The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Administration Building, Commissioner’s Chambers located at 619 Division Street Port Orchard, Washington 98366. Members present: John Taylor, Mike Gustavson, Tom Nevins, Dean Jenniges, Monty Mahan, John Ahl, and Brian Bekeny. Staff present: Eric Baker, Angie Silva, and Planning Commission Secretary Brynan Pierce.

A. 9:00AM Meeting called to order

- **John Taylor**: Called the meeting to order with introductions and asked Eric Baker what the status is on the Planning Commission parking situation.

Eric Baker: Informed the Planning Commission that the County is looking at different options, but using the Commissioner’s parking spaces is not an option. Baker stated that there is the option to go back to holding the meetings in Silverdale, extending the parking passes, or if a Planning Commissioner gets a ticket, a County staff member will take it to the City to have it void.

B. 10-Year Update Continuation Deliberation

Baker: Informed the Planning Commission that there may have been some confusion about recommending all of the properties conforming to the appropriate zoning on Tuesday, and if there is confusion this subject should be revisited.

- **John Ahl**: Stated that if it is necessary the Planning Commission can move to reconsider and staff still has their discretion to show what is correct or not.

- **Brian Bekeny**: Was under the impression that they approved what was conforming in alternative 2.

- **John Taylor**: Feels that staff can make any necessary changes, knowing the intent of the Planning Commission, and that would be sufficient.

A motion was made by Monty Mahan and seconded by Brian Bekeny to recommend approval to the McFadden property.

- **Mahan**: Asked if we are under capacity.
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Baker: Said the vote right now is equal on population.

• Mahan: Asked how much worse the population would get.

Baker: Said we would have 120-150 people, and those could be accommodated in the Urban Medium area behind McDonalds on Mile Hill. There have been discussions about the area.

• Mahan: Asked if there is a specific area to upgrade residential zoning.

Baker: Said that staff would recommend the properties behind McDonalds from Urban Low (UL) to Urban Medium (UM) for multi-family housing.

• Dean Jenniges: Asked if this zoning is changed, if it has to be revisited by the Port Orchard Citizens Advisory Group (CAG).

Baker: Stated that these properties are significantly constrained and there is going to be a significant amount of open space and by taking this out it will not ruin the development.

• Bekeny: Asked how this will change the taxes.

Baker: Said it depends if it goes to open space. He suspects the assessor would look at highest and best use and the taxes would probably go up.

• Ahl: Asked if this will be a recommendation to change the alternative 2 boundary.

Baker: It would be changing the boundary and the zoning.

• Ahl: Asked if this take care of the unstable soils and eagle’s nests.

• Bekeny: Asked if the CAO fixed things like this in Barker Creek.

• Jenniges: Has heard Mike Gustavson say he is not concerned about the eagle’s nests and now he is, but he is not consistent. Now it seems that if the property is in Open Space the county can move the population in.

• Mahan: Says that he drives Mountain View Drive all of the time and would choose Mile Hill for more population

The vote:

All in favor 4

Opposed: 3

Motion failed due to lack of majority.
Baker: Said that staff understands that they are to look at all of the applications and include them in the Planning Commission’s recommendation.

- Gustavson: Remarked that the downsizing near Waaga Way makes the area non-conforming.

Baker: Stated that even at urban restricted it is non-conforming.

- Gustavson: Reminded Baker that the discussion of Royal Valley was still on the table from the previous day.

- Taylor: Asked the Commission if they are ready to address the Royal Valley issue.

Baker: Stated that the number that in question is in fact s # 49.

- Ahl: Asked if urban restricted needs to be in the UGA.

Baker: Said that urban reserve is losing its value.

- Ahl: Stated that the Planning Commission could recommend urban restricted with the owners consent.

- Taylor: Said that urban restricted would give the property owner some assurance that he can go ahead with plans that may not materialize for a while.

Baker: Stated that urban restricted provides minimal predictability, and any plans would be conceptual and at the risk of the property owner.

- Jenniges: Stated he would exclude the property because of all of the audience participation on Paulsen Road.

Baker: Stated that growth will go into potential up-zones.

- Jenniges: Asked why there wasn’t an up-zone in Central Kitsap.

Baker: Indicated that the city of Bremerton would like to help with this, the plan establishes a UGAMA because of this shortfall.

