



# PLANNING COMMISSION

Tuesday, October 17, 2017

## Poulsbo City Hall Council Chambers MINUTES

Members Present: Ray Stevens, Kate Nunes, Gordon Hanson, Jim Coleman, Robert Nordnes

Staff Present: Karla Boughton, Helen Wytko

- 6:00 PM
1. Call to Order
  2. Flag Salute
  3. Approval of Minutes – None
  4. Modifications to the Agenda
  5. Comments from Citizens regarding items not on the agenda - none
  6. Public Meeting  
Land Division Ordinance Update  
Staff: Boughton

KB: Ended at page 22 under model homes.

RS: We will go back and do a short review.

KB: Model homes are under our zoning ordinance and the building home. Only model homes in a subdivision setting. At the very beginning you brought up the question of what is the rule of strict construction. We have it in every ordinance which is a statement that the interpretation of this code when in court is going to be liberally applied. Judges are often called upon to make an interpretation during a disputes. Saying that the judge should look at the entire code and comprehensive plan instead of a narrowly construed and technical interpretation. Find that language in all of our ordinances. For Ray the discussion on short plat which is a type II administratively approved permit. The proposal is to have them administratively approved and not go to Planning Commission. Not because of title 19 but language in the subdivision ordinance. Proposal would have it to be run as all other permits through title 19. They do have to do a CUP which allows for specific conditions.

RS: My only concern with doing that is if we are shoehorning in to something in an existing area, does it need a higher level of review? In the past we have been reviewing them because of the subdivision ordinance.

KB: Yes, so you had the Schattin Short Plat and the Antonson Short Plats. You get everything right now. Do you still want to get everything?

RS: I would imagine that having a closer look at those tough ones where there could be citizen concerns, but I don't want to make it more burdensome for people who are trying to do it.

BN: Infill you are going to have decisions that are going to be made. I think it is a better representation of the City to have the 7 Commissioners. If it was straight forward than yes, but not always so.

KB: Infill is a very difficult thing, which is why we made the ACUP process, so it had extra scrutiny to it. You can make it so that you only review infill short plats.

BN: They are going to be the toughest. Antonson looks good.

KB: They had a good designer but you don't always get those.

Consensus Infill Only.

RS: Concerned about timeframe for all of these. We have two years for having something recorded, which means that everything has to be done. Do we have issues with extensions?

KB: Great question, will recommend going back to five years. Trying to add something to get short plats and site plans to prevent open ended. Talked about short plats are easier smaller, less capital outlay. We could make it five years like a pre-plat. Or you could do three years and have a one year extension. No we haven't dealt with it because we don't have any expiration dates. We have some short plats that have been approved but not recorded because they haven't done their infrastructure. Practically, what has been happening is that most people move forward, but we have a few out there that haven't been improved.

RS: No problem with giving them a deadline, but two years is too short.

KB we want to convey that you need to be ready to go. Tired getting applicants who are not serious about developing.

JC: I don't think we go out to five years need to keep it on a tighter

frame. Three years with a one year extension.

KB: Have to show they are trying to make it work in good faith to receive extension.

RS: Hard to do funding and everything is taking longer. Lets do three years with a one year extension.

GH: Short plat and binding site plan should have identical expirations.

KB: Yes have those two the same and then pre plat is governed by the state.

RS: On page 21 letter E. Considered by hearing examiner shouldn't it be the review authority?

KB: This is for preliminary plats and all plats are required to be reviewed by the hearing examiner.

RS: But if it changes we are caught there, whereas everything else it says the review authority.

KB: Hesitating because the review authority for plat modifications is for the Planning Director and City Engineer. I had a plat approved by HE and found out that they couldn't afford the storm water engineer plans. I didn't feel comfortable approving it because it was so drastically different. Look at other jurisdictions limited in scope but exceed minor changes like reconfiguring open space tract, tweak the road radius. Not a full redesign of their storm water system. I would like to say something about the initial review authority. The idea is to get it out of my realm to the HE who has the proper authority to make those decision. Legislature does change the law and at some point they could change the designation. Could change to the initial review authority?

KN: Or what if we just got rid of the piece on D5.

