

MINUTES

**KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioner's Chambers
April 7, 2009 7:00 pm**

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.

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: Lou Foritano, John Taylor, Tom Nevins, Mike Gustavson, and Robert Baglio

Members absent: Linda Paralez, John Hough, Fred Depee, and Jim Sommerhauser

Staff present: Dave Tucker, Scott Diener, Jeff Rowe-Hornbaker, and Planning Commission Secretary Mary Seals

7:02:20

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

Agenda is adopted as posted.

C. Public Comments

D. Approval of the March 17, 2009 minutes.

Gustavson asks to amend the March 3, 2009 minutes.

A motion is made by commissioner Gustavson and seconded by Commissioner Taylor to include his references to county roads and roadside spraying in the March 3, 2009 minutes.

Discussion is held about the changes to the previously approved minutes of March 3, 2009.

**The Vote:
Unanimous**

A motion is made by Commissioner Nevins and seconded by Commissioner Taylor to approve the minutes of March 17, 2009.

Baglio wishes to have comments about Low Impact Development, the need to have good soils and the potential economic impacts of the ordinance to those sites that do not have decent soils included in the March 17, 2009 minutes.

Nevins comments that a lot of what is said does not get included in the minutes, such as back and forth discussion.

1 Discussion about keeping points that affect public policy should be included in
2 the minutes.

3
4 An amendment to the motion is made by Commissioner Baglio seconded by
5 Commissioner Taylor to include comments about Low Impact Development, the
6 need to have good soils and the potential economic impacts of the ordinance to
7 those sites that do not have decent soils added to the March 17, 2009 minutes.

8
9 Discussion is held about the amendment and that all points of views should be
10 reflected in the minutes if any one is.

11
12 Discussion is held about the LID and soils issues in Title 12.

13
14 Foritano asks Dave Tucker to comment.

15
16 **Tucker:** The code just provides a performance objective. How one gets to that
17 performance object...

18
19 **Foritano:** *So if the soils are great you get there by way of the natural soils.*

20
21 **Tucker:** Correct. There is no requirement for “Low Impact Development”, just as there is
22 no requirement for detention vaults or any other thing. There is a requirement that there
23 is a performance after the development is done. Any of these could be used, but some
24 are not good ideas to use; it’s done on a case by case basis.

25
26 **The Vote on the amendment:**

27 **Unanimous**

28 **The amendment to the motion carries.**

29
30 **The Vote on the motion:**

31 **4: Yes**

32 **1: Abstain**

33 **The motion carries**

34
35 **7:12:28**

36
37 **E. Directors Update: Jeff Rowe-Hornbaker, Assistant Director, DCD**

38
39 Rowe-Hornbaker gives an overview of the state of the department pertaining to
40 Budget issues. He shows the Permit Process video that DCD is distributing with
41 to residential home builders.

42
43 **7:37:28**

44
45 **F. Findings of Fact – Kitsap County Code Title 12 Amendment – Stormwater**
46 **Development Regulations: Dave Tucker, Assistant Director, Public Works**

47
48 Taylor requests specific page and line of change to where the duration of the
49 permits were increased from 180 days to 360 days.

50

1 Tucker states on page 17 starting on line 6 is section 12.10.055 which is the
2 section that was requested to have changes. One in the first paragraph that
3 extended and made no more than two extensions shall be granted; line 11; and
4 then every iteration of 180 days to 360 days in the second paragraph.

5
6 **Motion to amend to the Findings of Fact by Commissioner Gustavson by adding**
7 **the after word “invalid” on line 22; “unless extended by the director of DCD”.**

8 **No second**

9
10 **Baglio asks if there was much attendance at the open houses.**

11
12 **Tucker:** We got less up North, about 9 people. Just short of 20 in Silverdale. We had
13 15-17 here on the 18th.

14
15 **Baglio asks what the timing is for the County Commissioner’s adoption on this.**

16
17 **Tucker:** The permit as it currently reads says it has to be adopted by August 16, 2009.
18 The state is now in an amendment process which is subject to public comment. In which
19 they would change it to say it must be adopted by a date, but doesn’t have to become
20 effective until November, which is 90 days later. But that’s not been enacted by DOE
21 and their process will not be done until close to July. I don’t know what the Board would
22 want to do, but by the current permit they would at least need to adopt it by that date.
23 Whether this revision that’s in the works comes to fruition, they would have the option to
24 not make it effective until November or some day in between.

25
26 **Gustavson adds comment from private sector land use planner that was**
27 **concerned that this would add considerable expense to private developments. He**
28 **is concerned that adding more cost will have a negative effect on the economy.**

29
30 **A motion is made by Commissioner Nevins and seconded by Commissioner**
31 **Foritano to approve the Findings of Fact.**

32
33 **The Vote on the motion:**

34 **Unanimous**

35 **The motion carries**

36
37 **7:40:00**

38
39 **G. 2009 Planning Activities: Scott Diener, Policy and Planning Manager, DCD**

40
41 **Diener give overview of the Policy and Planning projects during 2009. Due to**
42 **staff cuts we are tailoring back the amount of effort we can give to the North End**
43 **of Kitsap County for community plan development.**

44
45 **Discussion is held about North End projects.**

46
47 **Diener continues by reviewing other items for 2009, including KC Code changes**
48 **to Titles 16 and 21, the Rural Wooded Incentive Program, and Site Specific**
49 **requests.**

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51 **Discussion is held about the Rural Wooded Incentive Program (RWIP).**

Kitsap County Planning Commission – April 7, 2009

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8:05:30

Taylor suggests that Staff re-read the Supreme Court decision on Dolan v. the City of Tigert because it applies to RWIP.

Discussion is held about Agenda for meeting with BOCC on May 4th. The request is made to submit anymore agenda item requests to Scott Diener.

The Planning Commission members agree to cancel the April 21st meeting due to lack of agenda items.

Gustavson requests a presentation by Patty Charnas on Shoreline.

Nevins inquires about how the code requirements can be better enforceable.

H. For the Good of the Order: Chair Foritano

A motion is made by Commissioner Taylor and seconded by Commissioner Baglio to adjourn the meeting.

Time of adjournment: 8:33:06

EXHIBITS

- A. Findings of Fact, Conclusions and Recommendations regarding the Waaga Way Town Center Design Standards and Kitsap County Code Title 12 Related to Stormwater Management.
- B. Title 12 Stormwater Drainage changes

MINUTES approved this _____ day of _____ 2009.

Lou Foritano, Planning Commission Chair

Mary Seals, Planning Commission Secretary