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MINUTES
KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioner's Chambers
Public Hearing
October 23, 2007, 6:30 PM

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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, Fred Depee, Lou Foritano, Jim Sommerhauser and Dean Jenniges. Staff present: Eric Baker, Katrina Knutson, Scott Diener, Philip Fletcher, Larry Keeton and Planning Commission Secretary Amanda Walston

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A. Call Meeting to Order, Introductions

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6:34:11

B. Approval of Meeting Minutes of September 25, 2007 and October 9, 2007.

A motion is made by Commissioner Jenniges and seconded by Commissioner Foritano to approve the minutes of September 25, 2007

Sommerhauser: Good job incorporating Commissioners' questions and requests.

The VOTE:

For: 6

Against: 0

Abstain: 1

The motion carries

6:35:00

Taylor: Minutes should reflect Commissioners Paralez and Gustavson will not be in attendance tonight

1 **6:35:20**

2
3 **A motion is made by Commissioner Sommerhauser and seconded by**
4 **Commissioner Foritano with corrections previously forwarded via email.**

5
6 **The VOTE:**

7 **For: 6**

8 **Against: 0**

9 **Abstain: 1**

10
11 **The motion carries**

12
13
14 **C. Director Update – Larry Keeton, Director, DCD**

15
16 **6:36:35**

17
18 **Taylor:** *Director's Update will be moved to the end of the meeting*

19
20
21 **D. Deliberations: Site Specific Comprehensive Plan Amendments:**
22 **Philip Fletcher, Senior Planner, DCD**

23
24 **6:36:55**

25
26 **Fletcher:** *Presents on two items, both fairly routine. First, the Elzey/Smith*
27 *application was discussed at the last meeting and Commissioners recommended*
28 *Staff speak with applicants on changing their request to a Map Correction. Upon*
29 *review, Staff has provided an analysis and response recommending that the*
30 *application remain as site specific. (References Memorandum regarding these*
31 *findings) A Finding of Fact has been prepared with the assumption that*
32 *Commissioners wish to approve in the case that Map correction is not an option.*

33
34 **6:38:04**

35
36 **A motion is made by Commissioner Sommerhauser and seconded by**
37 **Commissioner Foritano to approve the Elzey/Smith Site Specific**
38 **amendment to the Comprehensive Plan.**

39
40 **Sommerhauser:** *Comments that proponent raised a good point related to the*
41 *posting that took place on the property. When the property is separated by a*
42 *road and posting is placed on the other side of the property, it raises concern and*
43 *unnecessary confusion among neighbors and the public.*

44
45 **Fletcher:** *Staff is aware of this concern.*

1 **The VOTE:**
2 **For: Unanimous**
3 **Against:**
4 **Abstain:**

5
6 **The motion carries**

7
8 **6:40:06**
9

10 **Fletcher:** *No comments were received from the Planning Commission other than*
11 *grammatical corrections from Commissioner Paralez. Findings of Fact have*
12 *been prepared for the four site specific amendments, based on Commissioners*
13 *comments from the October 9th meeting. Lindstrom is separate from these four.*

14
15 **A motion is made by Commissioner Sommerhauser and seconded by**
16 **Commissioner Jenniges to approve the Findings of Fact for the Anderson**
17 **Hill, Cole, Munro and Elzey/Smith site specific amendments.**

18
19 **The VOTE:**
20 **For: Unanimous**
21 **Against:**
22 **Abstain:**

23
24 **The motion carries**

25
26 **6:41:40**
27

28 **Fletcher:** *Lindstrom application is last item*

29
30 **Taylor:** *Due to technical issues in relation to the minutes and to be fully in*
31 *compliance with the law we will open the Lindstrom application, motion for*
32 *deference to November 13th, and continue it to that meeting.*

33
34 **A motion is made by Commissioner Sommerhauser and seconded by**
35 **Commissioner Coppola to continue the Lindstrom site specific amendment**
36 **to the Comprehensive Plan to the November 13th 2007 Planning**
37 **Commission meeting.**

38
39 **The VOTE:**
40 **For: Unanimous**
41 **Against:**
42 **Abstain:**

43
44 **The motion carries**
45
46

1 **6:42:53**

2
3 ***(Discussion regarding Fletcher's retirement, which is effective today)***

4
5 **Diener:** *Comments on disbursement of work amongst existing staff and*
6 *recruiting process for a new Long-Range Planner.*

7
8 **Sommerhauser:** *Questions specifically who will handle Manchester*

9
10 **Diener:** *Questions regarding Design Standards should be directed to Scott*
11 *Diener, but these are being rolled into the Plan Update, which will be handled by*
12 *Katrina Knutson.*

13
14
15 **E. Public Hearing: 2007 Manchester Community Plan Update: Katrina N.**
16 **Knutson, Associate Planner, DCD**

17
18 **6:44:39**

19
20 **Knutson:** *Thanks the community members for their involvement and taking time*
21 *to come out to help us better the futures of their community.*

22
23 *Review of Work study held and of the information presented on October 9, 2007.*

24
25 **6:47:00**

26
27 **Knutson:** *Thanks again to all community members involved in the process. Not*
28 *many substantial changes are proposed to Title 17 or Regulations. The Plan*
29 *does substantially change the goals and policies of each chapter as well as the*
30 *legal language contained within each chapter, which has been clarified by our*
31 *Legal Department.*

32
33 *Design Standards have already been approved and recommended by this*
34 *Planning Commission and forwarded on to the Board of County Commissioners.*

