



PLANNING COMMISSION

Tuesday, April 25, 2017
Poulsbo City Hall Council Chambers
Minutes

Members Present: Bob Nordnes (BN), James Coleman (JC), Ray Stevens (RS), James Thayer (JT)

Members Absent: Kate Nunes (KN), Gordon Hanson (GH), Shane Skelley (SS)

Staff Present: Karla Boughton (KB), Helen Wytko (HW)

- 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
 6. Public Meeting
Critical Areas Ordinance Update
Staff: Boughton

Left off on page 60

JT: Under purpose at the top of page it says this article shouldn't it be section. Section 200-600. Under the purpose you have C does that kind of run into the SMP

KB: Yes, needs to be deleted.

RS: Number 1 discussed changing numbers to numbers

KB: Seeing what you are saying on 2A.

RS: Back in the old days when we were doing geo hazard areas got stuck on geo slope. 15% not very much. Not steep at all. Question highly erodible, do we have a definition of highly erodible?

JT: Does it go back to natural conservation service.

RS: Easily findable.

JC: 2b coastal zone atlas, does that include inner bay here?

KB: The coastal zone atlas would have Liberty Bay in it. If in and slopes are intermediate, we would look at that as an area that falls under geological concern. This would be a high bank, we don't have a lot of properties that qualify for that designation.

RS: Page 61?

JT: 16.20.415.B wording confusing. It almost sounds like shifting from maybe no but last part seems to say yes you can do it if no other location.

KB: Saying three different things in that sentence. Will break it up to create clarity.

JT: Last one may be permitted and break up would make it clearer.

RS Page 62?

JT: Typo bottom of page G.1 third line down should be repaired not repair.

RS: Letter F second line. Should we change may be to shall be?

KB: You are correct thank you.

RS: New number 1 with trees and vegetation. Are you sure about this because we are saying trees have to stay on critical slopes. Some times trees put strain on slope. In my experience they can go back and forth. Establishing that we have to do it could be a problem, can we give it an out like unless determined by geotech.

JT: May it can go either way.

KB: Section has come from Washington State Department of Commerce and they have withdrawn it. We care about what geo tech says, and it is peer reviewed. Pare it down and subject it to geo tech review and peer review.

JC: Page 63 c.3 I didn't think we were going to legislate views.

KB: What it is, is if you have trees on your private property, you have a view, and you have a slope. This is how you would go about working with the trees for your own personal view. City is not getting in the business of protecting views from private properties to each other.

RS: I like the fact that if this section stays people have the ability to deal with their own trees as long as it doesn't affect the slope. Mercer Island has trees as public resource and it is frustrating and liability to City when tree falls. As long as it doesn't adversely affect slopes and areas below.

Next Page 64,

KN: Question what is COHP forest practices?

HW: Conversion Option Harvest Plan.

RS: Under I, do we have an example of where this might occur in Poulsbo?

KB: Not identified in our map, but on the County's map.

JT: Wouldn't hurt to have.

KB: If we would go west there might be something out there.

RS: A.1 is that assuming water travel time underground?

KB: From WAC yes.

RS: Page 65?

JT: Dev Standards A VII, instead of section 700?

RS: Add a name on the table?

KB: At the top there, yes.

RS: Anything else, page 66? 67?

JT: On page 68 Section 700 purpose A, wouldn't you include wetland delineation report, A seems to be sections it is going to follow and put out requirements for but should have included wetland delineation report.

KB: Yes I follow, will make that change.

RS: Wetland report is the only one that has a list of requirements under it. Instead of combining under wetland report that you have individual

reports with their own numbers like on page 75 habitat management plan and habitat assessment report.

KB: I had a similar thought about ease of formatting. In section 705 take a b c d and define each and having own reference number for each report. I will add numbers instead of letters.

RS: Highlight them and easier to reference.

KB: Outline format is still the right format, but with the wetland one it is easy to get lost in because of size.

JC: 16.20.729 time limitations- should that be city or director? Who in the city will do that.

KB: Will do it through the projects conditions of approval.

JC: Maybe we need to tie it down.

RS: Make consistent with the rest of the code where the director has the authority to approve.

