

Kitsap County Planning Commission – August 2, 2011

MINUTES

**KITSAP COUNTY PLANNING COMMISSION  
Administration Building – Commissioners Chambers  
August 2, 2011, 3:00 pm**

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)

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**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: Mike Brown, Linda Rowe, Karanne Gonzalez-Harless, Tom Nevins, Linda Paralez, Carol Smiley, Robert Baglio and Jim Sommerhauser

Members absent: Carol Smiley and Lou Foritano

Staff present: Larry Keeton, Scott Diener, Heather Adams, Jeff Smith, Candy Mursell, Jim Barnard and Planning Commission Secretary Karen Ashcraft

**3:01:04**

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

**B. Adoption of Agenda**

**Motion by Commissioner Brown and seconded by Commissioner Rowe**

**The Vote:**

**Unanimous**

**The Motion carried**

**C. Public Comments**

**D. Approval of the July 26, 2011 Minutes**

**E. A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown to approve minutes for July 26, 2011.**

**The Vote:**

**Unanimous**

**The motion carried**

**3:02:50**

**F. Findings of Fact: Open Space Application for Ron & Bernadette Olson - Jim Avery, Assessor**  
Mr. Avery presents the Findings of Fact. Request to approve seven acres for Open Space.

**A motion is made by Commissioner Sommerhauser and seconded by Commissioner Gonzalez-Harless to approve the Open Space Application for Ron & Bernadette Olson.**

**Kitsap County Planning Commission – August 2, 2011**

1       **The Vote:**  
2       **Unanimous**  
3       **The motion carried**

3:04:44

6       **G. Findings of Fact: Open Space Application for Marjorie Thorne – Jim Avery, Assessor**  
7       Mr. Avery presents the Findings of Fact. This Open Space Application is for a Conservation  
8       easement consisting of 6.84 acres.

10       **A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown**  
11       **approve the Open Space Application for Marjorie Thorne.**

13       **The Vote:**  
14       **Unanimous**  
15       **The motion carried**

3:05:43

18       **Findings of Fact: Open Space Application for Gerald Vanderyacht – Jim Avery, Assessor**  
19       Mr. Avery presents the Findings of Fact. The Open Space Application is for Agriculture land to  
20       traditional farmland.

22       Sommerhauser asked staff about the draft farm policies that would conflict with this Open  
23       Space request?

25       Diener stated we are unaware of any conflict with draft farm policies.

27       **A motion is made by Commissioner Sommerhauser and seconded by Commissioner Rowe**  
28       **approve the Open Space Application for Gerald Vanderyacht.**

30       **The Vote:**  
31       **Unanimous**  
32       **The motion carried**

3:09:49

34       **H. Continuation of Public Hearing and Deliberations: Title 16**

36       **Larry Keeton, Director Community Development**

- 37       • Title 16 has been in process since 2009 coming forward this year to be presented to the
- 38       Planning Commission and then to the Board of County Commissioners.
- 39       • Requests delay of Public Hearing on Boundary Line Adjustment, Condominiums (Binding Site
- 40       Plan), Legal Lot Determination to August 16, 2011.
- 41       • Road Standards – Greg Cioc from Public Works is available for discussion.
- 42       • Phased Development – Staff would be providing alternative language that was well-liked.
- 43       • Title 16 effective date will be on or about January 1, 2012 (90 days after passage by Board of
- 44       Commissioners)

3:17:44

47       **Scott Diener, Manager Policy and Planning, DCD**

## Kitsap County Planning Commission – August 2, 2011

- **Contrary to earlier public testimony Public Works’ Director, Assistant Director and Greg Cioc has reviewed Title 16.**
- **John Brand, Public Works concerned about Private Road Standards. Public Road Standards will need to be followed for private roads until Private Road Standards are written.**

Discussion is held on process time of the Rural Chapter adoption of Planning Commission to the Board was three months.

