

MINUTES

**KITSAP COUNTY PLANNING COMMISSION
Administration Building - Port Blakely Conference Room
July 28, 2009 9:00 am**

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 at, Port Orchard, WA 98366.

Members present: Lou Foritano, Linda Paralez, Fred Depee, Jim Sommerhauser, Tom Nevins, Michael Gustavson and Robert Baglio

Members absent: John Taylor

Staff present: Larry Keeton, Katrina Knutson, Heather Adams, Angie Silva, Scott Diener, and Planning Commission Secretary Mary Seals

9:03:00

A. Call Meeting to Order

B. Adoption of Agenda

Agenda is adopted as posted.

C. Public Comments

D. Work Study: RCO and RI zones and Policy RL-8: Katrina Knutson, Senior Planner DCD

Knutson reviews Use Table 17.381.040(E) Parks, Rural and Resource Zones to create a Planning Commission preferred draft to compare at the next Planning Commission meeting. She reviews which committees staff has met with.

Gustavson brings up the issue of mixed use.

Discussion is held about mixed use designations in the rural commercial areas.

A motion is made by Commissioner Gustavson to consider as condition use for ADU and ALQ under rural commercial.

No second.

Foritano suggests that any strong views be expressed now before we move forward with the Use Table.

Depee: When you did your total acreage you put in here 13 parcels, 58 acres, common areas, easements, etc. Why are we looking at that?

Knutson states that those are properties that are currently zoned. An inventory.

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1 **Gustavson:** Where you have a commercial use in the rural area and there are
2 several commercial uses on the parcels. In Southworth we have a post office
3 and a little store. We are limiting the store to 10,000 sqft. It seems to me that
4 the store owner can be creative in how he defines his store vs. the franchised
5 second store that occupies the next 30 feet so he doesn't get socked by the
6 county for the next 5,000 ft. I think putting a limit on these things of 10,000 sqft. is
7 pretty aggressive.

8
9 **Sommerhauser:** The proposal is that existing Commercial and Industrial use
10 would be grandfathered in. Would they at least have to meet the conditions of
11 the use table when they came in?

12
13 **Knutson:** Uses that are currently existing on these parcels are legal non- conforming
14 uses, so they'll be able to continue with their current use without going through these
15 regulations. It's when they want to change the use or remodel over 50% of the value of
16 the building they'll need to adhere to the new use table and density table.

17
18 **Sommerhauser:** I hear all that, I don't have any difficulty with that. I have a
19 problem with deleting policy RL-8. My issue there is that we spent two plus years
20 trying to get a comp plan. Looking at where commercial and industrial ought to
21 be. We got all the opinions and set up zoning. For those people that have
22 existing things taking them from non-conforming to conforming; giving them the
23 opportunity to do something on that property; that's fine. But taking away the
24 restriction that says no more new; you just ran into my wall. They want new
25 zoning. To walk in and throw the door completely open; I don't buy that.

26
27 **Foritano:** Is that what this does?

28
29 **Sommerhauser:** It appears to me.

30
31 **Knutson:** No and the reason that the department is recommending deleting the policy if
32 there is a vacant parcel that is currently zoned commercial in the rural area they cant do
33 anything with that parcel. Or if there's people that has a residence within the rural
34 industrial area and they are getting taxed more on their property and they want to sell
35 their property, they can't really sell their property to somebody who wants to do industrial
36 because with policy RL-8 we can't permit any uses on that property. So, the department
37 is recommending that we delete this policy, RL-8. We can discuss an additional policy,
38 perhaps. But with the deletion of the policy we would still have the LMIRD policies and
39 also the rural commercial and rural industrial zones where people would be able to use
40 their properties.

41
42 **Discussion is held about the impact of deleting RL-8.**

43
44 ***Foritano gives example of Hansville encountering this issue.***

45
46 **The commission reviews the Residential Uses on the use table by line item.**

47
48 **The commission reviews the Residential Uses.**

49
50 **Discussion is held about mixed uses designation.**

51

1 **No changes recommended.**

2
3 **The commission reviews the Commercial/Business Uses**

4
5 **Knutson reviews footnote 12 and states that it applies to all of the uses and**
6 **addresses setbacks and access.**

7
8 **Gustavson asks about item Auto Service Station being brought back into**
9 **Southworth. He wants to know if that can happen with the current use.**

10
11 **Knutson states that not with this footnote.**

12
13 **Baglio asks why item Engineering and Construction Offices is not allowed**
14 **at least in the rural commercial zone.**

15
16 **Knutson explains the debate in DCD regarding Engineering and**
17 **Construction offices zoning. Some offices in the rural area, some feel it**
18 **should be allowed. Others think that that type of business should only be**
19 **allowed in the urban area because that is where the growth is. Looking at**
20 **other jurisdictions it's about half and half.**

