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KITSAP COUNTY PLANNING COMMISSION

Dial In: 253-215-8782 Webinar ID: 861 6187 6384 Passcode: 558503

June 4, 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, Joey Soller, Steven Boe, Jonathan Tudan, Stacey Smith, Richard Shattuck

Planning Commission Members absent: Kari Kaltenborn

Department of Community Development (DCD) Staff present: Kathlene Barnhart, Colin Poff, Samantha Collar, Amanda Walston (Clerk)

5:30 pm

- A. Introductions**
- B. Virtual Meeting Protocol**
- C. Adoption of Agenda**
 - Minutes of 3/26/24, 4/2/24, 4/16/24 & 5/21/24 – deferred to next regular meeting
 - **Agenda adopted by Unanimous Consent**
- D. Adoption of Minutes**
 - Minutes of 03/26/24, 04/02/24, 04/16/24, 05/21/24 deferred to next regular meeting
- E. General Public Comment**
 - **Chair Phillips opens the floor to speakers wishing to provide testimony.**
 - **SPEAKER: Bill Palmer, South Kitsap Resident, President KAPO**
 - Comment regarding Critical Area Ordinance (CAO) comment matrix; property rights; permitting process; restrictions.
 - **SPEAKER: Doug Hayman, North Kitsap Resident**
 - Appreciation for CAO work; comments regarding development, missing middle, homelessness, climate change, buffer reductions.
 - **SPEAKER: Dr. Thomas Doty, Poulsbo Resident**

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- Comments regarding wetlands; fish, amphibians, invertebrates, pollinators; plant nutrients, atmospheric and molecular nitrogen.
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- **SPEAKER: Beverly Parsons, Poulsbo Resident**
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- Comments regarding buffers, monitoring, Best Available Science (BAS) and Department of Ecology (DOE) recommendations; housing types; quality of life, ecosystems.
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- **Chair Phillips calls again for speakers; as there are no other speakers; closes the floor to general speakers**
- 7
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9 **F. Deliberations & Recommendations: 2024 Critical Areas Ordinance (CAO) Update –**
10 **Kathlene Barnhart DCD Senior Planner (approx. 90 min) Project Website:**
11 **kcowa.us/cao**

- 12
- Ms. Barnhart presents a brief overview of the project to date, as well as outline for process of working through deliberations tonight, noting materials provided.
- 13
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15 **5:44 pm**

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- Discussion regarding high interest by staff and public related to monitoring and tracking, to be continued as a policy level conversation; discussion regarding small legacy lots and reasonable use exception process; discussion regarding demonstration of reason and need for buffer changes; discussion regarding finding Endangered Species lists and habitat and conservation areas; discussion regarding riparian areas and tree height mapping; discussion regarding Type 'O' streams.
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23 **5:54 pm**

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- **Chair Phillips reviews Consideration by Paragraph process**
- **MOTION: To Consider by Paragraph and recommend adoption of changes to the 2024 Critical Areas Ordinance, as presented by staff and amended by the Planning Commission.**
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- **Adopted by Unanimous Consent**

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- Ms. Barnhart begins reviewing staff proposed changes based on response to public comments, beginning with section 19.100; discussion regarding definitions, including 'adaptive vegetation.'
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32 **6:09 pm**

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- **MOTION: Richard Shattuck moves to replace language in 19.100, 19.100.105.B. Policy 13, as follows: 'avoid potential conflict due to impacts from climate change by planning for and considering them during project development this may include but is not limited to impacts of sea level rise, storm frequency and wildfire.'**
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- **SECOND**

- **VOTE: Unanimous in Favor – Motion Carries**

- Ms. Barnhart continues review of changes proposed in section 19.100; discussion regarding mitigation sequencing, which should not apply to geohazards and Critical Aquifer Recharge Areas. (CARAs)

6:22 pm

- Ms. Barnhart continues review of changes proposed in section 19.150; discussion regarding definitions, including ‘No Net Loss ‘; discussion regarding a typo under 19.150.345 ‘ensure the most appropriate mitigation type and site’ the word ‘site’ will be corrected; discussion continues regarding definitions, including ‘habitat corridors.’

