Planning Commission Meeting Minutes
July 16, 2012

COMMISSIONERS:
Present: Annette Stewart, Stephanie Bailey, Robert Baglio, Dee Coppola, Ron Rice, Rick Wyatt, Gil Michael
Absent: Tim Drury

STAFF PRESENT:
City Development Director James Weaver, Code Enforcement Officer Kathy Woodside, City Attorney Jennifer Forbes

1. CALL TO ORDER:
Chair Annette Stewart called the meeting to order at 7:05 p.m.

2. AUDIENCE COMMENTS:
None.

3. BUSINESS ITEMS:

Chair Annette Stewart called a 10-minute executive session. After 10 minutes, Commissioner Michael announced that it would be extended another 10 minutes, to 7:25.

3A. Retsil Annexation
Planning Director James Weaver read the staff report. He stated the proposal is for annexation of nine parcels totaling 2.2 acres of land located along the waterfront adjacent to the eastern City limits. On June 21, the City received the petition for annexation. He further explained that the proposed annexation creates a logical boundary. He concluded by recommending approval with zoning to include Community Facilities and Mixed Use and Comprehensive Plan designations of Public and Community Spaces and Commercial.

Commissioner Rice asked Jennifer Forbes if there could be liability to the City due to the proximity of the Wastewater Treatment Plant. She stated that she hadn’t studied this annexation, but that liability would result from ownership of the Plant, not annexation of property.

Commissioner Wyatt asked about the status of the Arnold culvert. Director Weaver stated that the annexation would make repair of the culvert more likely.

Commissioner Michael asked about the ownership of the parcel between the Kitsap Transit Park & Ride lot and the remodeled commercial building on Bay Street.

Robert McGee, 2065 Bay Street owner. Mr. McGee clarified that Kitsap Transit owns the lot between the main Park & Ride lot and the newly refurbished building that they own.

Robert Baglio made a motion to approve the annexation as presented. Rick Wyatt seconded. Motion passed 6-0.
3B. Public Hearing - Medical Marijuana
Planning Director Weaver presented the staff report. He indicated that the City had imposed moratoriums on medical marijuana dispensaries and collective gardens, waiting to see if the Washington State Legislature would clarify state law. That did not happen, so the City would have to make a decision or extend the moratoriums once again.

Chairman Stewart opened the public hearing. No public commented, so she closed the public hearing.

Commissioner Gil Michael stated that he had made a motion at a prior meeting, seconded by Commissioner Wyatt, that marijuana sales, gardens and distribution be banned outright within City limits. He indicated that he wished to withdraw that motion. Commissioner Wyatt agreed.

Gil Michael made a motion that recommended that City Council rescind the two moratoriums that are in place and issue a statement that any use of cannabis is illegal from a federal perspective and that no further action is required. Rick Wyatt seconded.

Ron Rice indicated that he had a problem with the City expressing an opinion about the legality of marijuana, and would prefer that the motion simply stated that they are constrained by federal law from approving the use of cannabis. Gil Michael concurred with the amended motion. Rick Wyatt agreed. Motion passed 6-0.

3C. Sign Code Update
Code Enforcement Officer Kathy Woodside gave an update of the two subcommittee meetings held regarding the sign code. The Tremont subarea was reviewed and discussed on May 30. She explained that corporate colors are no longer to be considered signage, unless they were being lit. Directional signs are allowed within the Tremont District. Total allowed signage area is being considered. Temporary and A-board signs will be limited, and window signage is being defined.

On June 13, the subcommittee continued discussion on the Tremont District. Total sign area was increased to 32 square feet. Window signage is not to exceed 25 percent of the total window area. There was discussion about electronic signs being allowed in the Community Facilities zones. All districts would prohibit pole signs and move to monument signs. Large complexes could allow more than one monument sign, depending on distance from roads. The subcommittee is looking at allowing larger and more wall signs. The final subcommittee meeting will be held on July 17. They will be looking at temporary signage at that meeting.

Chairperson Annette Stewart asked about the legality of the signs that people hold. Kathy Woodside indicated that they are legal on private property, but not on public property or rights-of-way. There was also a question about A-board signs. She explained that A-boards need to be directly in front of the business, on private property, except for in the Downtown Core, which allows them on right-of-way, if they carry insurance.

3D. Comprehensive Plan Update Applications
Planning Director James Weaver stated that the City has received four applications for Comprehensive Plan Amendments. He explained that the neighbors of the Bethel & Sylvis application were against the application, and it has been rescinded.

The other applications were submitted by Gil Michael; one to examine the Greenbelt zoning district, and the other to add back in a Parks Commission to the Comprehensive Parks Plan, and one from McCormick Woods to change the designation of 41 acres from Mixed Use to Residential 8.

Planning Director Weaver indicated that the Planning Commission would be reviewing the applications and additional materials at future meetings.

3E. Kitsap County Comprehensive Plan Remand
Planning Director Weaver gave a brief summary of the Kitsap County Comprehensive Plan Remand. The Central Puget Sound Growth Management Hearings Board found that the Comprehensive Plan was not in
compliance with the Growth Management Act, and instructed that the County should reexamine it. The City has reviewed the options proposed by the County, and issued a statement that the alternatives were in compliance with the City's vision. The preferred alternative has pulled back the urban growth area boundaries in the south, east, and northeast, along Beach Drive, but has kept a connection between Bethel Road and SR 16. Commissioner Rice asked how much oversight the State had in the process. Director Weaver explained that unless appealed, the County or Cities are deemed to have a sufficient plan. He pointed out that any decision that they make is further open to appeal.

Commissioner Michael asked if there was sufficient space/ lots to construct an off or onramp at Bethel. Director Weaver stated that there are no plans to build a ramp, but any project would be coordinated with WSDOT.

4. APPROVAL OF MINUTES
   May 21, 2012 – Gil Michael moved, Rick Wyatt seconded, motion passed 6-0.

The Planning Commission was also given a letter from Richard Grothen in their packets, which was for informational purposes only.

5. ADJOURN:
Chairperson Annette Stewart adjourned the meeting at 8:05 p.m.

Annette Stewart, Chairperson

James Weaver, City Development Director