

**Kitsap County Planning Commission Minutes – February 2, 2021**

**KITSAP COUNTY PLANNING COMMISSION**

**Zoom Webinar**

<https://us02web.zoom.us/j/84541190788>

**OR Dial In: (253) 215-8782 Webinar ID: 845 4119 0788 Password: 896660**

**February 2, 2021 @ 5:30 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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Members present: Joe Phillips (Chair), Amy Maule (Vice Chair), Aaron Murphy, Alan Beam, Kari Kaltenborn-Corey, Mike Eliason, Stacey Smith

Members not present: Kim Allen

Staff present: Jeff Rimack, Angie Silva, Dave Ward, Liz Williams, Kirvie Mesebeluu-Yobech, Amanda Walston (Clerk)

**5:30 pm**

**A. Introductions**

**B. Virtual Meeting Protocol**

**C. Adoption of Agenda**

- **MOTION:** Stacey Smith moves to adopt the agenda as presented.
- **SECOND:** Aaron Murphy
- **VOTE: 7 in Favor; 0 Opposed – Motion Carries**

**D. Adoption of Minutes**

- **Minutes of 1/19/21**
- **MOTION:** Mike Eliason moves to adopt the minutes as presented.
- **SECOND:** Kari Kaltenborn-Corey
- **VOTE: 7 in Favor; 0 Opposed; 0 Abstained – Motion Carries**

**E. General Public Comment**

- **Chair Phillips opens the floor** to speakers wishing to provide testimony.
- **SPEAKER: Bill Palmer, South Kitsap resident, President of Kitsap Alliance**
- Has concerns on staff comments regarding the citizen participation plan; with Buildable Lands Program and Shoreline Master Program coming up, there

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1 appears that anyone can submit comments, but unsure if they will have any  
2 input on results of the final report; hasn't seen any citizen comments have any  
3 impact in the past few months on the PC or the Board of County  
4 Commissioners (BoCC) in actions.

- 5 • Staff and the consultants have made several assumptions about the Buildable  
6 Lands Report (BLR) about underdeveloped property and circumstances for  
7 redevelopment; has not submitted any comments yet, and believes they often  
8 are either ignored or just put into the matrix and believes it also happens to  
9 other citizens submitting input.

10 **5:37 pm**

- 11 • **SPEAKER: Dick Brown, Kitsap Resident, Owner of Kitsap Commercial Group**  
12 • Longtime resident, developer, business owner; believes there is no public  
13 participation plan and feels staff and BoCC are trying to silence the PV; he has  
14 always seen the PC as the voice of the people and comments used to be given  
15 directly to the PC, not washed or filtered by staff to view how they want it.  
16 • Right now there is no housing, not low income, just regular housing; the  
17 coming BLR will show this and believes Kitsap County is headed for disaster,  
18 where for the first time a worker in navy yard won't be able to afford to buy a  
19 house in Kitsap anymore; and a citizen in Manchester can't afford to buy a  
20 house because Seattle buyers will come over and offer more than two times  
21 the price.  
22 • **Hearing no other speakers, Chair Phillips closes the floor.**

23 **5:40 pm**

24 **F. Status Update: Buildable Lands Program Update – Liz Williams, DCD Planning**  
25 **Supervisor (est. 5 min)**

- 26 • Ms. Williams presents a project overview to date, referencing the visual  
27 presentation, noting the two main deliverables are the Development Trend  
28 Review and Land Supply Analysis; highlighting estimated release dates for  
29 reports, two comment periods and upcoming opportunities for outreach,  
30 meetings and next steps.  
31 • **QUESTION:** Mr. Eliason asks if all jurisdictions have agreed on methodology.  
32 • **ANSWER:** Ms. Williams notes no major issues have been raised  
33 regarding the framework, etc. but no firm commitment on agreement  
34 for methodology; intent to address this in upcoming meetings.

35 **5:47 pm**

36 **G. Work Study Session: Shoreline Master Program (SMP) Update – Kirvie Mesebeluu-**  
37 **Yobech, DCD Planning & Environmental Programs (PEP) Planner (est. 1 hr)**



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- 1                                   • Angie Silva, DCD Assistant Director, notes state law does not have a  
2                                   specific number, but has to do with achieving no-net-loss and  
3                                   consistency with Title 19, among other factors.
- 4                                   • Dan Nickel, Watershed Company Consultant, notes DOE looks for  
5                                   jurisdictions to achieve no net loss with ecological functions; if a  
6                                   number different than the 100 ft already specified in the CAO was  
7                                   provided in the SMP, DOE may request a valuation of the impact  
8                                   beyond the 100 feet.
- 9                                   • Mr. Ward notes there are several changes Ms. Mesebeluu-Yobech is  
10                                  reviewing at high level to address consistency issues and align these  
11                                  updates with other parts of code, such as building code or the CAO. If  
12                                  the SMP allows for decks larger than those allowed in the CAO, it  
13                                  would have to be addressed.
- 14                                  • Mr. Eliason asks, and Mr. Ward confirms, some examples of very large  
15                                  decks, called stair landings are well in excess of 100 square feet.
- 16                                  • Ms. Mesebeluu-Yobech notes the 100 square foot size for decks and  
17                                  platforms has always been there, clarification here is when there are  
18                                  beach stairs, the limit applies to the size of those landings.
- 19                                  • Mr. Beam asks, and Ms. Mesebeluu-Yobech confirms, an application  
20                                  process exists for someone wishing to build a 150 square foot deck.