**3:29:48**

**Chair Paralez re-opened the Public Hearing on Title 16**

**3:30:18**

**William M. Palmer, Land Use Consultant & represent Kitsap Alliance of Property Owners:**

Concerns: Page 7 Accessabilty & Exemptions – Binding Site Plan prior to certain types of development. Subdivision applicable only to Commercial & Industrial zoned land.

Sommerhauser read RCW regarding Binding Site Plan. Palmer noted his interpretation was different.

**3:40:24**

**Mark Kuhlman, Team 4 Engineering:**

Could the written record be re-opened?

Diener stated it is the will of the Planning Commission whether the written record is re-opened. Staff would like to see Mr. Palmer’s written comments.

Mr. Kuhlman 16.04.080 E required Homeowners Association be responsible for all segregation of 5 more lots be required for Private Maintenance responsibilities for road or stormwater. A Road Maintenance Agreement would be better.

16. 08.235 A B, C, D, & E – Don’t need 5 different definitions for Open Space. Just two definitions: Common Open Space and active recreational Open Space.

16.08.340 Definition of a Subdivision states 10 or more lots. RCW is 5 or more lots would like to see it consisent with RCW.

16.24.30 Public Road Standards are very different from Private Road standards.

16.24.040 H Recreational Requirements: This should be in Title 17 not Title 16. Title 17 has specific requirements for Open Space and Recreational requirements for Performance Based Developments  
16.24.150 initially required an easement for drainage waste. That was very appropriate, but it has been deleted.

16.40 Should apply to all subdivisions. A list of requirements for complete application would be appreciated.

16.48.060 A Short Plat to be altered to yield up to 4 lots, current code has allowed 9 lot short plats in Urban Growth areas and Rural is 4 lots. Why the change?

Comments regarding Legal Lot Determination, Condos (Binding Site Plans) and Boundary Line Adjustments will take place on August 16th.

Commissioner Baglio asked about the process of Title 16?

## Kitsap County Planning Commission – August 2, 2011

1 Mr. Kuhlman stated the process for the Rural was excellent. The input from stakeholder groups  
2 eliminated a number of issues prior to being presented to the Board. One is the Legal Lot  
3 Determination, which will cause the public a great deal of expense.

4 **3:49:15**

5 William Palmer is citing RCW 58.17.035 regarding Binding Site Plan and RCW 58.17.040 exemptions of  
6 subdivision requirements under state law. A Binding Site Plan isn't used to approve a Mobile Home  
7 park. If a jurisdiction has used a Binding Site Plan for a mobile home park then the mobile home park is  
8 exempt from a subdivision. Binding Site Plan is for approval of industrial and commercially zoned  
9 property.

10  
11 Sommerhauser cited RCW 58.17.040 (5) regarding Binding Site Plan

12  
13 Mr. Palmer stated Page 10 16.04.080 in the green text the Right- of -Way needs to be a prior adopted  
14 plan by the county before a dedication of land can take place.

15  
16 Page 11 16 C. Safe Walking Conditions: Development of land requires the interior sidewalks in both  
17 rural or urban areas of land segregation. In a large segregation of land where will these sidewalks  
18 connect to?

19  
20 Page 11 E. Why do we have to create a Homeowners Association with a maintenance agreement  
21 when a Road Maintenance Agreement would work?

22  
23 Page 12 16.04.143 What does it mean to be consistent with the trail plan? Does it mean there needs  
24 to be a trail plan proposed or not?

25  
26 Page 16 16.04.165 0 Violation Class 1 Civil Infraction needs a definition.

27  
28 Page 21 16.08.06030 Binding Site Plan definition isn't consistent with RCW 58.17.035 definition of  
29 Binding Site Plan.

30  
31 Page 103 Condominiums are not a subdivision of land.

32  
33 Page 117 16.60.020 Alterations of Final Plats – Concern with the requirement of signatures of the  
34 majority of homeowners. If two adjacent property owners want to change their property line, wouldn't  
35 this fall under a Boundary Line Adjustment? There is a need for a better definition of an alteration.

