Planning Commission meeting
J. April 12, 2005 Legal Notice

Minutes approved this _____ day of ________________, 2005.

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Tom Nevins, Acting Chair

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Holly Anderson, Secretary