

MINUTES

**KITSAP COUNTY PLANNING COMMISSION**  
**Administration Building - Commissioner's Chambers**  
**September 1, 2009 5:30 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.

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**The Kitsap County Planning Commission met on the above-stated date at the Greater Hansville Community Center at Buck Lake Park 6959 NE Buck Lake Road, Hansville, WA**

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

Members absent: Jim Sommerhauser

Staff present: Peter Sullivan, Heather Adams, Larry Keeton, Scott Diener and Planning Commission Secretary Mary Seals

5:30:00

**A. Call Meeting to Order, Introductions**

**B. Adoption of Agenda**

**C. Public Comments**

*Keeton introduces the new planning commissioner, Mike Brown. He discusses the Site Specific applications and Policy RL-8.*

*Chair Foritano makes a statement regarding his role in the proceedings regarding the Greater Hansville Area Plan and conflict of interest. He reads from email sent by Scott Diener discussing this.*

**A motion is made by Commissioner Gustavson and seconded by Commissioner Taylor that Lou Foritano not be the chairman, but participate in the questioning for the Greater Hansville portion of the meeting.**

**The Vote:**

Yes: 6

No: 2

**The motion carries.**

**Chair Foritano defers to Vice-Chair Baglio to conduct the meeting.**

**Baglio opens the Public Hearing.**

**D. Continuation of Public Hearing: Greater Hansville Community Plan: Pete Sullivan, Associate Planner, DCD**

**Art Ellison, Chair of GHAAC:** You have in front of you the letter that GHAAC has composed along with a brochure; the brochure describes GHAAC, its mission, and the community values, and the community objectives. We wrote a letter to re-affirm our commitment to the Hansville community plan. We believe that planning is a

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1 continuously evolving process; we know that it is important to include as a baseline the  
2 goals, policies and values of our community in the Kitsap County Comprehensive Plan.  
3 Back as far as 1993 the community of Hansville started a planning process and it sort of  
4 faltered because the main people that were running it moved away. We resurrected it in  
5 2003 as the Hansville Futures Project. Many hours were spent by numerous volunteers,  
6 we held lengthy public meetings, we advertized, we sent out questionnaires to the entire  
7 community; not only were the questionnaires included in the Hansville log, but they were  
8 sent to all property owners in the area. We got the list from the Assessor's Office. The  
9 Futures project has always been open. We've always tried to include as many people as  
10 possible. The Futures had been well planned, had widespread participation, regular  
11 communication, community meetings and evolved over about a 3 year period. Dozens  
12 of people participated in this. We also held meetings not only in Hansville, we held  
13 meetings in the affected communities; we held meeting at Eglon, at Driftwood Key, we  
14 even had a meeting down at the reservation at Port Gamble. So after GHAAC was  
15 formed it became the driving force as to create the community plan under DCD's  
16 direction. We involved DCD in all of our deliberations; they were present in our planning  
17 meetings. We used the Future's document as a starting point. We understand that the  
18 Future's document began in about 2003 through about 2005; however, we affirm that the  
19 goals and visions that were created by the Futures were valid and that's what we used to  
20 start. For more than a year now we have had a vocal minority began attending the  
21 GHAAC meetings and the planning meetings and from there interaction in the rest of the  
22 meetings it seemed that they were trying to go back over the goal and over the values  
23 and they kept bringing those things up. I think the basic premise was because our  
24 planning before was so old, it was no longer valid. We realize that the planning process  
25 is lengthy process. These people seem to think that if we stop the process right now  
26 and ask for public input again, things would be fine. However, it would again be a  
27 lengthy process, but also waste the thousands of hours that volunteers have put in.  
28 These individuals actually did not start participating until the speed tables were installed  
29 in Hansville. That brought a lot of people; it wakened them and said, hey there's  
30 something going on. The speed tables were not a GHAAC function; they were started  
31 by a local grass-roots type committee that was worried about traffic safety. After  
32 GHAAC was formed the traffic safety committee was brought into GHAAC. For the  
33 record, GHAAC had no political power, we have no ability to make law, we have no  
34 ability to make regulations, we merely recommend to the County. It is also noted that  
35 the individuals that have been commenting to the negative had not been involved in the  
36 Futures project until about a year ago. We have been working closely with DCD this  
37 entire time. We would like to mention that the people filing the Minority Report are the  
38 same individuals that sued 41 members of GHAAC and the County. And have created a  
39 website that mostly spreads disinformation. While we could challenge the allegations  
40 made by the descending group, we feel it would serve no positive purpose. We are  
41 proud of the work we have accomplished with Futures in the Greater Hansville  
42 Community Plan. So at this time we present you the best efforts of our community and  
43 the professional planners at Kitsap County to be affirmed and forwarded to the Board of  
44 County Commissioners for their approval.