- Jenniges: Stated that he wants to see consistency.

Baker: Stated that under Robert’s Rules of order, reconsideration needs to be held within 24 hours of a meeting.

A motion was made by Mike Gustavson and seconded by Monty Mahan to accept the applicants zoning to urban reserve.
• **Jenniges**: Asked if there is sewer close to the property.

  **Baker**: Said yes, there is.

  **The vote:**

  All in favor 4

  Opposed: 3

  Motion failed.

• **Taylor**: Stated regarding the Royal Valley issue, he feels it is ridiculous when staff is saying the Planning Commission is not adhering to Robert’s Rules of Order and staff will take their questions to legal.

• **Nevins**: Informed Taylor that in the bylaws, the Planning Commission is to follow Robert’s Rules of order and it would be a good idea to remain complying with the bylaws.

  **Break**

  **Lary Coppola is present**

  **Baker**: Stated that they would be looking at the Goals and Policies for the rest of the meeting. There are some minor changes that staff has acknowledged and would like for the Planning Commission to acknowledge the minor changes and staff will take care of them.

  • **Nevins**: Stated that on page 2-32, Goal 18 LU-81, seems to be drifting from what is made to be minimized.

  • **Baker**: Said when you prohibit, it says you cannot use it at all. Minimize says it is closer to not having it.

  • **Nevins**: Suggested picking on what looks like strip development.

  **Baker**: Indicated that staff has some proposals in that section as well. Page 2-31 LU-74 should be stricken.

  • **Nevins**: Agrees with the proposal.

  • **Jenniges**: Stated that it seems the Highway Tourist Commercial (HTC) is contradicting to commercial on major highways.

  • **Gustavson**: Stated this could be taken care of in the design standards.
A motion was made by Tom Nevins and seconded by Mike Gustavson to remove Land Use 74 from page 2-31 of Volume I.

The vote:

All in favor: 4

Opposed: 4

Motion failed

Motion failed due to lack of majority.

A motion was made by Mike Gustavson and seconded by Lary Coppola to strike the words “master planning sub-basin is required in this zone in order to allow higher intensity uses while protecting environmental resources.” On page 2-33, chapter 2.2.8 Urban Industrial and Business Lands.

- Nevins: Stated he is reluctant to strike this because of water quality in the hood canal.

Baker: Believes Tom Nevins is looking for a broader way of protecting.

The vote:

All in favor: 7

Abstained: 1

Motion carried.

A motion was made by Mike Gustavson and seconded by Lary Coppola to insert the words road(s) on pages 2-40 and 2-41.

Baker: Said the purpose of the motion is to make this only apply to road developments. MG: you have to develop it for the roads.

- Ahl: Asked if roads are considered developments.

Baker: Said yes, roadways, developments and ponds.

- Gustavson: Stated that in reviewing the Harper Road document, it shows a road super sloped to the bay and it brings attention to Public Works ignoring requirements of the Critical Areas Ordinance.

The vote:

All in favor: 5

Opposed: 3

Motion carried.

A motion was made by Tom Nevins and seconded by Mike Gustavson to strike bullet #2 on page 2-35 because there are already sign regulations.

- Taylor: Asked why that is in the document.
Baker: Stated that it would establish the regulations in each zone that are often modified and would be points of discussion.

- Mahan: Asked what would replace that statement if it were to be removed.
- Nevins: Stated that there is County code to reflect this.
- Mahan: Said if this is removed, you can still put up a billboard.
- Nevins: Feels it points the way to a change in the code.
- Mahan: Suggested removing part of it, if there is no policy, the code is open.

The vote:
All in favor: 2
Opposed: 6
Motion failed.

A motion was made by Dean Jenniges and seconded by Mike Gustavson to eliminate the wording “such factors as, but not limited to, the nature and scale of the economic opportunity project” on page 2-35, Goal 21, Policy LU-105.

The vote:
All in favor: 6
Abstained: 2
Motion carried

A motion was made by Mike Gustavson and seconded by Monty Mahan to add the words “and historic drainage rates on page 2-43 under goal 33 Policy LU-162.

- Mahan: Stated he has seen many historic drainage channels and supports this motion.
- Nevins: Would like to see the words quality and quantity added as well.

