
9:00 AM

A. Chair Monty Mahan called the meeting to Order and introduced the Planning Commission members present

B. Minutes of September 22, 2005

A motion was made by John Taylor and seconded by Frank Mahaffay that the minutes of September 22, 2005 be approved as amended. The VOTE: Yes-8 No-0 Abstained-1

C. Work Study Session on CAO and the Kingston and Suquamish Sub-Area Plans

CAO

Eric Baker-Distributed the majority opinion report as well as the comparison draft of the Critical Areas Ordinance noting that some of the changes are not in order as they were stated, but are reflected in the drafts.

- Mike Gustavson- Asked Baker if the staff draft and Planning Commission draft is presented to the Board of County Commissioners simultaneously.

Baker-Answered, yes they both will. As well as the minority report. Baker also wants to make sure all documents are as accurate as
possible and if there are any changes or clarifications they need to be sent to him as soon as possible.

- Jenniges-Feels the Commissioner’s are just going to use the comparison draft. One concern is that the recommended changes are not explained to them adequately and asked if there will be a time for the Planning Commission to explain the recommended changes.

Baker-Suggests rather than having nine Planning Commission members all wanting to speak, it would be a good idea if this body elected one person to be the spokes person at the BOCC public hearing.

- Jenniges-Appreciates the hard work of the staff and felt a lot of the changes resulted from public testimony.

Baker-Also suggested at the public hearing, speak towards the recommendations that need the most explaining or to the ones that are most important to all of the Planning Commissioners.

- Taylor-Feels that further explanation on issues needs to be filtered through the Chairman. Taylor felt the presentation yesterday was unprofessional.

- Jenniges-Stated that if Taylor was referring to his question, Jenniges made a comment to take the heat off of Eric Baker and does not feel that it was unprofessional because it was also an explanation to the BOCC.

- Chair Mahan-Asked if he is to speak formally, as chair, or if he can speak as a land owner.

Baker-Suggested Mahan identify himself as chairman if he is speaking on behalf of the Planning Commission, but if he is speaking as a land owner it is not necessary.

- Gustavson-Knows of a case where the chair was not a voting member of the group, the member of the subsets would speak.
Chair Mahan-Heard a possible joint meeting of the two meetings, but cannot see that happening.

Flynn-Noted that on the comparison draft, the date is November 1, 2005 and asked of any significant changes.

Baker-The aquifer recharge areas, the ones listed by the PUD were put in appendix F and replaced what was already there. Also, the dual categorization of wetlands which only pertained to the old rating system was removed. There was improvement of flow and organization of sections.

Flynn-Asked if the other changes were implemented.

Baker-Stated that in the Planning Commission’s recommendations are in the Planning Commission’s minority and majority reports. Baker also clarified one point on the comparison report.

Chair Mahan-Thanked Eric Baker and staff for the hard work and diplomatic way staff dealt with the crisis oriented moments.

Kingston and Suquamish Sub-Area Plans

Scott Diener-Thanked the Planning Commission for being at the meeting and explained that the staff has been working on the Kingston and Suquamish Sub-Area Plans for some time. Diener asked that all technical questions be directed to Albert Williams. Diener also addressed the reason to get the plans done so quickly is that both of the plans are supposed to be part of the 2005 planning process. If they are not on the Board of County Commissioner’s docket by the end of the year, then staff will have to try to implement them in 2006. Staff does not believe that it is fair to the participants who are expecting the plans by the end of the year to make them wait. The Suquamish Plan has had textual and minor changes that address transportation. Kingston has alternatives to accommodate population allocation. Also, reasonable measures have been addressed in the plan. The plans distributed are pretty much the plans that will be going to forward at this time. The Sub-Area plan working groups are going to polish the plan but if the Planning Commission has any additions that need to be incorporated in the planning process that cannot be achieved by the end of the year,
there will be opportunity to incorporate the changes in the 10-Year Comprehensive Plan Update.

- Jenniges-Feels staff did a good job on the plans and asked if the documents are approved.

- John Ahl- Described an article in the newspaper stating the Kingston working groups felt very rushed to complete review of what they have been working. Also a member from the Suquamish working group said they have not seen the document in its final form. Ahl feels it might be beneficial to move the public hearings to a meeting location to have public testimony and give the working groups a chance to read the final document for consideration.

