

Kitsap County Planning Commission Minutes – March 2, 2021

KITSAP COUNTY PLANNING COMMISSION

Zoom Webinar

<https://us02web.zoom.us/j/82555108099>

OR Dial In: (253) 215-8782 Webinar ID: 825 5510 8099 Password: 583097

March 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).

Members present: Joe Phillips (Chair), Amy Maule (Vice Chair), Aaron Murphy, Alan Beam, Kari Kaltenborn-Corey, Kim Allen, Mike Eliason, Stacey Smith

Members not present:

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

Agency Representatives: Maria Sandercock (WA State Dept. of Ecology)

5:30 pm

A. Introductions

B. Virtual Meeting Protocol

C. Adoption of Agenda

- **MOTION:** Stacey Smith moves to adopt the agenda as presented.
- **SECOND:** Kim Allen
- **VOTE: 8 in Favor; 0 Opposed – Motion Carries**

D. Adoption of Minutes

- **Minutes of 2/16/21 continued to next regular meeting**

5:35 pm

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 of Property Owners (KAPO)
- **PROCEDURAL QUESTION/ANSWER:** Mr. Palmer asks, and Chair Phillips confirms Shoreline Planner Maria Sandercock is in attendance

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1 as a representative from Washington State Department of Ecology
2 (DOE) for tonight’s Joint Public Hearing.

- 3 • **SPEAKER:** Dick Brown, Kitsap resident, Owner of Kitsap Commercial Group
- 4 • Has been in this business over 50 years since coming to Kitsap. Believes it is
5 extremely important in all PC actions not to add more weight or regulations to
6 the housing industry, on top of an already awesome task to get projects
7 approved. Notes lumber prices are up almost 200%; not enough inventory or
8 land being platted in an out of control market; increase in the housing cost
9 alone will be 20% due to lack of housing and new energy code. Translates to an
10 approximate increase of \$30,000 to build a house over 5,000 square feet,
11 which is significant to everyday people. Asks the PC to be mindful of what you
12 put on top of current regulations.
- 13 • **Hearing no other speakers, Chair Phillips closes the floor.**

14 **5:40 pm**

15 **F. Status Update: Buildable Lands Program Update – Liz Williams, DCD Planning** 16 **Supervisor (est. 5 min)**

- 17 • Ms. Williams presents a project overview to date, referencing the visual
18 presentation, noting two main deliverables are Development Trend Review
19 and Land Supply Analysis (LCA); the Buildable Land Program (BLP) deadline is
20 June 30, 2021.
- 21 • Ms. Williams has technical issues; Angie Silva, DCD Assistant Director, will
22 continue the update in her stead.
- 23 • The Growth Management Act (GMA) requires the lookback at permit data from
24 2013-2019 as well as look forward to land supply and forecasting to 2036,
25 which also feeds the Comprehensive Plan Update in 2024.
- 26 • Reviews 9-step approach, with all jurisdictions discussing methods and testing.
27 Steps 0 -3 which deal with mapping, GIS data, etc.; Steps 4 – 6 to look at future
28 reduction for roadways, market factor, capital facilities, etc.
- 29 • Conversations continue with jurisdictions, and the consultant Heartland
30 regarding Market Factor; evaluations of urban rural split, growth trends per
31 Countywide Planning Policies (CPPs); anticipate complete preliminary LCA in
32 March; begin reviewing employment factor in April with jurisdictions.
- 33 • **QUESTION/ANSWER:** Mike Eliason asks, and Ms. Silva confirms, BERK
34 consulting is the primary consultant for this project, and Heartland is a
35 secondary consultant for the Market Factor Analysis report.
- 36 • **QUESTION/ANSWER:** Mr. Murphy asks, and Ms. Silva confirms, the schedule
37 has not changed since the last PC briefing.

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- 1 • Ms. Sandercock, DOE Shoreline Planner, presents a brief overview of DOE,
2 noting this is a joint project, meaning the County and State will share
3 comments received as well as the County’s documented responses.
- 4 • DOE will review and determine whether the County’s proposed periodic review
5 and update are consistency with state guidelines and requirements.
- 6 • County will submit their proposed amendment, DOE will review and
7 issue a determination on whether it is consistent with State
8 guidelines and requirements. DOE will return the proposal to the
9 County, noting any requested changes or clarifications. The County
10 will make any edits as necessary, formally adopt the amendments,
11 then send back to DOE for the final review and determination.
- 12 • **Chair Phillips opens the Public Hearing, calls for speakers.**