45  
46 **Gustavson:** *There are three things that we can do. We can modify the zoning.*  
47 *We can modify the use table in the zoning. Or we can assist you with design*  
48 *standards for construction. Not much else we can do. Is there anything in any of*  
49 *those three items we can help you with specifically? The zoning's all rural.*  
50

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1 **Ellison:** I don't see the change if zoning as particularly helping because the values of  
2 the Futures was to maintain rural character.

3  
4 **Gustavson:** *I understand that. Is there anything in the Use Table we could help*  
5 *you with?*

6  
7 **Discussion is held about the Use Tables and Design Standards. Gustavson states**  
8 **that he's not sure we can help you.**

9  
10 **Ellison:** What we need, Kitsap County is required to have a Comprehensive Plan and  
11 that would cover all the land in Kitsap County. Our thoughts were if we do not become a  
12 driving force behind putting our goals and our standards in the Comprehensive Plan then  
13 someone else will do it for us. Personally, and a lot of my fellow citizens, really would  
14 like to let the County know what we value. Just a wild example would be type of  
15 building, condominiums and things like this. People might come in and say we would like  
16 a zoning variance...

17  
18 **Gustavson:** *This falls in the Use Tables, so if you have something we'd be*  
19 *happy to help you.*

20  
21 **Ellison:** Ok and we would like you and Kitsap County and Commissioners in the  
22 Comprehensive Plan to know that that this is what we value. We would not like  
23 something that really alters our rural character.

24  
25 **Foritano asks why then the plan? What is the need for a community plan?**

26  
27 **Ellison:** The community plan would be our contribution to the comprehensive plan. We  
28 would much rather have our community involved in whatever planning steps you are  
29 taking instead of having someone from Port Orchard or outside the community just come  
30 in and plan for us. We want to be a partner in your planning.

31  
32 **Cindy McDermott, Hansville Resident:** This was not brought up last time, this is about  
33 eldercare. It's also in the community plan and the Futures project. There were some  
34 issues that were never brought up last meeting; one was for some form of re-zoning for  
35 eldercare homes or assisted living. This has been brought up before by other members.  
36 I think you can find it on the Futures report pages 7 and 8 as one of the values. This  
37 was brought up at the meeting, but wasn't given the time of day. I believe it was  
38 because the members of GHAAC at that time was afraid that if Kitsap County would so a  
39 re-zoning just for this church to put in an eldercare facility that it may be a huge re-  
40 zoning for the entire Hansville area. That's not what this eldercare facility was about.  
41 **She reads from the letter sent to Planning Commissioners last week...(see written**  
42 **comments)**

43  
44 **Depee:** *its 20 acre site for this church, right? Why do you think it wasn't included*  
45 *in the process?*

46  
47 **McDermott:** I really think the church came into this a little late.

48  
49 **Depee:** *I did a little checking on that there are five areas that are exempt from*  
50 *coding for zoning, one of them is churches. But you still have to get a special use*  
51 *permit. He explains the process for her.*

1  
2 **Tom Wood, Hansville Resident: he asks the audience how many people are from**  
3 **Futures and GHAAC.** I am a career Air Force Officer, I spent 20 years of my life flying  
4 jets, and when I wasn't flying jets I was on the staff. One of my staff jobs was Chief  
5 Crisis and Contingency planning for Headquarters Europe. I was responsible for putting  
6 together plans for things like Kosovo and Bosnia. The plan that you have before you  
7 was pulled from a document written by the Futures committee, and was basically rolled  
8 over by those same people who are not members of GHAAC. GHAAC claims to speak  
9 for the community. GHAAC is not elected by the community. 40% of the community  
10 lives in Driftwood Key. Driftwood Key by its own covenants and bylaws cannot have a  
11 representative speak for them to GHAAC or at GHAAC. So 40% of Hansville is not  
12 represented by GHAAC right of the bat, at least according to Driftwood Key bylaws.  
13 They had an election of GHAAC officers here in May; they played musical chairs. The  
14 gentleman alleged to be my representative has never talked to me; I don't even know  
15 who he is. They claim that a lot of notification is given for meetings; documentation's  
16 been turned in to show that that's not the case. I have no problem with the plan if it's a  
17 well written plan, a well conceived plan and it's a plan that everybody wants. The last  
18 thing that most of these people were responsible for was the speed bumps. 63 people  
19 signed a petition saying they wanted them. Well, over 600 people, once they were in  
20 figured out what was going on signed a petition they didn't. One of the members of this  
21 group lives on the road to the lighthouse. She's unhappy about a boat ramp. It was  
22 pointed out to her that speed bumps would slow down the traffic, she said speed bumps  
23 don't work; she's in favor of the other speed bumps. GHAAC did not do the survey that  
24 the County required and I really cant say that's their fault because a County  
25 Commissioner, Ms. Endreson, pretty much wrote rush job over the procedure to put  
26 those speed bumps in. But the bottom line is this, these folks do not speak for the  
27 majority of the people. You can't get on the GHAAC committee unless you're one of  
28 them. Had a guy try to quit, they wouldn't let him quit. They said we know you're old,  
29 you can't hear, you really don't want to get involved; we'll have somebody be your proxy.  
30 These are the people that are speaking for the community of Hansville. Most of them  
31 haven't read the plan. Art Ellison stood up here and says he wants to keep it rural  
32 residential. Art should read the plan, it talks about condominiums. It's not a good  
33 representation; I'm not very fond of the plan. Taking an old plan, the Futures plan, trying  
34 re-write it and in the middle of it having the funding cut so that the guys that are  
35 responsible at the County for writing the plan are basically sh? (**Unintelligible**).  
36 Commissioner Bauer says 'I want a plan'. They gave him a plan. A bad plan is not a  
37 plan you should have.

