1	KITSAP COUNTY PLANNING COMMISSION			
2	Administration Building - Commissioner's Chambers			
February 18, 2020 @ 5:30 pm These minutes are intended to provide a summary of meeting decisions and, except for made, should not be relied upon for specific statements from individuals at the meeting reader would like to hear specific discussion, they should visit Kitsap County's Website http://www.kitsapgov.com/dcd/pc/default.htm and listen to the audio file (to assist i information, time-stamps are provided below).				
10 11		bers present: Mike Eliason (Chair), Joe Phillips (Vice Chair), Aaron Murphy, Alan Beam, Amy e, Ed Galliway, Jim Svensson, Kim Allen, Richard Shattuck		
12	Members absent:			
13 14	<u>Staff</u>	present: Eric Baker, Peter Best, Dave Ward, Liz Williams, Robyn Readwin (Clerk)		
15		05:30:01		
16	A.	Introductions		
17	В.	Adoption of Agenda		
18		MOTION: Kim Allen moves to adopt the agenda as presented		
19		SECOND: Jim Svensson		
20		VOTE: Unanimous in Favor; Motion Carries		
21	C.	Approval of Minutes		
22		• 01/21/20		
23 24 25		 Chair Eliason requests the following revisions: Page 2 Line 19 (P2-L19) 'reviewed'; P2-L37 'the land'; P3-L19 'have to follow'; P3-L22 'than'; P5-L3 'surrounded'; P7-L15 'related or specific, but want' 		
26		 MOTION: Mr. Svensson moves to adopt the minutes of 01/21/20 as revised 		
27		SECOND: Aaron Murphy		
28		VOTE: Unanimous in Favor; Motion Carries		
29		• 02/04/20		
30		 Postponed to next regular meeting. 		
31	D.	General Comment		
32		No speakers or comments; this item is closed.		
33		5:35:00		
34 35	E.	Deliberations & Recommendation: Port Gamble Legislative Amendments: Eric Baker, Board of County Commissioners (BoCC) Policy Manager		
36		Some technical difficulties with microphone/audio.		
37		Mr. Baker briefly reviews the proposed amendments.		

1	 COMMENT: Mr. Svensson references Footnote 8 on page 43 of the Proposed
2	Amendment, noting the wildlife shelter location adjacent to the town will better help
3	keep eagles and other animals away from unwanted activity.
4	 QUESTION: Chair Eliason asks if a compromise on the noise restriction time, instead of
5	midnight, 11pm on weeknight and midnight on weekends would impact future plans,
6	noting Kitsap County has a 10pm cutoff while other jurisdictions cut off at 7pm?
7	 ANSWER: Mr. Baker acknowledges the concern about this requirement, but
8	notes that this is being developed under one Master Plan, with everyone
9	knowing up front what they are getting in this small area.
10	 Chair Eliason asks about public disturbance noise concerns as raised in the
11	City of Bremerton case regarding Brother Don's.
12 13 14	 Mr. Baker notes the code before the Planning Commission (PC) for this project is based on decibel levels, the other case centered on public disturbance, noise complaints.
15	 Ms. Allen notes existing residents would be affected after the build out;
16	support of compromise to allow something less during the week.
17	 Mr. Baker notes all properties are currently owned by Pope Resources.
18 19 20	 QUESTION/ANSWER: Alan Beam asks, and Mr. Baker responds, the Proposed Venues in questions would largely be restaurants and drinking establishments, on the interior of buildings, located inside the town core.
21	 Mr. Beam asks, and Mr. Baker confirms there are no current venues in
22	place, but a Concert Center has been discussed.
23	 Ms. Allen asks, and Mr. Baker confirms there is open space, but no outdoor
24	theater is proposed.
25	 QUESTION: Chair Eliason asks about the 295 unit maximum with mix of single family
26	and multi-family attached; if there is an estimate or plan for how many would be
27	attached; police and fire service and zoning changes to the area have a role.