35
36 *This hearing should focus on the Draft Plan itself and not the Design Standards.*
37 *The window for submitting and receiving Public Testimony regarding the Plan*
38 *ends on October 31st 2007 to allow enough time for staff to incorporate*
39 *comments in time for the next deliberations on November 13th 2007.*

40
41 **6:48:10**

42
43 **Jenniges:** *Asks for clarification as to what has been moved to the Board*
44 *of County Commissioners*

45
46 **Knutson:** ***Confirms that it is the Design Standards.***

1 **Knutson:** *Next steps include a Work Study with the Board of County*
2 *Commissioners on November 5th and Deliberations and Final Planning*
3 *Commission Recommendation to the Board of County Commissioners on*
4 *November 13th 2007. A map has been provided for residents to point out where*
5 *they live, which was a Planning Commission request.*

6
7 **6:50:00**

8
9 **Sommerhauser:** *Notes that several members of the Illahee Planning*
10 *Process are here studying the Manchester process. Asks the chairs of the*
11 *Manchester commercial core design standards stand and be recognized,*
12 *as Illahee community members may wish to contact them with questions.*

13
14 **6:51:00**

15
16 **Taylor:** *Opens Public Hearing portion, explains that three minutes will be*
17 *allowed for each testifying member of the public.*

18
19 **Ralph Nelson:** *I apologize for the late input; we are out of town a lot of the time*
20 *and have missed a lot of the meetings, so I apologize to people like Katrina who*
21 *have put in so much time.*

22
23 *In looking at the Plan that is available, looking at the old Plan and looking at our*
24 *own situation, we have discovered a major flaw in height determination. Trying*
25 *to be brief, structures on adjoining parcels, which one would assume would have*
26 *the same height limitations, can vary by as much as 10 feet, or perhaps a full*
27 *story (if we accept a full story as 10 feet.) This is because of the fact that in the*
28 *plats, many properties have different lengths.*

29
30 *In a property like ours, we extend down to the next road and height limitations*
31 *are based upon the grading, upon the topographical shape. If you have a lot*
32 *that is 50 feet that is relatively flat, they can build higher than a lot that is 100 feet*
33 *deep that goes further down the slope. Currently, we were considering doing*
34 *some remodeling on an existing footprint, and I have had two different opinions*
35 *from staff in the past. I think we need to address this rather whimsical situation*
36 *of the depth of the lot and topographical shape of the lot.*

37
38 **Sommerhauser:** *For the record, please state your name and point to*
39 *approximately where your property is located on the map.*

40
41 **6:53:37**

42
43 **Nelson:** *Confirms he is Ralph Nelson, and he lives on 2nd Avenue East*
44

1 **6:58:18**

2
3 **Jenniges:** *Asks if she sent a message from “Loren Johnson” (She did not)*
4 *who expresses similar questions on this issue.*

5
6 **Johnson:** I’m a professor, so I would be happy to help with the wording. The
7 best to figure it out is just to give it to somebody who has no idea of this, and ask
8 them what it says to them and sometimes we come with the clearest
9 understanding.

10
11 **Taylor:** *We don’t want to go too in-depth on these questions.*

12
13 **Jenniges:** *Confirms that Mrs. Johnson’s comment is # 18*

14
15 **Sommerhauser:** My question is, you think it is poorly written, but do you
16 have a desire in how or what it actually says.

17
18 **6:59:01**

19
20 **Johnson:** Yes, oh I see, you mean the intent. I believe that in a way you
21 discriminate against a property owner who might have more than one piece of
22 property, and of course the piece of property or the lot needs to be distinguished,
23 because there are those lots for Assessor’s purposes and tax purposes and then
24 there are these historical lots of record or lots that have been later combined for
25 some other purpose.

26
27 But it does not meet, I think, the criteria for not curtailing growth, but managing
28 growth if you allow people who have one lot here and one lot there and one lot
29 there that don’t have this contiguous ownership or don’t have a boundary
30 between them that’s common; you allow them to develop, but you don’t allow
31 another property owner, say for instance, that has two different lots, for example
32 200 by 100 and then a lot right next door that might be 6,000 square feet. By this
33 ruling, you would have to combine those.

34
35 **7:00:05**

36
37 **(Taylor calls next speaker)**

38
39 **Carole Leninger – (Resides at 1875 Alaska Avenue, points to property on map)**
40 I just wanted to compliment, first of all, Katrina for all the hard work that she put
41 in and the many, many hours she put in with the committee; and for the
42 committee itself, the number of people who showed up on a regular basis, two
43 times a week, all summer long to work on this plan. I think what we’ve got is a
44 very viable, very good plan. I think what we’ve done is for the benefit of the
45 community, not just Manchester, but the surrounding areas as well, and I would
46 that we can pass this plan on and get to moving forward. Thank You.

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7:01:16

(Taylor calls next speaker)

Mati Walters: *(Resides at 7149 East Main Street, points to property on map)*
Well, I actually was going to say much of what Carole just said; I wanted to thank Katrina for all her work, and she spent a lot of hours on it and we've really appreciated. She's always been very easy to talk to and get information to and from; we are very appreciative. I'd like to thank you guys to for getting the Design Standards out so quickly and working on the Plan too. Hopefully, I think you have listened to the residents, and that's a good thing. Hopefully that will follow through to the end, as we have had a lot to say.

7:02:22

Foritano: *There have been questions and issues regarding the integrity of the process; some people feel they didn't have the chance to be heard, they weren't aware of when and where meetings were held. Asks what this citizen's overall opinion is of the process and of the open aspects of this project from beginning to current.*

Walters: I felt we did our level best to make it as open as possible throughout the process. If people were interested in attending and participating, it was a very open process. It was very difficult, oftentimes, to get people to participate. Several times I would go door-to-door informing people of upcoming meetings, of upcoming issues, asking them if they couldn't attend to at least email their opinions. And then of course there were all the postcards that went out twice, two different times, to every resident of Manchester. My feeling is that it was very open and we tried to keep it as open as we could.

