

Kitsap County Planning Commission – July 12, 2011

MINUTES

**KITSAP COUNTY PLANNING COMMISSION
Administration Building – Commissioners Chambers
July 12, 2011 6:00 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)

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, Robert Baglio, Linda Rowe, Karanne Gonzalez-Harless, Tom Nevins, Lou Foritano, Linda Paralez and Carol Smiley

Members absent: Jim Sommerhauser

Staff present: Larry Keeton, Scott Diener, Heather Adams, Jeff Smith, Jim Barnard, Candy Mursell Katrina Knutson, Mary Seals, Shelley Kneip and Planning Commission Secretary Karen Ashcraft

6:00

A. Call Meeting to Order, Introductions

B. Adoption of Agenda

Agenda is adopted as written.

C. Public Comments - None

D. Approval of the June 21, 2011 minutes has been delayed to next meeting.

A motion is made by Commissioner Brown and seconded by Commissioner Nevins to delay approval of minutes to July 19, 2011. (July 19, 2011 meeting cancelled; July 26, 2011)

The Vote:

Unanimous

The motion carried

6:04

E. Director's Update: Larry Keeton, Director, DCD

- Annual Report to Board with Home Builders Association, Department Advisor Group, Stakeholders Invited to attend
- Espresso Stand Code will be before Planning Commission August 2, 2011
- Smart Vision Year of the Rural Award 2010

6:12

Kitsap County Planning Commission – July 12, 2011

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2
3 **F. Settlement of Overton/McCormick v. Kitsap County – Ordinance Amending portions**
4 **of Chapter 3 of KC Comprehensive Plan – Shelley Kneip, KC Deputy Prosecutor**
5

- 6 • Briefing explaining the four minor changes requested by appellants to portions of
7 Chapter 3 of Kitsap County Comprehensive Plan
8 • Public Hearing before Board of Commissioners scheduled on July 25, 2011 –
9 • This Ordinance could be appealed to the Growth Management Hearings Board

10
11 **6:24**

12
13 **G. Briefing: Kitsap County Code Title 21 – Scott Diener, Manager Policy & Planning, DCD**
14

- 15 • Title 21 is our administrative and processing code for permit application, decisions and
16 legislative actions.
17 • Review has been done by Home Builders Association and West Sound Conservation
18 Council. Then Department Advisory Group.
19 • Work Study Planning Commission by end of July or early August for comments only.
20

21 **6:50**
22

23 **F. Public Hearing: Kitsap County Code Title 16 – Katrina Knutson, Senior Planner, DCD**
24

- 25 • Recommend to Planning Commission to leave the public comment record open until
26 Monday, July 18, 2011, cancel July 19, 2011 meeting and have deliberations on July
27 26, 2011. Comments to Planning Commission on Tuesday, July 19, 2011 for review
28 and Draft Title 16 on July 22, 2011.
29 • Matrix with public comments today from Norm Olson, Ron Eber, Ron Templeton and
30 Mark Kuhlman.
31 • Phased Preliminary Plat
32 • Condo Law – review air space condos
33 • Preliminary Plat submittals – DCD will not be going forward with less information
34 • Legal Lot Determination – DCD may take this out
35 • Public Access to Shorelines – Title 16 will be consistent with Title 22
36 • Concerns of various definitions
37 • Recreation Areas – in Preliminary Plats
38 • Road Standards – still accepting comments about the need for different standards for
39 urban and rural roads
40 • Street Trees – DCD does have authority to require property owners to maintain street
41 trees
42

43 **7:10**

Kitsap County Planning Commission – July 12, 2011

1

2 Chair Paralez opens the public hearing

3

4 **Gary Anderson, Kitsap Association of Realtors** Submitted Letter (Exhibit F)

5 Review of Proposed Amendments to Kitsap County Code Title 16

6 Mr. Anderson concerns regarding Title 16: Lack of Professional Review by an Attorney or
7 Engineer; Preliminary Plat approval; Over Crowding of Land; Opposition to Boundary Line
8 Adjustments; Condominiums; Binding Site Plan as part of Condominiums section of Title 16.

9

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7:20

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12 **William M. Palmer, representing Kitsap Alliance of Property Owners:** Submitted Letter
13 (Exhibit G). He asks to leave the record open until to Monday, July 18th, doesn't leave enough
14 time for the public to comment. Kitsap Alliance of Property Owners requests that the
15 outstanding issues be resolved prior to submitting Title 16 to the Board of Commissioners.
16 Concerns: Regulations non-motorized facility for preliminary plats; Condominiums, Boundary
17 Line Adjustments. An analysis needs to be done on how Department of Community
18 Development can handle additional work with fewer personnel and shortened work week.

