

MINUTES

**KITSAP COUNTY PLANNING COMMISSION  
Administration Building - Commissioner's Chambers  
November 3, 2009 6:00 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.

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

Members absent: Lou Foritano

Staff present: Scott Diener, David Lynam, Larry Keeton, Doug Frick, Dave Tucker and Planning Commission Secretary Karla Castillo

5:59:52

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

**B. Adoption of Agenda**

**Agenda is adopted as posted.**

**C. Public Comments**

**D. Approval of the October 20, 2009 minutes**

**Commissioner Paralez motions and is seconded by Commissioner Brown to approve the October 20, 2009 minutes.**

**The vote:**

**3 yes**

**3 abstain**

**The motion fails**

**E. Director's Update: Larry Keeton, Director, DCD**

***Keeton gives an update on next years budget for the Department and next years docket.***

6:03:12

**Commissioner Sommerhauser arrives**

**Commissioner Nevins arrives**

***Vice Chair Baglio suggests a revote on the approval of the October 20, 2009 minutes since the arrival of two additional Commissioners.***

***The Planning Commission agrees.***

1 Commissioner Paralez motions and is seconded by Commissioner Brown to approve  
2 the October 20, 2009 minutes.

3  
4 The vote:

5 5 yes

6 3 abstain

7 The motion carries

8  
9 F. Findings of Fact: Site Specific Comprehensive Plan Amendments for: Speed,  
10 Henry's Hardware/Bjarnsen, Gilman, Brown, McCormick, McCormick/ Alpine  
11 Evergreen, Cutting Edge

12  
13 A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to  
14 approve the Findings of Fact for the Speed Site Specific Application.

15  
16 The Vote:

17 Unanimous

18 The motion carries

19  
20 A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to  
21 approve the Findings of Fact for the Henry's Hardware/Bjarnsen Site Specific  
22 Application.

23  
24 The vote:

25 Unanimous

26 The motion carries

27  
28 A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to  
29 approve the Findings of Fact for the Gilman Site Specific Application

30  
31 *Nevins comments that he voted against this in the procedure and he intends to*  
32 *reinforce his vote by indicating on paper his reasons to the BOCC and a copy to DCD.*

33  
34 *Sommerhauser will also be signing on this paper.*

35  
36 The vote:

37 Unanimous

38 The motion carries

39  
40 A motion is made by Commissioner Paralez and seconded by Commissioner Brown to  
41 approve the Findings of Fact for the Brown Site Specific Application.

42  
43 The vote:

44 Unanimous

45 The motion carries

46  
47 A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to  
48 approve the Findings of Fact for the McCormick-Sunnyslope Site Specific Application.

49  
50 *Baglio would like it known that he disagreed with the vote to deny.*  
51

1 *Taylor, Gustavson and Depee would also like it know that they did not agree with the*  
2 *vote to deny.*

3  
4 *Baglio will be submitting in writing his reasons why to the BOCC.*

5  
6 **The vote:**

7 **6 yes**

8 **2 no**

9 **The motion carries**

10  
11 **A motion is made by Commissioner Sommerhauser and seconded by Commissioner**  
12 **Taylor to approve the Findings of Fact for the McCormick/Alpine Site Specific**  
13 **Application.**

14  
15 *Taylor states this would be a similar discussion as the previous McCormick*  
16 *application.*

17  
18 **The vote:**

19 **6 yes**

20 **2 no**

21 **The motion carries**

22  
23 **A motion is made by Commissioner Paralez and seconded by Commissioner Taylor to**  
24 **approve the Findings of Fact for the Cutting Edge Site Specific Application**

25  
26 **The vote:**

27 **Unanimous**

28 **The motion carries**

29  
30 *Diener suggest an agenda modification and would like to go ahead and vote on the*  
31 *Downtown Kingston Master Plan findings of fact and then turn it over to David Lynam.*

32  
33 *The Commission agrees.*

34  
35 **G. Findings of Fact: Downtown Kingston Master Plan: Pete Sullivan, Associate**  
36 **Planner, DCD**

37  
38 **A motion is made by Commissioner Paralez and seconded by Commissioner**  
39 **Sommerhauser to approve the Findings of Fact for the Downtown Kingston Master**  
40 **Plan.**

41  
42 **The vote:**

43 **Unanimous**

44 **The motion carries**

45  
46 **H. Work Study: Innocent Purchaser ADUs: David Lynam, Kitsap County Fire**  
47 **Marshal, Manager of Fire Marshal and Code Compliance, DCD**

48  
49 **6:20:54**

50

1 *Lynam gives an overview of the changes that have been made since he last presented*  
2 *to the Commission and goes over the drafted ordinance that is being proposed.*

3  
4 *Sommerhauser and Lynam discuss how the County will let the public know about this*  
5 *new ordinance.*

6  
7 *Discussion is held on the Health Department and the requirements that will need to be*  
8 *met in order for these ADU's to be approved and how this will be a hardship on some*  
9 *property owners.*

