Planning Commission Meeting Minutes
October 15, 2012

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

STAFF PRESENT:
Development Director James Weaver, Code Enforcement Officer Kathy Woodside, Planner Tom Bonsell,
Planner Stephanie Andrews

1. CALL TO ORDER:
Vice Chair Dee Coppola called the meeting to order at 7:00 p.m.

2. AUDIENCE COMMENTS:
None

3. BUSINESS ITEMS:

3A. Discussion: Transfer of Development Rights
James Weaver Director of Development: Discussed the overview of the TDR Process and introduced
Heather Ballash.
Heather Ballash: Washington Department of Commerce jurisdiction liaison for TDR Development. Ms.
Ballash discussed why the ordinance should be adopted and how it has benefited other Washington Cities
and counties. She also described in detail why the TDR in an important tool for environmental protection
and should be part of a cities tool for good planning. Ms. Ballash also briefly discussed the grant and what
steps need to be taken to satisfy the requirements of the grant.

Commissioner Michael asked where he could find the Puget Sound action agenda. Mr. Weaver explained
that it can be found in shoreline documents and that he would forward the information to Commissioner
Michael.

Commissioner Rice asked if the TRD program be temporary. Ms. Ballash said no with an explanation.

Commissioner Michael asked if this was a regional program then reduced into an inter-local agreement.
She explained that this was a voluntary program.

James Weaver Director of Development: The Director discussed Appendix F (Market and Financial
analysis) of the comprehensive plan update. He explained how the document was developed utilizing the
most recent data for home process in port orchard and how TDR were calculated and for what uses
explaining: A typical transfer of development rights (TDR) program is a market-based mechanism that
encourages the voluntary transfer of growth from places where a community would like to see less
development, referred to as sending areas, to places where a community would like to see more
development, referred to as receiving areas. Transfer of Development Rights (TDR) programs are based
on the concept that property owners have a bundle of different rights, including the right to use land,
lease, sell or bequeath, construct buildings on it and mine it, subject to reasonable local land use
regulations. Some or all of these rights can be transferred or sold to another person. When a landowner
sells property, generally all the rights are transferred to the buyer. Summarizing; TDRs allow for
development rights to be transferred from one area to another, preserving land in the "sending areas" and
permitting higher than baseline density in "receiving areas."

Mr. Weaver explained that there are three forms of TDR credit. 1. The Port Orchard TDR Program would
propose to allow one (1) additional unit with the addition of one (1) TDR Credit. With higher density of
development, the cost of land per square foot of building area is lower. 2. The Port Orchard TDR Program
would propose to allow the exemption of one (1) parking space for any Downtown Overlay District
development project with the exchange of one (1) TDR Credit. 3. The Port Orchard TDR Program would
propose to allow the exemption of one (1) foot of vertical height exemption for any Downtown Overlay
District development project with the exchange of one (1) TDR Credit.

Doug Skrobut: Explained how the TDR program works in other jurisdiction. Discussed the need for
flexibility in city codes to make it work.

After the Directors presentation, Commissioner Michaels, asked other than the obvious benefit to the
county, how would the City benefit from the TDR program and what needs to occur to satisfy the
requirements of the grant. Mr. Weaver explained that the program needs to be presented to the City
Council for a decision but approval is not a requirement.

3B. Discussion: Comprehensive Plan Update Applications
Planner Stephanie Andrews introduced the Comprehensive Plan Amendments. At the beginning of the
discussion, a rezone application was introduced for comment that was sent to the City of Port Orchard
from Kitsap County. The application is to rezone four pieces of property from Commercial to Residential
and they are within the Urban Growth Area, adjacent to City limits. Gil Michael questioned why this was
being brought forward if it is not on the agenda. The Planning Commission concurred that there were no
comments on the rezone to forward to the County. The 2012 Comprehensive Plan Amendment
applications were then introduced, including the 2012 annexations and a rezone in McCormick Woods.
Gil Michael made a motion to withdraw the comprehensive plan amendments for reviewing the Greenbelt
designations and the reconsideration of the Parks Commission language for reconsideration in 2013.
Ron Rice seconded the motion, and the motion passed unanimously.
Doug Skrobut commented on the McCormick Woods rezone application and provided a draft layout plan
for the property subject to the rezone. Gil Michael made a motion to accept the staff recommendation of
approval for item #1 of the Staff Report, which is the rezone at McCormick Woods. Robert Baglio
seconded the motion and the motion passed unanimously. Robert Baglio made a motion to accept the
staff recommendation of approval for #5 in the staff report, which is the 2012 annexations. Gil Michael
seconded and the motion passed unanimously.

3C. Discussion: Landscape Ordinance Update
Associate Planner Tom Bonsell stated that the existing landscape ordinance, Chapter 16.50 of
the Port Orchard Municipal Code contains internal inconsistencies, outdated concepts and is
lacking an understandable terminology making a rewrite of the code inevitable. The attached
landscape code is not just a minor revision but a complete redesign and a restating of the
desired outcomes expected by the residents of the city. However, there are sections of the code
that has not changed. Staff has created a landscape ordinance that is internally consistent and
easily understood.

Robert Baglio comments; 16.50.020.l, 2. Plan requirements revise to loosen requirements 2.
16.50.130 Performance bond maintenance Bond Less than 100 percent 15 or 20% of cost.

Ron Rice Why does opening of code state Comprehensive Plan and Promote urban wildlife.
Significant trees not counting towards significant tree retention. Why not have more pictures to
describe requirements. There was a brief discussion on creation of supplemental handouts.
Robert Baglio: Would be helpful to send it out to landscape architects.

3D. Discussion: Sign Code Update
Planning staff member Kathy Woodside provided documents for the public hearing within exhibit “A”, “B” and “C”. Exhibit “C” related to two areas outside of the Sign Code in the Land Use Code that required the Hearing Examiner to review for signs within the Tremont Corridor. Those areas have been requested to be deleted as the sign code already has a review process in place. Introductory presentation was given of the main changes and new additions to the code. Areas of the code that were redesigned included the Residential District, Tremont Corridor district, Commercial District and Temporary signs. Some of the new additions to the code are Business Professional District, Central Downtown Overlay District, measurement of advertising copy and menu boards. Staff requested for input into temporary signs section for the next meeting. The new political signs size limitation was asked to be increased to 32 square feet. Planning Commissioner Gil Michaels inquired about feather flag signs and how they are categorized within the code. Reply was under temporary signage. A request for language under POMC 16.65.020(7) to be included was requested. Public hearing is scheduled to be continued to the next Planning Commission meeting.

4. Approval of Minutes
   September 17, 2012 – Rick Wyatt made a motion to approve the minutes, Dee Coppola seconded, motion passed unanimously.

5. Adjourn:
   Vice-Chairperson Dee Coppola adjourned the meeting at 9:45 p.m.

Annette Stewart, Chairperson

James Weaver, City Development Director