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MINUTES
KITSAP COUNTY PLANNING COMMISSION
November 28, 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 Administration Building, Commissioner's Chambers located at 619 Division Street, Port Orchard, WA 98366. Members present: Chair Deb Flynn, John Ahl, John Taylor, Monty Mahan, Michael Gustavson, Tom Nevins, and Lary Coppola. Staff present: Jeff Rowe-Hornbaker, Scott Diener, Dave Tucker, and Planning Commission Secretary, Christina Lindner.

10:10 AM

- A. Chair Deb Flynn calls the meeting to order and introduces the Planning Commission members present.**

10:15 AM

- B. Recognition of Achievements - Commissioner Chris Endresen**

Commissioner Endresen: Recognizes Commissioners Deb Flynn and John Ahl, expresses her appreciation, and acknowledges their service to the community. Plaques and pens are presented.

10:20 AM

- C. Introduction of New Director – Scott Diener**

Diener: Introduces the new Director of Community Development.

Larry Keeton: Looks forward to working with the Planning Commission and making the department as efficient as possible. Requests meeting with Planning Commission members individually.

10:25 AM

- D. Low Impact Development and Storm Water Code Development.**

Chair Flynn: Are there any comments or recommendations on the procedures or the document?

1 **Gustavson:** Doesn't feel the product is ready for deliberating.

2

3 **Nevins:** Why has this particular issue risen to the level that we need to
4 take immediate action? With more time we could have been better
5 prepared.

6

7 **Dave Tucker:** There is no urgency. People in the community would like to take
8 advantage of this process.

9 **Nevins:** Is this procedure optional?

10 **Tucker:** It is an addition to procedures.

11 **Nevins:** We do not have the correct maintenance equipment in this
12 county. How will it be maintained?

13 **Tucker:** The county-owned sweepers are not the correct type, but we are
14 planning to purchase new equipment.

15 **Nevins:** Individuals are motivated to get the permit issued without storm
16 water expenses. Without a way to maintain the system, I do not believe
17 this is a finished product.

18 **Tucker:** Title 12 states the owner is responsible for the maintenance. By
19 signing the covenant, it allows the land to be inspected. The owner understands
20 the responsibility.

21 **Ahl:** Expecting the owner to hold responsibility for the maintenance is a
22 great leap of faith. It is similar to the maintenance of a septic system. This
23 proposal requires consideration of the inconsistencies of maintenance
24 issues.

25 **Gustavson:** Expresses concern over definition numbering within the
26 documents.

27 **Tucker:** Explains why the numbers are different.

28 **Gustavson:** Expresses support of Low Impact Development changes,
29 but questions if the process is solving the problem. Does not believe the
30 document is ready for adoption.

31 **Chair Flynn:** Agrees with Gustavson. The document sections need to be
32 edited. A work study is needed to give detailed comments to staff.

33 **Gustavson:** A public hearing can be held when the documents are
34 workable.

1 **A motion was made by Commissioner Gustavson and seconded by**
2 **Commissioner Nevins to defer deliberations and continue discussion on**
3 **Low Impact Development and Storm Water Code Development.**

4 **The VOTE:**

5 **Yes: 5**

6 **No: 0**

7 **Abstaining: 1**

8 **Motion carries.**

9
10 **Gustavson:** How many documents are there?
11

12 **Tucker:** There is an ordinance - the methodology used to amend the codes.
13 The actual title 12 has a process for amending the manual, which is the technical
14 document engineers use to design the facilities.
15

16 **Gustavson:** Can we get a copy of the stormwater manual?
17

18 **Tucker:** Community Development can get them to you.
19

20 **Tucker:** Continues clarifying titles and sections of document.
21

22 **Gustavson:** There are many rural lots with long driveways in Kitsap
23 County, thus throwing homeowners into the category of major
24 development.
25

26 **Tucker:** The proposed revision for major development is on page 5, definition 42
27 of major development.
28

29 **Gustavson:** Where is the definition for the term “census defined urban
30 area”?
31