10  
11 *Keeton clarifies exactly what the Departments intentions are.*

12  
13 *Discussion is held on allowing amnesty for existing ADU's.*

14  
15 **I. Work Study/ Public Hearing/Deliberations/Recommendations/Finding of Facts:**  
16 **Removal of Mineral Resource Overlay Designation from all Properties in the**  
17 **Sison/Bowley Site Specific Application: Pete Sullivan, Associate Planner, DCD**

18  
19 7:03:24

20  
21  
22 *Diener gives an overview of the Sison/Bowley application and explains why it is being*  
23 *presented again to the Planning Commission.*

24  
25  
26 **Vice-Chair Baglio opens the public hearing for Sison/Bowley**

27  
28 **Robert Bowley-Applicant:** The whole area there is houses built there. I didn't understand,  
29 we are going to be required to do some drilling done or something like that?

30  
31 **Baglio:** It looks as if there is a requirement for confirmation from a Geotechnical  
32 **Engineer that the site is without commercial quality quantity mineral deposits**  
33 **and that is all it says.**

34  
35 **Bowley-** Points out where Cutting Edge is on the map.

36  
37 7:08:55

38 **Public Hearing is closed.**

39  
40 *Discussion is held regarding the Geotech Report that is being required.*

41  
42 **A motion is made by Commission Taylor and seconded by Commissioner Depee to**  
43 **recommend removal of the mineral resource overlay for the subject property.**

44  
45 **The vote:**  
46 **Unanimous**  
47 **The motion carries**

48  
49 **A motion is made by Commissioner Taylor and seconded by Commissioner Depee to**  
50 **approve the Findings of Fact for the Sison/Bowley site specific application.**

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**The vote:  
Unanimous**

**The motion carries**

**J. Work Study/ Public Hearing/Deliberation/ Recommendations: Removal of the County Fee Schedules from Section 21.06, 14.04 and adopt Fees by Resolution: Larry Keeton, Director, DCD**

*Keeton discusses the changes that are being proposed to the fee schedules.*

*Public Hearing/Deliberation and Recommendations for the Removal of the County Fess Schedules from Section 21.06, 14.04 and 14.08 is continued to the November 17, 2009 Planning Commission meeting.*

**K. Deliberations / Recommendation: Stormwater Design Manual – Dave Tucker, Assistant Director Public Works**

*Tucker gives and overview of the last meeting.*

*Discussion is held between Tucker and Sommerhauser on the corrections that were requested at the last meeting. Tucker references the memo prepared by Doug Frick that address the three corrections that were requested at the last meeting.*

**A motion is made by Commissioner Taylor and second by Commissioner Paralez to approve both parts of the Stormwater Manual with the corrections noted on the memorandum to the Planning Commission dated November 3, 2009.**

*Gustavson asks about one of the diagrams that reference a 50 year storm.*

*Baglio comments that the new storm drainage requirements are going to cause substantial increases in development costs, especially the parcels with poor soils.*

*Paralez would like to see long term alignment between all of these kinds of efforts, Stormwater management, shoreline management, critical areas and wetlands.*

**The vote:  
6 yes**

**2 no**

**The motion carries**

**L. Findings of Fact: Stormwater Design Manual – Dave Tucker, Assistant Director Public Works**

**A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to approve the Findings of Fact for the Stormwater Design Manual.**

**The vote:  
6 yes**

**2 no**

**The motion carries**

1 M. For the Good of the Order: Vice-Chair Baglio

2  
3 Residents Gary Anderson and Richard Brown address the Planning Commission on the  
4 subject of ADU's.

5  
6 Anderson and Brown are informed that they will need to come back and re-testify  
7 during the Public Hearing on this subject matter for it to be part of the record.

8  
9 Commissioner Depee will not be here for the next two meetings.

10  
11 A motion is made by Commissioner Taylor and seconded by Commissioner Paralez to  
12 adjourn.

13  
14 Time of Adjournment 7:35:19

15  
16  
17 **EXHIBITS**

- 18  
19 A. Findings of Fact: Cutting Edge Ground and Lawn Care  
20 B. Findings of Fact: Gilman  
21 C. Findings of Fact: Brown  
22 D. Findings of Fact: Speed  
23 E. Findings of Fact: McCormick-Sunnyslope  
24 F. Findings of Fact: Henry's Hardware-Bjarnsen  
25 G. Findings of Fact: McCormick-Alpine Evergreen  
26 H. Findings of Fact: Kingston Sub-Area Plan  
27 I. Findings of Fact: Sison-Bowley  
28 J. Revised Staff Report for Sison-Bowley  
29 K. Changes to Title 14 and 21  
30 L. Draft Ordinance for Innocent Purchaser ADU's  
31 M. Executive Summary: Un-permitted ADU's and Innocent Purchasers  
32 N. Memo from Doug Frick regarding Stormwater Design Manual-Corrections  
33 O. Response from Doug Frick to emailed questions from Commissioner  
34 Gustafson  
35 P. Findings of Fact: Kitsap County Stormwater Design Manual

36  
37  
38 MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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44 \_\_\_\_\_  
45 Karla Castillo, Planning Commission Secretary