38  
39 **Depee:** *If it's a bad plan, what would be your suggestion to make it a good plan;*  
40 *not involved with whose participating?*

41  
42 **Wood:** Sure. The information that the plan is based on....

43  
44 **Depee:** *No, I would like you to address the finished product. This map that we*  
45 *have now; what part of this plan did you not like?*

46  
47 **Wood:** I didn't like the plan is that it uses terms that are not used.

48  
49 **Depee:** *Are you satisfied with the zoning?*

50

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1 **Wood:** They are trying to change the zoning. I would change their attempt to change  
2 the zoning by Norwegian Point Park.

3  
4 **Discussion is help about what the point is of Depee's questions.**

5  
6 **Wood:** The other thing is the zoning for condominiums, eldercare and all that; there  
7 aren't enough facilities out there. Unless you folks intend to start providing bus service  
8 again, which we didn't support because there wasn't enough people...

9  
10 **Gustavson:** *I'd like to make one observation. Rural residential in it's various  
11 incantations is still one house per parcel. So putting condominiums doesn't seem  
12 to fit with the zoning.*

13  
14 **Wood:** I understand, I agree with you.

15  
16 **Foritano:** *Since your comments really paraphrase a lot of the comments I read  
17 over the weekend. The plan, as I understand it right now is a collection of vision  
18 statements across a half a dozen different areas; some objectives, some policies.  
19 What about the word vision or objective or policies do you specifically not  
20 understand? More specifically the seven vision statements that are represented,  
21 the collection of related objectives and policies. And I'll ask you as Mr. Depee  
22 did, to be very specific. Because I too, not having been part of the process, don't  
23 care especially about the history. I'm going to look at the current plan as  
24 objectively as I can in this stage of the game. And I'm trying to understand what  
25 the problem is with the collection of vision statements, objectives and policies.*

26  
27 **Wood:** Sure, the problem is quite simple; the community didn't get to say. They may be  
28 fine vision statements, they may be great policies. The argument is, the community  
29 does not get the representation is should have to have a vote.

30  
31 **Barbara Fox, Hansville Resident, Planning Committee member:** The reason we are  
32 concerned with the plan is that we asked for a lot of zoning changes to be put into the  
33 plan. We wanted to look at a way to protect the area. I didn't live there at the time of the  
34 Futures committee was involved, but I wanted to participate in the planning process. I  
35 didn't see any of the zoning or the ordinances or the design ideas we came up with for  
36 new construction in the plan. In fact the only zoning change that you were given were  
37 nothing that was discussed at a planning meeting. So I'm not sure where it came from  
38 or why you're seeing that zoning change for Norwegian Point area. The zoning changes  
39 that we're concerned with area about OPG's area and it's the largest land area of the  
40 Hansville zip code. They are looking to change it from 1 in 20 to clustered housing  
41 which would give us 400 homes. We're concerned about stormwater run off and the  
42 infrastructure to support that housing. That's what we wanted to talk about in the plan.  
43 We didn't even get to Land Use; we were cut off before that subject came up. However,  
44 we did give many pages of ideas to the County for what we could be putting into the plan  
45 regarding land use. So, that's our beef, is that we didn't really get an opportunity to work  
46 on the plan. I went to every single meeting; I worked in work study sessions with other  
47 people who were interested in coming up with zoning changes. It's insulting to me that  
48 we put in all this effort and it's not in our plan and we've been cut out of the process. The  
49 other issue I have is that I'm a member of Driftwood Key. I'm a homeowners  
50 association, RCW's and our own bylaws don't permit us to have any representation by  
51 GHAAC. We are the largest community within that zip code, so if you permit GHAAC to

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1 be the voice of the community of the plan in the work study sessions as its currently  
2 written, that cuts us out. I don't think that's fair. We were told by Mr. Bolger that this is  
3 just vision statements and that the vision statements had to be developed into goals and  
4 policies and action items. And I don't see any of that in this plan. I don't see goals and  
5 policies and action items. You are being asked to approve a plan that allows the  
6 GHAAC to develop as they go. I don't think that's right; that's cutting out the community,  
7 it's not putting out any effort to have any input. I think a plan should have action items it,  
8 I don't think you should be supporting a plan that doesn't.

