

KITSAP COUNTY PLANNING COMMISSION

Zoom Webinar

Dial In: 253-215-8782

Webinar ID: 833 0933 5775

Passcode: 251543

June 6, 2023 @ 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, timestamps are provided below).

Planning Commission (PC) Members present: Joe Phillips (Chair), Alan Beam, Richard Shattuck, Jonathan Tudan, Aaron Murphy, Kari Kaltenborn-Corey, Stacey Smith, Joey Soller, Steven Boe
Department of Community Development (DCD) Staff present: Brittany Colberg, Jenny Kreifels, Katharine Shaffer, Amanda Walston (Clerk)

5:30 pm

A. Introductions

B. Virtual Meeting Protocol

C. Adoption of Agenda

- **Adopted by unanimous consent**

D. Adoption of Minutes

- Minutes of 04/04/23 & 04/18/2023 – continued to next regular meeting

5:32 pm

E. General Public Comment

- **Chair Phillips opens the floor** to speakers wishing to provide testimony.
- **Chair Phillips** calls again for speakers; as there are no other speakers; **closes the floor to general speakers.**

F. Work Study: Lawrence Open Space Application #23-01029 – Jenny Kreifels, Department of Community Development (DCD) Planner (approx. 30 min)

- Ms. Kreifels provides a brief overview of the Open application, referencing a visual presentation; noting the materials provided for this meeting.
- Ms. Kreifels reviews Zoning, Critical Areas, Site Map showing the highlighted Single Family Residence (SFR) which will remain for residential Use and the Aerial photos; reviews eligibility and code requirements for the Open Space Program and designation for this project include 2 High and 1 low priority

1 resources; property tax shift would decrease, based on land use value
2 reduction; shares site photos; calls for questions.

- 3 • **QUESTION:** Richard Shattuck asks for clarification on what this means in the
4 broader strategic plan for this; if this area fits a 50% reduction, would this open
5 the options to anyone with horses, stalls and arena; is this something that
6 should qualify.

7 • **ANSWER:** Ms. Kreifels notes if they meet the criteria that meets the
8 code, and can meet the resource requirements, which this application
9 does, it qualified.

10 • Mr. Shattuck asks if the agricultural farming use cited is related to
11 horse ownership.

12 • Ms. Kreifels notes the applicant has historically been preserving the
13 property in the same way; which is one of the open space designation
14 criteria in code; other code criteria may apply; but this property must
15 be maintained in its current preservation

16 • Mr. Shattuck asks if the PC has approved this kind of open space app
17 in relation to agricultural or farmland before.

18 • Ms. Kreifels notes she has seen a few examples, thought there are
19 more of the designated forest land classifications, more common to
20 have these with treed properties; but agricultural farmland have been
21 processed and approved in the past.

- 22 • **QUESTION:** Joey Soller notes, in the Open Space plan, chapter 18.12, discusses
23 Eligible Land, it notes that there shall be no livestock for open space; asks if
24 this application pulls from Agricultural code.

25 • **ANSWER:** Ms. Kreifels notes there is an exception that is found later
26 in the code, that specifies allowance for livestock

27 • Katharine Shaffer, DCD Planning Supervisor, notes another type of
28 Open Space is for designated Critical Areas, which states for 5 acres,
29 you can put 4 acres into Open Space, and that is the classification that
30 would not want to allow or include livestock.

31 • Ms. Soller asks if the calculation a Paper Acre or a specific surveyed
32 and measured acre; indicating they could eventually change the site?

33 • Ms. Kreifels notes Kitsap County Code (KCC) does not require a
34 professional surveyor; this reduction just does not apply to 1 acre,
35 they may use it however they are permitted to use that SFR
36 allowance.

37 • Ms. Soller asks how this is monitored over a 10-year span, for
38 example.

- 1 • Ms. Shaffer notes there is some monitoring action by the Assessor’s
2 office, as the Open Space process is an action of the Assessor;
3 believes it is similar to a parcel and visual search; parcels are flagged
4 with different designations and any violations found would result in
5 paying back taxes for any years they received the reduction.
- 6 • Mr. Shattuck notes concern on 2 conditions for the applicant; #4 states no
7 motorized vehicles, which would be difficult to operate a farm facility without
8 a truck or vehicle for cleaning stalls; #5 requires no clearing, but this is a
9 pasture and might need to clear some growth that may come up.
- 10 • **QUESTION/ANSWER:** Kari Kaltenborn-Corey asks, and Ms. Kreifels confirms,
11 there is an existing process for both the applicant and for the assessor to
12 initiate a reversal to remove the Open Space designation; KCC 18.12.070 and
13 18.12.100 regarding these processes which can include penalty, a written
14 notice to the owner that the land no longer qualifies and tax, interest and
15 penalties are applied following a allows a 30-day determination; if something
16 did happen on this property that is specified or required not to be occurring,
17 there would be a code enforcement action initiated that would coordinate
18 with the Assessor’s office

