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**MINUTES**  
**KITSAP COUNTY PLANNING COMMISSION**  
**Administration Building - Commissioner's Chambers**  
**Work Study/Public Hearing**  
**June 26, 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: Dean Jenniges, Lary Coppola, Tom Nevins, Michael Gustavson, Linda Paralez, Fred Depee, and Chair John Taylor. Staff present: Eric Baker, Scott Diener, Larry Keeton, Angie Silva, James Weaver, 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

A motion was made by Commissioner Jenniges and seconded by Commissioner Nevins to approve the minutes of June 12, 2007.

The VOTE:

Unanimous

Motion carries

9:08 AM

C. Work-Study: Review and Discussion on Phase II Code Development Process, Eric Baker, Office of the Board of County Commissioners

Eric Baker: The document before the Planning Commission is the Buck & Gordon study. The purpose of the meeting is to cover questions related to this study.

Jenniges: What is the purpose of Title 16?

1  
2 **Baker:** Title 16 frequently references the RCW, specifically subdivisions. It is  
3 not a planning title. It is geared towards the professional surveyor or engineer  
4 attempting to switch from a large property to a smaller property, planning aside.  
5 It is a process and a series of substantive components.

6  
7 **Gustavson:** *Expresses concern with the new version of the code*  
8 *reflecting the issues that Buck & Gordon found.*

9  
10 **Baker:** *States that a document will be provided with an additional column*  
11 *addressing the issues and continues presentation by discussing current sewer*  
12 *requirements in the urban growth area.*

13 **00:12:03**

14  
15 **Depee:** Is the goal of the Planning Commission to provide input on  
16 possible solutions?

17  
18 **Baker:** We are looking for input and giving the Planning Commission a heads up  
19 on issues that staff will be addressing.

20  
21 **Depee:** If we can prove that a per unit cost for bringing sewer is  
22 prohibitive to the development of the property, it could be one criteria of  
23 determining whether it is there or not. It basically boils down to cost  
24 feasibility.

25  
26 **Jenniges:** Have new systems been approved by the State?

27  
28 **Baker:** Those systems are not at a level of testing for our portion of Western  
29 Washington regardless of size.

30  
31 **Jenniges:** Is an initiative in place to get those approved?

32  
33 **Baker:** Karcher Sewer District is playing a large part in getting them certified for  
34 use in Kitsap County.

35  
36 **Jenniges:** Is it not incumbent upon the County within the UGA to provide  
37 infrastructure?

38  
39 **Baker:** In regards to sewer the County is responsible for providing capacity.

40  
41 **Jenniges:** One of the challenges is not increasing the quantity of homes  
42 in the urban growth area.

43  
44 **Baker:** That is not associated with the Growth Management Act. If you are  
45 referring to the Urban Restricted Zone, we are not looking to achieve maximum  
46 densities.

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**Nevins:** When did it become an ordinance?

**Baker:** 381.020 of Title 17 was adopted with the 10 year update on December 14, 2006.

**Nevins:** I became aware of it by reading the GMHB decision on Kingston. They looked upon it with favor and allowed *something* to go forward as a result. Decisions have been made based on that, which limits what the County can do.

**Baker:** Staff has no recommendations on changes to the regulations. I can assume four points will be discussed, one of which is this item. Developers and owners will discuss the draconian nature of the regulation. Other issues will be platting requirements and reasonable measures.

00:21:03

**Chair Taylor:** *Describes a map of the Bucklin Hill Road sewer main.*

**Jenniges:** Is land at four homes to an acre acceptable for sewer/septic tanks?

**Chair Taylor:** There is room for septic, but there is no room with four homes on five acres.

**Jenniges:** Four homes per acre meets the requirement. Footnote 48 prevents the owner from developing their land.

**Chair Taylor:** The issue is not size. It is growth management.

**Baker:** It requires an urban level sewer service. The only thing not considered an urban level service is an individual septic system on individual lots. As a general rule, it is difficult to get a septic system on any lot less than 12,500 square feet. Even if the regulations were not in place, it is still difficult to achieve four units per acre with on-site septic.

