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**MINUTES**  
**KITSAP COUNTY PLANNING COMMISSION**  
**November 14, 2006**

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These minutes are intended to provide a summary of the meeting flow and content and should not be relied upon for specific statements from individuals at the meeting.

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The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Fairgrounds, Eagle's Nest Conference Center located at 1200 Fairgrounds Road, Bremerton, WA 98311. Members present: Vice Chair John Taylor, Monty Mahan, Michael Gustavson, Tom Nevins, Lary Coppola, and Brian Bekeny. Staff present: Jeff Rowe-Hornbaker, Scott Diener, Dave Tucker, and Planning Commission Secretary, Christina Lindner

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7:05 PM

A. Vice Chair John Taylor called the meeting to order and introduced the Planning Commission members present.

7:10 PM

B. Approval of meeting minutes

A motion was made by Commissioner Gustavson and seconded by Commissioner Nevins to defer approval of meeting minutes to the November 28, 2006 meeting.

The VOTE:

Yes: 5

No: 0

Motion carries

7:15 PM

C. Low Impact Development and Storm Water Code Development.

**Tucker:** The proposed schedule is to discuss housekeeping items, present code changes, address questions, and then hear public testimony. *Housekeeping items:* discussion held regarding ordinance, definition and reference changes. *Low Impact Development:* Changes are taken directly from the Low Impact Development Technical Guidance Manual developed by Puget Sound Action Team. One advantage to this concept is that it will no longer be an exception. A technical deviation does not need to be done individually and both sides of the permit counter will have equal information. Another advantage is that stormwater

1 is being reduced where it is generated. This helps to avoid large systems  
2 developing downstream. Also, in many cases, it can be very cost effective. For  
3 example, the system is being monitored in Seattle and has infiltrated 95% of the  
4 storm water. It is not a complete substitute for flood control but can reduce the  
5 size of the pond.

6  
7 **Gustavson:** Please check if major and minor are deleted terms in the  
8 recent draft comprehensive plan.

9  
10 **7:20 PM - Lary Coppola arrives.**

11  
12 **Tucker:** Continues explaining corrections on the ordinance, guidelines, and  
13 maintenance requirement documents. With regards to maintenance and  
14 inspection criteria, we are proposing to restore the infiltration capabilities with a  
15 combination of high pressure spraying and vacuum sweeping. The second  
16 technique is dispersion. Full Dispersion is described in the manual. Partial  
17 Dispersion indicates that not all water is infiltrated, but the amount of remaining  
18 water decreases. Water run-off is also minimal compared to a roof or a parking  
19 area. Vegetated roofs are another technique. Their effectiveness is dependent  
20 upon the depth of the media in which the plants grow. The deeper the media, the  
21 less impact it has. The minimal Excavation Foundation technique can also be  
22 applied, but it requires a complex geotechnical evaluation. For example, these  
23 would not be used unless a builder is building 15 homes on the same plat. A  
24 final technique is Bioretention. It can be used solely as a water quality device or  
25 as an infiltration plus water quality device. If it is being used for water quality  
26 purposes only, the water travels into the system, usually with mulch on top and  
27 engineered soil based mostly of sand and compost. It then travels through a  
28 perforated pipe along the bottom continuing into the existing storm water  
29 treatment system. If it is a water quality plus infiltration system, a perforated pipe  
30 is not needed because it will infiltrate into the ground.

31  
32 **Public Testimony**

33  
34 **Art Castle:** Would like to bring to attention that there is only one qualified finisher  
35 in Port Townsend. People need training on these techniques. The techniques  
36 described allow more choices for those who are developing land. The choices  
37 are based on the 1992 Storm Water Manual. These techniques present clear  
38 environmental benefits, cost savings to developers, water temperature  
39 decreases, and stream protection. The techniques should be allowed for storm  
40 water controls.