- Flynn-Does not know where the hearings are scheduled, but feel they should be in the North end at night.

- Nevins-Stated the Planning Commission has the capability to have joint hearings and feels this would be an opportunity for time saving for the community.

- Gustavson-Enjoyed the opportunity as a private citizen to stand before the Board of County Commissioners and make comments. Gustavson feels it may be appropriate to have a joint hearing and when that is complete, ask the Planning Commission if they have any comments as citizens, because they lose that opportunity at joint hearings.

- Nevins-Stated any comments he has can be submitted in writing.

- Ahl-Likes the idea of joint hearings but hopes there will not be a big controversy.

- Jenniges-After reading the document, he feels maybe everything is not perfect. Jenniges would feel bad voting on a document that has not thoroughly gone through.

Diener-Stated that staff will take into consideration a joint public hearing possibly on November 22, 2005 in North Kitsap.
• Ahl-Suggested two joint hearings.

Diener-Stated that staff will look at that possibility. As far as the plans go, staff has not heard a lot of descent. The timeline is the only concern that has been brought up. The plan has received general support. Kingston has had some public input.

• Chair Mahan-Feels from the Planning Commission and the citizens that two public hearings are needed preferably joint.

• Frank Mahaffay-Felt rushed during the CAO and feels the Planning Commission and the public is being rushed in this Sub-Area process. Mahaffay asked why staff is avoiding allowing the working groups to review the final draft.

Diener-Does not feel staff is avoiding anything. The working groups in Kingston were told early that this process would be done in 2005, so this has not been hidden from members of the public. We are trying to get this done because staff feels there is a fairly solid plan, but there will have to be some tweaking.

• Mahaffay-Stated that the bosses are the citizens, not the Commissioners or DCD. There is some decent in Kingston about land use and it is bad business. The working group has not had an opportunity to review it. This was also a problem during the CAO. Mahaffay asked why this is constantly a problem.

• Chair Mahan-Suggested moving on with the meeting.

• Mahaffay-Does not feel comfortable moving on when the citizens of Kingston are not comfortable with the draft.

• Chair Mahan-Asked Scott Diener if the working group has a copy of the draft.

Diener-Stated they have been given a copy.

Diener-Would like to defer the question to Albert Williams and noted that the Suquamish working groups basically wrote the plan.
Albert Williams - Stated that he came in the middle of the plan and was
told not to look at every goal and policy in the document because it
was done two years ago. There was a population allocation
completed in 1999, giving an additional 640 people. The process was
done with an Updated Land Capacity Analysis (ULCA) and
determined that an expansion was needed to the Northwest. Another
population allocation that was completed increased population to
3,125. Therefore, that invalidated their 1999 plan. The reason for the
delay was a buildable lands deficit. The County hired a consultant,
Mark Personious, to do an ULCA and through that it showed that
Kingston had the opportunity to accommodate 1,020 people in the
current UGA. After that, 46 reasonable measures were conducted.
The reasonable measures were discussed with the working group to
determine if they were needed in the Kingston Plan. 18 of the
reasonable measures were already in the original plan. Then
discussions were held whether to determine if the UGA needed to be
expanded. Property owners were notified of the Land Use
Reclassification process. All of the requests are plotted on the map
before the Planning Commission. The four alternatives were then
carried out. Alternative one will accommodate 1,020 people, which is
the no action alternative. Alternative two includes every land use
reclassification request.

- Gustavson - Asked how many people alternative two would
  accommodate.

Williams - Did not have that information available.

- Mahaffay - Asked if there is there an alternative proposed from
  the citizen’s group.

Williams - Stated he is getting to that point. Option three was done by
staff which includes all southern properties. Alternative four is the
preferred alternative done by the working group. Infrastructure was
carefully looked at. The map shows sewer and water. In alternative
four there was an environmental encumbrance that was not accepted
into the plan.

- Jenniges - Asked if there are a lot of people looking to move into
  Kingston and that was the reason for the rush to finish the plan.
Williams-Stated he was the one who told the working group that they would have a final document prior to the Planning Commission, however, Williams was told by the person that signs his paycheck that the plan will move forward.