36  
37 Page 120 16.60.040 Vacation of Final Plat – Need to change the title of this one.  
38 Nevins asks do you have thoughts on inaccessible land in an Urban Growth Area?

39  
40 Mr. Palmer: State of Oregon has had issue with roads and extension of utilities services when they  
41 wanted to expand in Urban Growth Areas and couldn't expand in an orderly fashion. Kitsap County  
42 needs a pre-plan in place of road networks and utilities in urban growth areas with the exception of  
43 major arterials.

44  
45 Brown asks if there is a frontage improvement plan for sidewalks? Is there a Transportation  
46 Improvement Plan (6 year plan), allocating a cost for those improvements? Does such a plan credit  
47 back to the developer, who has to build a frontage sidewalk?

48

## Kitsap County Planning Commission – August 2, 2011

1 **4:15:40**

2 **Greg Cioc, Public Works:** states that the county has a 6-year Transportation Improvement Plan.  
3 Within the Plan they identify the road improvements and what's required on various types of roads.  
4 Part of the plan allocate details such as curb, gutter and sidewalks and allocate a cost of those.

5  
6 Discussion is held on cost of improvements for the developers to bear.

7  
8 **4:16:37**

9 Discussion is held on a development within 1 mile of a school that the developer would have to  
10 provide safe walking conditions within the development to the school. The intent of Title 16 (Draft  
11 code) is that within the UGA sidewalks would be required. Staff could require the developer to install  
12 sidewalks based on prorata share to the developer, according to impacts.

13  
14 **4:20:39**

15 **Dave Proctor, CSI Land Surveying:** Mr. Proctor requested clarification on dedication to a plat. When  
16 doing a subdivision, will they have to the road standards? There is an issue with dedications to roads  
17 and the county asking for 10 or 20 more feet in the Right-of-Way.

18  
19 Staff stated dedication of the Right-of-Way is done on a limited basis that is tied to the project's  
20 impacts.

21  
22 Title 16.04.080 Connectivity – regarding the connection between two plats of land when one is being  
23 developed and the other one will remain undeveloped. Still have issues with the Boundary Line  
24 Adjustment (discussion on August 16).

25  
26 Discussion is held regarding road frontage improvements. This is only for access off of the road into  
27 the new plat. Mitigation would be done in accordance to traffic impact analysis. DCD has only  
28 required dedication of Right-of-Way if there is a road plan.

29  
30 **4:28:26**

31 Discussion is held regarding Boundary Line Adjustment map. If a parcel is land locked it becomes a  
32 civil issue not a county issue.

33  
34 **4:36:13**

35 **Chair Paralez calls for a motion to close the public hearing**

36 **4:36:21**

37 Sommerhauser made a motion to recess the hearing for the items brought forward by staff. Allow  
38 Mr. Kuhlman, Mr. Palmer and Mr. Proctor to submit written clarifying documentation of their  
39 testimony of today, to be submitted by close of business Thursday, August 4, 2011. Written  
40 comments for Boundary Line Adjustment, Condos and Legal Lot determination re-open until August  
41 16, 2011. Motion is seconded by Commissioner Nevins.

42  
43 **4:41:45**

44 Larry Keeton stated Title 16 review by the stakeholders began in 2009, requesting suggested changes  
45 to Title 16. There were no comments. The changes you have seen are from staff. In April, May and  
46 June 2011, staff met with the Home Builders Association, Dept Advisory Group and West Sound  
47 Conservation Council.

48

## Kitsap County Planning Commission – August 2, 2011

1 Sommerhauser, amended his motion, to recess the hearing for continuation on August 16<sup>th</sup> only on  
2 Condominiums, Legal Lot Determination and Boundary Line Adjustment. Staff will accept written  
3 comments from testimony of today until Monday, August 8, 2011. That staff accept any written  
4 comments regarding Condominiums, Legal Lot Determination and Boundary Line Adjustment until  
5 August 16<sup>th</sup>. The motion was seconded by Commissioner Baglio.