The vote:
All in favor: 8
Motion carried unanimously

Monty Mahan has left the meeting.

Baker: Stated that staff recommends striking chapter 2.2.12 on pg 2-45.

A motion was made by Mike Gustavson and seconded by Lary Coppola to approve staff’s recommendation to strike chapter 2.2.12 on page 2-45 of volume I.
The vote:
All in favor: 7
Motion carried unanimously.

Baker: Stated on page 4-2, Goal 1, NS-3, should be changed from areas of geological concern to moderate geological hazard.

- Ahl: Stated that fill needs to be properly engineered and looking at NS-3 he questions why it is there.
- Gustavson: Stated that the word moderate bothered him and asked him if there is a category to mapping old fill.

Baker: Stated that this should cover all fill areas.

Baker: Stated that on pg 4-4 NS -14, LU-159 NS-16, NS-19 LU-165 removed.

A motion was made by Mike Gustavson and seconded by Dean Jenniges to approve staff’s recommendation of removal of the above stated policies.

The vote:
All in favor: 7
Motion carried unanimously.


A motion was made by Dean Jenniges and seconded by Mike Gustavson to remove the above stated language.

The vote:
All in favor: 6
Opposed: 0
Abstained: 1
Motion carried.

Baker: Recommended removing goal 10 and NS-45 on page 4-8.

A motion was made by John Ahl and seconded by Dean Jenniges to remove the above stated goals.

The vote:
All in favor: 6
Opposed: 0
Abstained: 1
Motion carried.

- Gustavson: Suggested adding the words “unless the water is fully contained on the property” on LU-140.
• Taylor: Feels the stormwater regulations will cover this.

• Nevins: Feels that not adding significant volume may supersede the policy.

A motion was made by Mike Gustavson and seconded by Dean Jenniges to add the phrase “that this may conflict with RCW-77”.

• Taylor: Asked if this means the government will go on his property without him knowing.

Baker: Said that the County would not go snoop on his property.

• Jenniges: Agrees with Gustavson.

Baker: Baker stated that staff will be opposed to putting anything in the Plan that says the County is in conflict with state law and staff would recommend striking what the Planning Commission does not feel is consistent.

The vote:
All in favor: 3
Opposed: 3
Abstained: 1
Motion failed due to lack of majority.

A motion was made by Dean Jenniges and seconded by Mike Gustavson to strike NS-47 and NS-48 because they are covered in NS-49.

All in favor: 5
Opposed 2
Abstained: 0
Motion carried.

Baker: Recommended striking NS-51, NS-58 and NS-59.

A motion was made by Dean Jenniges and seconded by Lary Coppola to accept staff’s recommendation on the removal of the above policies.

The vote:
All in favor: 7
Motion carried unanimously.

• Gustavson: Commented that on page 6-1 affordable housing is mentioned and it looks like a house you purchase, not subsidize.
Bekeny: Asked if HS-8 is a threshold because it states that affordable is 30% of
you income.

Baker: Indicated that the County is just trying to study the feasibility.

Gustavson: Stated that off the street tenants have been paying 83% of their
rent and he has a hard time with the word affordable. He feels that "subsidized"
is being used interchangeably with "affordable", when they are two different
concepts.

Coppola: Said that the term subsidy may bring a legal issue up.

Baker: Said that we have policies that encourage that. This is a very difficult question
that is somewhat addressed in this document.

Coppola: Said that it is supply and demand.

Gustavson: Said that we are creating this high housing price.

Taylor: Stated that point duly noted in the minutes.

Baker: Has language to add from the EDC that he read.

A motion was made by Lary Coppola and seconded by Mike Gustavson to accept
staff’s recommendations.

Nevins: Said that there seems to be a controversy that he is not up on, but
there is not a particular agreement and that is whether the EDC should disband,
or be a department of the county, or remain independent but in support of the
county.

Baker: Stated that this says we will participate with the EDC and his comment could be
another goal or policy included.

Taylor: Said that Tom Nevins brought up some very good points.

Coppola: Said the EDC experts in the County decided that they would hire a
consultant to determine what the EDC’s rules should be. They have 12 elected
officials. At this point the consultant has not come back and all 3 county
commissioners are in support.

The vote:
All in favor: 7
Motion carried Unanimously.