13 **6:08 pm**

- 14 • **SPEAKER:** William McCoy, resident of Unincorporated Kitsap County, in Miller
15 Bay/Poulsbo area.
- 16 • Has submitted more detailed written comments Acknowledges,
17 thanks DCD staff for assistance and partnership over last 2.5 years, as
18 he built a new development waterfront home on raw land.
- 19 • First point, when considering burden on property owners, one
20 example is a revision to the ordinance that would require engineering
21 to Title 12 standards, for a simple trail, in the buffer area, which could
22 range from 90 – 200 feet from the shoreline. That means any trail,
23 even if only for beach access, requires hiring a civil engineer for your
24 project, and is very difficult to find an engineer willing to work on a
25 project this small. Please consider for a simple trail, already limited in
26 length and width, and approved based on the planting plan, requiring
27 engineering may be overkill.
- 28 • Regarding proposed change to the View Blockage ordinance, which,
29 was under its own Ordinance 240-1984 for 30 years, and in 2014 it
30 was folded into the SMP. This created ambiguity around definition of
31 accessory structure, and consideration when determining view
32 blockage lines for adjacent, proposed developments.
- 33 • Believes the original ordinance was very clear and specified any
34 building greater than 150 square feet or 8 feet high was considered
35 for view blockage purposes. In 2014 it changed the interpretation and
36 did not consider boathouse or accessory structures and changed the
37 limit to 200 square feet and 10 feet in height; believes this change
38 was administrative, not legislative; requests the PC review original
39 ordinance and intent of that change.

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6:12 pm

- **SPEAKER:** Bill Palmer, South Kitsap resident, President of Kitsap Alliance of Property Owners (KAPO)
 - Objects to limit of 3 minute and objects to all-online hearing; questions whether the June deadline is correct; believes the discretionary amendments could be put off for further vetting; defers to Ms. Sandercock but believes the date requirement only applies to the mandatory changes to align with State guidelines RCW (Revised Code of Washington) & WAC (Washington Administrative Code.)
 - KAPO objects to include presentation of a staff report to the PC that does not include all attachments, even if the PC received those attachments, the public hasn't seen them; could not find them on the DCD website, an example is the Watershed Consistency Analysis which had to be found by clicking on a link in the staff report; believes there could have been public comment from those who are intimidated by the online comment or hearing process.
 - KAPO also concerned that PC did not consider fees, if they were able to choose what to address or change; is employed as a consultant, has a client who spent \$22,000 in application fees for a project, of which \$11,000 alone was for the multiple Shoreline permits required;
 - Does not believe it takes staff 65 – 144 hours to process three permits. Believes more than 25 hours to write staff reports is a waste of money, requiring duplicate fees for applications under review for one purpose, which, in this example had no proposed physical site improvements.
- Chair Phillips notes the 3-minute limit per speaker is standard, with an occasional allowance for minor overrun on time.
- Chair Phillips notes the online hearing venue reflect the measures taken to deal with the state of things as they are today.
- Chair Phillips defers to Ms. Sandercock for the comment related to DOE deadline requirements for changes.
 - Ms. Sandercock notes the RCW requires local government to review their SMP and make needed amendments by June 30.
 - There are three buckets of review, first are changes to state law to be incorporated, second are changes to local Comprehensive Plan or Development regulations to be incorporated, third is updated information or data about the Shoreline Environment that need to be incorporated into the SMP.

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- 1 • **QUESTION:** Mr. Eliason asks when staff expects comments and materials to be
2 provided to the PC?
- 3 • **ANSWER:** Ms. Mesebeluu-Yobech notes staff will work hard to get
4 comments by 3/9/2021, but it will be a challenge to process
5 responses and compile in less than a week; DOE allows a 30 day
6 period to transmit comments and responses.
- 7 • **QUESTION/ANSWER:** Mr. Murphy asks, and Ms. Mesebeluu-Yobech confirms,
8 14 comments have been received to date, and many are multiple pages each.
- 9 • **COMMENT:** Stacey Smith notes the public comment period has been open for
10 approximately 30 days; appreciates the multiple and creative opportunities
11 provided for individuals to send comment; having received an email herself
12 through GovDelivery for those who signed up for notices, which included links,
13 email address and a snail mail address to comment on the project.
- 14 • Chair Phillips thanks staff and Ms. Sandercock.

15 **6:34 pm**

16 **H. For the Good of the Order/Commissioner Comments**

- 17 • Mr. Eliason asks if vacation rentals is still scheduled for 4th Quarter 2021.
- 18 • Ms. Silva notes no indication of change to the tentative schedule for
19 this year on the topic. Eric Baker has been focused on COVID-19
20 related grants and opportunities, as well as other real estate matters
21 and tasks.
- 22 • **MOTION: Aaron Murphy moves to adjourn the meeting.**
- 23 • **SECOND: Stacey Smith**
- 24 • **VOTE: 8 in Favor; 0 Opposed – Motion Carries**

25 **Time of Adjournment: 6:36 pm**

26 **Minutes approved this** 16th **day of** March **2021.**

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29 **Amy Maule, Planning Commission (Vice) Chair**

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32 **Amanda Walston, Planning Commission Clerk**