6:34 PM

- **MOTION: Richard Shattuck moves to strike the last sentence of the staff’s proposed change to the definition of ‘habitat corridor.’**

- **SECOND**

- **VOTE: Unanimous in Favor – Motion Carries**

- Ms. Barnhart continues review of changes proposed in section 19.150; discussion regarding staff correction to rescind the recommended change to no change, for Shoreline Stabilization.

6:40 pm

- Ms. Barnhart continues review of changes proposed in section 19.200; discussion regarding how ‘well planned’ is defined or qualified related to mitigation.

6:47 pm

- **MOTION: Richard Shattuck moves to strike the words ‘well planned’ from section 19.210.b.3.**

- **SECOND**

- **VOTE: Unanimous in Favor – Motion Carries**

- Ms. Barnhart continues review of changes proposed in section 19.200; discussion regarding specification of preferred growing season for performing wetland delineations.

6:57 pm

- **MOTION: Aaron Murphy moves to strike the staff recommended change in 19.200.215.b.2.**

- **SECOND**

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- **VOTE: Unanimous in Favor – Motion Carries**

- Ms. Barnhart continues review of changes proposed in section 19.200.

7:02 pm

BREAK

7:08 pm

- Ms. Barnhart clarifies that the proposed changes the PC and staff are walking through in the matrix tonight were prompted in response to the public comments received; these changes are in addition to the proposed changes submitted in the March 8th draft; Chair and PC concur.
- Ms. Barnhart continues review of changes proposed in section 19.200; discussion regarding clarification regarding buffer reduction and no net loss criteria.
- **Chair Phillips notes Deliberations are continued to the next regular meeting.**

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G. General Public Comment

- **Chair Phillips opens the floor** to speakers wishing to provide testimony.
- **SPEAKER: Dr. Thomas Doty, Poulsbo Resident**
 - Comments regarding wetland delineations; pesticide use in wetland buffers.
- **SPEAKER: Elizabeth Nichols, North Kitsap Resident**
 - Comments regarding seriousness of CAO decision; healthy land, water and wildlife, smart growth and quality of life in Kitsap; environmental protections.
- **SPEAKER: David Vliet, North Kitsap resident just outside Kingston UGA**
 - Comments regarding good efforts of staff and PC; critical areas and provision of fresh water; climate change; fresh water supply, rainwater and aquifers; critical area buffers.
- **Chair Phillips** calls again for speakers; as there are no other speakers; **closes the floor to general speakers.**

H. For the Good of the Order/Commissioner Comments

- Stacey Smith appreciates discussion and deeper dive into the CAO, and staff's patience and willingness during the discussion.
- Scott Diener, DCD Planning Manager, notes large volume of change and high turnover recently in DCD, including Director and Assistant Director; notes while


1 there has been some internal movement and promotions, currently 65% of
2 DCD staff is new y 18 months or less; notes other jurisdictions are also
3 experiencing these issues; highlights recruitment process.

- 4 • Mr. Diener notes DCD is also beginning to work through the impacts
5 of Senate Bill 5290 passing, related to state required permitting
6 timeframes for Type I, II & III decisions and penalties for not meeting
7 the specified time frames; changes go into effect January 1, 2025.
- 8 • Mr. Diener also notes several months ago, DCD launched a review
9 and evaluation of its permit processes which brought in process
10 efficiency expert, Kurt Latimore, with over 20 years of experience
11 working w/local jurisdictions, to work through current and future
12 state process mapping and develop recommendations on our
13 processes; report out to Board of County Commissioners (BoCC) was
14 presented yesterday; briefly describes some of the findings; will work
15 to get a presentation to the PC.
- 16 • Joey Soller expresses appreciation for public, staff and PC, notes importance of
17 CAO not just inland, but also impacts to coastal, marine, aquatic environments
18 and ecosystems.

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20 **Meeting adjourned by unanimous consent.**

21 **Time of Adjournment: 7:38 pm**

22 **Minutes approved this 2nd day of July 2024.**

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26 **Joe Phillips, Planning Commission Chair**

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Amanda Walston, Planning Commission Clerk