7:03:45

(Taylor calls next speaker)

Carrilu Thompson: *(Chair of two committees, resident for over 25 years at 1144 Colchester Drive, points to property map.)* I'd like to take an opportunity to speak to process. We have heard a number of issues, and a number of complaints, and I would like to address those complaints.

First of all, unprecedented in any plan that I know of, were two postcards sent out to the community; every property owner received those postcards. It was the suggestion of our committee to do that, because we wanted to make sure (this is the Design Standards committee, but also the Zoning committee after that) to make sure that as many people as possible got their voice into the process.

1 **Thompson:** That was one of the things, we did have articles in the paper, and
2 we had door-to-door effort by not only Mati, but a number of folks on the
3 committees, to get people involved to come to the meetings. We had postings
4 on the County website of the meetings, we had them on the Manchester website
5 of the meetings, and we talked to our neighbors.
6

7 I think at a certain point in time, I have to say that I cannot, I can only do so much
8 to get people involved; and if they choose not to or choose not to seek how to be
9 involved, I don't know how that can be our responsibility. We tried in every way
10 possible to get people involved; we encouraged as many folks as possible with
11 diverse opinions, because that's where you get the blend, to be involved. I know
12 some folks came into the process late, but hey were heard just as much as the
13 people who started from the beginning.
14

15 And I must add at this point, that we have received a lot of emails of frustration
16 from folks who started at the beginning of the process, gave their opinions, gave
17 their time, gave their letters, gave their support out there to their other neighbors
18 to be involved and they feel that the questioning of the ethics of the committees
19 is really a slam against them. So I have to respond in their honor, because they
20 put in the time, they made the sacrifice and they felt it was important enough to
21 put it above other events and situations in their lives. Any questions?
22

23 **7:07:08**
24

25 **Sommerhauser:** *One item of major contention has been height and*
26 *number of stories for future building. Since this document has become*
27 *available, has that issue been resolved by this version?*
28

29 **Thompson:** I have to ask you the definition of solved. Because it was, the issue
30 is, contentious. That certainly is out there and I would not disagree with you on
31 that one; but on consensus, on consensus of people's priority or feeling, I feel
32 that it has been solved, yes. I feel that there will always be a question, from the
33 standpoint of the people who do not agree with it, but we had, again, we asked
34 as many people as possible to get involved, and I do believe that we have a very
35 strong consensus for 28 feet.
36

37 The other comment that I have received was, and I am actually in agreement
38 with this myself, is that we have a view protection overlay in Manchester of 28
39 feet that extends a very large area and that the Commercial district sits in that
40 view protection overlay because there are houses in front of it and house behind
41 and on the sides. And that it certainly blends with the rest of the view protection
42 overlay and then it is a consistent 28 feet no matter what and if views are
43 blocked, then it is still within their right to build to 28 feet.
44
45

1 **Thompson:** Do you see what I mean? Because that was one of the issues, was
2 a huge issue, was the view blockage at 35 because they were entitled to build
3 higher than the person who has the house next door. But at 28, they are at least
4 on even footing with the person who owns the residential property next door.
5

6 **7:09:18**
7

8 **Taylor:** We are getting off topic, the 28 feet being mentioned is in the
9 Design Standards, which is done and over with.
10

11 **Sommerhauser:** *We also have 28 feet in the Plan, which is the purpose*
12 *of the question, because we have 28 feet and 35 feet in the Plan.*
13

14 **Thompson:** Yes, because we have two areas in Manchester that are 35 feet.
15 The view protection overlay is one property west of Alaska from basically Mile Hill
16 drive to, I believe – someone help me out here, doesn't it extend up to, yes up to
17 the fuel depot and one property west of Alaska. Outside of that, you are allowed
18 to build to 35 feet.
19

20 **Sommerhauser:** *You believe that at least a consensus has been met*
21 *with the way it is written now?*
22

23 **7:10:25**
24

25 **Thompson:** Yes, I do.
26

27 **Coppola:** Since I am the one who questioned the integrity of process, I
28 want to state that I don't particularly disagree with the outcome, but as
29 someone who owns two properties inside of Manchester, I never received
30 any notification, any postcards or anything. If it wasn't for my participation
31 on this board I wouldn't have known anything about it.
32

33 **Thompson:** I have to say that I cannot answer for the United States Postal
34 Service, but
35

36 **Coppola:** I just want to state that for the record, I don't want to waste any
37 more time on it.
38

39 **Thompson:** I do have to and I do want to answer to that because I know and I
40 have a list of all the people who were sent, I can't help it if the U.S. Post Office
41 did not deliver them, but you are on that list twice.
42

43 **Coppola:** I never received the first postcard.
44

45 **Thompson:** I am sorry for that, and I would take it up with the U.S. Postal
46 Service

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7:11:37

(Taylor calls next speaker)

Bill Palmer: *(Not a resident of Manchester, but represent several different property owners in Manchester)* I want to, in my opening remarks, to simply say that I think there is a flaw in the process with how the County has elected to handle the site specifics and are choosing to not do them in the context of the Community Plan, but that is really the process that provides the most support in the sense of the most community involvement and they very much should have been considered in the context of the Community plan.

The rush to get it adopted has meant that Staff chose to recommend to the Board of County Commissioners that they do it outside the Community Plan process, and I think that is a flaw, a definite flaw, in the process.