6  
7 **The Vote:**

8 **Unanimous**

9 **The Motion carried**

10 **4:53:14**

11 **Chair Paralez stated we will continue the hearing on Title 16 to August 16<sup>th</sup>. Written comments are**  
12 **due by Monday, August 8<sup>th</sup> on the whole document of Title 16. Additional comments will be taken**  
13 **on Condominiums (Binding Site Plans), Legal Lot Determinations and Boundary Line Adjustments.**

14  
15 Keeton stated we will have legal present at the August 16<sup>th</sup> meeting to clarify legal's interpretations of  
16 Condominiums, Legal Lot Determinations and Boundary Line Adjustments.

17  
18 **4:55:07**

19 **Chair Paralez calls for a motion to recess**

20  
21 **Commissioner Sommerhauser made a motion to recess the Commission meeting to 6:15 P.M. for**  
22 **the Espresso Code Work Study and Public Hearing. Commission Baglio seconded the motion.**

23  
24 **The Vote:**

25 **Unanimous**

26 **The Motion carried**

27 **4:55:37**

28  
29 **6:12:08**

30 **I. Call Meeting to Order, Introductions**

31 **J. Adoption of Agenda Motion by Commissioner Sommerhauser and seconded by**  
32 **Commissioner Baglio**

33  
34 **The Vote:**

35 **Unanimous**

36 **The Motion carried**

37  
38 **K. Public Comments**

39 **6:13:32**

40  
41 **L. Work Study: Espresso Code , Larry Keeton, Director Department of Community**  
42 **Development**

- 43
- 44 • **Board of County Commissioners receiving complaints from the public regarding the**  
45 **state of dress of some of the employees at 5 espresso stands.**
- 46
- 47 • **Main concerns ranged from the stands should not be open at all, to the public would**  
48 **like a warning so that children are not being exposed to the lack of attire.**

Kitsap County Planning Commission – August 2, 2011

- Three proposals before the Planning Commission from Title 10 (the Public Health and Safety portion) of the Kitsap County Code.
- Option 1 – Adopting lewd conduct as part of Title 10 – Advantages – Eliminates the exposure to the general public & eliminates the need for land use process. Disadvantages – Requires current operators to change their business operations and methodology. This option would be implemented throughout the county not just espresso stands.
- Option 2 – Adult Coffee Stands under Adult Entertainment (Current 5 stands would be grandfathered in under adult entertainment) Advantages – Continue to operate in the appropriate zones. Regulated as an adult orientated business. Has public participation process. Provides a warning regarding adult nature of the business. Disadvantages – Require current owners to change their signs. Under Adult Entertainment Code a person must be 18 years old to purchase coffee, ID checking would be required.
- Option 3 - Adopting a definition of Adult Entertainment under current Kitsap County Code Title 10. Advantages – Adopt code for Adult Entertainment. Eliminates exposure to general public. Disadvantages - This option would require the owner to choose to operate as Adult Entertainment business. Current owners would have to change current operational methodology.

Sommerhauser questioned the zones that these stands can operate. Review of Title 17 indicates the zone where adult entertainment can operate. Kitsap County Health District permits espresso stands under “Limited Manual Espresso Bar” regarding a separate sink for hand washing and a restroom within 200 feet of the stand under the guidelines of Washington Administrative Code (Chapter 246-215). According to this code, the washing of hands and arms are required immediately before touching food/food preparation. Labor & Industrial has nothing listed in writing.

Larry Keeton stated that staff doesn’t have a recommendation at this time. Staff wanted to hear the public testimony before issuing a decision.

