

Kitsap County Planning Commission Minutes – March 16, 2021

KITSAP COUNTY PLANNING COMMISSION

Zoom Webinar

<https://us02web.zoom.us/j/81702622099>

OR Dial In: (253) 215-8782 Webinar ID: 817 0262 2099 Password: 620604

March 16, 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: Amy Maule (Vice Chair), Aaron Murphy, Alan Beam, Kari Kaltenborn-Corey, Kim Allen, Mike Eliason, Stacey Smith

Members not present: Joe Phillips (Chair)

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

Dan Nickel, Watershed Company (Consultant)

5:33 pm

A. Introductions

- As Chair, Joe Phillips, is unable to attend, bylaws state Vice Chair, Amy Maule, shall assume the duties of Chair. As Ms. Maule is also not present, nominations for acting Chair are heard.
- **MOTION:** Alan Beam nominates Mike Eliason
- **SECOND:** Kim Allen
- Prior to the vote, Ms. Maule joins the meeting and assumes the role of Chair.

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 2/16/21**
- **MOTION:** Mr. Murphy moves to adopt the minutes as presented.
- **SECOND:** Ms. Smith

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- Mr. Beam notes the large amount of information; Ms. Williams acknowledges DCD will give as much time as possible for review.

5:49 pm

G. Deliberations (1 of 2): Shoreline Master Program (SMP) Draft Amendments – Kirvie Mesebeluu-Yobech, Planning & Environmental Programs (PEP) Planner (est. 1 hr)

- Ms. Mesebeluu-Yobech notes Maria Sandercock, Department of Ecology (DOE) Shoreline Planner & Dan Nickel, The Watershed Company Consultant will be available; this is the first of two deliberation sessions planned for the project; presents a brief overview of the project to date, noting we are in Phase 3 of the project; public comment period began 2/2/21 ended 3/3/21; just completed the Joint DOE/DCD Public Hearing on 3/2/21.
- Ms. Mesebeluu-Yobech notes due to short turnaround from last week’s public hearing, Part 1 of the Comment Matrix with staff response was distributed one week ago and Part 2 was sent just prior to tonight’s meeting.
- Dave Ward, DCD PEP Manager, notes 20 comments received; many lengthy with multiple subjects and pages. DCD appreciates patience in phased responses; intent is to discuss comments and responses, questions, and issues with proposals today if possible and move forward with full set next meeting.
- **QUESTION:** Mr. Eliason notes asks if focus could be on the Watershed report and recommendations; which would allow the PC time to review the new public comments just received in Part 2.
 - **ANSWER:** Mr. Ward acknowledges DCD tried to get comments to the PC as soon as available; happy to review comments now or later.
 - PC concurs to review the Watershed Company and project reports first with a review of comments next, and at next deliberation to allow more time to review.
- Chair Maule calls for questions.
- **QUESTION/ANSWER:** Mr. Eliason asks, and Mesebeluu-Yobech confirms, revisions include new legislation requiring permit retrofitting existing structures compliance with Americans with Disabilities Act have been incorporated into proposed Title 22 changes.
- **QUESTION:** Mr. Eliason asks if DCD responded to Parks concern about access to public shoreline, application of impervious surface.
 - **ANSWER:** Mr. Ward confirms Part 2 of the public comment matrix addresses these comments.
- **QUESTION:** Mr. Eliason asks if significance in cost to builder on 40 vs. 60 % decking for landings been addressed.

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1 Examiner subject to appeal to the Shoreline Hearings Board; both
2 decisions must be sent to DOE for review/approval.

- 3 • Mr. Beam notes the difficult process, asks about flowchart/brochure.
- 4 • Ms. Silva acknowledges complexity; notes DCD encourages a staff
5 consultation at start of application process for guidance and
6 clarification; notes new Camino software is also being rolled out to
7 help make the customer process more friendly, will help guide
8 customers through the process in a ‘Turbo Tax’ style.

9 **6:22p**

- 10 • **QUESTION:** Mr. Eliason asks if any examples prompted proposed change to
11 define ‘qualified professional’ in submittal of Shoreline Mitigation plans, such
12 as customers submitting their own plans.
 - 13 • **ANSWER:** Mr. Ward confirms customers are currently allowed to
14 submit their own plans but are not necessarily qualified.
- 15 • **COMMENT:** Ms. Allen notes experience as a former Hearing Examiner for
16 Kitsap County; supports not including illustrations, charts in the code as it does
17 get very messy; agrees differences between shoreline permits are very
18 complex, with multiple local, state, federal layers; believes this is a good DCD
19 effort to try and simplify the process.

20 **6:27 pm**

- 21 • **COMMENT:** Mr. Eliason appreciates Watershed’s impressive work, and staff’s
22 balanced approach at workable language pulling together comments in a very
23 short period.
- 24 • Mr. Ward notes the three categories of staff responses to public comments are
25 change recommended, change not recommended and change noted; with
26 change noted meaning middle ground, acknowledging strong points and
27 support in spirit but hand ties by code or other constraints.
- 28 • **QUESTION:** Ms. Smith notes on change noted was in Item 9 in the public
29 comment matrix, the request to add acknowledgment of Tribal Lands and
30 Treaty rights, was pleased to see participation from 3 tribes; asks if there is a
31 place in Title 22 to include this since staff comment is that Kitsap does fully
32 recognize and support this.
 - 33 • **ANSWER:** Mr. Ward notes this is an example where whether we write
34 it in the code it does not make a difference, because the treaty
35 language supersedes all code.
- 36 • **QUESTION:** Mr. Beam asks if a response will be provided to each commenter
37 on what our response is and why beyond what is in the matrix.

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7:07 pm

- Ms. Silva suggests a quick review of Part 2 of the comment matrix, to acquaint everyone with what the most recent information looks like where to find it.
- Ms. Mesebeluu-Yobech opens the visual presentation of the public comment matrix and begins to review changes.
- Mr. Murphy, and several other Planning Commissioners would prefer time to review the newest comments on their own before discussion at the next deliberations; Chair Maule concurs.
- Ms. Smith and Chair Maule thanks staff for their effort and time.

7:07 pm

H. For the Good of the Order/Commissioner Comments

- Mr. Murphy ask, and Mr. Ward confirms, the Site Specific Application period is typically open during the Comp Plan Amendment, however, this year the BoCC declined the option to consider amendments this year due to staff workload, COVID-19 impact, etc.
 - Mr. Murphy asks, and Mr. Ward confirms, the PC will be notified when the next cycle for Site Specific Applications will open.
- Mr. Eliason notes Mr. Beam asked previously about adding discussion of the Public Participation Workgroup recommendation to a future agenda; noting Chair Phillips expressed discomfort without full consent. Asks PC for opinion.
- Mr. Murphy is agreeable to adding the topic to a future light agenda; Chair Maule will forward the request.
- **MOTION: Mr. Eliason moves to adjourn the meeting.**
- **SECOND: Mr. Murphy**
 - **VOTE: 7 in Favor; 0 Opposed – Motion Carries**

Time of Adjournment: 7:30 pm

Minutes approved this 20th day of April 2021.



Joe Phillips, Planning Commission Chair



Amanda Walston, Planning Commission Clerk