9  
10 **Depee:** *As the zoning layout on this plan lies out, are you satisfied as far as it*  
11 *affects Driftwood Key? Do you think there should be a higher density or a lower*  
12 *density zoning around it?*

13  
14 **Fox:** No. Lower density, it's currently zoned 1 for 20. I want that maintained. Right  
15 now there is a request in with the RWIP program to make that different.

16  
17 **Foritano:** Your associate, Mr. Wood, indicated that his primary concern with the  
18 plan was no involvement or lack of greater community involvement. I think I  
19 heard by virtue of all of your input suggests you were very highly involvement as  
20 one active member of the community. Is your issues lack of community  
21 involvement or is your issue the fact that you and your associates had a whole  
22 array of ideas that were not accepted? That, in fact, the plan stopped at action  
23 items?

24  
25 **Fox:** All those.

26  
27 **Carol Wood:** The majority of the people here are GHAAC and their cronies, here  
28 tonight. They were the ones that got the word. There was very little publicity; actually  
29 there was no publicity, about this extension to the first of September and the hearing  
30 further being held down here. Unfortunately, a lot of folks that believe as I do, or Barb  
31 Fox does, they work and cant get here by 5:30. Also, the plan in hard copy that was  
32 originally put in, in preliminary draft from, at the Little Boston Library, the Hansville store,  
33 and the Driftwood Key clubhouse, it never got the final draft. There a lot of people up  
34 there in Hansville that don't have computers or are not computer savvy or are like  
35 myself, who have a dial up modem and can't download a whole lot of information. So, it's  
36 kind of been an injustice to continue this hearing process without adequate resource and  
37 time and notification. There was no sign up at the corner about this being done down  
38 here either. I will stick to the issues as Mr. Gustavson had requested earlier towards Art  
39 Ellison about what is in the plan that we can do for you. I'm glad Cindy brought up about  
40 the elder-housing and the possibility of multi-family housing. There are two instances in  
41 the plan as it currently stands; one is under LUB which says follow flexibility on land use.  
42 And it says after it: "Policy: consider overlay zones to allow multi-family and home  
43 businesses." I'm going to assume that multi-family dwellings and home businesses.  
44 Again it's brought up here the elder housing is actually in the plan. And it says here  
45 under ECB: "Enhance cultural diversity." And it says ECB2: "Support siting and  
46 construction of elder housing." This issue of elder housing has been bantered about in  
47 gossip for years. A lot of people are not in favor of it and they used to laugh and say  
48 'don't worry about it, it will never happen up here because of the zoning. If we don't have  
49 multi-family zoning up here, so it will never happen.' Well here it's mentioned in the  
50 plan. And unfortunately, I watch the BRAT television station and the commissioners  
51 meetings occasionally. What happens is we watch about Manchester sewer controversy

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1 and the Illahee stormwater stuff, you get a lot of input from people and people are pissed  
2 off and one thing that really touched a nerve one night about the Manchester sewer  
3 development was the guy who was a proponent of it, the commissioner kept saying ‘why  
4 do we have to do this now? Why, when so many people are financially strapped, when  
5 people don’t really have to do it.’ The reason he sited again and again, it was in our  
6 plan, and we’ve got to do it. So, therefore, I think before you validate anything in this  
7 plan the people of Hansville ought to know what the hell they’re signing up for. And I’m  
8 sorry, but there has not been a big outreach about this plan. People are pissed about  
9 the speed tables; they have given up on our community. There is a pall, as Judy  
10 Foritano said, in the community that is a result of that. And I’m sorry, but our  
11 commissioner, Steve Bauer, has done nothing to resolve that issue. And until Hansville,  
12 once again, works as a community, we’re just going to have this division. And I’m sorry,  
13 but I was one of the people that actually responded, one of the 386 people that  
14 responded and I was one the very few people who were under 49 that responded to that  
15 survey. And I actually have learned about people that complained about the speeding,  
16 because I run on the roads. I run three miles a day on the roads and where those speed  
17 bumps got put in is not where I run. So it doesn’t help me one iota. And I would have  
18 never said put speed tables in. I provided you with 9 pages of documents going through  
19 the preliminary draft page by page and given you comments and I hope that you got  
20 them and I hope some of you people took an honest look and looked at it because I put  
21 in three days reading the plan cover to cover to give you that information.