**Jenniges:** Could I not build a home on one acre of that area?

**Baker:** Only if the intention is to subdivide.

**Depee:** Regarding the first map displayed, I do not believe that cannot be developed. I think it is simply not financially mature. No physical attributes of the property deem it un-developable.

**Baker:** As a responsibility to the Growth Management Act, the County is to provide infrastructure to support proposed development. At this point, that has

1 been interpreted as providing sewer capacity only. With our challenging  
2 topography and existing development patterns obtaining a conveyance system is  
3 difficult.

4  
5 **Taylor:** When the lots were developed, attempts were made to run a  
6 sewer line from Bucklin Hill to Barker Creek.

7  
8 ***Discussions held regarding the Bucklin/Barker sewer line***

9  
10 **Chair Taylor:** *Describes map of Fairgrounds Road and Tracyton*  
11 *Boulevard.*

12 **00:32:40**

13  
14 **Nevins:** There is no interconnectivity between Red Oaks Court and other  
15 cul-de-sacs.

16  
17 **Chair Taylor:** We need to think in terms of long range planning and we  
18 need to make provisions for that.

19  
20 **Gustavson:** I think the County has failed by not laying the routing for  
21 sewers on paper. If we are serious about urban densities we need to float  
22 a bond issue and buy sewer as a public system and install it. Then the  
23 development will occur at the densities we are looking for. Until then we  
24 have rural character throughout the County and no desire to move ahead.  
25 There is no incentive for local property owners to do anything. We need to  
26 do the upfront work at the government level so the paperwork is in place  
27 and the plan is there.

28  
29 **Jenniges:** As soon as a bond issue is mentioned, it will fail.

30  
31 **Chair Taylor:** The State initiated the Growth Management Act so the  
32 State ought to pay the bill.

33  
34 **Coppola:** It is an unfunded mandate. Perhaps some counties should get  
35 together and challenge the State.

36  
37 **Baker:** We are working with our lobbyist to locate other opportunities for  
38 potential sewer funding.

39  
40 **Gustavson:** We need to have the plans drawn. There is currently no  
41 technology in the sewer industry to remove disruptors from the lipid waste  
42 stream and that is what is killing the waterways. That needs to be  
43 resolved also.

1 **Baker:** We are trying to address those issues at a code level. We are also  
2 looking at comprehensive sewer planning. One issue is the challenging  
3 topography.

4  
5 **Depee:** Why aren't the sewer districts involved?  
6

7 **Baker:** There are not many in existence, but we are working with Karcher Creek  
8 to focus on other options.  
9

10 **Depee:** Another challenge is locating the most conducive properties.  
11

12 **Chair Taylor:** An example of the sewer issue is Gorst. It has taken  
13 many years and we still do not have sewers.  
14

00:45:16

15  
16 **Baker:** Bremerton is running a line past Gorst. The downside is the cost in  
17 producing the collection system.  
18

19 **Jenniges:** Is that a water system or a sewer system?  
20

21 **Baker:** It is a full sewer system.  
22

23 **Jenniges:** A septic system consists of moving solids. It is almost the  
24 same system installed along Manchester.  
25

26 **Baker:** Manchester has a full sewer plant. We will be discussing Gorst and the  
27 Urban Growth Area Management agreement in the next year and a half.  
28

29 **Jenniges:** Will that move up to the SKIA?  
30

31 **Baker:** The growth management agreement that I am referencing will not extend  
32 further south than Gorst. It will include Navy Yard City, West Hill and most of the  
33 hillside.  
34

35 **Gustavson:** Had we never come up with the concept of piped sewage  
36 systems, we never would have installed them. They are the most  
37 expensive and degrading solution one can think of.  
38

39 **Baker:** Green building is largely encouraged by the County. The downside is  
40 that maintenance is the responsibility of the owner of the property.  
41

42 **Baker continues presentation by discussing accessory dwelling units.**  
43

44 **Depee:** Will accessory dwelling units be discussed in terms of urban or  
45 rural?  
46

1 **Baker:** Accessory dwelling units will be addressed for urban and rural. Currently  
2 they are permitted outright in the urban growth areas as affordable housing.