BN: For clarification on same section, time limitations. Does the clock start from date of issuance? Sometimes that becomes an issue when it stamped etc. people try to use different dates.

KB: Need to think about that. It is about the date on the face of the report. Conditions will specify actual date.

JT: Date of issue have a significant meaning to a lawyer.

BN: I have seen confusion on dates of set of plans from approval to receipt.

RS: Communities that I have built in with a lot of attorneys. They actual have a definition of when they have accepted it. Formal process.

KB: For special reports?

RS: Time limitations in general establish timelines. Jurisdictions do it just to get argument off the table. Maybe the date of the report is April but they haven't given it to you until September? Most do date of acceptance.

KB: I have to think about how to work it. We do a couple things where if someone wanted to do an assessment or delineation and a year later came in for a pre-app, we would still consider it valid.

RS: Take a year off their timeline.

KB: Yes exactly. Let me toss that around with the planning staff to see how we want to do that.

RS: If creating a whole new system that you don't want to hold it up.

KB: Date of issue?

RS: Talking in general 5 yrs from when report of issued does make sense. Date that the report is created.

JC: When they are vetted, 4 year time lapse the information could be no longer pertinent.

RS: Anything also on page 69? 70?

JT: On page 71 question what land mitigation report 1.a found to be confusing. Seems like last part should be required if you can't do the first part above. Reviewed for quite a while and still don't know what you are saying there. Avoid, do other alternative?

KB: Under state law there is sequencing requirement, avoiding the impact all together is first. What we were trying to do is to require more reasoning on why avoiding the impact cannot be avoided. Sequencing is often a light touch in wetland reports. Work with consultant to narrow down stronger language to make applicant put more effort in to why they are avoiding the impact. Understand your question seems to not track but we are asking for why you can't avoid it, what other alternatives would be, and why isn't an acceptable option.

JT: Applicant must describe applicable alternatives, what if they don't include. Tweak language.

RS: Way this is written does anyone get past first base?

JT: Left out letter d in first sentence.

KB: Yes. I think that going back to Ray's statement. I think that is the crux of this, going back to the Whitford case. One project you did see that did meet this requirement is the development on Genes Ln. If you read sequencing they impacted the buffer, but could not avoid all

impacts imposing buffers in CAO would leave property completely undevelopable.

RS: Reasonable use?

KB: Did through buffer averaging but we could have done with reasonable use provisions. Full application of the CAO would render property undevelopable.

RS: See someone use cost as a reason for reasonable use?

KB: I think that in general economics are not supposed to play a part in it but depending on the case, other contributing factors would have to be there. Wetland consultants would have to walk us through that.

RS: Could stop development if couldn't get a certain amount of density.

KB: People tie up property before they ever come and talk to us and are shocked what they have to do. Need to do economic analysis with what your buffer and wetland analysis is going to be.

RS: anything else on page 71? 72?

JC: Item F is there anything to tell me what I may have to do?

KB: Wetland biologist preparing report should write that section. This is saying they have to include that section in a plan.

JC: Item G what happened to number 1?

KB: Back on other page.

RS: Indenting thing.

KB: Will help to number their own sections. Make it easier to follow.

JT: 4.d I think you have wrong section referenced.

KB: I will find correction citation for that.

RS: Top of page 71?

KB: Wrong because I will add something at the beginning. I will fix the citation.

RS: Page 72? 73?

JT: Page 74 letter I performance bonds and demonstration of completion. Weren't you changing it from 3 to 5 years generally speaking?

BN: We have to remember what is typically consistent throughout the city for performance bond.

KB: Monitoring program for 5 years, so we either need to change 3 years on monitoring plan or change both to 5.

BN: That is a long time.

JT: What brought about the change from 3 to 5 years?

KB: Consultant recommendation, sometimes 3yrs isn't enough especially if you are creating a wetland. Collapsing simple to complex. 5 years isn't out of realm of reality.

RS: Can we do 3 or 5 years if needed?

KB: Yes or longer period if established in conditions of approval which

RS: And do the same thing with the bond?

KB: Keep at 3yrs go back to page 73 at bottom and have 3 years or if conditions of approval length of monitoring plan.

BN: Want both to match.