22  
23 ***Nevins assures her that he thinks he put in 3 days reading the comments.***

24  
25 **Baglio closes public hearing.**

26  
27 6:24:04

28  
29 **E. Deliberation/ Recommendations: KCC Chapter 21.04 ‘Land Use and**  
30 **Development Procedures’ – Mediation and Appeals: Scott Diener,**  
31 **Manager Policy and Planning, DCD.**

32  
33 **Foritano offers to continue the Deliberations/Recommendations to September**  
34 **15<sup>th</sup>.**

35  
36 ***Keeton recommends delaying the Deliberations/Recommendations to September***  
37 ***15<sup>th</sup> to give time to review the materials.***

38  
39 ***Taylor asks about the legal perspective of Driftwood Key not being allowed to***  
40 ***participate in GHAAC.***

41  
42 **Sullivan:** The planning committee, most directly involved in formulating this plan, had  
43 both GHAAC members and non-GHAAC. It was open to all members of the public that  
44 wanted to sign up. Therefore, to address a question about GHAAC and representation  
45 in the Hansville community, I’m not sure it’s germane to this plan.

46  
47 **Gustavson:** *If, by law, Driftwood Key is disallowed by participating, why is*  
48 *Driftwood Key included in the boundaries of the plan?*

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1 **Sullivan:** I'm not aware that, by law, Driftwood Key was disallowed from being involved  
2 in the plan.

3  
4 **Keeton:** First of all you are asking two questions. One, the Community Development  
5 Department is not responsible for the organization known as GHAAC. We are  
6 responsible for doing a plan for a community. The community was allowed to  
7 participate, encouraged to participate, and did have participation. We did not have  
8 anything with Driftwood Key's homeowners association saying whether you could be in it  
9 or GHAAC. People were allowed to participate. What you're asking of the department  
10 and of staff is; 'How is GHAAC formed?' That's outside the purview of this department.

11  
12 **Depee:** *I think his question is, specifically, is Driftwood Key legally not allowed to*  
13 *participate?*

14  
15 **Keeton:** No. They participated in the planning process.

16  
17 **Discussion is held about request for legal opinion regarding Driftwood Key's**  
18 **participation. Keeton states that he will ask legal to review, but there are no**  
19 **guarantees.**

20  
21 **Neveins:** *What I heard is the by-laws at Driftwood Key do not allow them to have*  
22 *a representative. Now any organization gets started anywhere else, there is*  
23 *nothing prohibited about the individual citizen participating in any community*  
24 *group. As far as I know.*

25  
26 **Sullivan clarifies how GHAAC appointment differs from the other CAC's in the**  
27 **County.**

28  
29 **Paralez:** *The planning process that resulted in this final plan that we are looking*  
30 *at, that planning process had members that were solicited from across the*  
31 *Hansville and it's surrounding communities. Was open to all the community,*  
32 *whether they feel that way or not and it's obvious from the feedback and I and my*  
33 *fellow commissioners have read that they did not feel that process was a sound*  
34 *one. But from the County's perspective and according to the County's process*  
35 *that process was open to anyone in that community that wanted to be a part of*  
36 *that process.*

37  
38 **Sullivan:** That's correct.

39  
40 **Paralez summarizes the process and states that we met the burden that the**  
41 **County was obligated to meet.**

42  
43 **Keeton explains that DCD exceeded the minimum burden.**

44  
45 **Taylor asks about the allowable height in the red or purple zone being 35'; he**  
46 **wants to ensure that the community understands what that means.**

47  
48 **Gustavson asks for a list of the representatives from the sub-communities**  
49 **identified. He asks if the final draft has been presented.**

50

1 *Sullivan states that the list of the representatives from the sub-communities it on*  
2 *the DCD website. He states that the revised draft that the Planning Commission*  
3 *received prior to the August 18<sup>th</sup> public hearing was made available to all the*  
4 *interested parties via email, but weren't able to take them up to the location*  
5 *specified.*

6  
7 *Commissioner Brown asks if staff has made a recommendation.*

8  
9 *Sullivan states that staff recommends approval of the plan as its proposed.*

10  
11 6:41:02

12  
13 **A motion made by Commissioner Gustavson and seconded by Commissioner**  
14 **Nevins to continue the Deliberation/ Recommendations to the September 15<sup>th</sup>**  
15 **meeting.**

16  
17 **The Vote:**

18 Yes: 7

19 No: 1

20 Abstain: 1

21 **The motion carries**

22  
23 **F. Deliberation/ Recommendations: Greater Hansville; Pete Sullivan,**  
24 **Associate Planner, DCD**

