

**KITSAP COUNTY PLANNING COMMISSION**

**Zoom Webinar**

<https://us02web.zoom.us/j/83576756314>

**OR Dial In: (253) 215-8782 Webinar ID: 835 7675 6314 Passcode: 057871**

**October 26, 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).

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Planning Commission (PC) Members present: Joe Phillips (Chair), Alan Beam, Kari Kaltenborn-Corey, Mike Eliason, Stacey Smith, , Aaron Murphy; Danielle Douthett

PC Members not present: Steven Boe; Amy Maule (Vice Chair)

Department of Community Development (DCD) Staff present: Angie Silva, Darren Gurnee, David Kinley, Liz Williams, Melissa Shumake, Robyn Readwin (Clerk)

**5:30 pm**

**A. Introductions**

**B. Virtual Meeting Protocol**

**C. Adoption of Agenda**

- **Agenda previously adopted at the 10/19/2021 Planning Commission (PC) meeting, which was continued to 10/26/2021; this meeting is a continuation.**

**D. Adoption of Minutes**

- **MOTION:** Mike Eliason moves to adopt minutes of 9/21/2021 as presented.

- **SECOND:** Alan Beam

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

- **MOTION:** Kari Kaltenborn-Corey moves to adopt minutes of 10/5/21 as presented.

- **SECOND:** Mike Eliason

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

**E. General Public Comment**

- **Chair Phillips opens the floor** to speakers wishing to provide testimony.

- 1 • **SPEAKER:** Bill Palmer, South Kitsap resident, President of Kitsap Alliance of  
2 Property Owners (KAPO)
- 3 • Mr. Palmer comments regarding Title 15 Code Amendments and public  
4 participation.
- 5 • **Chair Phillips** calls for other speakers; seeing and hearing none, **closes the**  
6 **floor to general speakers.**

7 **5:40 pm**

8 **F. Work Study: Title 15 Flood Hazard Amendments – David Kinley, Department of**  
9 **Community Development (DCD) Assistant Director (approx. 30 min)**

- 10 • Mr. Kinley provides a brief overview of the project, while referencing a visual  
11 presentation; noting this item was not part of DCD’s scheduled Work Plan,  
12 however, DOE’s authority to require this RCW 86.16.031 and potential impacts  
13 Kitsap residents prompted action.
- 14 • Mr. Kinley notes the proposed amendments are required or recommended, by  
15 the Federal Emergency Management Agency (FEMA) and Department of  
16 Ecology (DOE); Community Assistance Visit (CAV) in April 2021 including  
17 interview and audit about flood plain permits from past 3 years, referenced in  
18 tonight’s meeting materials
- 19 • Mr. Kinley reviews mandated timelines, noting these changes are required in  
20 order to remain in compliance; the last CAV was in 2012, with a subsequent  
21 code change following in 2015.
- 22 • Mr. Kinley continues to preview proposed changes, some of which include  
23 adding a severability clause and definitions found in FEMA Standards; updating  
24 listed Definitions; including provisions for Flood Hazard Protection; updating or  
25 adding new sections; noting that all development within special flood hazard  
26 areas is subject to the terms of this ordinance and other applicable regulations.
- 27 • Mr. Kinley notes these proposed changes were also presented to the Kitsap  
28 Builders Association (KBA) and Department Advisory Group (DAG) and calls for  
29 questions.
- 30 • **QUESTION:** Mr. Beam asks where measurements for FEMA’s Base Flood  
31 Elevation (BFE) are found, and what happens if existing homes are below.
  - 32 • **ANSWER:** Mr. Kinley notes FEMA Maps list the BFE; most B zones are  
33 16 feet; zero is mean sea level; existing home would have to comply if  
34 they are remodeled or the value is increased by 50%.
- 35 • **QUESTION/ANSWER:** Chair Phillips asks, and Mr. Kinley confirms, if the lender  
36 requires National Flood Insurance Program coverage, it could affect their rates;  
37 there have been property owners who have disagreed and submitted a Letter

1 of Map Amendment (LOMA), and go through the map change process with  
2 FEMA.

