

**City of Poulsbo
PLANNING COMMISSION**

Tuesday, September 27, 2011

MINUTES

MEMBERS PRESENT: Jim Coleman, Gordon Hanson, Kate Nunes, Ray Stevens, Stephanie Wells

MEMBERS ABSENT: Bob Nordnes, James Thayer

STAFF PRESENT: Keri Weaver, Edie Berghoff

GUESTS PRESENT: Kirk Stickels

1. CALL TO ORDER

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

2. FLAG SALUTE

3. MODIFICATIONS TO AGENDA - none

4. APPROVAL OF MINUTES - September 13, 2011

MOTION: Coleman/Nunes: Move the minutes be approved for Tuesday, September 23, 2011. 4 yes, 1 abstain, 2 absent

5. COMMENTS FROM CITIZENS –

Kirk Stickels, Port Manager, stated the Port of Poulsbo has submitted a comment letter on the SMP. If Commissioners have questions they may contact him.

6. SHORELINE MASTER PROGRAM UPDATE (Continued from September 13, 2011)

The Port's public comment will have a response from planning dept and both will be discussed at a following meeting.

Beginning on page 26, item C, Commissioners continued discussion with (1) determination of compatibility with surrounding uses will be determined by HE as marina is a Conditional Use Permit; (2) DNR will not give permission to have new covered slips at marinas; (3) liveaboards are limited to being located within a port or marina facility which includes the open water harbor area; (4) new liveaboards are not allowed on state lands; (5) if Port wants additional liveaboards a city permit must be applied for; (6) DNR will review the application to the city; (7) availability of sanitary sewer facilities, treatment, and pump-out; (8) these requirements are only for new development and redevelopment, existing liveaboards are not being retroactively reviewed; (9) if liveaboards are allowed, there must be regulations included in the SMP; (10) parking requirement is for each liveboard; (11) distance to parking is designated in zoning for new residential mix use on a commercial property downtown; (12) FAA controls landing zone and flight patterns over Liberty Bay; (13) Float planes are reviewed by the city if another runway, many more flights, moving existing or creating new mooring; (14) FAA would review city permit; (15) float plane also for new not existing; and (16) this is also a Conditional Use Permit.

Discussion continued with (17) covered moorage is of concern and should receive additional staff review; (18) water shading and species impact; (19) this is an urban area, and with mitigation perhaps new covered moorage could be allowed; (20) existing covered moorage may be repaired and maintained; (21) Port indicated in past plans to have swing mooring on DNR land; (22) DNR swing mooring is not impacted by SMP; (23) City SMP must mirror state requirements (laws); (24) Preserve water for general use of public; (25) state lands are public lands and liveboards are considered inappropriate by state; (26) intent is not to get rid of existing liveboard; (27) Ecology and DNR indicate liveboards are not appropriate; and (28) Total number of liveboards has been regulated since the 70's and is not proposed to change.

Commissioners then discussed (29) major and minor repair work discussed previously should be reflected in 16.08.260 (H); (30) prior discussion included definitions, and control of impacts while allowing people to do reasonable work on their boats; (31) enclosed building vs. exposed boat repair and maintenance facility; (32) Poulsbo needs to have a working bay; (33) haulouts for major cleaning, repair and maintenance are not in Poulsbo, yet there are regulations included which Poulsbo does not have the capacity to develop; (34) neighborhood compatibility for new facilities; (35) if city wants to allow boat repair, then must provide regulations; (36) parking space size for trailers noted for consistency with other parking regulations; (37) parking for shorter vehicles or smaller trailers for day use; (38) overnight parking at public day use areas; (39) long term or overnight parking; (40) demand analysis for parking; (41) privately owned boat launches in Puget Sound; and (42) tying area trail system with water 'trails' and uses.

Further items of discussion are (43) Commercial activities not conducted on vessels must have a shoreline permit or exemption; (44) big draw and potential parking demand for commercial activities in over water structures would not be reviewed as a building permit or land use review permit; (45) idea is not to regulate the individuals, rather the marina is responsible for a blanket permit for commercial uses within marina/port; (46) Commercial activity is not an individual visiting for simple boat repair; and (47) separate commercial based on amount of impacts such as parking, where the draw is from.

