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KITSAP COUNTY PLANNING COMMISSION

Dial In: 253-215-8782 Webinar ID: 824 9659 0743 Passcode: 347111

January 16, 2024 @ 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), Aaron Murphy, Alan Beam, Stacey Smith, Steven Boe, Richard Shattuck, Jonathan Tudan, Kari Kaltenborn

Planning Commission Members absent: Joey Soller

Department of Community Development (DCD) Staff present: Colin Poff, Carla Lundgren, Caitlin Schlatter, Amanda Walston (Clerk)

5:30 pm

- A. Introductions**
- B. Virtual Meeting Protocol**
- C. Adoption of Agenda**
 - **Agenda adopted by Unanimous consent**
- D. 2024 Elections**
 - Chair Phillips reviews voting process.
 - **Chair Phillips calls for nominations for Chair**
 - **NOMINATION: Richard Shattuck nominates Joe Phillips as Chair of the 2024 Planning Commission.**
 - **SECOND**
 - **Joe Phillips accepts**
 - Chair Phillips calls for any additional nominations; hearing none, calls the Vote.
 - **VOTE – Unanimous IN FAVOR OF Electing Joe Phillips as Chair of the 2024 Planning Commission.**
 - **CONFIRMED: Joe Phillips is elected Chair of the 2024 Planning Commission.**
 - **Chair Phillips calls for nominations for Vice Chair**
 - Nominations for Richard Shattuck and Stacey Smith are declined.

- 1 • **NOMINATION: Joe Phillips nominates Alan Beam as Vice Chair of the 2024**
- 2 **Planning Commission.**
- 3 • **SECOND**
- 4 • **Alan Beam accepts.**
- 5 • Chair Phillips calls for any additional nominations; hearing none, calls the Vote.
- 6 • **VOTE – UNANIMOUS IN FAVOR OF Electing Alan Beam as Vice Chair**
- 7 **of the 2024 Planning Commission:**
- 8 • **CONFIRMED: Alan Beam is elected Vice Chair of the 2024 Planning**
- 9 **Commission.**

10 **E. Adoption of Minutes**

- 11 • **9/5/2023**
- 12 • **MOTION: Chair Phillips moves to approve agenda as presented by staff**
- 13 • **SECOND**
- 14 • **VOTE: Unanimous in Favor – Motion Carries**
- 15 • **9/19/2023**
- 16 • **MOTION: Hearing no objections moves to approve agenda as presented by**
- 17 **staff**
- 18 • **SECOND**
- 19 • **VOTE: 6 in Favor – Motion Carries**
- 20 • **10/3/2023**
- 21 • **MOTION: Chair Phillips moves to approve agenda as presented by staff**
- 22 • **SECOND**
- 23 • **VOTE: 7 in Favor – Motion Carries**
- 24 • **10/17/2023, 11/21/2023, 01/02/2024 minutes postponed to next reg mtg.**

25 **5:41 pm**

26 **F. General Public Comment**

- 27 • **Chair Phillips opens the floor to speakers wishing to provide testimony.**
- 28 • **SPEAKER: Michael Gustavson, South Kitsap, in person**
- 29 • **Comments regarding supply and demand; income and rent**
- 30 **affordability; increased buffers; Growth Management Act (GMA);**
- 31 **maps, Urban Growth Areas (UGAs); homelessness.**
- 32 • **SPEAKER: Doug Hayman**

- 1 • Comments regarding growth; developed land; Critical Areas
2 Ordinance (CAO) workgroup; tree retention; waterways; balance of
3 natural resources and development.

4 • **SPEAKER: Lisa Hurt**

- 5 • Comments regarding CAO goals; preservation and reasonable
6 regulation; buffer reductions; compliance and enforcement of
7 violations of environmental code.

8 • **SPEAKER: Bill Palmer, South Kitsap Resident, President and speaking on**
9 **behalf of Kitsap Alliance of Property Owners (KAPO)**

- 10 • Comments regarding opposition to riparian zones and buffers; loss of
11 development opportunities; Department of Community Development
12 (DCD) hearing process; CAO and natural resource requirements.

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

15 **5:55 pm**

16 **G. Briefing: Countywide Planning Policies (CPPs) Housing Allocation Amendment – Colin**
17 **Poff, Department of Community Development (DCD) Planning Supervisor (15 min)**

- 18 • Mr. Poff briefly reviews the item, noting presentation back in December on
19 housing allocations for CPPs and their relation to comp plan update; notes
20 growth targets for population and employment approved by Puget Sound
21 Regional Council (PSRC) in June of 2023 are updated here in Appendix F; the
22 CPPs inform the Comprehensive Plan (Comp Plan) and Land Capacity Analysis
23 (LCA) and procedures call for Board of County Commissioners (BoCC) adoption
24 as well; no new info to present but asking for questions, comments from PC so
25 they can be anticipated in advance of the upcoming Public Hearing,
26 Deliberations and Recommendations, scheduled for the 02/062024 PC regular
27 meeting.

28 **6:00pm**

29 **H. Briefing: 2024 Critical Areas Ordinance Update – Carla Lundgren, DCD Planner**
30 **(approx. 60 min)**

- 31 • Ms. Lundgren gives brief overview; referencing visual presentation; noting
32 update on 2023 achievements and next steps toward completion of project in
33 2024; noting Best Available Science (BAS) and Gap Analysis will be used to
34 update CAO to provide environmental protection, promote safety in Critical
35 Areas, increase predictability and consistency in review for staff, applicants and
36 citizens.