19 **5:51 pm**

20 **G. Public Hearing: Lawrence Open Space Application #23-01029 – Jenny Kreifels, DCD**
21 **Planner (approx. 30 min)**

- 22 • **Chair Phillips opens the floor and Public Hearing** to speakers wishing to
23 provide testimony.
- 24 • **SPEAKER: Dave Lawrence, Applicant**
- 25 • Mr. Lawrence notes, regarding motorized vehicles on the property; the way he
26 read it is they don’t want the open space cleared and a motor vehicle track put
27 in that could have that effect; just transition to maintain he property which
28 leads into the 2nd question asked regarding clearing and maintaining
29 vegetation; he would assume it is okay to clear blackberries or noxious weeds
30 like scotch broom, etc. in to maintain the Open space.
- 31 • Ms. Shaffer notes typically for farm Open Space we state non-
32 motorized vehicles with the exception for farming activities.
- 33 • Chair Phillips agrees that would help clear up questions.
- 34 • **Chair Phillips** calls again for speakers; as there are no other speakers; **closes**
35 **the floor and Public Hearing to speakers.**

36 **5:56 pm**

37 **H. Deliberations & Recommendation: Lawrence Open Space Application #23-01029 –**
38 **Jenny Kreifels, DCD Planner (approx. 30 min)**

- 1 • **MOTION: Richard Shattuck moves to recommend approval** of the Lawrence
2 Open Space Application #23-01029, as presented by Staff
- 3 • **SECOND**
- 4 • Stacey Smith appreciates this application and process as a longtime
5 member of the equine community; supports the application and
6 believes it is a wonderful program and is glad Kitsap County provide
7 for this kind of opportunity; appreciates staff’s work and time spent
8 to answer questions
- 9 • **MOTION:** Alan Beam moves to amend the motion by adding to the
10 last line of Condition 4 ‘except to allow farm equipment’
- 11 • **SECOND**
- 12 • **VOTE (on the Amendment): Unanimous in Favor; Motion**
13 **Carries**
- 14 • **VOTE (on the Main Motion): Unanimous in Favor; Motion Carries**
- 15 • **MOTION:** Richard Shattuck moves to consider the Findings of Fact as
16 presented by Staff, at tonight’s meeting.
- 17 • **SECOND**
- 18 • **VOTE: Unanimous in Favor; Motion Carries**
- 19 • **MOTION:** Richard Shattuck moves to approve the Findings of Fact as presented
20 by staff and amended by the Planning Commission.
- 21 • **SECOND**
- 22 • **MOTION:** Richard Shattuck moves to amend the Findings, under
23 Condition 4 in the second sentence, to insert ‘is farm and agricultural
24 land’ between ‘Properties qualifying for Open Space Land must be
25 any area which,’ and ‘would conserve or enhance natural or scenic
26 resources;’
- 27 • **VOTE (on the Amendment): Unanimous in Favor; Opposed –**
28 **Motion Carries**
- 29 • **VOTE (on the Main Motion): Unanimous in Favor; Motion Carries**

30 **6:08 pm**

31 **I. General Public Comment**

- 32 • **Chair Phillips opens the floor** to speakers wishing to provide testimony.
- 33 • **SPEAKER: Bill Palmer, Resident & Kitsap Alliance of Property Owners (KAPO)**
34 **President**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

- Mr. Palmer asks if there will be any additional meetings this month or following regarding the Critical Areas or Comprehensive Plan.
- Chair Phillips confirms there are currently no agenda items for 6/20/23 meeting, so next meeting will likely be 7/18/23; Clerk notes staff has tentatively requested a briefing on the Critical Areas Ordinance for the 7/18/23 meeting.

- **Chair Phillips** calls again for speakers; as there are no other speakers; **closes the floor to general speakers.**

6:10 pm

J. For the Good of the Order/Commissioner Comments

- Steven Boe, Aaron Murphy, Joey Soller express appreciation of Clerk’s assistance and education, especially related to Robert’s Rules of Order.
- Mr. Murphy asks how the lack of scheduled items on Comp Plan and CAO impacts public comment periods, timelines and sequencing allowed.
 - Chair Phillips agrees and will be requesting DCD present at least an update on the Comp Plan and progress, as participation in previous Comp Plan updates required a heavy lift in a very short timeframe.
 - Mr. Murphy acknowledges both sides of the situation, which is if the items are not ready for presentation, they aren’t ready; however, many of our public comments are complaints about lack of opportunity to be part of the project; aside from encouraging people to show up for these meetings, how and when should the concern be raised.

Meeting adjourned by unanimous consent.

Time of Adjournment: 6:14 pm

Minutes approved this 18th day of July 2023.



Joe Phillips, Planning Commission Chair



Amanda Walston, Planning Commission Clerk