KB: We would need to modify E. A lot of it is subjective but anytime an applicant asks for HE makes very specific findings. Some discretion that the planning director has, but I want to give them a route in lieu of submitting for a new application.

KN: I had a note that you were going to get back to on D4.

KB: I did I am going to propose to strike that.

KB: Model homes – lot of work because there are no real lot lines. We

have added a number of things that we found in practice we are requiring so we can make it work.

KN: I had a lot of questions about allowing 4 model homes. Is there some sort of percentage calculation. If I am coming in with a 5 plat subdivision and I am asking for 4 model homes before I have final plat approval.

KB: For the most part I don't think we have subdivision that small. Antonson was creating short plat to do they could not do model homes in short plat.

KN: Maybe do a table with amount and model homes. More model homes would lead to different house styles.

JC: How many model homes at Mountain Aire?

KB: They had four, and everyone does four. Takes a lot of coordination between all the departments.

RS: People are going to buy what they see, would encourage with the table.

KB: Is there a cap? How about 10?

JC: I think 10 is fine.

GH: If they built the model homes and screw up and it is there responsibility to fix it?

KB: It is their responsibility.

RS: D7 page 23?

JC: Question on page 26. If I am putting that home in, I am going to make sure that it is in the right place.

KB: It does happen, that is when they come in for a plat modification.

JC: Is it like temporary marketing center?

KN: That is the point, that they can sell the models.

KB: One house real estate is run out of. The other ones are remaining models that people can go in and view.

RS: They have to fix the buildings if wrong before final plat. My concern is that on developments that we have specific design approval.

KB: Back to if you want short plats?

GH: I say no.

GH: One question on page 22 c.2 – presume construction drawings are for the preliminary plat?

KB: It is actually for the civil engineering. It is for roads, water, sewer, storm. Have to have fire flow and street to your model homes. Term that our guys use.

GH: What is a plat certificate.

RS: Page 26 under letter I CC&Rs if necessary.

KB: If required would be better. We require if there is something for an HOA to manage. BSP will always have something. Did make that change to short plats.

RS: page 27

JC: Item H at the bottom.

KB that came from the state statute. Example if you are using for condominiums. State governs ownership. Applicant does not have to tell us if they change, but have to make a statement.

JC: In conjunction kind of threw me.

RS: Should say which include?

KB: Let us do that. If a BSP includes condos the following statement shall be included...

RS: Page 28 this has a couple 2 year things.

KB: Change along with page 29.

RS: Page 30 one question final plats they are related to pre-plats. Are they related to BSP?

KB: No.

RS: Shouldn't we put this section before BSP so it is sequential. BSP, Short Plat, Admin.

KB: That sound find. Pre plat 17.60 and final 17.70.

RS: Is this a review type, refers back to the RCW? Hate refer to section that refers to section. Why don't we just put the RCW in there instead of referring to section.

KB: Okay let's do that directly refer back to RCW.

BN: Page 31 throughout the document you have used numbers can you use 6 instead of six.

KB: Will try to but code publishing usually changes it.

JC: Page 32 17.70.050.A. who confirms that all components conform.

KB: We have a punch list, and hearing examiner's condition do a staff report and we convey to CC. Wanted to bring it up, for years we were required to go to the CC. However, this legislative session allows for administrative approval for final plats. Council Committee not excited. Do you think there is merit to bringing it forward? Any tract that the city takes over, our finance dept require CC approval for that. Work for staff and developer.

RS: I have a good example on BI, somebody we were going to build house for went through a huge process to put in a dock on Manzanita. Got all completed and spent tens of thousands. Died at CC over political stuff because a council member did not want more docks.

KB: CC might not like it, but the developer has already put in all this infrastructure. Hands to a political body.

JC: All required improvements have been constructed .

KB: Some plats Poulsbo not one of them. Allows for performance bonding of their infrastructure. We have never practiced that ever. Our Engineers have held firmly that they are not going to go out there and building.

RS: It just puts them in a bad position.

KB: There is nothing you can do to fix anything at that time, CC is stuck with what is being brought forward.

JC: When approved by CC they can bond. B.1 pg 39.

KB: Rarely allow for performance bonding, CE wants the CC to make that decision. If you feel like you want to make a recommendation, you can do that here.