41  
42 **Gustavson:** Soil composition and treatment under pervious surfaces are critical.  
43 The landscape in our country is 89% roads. Roads and highways are driving the  
44 storm water. Not buildings. Does this apply to highways and roads?  
45

1 **Castle:** It could be applied to highways and roads. That is the choice of the  
2 public entity. In January 2009 the Planning Commission will have to recommend  
3 and the Board of County Commissioners will have to adopt implementation of the  
4 municipal permit which will include the adoption of the 2005 storm water manual.  
5 Dramatic mitigation requirements will be included as well. Even though Kitsap  
6 County is a small part of Western Washington, the Department of Ecology had  
7 \$2.5 million to implement Low Impact Development techniques. Seven of the 28  
8 applicants were from Kitsap County. Only nine were from King County. Three of  
9 the seven were fully funded and one was partially funded. Also to keep in mind  
10 is that we don't have snow pack to rely on for potable water. All of the Low  
11 Impact Developments are oriented toward infiltrating water back into the aquifer  
12 after providing water quality treatments. It benefits all of us in the long run.

13  
14 **Gustavson:** Are we solving the problem?

15  
16 **Castle:** Answers new public roads are required to meet mitigation standards.  
17 These techniques provide additional tools.

18  
19 **Pat Fuhrer:** Home builders, Dave Tucker, the Department of Ecology, and  
20 private sector engineers all met and decided this was a good document to  
21 accept. I urge you to pass this on to the BOCC as well as other municipalities for  
22 adoption. We work a lot with private home owners on this and they spend \$30-  
23 40,000 between us and the current improvements to meet the code. It gives us  
24 flexibility as engineers to give them options to install and maintain infiltration  
25 systems.

26  
27 **Donald Larson:** I'm with a non-profit group called Kitsap Trees and Shoreline  
28 Association. We are working with the Department of Transportation to enhance  
29 highways by planting more trees. Last week we had a serious rainstorm in  
30 Kitsap County. Bremerton had a 200,000 gallon combined sewer overflow.  
31 When Bremerton was developed it was clear cut. The canopy of trees in that  
32 area is very low. I would like to see more tree lined streets. Trees will help clean  
33 the air, absorb the rain, absorb some non-point source pollution problems, and  
34 help with overflow. I am a strong advocate of Low Impact Development. We  
35 need to control the storm water run-off going into Puget Sound. Marine life is  
36 endangered and some of it may be lost if our ways are not changed. I strongly  
37 recommend approving Low Impact Development and planting more trees.

38  
39 **Rick Courson:** I am with Cedar Bay Homes, I am a Built Green Builder, and I  
40 am the Homebuilders President. The Low Impact Development is long overdue.  
41 Many people complain that they have 20 acres and have to spend \$ 30,000 for  
42 an infiltration pit for water that would normally dissipate anyway. This is not  
43 going to solve all of our problems, but it is a strong step in the right direction. It  
44 will give us the experience to move on.

45

1 **Steve Jennings:** I own ten acres and I am trying to build a house. I was  
2 required to do \$30,000 worth of storm water mitigation work that will do virtually  
3 nothing. Because of the old definition of major development, I've been required  
4 to get a Site Development Activity Permit. To date, I've spent \$6,000 and have  
5 not shoveled any dirt. It has delayed my project quite a bit. I applied for a  
6 building permit last January and my permit is still not issued. Will this process be  
7 retroactive? Do I need to spend the other \$25,000?

8  
9 **Vice Chair Taylor:** Recommends talking to Jeff Rowe-Hornbaker or Scott  
10 Diener after the meeting.

11  
12 **Gary Johnson:** This sounds like a great concept. The only downside I can see  
13 is the clean-up of a small toxic waste spill that immediately goes under the  
14 pavement. It may require some training for emergency services.

15  
16 **Mike Eliason:** I am with Kitsap County Association of Realtors. We support the  
17 Low Impact Development guidelines. It does not solve all the problems, but it is  
18 a step in the right direction.

19  
20 **Bill Roster:** I am with Roster Construction. Any effort to reduce expenses to  
21 developers is well overdo. We have an abundance of silt in this area which  
22 seems to be a shortcoming in the presentation. The presentation needs to  
23 demonstrate that the silt mitigation, which is in all the topsoil we have, needs to  
24 be addressed as part of this presentation and resolution.

25  
26 **Vice Chair Taylor:** Closes the Public Hearing portion of the meeting.

27  
28 **Bekeney:** Who is going to maintain the system? Will it be similar to having a  
29 septic system, in which case somebody needs to come out to determine if it is  
30 being maintained correctly?

