

**City of Poulsbo
PLANNING COMMISSION**

Tuesday, April 24, 2012

MINUTES

MEMBERS PRESENT

Jim Coleman, Gordon Hanson, Bob Nordnes, Kate Nunes, Ray Stevens, James Thayer, Stephanie Wells

MEMBERS ABSENT

STAFF

Karla Boughton, Consultant, Alyse Nelson, Edie Berghoff

GUESTS

Joyce Dickison, Rick Haberly, Troy Okunami, Fred Grimm, Cindy Haberly, Barbara Whitford, Marilynn Sharpnack

1. CALL TO ORDER

Chairman Stevens called the meeting to order at 6:00 pm

2. FLAG SALUTE

3. COMMENTS FROM CITIZENS –

Cindy Haberly, Winesap Court in Poulsbo, raises and sells puppies. She has applied with state and city for appropriate permits. Renewal of city license for 2013 is dependent on clarification of city codes. A letter outlining the situation has been provided to the city. She has 3 female dogs on her property and would like to continue to raise puppies as a business. Her dogs are small breed, are housed indoors, and do not utilize kennels. She indicated understanding of why the city does not want dog breeders within city limits, however does not consider herself a breeder.

Barbara Whitford, spoke on behalf of Ms. Haberly having puppies for sale.

Rick Haberly, spoke on behalf of his spouse keeping the business of puppy raising.

Joyce Dickenson, lives in the neighborhood, and spoke in support of Ms. Haberly continuing business.

Marilynn Sharpnack, lives in the Applewood neighborhood, and spoke on behalf of Ms. Haberly continuing the puppy raising business.

Troy Okunami, Orthodontist in Poulsbo, spoke in support of Neighborhood Commercial zone in Poulsbo. His existing office near the school on Bainbridge Island works well for

patient access and is interested in building a site at Hostmark and Caldart near schools. He is concerned with the maximum 5,000 sf indicated for the commercial component of the Neighborhood Commercial designation. A typical orthodontist and dentist office is 6,300 sf. He is also concerned with the minimum lot size. He stated agreement with aesthetics as important and a building should fit into a neighborhood. In his area of interest is an existing 6,000+ sf dental office and 10,000 sf church. His request is for consideration of relative lot size to building size, not maximum building size is indicated in code. He believes setbacks, landscaping and aesthetic review will provide a better project.

Fred Grimm, owner of property at Hostmark and Caldart, spoke on behalf of placing dental offices near schools.

4. 2012 DRAFT ZONING ORDINANCE – Workshop and Discussion – Continued from March 14, 2012

Karla Boughton, Consultant, indicated the last meeting ended at the beginning of 18.70.070 Additional Standards and Provisions for the R zoning District, on page 66 of the draft, with staff presenting additional information on ADUs.

Ms. Boughton suggested that the two topics identified during citizen comments are relevant to the Additional Standards section being reviewed this evening and would benefit those in attendance to hear deliberation on those specific topics. The request for household pet breeding is not currently in the draft ordinance, neighborhood commercial is.

Discussion: Commissioners concurred to discuss the pet breeding and neighborhood commercial before the remainder of the residential section.

Discussion on household pet breeding commenced with 1) provisions applicable to pet breeding are in PMC Chapter 6 which indicates 5 cats or dogs and does not have provision for puppies or kittens, and Home Occupation Permit (HOP) in Chapter 18 refers to service oriented business not to retail sales; 2) in the specific case with not enough clarity in code, and recognizing the neighborhood support, Planning Department issued the HOP with a note that it would not be continued unless clarity is provided in code; 3) this particular case of puppy raising is similar to a hobby; 4) is it breeding if no male dog is on the premises; 5) more of an HOP and would need to address in the code; 6) concern of 'puppy mill' situation; 7) clarification of 5 adult dogs and cats; 8) specific case is inside house and no outdoor kennels are used; 9) city needs to look at big picture of potential dog raising where not all individuals as conscientious as this case; 10) HOP works for the specific puppy raising request; 11) 18.70.070 M and N (pg 75 of draft) covers the use; 12) kennels are outside the home, but not included in definitions; 13) Title 6 is the issue with lack of clarity; 14) current HOP excludes retail sales because of past experiences; 15) household puppy raising falls under 18.70.070 O. Household pets; 16) add paragraph to standards and refer to Title 6, HOP in Chapter 18, and not for a single litter of puppies, must be a business; 17) decide what we do not want to happen, no big dog raising and not in apartment or condo; 18) HOP standard #7 intent is to keep the residential aspect as primary use; 19) consensus for additional work to be done with the topic coming back for further review; and 20) consider comparable jurisdiction information.

