

Kitsap County Planning Commission Minutes – August 29, 2017

**KITSAP COUNTY PLANNING COMMISSION
Administration Building – Commissioner’s Chambers
August 29, 2017 @ 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: Robert Baglio (Chair), Aaron Murphy, Tom Nevins, Joe Phillips, Richard Shattuck

Members absent: Gina Buskirk, Karanne Gonzalez-Harless, Spencer Stegmann, Jim Svensson

Staff present: Peter Best, Jim Bolger, Darren Gurnee, David Lynam, Chris May, Dave Ward, Liz Williams, Amanda Walston

05:30:02

A. Call Meeting to Order

B. Agenda accepted as presented.

- **Motion: Joe moves to adopt agenda as presented.**
 - **Second: Aaron Murphy**
 - **Vote: 5 in favor; 0 opposed – motion carries.**

- **Motion: Tom Nevins moves to accept the minutes as written.**
 - **Second: Joe Phillips**
 - **Vote: 5 in favor; 0 opposed – motion carries.**

05: 32:01

C. Public Hearing: Amending the Stormwater Management Program Rate Structure – Chris May, Public Works

- **Mr. May summarizes proposed amendments, as presented at 08/22/17 Work Study.**
- **Question/Discussion: Is there a planned increase in rates after the update?**
 - **Increases happen on the 5-year permit cycle; next one will be 2019 – 2023.**

05:36:25

- **Public Testimony:**
- **Michael Gustavson: Wishes to speak regarding Title 2 modifications.**
 - **Robert Baglio clarifies the Public Hearing is open to testimony relating to the Stormwater Rate Structure. The Title 2 agenda item will be a briefing only.**

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05:37:21

D. Deliberation: Amending the Stormwater Management Program Rate Structure – Chris May, Public Works

- **Question/Discussion:**
- Section 6, Item D, concerning parcels owned/leased by public school districts, what is the criteria to qualify for the discounts?
 - School district works directly with Public Works, to demonstrate how the curriculum covers specific criteria and documentation. This is available for review but will not be included in the Code.
- Amendment does not change the program. It removes specific rate-related language.

5:42:43

- **Motion: Joe Phillips moves to approve the Amendment to Title 12.40, Stormwater Management Program Rate Structure, as presented by Staff.**
 - **Second: Aaron Murphy**
- **Discussion:**
 - Tom Nevins refers to the posted Findings of Fact, notes an included reference to Title 15.
 - Amanda Walston, Clerk of the Planning Commission, clarifies the document has been corrected and Chair Baglio has been provided a revised version.
- **Vote: 5 in favor; 0 opposed – motion carries.**

5:45:15

E. Findings of Fact: Amending the Stormwater Management Program Rate Structure

- Jim Bolger notes that typically, when a recommendation is passed for Board consideration, the Findings of Fact are as adopted with revisions.
- **Motion: Richard Shattuck moves to adopt the Findings of Fact as presented.**
 - **Second: Joe Phillips**
- **Vote: 5 in favor; 0 opposed – motion carries.**

05:47:20

F. Briefing: Modifications to Title 14 and Title 2 – David Lynam, DCD

- **Mr. Lynam provides background and information on updating Title 14, which relates to Building and Fire Code.**
 - State Legislature adopts an update every 3 years; Kitsap County did not do so in 2015 and are overdue for basic clean up. Mainly revised formatting.
 - Additional specific questions or comments can be sent to Mr. Lynam.

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05:48:20

- **Mr. Lynam provides background and information on updating Title 2.116, which refers to our Civil Enforcement Code, with authority granted to the County by State Legislature in RCW 7.80.**
 - Most of our enforcement deals with Civil Infractions. Proposed changes and revisions are mainly to clean up outdated references.
 - Update to state DCD will write Civil Citations in accordance with State Law.
 - Grant enforcement authority to the Director of Public Works for applicable portions, as opposed to only DCD.
 - Additional specific questions or comments can be sent to Mr. Lynam.

05:40:15

- **Question/Discussion:** Aaron Murphy asks if Section 9 in the draft matrix should reference changes from 2012 or 2015.
 - Mr. Lynam clarifies that the changes from 2012 should be carried forward.
- **Question/Discussion:** Richard Shattuck asks about the Hearing Examiner’s role in relation to Title 2, regarding civil infractions.
 - Mr. Lynam clarifies that Title 2 requires a District Court finding that an infraction has been committed.
 - DCD previously proposed taking civil infractions directly to the Hearing Examiner, but the Board of County Commissioners (BoCC) tabled discussion.
 - The Planning Commission may choose to re-visit this option in the future.
- **Aaron Murphy requests and Mr. Lynam provides his direct contact information.**
- **Mr. Lynam notes that his duties now include Fire Marshall and Certified Building Official, as well as acting Assistant Director, with the departure of Jeff Rowe.**

5:52:52

- **Question/Discussion:** Robert Baglio asks and Mr. Lynam clarifies that in Title 2, Section 3 is largely removed, Sections 4 – 15 are repealed and Section 16 is retained.
 - Section 3 specifies which sections of law, the authorized officials must use when enforcing civil infractions.

5:54:15

- **Point of Order:** Joe Phillips questions whether it is appropriate to directly contact individual DCD Staff?
 - Mr. Bolger clarifies that as the proposed modifications to Title 14 and 2 are not official matters before the Planning Commission. As these are not actionable items, it is proper conduct to contact Mr. Lynam directly with questions or comments.

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- **Question/Discussion:** Richard Shattuck asks if cost was a concern in the BoCC decision not to bring Civil Infractions directly before the Hearing Examiner. Mr. Lynam believes it was a matter of timing, to be re-visited at a later date.
- **Question/Discussion:** Robert Baglio asks and Mr. Lynam clarifies that Titles 14 and 2, will go before the BoCC for public comment. Members of the Planning Commission who wish to provide input are encouraged to contact Mr. Lynam, and may also appear and comment through the BoCC hearing process.

5:57:02

- **Mr. Bolger introduces DCD Long Range Planning Staff, including some recently hired positions that replace transfers/movement in DCD.**
 - Dave Ward, Manager of Planning and Environmental Programs, former Engineer in DCD Development Services.
 - Liz Williams, Long Range Planner, recently hired.
 - Peter Best, Long Range Planner, recently hired.
 - Darren Gurnee, Long Range Planner.
- **Mr. Bolger announces that Jeff Rowe has accepted a position as the new Chief Building Official at Peirce County. His last day in the office with DCD was 8/25/17.**

06:02:52

G. Good of the Order:

- **Question/Discussion:** Tom Nevins asks if the next meeting’s single agenda item, an Open Space Application, can be combined/moved to another meeting for best use of resources.
- Mr. Bolger will consult with the Assessor and Staff in impact of rescheduling.

Time of Adjournment: 06:05:08

Minutes approved this 5 day of Sept 2017.

Gina BUSKIRK _____
Robert Baglio _____
Robert Baglio, Planning Commission Chair
Vice

Amanda Walston, Planning Commission Clerk