- Mahaffay-Asked if he was told that by Cindy Baker.

Williams-Stated he was directed.

- Mahaffay-Asked if he was directed by Cindy Baker.

Williams-Stated that he was and he has incorporated what was placed into the plan. The working group felt the county did not step up to the plate for environmental review and that is why the working group did not include any properties with environmental impact in alternative four.

- Jenniges-Asked if this is an impartial timeline.

Williams-Stated he cannot say that.

- Jenniges’-Perceptions is there is nothing required by state law to have this plan approved this year.

Williams-It is on the 2005 Comprehensive Plan docket.

- Ahl-Thanked staff for presenting an easily understandable document.

Williams-Informed the Planning Commission that the document is basically the same submitted to the working group, with the exception of the executive summary and color maps. Williams then explained the maps; showing all of the land use reclassification request except for Arborwood, which was voted in on September 21, 2005 by the working group.

- Mahaffay-Asked if that was submitted by Pope and if the vote was 7-1.

- Flynn-Asked for the definition of UCR.
Williams-Responded that it is Urban Cluster Residential. Urban Cluster Residential is 5-9 dwelling units per acre allowing multi-family.

- Ahl-Asked what the difference between alternative three and four are.

Williams-Explained on the map that alternative three extends to the south. The sewer plant is close and it made connectivity easy. There are also no real transportation issues. Because of the estuary and Applecove, the working group did not think there was enough environmental protection in an Urban Growth Area. Even if they went Urban Restricted, it would generate more density. Each individual property was discussed to see if it was encumbered.

- Ahl-Asked if there would there be an excess capacity issue with adding the extra properties in Arborwood.

Williams-Stated yes and it will be short of 1,000 homes. Arborwood has decided to cap the units at 765, which is what their vested application is for.

- Ahl-Asked if the vested application expired at the end of the year.

Williams-Answered, not by the Supreme Court. Williams introduced Ken Berryman, the representative from Olympic Property group and also a member of the working group. Berryman abstained from the conversation and vote on the Arborwood property.

- Taylor-Stated that Robert Smiley requested to be included in the UGA but the staff and working group both excluded him.

- Gustavson-Asked Williams to indicate on the map where there is a salmon stream. And asked if the property owners are required to go through any other process due to the stream.

Williams-Stated the stream cuts through the middle of the UGA that was recently added and now there are complaints because the County said additional protection would be provided.
Gustavson—The question has been asked about the documented impact on the salmon and there has not been a response.

Chair Mahan—If the reason the White-Luek properties are not included in the staff alternative is the same reason as why the Smiley properties are not included.

Williams—Stated that on the CAO map there is only a small portion of his property that is encumbered.

Taylor—Stated that the big property owners have been taken care of, but the small owners, like the Smileys, are being declined the opportunity to further the development of their property. One concern is the Government is telling the individual property owners that they cannot develop their property to their full potential. Taylor asked if this is correct.

Williams—Stated he did not favor anybody. Williams did make a recommendation on three, because they were properties that bordered each other and public infrastructure will be driven by one of properties.

Chair Mahan—Asked if there are other planning reasons that make sense to incorporate larger contiguous properties rather than a collection of smaller ones.

Williams—Stated no, but the larger contiguous properties could be developed more readily. It would be difficult for the Smiley property to achieve sewer if it was not located in the correct spot.

Gustavson—Asked for the length of the Rosten properties.

Williams—Stated that the each of the Rosten properties is 2.5 acres. Williams also informed the Planning Commission that if the working groups do not include the properties they still have a chance at the Planning Commission and Board of County Commissioner’s public hearings.
Mahaffay-Asked if the working group voted not to include the Rosten properties.

Williams-Stated, no, they did not.

Mahaffay-Asked if there was infrastructure on the property.

Williams-Stated there is infrastructure near by. Mr. Luek’s property, north of the Rosten property, has sewer which would be available.

Mahaffay-Asked the rational was for the working group not accepting the Rosten’s property was.

Williams-Said it was due to the salmon stream that runs down the middle of the property. The working group figured by the time the stream and the buffer are removed, half of the property is gone.

Gustavson-Feels that is the property owner’s problem.

