

**City of Poulsbo
PLANNING COMMISSION**

Tuesday, May 8, 2012

MINUTES

MEMBERS PRESENT

Jim Coleman, Bob Nordnes, Kate Nunes, Ray Stevens, James Thayer

MEMBERS ABSENT

Gordon Hanson, Stephanie Wells

STAFF

Karla Boughton, Consultant, Alyse Nelson, Edie Berghoff

GUESTS

Ezra Eickmeyer

1. CALL TO ORDER

Chairman Stevens called the meeting to order at 6:03 pm

2. FLAG SALUTE

3. COMMENTS FROM CITIZENS – none

(See comment below by Mr. Eickmeyer)

4. 2012 DRAFT ZONING ORDINANCE – Workshop and Discussion –

Continued from May 1, 2012

Chairman Stevens began the meeting asking if staff had introductory comments on section 18.80 Commercial zoning districts.

Karla Boughton, Consultant, indicated that she provided an email message for the Commission from Mr. Eickmeyer who had just arrived and had previously requested to address the Commission. Chairman Stevens invited citizen comment from Mr. Eickmeyer.

Ezra Eickmeyer, represents the Safe Access Alliance, an organization involved in lobbying the State Legislature on medical cannabis. Stated he is working with a number of jurisdictions in Washington state and is presenting a perspective of the needs of patients, and providers to patients. Mr. Eickmeyer believes locating medical cannabis collective gardens in the Light Industrial (LI) district is very limiting given the distance requirements from various other uses, and noted that some commercial area would be helpful to include. He stated that there are two models for the medical cannabis collective garden: first is a number of individuals growing medical cannabis at a location for their own use; and second is where a larger group of gardeners where those gardeners who grow excess take that excess to a location for distribution to patients who are not able to grow their own due to stage of illness. Mr. Eickmeyer indicated that the second model is where approximately 80 percent of patients get medicine. He stated the Legislative intent in SB5073 was to provide for both models of

collective garden. The bill also intended to allow for fully licensed operations which the Governor vetoed. He noted that by extending the area allowed for the use, and maintaining the prohibition on advertising images and distances from schools, there is little impact while providing some revitalization for some commercial area. Mr. Eickmeyer further noted that there is no reason for a collective garden to have open visible presence in the community. He stated that he will have additional comments, but this is the largest issue which should be addressed and thanked the city for addressing an important issue.

Discussion: Commercial zoning district discussion began on page 88 with:

18.80.020 Purpose – 1) high quality and amenity recreation is intended to portray the downtown access to the waterfront and park in the midst of the commercial zoning; and 2) location of the commercial heart of Poulsbo.

Ms. Boughton noted this document takes Poulsbo from one commercial district to 4 and the intent of the 'Purpose' language is to set out the differences between the 4 commercial districts proposed in this ordinance. She believes that the downtown core is the heart of the community, and without the downtown core Poulsbo would be like any other community.

Commissioners continued with: 3) downtown is not the commercial core; 4) it is important to not downplay the C1 district; and 5) C1 district is a tourist downtown with supporting commercial and there is a need to allow commercial which is supportive of tourism.

Ms. Boughton discussed the Viking Avenue study finished in 1995. The study provided 3 street frontage modifications and was utilized for recent reconstruction of Viking Avenue. The Planning Department brought forward policy in the Land Use chapter of the Comprehensive Plan which the Planning Commission included, however, Council took it out of the final Plan. Development incentives for C2 incorporate some of the work. Council has not placed additional study for Viking Avenue on the work program or funded any study at this time. There is some commercial slowly moving in now.

18.80.030 Uses, Table 18.80.030 Commercial Zoning District Use Table – 6) Medical marijuana is proposed included in the Light Industrial zone; and 7) LI is a limited area.

Commissioners concurred to discuss medical marijuana when the LI use table is discussed.

Discussion continued with: 8) gas stations should be included and permitted outright except in the downtown core; 9) stations bring new noise, making CUP or ACUP options for review and permitting; 10) two gas stations are currently under review at SR305 and Viking, and SR305 and Lincoln; 11) marine boat sales should be permitted in same C zones as mobile home sales; 12) pet and animal daycare and sales should be permitted in downtown as boat owners have pets; 13) definition of daycare is not 24 hour service; 14) marine supplies should be added to retail sales; 15) mobile food vendor is a van or larger vehicle, not the same definition as food cart or vendor, should not be permitted in downtown, and should be ACUP in other districts; 16) staff will further research mobile food vendor; 17) other business owners may raise concerns including rents; 18) limiting square feet for

grocery stores in C1; and 19) food service contractor provides foods, for example to schools, is larger than a caterer.