3  
4 **Coppola:** Are accessory dwelling units allowed in LAMIRDs?

5  
6 **Baker:** Yes.

7  
8 **Coppola:** What if they are part of the existing structure?

9  
10 **Baker:** They are then considered accessory living quarters.

11  
12 **Gustavson:** How many ADUs are built in the County per year?

13  
14 **Baker:** Between 12 and 20 units per year in the rural areas.

15  
16 **Gustavson:** It would take 1,000 years to double the density in the rural  
17 area. An ADU is not a desirable structure for the vast majority of the  
18 people. It is not a large enough problem. Another problem we run into is  
19 the maximum size constraint. I am also concerned with urban services.

20  
21 **Nevins:** Accessory Dwelling Units are not an issue now because of the  
22 limitations. Changing those limitations could lead to problems.

23  
24 **01:01:41**

25 **Depee:** *Asks Commissioner Nevins to define "problem".*

26  
27 **Nevins:** Increasing densities in the rural area. The Growth Management  
28 Act speaks against it. 12-20 domiciles a year is beneath the threshold for  
29 being considered a problem.

30  
31 **Depee:** Density is the area you seem most concerned with. I think  
32 stopping the abuse of the system is more of an issue. For example,  
33 saying a mother-in-law will be living in the ADU, then turn it into a rental.

34  
35 **Baker:** It may seem like a small issue, but we need to look at the cumulative  
36 impact. We can make adjustments to various standards. We have one of the  
37 lowest square footages in Puget Sound.

38  
39 **Gustavson:** The business of affordable housing is driven by lot price and  
40 those constraints make the lots more expensive.

41  
42 ***Baker continues presentation by discussing Rural Uses.***

43  
44 **Jenniges:** When discussing rural character we are essentially talking  
45 about boundary lines. A certain amount of tolerance is needed of

1 neighbors. The County is stepping in to make more regulations because  
2 we are less tolerant.

3

4 **Baker:** Every group believes the rural area is there for their purpose. I can  
5 imagine that can cause a disturbance.

6

7 **Break 10:20**

8 **Return 10:32**

**01:26:50**

9

10 ***Baker continues presentation by discussing deferred issues including***  
11 ***agricultural regulations, signage overhaul, boundary line adjustments,***  
12 ***shoreline/view blockage, and transit oriented development.***

13

14 **Jenniges:** I thought we discussed the signage issue already.

15

16 **Baker:** Yes, but we need to make minor adjustments.

17

18 **Paralez:** Are we further behind other counties without a boundary line  
19 adjustments process?

20

21 **Baker:** We are behind in regards to this issue. I would like it to have a  
22 stakeholders group of its own.

23

24 **Paralez:** We are putting it off because it is politically thorny?

25

26 **Baker:** Many issues will need to be addressed. It is better to bring it before the  
27 Planning Commission as an individual item because people will want to spend  
28 more time on the thorny issues.

29

30 **Paralez:** It is on the docket for 2008 as a special discussion?

31

32 **Baker:** These are all on the docket for potential discussion in 2008.

33

34 **Gustavson:** How many sliver lots are in the County?

35

36 **Baker:** Sliver lots surface at the time of building permit. It is a process done  
37 through the auditor's and assessor's office. We catch ¼ of them and see 50-75  
38 a year.

39

**01:33:05**

40 ***Discussions held regarding un-buildable lots.***

41

42

43 **Jenniges:** Is the main issue surrounding boundary line adjustments the  
44 creation of new lots?

45

46

1 **Baker:** Yes.

