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 John Taylor, Mike Gustavson, Lou Foritano, Linda Paralez, and Dean Jenniges. Staff present: Eric Baker, Angie Silva, Katrina Knutson, Scott Diener, Jeff Rowe-Hornbaker, and Planning Commission Secretary Christina Lindner.

9:06 AM
A.   Call Meeting to Order, Introductions

9:07 AM
B.   Approval of Meeting Minutes

Jenniges: Expresses concern with the thinness of the meeting minutes, specifically the absence of the conversation regarding the third Central Kitsap Planning Commissioner and Fred Depee’s reasoning for changing his mind at the previous meeting.

Taylor: Fred’s comments were noted in the minutes.

Jenniges: The minutes do not reflect why he changed his mind.

A motion was made by Commissioner Foritano and seconded by Commissioner Paralez to approve the minutes of April 10, 2007.

The VOTE:
Yes: 4
No:
Abstained: 1
Motion carries

00:07:58
C. Director's Update – Jeff Rowe-Hornbaker, DCD

Jeff Rowe-Hornbaker: In response to Commissioner Jenniges’ inquiry regarding the vacant Planning Commission position, interviews will be held shortly. Community Development has dedicated 90 days to focus on business practices, establish phone procedures in which an assistant will answer each time, and monitor frequently asked questions in order to electronically track phone calls in the future. Time is scheduled for planners to focus on permits and time is scheduled for appointments with the public and they are expected to return phone calls at the end of the day within 48 hours. Planners are also reviewing projects to make sure the application is complete.

Jenniges: Is a contractor/developer checklist available?

Rowe-Hornbaker: Multiple consultants are working on any given project. The owner, representing themselves, is trying to coordinate that information. We are trying to avoid bringing in information to builders that may not be necessary. Of the four divisions related to permitting, three departments have complete packets.

00:14:47

Jenniges: As a former project manager, we were provided with a checklist for major projects. The person purchasing the permit needs to validate the items, or be told “not-applicable”.

Rowe-Hornbaker: The Department will provide that for any given project. In order to use our time effectively we are making certain the checklist is available. When the department reviews a project we make a comment and when it comes back in for second submittal it is considered triage. If thirteen comments need to be addressed and five were not, we are not going to review it.

Jenniges: A common concern is the non-acceptance of redlines on documents.

Rowe-Hornbaker: Minor revisions that do not affect other elements of the design will be further researched.

Jenniges: Citizens are hearing that the design consultant’s criteria cannot be changed.

Rowe-Hornbaker: We cannot alter the drawing, but the professional can do the mark-up in our presence.

Jenniges: Red lines should be accepted if both the owner and the planner agree.
Rowe-Hornbaker: I do not want to put the department in that position, but I will look into it. We may be able to process it if the professional is able to provide the markup.

Rowe-Hornbaker: The permitting department is working on revisions to international building and fire codes. That would not require an action for this body.

Gustavson: Is the department making these revisions?

Rowe-Hornbaker: The State has adopted elements of the code that we need to revise in order to be compliant.

9:27 AM

D. Findings of Fact for Proposed Amendments to Residential Uses in Title 17 Consolidated use table – Eric Baker, Special Projects

Eric Baker: The Findings of Fact is associated with the public hearing and Planning Commission recommendation on what was previously deemed “Fast Track Code Amendments”. The Findings of Fact chronicles various meetings and approvals and will be presented to the Board of County Commissioners on May 14, 2007.

Gustavson: Where are the footnotes?

Baker: Footnotes were not edited and since they are in a different section they were not required to be included in the Findings of Fact.

Jenniges: Are height restrictions being eliminated?

Baker: The City of Bremerton had a number of contentious meetings regarding height restrictions. The 10 Year Update increased structure height to 65 feet though it was less contentious at that point. I am unaware of any conflict between the two jurisdictions.

Jenniges: Has Port Orchard reached a specific guideline?

Baker: Port Orchard’s issues concern view blockage. They are in the process of revising their plan. We have reviewed the language for Manchester but some concerns caused us to turn the other way.

A motion was made by Commissioner Paralez and seconded by Commissioner Foritano to approve the Findings of Fact for the Proposed
Amendments to Residential Uses in Title 17 Consolidated Use Table dated April 9, 2007.
The VOTE: Unanimous
Motion carries 00:28:40

9:35 AM
E. Overview Presentation and Status Update on Phase II Code Development – Eric Baker, Special Projects

Baker: Phase II Code Development was discussed when we first talked about Fast Track Code Amendments. The first document is a tentative schedule. I will be presenting again on May 22, 2007 where we will have substantive discussion on code development. The second document is a list of priority amendments. This is a list of changes that have lingered but have not been addressed. We need to ensure the definitions are consistent and titles are understandable. Lot sizes will also be reviewed. We are hoping the Planning Commission can look over this list and add concerns to county code before we start the process.

Paralez: It would be helpful if you could get drafts to us as early as possible. 00:34:25

Baker: The main draft will arrive in June, but the Planning Commission will have time beyond the 60 day review period.

Jenniges: Can we insert something on Page 6 regarding wine manufacturing?

Baker: Wineries and vineyards are both found in County code. We are focusing on large production plants.

Jenniges: What is the legal distance between roof lines?

