

PLANNING COMMISSION

Tuesday, April 18, 2017

Poulsbo City Hall Council Chambers

Minutes

Members Present

Bob Nordnes (BN), James Thayer (JT), Ray Stevens (RS), Shane Skelley (SS),
Kate Nunes (KN)

Members Absent

James Coleman, Gordon Hanson

Staff

Karla Boughton (KB), Helen Wytko (HW)

- 6:00 PM
1. Call to Order
 2. Flag Salute
 3. Approval of Minutes 4/11/2017 Page 10 JT: on following page seems like following page. Trying to say definition without any punctuation for it. Definition without corresponding punctuation. AMENDMENT

THAYER/Nunes all in favor.
 4. Modifications to the Agenda – None
 5. Comments from Citizens regarding items not on the agenda – None
 6. Public Meeting
Critical Areas Ordinance Update
Staff: Boughton

RS: Begin where we left off last week on page 26.

KB Received today informal comments from Ecology's wetland unit. They gave me permission to share with you. I have reviewed and

spoken with them. Most of the comments are to clarify or to bring to attention. We should incorporate these comments. Two of substance we will talk about today when we get to that section. Paul Anderson of DOE is our liaison. At this point, we will incorporate into PC draft and then he will review and the final comments will be submitted to City Council (CC).

RS: We ended on page 26, continue going through page by page. Page 27?

KN: Question about item 5 in first list. There is no size or classification in terms of habitat?

KB: We consider as wetland and protected by CAO.

RS: as approved originally?

KB: If you decide you want to build a pond on your property and it was not naturally there, or enhance wetland, it can become a question if it was a protected wetland. I always recommend documenting when building a pond.

RS: question I had on last paragraph I've highlighted. Are going to have somebody produce a report based on being in within 300ft of the buffer?

KB: yes, next page identified that they have to submit an assessment. Wetland assessment step down from report and will help determine if it is a wetland or not.

RS: Turning the page, how do we get access to do one of these assessments.

KB: that can be a problem, we have had it happen where property owner refused to allow biologist onto property and they had to guess.

BN: issue for them to if they don't want those problems identified

KB: that's a good question, I just don't know the answer. In the past example I know they were not allowed on the property and they were just doing the buffer. Only one case of that actually happening.

RS: could be a method to keep someone from developing. Good to respect that as long as harmless.

SS: People need to be a good steward of land and water.

RS: Concern whether it will hold someone up with what they want to do on their property.

KB: ask Grette if they have any experience with this. Need to know boundaries to apply buffers. Need property owner cooperation.

KN: one other comment on B2 recent road construction, get rid of the word recent as almost 30 years since road construction.

KB: only thing I would say I think that word is in the RCW statute. Part of GMA at the time it was recent in 1991 amendment. If not in RCW anymore then I will delete it.

RS: 28 Under letter D peer review verification by specialist. Is specialist defined?

KN: they made it a qualified specialist. Item 3 on Paul's comments.

KB: yes qualified specialist. There is a definition for it, but I don't think it is qualified specialist. Need Qualified Wetland Specialist then there is a definition for it.

JT: they come in to determine the boundary. 16.22.25 the applicant shall be responsible for hiring. Where was that?

KB: first sentence under A, need to add qualified

RS: Qualified there and qualified wetland below

RS: anything on page 29?

KN: questioned last sentence in A why we need to say you can't dump things into buffer, not legal period.

SS: don't think people would think of yard waste

JT: some people think they can do whatever they want on their property

RS: so we will keep it in?

KB: think on that, health department does address solid waste, but this helps us with code enforcement.

JT: what about cars

RS do we need to expand?

JT: well the more you expand the more you have to include

SS: words to allow flexibility

KB: can add one or to, including but not limited to you is always the out.

JT: I am almost coming back to Kate's position. People can argue that cars are not abandoned vehicles. Person with that mentality isn't going to see it as garbage. What you get in the buffer is what is stated and with the director approves. Wondering what Ecology thinks about this. They reviewed it.

KB: what if we get to at first sentence when we get to what buffers are, instead of remain as undisturbed, the language buffers shall be only vegetated.

JT: but you would want them to put in the right kind of vegetation.