21
22 **Discussion is held about Engineering and Construction Offices.**

23
24 **The Planning Commission recommends Engineering and Construction Offices**
25 **change from X to an ACUP under RCO only.**

26
27 **Discussion about the difference between a Kennel and a Pet Daycare.**

28
29 **Sommerhauser asks about Lumber and bulky building material sales.**

30
31 **The planning commission recommends Lumber and bulky building material sales**
32 **change from X to C under RI.**

33
34 **Discussion is held about Personal services – skin care, massage,**
35 **manicures, hairdresser/barber; decision to remain as is.**

36
37 **Discussion is held about Pet shop – retail and grooming making it**
38 **consistent with Personal services.**

39
40 **The planning commission recommends Pet shop – retail and grooming change**
41 **from X to ACUP under RCO.**

42
43 **The commission reviews the Recreational/Cultural Uses**

44
45 **Discussion is held about Museum, galleries, aquarium, historic or cultural**
46 **exhibits; decision to remain as it.**

47
48 **The commission reviews the Institutional Uses**

49
50 **The commission reviews the Industrial Uses**

51

1 Discussion is held about Air pilot training schools; decision to remain
2 as is.

3
4 Discussion is held about Assembly and packaging operations.

5
6 The planning commission recommends changing Assembly and packaging
7 industrial from X to C for both RCO and RI.

8
9 Discussion is held about Manufacturing and fabrication; decision is to
10 remain as is.

11
12 Discussion is held about Slaughterhouse or animal processing.

13
14 The planning commission recommends changing Slaughterhouse or animal
15 processing from X to C in RCO.

16
17 Discussion is held about Storage. Gustavson suggests making them all C
18 for both RCO and RI.

19
20 Knutson explains why staff chose to X both for all storage at this time.

21
22 The planning commission recommends the following changes for Storage in RI:

- 23 Storage, hazardous industrial keep as X
- 24 Storage, indoor industrial change to C
- 25 Storage outdoor industrial change to C
- 26 Storage self-service leave as is as X
- 27 Storage vehicle and equipment leave as X

28
29 The planning commission recommends the following changes for Storage in RCO:

- 30 Storage, hazardous commercial keep as X
- 31 Storage, indoor commercial keep as X
- 32 Storage outdoor commercial keep as X
- 33 Storage self-service commercial keep as X
- 34 Storage vehicle and equipment commercial keep as C

35
36 Discussion is held about Transshipment facilities, including docks,
37 wharves, marine rails, cranes, and barge facilities; decision to remain as is.

38
39 Discussion is held about Wrecking yards and junk yards.

40
41 A motion is made by Commissioner Sommerhauser and seconded by
42 Commissioner Paralez to change Wrecking yards and junk yards from C to an X in
43 RI.

44
45 The vote

46 Yes: 3

47 No: 4

48 Motion fails

49
50 The commission reviews the Resource Land Uses.

51

1 **E. For the Good of the Order: Chair Foritano**

2
3 **Discussion is held about the eliminating of Policy RL-8.**

4
5 **Knutson explains the reasons for Policy RL-8 and options for the Planning**
6 **Commission if they are not comfortable deleting it.**

7
8 **Sommerhauser:** If RL-8 stays in existence then the only way for new property
9 to get in is when the Commissioners on the docket open up the docket for Site
10 Specifics.

11
12 **Knutson:** With Policy RL-8 right now the Commissioner cannot even open up Site
13 Specifics to be zoned the two new zones.

14
15 **Sommerhauser:** If we modify RL-8 to say we are grandfathering in and
16 including as part of the grandfathering the ability if you've already got some sort
17 of facility, either commercial or industrial, the ability to change back and forth as
18 permitted by the table between the two with the limitations that we put in the
19 table. And to go beyond the 50% on existing property that we are going to
20 grandfather.

21
22 **Knutson:** I think that all the things that you said are given already under regulations; it
23 would be redundant to put that policy in because you already have to go through those.
24 Those measures are already in place.

25
26 **Discussion is held about how Policy RL-8 came about and how the new zones**
27 **remove the need for it.**

28
29 **Sommerhauser argues that in the course of the update and the process of**
30 **deciding what new zones were needed. Deleting RL-8 negates all of the work put**
31 **into creating it.**

32
33 11:10:00

34
35 **A motion is made by Commissioner Foritano and seconded by Commissioner**
36 **Depee to adjourn the meeting.**

37
38 **Time of adjournment: 11:11:00**

39
40 **EXHIBITS**

41
42 **A. Table 17.381.040(E) Parks, Rural and Resource Zones.**

43
44
45
46 **MINUTES approved this _____ day of _____ 2009.**

47
48 _____
49 **Lou Foritano, Planning Commission Chair**

50
51 _____
52 **Mary Seals, Planning Commission Secretary**