Commissioners continued discussion with: 20) corporate office in C1 is difficult to picture, however, a small scale business may fit in under ACUP; 21) Lodging in C1 should be ACUP other than hotel or motel; 22) bed & breakfast is listed in residential and commercial; 23) Gran Kirk building may be a good B&B, inn, or boutique hotel if not condos; 24) lodging might fit in Viking area; 25) specify commercial on first floor with B&B upstairs is equivalent to boutique inn or hotel; 26) state regulates lodging based on thresholds; and 27) marina use is not applicable for commercial districts along state highway 305 and College Market Place.

Continued discussion included: 28) veterinary clinic and hospital should be the same use intensity with same notations in use table; 29) there is an existing dentist office in C1; 30) no animal hospital type uses are located or proposed at this time; 31) parking is an issue with medical type use; 32) Ebenezer is RH zone is the Poulsbo Place Master Plan; 33) nursing home and assisted living uses are proposed to remain a CUP; 34) Transit facilities in downtown is CUP because of circulation concerns; 35) a bus stop is not considered a transit facility; 36) placing a park and ride at an existing church is less impact; 37) Viking Avenue Transit Base is new development currently being processed under CUP; 38) if transit use is placed in an existing development ACUP is required; 39) Planning Director has the authority to bump ACUP to CUP with cause; 40) use table item 'existing residential use without increasing density' is discussing stand alone house in a commercial district; 41) mixed use residential uses are required above commercial uses and not permitted below; and 42) compatibility and fit with other commercial in the area if neighborhood homes on street level with commercial above.

Discussion continued with: 43) definition of Planned Mixed Use Development (PMUD); 44) PMUD is not allowed in College Market Place; 45) possible distinction between commercial zoning districts is allowance of standalone residential buildings which becomes an incentive; 46) PMUD is a new type of development for Poulsbo; 47) PMUD is best located next to residential with neighborhood draw; 48) medical marijuana might be best addressed under use table heading 'other'; 49) medical marijuana will be law eventually, and it is up to the city to decide where it should be; and 50) medical marijuana is not law yet.

Ms. Boughton expressed her understanding of the medical marijuana question discussion noting that it is partly law. Nobody really knows how to handle this issue. It is not a zoning issue, but zoning decisions are being used to help respond to the issue. Ms. Boughton indicated that the second business model Mr. Eickmeyer commented on is not part of a collective garden in state law as discussed with the City Attorney. Collective garden needs to be defined with City Attorney advice which was to put in zoning locations now and when law is finalized by the state legislature, address more then. The enforcement issue between Police and growers is not a zoning issue. Long Beach California is involved in a lawsuit now with the Federal Government Substance Act. It is tricky to find middle ground to comply with state law and not conflict with federal law. Ms. Boughton will specifically request information on the second business model as presented by interested citizens, and will add a

place holder line to the C district table with all zones identified as not permitted, until review of medical marijuana under LI zone is contemplated.

Commissioners continued discussion with: 51) adult entertainment businesses are included in the LI zone on page 131 of the draft document; and 52) tattoo parlors should be considered in the use table.

18.80.040 Development Standards for Commercial districts, Table 18.80.040 Commercial Districts' Development Standards – 53) side, front, and rear are minimum standards; 54) building height measurement is discussed and shown in section 18.50.150 on page 172 of the draft; 55) exceptions section will allow modifications to standards; 56) table is same as current code; 57) setback adjacent to R zones is 15 feet however RM and RH setbacks are 20 feet on side and rear [see page 59 of draft]; 58) C-2-3-4 should be consistent 20 feet with RM and RH or all should be 15 feet; 59) lot coverage and height limitation will factor in limiting size; 60) downtown core has no setback required; and 61) consensus is to change RM and RH on draft document page 59 to 15, and to keep C-1 side and rear yard adjacent to R at 10 feet.

18.80.050 Site and Building Design Standards in C-1 Commercial zoning district – 62) A. 2. 60% transparent glass may be changed in most recent International Building Code [IBC]; 63) percent of glazing permitted changed dramatically for residential in 2009; 64) A. 3. a. minimum depth is measured from exterior wall; 65) downtown design standards is an expansion of what Poulso currently has; 66) canopy over pedestrian walkways is part of what brings downtown to a pedestrian scale; 67) the uniqueness of each awning gives eclectic buildings; 68) truncated appearance and visual cap is same requirement as in residential section; 69) soldier course is a row of vertical stones; 70) clearance heights above pedestrian walkways are discussed in 3. a. and d. indicating awnings must be at least 8 feet above sidewalk and hanging and awning signs are preferred in the downtown core; and 71) pedestrian scale lighting is referring to sidewalk and building entry lighting which may be decorative in nature, and are not referring to highway cobra lights.