I don't have a lot of criticism with the Design Standards, but I do at least have some issues to highlight in the Community Plan.

One of them relates to your Lot Aggregation provisions. I'd be very curious to see the legal review you've had of the wording of that language in the plan; I think you've got some constitutional issues involved in the wording. I won't belabor the point, but I think it would be good if the Commission had a report from the Prosecutors office regarding that language.

Then I think somebody ought to do a study to indicate, okay, who's got what and what are the implications of it because I don't really think it's well-known.

The last point I'm going to make, for now, is to address the height issue. In your zoning standards you really do have a confusing provision, particularly in the Commercial area. You allow for 35 feet for all structures other than commercial, mixed use and residential. Now, there are some structures that could fit in another category and you allow for 35 feet from that, and my question is why?

I do want to go on record and continue to be on record as objecting in the commercial area to both 35 feet and two stories. I think it ought to be 35 feet across the board.

7:15:00

(Taylor calls next speaker)

Bill Bellman: *(Resides at 8220 East Caraway Road, points to property on map):* I have some comments. One thing is that yesterday I ran the Design Standards and the Zoning from the Kitsap County webpage.

1 **Bellman:** Apparently, what is floating around in reality is different from what is on
2 the webpage; so I have some comments, which aren't appropriate because
3 apparently they've changed as have the comments.

4
5 Second thing is, in the Manchester Village Residential zone it states that the
6 average size of currently developed lots is just over ¼ acre and that's
7 acknowledged as current development. The Plan says minimum developable
8 and minimum divisible and lot sizes it at ¼ of an acre. We asked the County
9 Staff many times to give us the plats within in Manchester Village Residential and
10 what the sizes of those lots are, and we never did receive those. I, today, went
11 myself to the Assessor's office and got a count of those lots.

12
13 Now it may be a little bit off, but I found that there are 12 plats, or 18 plats,
14 excuse me, in Manchester Village Residential; 12 of those 18, the majority of
15 those lots, are less than ¼ acre. If you take all the lots combined, 52% of the lots
16 are less than ¼ acre. So by having ¼ acre in the Plan, you are making the
17 majority of the lots in Manchester Village Residential non-conforming. I think
18 that's in error.

19
20 We asked for two-tenths of an acre, the County changed it back to ¼ acre; so we
21 ask again that you take a look at that. I will give Katrina a copy of what I found
22 today. And take a look at those lots, because it seems senseless to make most
23 of the lots non-conforming in the zoning down there.

24
25 The other thing I'd like to comment on; I heard earlier about the two postcards
26 that were sent out said we'd like your comments. I went to that meeting, you
27 were not allowed to make comments at that meeting, you were allowed to do one
28 thing; you were allowed to vote. You could vote for 28 feet two stories, 35 feet
29 two stories or 35 feet three stories. That was it; there were no comments at that
30 meeting.

31
32 The second meeting; we'd like your comments, will meet here. At that meeting,
33 Robert Minor, an owner of Commercial property was concerned about the 35 foot
34 height; he was told that he couldn't talk about that, because we were beyond that
35 point and that was in the Design Standards, you have to talk about something
36 else. So you might have gotten two postcards, but you were limited to what you
37 could talk about in the two meetings.

38
39 **7:17: 55**

40
41 ***(Taylor calls next speaker)***

42
43 **Dee Marie:** *(Resides at 2083 Alaska, points to property on map)* I have a couple
44 of comments and first of all I'd like to commend Katrina, Carrilu and Carole for
45 the time they've spent working on this because I really believe that their
46 intentions are very good and they've spent a lot of hours and I appreciate that.

1 **Marie:** I have a couple of questions and some comments I would like to make
2 and that is that I believe this process is extremely flawed and these are some
3 questions I've asked Katrina and also Philip and I've not yet gotten any answer.

4
5 I emailed them several weeks ago and that was because I've gone to a number
6 of meetings and heard different numbers on how many lot owners are in the
7 Manchester Commercial Area and also how many were in the Manchester rural
8 community.

9 And I think the reason that is of interest to me is because I've also heard
10 comments that the majority of people in Manchester want what's been presented
11 to you and I disagree.

12
13 I don't believe the majority of people that live in Manchester have the vaguest
14 clue of what's going on. A couple of the meetings I went to there were, the
15 numbers that were talked about, that there had been maybe somewhere
16 between 12 to 20 people at previous meetings. Some of the meetings I went to
17 there may have been 50 or 60 people.

18
19 What the questions I asked Mr. Fletcher and Katrina, and I would ask you to ask
20 your Planning Staff, because I think this is critical before you make decisions on
21 what's going to happen to us as Manchester residents are how many lot owners
22 are there in this area, in this Manchester area. How many lot owners and how
23 many lots? And I would venture to guess there is probably somewhere between
24 500 and maybe 1,000; there's a lot of little owners, or little lots, excuse me.

25
26 And then the other question is how many people own property in the commercial
27 area and how many of those people actually attended meetings and made votes,
28 voted? And I think the reason that's significant is that if the majority of people is
29 50 people, then you've got 100 lots. Otherwise, I don't believe the people, the
30 majority of people, were commenting. I don't blame anybody for that; I think it's
31 just the way it was. I also want to go on record as saying I, too, object to the
32 reduction of the height and the reduction of the stories in the commercial corridor
33 in beautiful downtown Manchester.

34
35 **7:20:56**

36
37 **Taylor:** *Reads names of people who have signed up but did not indicate if*
38 *they wish to testify, and asks if they would like to testify.*

39
40 **Linda Jacobs:** *(Resides at 8107 E Daniels Loop Road, points to property on*
41 *map.)* I've only lived there for two years. I've gone to the meetings, when I knew
42 about them. I don't think the community has been informed. I think a small
43 group has made recommendations, and I think several people, I mean there are
44 individuals that are heads of several committees.