Chair Mahan-Stated the working group had problems with assurance from the County.

Taylor-Wants to make sure the Smiley brothers come to the Public Hearing.

Williams-Stated the Smiley brothers have already contacted him in regards to the public hearing. They went in front of the KCAC, and made briefings.

Mahaffay-Asked if the working group’s recommendations and staffs recommendations were approved, if the waste water treatment plant in Kingston provide all of the necessary capacity.

Williams-Stated it would, and if Mahaffay reads the plan it will be explained in that section.

Flynn-Asked Williams for a copy of the Kingston plan.
Taylor-Asked on behalf of the Planning Commission if the public is having ample opportunity for public input and requests.

Williams-Stated that at the Kingston meeting, the working group felt they were done. Williams said they were not done, that he would be bringing the plan to them on the 16th. Three days later, it then went to everybody and the working group is upset because it did not go to them as they were told it would. Williams did not have any control of the plan moving forward, he was directed to move forward.

- Gustavson-Requested the Land Capacity for the Luek property and the property with the lagoon on it. Gustavson stated that both properties are environmentally impacted and wouldn’t add much population capacity.

Williams-Stated the Rosten property has 48 units and the other property has 18 units.

- Chair Mahan-Asked for the number of people per dwelling unit.

Williams-Stated 2.5 people.

- Ahl-Is looking forward to hearing the arguments for adding even more capacity. That will probably come at the public hearing. It seems that there are alternatives that need to exceed the projected capacity. The working group represents the people and the Planning Commission should give their recommendation weighted respect.

- Taylor-Asked when the Public Hearing is scheduled.

- Chair Mahan-Stated it is currently scheduled for the morning of the 22nd, but the Planning Commission would like to move for an evening hearing.

William-Stated he has a meeting with the working group on the 16th of November and he is going up there to get bloody with the plan. Williams has been as transparent as possible through the whole process because there have been past planners who have not followed through with their promises.
Diener-The concerns with the working group are not with the plans itself, as it is the timeline that has been pushed on them in the past few weeks. It has been driven by the director, and she is being driven by the Board. The plan is generally agreeable, but the concern with staff is we need to get it on the Board’s docket in 2005 because it is not fair to the community to delay the implementation of the plan.

- Jenniges-Has issues that private property is not being allowed to be developed and the working group knocked some people out. Other than that, Jenniges feels the working group did an excellent job taking in consideration the CAO.

Williams-Has not tried to be the staff driving the process. He has tried to let the working group drive and that is part of the purpose they are having issues. There was a month of meetings where the working group did not have a quorum, and the process could have been moved along.

- Mahaffay-Acknowledges staff has wanted the working group very involved in the process, and feels it is an unfortunate there is so much pressure coming from the top. The public hearing is very important to the residents of north Kitsap and the meeting needs to be at night in that district.

Williams-Stated he does not have control, but he will discuss this with Scott.

Break at 12:00PM

Williams-The Suquamish plan was done as a LAMIRD demonstration project identified in 1998. The plan was redone in 1999 due stormwater issues that created an emergency ordinance to stop development. In the ordinance, they described what to do. The plan was done in seven months. Meetings with the Board, the tribe, and a Planning Commission member were conducted. Through those meetings, the Suquamish plan was done. The plan requires a five year update. The idea was to update the plan with information from 1999-2005. There is no population allocation because Suquamish is a LAMIRD so the UGA was not expanded. Stormwater, roads, trails and pedestrians were to be updated in the plan. The large transit buses
are a concern with the 12ft roads. When the children are waiting in
the drainage ditch for the bus, poses a problem. In order to widen the
road, the County would have to purchase right of way.

- Gustavson-Asked if some of the land was Tribal.

Williams-Stated that all of Suquamish is on the Port Madison Indian
Reservation.

- Mahaffay-Asked how many residents live on leased land in
Suquamish because people are not able to get 30 year loans.

Williams-Cannot answer that question, but stated the information
was in the plan.

Williams-The changes to the plan are all textual. Sections of
stormwater have been removed after the projects have been finished.
The bike and walking trails are more realistic. The history section has
been changed to the beginning document for readability.

- Ahl-Asked if Williams is going to meet with the Suquamish
working group and if they will be given the plan.