25  
26 **Continued to September 15, 2009**

27  
28 **Break: 6:44:55**

29  
30 **Reconvene: 6:51:03**

31  
32 **G. Continuation of Public Hearing: KCC Chapter 21.04 'Land Use and**  
33 **Development Procedures' – Mediation and Appeals: Scott Diener, Manager**  
34 **Policy and Planning, DCD**

35  
36 *Diener requests that the public hearing be continued until September 15, 2009*

37  
38 **A motion made by Commissioner Gustavson second by Commissioner Taylor to**  
39 **continue the Public Hearing: KCC Chapter 21.04 'Land Use and Development**  
40 **Procedures' to September 15, 2009.**

41  
42 **The Vote:**

43 Unanimous

44  
45 **Continued to September 15, 2009**

46  
47 **H. Findings of Fact: KCC Chapter 21.04 'Land Use and Development**  
48 **Procedures' – Mediation and Appeals: Scott Diener, Manager Policy and**  
49 **Planning, DCD**

50  
51 **Continued to September 1, 2009**

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**A motion is made by Commissioner Paralez and seconded by Commissioner Gustavson move to 6:00**

**The Vote:  
Unanimous**

**I. Work Study I of II: Site Specific Comprehensive Plan Amendments: Pete Sullivan, Associate Planner, DCD and Heather Adams, Associate Planner, DCD**

**Sullivan gives a review of the 7/21/09 work study explaining what site specific applications are and why they have occurred this year.**

*Discussion is held about RCO, RI, Policy RL 8 contingent applications.*

**7:13:10**

**Sullivan reviews the Speed Site Specific Application. Staff recommends approval.**

**Sullivan review the Kitsap Propane/Whitworth Site Specific Application. Staff recommendation is inconclusive.**

*Discussion is held about residential uses and Kitsap Propane.*

**Sullivan reviews the Arness Site Specific Application.**

**Adams reviews the Gonzolez Site Specific Application. Staff recommendation is inconclusive.**

*Taylor asks what the combined size of the property and Brown asks if rural commercial allows multi-family.*

**Adams reviews the Villopoto Site Specific Application. Staff recommendation is inconclusive.**

*Nevins: The business has been there a long time. I wonder if we are looking at a map correction rather than a zoning change.*

**Adams reviews the Unruh Site Specific Application. Staff recommendation is inconclusive.**

*Depee asks what is on there now; the land is vacant.*

*Paralez asks if there are environmental issues on these three sites.*

**Adams reviews the Pilger Site Specific Application. Staff recommendation is inconclusive.**

*Adams clarifies that the total acreage is 4 acres.*

1 Adams reviews the Henry's Hardware Site Specific Application. Staff  
2 recommendation is for approval.

3  
4 Adams reviews the next steps.

5  
6 *Nevins discusses the South Kitsap rural industrial land and industrial jobs as it  
7 relates to zoning. He is reticent to admit that Kitsap is short of industrial property.*

8  
9 *Gustavson states that times change and with that the laws change. He supports  
10 industrial jobs.*

11  
12 7:43:56

13  
14 **J. Public Hearing: Site Specific Comprehensive Plan Amendments: Pete  
15 Sullivan, Associate Planner, DCD and Heather Adams, Associate Planner,  
16 DCD**

17  
18 **Foritano opens the public hearing.**

19  
20 **Bruce Weber, Stodlemeyer Rd. Resident, speaks to the Arness application:** I don't  
21 know much about RL-8, LMRIS, UGA, RCW, but I do know this, 23 years ago I bought a  
22 home in a rural area because that's where I wanted to live, that' where I wanted to raise  
23 my family. I am vehemently opposed to the change that is being requested. It will  
24 destroy the character of my neighborhood. It will put my well water at risk. And I think  
25 it's just too much to ask.

26  
27 *Taylor asks him to point on the map where he lives.*

28  
29 *He shows where he lives.*

30  
31 **Weber:** I bought my home 23 years ago because I wanted the rural lifestyle. If I wanted  
32 to live in Silverdale, I would have bought in Silverdale. If I wanted to live in an industrial  
33 park, I would have bought a home in an industrial park. I wanted to live in a rural area  
34 because that's where I wanted to live. I don't want to live an industrial area. I'm also  
35 very concerned, as I think you know every house in that area is reliant on well water.  
36 Industrial development pollutes wells, it pollutes aquifers. If this aquifer destroyed  
37 through industrial activity is the County prepared to step in and deal with the outfall? My  
38 property values will be ruined. My home will be worthless without well water. I strongly  
39 urge you to decline this request. **He expresses concern about the notification  
40 process.**