28 29 30	 ANSWER: Mr. Baker notes the code allows for a wide variety, currently it shows cottage, a majority of single family with some attached housing. None are guaranteed. Applicant could provide more details.
31	5:49:06
32	 MOTION: Ms. Allen moves to approve the Recommendation as presented by Staff.
33	SECOND: Richard Shattuck
34	 AMENDMENT TO THE MOTION: Amy Maule moves to include Attachment
35	A, revisions to Staff's Recommendation.
36	SECOND: Mr. Beam
37	 VOTE: Unanimous in Favor; Motion Carries
38	 Mr. Baker notes the specific change to the wildlife reference should be stated for
39	adoption.

1 2 3 4 5	 AMENDMENT TO THE MOTION: Ms. Allen moves to amend Attachment A as follows: referencing page 43, Kitsap County Code (KCC) 17.410.050 Footnote #8, insert a comma after 'veterinary clinic'; strike 'or' between 'veterinary clinic' and 'animal hospital'; and insert 'or wildlife shelter' between 'animal hospital' and 'shall not.'
6	SECOND: Mr. Murphy
7	 VOTE: Unanimous in Favor; Motion Carries
8	 Chair Eliason calls for any additional discussion regarding the noise restrictions, on
9	page 7.
10	 COMMENT: Mr. Shattuck notes 10 pm noise cutoff can be restrictive, especially for
11	weddings and events; supports the Master Plan and its unique circumstances, with
12	considerations like Notice to Title; favors flexibility to support what will be an area
13	unlike any other in the County.
14 15	• Chair Eliason and Mr. Beam share concerns that complaints come regardless of Notice to Title; even providing additional information to buyers, they often still don't see it.
16	 Mr. Phillips notes the Master Plan separates out residential and commercial with
17	intentional thought to areas that are combined; supports the plan.
18	 Mr. Murphy also supports the plan; noting the Master Plan is unique in many ways
19	and provides reference and reason for breaking from other areas noise restrictions.
20	 Ms. Allen notes deviation from noise standards could prevent neighbor to neighbor
21	complaints or create enforcement issues; although developers could add stricter limits
22	later as needed.
23	 Ms. Maule notes lower income housing is often stuck in areas with high noise. That is
24	not the intent for this area, so no opposition to later cutoff.
25	 Mr. Baker notes this code is very heavy already, but many more covenants will be
26	added by the time the area builds out.
27	 Mr. Svensson notes that noise can also carry across the bay, which could be
28	problematic as well.
29 30	• Mr. Baker notes Port Gamble S'Klallam Tribe would be the area most highly impacted and has responded that they are not concerned about noise.
31	 QUESTION: Chair Eliason asks for applicant's thoughts on how a change to 11pm
32	during the week would affect their plan.
33	 ANSWER: Applicant states it wouldn't be the end of the world to have 11pm
34	during the week as long as Friday-Saturday are later.
35 36 37 38 39	 AMENDMENT TO THE MOTION: Ms. Allen moves to amend Attachment A as follows: referencing page 7, Kitsap County Code (KCC) 17.360.C.020 Footnote #1, replace the word 'midnight' '11:00 pm on Sunday through Thursday and 7:00 AM to midnight on Fridays and Saturdays'; replace '12:01' with '11:01 PM'; insert 'on Sunday through Friday and 12:01 AM to

1 2		6:59 AM on Saturday and Sunday' between '6:59 AM' and 'shall be 47 dBA'		
3		SECOND: Mr. Murphy		
4		 VOTE: 8 in Favor; 1 Opposed – Motion Carries 		
5		 VOTE (on Main Motion): Unanimous in Favor; Motion Carries 		
6 7	F.	Findings of Fact: Port Gamble Legislative Amendments, Eric Baker, Board of County Commissioners (BoCC) Policy Manager		
8		 Mr. Baker will make revisions, update Findings of Fact and bring them back to the PC. 		
9		Defer to follow Good of the Order.		
10		6:10:00		
11 12	G.	Findings of Fact: 2019 Comprehensive Plan Amendment Update, Peter Best, DCD Planning & Environmental Programs (PEP) Planner		
13 14 15		 Mr. Shattuck notes due to a professional conflict, he has recused himself from any consideration or discussion regarding Dickey Pit Site Specific application, during the proceedings. 		