Discussion continued with (48) buoys are an issue for port; (49) if state permits a buoy for the port, that is not something the city will be reviewing; (50) buoy section refers back to the state; (51) should mitigation be allowed for a trail or boardwalk installation if riprap or hard armoring needed for stability; (52) no or limited parking should be in shoreline buffer unless justified; (53) ADA parking and ramps may be located in the shoreline buffer; (54) parking is a non water dependent use; (55) parking should be out of the shoreline zone per the WACs but looking to provide some parking for ADA, repair or delivery; (56) reasonable use determination includes parking for the use; and (57) goal is to limit the parking and drop off area within the buffer with longer term parking further away.

Continued discussion with part IV Design Requirements including (58) entrances along water side façade; (59) within the shoreline zone, want access to the water; (60) access to walk to or view the water from the building and door for access; (61) design section is consistent with design guidelines use in other sections of the Zoning Ordinance; (62) new development should be water oriented; (63) decks and patios are one option for outdoor enjoyment of the water; (64) regulations are shall statements, goals are should; (65) must provide regulations that address protection of aesthetics for new development; (66) regulations must be enforceable; (67) screening of service solid waste containers etc are from both public streets and views as well as views from the water; and (68) this design section is in addition to Zoning Ordinance;

Commissioners continued discussion with (69) definition of native plants are native to the region; (70) plus tides rise above OHWM will impact 15 feet wide replanting and restoration

area along the shoreline; (71) regulations to protect and restore vegetation along shorelines with provisions for vegetation conservation and restoration along shorelines; (72) restoration is required in the WAC; (73) draft section 16.08.330 is for other than single family residential; (74) This is in addition to the ZO; (75) intent is for undeveloped 15 feet strip along the shore; (76) trees are required on the shoreline by state requirements; (77) intent is not to remove existing established vegetation such as lawn, hedges planted and maintained to protect shoreline; (78) bonding of landscaping is required; (79) DNR requires 5 years and inspection for native vegetation along shore; (80) potential for mitigation fee where vegetation such as lawn and blackberries and/or laurel would do more harm than good to remove; (81) must have some regulations for native vegetation;

Discussion continued with (82) signage regulations are referred to the Zoning Ordinance; (83) neon, fluorescent, and flashing lights outside buildings, (84) moving and flashing signs are not allowed in code; (85) moving and flashing signs are not allowed in code; (86) lighting section is somewhat more restrictive in the shoreline zone; (87) not directing light to water; (88) public viewsheds and public view corridors is the entire shoreline but not the entire shoreline zone; (89) example is fjord is protected on water side; (90) definition of viewshed is gross area and view corridor is an area through the viewshed; (91) not looking to regulate private view; (92) viewshed is potential location where the city will have the right to establish the view corridor; (93) native plantings along the shoreline may conflict with the view corridor; (94) view corridors may be required when properties of 1 ac or more are developed if there is the ability to include the view corridor; (95) a subdivision may have requirement of view corridor where enlarging a single family home a view corridor is not required; (96) roads identified in viewshed designation are impacted only within the shoreline zone; (97) if public access is developed there are standards for development of it; (98) concern that liability is an issue; (99) City Attorney has indicated that state law has liability exemption for government requiring public access across private property; and (100) access signage is not aesthetically pleasing however it helps with enforcement.

Commissioners closed discussion with (101) modification of shoreline is required to go through DNR, Army Corp and Fisheries with city regulations being an additional layer; additional requirements are included based on WAC 173-26-231(3)(a)(iii) (A) through (F); matrix is required by the state as a summary of regulations in the SMP document; (102) and dredging must be included if it is to be allowed; and (103) if the SMP is silent on an issue that means it is not allowed. Commissioners determined to begin next week reviewing Part V Shoreline Modifications at the next meeting.

MOTION: Wells/Coleman: Move to conclude meeting here and resume October 4th at 6:00 pm on page 41 part V. 5 yes, 2 absent

7. **COMMENTS FROM CITIZENS** – none

8. **COMMISSIONER COMMENTS** –

Would request Kitsap Transit not have the ability to change lights on the state highways.

The meeting was adjourned at 9:03 pm

Ray Stevens
Chair, Poulsbo Planning Commission