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- Ms. Lundgren notes project timeline, public outreach efforts including bi-weekly meetings with the Tribes, community consultations, in-person community events, public participation meeting, presentations to Citizen Advisory Council (CAC) groups; also notes workgroup meetings consisting of Standing Members and Technical experts from State Agencies split into 5 groups, each meeting twice for three hours to focus on their areas of expertise for thorough discussion of BAS summary and Gap Analysis report and written summaries of the meetings provided on the CAO project webpage.
- Ms. Lundgren reviews the technical development phase of the project where required and recommended changes as well a discretionary staff-suggested changes were identified; collaboration with neighboring jurisdictions and ongoing review and work with consultant DCG Watershed continued toward preparing proposed draft documents; notes project timeline and progress throughout 2023.
- Ms. Lundgren continues to review the project, noting a major topic includes transitioning stream typing and related buffers, identifying as riparian management zones rather than buffers and using a new tree height mapping tool; there are some challenges already, as it a new recommendation and only 1 other jurisdiction is currently using the new tool; Department of Fish and Wildlife (DFW) also provided a technical memo with criteria and guidance but we are still requesting additional guidance and materials as they become available; other topics include Department of Ecology (DOE) guidance on wetland buffer conditions and removal of buffer reduction options, specifically administrative reductions; critical aquifer recharge areas; other data considerations for mapping to protect Frequently Flooded Areas (FFAs); risk of salt seawater intrusion; potential code changes to wetlands 19.200 such as minimization and mitigation compliance.
- Ms. Lundgren continues to review project progress, including BoCC briefing to date; next steps for 2024 leading to targeted July adoption with focus on April and May for draft document release and public participation process.
- **COMMENT:** Mr. Shattuck appreciated the technical memo and the invitation to attend the working group related to the mapping tool; he attended and notes the mapping tool had a bad showing and did not seem ready to go which; also notes Clark County already had trouble with taking of properties based on the new buffer proposals; a reasonable use exception might be required with the amount of property that could be taken out of usable areas.

6:18 pm

- 1 • **QUESTION:** Mr. Beam asks if anyone has measured what has been done to
2 date for the current CAO and what is or isn't working the past 8 years it has
3 been in effect; also, what are we trying to protect.
- 4 • **ANSWER:** Ms. Lundgren notes County is still seeking answers from
5 DFW. Colin Poff, DCD Planning Supervisor, notes additional analysis
6 will be needed through the Environmental Impact Statement (EIS)
7 and can help answer questions and identify changes, what is working
8 between last update and new data, science, monitoring plans; also,
9 this guidance from DFW is for full riparian protection and that is
10 looking at water quality, habitat preservation, shade and riparian
11 functions, stream health, other factors
- 12 • **QUESTION:** Aaron Murphy asks about potential cost of protection and what we
13 are legally required to do.
- 14 • **ANSWER:** Ms. Lundgre notes the GMA requires following BAS to
15 protect the environment and habitat in these areas.
- 16 • Mr. Shattuck suggests if another workgroup meeting is held on
17 riparian zones, it should be forwarded to the PC, as it was a good
18 meeting.

19 **I. General Public Comment**

- 20 • **Chair Phillips opens the floor** to speakers wishing to provide testimony.
- 21 • **SPEAKER: Bill Palmer, SK Resident, President KAPO**
 - 22 • Comments regarding CAO, BAS; required changes and goals; impacts
23 and costs of proposed changes to owners and developers.
- 24 • **SPEAKER: David Onstad, Port Orchard resident; Biologist, Scientist**
 - 25 • Comments regarding CAO policy statements; no-net-loss and net-gain
26 models; BAS; protection or endangerment of environment.
- 27 • **SPEAKER: Elizabeth Nichols, North Kitsap resident, Area nurse for 40 years**
 - 28 • Comments regarding BAS; support for upgrading Critical Areas;
29 human and ecological health relationship; protection of water
30 resources, wetlands; affordable housing; generational effect of
31 ecology in Kitsap; balanced PC perspective on environment and
32 development.
- 33 • **SPEAKER: Marla Powers, Port Gamble S'Klallam Tribe**
 - 34 • Comments regarding Kitsap County threatened and endangered
35 species lists; State law requirements and Tribal Treaty Rights related
36 to stream and other protections; attorney presentation to PC on legal

1 requirements and BAS and local adoption of code; net-ecological gain
2 reports from DFW; no-net-loss model and habitat management plans;
3 legacy lots; aggregate lots; open space areas

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

6 **6:44 pm**

7 **J. For the Good of the Order/Commissioner Comments**

- 8 • Mr. Beam and Mr. Murphy note large public presence and comments; thank
9 everyone for voicing opinions providing information for consideration in
10 making well-informed decisions; invite further public input from all sides.
11

12 **Meeting adjourned by unanimous consent.**

13 **Time of Adjournment: 6:46 pm**

14 **Minutes approved this** 26th **day of** March **2024.**

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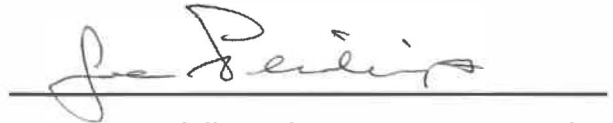
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Joe Phillips, Planning Commission Chair



Amanda Walston, Planning Commission Clerk