18.70.070 Additional Standards and Provisions for R Zoning Districts, U. Neighborhood Commercial – 21) U. 3. location criteria is based on the corner store concept and classification of street considered for access on busier roads; 22) concentrate at corners then no separation concerns as if location allowed mid block; 23) a Conditional Use Permit (CUP) is required; 24) during Comprehensive Plan update, ‘corner store’ was a concept not a location specific indicator; 25) compatibility with neighborhood is reviewed in CUP; 26) is requirement of residential use on same site compatible with corner store use; 27) idea during Comprehensive Plan update was to get some walkable commercial services in residential areas; 28) driving should not be required; 29) U. 5. minimum lot size is not required when landscaping, parking, and the building will need to fit the lot; 30) overpowering the neighborhood is a concern; 31) side and rear of 10 feet seems small to neighborhood homes; 32) keeping residential on site provides merging of uses; 33) consider building sf scaled to lot size; 34) U. 2. sit down restaurant is larger use than bistro style; 35) size of surrounding area properties is shown in exhibit C of letter presented to PC by Dr. Okunami (Exhibit B); 36) in RL zone is apartment or house intended; 37) is density applicable to this use; 38) parking for commercial uses is concerning; 38) parking requirement is 25 spaces in current code for 5,000 sf building at 1 per 200 sf ; 39) consider criteria for setbacks greater than proposed adjacent to properties, maintain setbacks adjacent to streets; 40) landscaping is required in all setbacks and 6 ft high solid fence or wall also required in U. 5. d.; 41) parking proposed to be behind or on side of building in U. 5. f.; 42) neighbors with second story will lose some of the neighborhood feel; 43) U.6. requires that the on-site residential not be converted to commercial use; 44) intent is not to be live-work properties, but all rentable; 45) new and emerging business models have arisen partly from economy; 46) corner store is an experiment for Poulsbo; 47) is distance between establishments great enough for neighborhood commercial / corner store; 48) not intended to be a chain store; 49) market should drive the use and need; 50) 5. e. should this be limited to residential style construction; 51) standard building heights and sizes, or require residential style; 52) should additional setback and ‘step-back’ apply if structure exceeds 30 ft in height; 53) similar look and feel to surrounding neighborhood; and 54) noise restrictions are 7 am weekdays and are not proposed to change.

Commissioners determined by consensus that: a) corner lot should not be a requirement, however some separation and location control such as street type designation or distances will be necessary; b) minimum lot size of 20,000 sq ft as written; c) maximum 5,000 sf for the commercial use as written, considering that is also the maximum in RM and RH; and d) residential type architecture should be required. Commissioners did not come to a consensus to require residential use on the property with commercial use.

18.70.070 Additional Standards and Provisions for R Zoning Districts, A. Accessory Dwelling Units – Ms. Boughton began by reviewing information provided at the prior meeting, noting that in the past concomitant agreements were used to rezone to R2 for duplexes and ADUs, and that concomitant agreement properties which are now zoned RL are considered legal nonconforming. In 2001 the ADU provisions were established which limit the size and require a permit. The section is almost completely rewritten. In Poulsbo the Growth Management Act (GMA) idea that cities take population is implemented by a variety

of methods, such as infill; Planned Residential Development (PRD); and ADU. These methods address how to accommodate additional population in existing residential neighborhoods. Staff is interested in additional standards for ADUs as past experience has shown need for additional checks. Examples of ADUs are internal, detached and basement. A new section is included discussing existing but unpermitted duplexes, and is not applicable to the R2 duplexes. For all multiple unit properties, draft includes an amnesty program proposal for registration of properties and a life safety based building inspector visit, with no penalty or requirement to pay for a permit. Standards under 3 are new. Higher evidence of property owner living on property is required. Includes limit on number of individuals as the ADU does not increase density of the property. Architectural standards are included especially with doorways.

Commissioner discussion began with: 55) 1. c. garage conversion is acceptable; 56) must show provision for parking; and 57) number of duplexes processed during R2 zoning. Staff provided a map of duplexes based on County Assessor's information. The map does not identify duplexes as legal, legal nonconforming, or illegal. ADU's are not specifically tracked in assessor's information.

Discussion continued with: 58) no minimum lot size for ADU, however, minimum 10,000 sf lot required for a guest house; 59) smaller ADU permitted on smaller lots as in PRD development; 60) should minimum lot size for guest house be carried forward; 61) each lot in a subdivision development could have an ADU and each would require an ADU permit; 62) number of ADUs in neighborhood is self regulating based on construction const and need of owners; 63) manufactured homes are not considered ADUs; 64) if owner of ADU property wants to travel more than 6 months of the year there is an option to cancel the ADU registration; 65) ADU permit can be revoked if property owner not sustaining provisions of approval; 66) ADUs are not intended to be short term rentals, and must be rented a minimum number of days at a time; 67) intent of owner occupied property is to disallow developer to create duplexes for rental in single-family zone (RL) and owner occupy will minimize that potential; 68) better control of property with owner presence; 69) primary concern is someone on site who is responsible; 70) one of a variety of options to provide for density Poulosbo must plan for; 71) owner on site provides separation between duplex and ADU use; 72) some jurisdictions count ADU density at 0.5 of primary structure; 73) lot coverage and additional parking will limit number of ADUs; and 74) infill is minimum 5,000 sf lot with 45 percent lot coverage and AC permit required.