6:25:31

Chair Paralez opened Public Hearing

6:25:53

Connie Saylor agrees with Option #1 of the lewd conduct ordinance. Notes these types of espresso stands are degrading to women, and that there are 27 sex offenders that live within 2 miles of her home. States the citizens of this community are being sexually harassed.

6:29:40

Laura Ibbotson agrees with Option #1 of the lewd conduct ordinance. She is a mother of 4 boys, She is trying to raise them right to be respectful.

**Kitsap County Planning Commission – August 2, 2011**

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**6:32:14**

**Sarah Figueras agrees with Option #1 of the lewd conduct ordinance.** She has lived in Bremerton for 24 years. She wants to raise her children in this “family friendly” county. She requests that Kitsap County be kept as a “family friendly” county. Sommerhauser asked were you aware that Option #1 would apply throughout the county? Whatever Option eradicates them from Kitsap County is what she wants.

**6:35:12**

**Neira Raney agrees with Option #1 of the lewd conduct ordinance.** She opposes both Option #2 and #3.

**6:37:34**

**Patrice Thomas agrees with Option #1 of the lewd conduct ordinance.** She is concerned about the possibility of accidents in the area of these espresso stands.

**6:39:03**

**Vinicia Church agrees with Option #1 of the lewd conduct ordinance.** She is concerned for the safety of the women who work for these espresso stands.

**6:41:13**

**Ralph Marshal:** Espresso stands are not the problem. There are petitions to prevent anyone from seeing anything. The Bremerton Council, a few years ago, increased its regulations on the “Sugar Shack” forcing it to close. This Council is doing the same. “Steaming Grounds” is now family friendly; they are complying. “Boston Beans” closed so it did not have to comply with your regulations.

**6:43:03**

**Beverly Basile agrees with Option #1 of the lewd conduct ordinance.** She has concerns for the safety of our children, protection of our marriages and safety of our surrounding community. She gave an explanation of a visit to an espresso stand.

**6:49:47**

**Anthony Figueras agrees with Option #1 of the lewd conduct ordinance.** He was very embarrassed by the sexual exposure to my son when we visited one of these espresso stands. He didn’t see the existing sign for this type of espresso stand. Sommerhauser asked what was the signage? It is a silhouette, signifying an adult espresso stand.

**6:52:17**

**Anita Ford agrees with Option #1 of the lewd conduct ordinance.** She is speaking for the protection of my children, grandchildren and great-grandchild and all other children in our community. She is concerned for the safety of the baristas that work in these espresso stands.

**6:56:48**

**Anthony Figueras II agrees with Option #1 of the lewd conduct ordinance.** He has lived here my whole life (17 years). This is a good place to grow-up, as a high school student. These women are people too and should be respected.

## Kitsap County Planning Commission – August 2, 2011

1 Sommerhauser do you go swimming?  
2 Yes, I do. Do you see bikinis there? Yes. But I believe the ordinance would be a positive  
3 change.  
4

5 **7:00:10**

6 **Ann Adamson agrees with Option #1 of the lewd conduct ordinance.**  
7

8 **7:01:02**

9 **Jason Cartwright agrees with Option #1 of the lewd conduct ordinance.** Business owner of  
10 several espresso stands, He wonders what type of services are provided at these sexpresso  
11 stands. Rumor is these baristas make \$200 to \$400 in tips each day.  
12

13 **7:04:30**

14 **Rebecca Askins agrees with Option #1 of the lewd conduct ordinance.**

15 As a mother of 4 boys, she tries to protect them from exposure to these types of places.  
16 Kitsap County is a beautiful place and she would like to see it remain family friendly.  
17

18 **7:06:19**

19 **Teresa Couch agrees with Option #1 of the lewd conduct ordinance.** As a mother of 4  
20 children, she monitor's what are they are exposed to. She almost had an accident on 303,  
21 when driving by one of these espresso stands and the barista was exposing herself, while  
22 serving coffee. She teaches her children to have moral values for themselves and others.  
23

24 **7:10:09**

25 **Veronica Ackley agrees with Option #1 of the lewd conduct ordinance.** She explained about  
26 son's experience at an exposed espresso stand.  
27

28 **7:11:52**

29 **Nancy Duncan agrees with Option #1 of the lewd conduct ordinance.**

30 Pornography is also an issue that needs to be addressed.

31 Commissioner Rowe – Can you actually see these women? Yes, I could see through the glass.  
32 Also, there is the health factors, as a massage therapist, I wash my hands after every client.  
33 Sommerhauser asked what about the beer commercials on TV or music video under Option 1,  
34 they don't meet that test.