3 • **QUESTION/ANSWER:** Mr. Beam asks, and Mr. Kinley confirms, he will provide  
4 a link of the published FEMA Map to the PC.

5 • **QUESTION/ANSWER:** Aaron Murphy asks, and Mr. Kinley confirms, Kitsap  
6 currently, and always has used FEMA layering maps.

7 • Mr. Murphy asks and Mr. Kinley reviews differences and definitions of  
8 Base flood determination and Substantially Impermeable definitions; .  
9 Used to a little discretion to be less stringent than to be absolute.

10 **G. Deliberations: Zoning Use Table Update – Melissa Shumake, DCD Planning and**  
11 **Environmental Programs (PEP) Planner (approx. 60 min)**

12 • Chair Phillips notes these Deliberations are a continuation from the 10/5/21  
13 meeting and the Main Motion to consider by paragraph and approve proposed  
14 changes to the Zoning Use Table as presented by staff and amended by the PC  
15 is still on the floor.

16 **6:20 pm**

17 **BREAK**

18 **6:25 pm**

19 • Liz Williams, DCD Interim PEP Manager, suggests staff will walk through  
20 sections, taking questions throughout.

21 • Ms. Shumake provides a brief review of the project including timeline, and  
22 public participation; noting materials received by the Planning Commission  
23 tonight, including the public comment matrix.

24 • **QUESTION:** Mr. Beam asks about the propose of moving the Port Gamble  
25 Limited Area of More Intensive Rural Development (LAMIRD) to Appendix F.

26 • **ANSWER:** Ms. Williams notes special provisions for that chapter.

27 • Mr. Beam asks, and Ms. Williams confirms, Footnote #2 does remain  
28 in place; noting this is an oddity, as it applies to all uses.

29 • **Staff clarifies there are two comment matrix spreadsheets, one with**  
30 **comments prior to 10/5/21 and one prior to 10/14/21.**

31 • Ms. Shumake begins reviewing comments from the matrix; referencing the  
32 visual presentation on screen.

33 • **MOTION:** Aaron Murphy moves to accept the Department Proposed  
34 Recommendation for Comment Reference #1, as shown.

35 • **SECOND:** Mike Eliason

36 • **VOTE: Unanimous in Favor – Motion Carries**

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- **MOTION:** Aaron Murphy moves to accept the Department Proposed Recommendation/Revision for Comment Reference #3.
- **SECOND:** Alan Beam
  - **VOTE: Unanimous in Favor – Motion Carries**
- Mr. Eliason asks, and Staff clarifies Comment Reference #5 sent by Nick Bond, in his role as the Port Orchard Planning Director.
- **MOTION:** Aaron Murphy moves to accept the Proposed Revision for Comment Reference #5, as noted in the Comment Matrix Part 1.
- **SECOND:** Alan Beam
  - **VOTE: Unanimous in Favor – Motion Carries**
- **MOTION:** Stacey Smith moves to accept the Proposed Revision for Comment Reference #6, as noted in the Comment Matrix Part 1.
- **SECOND:** Alan Beam
- **DISCUSSION:**
  - Staff clarifies that the Department met with the Port of Kingston, confirmed their comment requests two changes, the first to add the definition of an Urban Port; the second to approve applying this definition to categorical uses 222 and 314 in the Urban Low Residential zones, which would change permit review requirements from Prohibited to Conditional Use Permit (CUP)
  - Department recommends approval of the definition, but not approving and changing the permit review level of these specified uses across the whole Urban Low zone, as they would only be allowed within an Urban Port; also confirms none of the Ports outside the Urban Growth Area (UGA) would qualify.
  - **VOTE: Unanimous in Favor – Motion Carries**
- **MOTION:** Alan Beam moves to authorize uses 222 and 214 to the urban port
- **SECOND:** None – Motion falls
- **QUESTION:** Ms. Kaltenborn-Corey asks, in relation to Comment Reference #9, would an Administrative CUP (ACUP) be noticed to surrounding neighbors.
  - **ANSWER:** Staff confirms the process and radius area for noticing is the same for ACUP or CUP.
- **MOTION:** Alan Beam moves to accept the Proposed Revision for Comment Reference #9, as noted in the Comment Matrix Part 1.