41  
42 *Paralez: I would point out that I live around the corner. We run out of water  
43 every summer and have to have it trucked in. So, I know from where you speak  
44 about the water problem and that all those houses depend on wells. And having  
45 the industrial development that we do have in that area has proven problematic  
46 where water is concerned. I am having difficulty understanding why along the  
47 Bond road we have all the industrial development we do have.*

48  
49 **Taylor asks Sullivan to identify where the closest public water line**

50  
51 **Sullivan states most likely Poulsbo or Kingston, but it's not on the map.**

1  
2 **Nick Speed, speaks to the Speed application:** I have the 13.4 acre parcel on Port  
3 Gamble road that the staff has recommended approval of the change from rural  
4 protection to rural residential. I've owned that property since about 1990 and at the time I  
5 purchased the property it was zoned for 2.5 acre development. At the time the County  
6 entered the Growth Management Act planning, there were public hearings, and this was  
7 in 1995. At that time the proposed down-zoning of my property was to 5 acres. I  
8 attended the hearings; I was in approval of that because I did not intend to ever develop  
9 the property to a greater density than that allowed me to do. I also contacted staff to  
10 make sure that was the recommended designation for my property. Subsequently, there  
11 was another round of Growth Management planning. At that time I was without a job for  
12 a period and had taken a job in Oregon, which I did for 8 years by coming home on  
13 alternate weekends. So I was out of the loop and unaware that without further notice the  
14 County again down-zoned me to take away all the subdivision rights that I had. I'm  
15 really kind of appalled that I have to be here because I think that what has occurred was  
16 an inequitable thing at the time that it was done. I really hope that you will rectify an  
17 inequity in the past and approve this proposal.

18  
19 **Taylor comments about this issue of changing private property zoning and that he**  
20 **is working to change that law.**

21  
22 7:53:33

23  
24 **Bill Arness, speaks to the Arness application:** I just wanted to state why we are  
25 asking for a change in zoning. The reason we are doing this is to get commonality in the  
26 area. **He shows a map of his property.** When I talked to DCD, since I own the whole  
27 parcel, they say you have to ask for the whole thing to be commercial. But only about 4  
28 or 5 acres would be commercial because of topography. So the rest of this would be  
29 open space or set aside. It wouldn't be suitable, it would be suitable, but the density isn't  
30 high enough to spend the extra money to make it and there's a creek on one side here  
31 that would have setbacks. The little circle in the middle, the only reason we talked about  
32 it when we made the application is that if we didn't have that zoned there, then if you had  
33 residential between two rurals, that didn't make much sense. So there's not going to be  
34 anything. Now this little parcel here is the tag parcel from the other side of the road, this  
35 side here is already zoned industrial. **He continues to explain the various parts of**  
36 **his property. He explains the cars on the property.**

37  
38 **Jeff Coomb, speaks to the Unruh application:** The application shows .75 acres being  
39 requested to change and with setbacks. But by the time we do the setbacks, critical  
40 areas, we're familiar with the process, the .75 acres is going to shrink to probably 8-  
41 9,000 sq. ft. So, it doesn't totally impact the entire area. For the record I want to make  
42 sure the Planning Commission understands that on February 13<sup>th</sup> we made application  
43 to Kitsap County for Site Specific application; we met that timeline. On March 3<sup>rd</sup> of  
44 2009 we received a technically complete from Kitsap County; we met that timeline. On  
45 June 16<sup>th</sup> I received a letter from Kitsap County stating about RL-8 that there could be  
46 some potential problems and there was a new zoning table to address; I accepted that  
47 not knowing exactly what that meant, but we wanted to move forward with the Site  
48 Specific application. And then on July 13<sup>th</sup> I received another technically complete  
49 application letter. And then on August 17<sup>th</sup> of 2009 we received a Declaration of Non-  
50 Significance. So, for the record, on our Site Specific application, we've met the timelines  
51 that was outlined to us to apply for a Site Specific Comprehensive Plan Amendment

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1 Change. When I started this process a couple of years ago, I think this property might  
2 have been left out and I asked about a map correction; it's just a small piece, kind of  
3 insignificant. But, as I discussed that with Long Range Planning we thought we would  
4 wait until this year when it was our turn to go through the entire process. This project  
5 along with a lot of the other projects there that we call Keyport Junction is a candidate for  
6 a LAMRID. We are served by public water, we have a sewer line, we have traffic signal,  
7 roads, and older businesses have been established. The Keyport Junction area really is  
8 a candidate for a LAMRID. Regarding RL-8, been working with staff, their perception of  
9 the potential problem; trying to distinguish between rural and urban services. I think is  
10 defined in section 22 of the Code, Density, Design and Setback Standards. I got to tell  
11 you staff is working real hard with this and me and other people are going to figure out  
12 RL-8 and come up with a conclusion and answer that will make it easier for the Planning  
13 Commission to make a decision. For the record, we met all the timelines, we thought we  
14 met all the criteria of our Site Specific Comprehensive Plan Amendment and I know we  
15 will be continued and we will see you again at a later date.

