MINUTES
KITSAP COUNTY PLANNING COMMISSION
Administration Building - Commissioners Chambers
July 24, 2012 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 Administrative Building Commissioner's Chambers, 619 Division Street, Port Orchard, WA

Members present: Tom Nevins, Linda Paralez, Lou Foritano, Mike Brown, Linda Rowe, Karanne Gonzalez-Harless and Jim Sommerhauser

Members absent: Carol Smiley and Robert Baglio

Staff present: David Greetham, Kathlene Barnhart and Planning Commission Secretary Karen Ashcraft

9:02:44

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

A motion is made by Commissioner Sommerhauser and seconded by Commissioner Paralez to adopt the agenda as presented.

The Vote:
Unanimous
The motion carries

C. Public Comments

9:03:50

D. Approval of the June 5, 2012 minutes

A motion is made by Commissioner Paralez and seconded by Commissioner Sommerhauser to approve the June 5, 2012 minutes.

The Vote:
Yes: 5
Abstain: 2
The motion carries

E. Approval of the June 11, 2012 minutes
A motion is made by Commissioner Sommerhauser and seconded by Commissioner Foritano to approve the June 11, 2012 minutes.

The Vote:
Yes: 6
Abstain: 1
The motion carries

9:04:45

F. Director’s Comments: Larry Keeton, Director, DCD
   - Thank you to the Planning Commissioners for their hard work and complimented staff for the professional work on the Shoreline Master Plan Ordinance. The review by the SMP Citizen’s Taskforce, written comments and the two very different public hearings has been a very informative process. We would like to have the SMP before the Board of County Commissioners by October and then to the Department of Ecology by December.

9:10:32

G. Deliberation/Recommendations: Shoreline Master Plan – David Greetham, Senior Planner, DCD
   - Introduces Kathlene Barnhart, Patty Charnas, Manager of DCD Environmental Division and Joe Burcar, Department of Ecology (SMP is a partnership with the Department of Ecology) and Lisa Nickel, Prosecutor Department.
   - Review of the first Comment Matrix dated July 24, 2012
   - General Environmental Protection
   - Buffers and Science
   - Property Rights and Public Access
   - Stormwater Runoff/Water Quality

Discussion is held regarding the scheduling of the July 31, 2012 meeting at 9:00 am. The following meeting will be August 7, 2012 at 9:00 am.

- Environmental Designation recommendations in the WAC are Natural, Rural Conservancy, Urban Conservancy, Shoreline Residential, High intensity and everything below ordinary high water is Aquatic.

9:26:48

A motion is made by Commissioner Nevins and seconded by Commissioner Sommerhauser that the Planning Commission recommends that we identify and locate the shoreline segments listed in the comment letter listed as #28 for potential Inclusion within the Natural environment.

Discussion is held regarding reviewing segments of the SMP’s zoning designations (Natural) with Best Available Science, the best available consulting input or the request of interest groups.

Discussion is held regarding the increase of Natural designation along the Hood Canal and Keyport area.

Action Item: Commissioner Sommerhauser requests staff review existing housing units within the potential coverage of this amendment.
Discussion is held regarding example of newly purchased lot (between two single family residences) and shoreline designation.

9:45:30
A motion is made by Commissioner Sommerhauser and seconded by Commissioner Foritano to table this motion for amendment to the next meeting to give staff time to analyze the motion and give us some feedback in relation to what we are picking up if we do this.

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

Action Item: How much area that will be picked up (large and small areas), what housing may be included in those areas, and what the surrounding zoning and/or existing development and trends is around the “picked up” large and small areas.

9:48:16
- All of the Critical Areas within the 200 foot shoreline jurisdiction will be regulated by the SMP.
- Expanded Critical Saltwater Habitat Protection Requirements.
- Native Vegetation is regulated within the buffer.
- Aquatic Designation – everything below the ordinary high water mark is Aquatic.

Discussion is held regarding Site Specific Habitat Assessment.

10:01:18
Discussion is held regarding No Net Loss.

10:03:48
- Buffers and Science

Discussion is held regarding buffers.

10:24:36
Discussion is held regarding availability of studies below the water line of eel grass (besides Port Gamble Bay and Hood Canal).

10:40:21
Discussion is held regarding upland mitigation.

10:44:03
A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown that staff look at additional some language to give some sort of credit for outside the SMP area that is in the same category water quality for water quality filtration (or whatever filtration) to add something in that fits in the hierarchy of mitigation that you go down to the bottom and you still can’t get there. Potentially you can do something upland (you have to own the upland) that’s outside of the SMP jurisdiction and get some credit for it.
The Vote:

Unanimous

The motion carries

Action Item: Staff will bring proposed language at the next Planning Commission meeting.

Break: 10:48:16
Reconvene: 11:00:50

- Non-Native planting in Native Vegetation Buffers

Discussion is held regarding non-native planting in buffers.

11:10:41

A motion is made by Commissioner Sommerhauser and seconded by Commissioner Brown to have staff draft language for an equivalent non-native that staff would be able to make a knowledgeable decision on or at least a justifiable decision. Additional language could be added to Appendix B, Mitigation Options.

Discussion is held regarding native plants versus non-native plants.

Vote:
Yes: 2
No: 5

The motion fails.

11:13:51

- Buffers and Science

Discussion is held regarding what is allowed in the buffer with or without a permit.

11:25:18

- Property Rights and Public Access

Discussion is held regarding public access.

12:02:31

The Commissioner Chambers is available on Wednesday, August 1st from 9:00-Noon. We will finish Comment Response Matrix #1 with Stormwater Runoff/Water Quality.

12:04:08

For the Good of the Order: Chair Brown

Commissioner Nevins suggested reviewing the testimony from Jesse G. DeNike, Attorney representing Taylor Shellfish, especially the Interim Progress Report from Washington Sea Grant.
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Time of Adjournment: 12:05

EXHIBITS:

B. KC SMP Update Comment Response Matrix #1 July 17, 2012
C. SMP Deliberations Schedule – July 24, 2012

MINUTES approved this 18th day of September 2012.

Michael Brown, Planning Commission Chair

Karen Ashcraft, Planning Commission Secretary