1 **Jacobs:** And I just don't believe that people don't want Manchester to be a viable
2 place where you want to live, where you can get a quart of milk and there are
3 some neighbors, and I just really love Manchester.

4
5 I just feel like this has been rammed through, and I asked why they don't mail
6 postcards to let us know about meetings, and they said they had no money; now
7 someone talked to Jan Angel and that's not the case.

8
9 So, really it's not in my interest living in the little, cute beach house I have, to, but
10 I think if somebody buys land thinking they can build what the County code says,
11 and they pay top dollar for it, and then the community steps in and delays them
12 and delays them and does false delays when, three years at \$10,000 a month? I
13 don't think that's fair.

14
15 **Taylor:** *Continues reading names of people who have signed up but did*
16 *not indicate if they wish to testify, and asks if they would like to testify.*

17
18 **7:24:23**

19
20 **Toni McBride:** *(Resides at 2295 Spring Street, points to property on map.)* The
21 only thing I, one of the gentlemen said he didn't have the opportunity at any of
22 our meetings to get up and make a comment about anything, and we had tables
23 available for everyone to make comments; we encouraged comments. We had,
24 you could sit down and write an essay, you could have, you could do anything
25 you want and they were all turned in and I'm sure Katrina received them; I think it
26 was, yeah, they were there. It was, when everything was mailed out to
27 everybody, maybe not everybody got it, but we weren't in charge of that; the
28 Design Committee wasn't in charge of the mailer. It went out, but that wasn't up
29 to us.

30
31 And the other thing was, it was a preference; it wasn't a vote. It was what you
32 preferred; it was not what was going to happen. And I just want to make that
33 clear, that nobody was, I mean it wasn't a vote, it was a preference.

34
35 And everyone should have gotten cards and could have been there. Two cards
36 and everyone had the opportunity, if they wanted to, to make a comment. And
37 they could have emailed, they could have done anything; we encouraged
38 everybody. It wasn't a select few that were turned away and couldn't say
39 anything, because that just didn't happen.

40
41 We were down there three specific times, June the 12th, June the 19th and, I'm
42 not sure, it was Fathers' Day, June the 17th at the Salmon Bake.

43
44 **Taylor:** *Continues reading names of people who have signed up but did*
45 *not indicate if they wish to testify, and asks if they would like to testify.*
46

1 **Pardo:** And I've lived in five or six different places around the country, rural and
2 downtown city areas and I have never seen a process that has been so open to
3 anybody to come and get involved. If you didn't know what was going on, and I
4 apologize Lary, if you didn't know what was going on in this town, you weren't in
5 Manchester for the last nine months.

6
7 **7:29:36**

8
9 **Coppola:** No, actually I haven't been.

10
11 **Pardo:** I mean you saw the signs up, and the Salmon Bake; I mean you tripped
12 over this thing everywhere you went in town.

13
14 **Coppola:** *Reiterates that he hasn't lived in Manchester for the past five*
15 *months.*

16
17 **Pardo:** But anyway, I do think we really do have to say that the various
18 committees have really worked their tails off. And yes, we'll never get the kind of
19 turnout we'd like to see, it would be wonderful if we really had 50% of all the
20 homeowners involved in this thing, but we don't. I think we have a very good
21 representation, I think things have been fairly reviewed and I think time will allow
22 us to make tweaking to the Plan in the future.

23
24 **7:30:30**

25
26 **Foritano:** *After height and integrity of process, the next biggest issue was*
27 *parking. Do you feel the efforts that will follow this Plan in relation to*
28 *parking design and parking enhancement is the right process and an*
29 *effective potential process?*

30
31 **Pardo:** I've only seen one or one and a half of these proposals in the commercial
32 district go far enough to really test that idea. The recommendations we've made
33 on the Transportation committee is that we put in as much diagonal parking as
34 possible. I know there is some resistance to this, and this is the only negative
35 thing I will say to the Staff side, to diagonal parking on the Staff. I think in a place
36 like Manchester, if we don't put in diagonal parking, we're dead.

37
38 And I think you have got to give the builder the trade back for allowing the
39 diagonal parking to go in front of their buildings; in other words, you've got to give
40 him something back for that on one of his other setbacks because he's going to
41 have to give up a little bit of one of his setbacks to allow diagonal parking.

1 **Pardo:** So I think that is one of the areas you've got to be very, very careful of as
2 part of the planning commission; in that we allow some sort of a trade back to the
3 people who own the commercial property to allow the diagonal parking that's
4 necessary in addition to the underground parking. Otherwise, we're going to
5 have to find a way to go out and collect money to buy property to put parking on.
6

7 **Foritano:** Are you aware there is a comprehensive parking specific
8 process that is going to follow?
9

10 **Pardo:** I am not, and I will be glad to read up on it and get involved.
11

12 *(Taylor calls next citizen not signed up, but wishing to speak to come*
13 *forward)*
14

15 **7:32:30**
16

17 **Jim Stritzel:** *(Resides on Madrone and Alaska and owns other pieces of*
18 *properties in Manchester, points to property on map.)* I'd like to first off commend
19 Katrina for all of her efforts, I think just because of the way the staffing was, we
20 had three other people shepherding us before that, and she kind of brought all of
21 this and everything in together, so thank you for that.
22