19

20

7:30

21 **Mark Kuhlman, Team4 Engineering:** Concern about viewing the Draft Document
22 Subdivision – Public or Private Roads– PW want residential streets to be private not Public
23 streets. Alternation/Vacations – prohibit. He expresses concern about 100% ownership
24 signature of preliminary plat and legal lot determination.

25

26

7:40

27 **Richard A. Brown:** Expresses concern about Condos & Boundary Line Adjustment in Title 16.

28

29 **7:45**

30 **Judy Eagleson, representing Home Builders' Association:** I am looking forward to
31 reading/commenting on final draft of Title 16.

32

33

7:47

34 Scott Diener gave an explanation of who are stakeholders for Kitsap County DCD.
35 Home Builders's Association, West Sound Conservation Council, Department Advisory Group
36 to mention a few.

37

38

7:54

39 **Teresa Osinski, representing Home Builders' Association:** It is difficult to review the current
40 draft with so many changes. We are supportive of the need to change and update this code
41 and look forward to the final draft.

42

43

7:58

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Kitsap County Planning Commission – July 12, 2011

1 **David Proctor, CSI:** Expresses concern about the Boundary Line Adjustment section to Title
2 16. He states that as an experienced licensed Surveyor, he has the expertise to do Boundary
3 Line Adjustments and doesn't see any need for this to be included in Title 16.

4
5 **8:10**

6
7 **William M. Palmer, Kitsap Alliance of Property Owners:** States that Kitsap County hasn't had
8 any issues with issuing Boundary Line Adjustments, why change now? I am against this new
9 regulation for BLA.

10
11 **8:17**

12
13 **David Proctor, CSI:** States that he has never been invited or given the opportunity to be a
14 stakeholder for the Kitsap County Department of Community Development.

15
16
17 **8:19**

18
19 Commissioner Foritano made a motion to close the public hearing. No second or vote.

20
21 Commissioner Baglio proposed to leave the record open.

22
23 **A motion is made by Commissioner Baglio and seconded by Commissioner Foritano to leave**
24 **the record open to August 2, 2011 at 3:00 PM for Public Hearing and Deliberation.**

25
26 Diener States that the public process is consistent with state law. Having an earlier end date
27 for written comments would allow the Planning Commission to read comments prior to the
28 Committee of the Whole meeting to be held on July 26th.

29
30 Regarding notification of Title 16, over a year ago, over 300 e-mails were sent out to
31 stakeholders requesting comment, none was received.

32
33 **Commissioner Baglio amended his motion to leave record open to July 18, 2011 close of**
34 **business for written Public Comment, make the polished Draft and matrix of comments**
35 **available by July 22, 2011, then to meet as a Committee of the Whole Work Study on July**
36 **26, 2011 at 6:00 PM, with Public Hearing/Deliberations continued to August 2, 2011 at 3:00**
37 **PM. Motion seconded by Commissioner Foritano.**

38
39 **8:40**

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41 **The Vote:**

42 **Unanimous**

43 **The motion carried**

Kitsap County Planning Commission – July 12, 2011

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8:42

Commissioner Brown requested the complete issues with Boundary Line Adjustment.

Larry Keeton stated currently the KC Auditor’s Department processes the Boundary Line Adjustments applications. There have been a number of occasions in the rural area, when a new lot has been created illegally. The newly created illegal lot is unbuildable then lot is sold to an innocent purchaser and that creates another issue. That is why Boundary Line Adjustments are being included in Title 16.

8:50

H. For the Good of the Order: Chair Paralez

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

Time of Adjournment: 8:52

EXHIBITS

- A. Environmental (SEPA) Checklist**
- B. Determination of Non-Significance**
- C. Kitsap County Comprehensive Plan Title 16 Land Division and Development Matrix**
- D. (1) Norm Olson Letter; (2) Ronald Eber Letter; (3) Ron Templeton Letter; (4) Mark Kuhlman**
- E. Memo from Scott Diener Title 21 Review**
- F. Letter from Gary Anderson, Kitsap Association of Realtors**
- G. Letter from William M. Palmer**
- H. Letter from Ron Templeton submitted by William M. Palmer**

MINUTES approved this _____ day of _____ 2011.

Linda Paralez, Planning Commission Chair

Karen Ashcraft, Planning Commission Secretary