Lunch Break
Baker: Stated under chapter 7-4 there should be a policy to include policies about installation in all sub-divisions and industrial business parks.

- Ahl: Asked if broadband is going to be superseded by wireless.

Baker: Stated that unless we go full satellite, we will still need broadband.

- Taylor: Offered the comment that on two of his properties there are still empty pipes into the ground for broadband because his clients have satellite dishes.

A motion was made by John Ahl and seconded by Brian Bekeny to accept staff’s recommendations on the EDC comments.

The vote:
All in favor: 7
Motion carried unanimously.

- Gustavson: Stated that in chapter 9-7, policy SH-24, the words larger or enhanced bother him.

A motion was made by Mike Gustavson and seconded by Lary Coppola to remove sentence #2 containing the words larger or enhanced.

The vote:
All in favor: 5
Opposed: 1
Abstained: 1
Motion carried.

A motion was made by Lary Coppola and seconded by Mike Gustavson to remove the word enhancement on page 9-7, SH-25.

The vote:
All in favor: 5
Opposed: 1
Abstained: 1
Motion carried unanimously.

A motion was made by Lary Coppola and seconded by Mike Gustavson to remove the word enhanced from Volume I.

The vote:
All in favor: 5
Opposed: 1
Abstained: 1
Motion carried.

Baker: Recommended deleting POS-23 because it is a duplicate.
A motion was made by Dean Jenniges and seconded by Brian Bekeny to approve staff’s recommendation.

The vote: 6
Opposed: 0
Abstained: 1
Motion carried.

- Gustavson: Stated that on page 10-5 there is no boundary for funding. Gustavson also stated that in chapter 11, page 11-1, he looked at the supporting documents on the 10 topics and could not get the projection costs.

A motion was made by Mike Gustavson and seconded by Lary Coppola to provide the bottom line for the 10 elements and their total.

- Bekeny: Asked if that is in the 6 year capital facilities plan.

Baker: Stated that we don’t know what it will all cost, but we have projections. Storm water and sewer is based on capacity.

- Ahl: Stated that it seems the Planning Commission is trying to create a budget for a policy document.

The vote:
All in favor: 2
Opposed: 5
Motion failed.

- Nevins: Asked what “fair share” meant on page 11-8, number 2.

Baker: Said that it is language from old code and impact fees. Baker also recommended removing CF-32 on page 11-17.

A motion was made by Dean Jenniges and seconded by Mike Gustavson to approve staff’s recommendation.

The vote:
All in favor: 7
Motion carried unanimously.

There were no recommended changes in chapter 12.

Baker: Noted that page 13-9, Black Jack Creek was misspelled under POSK 48.

Baker: Recommended generalizing policy 24 and anything below, as well as figure 14-3.
A motion was made by Mike Gustavson and seconded by Dean Jenniges to accept staff’s recommendation.

A motion was made by Mike Gustavson and seconded by John Ahl to remove the sentence in Sil-23

The vote:
All in favor: 7
Motion carried unanimously.


A motion was made by Dean Jenniges and seconded by Mike Gustavson to recommend staff’s recommendation.

The vote:
All in favor: 7
Motion carried unanimously.

A motion was made by Mike Gustavson and seconded by Dean Jenniges to accept all of staff’s administrative typos.

The vote:
All in favor: 7
Motion carried unanimously.

Volume III

- Gustavson: Noted on page 2-42, footnote 29, staff may want to add the mixed use element.

Baker: Recommended the removal of footnote #1 under the Hobby Kennel under 2-9-2-38 because it directs you back to the use table.

- Gustavson: Asked if this would be considered a house kennel.

Baker: Stated that it would be considered breeding.

A motion was made by Dean Jenniges and seconded by Mike Gustavson to accept staff’s recommendation.

The vote:
All in favor: 7
Motion carried unanimously.

Baker: Stated under 2-24, there is urban industrial and staff recommends the change to rural.
A motion was made by Mike Gustavson and seconded by Lary Coppola to accept staff’s recommendation.

The vote:
All in favor: 7
Motion carried unanimously.

- **Gustavson**: Commented that on 2-43 and 2-44, minor home business and moderate home business are very picky words.

**Baker**: Said staff is trying to make it clear on what is allowed or not. Home businesses don’t have signs, or employees, but minor ones do. Moderate home businesses are more like home car repair shops.