KB: I will expand on that more. Making notes to check in with our biologist about. Make these changes to the sentence.

SS: KB when you talk to biologist, bring up Osprey nest.

RS: anything else on 29?

KB: page 30 all of this is directly from Ecology. High impact use is what we have for our buffer. Allowing for moderate and low uses which are going to be minimal. Wanted to put it in for the few occasions that they might apply. If you turn back to page 29 moderate is utility right of way. Low has to do with parks and open space. Like fish park where they might want to do a platform or education space. 99% fall into high use. Same buffers there are today.

SS: reference for what scores means. What does score mean. Does it have bear, eagle, trout

KB This is the new method to categorize wetland. Corp gives you parameters on how to delineate, state tells you what category. Once biologist delineates edge and does data scoring sheets ask you different questions. Add up points and when you go to end of section your number is X and you match. Habitat subsection is in there one of the sections you add up. Comes straight from Ecology.

RS: Low number a little bit concerning, are they asking enough questions?

RS: pg 32?

KN: item 5 if we didn't create the wetland, didn't address situation in this table. When you create a wetland it has to be identified what category and then you would refer to mitigation plan.

RS: Page 34?

KB: Page 35 comment 4, paragraph F in table. When I talked to biologist today, they said that the proposal to reduce moderate land uses to low, is a misinterpretation. The buffer widths can go from high to moderate but not from moderate to low. In no case more than 25% reduction. Standard we have in code right now.

KN: does it stay from E to D?

KB: he proposes where it should fit and provides documentation.

RS: anything else on 35?

JT: 36 down at bottom of table, have asterisks could not find asterisks in table

KB: Under toxic run off.

RS: Why is it there?

KB: Saying examples may not be adequate if dealing with endangered species.

KN: Under pets and human disturbance, what do they mean by place in separate tract.

KB: We require that wetlands and buffers be put in their own lot. If you are in a subdivision put wetland in open space tract. Usually maintained by HOA.

KN: are we saying this only applies to new developments? Creek isn't its own lot

KB: right, create through new development.

RS: page 37,

KB: wanted to note under buffer enhancement plan. Ecology has recommended deleting this section, I disagree with that. I explained to Paul my rationale. What I told him is that I would talk to Grette to rewrite so Ecology will find it acceptable. Paul agreed with this.

RS Page 38,

KN: under H - landing places, are we talking about helicopter?

KB: Landings for decks and stairs.

KN: We have fire escapes, stairs, etc. don't think we need that.

JT: Why would you call it that? Already have other descriptors.

KB: I will delete it, sufficiently covered.

BN: On that H, on previous mentions of setbacks to use do you spell it out or use numerical designations like the number?

KB: Okay, will make that change.

RS: Anything else, page 39?

KB: Paul recommends we take E and F on that page and combine them together. I will take a look at that but will probably collapse the two.

SS: Some of the other places talk about 3rd party review. Don't see it in this section.

KB: Good point we would have 3rd party review for anything that might affect the hydrology of the wetland.

RS: Concern about LID and surface water management.

KB: had happen in Arendal with buffer as part of their storm water management piece.

KN: As far as collapsing paragraph, E has additional text about hydrology monitoring plan which doesn't appear to be in Paul's comments. Document he references?

KB: I will check on this. We have required hydrology monitoring plan, but there isn't anything in code that requires that. Expect to see more because storm water manual allows you to do that.

KN: Seemed like a good section.

KB: I don't want to lose that either. Maybe stay separate for that reason.

RS Page 40?

KN: Under G5 trails, I couldn't remember off hand how wide shared use paths are off hand but seems like bigger than 5 ft?

KB: I think there was a comment under exempt from Paul. I might add something in number 5 that parallel to wetland and outer percentage of wetland buffer.

RS: Make sure to change that five to a 5.

KB: Yes, and your comment Kate is 5 ft

KN: Yes, seems small. Hate to see ourselves limit to 5 ft.

KB: I will take a look though.

SS: Aren't they reviewed by you who has a say?

KB: Good point there is an out.

SS: have to be pervious

KB: yes they do

RS: page 41? 42? 43?

KN: What are breaking drain tiles under 3.1.A?

