



CITY OF POULSBO

Planning Commission Workshop (Virtual)

March 9, 2021

Commissioners Present: Ray Stevens, Jerry Block, Mark Kipps, Kate Nunes, Tim Morgan, Ray Taylor

Staff Present: Nikole Coleman, Jess Rae

Additional Attendees: None.

1. Call to Order

2. Flag Salute

3. Modifications to the Agenda: Minutes of 2/23/21 will be provided for review prior to next Planning Commission Meeting on 3/23/21.

4. Approval of Minutes: Note modifications to agenda – 2/23/21 approval held.

5. Comments from Citizens regarding items not on the agenda: N/A.

6a. Workshop: Shoreline Master Program Update (Nikole Coleman)
Initial Release – [Natural Environment Chapter](#) (Chapter 5, 2 pages total)

Page One: No Comments.

Page Two:

NC: These policies were changed to support the change in use table, to allow residential development in the shoreline environment out of variance. We are trying to make it easier for those who have a parcel completely in the shoreline; there are about 4 or 5. To allow them to build a Single-Family Home with some constraints, without needing to go through a shoreline variance process.

RS: NE8.1 typographical error. “And be shall” should say “and shall be.”

Initial Release – [SMP 16.08 Shoreline Master Program Draft of 2/23/21](#) (54 pages)

Page One:

TM: Will you put a description next to aquaculture for those who don't know what it is?

NC: Aquaculture is defined on Page Four.

Page Two: No Comments.

Page Three: No Comments.

Page Four:

MK: Where do the definitions come from?

NC: A combination of definitions from the State, common definitions from similar SMPs.

RS: Should we define “normal maintenance”? Page Four Number Four, “Alteration” – maybe point to the Tree Cutting and Clearing section of the Code in regard to trees?

NC: I’ll revisit the definition, tie it to larger trees and confirm that it is used this way throughout other areas of this document.

KN: The last sentence of Page Four Number Four, regarding passive activities – I would never consider any of those activities mentioned “alteration,” and questioned it being there.

RS: Page Four Number Seven, “average grade level” – when it says, “directly under the proposed building or structure,” shouldn’t it say, “adjacent to”?

NC: I think the intent of the wording is to mean “where it sits; where you are actually building.”

RT: Later you talk about the “footprint of the building.”

Page Five:

TM: What is OHWM?

NC: Ordinary High Water Mark; I will do a glossary of acronyms.

MK: I’m used to “Mean High Tides.”

Page Six:

RS: Page Six Number Twenty-Five, “the elements”? Is that too broad? That would be weather based?

NC: Yeah, Weather.

RS: The end of Page Five number Twenty-Six, suggesting a modification to the language as: “and modifying site elevations to add ‘positively’ alter hydro periods.”

Page Seven: No Comments

Page Eight:

RS: Page Eight Number Forty-three, Top of page minor grammatical error: “further, That” should be “further, that”

Page Nine:

RS: Page Nine Number Sixty, “No net loss” – is it called out elsewhere that we need that?

NC: No net loss is always required. We can add that in somewhere though.

RT: Page Nine Number Sixty-Three, number is used twice

JB: Page Nine (There’s no number Sixty-Two)

RS: Page Nine Number Sixty-Three, Wonder about “normal” residential appurtenance. *Please add “normal” later in the Code to keep them consistent.

NC: This is State-sourced. I will do a text search and add “normal residential” where appropriate.

JB: Is there such a thing as a commercial appurtenance? Such as a deck for a restaurant?

NC: Not really, in the shoreline buffer. I will note to address that in the commercial code section.

RS: Also (Number Sixty-Three) I don’t like ... “and grading,” but it’s small enough to be okay (“does not exceed 250 cubic yards”).

Page Ten:

RS: Page Ten Number Seventy-Three, “Qualified professional” but there is no certification described in the document and an expertise should be held by certification.

MK: No, “expertise and/or” is not sufficient and can be contradictory so delete those words.

Page Eleven:

RS: Page Eleven Number Fifty-Nine, why are we deleting this?

NC: For consistency’s sake; we have normal repair listed already (Number Sixty-Two).

Page Twelve:

RS: Grammatical Error: Double Number Eighty-Eight and no Eighty-Nine.

Page Thirteen:

RS: Grammatical Error: Extra “the” in 16.08.050 “The exact the following areas...” to be removed.

