Kitsap County Planning Commission – September 7, 2010

MINUTES
KITSAP COUNTY PLANNING COMMISSION
Administration Building – Port Blakely Conference Room
September 7, 2010 9:00 am

These minutes are intended to provide a summary of meeting decisions and, except for motions made, should not be relied upon for specific statements from individuals at the meeting. If the reader would like to hear specific discussion, they should visit Kitsap County’s Website at http://www.kitsapgov.com/dcd/pc/default.htm and listen to the audio file (to assist in locating information, time-stamps are provided below)

The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Administration Building Commissioner’s Chambers, 619 Division Street, Port Orchard, WA.

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

Members absent: none

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

6:00:00

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

Chair Baglio proposed moving item J after item E. Move Item H to after item F to keep both public hearings back to back and have no deliberations and recommendations until the September 14, 2010.

A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown to adopt the agenda with proposed changes.

The Vote

Unanimous

The motion carries

C. Public Comments

D. Approval of the August 31, 2010 Minutes

A motion is made by Commissioner Paralez and seconded by Commissioner Sommerhauser to adopt the August 31, 2010 minutes.

The Vote

Unanimous

The motion carries

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E. Work Study: North Kitsap Legacy Partnership – Proposed Comprehensive Plan and Development Regulation: Eric Baker, Special Projects Manager, Kitsap County Commissioners

Baker gives an overview of the North Kitsap Legacy Partnership. He gives an overview of the following:

- National Historic Town
- Fully Contained Community Concept
- Rural Clustering

F. Public Hearing: Revisions to Chapter 3 of Comp Plan - Katrina Knutson, Senior Planner, DCD

Diener gives a history the revisions.

Knutson gives an update on revisions of Chapter 3 of Comp Plan since 8/31/10.

Discussion is held about decisions regarding Policy RL-8.

Chair Baglio opens the public hearing.

Diane Fish, representing Kitsap Economic Development Alliance 20/20 Agricultural Working Group: She states that they support rewrite of the rural chapter, section 3.2.6 and guarded support for the implementation of the rural industrial and rural commercial zoning as vehicle to vitalize community agriculture by rebuilding infrastructure to support agricultural uses on resource land. As well as promoting new economic activity appropriate for rural areas.

Discussion is held about growth under RL-8 and zoning locations.
6:58:28

**Bill Palmer, Land Use Planning Consultant and part of the Stakeholders Groups:** He believes policy RL-8 should be eliminated. He is concerned about the lack of public’s access to the documents and that documents are not up to date on the website. He expresses concern that things are too rushed and the public does not have time to review.

7:03:53

**Jack Stanfield, representing the Board of the Concerned Citizens of Chico Creek Water Basin:** He agrees with Mr. Palmer. He has issue with the exclusion from public participation; he believes they have been left out of the process. He asks to be included and get a supplemental EIS for this area. He states that none of the 22 compact rural areas are in their area. They are asking to be involved.

7:16:06

**Nan Woodman, Poulsbo resident:** In support of Kitsap staying rural.

**Jean Schannon, Bremerton farmer and proprietor of Fresh Local food store:** Concerned about how short the supply of local food is for the need of local food. She wants all the farmers in the county to be able to do the processing needed; for themselves, in conjunction with other farmers, and be able to make money from their produce. There is a great need for commercial processing facilities that serve more than one farm for there to be more local food available in our community. She states that this needs to be in the rural area, near the farms. There is also a need for distribution facilities; there are none in Kitsap County.

7:23:02

**Doug Skrobut:** He advocates separating the resource portion of Chapter Three with the rural portion of Chapter Three. He states that item #5 of RCW 36.70A.070 (Mandatory Elements of Compressive Plans) is clear that it calls for a rural element and a rural element only. He expresses concern about rural wooded zoning creating many non-conforming parcels and uses. This was an oversight from haste in getting the Comp Plan done and he wants to ensure that we get to the parts that we knew we missed at that time. He suggests that there is a provision to recognize areas where non-conforming existing parcels exist. He states that chapter 3.1.7 – Rural Land Distribution Inventory is inconsistent; the data in there is not reflected in the words used to described the character of the rural area.

7:29:15

**Chris Butler-Minor (speaking for John Mikesell) lives on Erlands point:** Concerns about sections that were omitted, particularly the Planning-Wide Watershed. She states that that is a critical piece of any planning that the County does. She is concerned that they are considering approving this without complete information and hopes that that section would be added before considering approval.

