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**MINUTES**  
**KITSAP COUNTY PLANNING COMMISSION**  
**Administration Building - Commissioner's Chambers**  
**Work Study/Recommendation**  
**April 24, 2007, 9:00 AM**

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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 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.

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**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**

9:03 AM

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.

1  
2 **Rowe-Hornbaker:** I do not want to put the department in that position, but I will  
3 look into it. We may be able to process it if the professional is able to provide the  
4 markup.

5 **00:19:36**

6  
7 **Rowe-Hornbaker:** The permitting department is working on revisions to  
8 international building and fire codes. That would not require an action for this  
9 body.

10  
11 **Gustavson:** Is the department making these revisions?

12  
13 **Rowe-Hornbaker:** The State has adopted elements of the code that we need to  
14 revise in order to be compliant.

15  
16  
17 **9:27 AM**

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

20  
21 **Eric Baker:** The Findings of Fact is associated with the public hearing and  
22 Planning Commission recommendation on what was previously deemed “Fast  
23 Track Code Amendments”. The Findings of Fact chronicles various meetings  
24 and approvals and will be presented to the Board of County Commissioners on  
25 May 14, 2007.

26  
27 **Gustavson:** Where are the footnotes?

28  
29 **Baker:** Footnotes were not edited and since they are in a different section they  
30 were not required to be included in the Findings of Fact.

31 **00:23:45**

32 **Jenniges:** Are height restrictions being eliminated?

33  
34 **Baker:** The City of Bremerton had a number of contentious meetings regarding  
35 height restrictions. The 10 Year Update increased structure height to 65 feet  
36 though it was less contentious at that point. I am unaware of any conflict  
37 between the two jurisdictions.

38  
39 **Jenniges:** Has Port Orchard reached a specific guideline?

40  
41 **Baker:** Port Orchard’s issues concern view blockage. They are in the process  
42 of revising their plan. We have reviewed the language for Manchester but some  
43 concerns caused us to turn the other way.

44  
45 **A motion was made by Commissioner Paralez and seconded by**  
46 **Commissioner Foritano to approve the Findings of Fact for the Proposed**

1 **Amendments to Residential Uses in Title 17 Consolidated Use Table dated**  
2 **April 9, 2007.**

3 **The VOTE:**

4 **Unanimous**

5 **Motion carries**

**00:28:40**

6  
7 **9:35 AM**

8 **E. Overview Presentation and Status Update on Phase II Code**  
9 **Development – Eric Baker, Special Projects**

10  
11 **Baker:** Phase II Code Development was discussed when we first talked about  
12 Fast Track Code Amendments. The first document is a tentative schedule. I will  
13 be presenting again on May 22, 2007 where we will have substantive discussion  
14 on code development. The second document is a list of priority amendments.  
15 This is a list of changes that have lingered but have not been addressed. We  
16 need to ensure the definitions are consistent and titles are understandable. Lot  
17 sizes will also be reviewed. We are hoping the Planning Commission can look  
18 over this list and add concerns to county code before we start the process.

19  
20 **Paralez:** It would be helpful if you could get drafts to us as early as  
21 possible.

22 **00:34:25**

23  
24 **Baker:** The main draft will arrive in June, but the Planning Commission will have  
25 time beyond the 60 day review period.

26  
27 **Jenniges:** Can we insert something on Page 6 regarding wine  
28 manufacturing?

29  
30 **Baker:** Wineries and vineyards are both found in County code. We are focusing  
31 on large production plants.

32  
33 **Jenniges:** What is the legal distance between roof lines?

34  
35 **Baker:** Fire building codes allow structures to be as close as six feet from one  
36 another. Alternative methods, such as sprinkler systems, prevent leaping if they  
37 are two feet apart. Kitsap County is starting to embrace higher density  
38 development. As the market continues we will see homes become closer.

39  
40 ***Pause for Earthquake Drill 9:45.***

10:11 AM

1  
2 **F. Work Session: Revised Policies and/or Regulations for the use of**  
3 **Alternative Wastewater Treatment Technologies – Katrina Knutson,**  
4 **Planner, DCD**

5 01:05:15  
6

7 **Katrina Knutson:** The County supports these emerging technologies as they  
8 provide a higher level of treatment for wastewater both in urban growth areas  
9 and in the rural areas. Jim Bolger presented the Emergency Moratorium  
10 Ordinance 371-2006 at the January 26, 2007 Planning Commission meeting. It  
11 expired on March 17, 2007. Its purpose was to preserve the status quo of  
12 development in our rural areas until a stakeholder group could address an option  
13 of dealing with these wastewater systems. Throughout the moratorium a  
14 stakeholder group met to discuss a list of potential options and those options  
15 ranged anywhere from no action to lot aggregation. The Board has asked us to  
16 address the issue by creating development regulations related to alternative  
17 waste treatment technologies. To date, the stakeholders have met on April 17  
18 and April 20. We have discussed definitions and draft language and created a  
19 problem statement. Definitions we will be finalized on Friday. Upon discussion  
20 with legal, we have been advised to not update the resolution, as updating would  
21 open up the resolution for appeal. The Board of County Commissioners' first  
22 public hearing is on June 4<sup>th</sup> and the Board is to make a decision on June 18<sup>th</sup>.  
23 This issue will be presented to the Planning Commission again on May 22.  
24