### 6:20 pm

- 21
- 22                                  • Ms. Mesebeluu-Yobech continues review of proposed actions, including  
23                                  Department recommendations, including changing Shoreline Substantial  
24                                  Development Permits (SSDP) from a Type III review to a Type II and changing  
25                                  the Shoreline Variance (SVAR) for less than 25% of any portion of reduced  
26                                  buffer to a Type II review.
- 27                                  • **QUESTION:** Mr. Eliason asks how changing to Type II affects appeal processes.
- 28   • Ms. Silva, Mr. Ward and Mr. Nickel confirm Type II decisions by the  
29   Department can be appealed to the Hearing Examiner.

### 6:31 pm

- 30
- 31                                  • Ms. Mesebeluu-Yobech reviewing proposed Department recommendations,  
32                                  including a change to exempt primary Single Family Residences (SFRs) from  
33                                  SSDPs for subdivisions, unless every new lot is created entirely outside the  
34                                  shoreline jurisdiction; Mr. Ward notes comments or suggestions on the  
35                                  wording for this change are welcome.

### 6:41 pm

- 36
- 37                                  • **QUESTION/ANSWER:** Mr. Eliason notes some comments reference County,  
38                                  Staff, or County Staff recommendations, asks if they all come from DCD; Ms.

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1 Silva confirms, noting that other County Reviewers, such as the legal  
2 department, also contribute.

3 • **QUESTION:** Mr. Beam asks, under View Blockage, how far can a fence be built  
4 down the shoreline.

5 • **ANSWER:** Ms. Barnhart notes this depends on many factors, including  
6 where neighbors are located, their view line, whether you are within  
7 the buffer.

8 • Mr. Beam repeats his question.

9 • Ms. Barnhart notes, again, for view blockage, determining factors will  
10 depend on where you are, location of buffers, neighbors, and view  
11 lines, among others.

12 • Mr. Beam asks again how far down the shoreline a fence can be built.

13 • Ms. Silva and Mr. Ward note there is no definite number.

14 • Amy Maule suggest this discussion is not productive, as specific  
15 factors are not known.

16 • Jeff Rimack, DCD Director, notes a good summary is that if the fence  
17 is in the buffer, it will require permitting review.

18 • **QUESTION:** Ms. Kaltenborn-Corey asks if there is a defined process for  
19 developers to measure correctly?

20 • **ANSWER:** Mr. Rimack notes a view line inspection occurs, with listed  
21 requirements for view line setback, that takes place with the  
22 foundation inspection.

23 • Chair Phillips thanks Ms. Mesebeluu-Yobech; who invites the PC to send her  
24 any questions or items they would like more information on.

25 **6:46 pm**

### 26 **H. For the Good of the Order/Commissioner Comments**

27 • Ms. Beam asks if there is an estimate on when the briefing on setting up a  
28 monitoring system for no-net loss may be.

29 • Mr. Ward will coordinate the briefing and will contact Mr. Beam.

30 • Mr. Beam would like to discuss an email he sent on public participation as a  
31 future agenda item; Chair Phillips agrees it would be a good discussion, will  
32 establish with staff the best time to bring it forward.

33 • Ms. Smith thanks staff for a succinct review of very large documents and  
34 providing a good overview, allowing questions and moving through in a timely  
35 manner; Mr. Phillips concurs; Mr. Ward thanks Ms. Mesebeluu-Yobech and Mr.  
36 Nickels for their work throughout this process.

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- 1 • Mr. Murphy commends DCD for their work during all the industry changes  
2 related to the Building and Energy code update; asks if there is an update on  
3 workflow and staffing as they deal with the deadline to get projects submitted;  
4 also any comment on other jurisdictions that have mentioned the possibility of  
5 extensions or waivers.
  - 6 • Mr. Rimack notes end of day Friday there were 176 applications  
7 submitted, by Monday morning it was 264; still calculating expected  
8 processing and review time; the new energy code changes add a  
9 significant amount to the cost of building, which also spurred the  
10 massive influx, with many from developers.
  - 11 • DCD typically reviews 1<sup>st</sup> come 1<sup>st</sup> serve, but we are now making calls  
12 to determine need; if a developer submits 15 plans for a basic permit,  
13 do they really need them all reviewed now or can it be broken into  
14 pieces, 5 now and 5 later; we also want to ensure we are helping  
15 individuals applying for once or twice in a lifetime homes; focusing  
16 prioritization of staff review time; basically we are carefully  
17 evaluating, trying to find the best path.
  - 18 • Other jurisdictions, such as Jefferson, who are submitting requests or  
19 waivers; DCD has talked about it but no plans decided right now.
  - 20 • Mr. Murphy thanks DCD for their hard work, experienced firsthand  
21 staff's responsiveness; agrees the energy code is driving the rush.
- 22 • Mr. Eliason addresses earlier speaker's concern that public comment ends up  
23 compiled in a matrix, noting the comments are not ignored, each one is  
24 reviewed and considered along with the materials. Mr. Murphy concurs, noting  
25 the PC often has a large amount of material to read, but considers everything.
- 26 • **MOTION: Aaron Murphy moves to adjourn the meeting.**
- 27 • **SECOND: Amy Maule**
  - 28 • **VOTE: 7 in Favor; 0 Opposed – Motion Carries**

29 **Time of Adjournment: 6:59 pm**

30 **Minutes approved this** 18 **day of** March **2021.**

31  
32   
33 **Joe Phillips, Planning Commission Chair**

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35   
36 **Amanda Walston, Planning Commission Clerk**