35 She turned her TV off 5 years ago. We do watch the superbowl. TV nudity has gone way too  
36 far.  
37

38 **7:17:39**

39 **Natusha Fecteau agrees with Option #2 of the lewd conduct ordinance.**

40 This is adult entertainment. We need to label these businesses for what they are; they are not  
41 coffee stands, they are adult entertainment. If they are labeled as adult entertainment, then  
42 Labor & Industries and Health District could step in.  
43

44 Sommerhauser asked do you know if the price of coffee is more expensive at these stands?

45 I have never been to one of these stands, but a friend said a cup of coffee costs \$6.00. There  
46 is no menu with a listing of prices.  
47

**7:22:45**

**Kitsap County Planning Commission – August 2, 2011**

1 **Irene Schwab agrees with Option #1 of the lewd conduct ordinance.** If bar tenders have to  
2 wear clothes then why don't coffee makers? She thinks people on beaches should be clothed.

3  
4 **7:23:59**

5 **Marnie Ferraro agrees with Option #1 of the lewd conduct ordinance.**

6 It is irresponsible to allow a business where adults are naked and children are able to see that.  
7 This sexual exposure is stealing the innocence of our children and you can never get that back.  
8 Let the legacy of Kitsap County to be known as the community where we didn't allow this  
9 type of business in.

10 **7:29:42**

11 **Joe Michael:** I am 72 years old. I will be responsible for my own actions. If I want to purchase  
12 a cup of coffee and flirt with the woman, she is not a prostitute. Put up a fence if necessary. I  
13 have driven by them, but never participated at one.

14 Sommerhauser asked do you have an opinion on one of the Options on the list?

15 No, I don't.

16 What about appropriate signs? I think that would be a good idea, the silhouette would work.

17 **7:35:04**

18 **Ken Bagwell, Attorney representing the owners of Espresso Gone Crazy & Fantasy Coffee**

19 Personal opinion and morality has been discussed this evening. We respect that. When  
20 we attempt to legislate morality, we begin to infringe on the right of others. Our clients and  
21 families have lived in this community for a long time. They are aware of community values  
22 and have taken steps not to have their businesses located near churches or schools.  
23 They have cleaned up the areas surrounding their businesses. They have put up screening and  
24 tinted windows and are willing to do more.

25 Sommerhauser requested information: Are your clients' prices higher?

26 They are average prices.

27 Would your clients be willing to accept any of the three options offered tonight?

28 No

29 Option #2 has a signage feature, would your clients be willing to review? No

30 Options #2 & #3 won't have any issues with them. They have a non-conforming use.

31 Any changes will affect the bottom line of their business.

32 Gonzalez-Harless asked the ages of the baristas? Deferred to Mr. Havers.

33  
34 **7:42:51**

35 **Phil Havers, Attorney representing owners of Espresso Gone Crazy & Fantasy Coffee**

36 18 years of age is the minimum age to work in their espresso stands.

37 Our clients are willing put up signs that is a pasties espresso stand. Clients are willing to work  
38 with the county to put up additional stands if necessary. Supreme Court states you can't  
39 legislate morality, except in extreme situations. Options 2 & 3 won't apply to current espresso  
40 stands because they are grandfathered in. State law doesn't apply to an espresso stand.