Knutson addresses her comments, she points out that they planning-wide watershed is included in the draft that was presented as of two weeks ago and offers to discuss it with her at break.
Jerry Darnall, farm owner: Discusses some issues with current zoning. He gives examples of current issues. Such as, no meat processing in Kitsap County for small farmers and the need to share resources amongst farmers.

Knutson states that next year with the review of Title 17 to add agricultural uses and will be working with KEDA and the Food and Farm Policy Council.

Richard Brown: Is concerned about the process moving too fast and states that the community was not well represented. He states that we need to get it right, not just get it done. He believes everything currently zoned should become non-conforming. He believes that Policy RL-8 should be eliminated. He states that this is not GMA, which was created so that the public could tell the government what it wanted done; this is the opposite of that.

Tim Mathes, South Kitsap Resident: He believes that the right people are not involved in these decisions. They are not farmers. More information needs to be submitted to the public before these meetings. He gives an example from the city of Port Orchard, contacted all the waterfront property owners regarding shoreline issues.

Nikki Johanson, local farmer: Supports a lot of the comments regarding the local farmer’s perspective. She points out that Kitsap County was once thriving agricultural land. Times have changed; a lot of product now comes from factory farm. The move for direct farming is currently happening across the country. We need more farmers; people want local food. We need storage, processing, and commercial kitchens to be productive and profitable.

Keeton reviews how the process occurred. DCD met with the local community to hear what their issues are. The intent was to work on what the goals and the policies for the rural element. Specific code issues are part of next year in Title 17 review; they are not part of this process this year. This is because part of the problem is that the Food and Farm Policy Council has not come back to the department with recommended uses. The first step is to put this into the goals and policies this year so that these things can be allowed for code changes next year. He gives a history of how we came to the need for these changes.

Knutson states that 3.2.6 – Agricultural Land section was drafted with Diane Fish of the KEDA working group and the members of the Food and Farm Policy Council.

Discussion is held about concern regarding the Chico group’s concern. Keeton states that he will go back and take a look at their issues to see if they fit into the model used for the 22 and 25 communities.
Michael Maddox Poulsbo resident: States his understanding of RL-8. That its being proposed for removal because once it is removed it will allow unrestricted commercial and industrial development in the area of the LAMIRDs and that is a proposal by developers and realtors. He states that it makes sense to him and questions why it should be removed.

8:06:12

Ann Blankenship member of the Chico Creek Concerned Citizens Group: States that residential property is being over regulated. Concerned that re-zones are going to raise property taxes. Concerned about damage to Chico creek, noisy trucks and wants to stay a nice little rural community. She does not want the community to be re-zoned to industrial or commercial.

8:09:02

Barb Romcheck, Port Orchard resident: Requests more understandable language for notices and public hearings.

Chair Baglio clarifies that this modification does not re-zone any property.

8:16:03

Ron Ross, resident: He comments about the notice, he is satisfied with it, but there isn’t enough time to read through the materials. He requests a definition of prime agricultural land; currently it combines agriculture and aquaculture. He would like to see processing allowed for the agriculture community, but not for the aquaculture community. He agrees that the farmers need to be able to process so they can provide for what the community wants.

Marilyn Holt, local farmer: We need to go back to the historic basis of what people did in farming.

8:22:08

Chair Baglio closes the public hearing for this evening.

A motion is made by Commissioner Sommerhauser seconded by Commissioner Gustavson to continue the public hearing 9/14/10 at 5:00, and leave the written record open until Thursday 9/9 at 4:30.

Discussion is held about the status of Policy RL-8 and the timing of the comments and materials.

The Vote:
Yes: 6
No: 1
The motion carries

Break: 8:38:59
Re-Convene: 8:49:48
G. Public Hearing: Rural Commercial/Industrial Code Development - Katrina Knutson, Senior Planner, DCD

Diener gives a history and overview of Rural Commercial and Rural Industrial Zone.

Knutson shows some exhibits regarding Chico Creek area; they have a large concentration of the rural commercial parcels.

8:59:00

Chair Baglio opens the public hearing.

Ron Eber Kitsap County resident: He states that it is not his memory that the stakeholders group had looked at each of the uses on the use list based on certain criteria. As he recalls that they looked at the uses and had a very brief review. He suggests that the zones are too broad for rural industrial and rural commercial. RL-8 needs to be settled first; existing uses, existing zonings, and new designation and expansion policy. He gives suggestions for each.

Discussion is held about regionalization for farming.