RS: Anything on page 75?

JT: Habitat management plans. You have recommendations of WDFW, if that was dated May 1991 wouldn't that have been done by now?

KB: No I checked it and it hasn't been done. Thought we could delete the whole thing but we still need it.

JT: Kind of meaningless.

KB: If you go onto WDFS webpage priority species. It is still dated 1991. This is different from what was referenced earlier in the document.

JT: Date doesn't bother me it is the fact that they were supposed to have public hearings.

RS: Page 76?

JT: Item D, why don't you just say wildlife biologist as defined in the definitions. Same comment on next page for geo tech and next page for hydrological report.

KB: I agree that if you don't have a mirrored statement it creates a conflict. Let me verify with definitions to make sure that requirements in this section match definition.

RS: Do we on page 76? Is there a difference between geotech and geo report?

KB: There is a difference.

RS: When I read a geo tech it always has geological component. In reality, geotech will send geologist out there and include it in the report.

BN: You need that for approval.

RS: Need someone to look at engineering no matter what.

KB: Take out?

RS: Doesn't hurt but doesn't answer the question.

KB: Especially in pretty big cases we send geotech out to be peer reviewed.

JT: Who reviews reports

KB: Overlaps slightly because considered critical areas so we do have some authority. Work collaboratively with Engineering, refer to them if it needed to be peer reviewed.

JT: They should have say.

KB: They do, but we still need to keep geo report in there because two different types of reports. Doesn't mean the geotech is going to be prepared by geologist.

JT: Where language come from?

KB: First draft in 2005-2006.

RS: Only value is that it recognizes we see the difference between the two. Does give us ability to say that is a geological report, we need a Geotech.

KB: Our engineers accept geotech with stamped engineer seals on them.

RS: Assuming engineers can have something peer reviews at their discretion.

BN: Is peer review equal or is it the next step up? Geotech asking another geotech.

RS: Anything else 77, 78 maps?

KB: These maps have been updated, they are consistent with set of maps in comp plan with the exception of SF Dogfish reach map fig. 4.

RS: Just happen to notice that my house is in aquifer critical areas.

JT: So is mine.

KB: KPUD and USGS research resulted in much larger critical aquifer than our previous mapping.

JT: Is that just the areas that don't have clay layer?

KB: Don't know the nuances to how it got map because between KPUD and USGS. Know that it doesn't really affect residential but some commercial.

JT: How about round circles those look like well heads?

KB: Exactly right.

RS: Anything about those other maps, or back part of binder? What is time frame now?

KB: Public hearing on May 16. PC draft with amendments, and recommended requested changes by ecology. Three weeks from today back from public hearing. Then we will have some projects that will come forward to you guys soon.

7. Comments from Citizens
8. Commissioner Comments

KB: We will have plat coming forward probably to you late May/ early June with neighborhood interest. There is a neighborhood meeting tomorrow for old police station. Shoreline permit and they are on a aggressive timeline.

Gone through a selection process to bring on a consultant urban designer to help us plan for the transition of downtown. We want to make sure design is a key component to downtown redesign.

BN: Have you been to that new development over by copper smelting site in Tacoma? Worth the trip looks great, down in Ruston. That is a total remake of waterfront that would be similar to us. Unbelievable great ideas. I have always struggled with a good definition of keeping Poulsbo Poulsbo. Can't put my finger on. Need people who are institutional Poulsbo not here 3 years. We have to grow up and get into the future.

JT: Any idea when they are going to redo 3rd avenue up to city hall. And 4th ave?

KB: street frontage improvements on 3rd ave, been on local improvement list for years. Opportunity with developer to do townhouses from Hostmark to Moe, and they will do frontage improvements.

BN: What section of 3rd are we talking about?

KB: Hostmark to Moe. Not be so tall to affect views on 4th ave. don't know how many units. Same developer with old police station and most of downtown Bremerton, some projects on Bainbridge.

BN: Interesting about Marion (Sluys).

KB: Sought out to have one buyer. Makes it much easier for us.

BN: College place can get away with those problems downtown can not.

KB: something that works is eclecticism of downtown buildings.

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



Ray Stevens, Planning Commission Chairman