23 My main comments are on the 35 foot height situation. It's 35 feet towards the
24 Sound, one property deep off of Alaska. That is not a change from the previous
25 plan, so it's not like we came up with something different, we just affirmed what
26 was already there. Since the date of that plan, which was, I think, 2002, there
27 have been various properties bought and sold under this same 35 foot idea. So
28 if you look at one of the goals as continuity of plan and continuity of commercial
29 transactions, so I think you ought to leave it.
30

31 The reason that was done in the previous Plan and confirmed in this one is that
32 Manchester is generally from the Sound up to about Alaska, with exceptions.
33 Then after Alaska, the reason they did one property deep is a good part of this is
34 flat. If you remember in your Keyport Plan, they talked about why it was flat, so
35 that's why they did it. That's basically why we did it. And after that, up by the
36 school and up toward California on the boundary it floats up again and a good
37 portion of that, if not the majority, is still forested. So, it's not a change, it's just
38 confirming what was done before; many business transactions have occurred
39 under it; I think you ought to leave it.
40

41 And for the record, actually, some of my property is going to be harmed if the guy
42 in front of me goes 35 feet, because I have property in that flat area. But if he
43 doesn't go 35 feet, he hasn't got a snowball's chance in hell of getting a view
44 over the people that are 28 feet on Alaska. So if we're into this view protection,
45 there's a reason we want 35 feet
46

1 **Jenniges:** *Are you saying that in this Plan, Section 2.4.2 Height*
2 *Restrictions, you are satisfied with this section as it is written?*

3
4 **7:35:26**

5
6 **Stritzel:** Read it to me please.

7
8 **Jenniges:** Recites section. *This is basically saying is, if there's 28 feet in*
9 *front of you, you want to go 35 feet to look above him that's okay; but if*
10 *he's 35 feet already he's going to block you no matter what.*

11
12 **7:36:49**

13
14 **Stritzel:** I didn't follow that, try me again.

15
16 **Jenniges:** *Basically, the way I read this, your property is flat, but you're*
17 *not in the view protection overlay; the guy in front of you then has*
18 *authorization to build to 35 feet. That means that you, if you want to look*
19 *over him, can build over him.*

20
21 **Stritzel:** I won't be able to look over him.

22
23 **(Because he's in a flat zone)**

24
25 **Jenniges:** But if the guy is on a down slope, you'd be able to look over
26 him.

27
28 **Stritzel:** It's slightly down slope, but basically flat.

29
30 **7:37:29**

31
32 **Stritzel:** I bought it under the idea that that was a rule that I bought it under. I
33 knew that going into it, so that guy bought his property going into it also.

34
35 **Jenniges:** *You're basically saying don't change the rules.*

36
37 **Stritzel:** Right. And in the view protected overlay zone, which was a side light,
38 whether I was satisfied with that, I also own property within that. Other than a
39 slight change on how you figure your midpoint where you get to 28 feet, that's the
40 same; almost that whole thing is exactly the same as it was before. One of my
41 big bugaboos about Land Use and County Planning and stuff is continuity.

42
43 If I bought something and I do pay attention to the changes and take part in it,
44 unless there is a very good, valid and compelling reason, don't change it on
45 somebody because business is conducted under surety of rules. If it ain't broke,
46 don't fix it.

1 **Hutchinson:** I was involved in a few of the meetings; the question of community
2 participation or lack of community participation did come up in those meetings
3 and how to get more. I made the suggestion that we send out some fliers and
4 postcards and ask that they be returned with people's own postage; I was told or
5 we were told at the time that there was no money for any postage or any mailers.

6
7 There was later another postcard that did come out in for the last meeting after
8 that. And I have spoken with Commissioner Angel and she did tell me that she
9 thought there was money in the budget that would have allowed some postcard
10 mailers that would have allowed for the view or the height preference.

11
12 Also, with regard to the height issue, one thing to me, and maybe I'm a simple
13 minded guy you know, but I own this property in Manchester, in the business
14 district. We purchased that property; it had a 35 foot height limit at the time it
15 was purchased. The people that purchased in the residential areas behind us
16 bought their property knowing that the business property in front of them was
17 allowed to build to 35 feet.

18
19 This, you know, with the Plan as it's proposed will change that. We will lose that
20 value to build to the height that we purchased; but those people will get an
21 enhanced view or lack of blockage of their view that was there when they bought
22 their property. I hope I made sense when I said that, but that's basically what I
23 have to say.

24
25 **7:44:03**

26
27 ***Taylor calls for any others wishing to speak and notes that this is the last***
28 ***time for public testimony before the Commissioners' meeting.***

29
30 ***Sommerhauser notes that plenty of time is left, if people want to speak***
31 ***again, Taylor agrees.***

32
33 **7:44:40**

34
35 **Thompson:** I'm sorry, after what we were discussing up here I did forget to thank
36 Katrina for her steadfastness in this whole process. And she has been, along
37 with Scott, our consistent support in all the questions and in who's heading us
38 now, which has been an issue, as you know. But she has been there to answer
39 questions with very short resources, as you well know, and I just want to say
40 thank you because she's been great. And also thank you to all the people who
41 participated in the process, who again took time out of their lives to put
42 something else aside so that they could invest their time and energy in the plan.