9:05:58

Richard Shadduck, (on behalf of Mr. and Ms. Benz): They have property near, but outside the Bond/Gunderson LAMIRD. They have industrial buildings in this area. They invested in industrial land and now they are going to loose their investment. They are concerned about the use chart; they have no idea what will be permitted. They are concerned about losing business and the process moving too fast.

9:12:57

Ann Schnitzer, owner of Port Orchard Airport: They have light industrial, industrial, and neighborhood commercial zones. She states that she just received notice of the changes. She is disappointed that they weren't involved in the process earlier on.

Adams states that she did some research her property, she found that the 19 lots that were approved are vested and these changes will not affect them.

Discussion is held about the airport certification.

9:22:39

Tim Mathes (for William Palmer): He is in support of many of the changes; he is on the committee and wants to remind the commission that they are not through with their work on this yet. He points out that the committee has not made a recommendation of the rural highway commercial element and the prohibitive costs of conditional use permits.

Knutson states that the rural highway commercial zone was brought up with the stakeholders for discussion only to see if was an item they wanted to take forward through its own public hearing process. If they do decide to go forward with that the it will be brought before the Planning Commission separately.
Gene Sherrod, Kitsap County business owner: Wishes we could just slow down. He states that zoning is a game. We seem to be rushing head long to control our community and not give people time to absorb what’s happening. He is concerned about peoples ability to develop their property.

Knutson states that we are working with the stakeholder group to bring forward amendments with our non-confirming code.

9:30:56

Jack Stanfield, Kitsap County resident: He states that he is concerned about in enclosure 3; there is a waterfall that people used to visit in the 1920s. This information was left off and he requests a map that has a trail to the falls and more about it. He references a treaty from 1855 that directs us to be caretakers of the land were the usual and custom fishing, hunting and gathering lands for the tribes in the area. He states that we have a moral and fiduciary responsibility to the environment as well as to the tribe. He is concerned about the headwater of Dickerson Creek that goes down into wetland 4. Wetland 4 was never evaluated; we don’t know what category it is because the county ignored it during the Ueland process. He asks that a study be done before any development in the area.

Sandra Bullock, Kitsap County resident: She thanks them for the time they put into this process. She appreciates the thoughtful planning and regulations.

9:38:10

Chari Baglio closes the public hearing.

A motion is made by Commissioner Sommerhauser seconded by Commissioner Paralez to continue the public hearing 9/14/10 at 5:00 and leave the written record open until Thursday 9/9/10 at 4:30.

The Vote:
Unanimous
The motion carries

Discussion is held about the process moving too fast.

9:45:14

H. Deliberations/Recommendations: Revisions to Chapter 3 of Comp Plan - Katrina Knutson, Senior Planner, DCD

Continued to 9/14

I. Deliberations/Recommendations: Rural Commercial/ Industrial Code Development - Katrina Knutson, Senior Planner, DCD

Continued to 9/14

J. For the Good of the Order: Chair Baglio
Motion to adjourn is made by Commissioner Sommerhauser and seconded by Commissioner Paralez

Time of adjournment: 9:46:22

EXHIBITS
A. 2010 Year of the Rural – Revisions to Rural and Resource Chapter of the KC Comp Plan –Staff Report
B. Strategies Resource Lands Designations and Interim Development Regulations
C. Draft Changes to KCC Title 17 Zoning: Proposed Rural Commercial and rural Industrial Use Tables
D. Unincorporated Rural Lands with Commercial Uses
E. Rural Stakeholders Review of Rural Commercial and Rural Industrial Zones
F. 2010 Year of the Rural – Rural Code Development: Rural Commercial and Rural Industrial – Staff Report
G. KC Comprehensive Plan: Chapter 3 ‘Rural Resource’: Errata Sheet and Draft Document Comments
H. Rural and Resource Land Chapter Relationship to Vision
I. Public Comment: John Mikesell
J. Public Comment: John Nantz
K. Public Comment: Betsy Cooper
L. Comments on Draft Revisions of Chapter 3 of Comp Pland dates July 2010
M. Public Comment: Jack Stanfill with attachment
N. Public Comment: Doug Skrobut email with attachment
O. Public Comment: Doug Skrobut statement
P. Public Comment: Ron Elder with Criteria for recommendation or decision document.
Q. 49 various Maps of Kitsap County

MINUTES approved this _______ day of _______2010.

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Robert Baglio, Planning Commission Chair

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Mary Seals, Planning Commission Secretary