31  
32 **Tucker:** To Bill Roster's question regarding silt: It has been shown that  
33 infiltration capabilities of permeable pavements can be restored simply by high  
34 pressure spraying and vacuum sweeping. It is an expensive unit but it is  
35 available. It basically draws water out of the asphalt matrix. To Gary Johnson's  
36 question regarding toxic spills: These permeable pavement systems allow  
37 hydraulic oil and antifreeze to get into the soil, but microbial activity in the soil  
38 breaks it down. In one pilot project, the piping under the soil was tested and the  
39 results were good. The worst case scenario is that the pavement will need to be  
40 cut out to remove the material. The magnitude of the spill determines the action  
41 needed. To Brian Bekeney's questions regarding maintenance: Anything that  
42 works needs maintenance. It will not be free, but it will not be a dramatic  
43 increase. Most of the activity happens in the mulch material because it breaks  
44 down over time so it will need weeding. If it is owned by a private enterprise, the  
45 property owner will be required to maintain it. The current code requires the

1 property owner to sign an agreement stating they will maintain it. This gives the  
2 county authority to make sure the maintenance is being done.

3  
4 **Nevins:** Where is the record keeping described in the manual?

5  
6 **Tucker:** Maintenance procedures are in Chapter 8 of the Manual and Appendix  
7 8A. To Gustavson's earlier question regarding roads: The roads built in 1965 do  
8 not have the same storm water standards as the roads being built today. The  
9 cost to retro-fit the old roads would be extraordinary. Today's standards say that  
10 new public and private roads are to be treated the same.

11  
12 **Gustavson:** Is the criteria for the filter dimensions specified in the code?

13  
14 **Tucker:** It would be up to the professional engineer. It is within their scope to  
15 advise and there is a wide body of documents to draw from.

16  
17 **Gustavson:** Requested information regarding the use of "Roundup". States  
18 Public Works sprays "Roundup", or its cousin "Rodeo", directly into wetlands and  
19 estuaries.

20  
21 **Mahan:** If a planter strip is put along the street to infiltrate water, will a home  
22 come with a covenant that the owners are responsible for maintenance? At the  
23 time of purchase, is there some kind of written document?

24  
25 **Tucker:** It will be the same document you get today; covenants and restrictions.  
26 If on private property, yes. If on public property, the public will take care of it.

27  
28 **Gustavson:** Certain plants can pull water out of the ground. Do you specify a  
29 list of these plants?

30  
31 **Tucker:** Refer to the Puget Sound Action Team documents. They have a list of  
32 these plants.

33  
34 **Taylor:** Community Development will cause the maintenance of these Low  
35 Impact Developments to be part of the Home Owner's Association's covenants,  
36 conditions and restrictions. Is there any thought about putting something on the  
37 deed to the property?

38  
39 **Tucker:** There are some traditional systems that private property owners have  
40 responsibility for. I do not know if there is more thought to restrictions on the  
41 property. That is out of my jurisdiction.

42  
43 **A motion was made by Commissioner Nevins and seconded by**  
44 **Commissioner Coppola to adjourn the meeting.**

45 **The VOTE:**

46 **Yes: 6**

1 **No: 0**  
2 **Motion carries**

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4 Meeting adjourned: 8:10 PM.  
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7 **EXHIBITS**

- 8 A. Low Impact Development Guidelines
- 9 B. Low Impact Development Proposal Power Point
- 10 C. Draft Ordinance Change for Low Impact Development
- 11 D. Page 8A-10 & 11 - Infiltration Test
- 12 E. Possible Definitions
- 13 F. Low Impact Development Manual - Appendix 8A
- 14 G. Kitsap Homebuilders Foundation – Low Impact Development Grant
- 15 H. Seattle Daily Journal Article: “Bye-bye Retention Ponds, Hello
- 16 Pervious Concrete” - June 2, 2006.
- 17 I. Seattle Post Intelligencer Article: “Low-Impact Methods Have High
- 18 Impact on Ecosystems” – October 11, 2006.

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21 MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_2006.  
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26 Deborah Flynn, Chair  
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31 Christina Lindner, Planning Commission Secretary  
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