- 1 • **SECOND:** Stacey Smith
- 2 • **VOTE: Unanimous in Favor – Motion Carries**
- 3 • **MOTION:** Alan Beam moves to amend the Proposed Revision for Comment
- 4 Reference #11, as noted in the Comment Matrix Part 1, by replacing the word
- 5 'one' passenger vehicle capacity with 'a single' passenger vehicle capacity.
- 6 • **SECOND:** Stacey Smith
- 7 • **VOTE: Unanimous in Favor; 0 Opposed – Motion Carries**
- 8 • **MOTION:** Alan Beam move to accept the Proposed Revision for Comment
- 9 Reference #32, as noted in the Comment Matrix Part 1
- 10 • **SECOND:** Eliason
- 11 • **VOTE: Unanimous in Favor – Motion Carries**
- 12 **8:00 pm**
- 13 **BREAK**
- 14 **8:10pm**
- 15 • Staff continues review of comment matrix (Part 1) and proposed changes.
- 16 • **MOTION:** Aaron Murphy moves to accept the first Proposed Revision,
- 17 regarding hours of operation, for Comment Reference #42, as noted in the
- 18 Comment Matrix Part 1.
- 19 • **SECOND:** Alan Beam
- 20 • **DISCUSSION:**
- 21 • **QUESTION/ANSWER:** Mr. Beam asks, and Ms. Williams confirms, this would
- 22 apply to the Rural zone.
- 23 • **QUESTION/ANSWER:** Ms. Smith asks, and Staff confirms, the event end time
- 24 for was previously 9pm; also noting this is a new use intended for rural areas;
- 25 requested intent would allow 30 minutes from the end of an event for guests
- 26 to leave the property.
- 27 • **MOTION:** Danielle Douthett moves to amend the motion to replace the end
- 28 time of '8:30 pm' with '9:00 pm' in the Proposed Revision.
- 29 • **SECOND:** None – Motion falls
- 30 • **VOTE: Unanimous Opposed – Motion Fails**
- 31 • **MOTION:** Aaron Murphy moves to accept the second Proposed Revision,
- 32 regarding buffers, for Comment Reference #42, as noted in the Comment
- 33 Matrix Part 1.
- 34 • **SECOND:** Alan Beam

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- **VOTE: 6 in Favor; 1 Opposed – Motion Carries**
- **PC asks, and Ms. Williams confirms, the LAMIRD section is the last remaining individual section.**
- **MOTION:** Aaron Murphy moves to continue deliberations to a Special Meeting on 11/09/2021.
- **SECOND:** Mike Eliason
- **VOTE: Unanimous in favor – Motion Carries**

H. General Public Comment

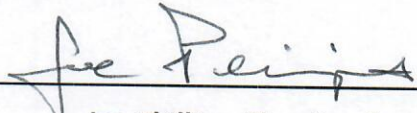
- **Chair Phillips** opens the floor to all for other speakers; seeing and hearing none, **closes the floor to general speakers.**

I. **For the Good of the Order/Commissioner Comments**

- Mr. Eliason appreciates every PC member’s participation in tonight’s deliberations and discussions.
- **MOTION:** Aaron Murphy moves to adjourn the meeting, with Deliberations on the Zoning Use Table to be continued at a Special Meeting, called on 11/09/2021.
- **SECOND:** Alan Beam
- **VOTE: Unanimous in Favor; 0 Opposed – Motion Carries**

**Time of Adjournment: 8:50 pm**

**Minutes approved this 16th day of November 2021.**

  
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**Joe Phillips, Planning Commission Chair**

  
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**Amanda Walston, Planning Commission Clerk**