16  
17 **Baglio asks about the boundary after the BLA.**

18  
19 **Coomb:** It does go up to the dash line.

20  
21 **Taylor:** *What road is the 100ft right of way?*

22  
23 **Coomb:** Silverdale way before it meets hwy 308 at Keyport.

24  
25 **Nevins:** *Has Mr. Unruh owned the property throughout the past couple years?*

26  
27 **Coomb:** Yes he has.

28  
29 **Depee:** *During the application process when you were informed that you had to*  
30 *conform to the RL-8 portion. What would happen if you just said no?*

31  
32 **Coomb:** Well, I really don't know. We were able to move forward and work with staff.

33  
34 **Nevins:** *You mentioned that it's a candidate for a LAMRID, if that's the case,*  
35 *then not only this property, but others that would qualify, for being developed*  
36 *prior to 1990 and other certain criteria; that would be your solution.*

37  
38 **Coomb:** That would be a solution. This is the solution for 2009.

39  
40 **8:08:40**

41  
42 **Bob Whitworth, speaks to the Whitworth application: He points out his parcel**  
43 **location.** Tom, you mentioned earlier the consideration of increasing industrial areas,  
44 due to the fact you had a feeling that there was enough industrial area already  
45 established in Kitsap County. I'm a small business; I've been in business since 88, a  
46 family business. We have between 8-16 employees depending on the time of year and  
47 the workload; all local employees. Across the street this is zoned industrial right now. I  
48 don't know if you've done much shopping for property. Two years ago I did check on the  
49 property and they wanted over \$6.00/foot. In order for us to have the amount of property  
50 we would need for an excavation company and the equipment necessary and a shop  
51 and so forth and to establish it, it would cost upward of a million dollars. For a small

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1 business that is just completely out of the question. The business has grown in such a  
2 fashion that it out grew our personal property and was starting to disturb the neighbors.  
3 So it was only right for me to try to find a piece our property in our budget in an area that  
4 makes the most sense. It makes sense, one because we could afford it, two; along this  
5 south side of the Ecology road is industrial right now. He points out who owns which  
6 parcels. With the transfer trucks continuously going up and down the road, people  
7 bringing in their garbage 6 days a week; with the composting facility, the smell from it  
8 and the transfer station, its really not feasible or would make sense to have a residence  
9 on the property. All parcels there are being used in a commercial fashion now and that it  
10 why Kitsap Propane and our self are proposing that these parcels be rezoned.

11  
12 **Foritano closes the public hearing.**

13  
14 **8:13:18**

15  
16 **K. For the Good of the Order: Chair Foritano**

17  
18 **Baglio asks about the timeline on staff revising staff reports.**

19  
20 **Sullivan:** We don't have a timeline for revision of staff reports. This would conclude  
21 Public Hearing part 1 of 2, so it wouldn't be a continuation on the 15<sup>th</sup>, it would be the  
22 second batch. *He discusses the options for proceeding.*

23  
24 *Discussion is held about how to proceed with the applications and the timeline.*

25  
26 *Discussion is held about RL08, how it will affect the Site Specific Applications, the*  
27 *Planning Commission concerns, and staffs plans for moving forward.*

28  
29 **A motion is made by Commissioner Gustavson to adjourn the meeting.**

30  
31 **Time of Adjournment: 8:23:05**

32  
33  
34  
35 **EXHIBITS**

- 36  
37 **A. McGavick Graves Proposed Language for Title 21-Mediation and BOCC**  
38 **Involvement**  
39 **B. McGavick Graves Proposed Language for Title 21-Mediation and BOCC**  
40 **Involvement; Attachment**  
41 **C. Ethical Principals in Planning**  
42 **D. Staff Report: Site Specific Application for: Whitworth**  
43 **E. Staff Report: Site Specific Application for: Unruh**  
44 **F. Staff Report: Site Specific Application for: Pilger**  
45 **G. Staff Report: Site Specific Application for: Bjarnson**  
46 **H. Staff Report: Site Specific Application for: Gonzolez**  
47 **I. Staff Report: Site Specific Application for: Villopoto**  
48 **J. Staff Report: Site Specific Application for: Speed**  
49 **K. Staff Report: Site Specific Application for: Arness**  
50 **L. Summary of Site Specific Applications**  
51 **M. Letter from Bonnie Isaacs**  
52 **N. Letter from Betsy Leuner**

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MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_  
Lou Foritano, Planning Commission Chair

\_\_\_\_\_  
Mary Seals, Planning Commission Secretary