Page Fourteen:

RS: Why is this all being removed?

NC: Repetitive – called out specific sections when the entire zoning ordinance applies. Shoreline Master program should be stricter and thus should be followed primarily anyhow.

Page Fifteen:

RT: Ordinary High Water Mark (OHWM) – requests consistency of listing

NC: First callout; we will double-check that it isn't spelled out thereafter.

RS: Number Sixty-Four on Page Nine is the definition location with acronym provided.

Page Sixteen:

TM: Jurisdiction vs zone?

NC: Common terminology when referring to shoreline is "jurisdiction."

Page Seventeen: No Comments.

Page Eighteen:

MK: Grammatical Error: On 16.08.13, C "no net loss" instead of "not net loss"

Page Nineteen: No Comments.

Page Twenty:

RS: I like the added paragraph in 16.08.160; this has been contentious item in the past.

Page Twenty-One: No Comments.

Page Twenty-Two: No Comments.

Page Twenty-Three: Shoreline Use Tables

NC: Karla, Marla and I were discussing this last week, as Marla is working on a Port project. This was backwards; aquaculture is going to be in the aquatic environment, not landward in the natural environment. I'll bring this back as a Staff amendment when we bring it back to you.

MK: Wouldn't this impact both if they have a facility at the shore?

NC: Yes, it would fall under Shoreline Use, B. Commercial under "Water-dependent". The sections could match; either way it must go through Conditional Use permitting, which is appropriate.

RS: So we can keep it on both.

Page Twenty-Four: No Comments.

Page Twenty-Five: No Comments.

Page Twenty-Six: No Comments.

Page Twenty-Seven: No Comments.

Page Twenty-Eight: No Comments.

Page Twenty-Nine:

TM: Is High Intensity (HI) spelled out elsewhere?

NC: Yes, Page Twenty-One, where we define environmental designations.

Agreed all around. NC will add a glossary because some people will only be reading through specific sections.

MK: Maybe spell out abbreviations per each section on the first use.

NC: We will spell out on the first mention in each section as well as build in an acronym glossary.

Page Thirty:

RS: Since we are on Commercial Land Uses – does it say anything about appurtenances in this section?

NC: No. We may need to add that to this section, such as for The Loft (Local Restaurant) with a deck on the back. I will look at what other jurisdictions have done and bring something back to present to you.

Page Thirty-One: No Comments.

Page Thirty-Two: No Comments.

Page Thirty-Three: No Comments.

Page Thirty- Four:

NC: We had a marine consultant review our in-water sections to ensure they were up to State standards, since we don't deal with the sections often but know they need to be correct. They didn't recommend many changes.

Page Thirty-Five: No Comments.

Page Thirty-Six: No Comments.

Page Thirty-Seven: No Comments.

Page Thirty-Eight: No Comments.

Page Thirty-Nine: No Comments.

Page Forty: No Comments.

Page Forty-One: No Comments.

Page Forty-Two:

RS: Did that added paragraph come from Ecology?

NC: Yes.

TM: Where it says, “requires public access amenity,” are specific amenities defined?

NC: I’m not sure.

TM: Would bathrooms be included?

NC: Good question; I will look into that – best not to be vague.

Page Forty-Three: No Comments.

Page Forty-Four:

RS: We’ve added breakwaters, jetties and groins. Do we have definitions?

NC: I will add those to the definition section.

Page Forty-Five:

RS: Major repair or replacement at whose discretion?

NC: City staff, potentially Ecology and such if needed.

RS: The Army’s. Fishery’s. There are many levels of review.

Page Forty-Six: No Comments.

Page Forty-Seven:

TM: Under Section C, where it says, “Peer review consultant specialists,” do you have to identify what kind of specialists they are?

NC: For consistency’s sake, it should probably say “qualified professional.” Since this relates to structural engineering, it should say “licensed engineer.”

MK: (Concerning Page Forty-Four) Groins are the smaller structures that are built perpendicular to the shoreline – there are several of them that they build along the shoreline, that work together to break up the wave action, but they don’t provide a harbor the way a jetty or a breakwater does.

TM: They prevent beach erosion and trap accumulated sand.

Page Forty-Eight: No Comments.

Page Forty- Nine: No Comments.

Page Fifty: No Comments.

Page Fifty-One: No Comments.