KB: It is where you have an area that was historically grazed, it was common to install drain tiles.

KN: What were they used for?

SS: Use it to lower the groundwater table.

JT: used to make sewer tiles

KB: Historic can't do them now, way to drain the property.

RS: Page 43, page 44, somehow we got into these dark headings again.

KB: That's right I will fix those.

RS: Page 45?

KB: All from Ecology.

RS Page 46? 47? 48?

JT: At the top of the page at the first in purpose, didn't you delete RMA?

KB: Yes, I did, thank you for catching that.

JT: No definition for fish and wildlife habitat, is it defined below when you say these areas are designated? Does it need a definition or defined within text?

KB: No, it is defined with GMA, wouldn't hurt to add the definition, the others are local definitions. Habitat conservation areas are a specific thing that are defined by GMA and the corresponding WAC.

RS: Page 49?

JT: Page 50 down on A.3 stream buffers, at the end of that section it talks about braided channels, is that a stream that has multiple channels that connect?

KB: Yes, that is correct. We don't really have that here. Only place is where estuary and main stem of Dogfish Creek meet, everything else is a defined channel.

RS: Page 51? On page 52 dark headers.

KB? Will change to be lighter, and final copy will not have this issue.

RS: Where do we have a canyon?

KB: What this refers to is Wilderness Park. If you go to the back of notebook and we look at CAO Figure 4. This was part of the 2005-07 update. What this consultant did is break SF Dogfish Creek into 5 reaches, and the canyon reach is number 2. Canyon in the sense that it is a ravine.

RS: Ended up with this because it is in their report. Common term ravine.

KB: Only place you see canyon, because of this BAS.

SS: Page 52 D at bottom retaining curve SR305 is there curve all the way up the whole thing. If someone was doing a road they would have to remove it.

KB: Section 305 where it floods, help exasperate flooding. Now on CIP, there is a project to improve area to eliminate flooding.

RS: These are specific to Dogfish Creek?

KB: Yes, and the reaches.

RS: Page 53?

JT: At top of table under I, is that where downspouts are going into existing stream?

BN: And downspouts went to ground rather than storm.

JT: Does storm system go into creek untreated?

SS: So would this be like creating rain garden situations or subsurface underground infiltration style?

RS: Page 53? 54?

KB: Before we move on, was Jim's question on I. the actual detailed notes from the BAS report identify church and high school parking lot storm runoff.

RS: Page 54? 55?

JT: Page 55 under E, does this cover all the habitat assessment reports in this section? Is there other sections where this has to be repeated?

KB: yes.

JT: You have a different title.

KB: Yes specialist.

JT: But they won't be for wetland specialist report?

JT: Has to be qualified by specific discipline

KB: Doing it for each section.

RS: Page 56.

JT: Page 56 item 3. Not being in the field, CAO is there some code location that you can reference in case someone wants to know what is this?

RS Okay, anything else on page 56?, 57? 58?

JT: Under H utilities 2. Article 7 is that current?

KB: Thank you, no, it needs to say Section 700.

Rs 59? End of section

KB: If you flip to page 63, it has amendments to how you deal with tree cutting in critical areas. I was trying to find recommended ordinance language and was told that this has been withdrawn. Still think this is a good idea, we do have flexibility in here. Wetlands, fish and wildlife is rigid, but this is more adjustable.

7. Comments from Citizens – None

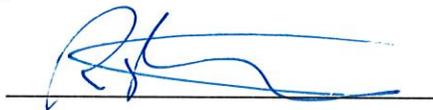
8. Commissioner Comments

RS: If someone wants to move and development wetland, why can't you do development that manages wetland. Any provisions for managing with people living it. Why wouldn't you in an urban area. Why isn't someone doing BAS when your doing pilings and walkways that don't disturb flow. Require in CC&R

BN: May come in time.

RS: The basis of concern is when we got our Growth Management Area we were given only the hardest spots from the county. Gave us refugia area and all we have left is really tough spot to get our density. How do we achieve our growth?

10:00 PM 9. Automatic Adjournment (unless meeting is extended by majority vote) meeting adjourned 8:03



Ray Stevens, Planning Commission Chairman