Williams-Stated he will be meeting with the working group later in the
evening and they already have the plan.

- Flynn-Asked Albert to go through the plan to indicate which
sections have been added or altered.

Williams-Said he would send a red-line copy out to all of the Planning
Commissioners. There were minor changes for readability. Land use
and zoning did not change, minimum lot size did not change.

- Gustavson inquired about characters and what they meant.

Williams-Stated that the format was not correct so Brynan Pierce re-
typed and reformatted the plan.

- Mahaffay-Stated that Brynan does a great job.
• Gustavson-Asked if the community is comfortable with the plan.

Williams-Thinks the Suquamish community has the same concerns as the Kingston community, with time. Other than that everything looked satisfactory.

• Gustavson-Stated that some people are very vocal with what they like and dislike.

Williams-Is concerned with how the Tribe feels about the plan. They have participated, but that does not mean they support it. The citizens who worked on the plan, minus the Native Americans, are generally happy. Williams will have a better sense of how the Tribe feels later on in the evening.

• Chair Mahan-Asked Williams to send the entire Planning Commissioner's a copy of the red-line version.

• Jenniges-Asked Williams if the Tribe objects the process, what the alternative would be to meet the 2005 deadline.

Williams-Stated he would be nice to the Tribe.

• Gustavson-Asked if maps will be provided for Suquamish as they were for Kingston.

Williams-Said not really, due to the fact that there was not a population allocation or land use discussion.

• Gustavson-Feels because of the upcoming improvements, maps would be helpful to see what is happening.

• Chair Mahan-Asked if transportation would be able to accommodate that.

Greg Cioc-Stated the Public Works can. There is a list of approximately 20 projects that will result in the plan. There will also be models of potential changes and improvements.
• Chair Mahan-Suggested the Planning Commission remain flexible because a Tuesday night meeting may not work. Chair Mahan stated the next Planning Commission meeting is December 13th and the Planning Commission would need to be ready to have a decision.

• Gustavson-Feels there should be separate hearings for Kingston and Suquamish.

• Mahan-Stated that to some extent it will be what the Board is willing to do.

• Ahl-Is available for anything. A single hearing might be sufficient.

• Taylor-Asked Diener to speak on meeting dates.

Diener-Stated November 22nd is feasible, but does not know about the Boards schedule. Diener will pass the recommendations along to the director.

• Gustavson-Does not have a problem with back to back hearings during two days.

• Ahl-Stated in regards to the public notice, because it may be a continuance, notification is not needed.

Diener-Explained the November 22nd meeting has already been advertised, but could probably change.

• Jenniges-Feels the public hearing is necessary, but due to the process, he does not see an anti-group causing trouble.

• Nevins-Read the documents online and is ready to move on both plans.

• Taylor-Has conflicts on the 22nd and requested a voicemail of an additional hearing.

Diener-Thanked staff for all of the efforts and enlightened the Planning Commission he is looking forward to working with them.
• Gustavson-Acknowledged the citizens in the audience and asked if they would like to add anything.

Kent Berryman-Agrees there is some sensitivity in the area, but can’t see how the process has sped up. He feels it has taken a long time.

• Flynn-Asked Kent Berryman how the vested lots agreed upon under PUD are being anticipated

Williams-Stated that is the reason Arborwood capped themselves at 765. They have a vested application, not a project. They vested one unit per acre. They accomplished being able to use the new zoning to put all 765 acres on 305 acres, which now takes 350 acres the County has the option to buy. Of the 305 acres, only 143 acres are developable. The rest of the acres are in wetlands or some type of environmental encumbrance. Originally there were 1100 acres and now it is down to 765 units on 143 acres using clustering.

• Flynn-Asked how it is implemented that once it is in the UGA, it is not allowed to redevelop at a higher density.

Williams-Explained there is a process going on to do a development agreement. It is also in the plan.

12:35PM
With no further business, the meeting was adjourned.

APPROVED this ____day of _____________, 2006.

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Deborah Flynn, Chair
EXHIBITS:

A. November 8, 2005 Planning Commission Agenda
B. November 8, 2005 Planning Commission Legal notice
C. Maps submitted by Albert Williams