16 17		 Mr. Best provides a brief overview, noting items to be discussed and changes, moving in sections. 		
18		• Section 1 – 7		
19		 MOTION: Mr. Shattuck moves to adopt Items 1-7 as presented 		
20		SECOND: Ms. Allen		
21		 VOTE: Unanimous in Favor; Motion Carries 		
22		• Section 8		
23		 Mr. Shattuck recuses himself; leaves the dais. 		
24 25		 Mr. Best notes a scrivener's revision to section 10 of Item 8, should read 'as conditioned' instead of 'revised' 		
26 27		 MOTION: Mr. Murphy move to amend section 10 of Item 8 by replacing 'revised' with 'as conditioned.' 		
28		SECOND: Ed Galliway		
29 30		 Mr. Svensson notes Finding #8 addresses concern with compatibility of adjacent land uses and supports the language in this Item. 		
31		 VOTE: Unanimous in Favor; Motion Carries 		
32		6:16:00		
33		• Section 9		
34		 Mr. Best introduces changes presented tonight 		

1 2 3		Under Item 2A, not included in tonight's materials; change brought forward tonight by Staff, regarding Mineral Resource, will attach additional Exhibit 1, to clarify the additional parcel, location and rationale as recommended by the PC.		
4 5		 Item 5A what was Attachment 1 becomes Attachment 2 without any additional change. 		
6 7		 Item 6A-1, staff recommends appending the last sentence with 'and recorded with the Kitsap County Auditor' as included in materials 		
8 9		• Item 6-2-C-B, language staff added to capture performance-based mitigation attempt as directed by the PC, as included in materials.		
10 11 12		 Staff requests clarification, in adopting the performance-based measures, that the intent during deliberations was to keep the 50' setback, in addition to the performance-based measures. 		
13 14		 Mr. Shattuck recuses himself again, as this specific discussion and clarification relates to the Dickey Pit Site Specific. 		
15 16		 Ms. Maule and Mr. Murphy confirm the intent was to keep the 50' buffer requirement as it is also a requirement for neighboring industrial properties. 		
17		Chair Eliason calls for questions regarding the proposed changes		
18		6:22:00		
19 20		• QUESTION/ANSWER: Mr. Galliway asks, and Mr. Best confirms, the exhibit does show the parcel number on the exhibit and map.		
21 22		 MOTION: Mr. Murphy moves to approve Section 9, with proposed corrections as presented and explained by Staff. 		
23		SECOND: Mr. Svensson		
24 25 26		Ms. Allen requests clerical correction on page 12, under Section 2, change second set of lower-case letters to roman numerals. Mr. Murphy clarifies on page 12 section 2, a, b, c next indentation should be roman numerical i – v.		
27		Mr. Best will make the correction.		
28		No further discussion		
29		VOTE: Unanimous in Favor; Motion Carries		
30		6:25:00		
31		Mr. Shattuck returns to the dais		
32		Mr. Best will make changes and bring the final copy back before the PC.		
33 34		 Chair Eliason and the PC thanks Mr. Best for his work with DCD and the PC, and wish him well on his new position with the City of Bainbridge Island. 		
35	н.	Good of the Order		
36 37 38		 Ms. Maule notes during the last deliberations, some members felt rushed and unable to have a comfortable exchange of ideas and would like time during really difficult decisions to sit around a table and discuss the items. 		

1	 Requests staff work with PC to create optional Deliberation protocol when
2	there are challenging questions before us to enable framework that is not
3	rushed and allows time for consideration before making a decision right
4	there on the record, and without being crowded by other agenda items.