25 01:17:18  
26

27 **Chair Taylor:** We would like a higher level of technical information of the  
28 systems.  
29

30 **Knutson:** We are not dealing with the engineering of the individual systems.  
31

32 **Foritano:** Do you have a process within the deliberations to red flag the  
33 high impact projects such as golf courses, major developments or junk  
34 yards? In January, for example, I asked Jim about Whitehorse Golf  
35 Course, which somehow snuck in under the radar with no consideration of  
36 the use of waste water. Are any of these big ticket items subject to your  
37 review in terms of existing properties in rural areas?  
38

39 **Knutson:** We are looking to apply regulations to all of rural Kitsap County. I will  
40 ask Jim for further information.  
41

42 **Gustavson:** In the rural parts of Kitsap County the vast majority of  
43 properties are non-conforming. Does the GMA address non-conforming  
44 existing parcels? It conflicts with the GMA only in that it will not extend  
45 services to rural areas except in the case of health issues. The difficult  
46 part of this issue is where to draw the line.

1  
2 **Knutson:** The GMA states we need to protect rural character. These  
3 technologies may produce urban-like densities. Additionally, these lots are  
4 legally platted at those sizes and we cannot do much about that because we are  
5 not looking into lot aggregation.

6  
7 **Gustavson:** I do not believe the County can prohibit these developments.

8  
9 **Knutson:** We have been directed to not look into the historically platted lot  
10 problem, but to look at the alternative sewer system and how they will be applied  
11 in the rural area.

12 **01:23:23**

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

14  
15 **Knutson:** The Commissioners have asked us to address these issues so the  
16 systems will not attract urban-like densities into rural areas.

17  
18 **Taylor:** You have been directed to research the systems, but not how  
19 they apply to the non-conforming small lots?

20  
21 **Knutson:** We are doing it throughout the entire rural area. Inadvertently, it may  
22 help the historic lot problem. We have been directed to tackle these systems as  
23 they pertain to the entire rural area of Kitsap County. We are not specifically  
24 addressing the historically platted lots and we are not looking at lot aggregation.  
25 It is not an option.

26  
27 **Jenniges:** Zoning prevents rural areas from reaching urban like densities.  
28 Why restrict them from hooking up if in fact it is better for the land? The  
29 ability to have good sewer systems is going to impact the urban  
30 development. If it is already there, it is not going to prohibit it. Why not  
31 utilize the science to improve the systems out there?

32 **01:27:42**

33  
34 **Paralez:** Who developed the problem statement, the committee or the  
35 Board?

36  
37 **Knutson:** Gary Meehan suggested the problem and the stakeholders group  
38 developed the problem statement.

39  
40 **Paralez:** Since further work on the problem statement and definitions  
41 occur Friday, please consider the following questions: “Does the work  
42 include directions on the issue of vacant or undeveloped lots”, “the issues  
43 of attacking the problem of zoning legality of the lots”, and “is the focus  
44 only on the legality of using these systems”? These questions should be  
45 clarified in the problem statement. Also, are building permits currently  
46 issued on these lots?

1  
2 **Knutson:** When the moratorium expired, Larry Keeton decided that we will not  
3 vest any application unless they have an approved sanitary wastewater system.  
4 If they are going to use these alternative systems, they need an approval letter  
5 from the Department of Health in order for Community Development to deem it  
6 vested.

7  
8 **Foritano:** These wastewater systems could support assisted living  
9 facilities, but it is contrary to the zoning.

10  
11 **Jenniges:** The problem statement is contrary to the grandfathering and  
12 historical platting that is taking place. It seems this problem statement is  
13 trying to limit people's private property use instead of trying to resolve the  
14 wastewater management issues. You should work to make sure waste  
15 water treatment is handled better than the way it is currently being  
16 handled.

17  
18 **Gustavson:** I do not know if our rural zoning allows for a senior living  
19 complex, but building one structure with one system would provide very  
20 limited impact to the environment. Of course, a zoning modification may  
21 be needed to accommodate the impact.

22  
23 **Knutson:** That is a very positive and helpful comment. I will pass it along to the  
24 group.

25  
26 **Taylor:** *Compliments the stakeholders group on the problem statement.*

27  
28 **Knutson:** A Planning Commission public hearing will be held for this issue on  
29 May 22, 2007.

30 **01:38:08**

31  
32 ***Discussions held regarding Planning Commission parking signs and the***  
33 ***May 8, 2007 Short Course Training.***

34  
35 **A motion was made by Commissioner Paralez and Commissioner Jenniges**  
36 **to adjourn the meeting.**

37 **The VOTE:**

38 **Unanimous**

39 **Motion carries**

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42 **Meeting adjourned 10:49 AM**

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45 **EXHIBITS**

46 **A. Wastewater Treatment Technologies Problem Statement**

Kitsap County Planning Commission –April 24, 2007

- 1 B. Wastewater Treatment Technologies Definitions
- 2 C. Resolution 090-1998
- 3 D. Wastewater Treatment Technologies Schedule/Timeline
- 4 E. Phase II Code Development Tentative Schedule
- 5 F. Code Development Preliminary List of Priority Amendments

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MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

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John Taylor, Chair

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Christina Lindner, Planning Commission Secretary