Discussion continued with: 72) importance of discouraging flat blank walls on corner buildings and any visible wall such as historic alleyways; 73) if this proposed code was in place when city hall was built, there would be an 8 feet step back; 74) city hall building façade would not be required to be 60% transparent as it is an office building, not retail space; 75) uses change over time; 76) should the requirement be limited to Front Street and Jensen Way; 77) awnings are an inexpensive way to add variation to a building wall; 78) awnings provide one way to marry downtown; 79) awnings might aid parking by keeping coverage over sidewalk, and show that Front Street is walkable from Jensen Way; and 80) building overhangs are also important along the downtown sidewalk and should be encouraged in addition to awnings.

Continued discussion included: 81) B. 5. a. on page 96 of draft is consistent with Americans with Disabilities Act [ADA] requirements; 82) B. 5. is required for reconstruction of sidewalks; 83) noted requirements will be considered on a site by site basis for tapering; 84) should the requirement be to match what is there now and city construct preferred sidewalk

in future; 85) Engineering Department requires all new development to build frontage sidewalks; 86) may have to wait for continuous sidewalk to developed as properties develop; 87) 5. a. ii. intent is to provide pockets of additional width for a bench or bicycle parking and amend; 88) sandwich boards and flowerpots compete with required clear sidewalk for ADA; and 89) preference to indicate sidewalk as required by Engineering Department and additional space to place sidewalk amenities such as flowerpots, benches, and bike holders.

18.80.060 Landscaping, Site and Building Design Standards in C-2, C-3 and C-4 Commercial zoning districts – 90) is the length of bonding sufficient for maintaining vegetation; 91) the 2 year bonding time begins approximately at the time of Certificate of Occupancy for the building; 92) typical prior to maintenance bond release to require replacing dead plants and remove any invasive plants; 93) permeable concrete is allowed for sidewalks; 94) low impact and use of gravel are important surfacing options; 95) buildings should be linked to all fronting streets; 96) primary sidewalks are not meant to match downtown sidewalk requirements; 97) every parking lot has primary and secondary walkways; 98) 5 feet wide raised sidewalk at Wal-Mart provides primary access; 99) secondary walkway is between buildings with no surfacing requirements; 100) are three sections enough for larger buildings in G. 1. a. ii.; and 101) Marine View Beverage building shown on page 152 of draft document is an example of G. 1. a. ii.; and 102) primary vehicular circulation should be separated from parking areas and pedestrians.

Discussion continued with: 103) concurrence that design materials section will be retained for commercial section; 104) discussion during residential section will be incorporated into commercial section; 105) intent is to require more than one type of material, not only variety of stone on a façade; 106) G. 3. b. is consistent with changes made to residential section; 107) coverage of windows by posters being acceptable or limited; 108) no blank wall facing streets; 109) G. 2. is proposed new standard, which may be best on Viking Avenue with parking behind buildings; 110); G. 2. is part of with discussion on pedestrian scale and articulation; 111) Viking is still dealing with remnants of auto core; 112) if mixed use develops then more pedestrians will be using Viking; 113) leaving options open for building designer is important; and 114) staff needs good guidance in code to provide backup no longer available in citizen committee.

18.80.070 Development incentives in C-2 zoning district – 115) A. 2. if building is 60% of the width of the lot and will be at the front yard setback, then the developer may have more than 50% lot coverage; 116) incentive is to move building toward the street; 117) will patrons of a café with outdoor seating want to sit along a busy street; 118) a pedestrian area or landscaping provides important buffering; 119) goal is for parking behind or under building for the increased lot coverage incentive; 120) are strip malls being encouraged in A. 6.; 121) it is important to bring stores closer to the street; 122) should separate structures be required for different uses; 123) Viking Avenue has opportunity to redevelop with a different vision; 124) incentives will create the possibility for transition; 125) Council previously took language out of Land Use Comprehensive Plan; 126) does this section provide the correct incentives for the C-2 district; 127) there are a number of buildings established along Viking and maybe the market will provide the incentives, not the proposed section; and 128) this provides regulation and incentives, and if necessary 18.80.070 will be

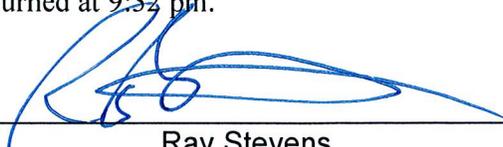
revisited in future updates.

5. COMMENTS FROM CITIZENS - none

6. COMMISSION COMMENTS – none

Scheduled next meeting is on Tuesday, May 15, at 6:00 pm.

The meeting was adjourned at 9:32 pm.



Ray Stevens
Chairman, Poulsbo Planning Commission