5	 Not sure yet what the framework is but would like to be able to just pause
6	and tell staff when time is needed to think about a topic and to develop and
7	ask questions.
8	 Dave Ward, DCD PEP Manager notes staff is happy to work together, noting
9	that at the last meeting, logistics for a public hearing set-up make for a
10	somewhat awkward transition back and forth to a set-up more suited for
11	discussion for Deliberations or Work Study.
12	 We used the smaller set-up for Work Studies beginning last year and found
13	it to be very beneficial. We know this is a challenging format.
14	 Ms. Maule agrees, noting the smaller set-ups highlighted the challenges of
15	the more formal dais setting.
16	 Mr. Beam notes a Work Study could be set-up and adjourned to the room next door,
17	away from a formal voting set-up.
18	 Chair Eliason notes the work study set-up has been held in this room, at tables on the
19	floor. Agree the last meeting was difficult for many reasons, and with multiple items
20	and competing timelines from Staff, BoCC, other departments in addition to the
21	volume of material, it is a lot to handle.
22	 Mr. Shattuck agrees; points are well-taken. PC has been the same for 25 years, it's
23	time for a review. We are currently driven by staff guidance, should we take a step
24	toward having the PC inform and help guide what the community is looking for;
25	perhaps form a committee and look at changing the way we do things.
26 27 28 29 30	 Ms. Allen concurs with Mr. Shattuck; notes other jurisdictions have a Work Study set- up on the floor and then the Commissioners go back and forth to the dais for voting. It all has to be recorded, so there are some limitations, and the room next door doesn't have much public seating capacity for high interest. Also suggest an agenda setting meeting, with the Chair and Staff, could be a phone call or something simple.
31	 Mr. Galliway notes that one awkward situation was a large volume of work had been
32	done prior to the last meeting with hearing and deliberations. It was my third meeting
33	on the PC, and the other setting would be beneficial to get caught up and feel more
34	comfortable.
35 36 37 38 39	 Mr. Phillips notes the last meeting was the first time since he has been on the PC that we said no to a Staff Recommendation; we have made changes, but never outright no. It was unique situation and it felt a little haphazard, but everyone did wonderfully to express their thoughts and reasoning. Would like to see it happen more, but caution is that it would take more time.
40	 Ms. Maule likes the idea of agenda planning; suggests not including major items and
41	decisions in on a very full agenda.

1 2 3	•		es too, as they don't know what might draw big r would pair up and discuss; there are also s that all play into it.
4 5 6	•		a challenging meeting; Chair Eliason notes he is ment on the PC; he doesn't like conflict and with staff.
7 8	•	Mr. Ward notes, again, staff really app to improvement for all. We will start v	oreciates feedback and many requests have led working on an agenda planning call.
9 10 11	•		happens when items move forward; realizes as through, but an update and final outcome
12		6:13:0	0
13 14 15	•		of Fact for the Port Gamble Legislative e changes to the noise code section; it will still
16 17	•	MOTION: Ms. Allen moves to waive to a meeting separate from the Deliberate	the requirement to consider Findings of Fact at at attacks.
18	•	SECOND: Mr. Murphy	
19	•	VOTE: Unanimous in Favor; Motion C	arries
20 21	•	MOTION: Mr. Shattuck moves to ado presented by Staff.	pt the Findings of Fact, as revised and
22	•	SECOND: Mr. Galliway	
23		 VOTE: Unanimous in Favor; 	Motion Carries
24 25 26 27	•	_	est for excellent work, wishes him well in future manda Walston for handling very complex
	Time of Adjou	rnment: 6:49 pm	
29	Time of Aujou	minent. 0.45 pm	
30			
31	Minutes appro	oved this 21st day of April 2020.	
32 33 34 35		· · · · · · · · · · · · · · · · · · ·	Michael Eliason, Planning Commission Chair
36 37			Amanda Walston, Planning Commission Clerk
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