41 Enforcement of Option #1 or # 3 will become a nightmare for Kitsap County (in relation to  
42 bikinis on the beach). Putting up the signs and barriers so there is no inadvertant viewing and  
43 the county can not legislate morality.

44 Brown asked if this type of business is pulling off vehicles from public streets?

45 Yes. I would agree, but it isn't any different then any other business along public streets.

46 Sommerhauser asked under Option#2, what alarms you or your clients?

47 The Option#2 won't apply to my clients. Adult entertainment will not apply to these espresso  
48 stands.

## Kitsap County Planning Commission – August 2, 2011

1 Gonzalez-Harless requested clarification on type of attire and making coffee. What is the  
2 policy for that?

3 Mr. Havers made no comment on the question. The issue is zoning. KC Health District  
4 doesn't have an issue with these type of espresso stands.

5 Gonzalez-Harless requested clarification of safety issues for the employees. Does the  
6 employer keep a portion of the tips?

7 No, they do not. Mr. Havers stated at "Espresso Gone Crazy" the employees do cover up  
8 when going to the bathroom and the establishment has never been cited.

9  
10 **8:01:50**

11 **Arlene Stormo agrees with Option #2 of the lewd conduct ordinance.**

12 My 21 year old daughter and I are the new owners of an espresso stand across the street from  
13 a high school. We serve great coffee. We sell a 12 oz. latte for \$2.50, with the average tip of  
14 \$1.00.

15 Sommerhauser inquired about the cost for a latte at the other espresso stands? My  
16 understanding is the cost is in the \$6.00 range, I don't know the size of the drink.

17  
18 **8:05:42**

19 **Chair Paralez called for a motion to close the Public Hearing**

20 **A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown**  
21 **to close the Public Hearing.**

22  
23 **The Vote:**

24 **Unanimous**

25 **The motion carried**

26  
27 **8:05:52**

28 Larry Keeton commended everyone on a very emotional issue and noted that the county  
29 doesn't have codes to address this issue. Noted grandfathering is an outstanding issue.  
30 Information submitted by attorneys needs to be reviewed by DCD, and Planning Commission  
31 will not conduct Deliberations tonight. Requested that if there are members of the public who  
32 would like copies of comments, give DCD e-mail addresses and we will e-mail them.

33 **8:07:56**

34 **Chair Paralez stated if you would like to receive copies of the comments, give Mr. Keeton's**  
35 **staff your e-mail or home address.**

36 **8:08:26**

37 Sommerhauser questioned Option #2 regarding a painted window? What does that mean?  
38 Under state law for adult entertainment, there can be no contact between people in the adult  
39 entertainment business and a patron.

40  
41 **8:10:43**

42  
43 **Chair Paralez stated staff will continue to take in public comment and not deliberate at this**  
44 **time. Staff will get further input from Kitsap County attorney on this issue.**

45  
46 **8:11:12**

47 **For the Good of the Order: Chair Paralez**

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**Kitsap County Planning Commission – August 2, 2011**

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**8:11:21**

**A motion to adjourn: Chair Paralez**

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

**The Vote:**

**Unanimous**

**The motion carried**

**Time of Adjournment: 8:11:37**

**EXHIBITS:**

- A. Findings of Fact: Ron & Bernadette Olson**
- B. Findings of Fact: Marjorie Thorne**
- C. Findings of Fact: Gerald Vanderyacht**
- D. Draft Title 16 7/22/11**
- E. Alternative Boundary Line Adjustment 8/2/11**
- F. Alternative Legal Lot Determination 8/2/11**
- G. Alternative Title 16.04.120 Phased Development 8/2/11**
- H. Alternative regarding Road Standards 8/2/11**
- I. Staff Report: Limited Apparel Espresso Stands & SEPA**

**MINUTES approved this \_\_\_\_\_ day of \_\_\_\_\_ 2011.**

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**Linda Paralez, Planning Commission Chair**

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**Karen Ashcraft, Planning Commission Secretary**