JC: I have no trouble with it being approved by the planning director, but if they don't feel comfortable they can bounce to CC. Gone through all those steps who better knows the process.

RS: I would recommend to them that they step away from it.

KN: On 17.70.070 should be 17.80.100.d and on the first paragraph c contains dedication most other places it has to the city.

RS: Under C at the top of page there is missing dot third line down. That THE.

JC: 35 all lots shall be served approved by the city. Is that the City Engineer or City?

KB it would be the City.

KN: 17.80.040.2 street lights – seems like we have different lights throughout city.

KB: Yes, this is trying to standardize it. Part of this should be in the E Construction Standards. They have been requesting in our zoning ordinance.

KN: b.2.b if I have a street light on the pole I don't have to bury it?

KB: Not sure, I will talk to them. This underground utilities should be in construction standards. Let me clarify.

KN: On 3 is this previously waived by CC. Is there a time limit? When would council do that waiver?

GH: A1 now require empty 4" conduit. Should have been done 20 years ago.

KB: Yes supposed to be for fiber.

GH: Encourages competition

KN: page 17.60 A1 question property owner willingness in that

sentence.

KB: Let me think about that.

RS: I think the property owner's willingness is the problem of the developer.

GH: Meant for new but does come up in old spaces.

KB: Completely right and I don't want that to be used. Came from Comp Plan for future streets and trail plan is people who refused to let a street go on their property. Both our plans show conceptual alignments that go on property lines for the most part. It is the issue of the developer but I want to take another look at it because Kate's point is right. Connectivity has long been a requirement by the CE but the neighbors don't like it.

KN: Don't want to make it too easy.

KB: We need connectivity. Crystal View Meredith Heights Deer Run. Make for safety emergency response.

RS: And to not have a landlocked piece of land.

KN: Suggest deleting that phase and if they want to fight us on it they can go back to the Comp Plan.

JC: Page 38 what type of sign would you put at the end of the road?

KB: In the construction manual.

KN: Says something like future road connectivity.

KB: Been in since the mid 2000s.

JC: Who maintains it?

KB: In our right of way so PW maintains it. We make the developer put them in though.

GH: Page 40 item c at the top. Talking about as builts. Should we make a requirement that we keep the as builts. People try to go in to get as builts to know where utilities are located, and City does not have a copy or they are inaccurate.

KB: Engineering department is getting electronic and Mylar. Let me

check to see if they still want to do this.

GH: As built not where it should be, where it is.

RS: Should we add something about electronic version?

KB: Going to check with engineering.

KN: Page 44 top of the page A should we say approving official instead of PED Director?

KB: Let me look at that.

KN: PED Director is throughout that section.

KB: Okay.

JC: I would like to back up to page 41 17.90.020.A if I want to make changes but the as built not reality, what happens?

BN: Call before you dig.

JC: What option would a property owner have then?

RS: To call 811.

BN: Come a long way, used to be field notebooks.

KB: We do not need a workshop next week. I will send out redline version and public hearing on November 7<sup>th</sup> you will get red lined version prior to that.

7. Comments from Citizens - None

8. Commissioner Comments

BN: The lines up there on 305 what are the lines. Just past Viking heights, what is going on.

GH: Sewer pipes.

KB: Engineering sewer replacement project. Additional information available on website.

KB: Two new PC members, will keep you updated.

BN: Liberty Shores abandoned building.

KB: They keep calling for inspections at 179 days, so still an active

jobsite.

KB: Sound West Group update.

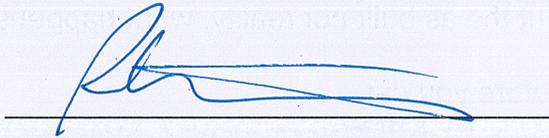
RS: Where is Edward Rose at.

KB: Trying to move forward with Engineering firm and architectural Master plan amendment potential.

JC: Poulsbo Place Assisted Living?

KB: Withdrawn application have been told they are planning on doing something.

10:00 PM 9. Automatic Adjournment (unless meeting is extended by majority vote)  
Meeting adjourned 8:09



Ray Stevens, Commission Chair