18.70.070 Additional Standards and Provisions for R Zoning Districts, B. Affordable Housing Incentives – 75) is this section needed; 76) this provision has been used once in Poulosbo at Mont Claire and discussion for use with applicant is typically for senior housing projects; 77) this section discussed affordable low-income housing; 78) does this limit the locations in the city where low-income individuals can live; 79) PRD provides for multiple lot sizes allowing for more moderate ownership costs; 80) PRD allows density bonus which utilizes this section; 81) Planned Unit Development to PRD switch in 2007 modified the density bonus provision providing for inclusion of the financially disadvantaged to live in neighborhoods with everyone else and not be segregated to one neighborhood; 82) low-income housing must be built with federal and state code, and the city reviews under

International Building Code (IBC); 83) require inclusion in the development not segregated; 84) require housed be of like scale, model, and style; 85) timing of construction of units is important; and 86) city is required to address low-income in GMA, the Comprehensive Plan states we will provide the tool, and the Zoning Ordinance is the tool.

18.70.070 Additional Standards and Provisions for R Zoning Districts, C. Bed and Breakfasts – 87) maximum 10 rooms based on use table, with less than 6 rooms being an AC permit, and a C permit required for 6 to 10 rooms; 88) more than 10 rooms is state standard for hotel/motel requiring fire suppression and other standards be met; and 89) definition of bedroom is found in building code.

18.70.070 Additional Standards and Provisions for R Zoning Districts, E. Clubs, Lodges, Places of Worship and similar uses – 90) this section is similar to standards in place now; 91) churches proposed in pre existing building should not be required to meet minimum lot size and setback requirements; 92) lot cover, landscaping, and parking are regulated; and 93) size is indicated in use table on page 54 of draft document.

18.70.070 Additional Standards and Provisions for R Zoning Districts, F. Cottage Housing – 94) private usable open space oriented toward common open space acts as visual open space; 95) private space may be fences as has been done in some cases in Poulsbo Place; 96) Snowberry also has private associated with public open space; 97) PRD used in RL as no minimum lot size is required for cottage housing; 98) covered front porch requirement is aesthetic; 99) façade must be addressed with compact development; 100) cottage height is maximum 30 ft with pitched roof required; 101) step-back is required for buildings 35 feet high; 102) intent of garage maximum size is to keep house and garage in scale; and 103) parking requirements are 2 spaces with one on site, and one in parking area for development.

18.70.070 Additional Standards and Provisions for R Zoning Districts, G. Commercial vehicles in residential districts – 104) construction pick-up type trucks can be more than 19 feet in length; and 105) state ferry charges begin at 22 feet.

18.70.070 Additional Standards and Provisions for R Zoning Districts, H. Confidential Shelters or Confidential Transition Homes – 106) permit is AC which allows for additional provisions on a case by case basis; and 107) public notice and hearing not being held maintain the ‘confidential’ use.

5. COMMENTS FROM CITIZENS -

Troy Okunami, Orthodontist in Poulsbo, stated he understands the 5,000 square feet building size is based on RM and RH, and understands not wanting an overpowering building in a neighborhood. Believes a building of the same size and mirroring the existing dental office across the street will not overpower adjacent homes. Mr. Okunami then addressed the requirement to look like a residential building, which will look like a larger two story home, questioned why require residential use on the property. There will also be setbacks and parking which will limit the size of the building. Would prefer to have the second floor dentist use, as patients do not always like locations where a passerby can view dental work

being done. Mr. Okunami concluded by thanking the Commission for discussing and providing thorough review of the topic.

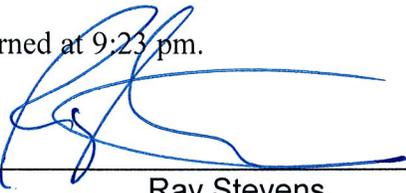
Commissioner Nordnes noted that the Commissioners are looking at the big picture for the City; however, the size of the building across the street is a good point. Note was made to bring the point back during workshop discussion.

6. COMMISSION COMMENTS –

Commissioner Hansen expressed concern with loss of focus on the meeting this evening because of two site specific items almost rising to the level of a mini land use hearing to modify the code for individuals purpose, and suggested limiting citizen comments to the general topics on the agenda.

Scheduled next meeting is on Tuesday, May 1, at 6:00 pm. Discussion will begin with 18.70.070 I. Detached Accessory Structures, page 74.

The meeting was adjourned at 9:23 pm.



Ray Stevens
Chairman, Poulsbo Planning Commission