32 **Tucker:** It is defined by the Federal Government, but we will include it in the final
33 document for you.
34

35 **Chair Flynn:** Requests that the section be reworded.
36

37 **Gustavson:** Just because the driveway is long does not mean there are
38 any rainwater problems.
39

40 **Tucker:** It depends on the way the driveway is made and where it is located on
41 the property.
42

43 ***Discussions continue regarding extended driveways and major***
44 ***developments.***
45

1 **A motion was made by Commissioner Nevins and seconded by**
2 **Commissioner Taylor that the public comment process be reopened**
3 **indefinitely.**

4 **The VOTE:**

5 **All in favor: 6**

6 **No: 0**

7 **Motion carries.**

8
9 **11:10 – Monty Mahan arrives.**

10
11 **Gustavson:** Suggests remaining consistent with definitions of pervious
12 surfaces.

13
14 **Tucker:** This product resulted from a larger process the homebuilders designed.
15 The code currently states whether the surface is pervious or not. The modeling
16 technique recognizes gradations of perviousness. For example, a forest would
17 have less run-off than lawn. The test used to determine permitting is also black
18 and white. The state has a different methodology – they use the total flow coming
19 off the site and characterize pervious pavement with regards to flow. That is the
20 state’s proposal in determining the permit process. Stakeholders have an issue
21 with this. It is more of a policy issue than an engineering issue.

22
23 **Chair Flynn:** It would be helpful to have a table showing the effectiveness
24 of different techniques. If the audience of the document were engineers,
25 they would be able to interpret and calculate the data.

26
27 ***Discussions held regarding percentages of run-off related to pervious***
28 ***surfaces and the definition of native soil.***

29
30 **Nevins:** Requests a copy of sections cited in the documents.

31
32 **Taylor:** Are there maintenance issues at the Fairgrounds?

33
34 **Tucker:** Is not aware of any.

35
36 **Taylor:** The maintenance of the Fairgrounds could be used as an
37 example. Have you looked at other jurisdictions?

38
39 **Tucker:** Pierce County uses a more open-ended model. I did not look at
40 Whatcom County. Snohomish County does not have a specific BMP code.

41
42 ***Discussions held regarding buffers, maintenance procedures, and request***
43 ***for cited documents.***

44
45 **Chair Flynn:** Editorial comments can be submitted to Mr. Tucker.
46 Schedule a meeting with him if there are other comments.

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11:40 AM

E. Approval of meeting minutes.

Gustavson: How can the Board of County Commissioners deliberate on the comprehensive plan when the minutes of the Planning Commission have not been approved? Are the Commissioners out of order?

Diener: I do not believe they are out of order. I will ask legal staff.

A motion was made by Commissioner Nevins and seconded by Commissioner Taylor to approve the minutes of June 27, 2006.

The VOTE:

Yes: 6

No: 0

Abstained: 1

Motion carries

A motion was made by Commissioner Taylor and seconded by Commissioner Mahan to approve the minutes of July 11, 2006.

The VOTE:

Yes: 5

No: 0

Abstained: 2

Motion carries

A motion was made by Commissioner Gustavson and seconded by Commissioner Taylor to approve the minutes of July 25, 2006.

The VOTE:

Yes: 4

No: 0

Abstained: 3

Motion carries.

Gustavson: July 25 minutes, page 176, lines 22-24: There is confusion regarding Jim Avery's statement.

Diener: Jim reviewed these minutes and stated it was correct.

A motion was made by Commissioner Gustavson and seconded by Commissioner Mahan to approve the minutes of September 5, 2006.

The VOTE:

Yes: 5

No: 0

Abstained: 2

Motion carries

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A motion was made by Mahan and seconded by Gustavson to approve the minutes of September 26, 2006.

The VOTE:

Yes: 6

No: 0

Abstained: 1

Motion carries

There is discussion regarding the format and process of the meeting minutes.

Gustavson: September 26 minutes, page 183, line 28: Is it State or DC?