Page Fifty-Two:

RS: Near the bottom, (Grammatical Error with two Six I's) Number Six i – the second Number Six i... 2,500 square feet; why is it 2,500? That's a very definite number.

NC: That's the same number we're using in Single Family Residential section of the use table for allowed appurtenances – properties within the first 100'. Staff is trying to allow owners to maintain their existing single-family home, or build a new one, or add an appurtenance like a shed. Right now, to do any of that they need a variance. The number is based on research and what Ecology would be comfortable with.

RS: If someone had a Three-acre parcel, 2,500 is a very small footprint.

NC: It is. What we are looking at is that first 100' from the Ordinary High Water Mark; there are a certain number of parcels who this applies to, that are residential single family. This wouldn't apply to commercial and multifamily. We are trying to make it easier for Single Family Homeowners to be able to use their shoreline property.

RS: That's not tiny.

NC: No, and some of the original language included "impervious surfaces" – some of these properties have longer driveways, so we removed that language so that the driveways wouldn't count toward the 2,500SF.

MK: If you had a Three-acre property, the 2,500SF portion is only calculated from within the 100'?

NC: Correct – property outside of that could be developed.

MK: Could you have a larger footprint if only 2,500SF was within the 100' buffer? Could you start in the buffer and continue on?

NC: No. To clarify: if you have a property within the 100' buffer that does not extend to beyond the buffer, you could develop. If you have a property that extends well beyond the buffer, you would not be allowed to develop within that buffer at all – not within the 100' and perhaps not within the 200', depending on what's available (shows on map – time mark 1:04:10 on video). The Code Amendments exist to address only a handful of properties.

RS: Is it written that way in our Code somewhere? We can't take full use from a piece of property - we have to allow use of it.

NC: Right now, they can be used, but with a Shoreline Variance. The change we're making in the use table is to allow it with a Shoreline Substantial permit, which is still a Type III, but doesn't have to be approved by Ecology. It still has to go through the Hearing Examiner. The section we're at now, for nonconforming, is to allow an existing single-family home to be able to expand if they exist entirely in the 100' buffer within the shoreline.

RS: Is it stated elsewhere that a larger property may not develop within that 100' buffer? Can you confirm that the language is clear for other properties?

NC: I will confirm that the language makes this clear.

JB: The 2,500SF seems random.

NC: Drawn from research of other jurisdiction standards and coordinated with Ecology (they wanted a limitation on the size).

JB: Was the 2,500SF firm or suggested?

NC: Firmly Suggested.

RT: Will you add the word "footprint" to the 2,500SF? That's what the previous section said.

NC: Okay.

Page Fifty-Three: No Comments.

Page Fifty-Four: No Comments.

End of document.

Initial Release – [SMP 16.09 Shoreline Administration and Procedures Draft of 2/23/21](#)

(6 pages)

[Shoreline Maps](#)

RS: Any questions or changes on pages 1-6?
(No Comments.)

NC: The other document is the map – Fish Park and West Pouslbo Waterfront Park are being changed to match other park properties along the shoreline.

RS: Any comments on the maps?
(None.)

JB: How does the County's SMP compare to ours, outside of our UGA?

NC: They are going through an update currently. Some of the language used to update ours was taken from sections of theirs, such as adding the "Interrupted Buffer." All SMPs exist in slightly different formats; I didn't notice anything significantly different about Kitsap County's in comparison to ours.

JB: I may be incorrect, but it seems the County's SMP is more lenient.

NC: Poulsbo's is strict.

RS: It used to be stricter. The first time we did this, I had to bring the Anacortes Code for example. Our Shoreline Master Program was approved through Ecology with no changes.

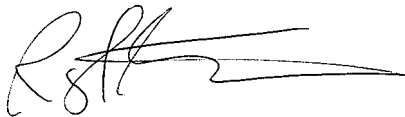
MK: Historically, a lot of these properties existed along the shoreline before the State regulated shoreline use.

NC: I will have your comments and changes to you in a packet next week, and we will meet again on March 23rd, then there will be a month between that and your Public Hearing on April 27th.

7. Director's Report & Report on Council Actions: None. There will be items upcoming in April and May; if you plan to be gone, please let us know.

8. Commissioner Concerns: None.

9. Meeting adjourned 8:20 p.m.



Ray Stevens, Planning Commission Chairman