43
44 ***Taylor closes public testimony, noting that written testimony will be***
45 ***accepted until close of business on October 31st 2007.***
46

1 **7:46:26**

2
3 **Depee:** *Believes Mr. Bellman's email was excellent and found Mrs.*
4 *Johnson's testimony and email very interesting; asks if she took these*
5 *comments to the public meetings after the email dated 06/ 20/07.*
6

7 **Johnson:** *Confirms that she did bring her comments to the public meeting. She*
8 *felt at the time, in the process, that I was heard and that we came to a*
9 *consensus, however, when the legal description was reviewed by the legal*
10 *department the discrepancy seemed to reappear.*

11
12 **Depee:** *Believes that the intent and the actual outcome of the two plans*
13 *were a bit confusing on the two story issue. Wanted to make sure Mrs.*
14 *Johnsons was comfortable with her input being heard and how it was*
15 *implemented.*
16

17 **Johnson:** *I guess I didn't make myself clear. Within community and within plan*
18 *they drafted, yes I believe that my input was used and also the input of others*
19 *who may or may not have agreed with it. However, in the document as it*
20 *appears today after legal review by the department, for whatever reason, it looks*
21 *like some thing they took from the old plan that they put in about the non-*
22 *conforming lots. The thing about the view protection overlay; I that was a good*
23 *consensus as it appeared.*
24

25 **7:49:05**

26
27 **Taylor:** *The next Planning Commission meeting is where we hope to*
28 *make a final decision and recommendation to the Board of County*
29 *Commissioners on Manchester Plan. All are welcome to attend, it will be*
30 *held here at 9:00 am on November 13th.*
31

32 **Sommerhauser:** *There were two intriguing comments regarding lot*
33 *aggregation. We have not seen the Community's purposed language on*
34 *this. I would like a copy of this community proposal and would like some*
35 *discussion from staff, from legal, as to why it was changed.*
36

37 **Jenniges:** *I thought we discussed this in detail during the stormwater*
38 *issues and thought Staff would be coming back with some kind of*
39 *consensus and analysis. These lots were bought in good faith.*
40

41 **Knutson:** *Confirms that DCD will be addressing large site sewer systems at a*
42 *later date. Manchester language was put in place when the Plan was adopted in*
43 *March of 2002 and has been in place ever since.*
44
45

1 **Knutson:** *The request for review and clarification of the legal language came*
2 *about when the Manchester Community Council approached Eric Baker during*
3 *the 10 year update process and asked that the language be changed because*
4 *while a majority of citizens agreed with it, the language was unclear.*

5
6 *The Manchester Community Council and Executive Board provided signed*
7 *documentation in support of the language currently included in the plan. When*
8 *submitted to legal for review, basically they broke the language out into*
9 *paragraphs and sections to simplify the legal terminology and sentence structure.*
10 *The Manchester Community Council also backed this language as it was*
11 *included in the 10 year update. If community members do not agree that it is*
12 *easier to read, we welcome those comments.*

13
14 *As Mr. Stritzel believes we should not change the language in the plan and*
15 *should keep what has been written because business has been conducted under*
16 *this language; the Manchester Community Council agrees with the same concept*
17 *and wishes to keep the non-conforming lot language the same as well.*

18
19 **7:54:22**
20

21 **Sommerhauser:** *Requests a copy of the version containing the language*
22 *that was provided by the Community Group, if it differs from what was in*
23 *the 2002 Plan and the current Plan Update.*

24
25 **Knutson:** *Will get this to you if such a version exists.*

26
27 **Keeton, Sommerhauser:** *Ask to have the documents submitted as part of the*
28 *hearing.*

29
30 **Knutson:** *Reiterates that we are not making a decision tonight, we are taking*
31 *public comment tonight, which will be incorporated along with any other*
32 *testimony received through October 31st, and provided to you before the next*
33 *Planning Commission meeting.*

34
35 **7:55:53**
36

37 **Jenniges:** *Comments that following the logic of keeping the rules the*
38 *same because business has been conducted under said rules, this holds*
39 *true for residential but not commercial.*

40
41 **Taylor:** *We are done for tonight*

42
43 **Knutson, Taylor ask that any questions or requests the Planning**
44 **Commission may have be submitted now or communicated prior to the**
45 **deliberations to allow preparation and a purposeful meeting on November**
46 **13th.**

1 **Foritano:** *Asks about status of the parking study including a timeline, who*
2 *will be involved and how it will be conducted.*

3
4 **Knutson:** *Commissioners should anticipate a very large packet of comments for*
5 *review.*

6
7 **Taylor, Knutson confirm that this information will be sent via US mail**

8
9 **Sommerhauser:** *At least one person commenting today cited*
10 *constitutional issues regarding aggregation. If County Legal cannot*
11 *advise us, can staff provide indicators of decision in this area so we can*
12 *research it?*

13
14 **Depee:** *Questions what difference it makes if it is called Lot Aggregation*
15 *or Minimum Lot Size.*

16
17 **Sommerhauser:** *If someone believes it is unconstitutional, I want some*
18 *basic understanding of the constitutional issue related to that if I'm going*
19 *to vote on it as a Commissioner.*

20
21 **Knutson:** *Confirms that Legal's basic interpretation is that it is within the law,*
22 *defers further questions on this issue to Larry Keeton or Scott Diener.*

23
24 **7:59:47**

25
26 **Taylor closes the Manchester Public Hearing portion**

27
28
29 **F. Director Update – Larry Keeton, Director, DCD**

30
31 **8:00:15**

32
33 **Keeton:** *DCD has moved forward on the Board of County Commissioners'*
34 *requirement to become an Enterprise fund. Explains how our fee structure has*
35 *been researched and created. States that we have asked that the fees policy be*
36 *removed from the ordinance, as they should be set and addressed through*
37 *resolutions.*

38
39 *Budget proposal has been completed and presented to the Board for \$9.2 million*
40 *as a fully funded 2008 budget. 2007's current budget is \$8.1 million and is only*
41 *97% funded. The decision to go fully funded is to allow for identification and*
42 *classification of what will be Enterprise vs. General Fund. Of the 2007 budget, it*
43 *is not identified as a fully funded department. We are not currently charged for*
44 *facilities department, legal assistant, maintenance, general County administrative*
45 *support, personnel, recruiting and other fees. When all fees are added in, our*
46 *difference came to approximately \$200,000.*