2

3 ***Baker continues presentation by discussing view blockage regulations.***

4

5 **Gustavson:** *Requests that the Planning Commission receive a*  
6 *presentation similar to what the public receives.*

7

8 **Nevins:** When discussing view blockage, are we focusing on shoreline  
9 view blockage?

10

11 **Baker:** We are referring to view blockage as associated with the Shoreline  
12 Master Program.

13

14 ***Baker continues presentation by discussing transit oriented development.***

15

16 **Jenniges:** Is this viewed from a social engineering aspect? Seattle has a  
17 ridership of 4%. Where does the cost bounce against the practicality of  
18 the issue?

19

20 **Baker:** During peak hours mass transit is heavily utilized. There have been a  
21 limited number of mass transit opportunities.

22

23 **Jenniges:** Park N' Rides work because people would rather get in their  
24 car. When they have time, they are less willing to get on a bus. Spending  
25 large amounts of time on that topic is not cost effective.

26

01:42:06

27

28 **Coppola:** If ferries were removed from the equation, what percentage of  
29 people in our area uses mass transit?

30

31 **Baker:** The number will fall drastically with ferries removed from the equation.

32

33 **Coppola:** The County should lead by example and mandate employees  
34 to take mass transit to work.

35

36 **Baker:** A commuter trip reduction program is in place at the County.

37

38 **Gustavson:** Overall, Park N' Rides are under-sized. We should push  
39 expansion as well as the number of Park N' Rides in the County.

40

41 ***Discussions held regarding Park n' Rides.***

42

43 **Paralez:** *Reminds the Planning Commission that code development*  
44 *focuses on the future. It is not centered on current behavior. It is an*  
45 *opportunity to develop.*

46

1 **Jenniges:** Costs increase when things are built in the codes.

2

3 **Gustavson:** We are not the first county to look at these problems. I  
4 recommend the book “Vanishing Automobile and Other Urban Myths”.  
5 We should pay attention to history and avoid inventing things that have  
6 never worked for anybody.

7

8 **Paralez:** When can we expect documents?

9

10 **Baker:** Tentatively late August.

11

12 **Gustavson:** *Requests language in addition to work plans.*

13

14

01:50:45

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10:57 AM

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**C. Director’s Update – Larry Keeton, Director, DCD**

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19

20 **Keeton:** We completed the SURGE process and exceeded our goal of 125  
21 permits. During this time we processed 28% more permits than in the previous  
22 year. The system seems to be working for us and for the public. We will need to  
23 fix the code in order to make the process work better. In the month of May, DCD  
24 answered 6400 calls. We have developed a “Frequently Asked Questions” list  
25 and we will be moving to a Customer Response Management system.  
26 Complaints about not reaching a live person have gone down and complaints  
27 from the Commissioners about DCD have reduced dramatically. The building  
28 inspection process has changed also. They now have wireless computers and  
29 leave the office at 9:00 AM. We will be focusing on LIS training, tracking the life  
30 of the permit, and the expectations of the permit application process.

31

32

**Jenniges:** Is a list of standards available?

33

34

**Keeton:** We are working on a list. Also, we are moving into an enterprise fund.  
35 We are meeting with King County on the transition. We should be full enterprise  
36 by 2009.

37

38

**Jenniges:** I have received a significant amount of complaints related to  
39 inspections and occupancy permits.

40

41

**Keeton:** A Certificate of Occupancy requires Health District approval. We will  
42 create training for the public related to inspection requirements.

43

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**Gustavson:** *Requests a Shoreline Update and Jim Bolger’s presence at  
45 the July 10<sup>th</sup> Planning Commission meeting.*

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02:12:00

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**A motion was made by Vice Chair Coppola and seconded by Commissioner Paralez to adjourn the meeting.**

**The VOTE:  
Unanimous  
Motion carries**

**Meeting adjourned 11:20 AM**

EXHIBITS

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

\_\_\_\_\_  
John Taylor, Chair

\_\_\_\_\_  
Christina Lindner, Planning Commission Secretary