Diener: State.

A motion was made by Commissioner Gustavson and seconded by Commissioner Ahl to approve the minutes of September 27, 2006.

The VOTE:

Yes: 5

No: 0

Abstained: 2

Motion carries

A motion was made by Commissioner Mahan and seconded by Commissioner Gustavson to approve the minutes of October 3, 2006.

The VOTE:

Yes: 6

No: 0

Abstained: 1

Motion carries

Gustavson: October 3 minutes: Requests a spell check, specifically of the word “there”. Page 221, the end of line 42: Missing the opening quote and the word “or”. Should read “or damage”.

A motion was made by Commissioner Mahan and seconded by Commissioner Gustavson to approve the minutes of October 6, 2006.

The VOTE:

Yes: 5

No:

Abstain: 2

Motion carries

Gustavson: October 6 minutes, Page 224, line 25: the last word should be “if”. Page 225, line 46: confusion on the last word “concomitant”.

1
2 **Diener:** Recommends deleting concomitant.
3

4 **Gustavson:** October 6 minutes, page 228, line 23-24: the end of line 23
5 should read “it shows a road super-sloped to the bay”. Line 31 should say
6 page. Page 231, line 39: missing quotation marks and the last sentence
7 is wrong. It should read “he feels that “subsidized” is being used
8 interchangeably with “affordable”, when they are two different concepts.”
9 Pg 232, line 10: should read “EDC should disband”.
10

11
12 ***A decision was made to move the minutes of October 10th, 24th and***
13 ***November 14th to the next meeting.***
14

15 **Taylor:** When is our next meeting?
16

17 **Diener:** December 19th is a possibility, depending on Dave Tucker’s schedule.
18 January 9th is subject to confirmation from DCD staff.
19

20
21 **12:15 PM**

22 **F. Shoreline and Wetlands Update - Jim Bolger**
23

24 **Jim Bolger:** We have not spoken to the Board about a schedule for their
25 adoption. The Hearings Board gave the County a February 23, 2007 deadline for
26 legislative action. I anticipate getting on the schedule in the next several weeks.
27 A work study in early January is possible.
28

29 **Gustavson:** Will that require a public hearing?
30

31 **Bolger:** There will probably be a public hearing but the remand issue has
32 reduced the public involvement requirement.
33

34 **Gustavson:** 100-150 foot shoreline buffers will make many of the 6,000
35 waterfront homes in Kitsap County non-conforming. These are some of the
36 highest valued properties in the County. The home owners might be interested
37 in a public hearing. 100-150 foot shoreline buffers is a significant departure from
38 the County’s public hearing position that 35 foot buffers are adequate, and these
39 home owners likely felt safe with that position.
40

41 **12:15 – Mike Gustavson leaves.**
42

43 **12:20 PM**

44 **G. Recognition of Monty Mahan – Jim Bolger**
45

Kitsap County Planning Commission – November 28, 2006

1 **Bolger:** Recognizes Commissioner Monty Mahan and acknowledges his
2 commitment to the community. A certificate is presented for his service.

3
4 **A motion was made by Commissioner Nevins and seconded by**
5 **Commissioner Mahan to adjourn the meeting.**

6 **The VOTE:**

7 **Yes: 6**

8 **No: 0**

9 **Motion carries**

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12 **Meeting adjourned: 12:25 PM.**

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14
15 **EXHIBITS**

- 16 A. Low Impact Development Guidelines
- 17 B. Low Impact Development Proposal Power Point
- 18 C. Draft Ordinance Change for Low Impact Development
- 19 D. Page 8A-10 & 11 - Infiltration Test
- 20 E. Possible Definitions
- 21 F. Low Impact Development Manual - Appendix 8A
- 22 G. Comments from Steve Jennings
- 23 H. Comments from Suquamish Tribe

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26 **MINUTES approved this _____ day of _____ 2006.**

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31 _____
32 Deborah Flynn, Chair

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35 _____
36 Christina Lindner, Planning Commission Secretary