Baker: Fire building codes allow structures to be as close as six feet from one another. Alternative methods, such as sprinkler systems, prevent leaping if they are two feet apart. Kitsap County is starting to embrace higher density development. As the market continues we will see homes become closer.

Pause for Earthquake Drill 9:45.
Katrina Knutson: The County supports these emerging technologies as they provide a higher level of treatment for wastewater both in urban growth areas and in the rural areas. Jim Bolger presented the Emergency Moratorium Ordinance 371-2006 at the January 26, 2007 Planning Commission meeting. It expired on March 17, 2007. Its purpose was to preserve the status quo of development in our rural areas until a stakeholder group could address an option of dealing with these wastewater systems. Throughout the moratorium a stakeholder group met to discuss a list of potential options and those options ranged anywhere from no action to lot aggregation. The Board has asked us to address the issue by creating development regulations related to alternative waste treatment technologies. To date, the stakeholders have met on April 17 and April 20. We have discussed definitions and draft language and created a problem statement. Definitions we will be finalized on Friday. Upon discussion with legal, we have been advised to not update the resolution, as updating would open up the resolution for appeal. The Board of County Commissioners’ first public hearing is on June 4th and the Board is to make a decision on June 18th. This issue will be presented to the Planning Commission again on May 22.

Chair Taylor: We would like a higher level of technical information of the systems.

Knutson: We are not dealing with the engineering of the individual systems.

Foritano: Do you have a process within the deliberations to red flag the high impact projects such as golf courses, major developments or junk yards? In January, for example, I asked Jim about Whitehorse Golf Course, which somehow snuck in under the radar with no consideration of the use of waste water. Are any of these big ticket items subject to your review in terms of existing properties in rural areas?

Knutson: We are looking to apply regulations to all of rural Kitsap County. I will ask Jim for further information.

Gustavson: In the rural parts of Kitsap County the vast majority of properties are non-conforming. Does the GMA address non-conforming existing parcels? It conflicts with the GMA only in that it will not extend services to rural areas except in the case of health issues. The difficult part of this issue is where to draw the line.
Knutson: The GMA states we need to protect rural character. These technologies may produce urban-like densities. Additionally, these lots are legally platted at those sizes and we cannot do much about that because we are not looking into lot aggregation.

Gustavson: I do not believe the County can prohibit these developments.

Knutson: We have been directed to not look into the historically platted lot problem, but to look at the alternative sewer system and how they will be applied in the rural area.

Gustavson: How can we do one and not the other?

Knutson: The Commissioners have asked us to address these issues so the systems will not attract urban-like densities into rural areas.

Taylor: You have been directed to research the systems, but not how they apply to the non-conforming small lots?

Knutson: We are doing it throughout the entire rural area. Inadvertently, it may help the historic lot problem. We have been directed to tackle these systems as they pertain to the entire rural area of Kitsap County. We are not specifically addressing the historically platted lots and we are not looking at lot aggregation. It is not an option.

Jenniges: Zoning prevents rural areas from reaching urban like densities. Why restrict them from hooking up if in fact it is better for the land? The ability to have good sewer systems is going to impact the urban development. If it is already there, it is not going to prohibit it. Why not utilize the science to improve the systems out there?

Paralez: Who developed the problem statement, the committee or the Board?

Knutson: Gary Meehan suggested the problem and the stakeholders group developed the problem statement.

Paralez: Since further work on the problem statement and definitions occur Friday, please consider the following questions: “Does the work include directions on the issue of vacant or undeveloped lots”, “the issues of attacking the problem of zoning legality of the lots”, and “is the focus only on the legality of using these systems”? These questions should be clarified in the problem statement. Also, are building permits currently issued on these lots?
Knutson: When the moratorium expired, Larry Keeton decided that we will not
vest any application unless they have an approved sanitary wastewater system.
If they are going to use these alternative systems, they need an approval letter
from the Department of Health in order for Community Development to deem it
vested.

Foritano: These wastewater systems could support assisted living
facilities, but it is contrary to the zoning.

Jenniges: The problem statement is contrary to the grandfathering and
historical platting that is taking place. It seems this problem statement is
trying to limit people's private property use instead of trying to resolve the
wastewater management issues. You should work to make sure waste
water treatment is handled better than the way it is currently being
handled.

Gustavson: I do not know if our rural zoning allows for a senior living
complex, but building one structure with one system would provide very
limited impact to the environment. Of course, a zoning modification may
be needed to accommodate the impact.

Knutson: That is a very positive and helpful comment. I will pass it along to the
group.

Taylor: Compliments the stakeholders group on the problem statement.

Knutson: A Planning Commission public hearing will be held for this issue on

Discussions held regarding Planning Commission parking signs and the
May 8, 2007 Short Course Training.

A motion was made by Commissioner Paralez and Commissioner Jenniges
to adjourn the meeting.

The VOTE:
Unanimous
Motion carries

Meeting adjourned 10:49 AM

EXHIBITS
A. Wastewater Treatment Technologies Problem Statement
B. Wastewater Treatment Technologies Definitions
C. Resolution 090-1998
D. Wastewater Treatment Technologies Schedule/Timeline
E. Phase II Code Development Tentative Schedule
F. Code Development Preliminary List of Priority Amendments

MINUTES approved this _______ day of _______ 2007.

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John Taylor, Chair

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Christina Lindner, Planning Commission Secretary