1 **Depee:** *Questions this difference.*

2

3 **Keeton:** *Confirms the difference and that none of these services have ever been*
4 *paid for or charged to us, and in turn never passed onto the citizens.*

5

6 **Depee:** *Following that math, are you looking at 10% increase in fees?*

7

8

8:03:40

9

10 **Keeton:** *No, it will actually be approximately \$2 million in fee increases, which*
11 *has been presented to the Board. Discusses the methodology and price*
12 *variations in fees we currently charge and what the actual cost should be. We are*
13 *recommending a three year phase-in of the project.*

14

15

16

Depee: *A lot of these figures are predicated on the fact that the*
procedures themselves are based on inefficient procedures and time.

17

18

19

Keeton: *We went back and looked at the actual hours a staff member spends on*
a particular project or task and created an average.

20

21

22

23

Depee: *If, when you incorporate this, you follow a procedure like in Pierce*
County, which imposes time limits and timeframes and concessions if they
are not met, I don't think people will have a problem with it.

24

25

26

27

28

Keeton: *Compares volumes from last year and this year. Confirms that changes*
are taking place and processes will continue to improve. We are re-defining the
actual amount of time that it takes to complete an actual project. We want to
charge accordingly.

29

30

8:07:51

31

32

33

34

35

36

Keeton: *Regarding lot aggregation, the Department said it would look at historic*
plats if the board so requested. We are on hold because State of Washington
Health Department rules on large on-site site systems have changed based on
the volume of gallons. We are looking at lot sizes based on septic systems. We
have a 90 day extension from the Board on this.

37

38

39

Keeton, Jenniges discuss the balance of lots purchased under good faith
and the ability to provide as growth continues.

40

41

8:10:10

42

43

44

45

Coppola: *Asks if the cost to file an appeal to the Comprehensive Plan is*
figured into the budget?

1 **Keeton:** *No, staff time is included, but the fee is not. Discussion on the research*
2 *information our schedule is modeled on. We recommended that if it is code or*
3 *Comprehensive Plan related, it has to be paid for by general fund. It cannot be*
4 *paid for by public or out of public generated funds.*

5
6 **8:12:05**
7

8 **Keeton:** *Explains that the reason Legal will not come and provide opinion or*
9 *advice is because the Planning Commission is not a speaking agent for the*
10 *County. It is an advisory body to the Department and the Board of County*
11 *Commissioners. By their policy, all information will funnel through Staff. The*
12 *Board can, and has in the past, authorized them to come in and advise us on*
13 *process information – but it has to be in the form of all 3 commissioners vote.*
14 *The Board also does not have jurisdiction and cannot direct the Prosecutor’s*
15 *office to advise us.*

16
17 **8:14:36**
18

19 **Keeton, Sommerhauser discuss that the Planning Commission is an**
20 **advisory body specified by law, but to the Department and the Board**

21
22 **Sommerhauser:** *Feels it is logical to have Legal explain issues to the*
23 *Planning Commissioner and make them knowledgeable.*

24
25 **Keeton:** *There is a difference in giving education on case law and land use laws,*
26 *and giving legal recommendations. Issues brought to you by Staff should have*
27 *already been vetted through legal. You should take this on trust. The only thing*
28 *we can recommend is that you put in your comment and concern in your*
29 *recommendation. If you need background information, state that.*

30
31 **8:16:45**
32

33 **Sommerhauser, Keeton continue discussion on past requests and practice.**

34
35 **8:18:42**
36

37 **Taylor, Depee:** *Ask that at either the November 13th or 27th meeting, Staff*
38 *present how many applications have been submitted for the 9 lot short plats*
39 *since we approved it a few years ago.*

40
41 **Keeton:** *Will bring in information from LIS on the amount submitted, approved*
42 *and the timeframes.*

43
44 **Taylor:** *Is it possible to submit a request on a feasibility study to be done*
45 *on installing a sewer line in a specific place?*
46

1 **8:20:45**

2
3 **Keeton:** *The reason you aren't getting your comprehensive sewer report is that*
4 *the County, under an invalidity order, is required to go back and do a design on*
5 *multiple systems. The County has a plan from 1971, and right now there is an*
6 *infrastructure group of about 20 - 30 people being put together by the Board to*
7 *look at sewers, fiscal, and other information.*

8
9 **8:21:45**

10
11 **Sommerhauser:** *Contact Commissioner Brown about the presentation he*
12 *made to the House Capital Facilities Budget Committee two weeks ago,*
13 *which contains a lot of the information you are looking for.*

14
15 **Keeton:** *Another option would be to find out who the provider would be, and ask*
16 *them for a report and cost analysis.*

17
18 **8:22:36**

19
20 **A motion is made by Commissioner Jenniges and seconded by**
21 **Commissioner Foritano to adjourn the meeting.**

22
23 **The VOTE:**
24 **Unanimous**
25 **Motion Carries**

26
27 **Time of adjournment: 08:22:43**

28
29 **EXHIBITS**

- 30 A. Staff Analysis of Elzey/Smith Application as Map Correction
31 B. Manchester Community Comment Matrix
32 C. Manchester Community Public Meeting Requirement Documentation
33

34 MINUTES approved this _____ day of _____ 2007.
35
36
37

38 _____
39 John Taylor, Chair

40
41 _____
42 Amanda Walston, Planning Commission Secretary
43