- **Ahl**: Stated that this seems like a lot of verbiage that could be important on an individual home basis.

**Baker**: Said that the difference will be important with Code Enforcement.

- **Gustavson**: Asked about the adult entertainment in Gorst and the park in the area.

**Baker**: Said that the adult cabaret is grandfathered in and that there is no regulation stating you cannot put a trail next to an adult cabaret.

- **Ahl**: Stated that there was a bondage site 100 feet of the Kingston Junior High.

- **Nevins**: Would like to see 5B 2-I to something else, though he is not sure what.

**Baker**: Stated that this language went through its own birth, and staff would recommend not changing this.

- **Gustavson**: Stated that under 2-47, junk motor vehicles, need to be defined, because “junk” is in the eye of the beholder.

**Baker**: Stated that there is a definition chapter that can be referred to.

- **Gustavson**: Stated that staff should give an indication on where that can be looked at.

- **Gustavson**: Stated that the Bethel Corridor should be added in 2-103.

**Baker**: Said that it is not mixed use yet.

- **Bekeny**: Asked if the issue on the Rolling Hill’s golf course has been fixed under 2-113.
Baker: Stated that it is on his list.

Discussion was held on the level of permitting and solutions for the productivity.

- Coppola: Asked what the consultant’s report recommended in regards to permitting.

- Baker: Indicated that check lists and performance evaluations were recommended for staff.

- Gustavson: Asked if the Manchester Heights are the lots in the Manchester LAMIRD.

Baker: Said no.

- Gustavson: Commented on the 75ft buffers.

Baker: Indicated that the buffers are to provide are to be able to provide business park appearance.

A motion was made by Mike Gustavson and seconded by Lary Coppola to reduce all of the buffers to 25ft.

The vote:
All in favor: 5
Opposed: 2
Motion carried.

Baker: Stated that on 3-12, A-3, the URS zone would allow for a subdivide for 1 or less, changes would include removing text after “B”, and remove immediate from family members.

A motion was made by Mike Gustavson and seconded by Dean Jenniges to accept staff’s recommendation.

The vote:
All in favor: 7
Motion carried unanimously.

There were no changes in chapter 4.

- Gustavson: Stated under 6-4, TDR’s A, the site specifics cost too much money.

- Nevins: Stated that this is the only market for TDR’s.

Baker: Said it will depend on the cost of the TDR’s.
• **Nevins**: Commented that the TDR’s won’t me terribly expensive if the citizens understand it will only last 40 years.

*Discussion was held on the TDR’s.*

• **Ahl**: Suggested re-addressing the TDR’s at a future Comprehensive Plan amendment.

• **Gustavson**: Asked if a buffer is an encumbrance.

**Baker**: Said no.

• **Jenniges**: Stated that the Planning Commission has authorized a lot of sites specifics, and if some of the area is not reduces, it will be a lot harder in the future.

**Baker**: Said there is a proposal involving taking the southern extension of Bethel Corridor to mixed use to allow the uses and the ability to do residential, commercial or a combo, and this is an additional reasonable measure.

*A motion was made by John Ahl and seconded by Dean Jenniges to approve staff’s recommendation on the proposal of Bethel Corridor.*

*The vote:*

**All in favor: 7**

*Motion carried unanimously.*

• **Bekeney**: Asked about the golf course situation again.

**Baker**: Stated that this map shows it as a park, but it is a proposal from Illahee that the golf course be zoned UR.

• **Jenniges**: Stated that Don Rasmussen has no intentions of not having it as a golf course.

• **Nevins**: Stated that the underlying zoning is what needs to be considered.

*A motion was made by John Ahl and seconded by Brian Bekeney to accept alternative two with all of the recommended changes as well as the errata sheets as noted by the minutes and staff.*

*The vote:*

**All in favor: 7**

*Motion carried unanimously.*

*Deliberations are closed.*
John Taylor told the entire Planning Commissioner’s to give their parking tickets to Eric Baker for the day.

EXHIBITS

A. October 6th, 2006 Planning Commission Agenda

MINUTES approved this ______ day of ______ 2006.

________________________________________
Deborah Flynn, Chair

________________________________________
Christina Lindner, Planning Commission Secretary