Planning Commission Meeting Minutes
November 19, 2012

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

STAFF PRESENT:
Associate Planner Thomas Bonsell, Code Enforcement Officer Kathy Woodside

1. CALL TO ORDER:
Chair Annette Stewart called the meeting to order at 7:00 p.m.

2. AUDIENCE COMMENTS:
Matthew Wabbold spoke to the Planning Commission regarding the update to the sign code. He expressed to the PC the importance of signage to a successful business. The limited sign locations for A-boards create problems for businesses not fronting on Bay Street. Rather that say what can’t be done the public and PC needs to attempt to find creative solutions to solve the issues. The PC asked members of the public to submit in writing possible solutions to the dilemma.

Jenny Diep, owner of Kai Pan Asian Thai restaurant explained that her location makes sign visibility difficult. She would also like a solution to the problem.

Suanne Martin-Smith also discussed difficulties in finding an area to place a A-board signs because of current and proposed sign ordinances.

3. BUSINESS ITEMS:

Notes:

3A. Discussion: Transfer of Development Rights

Associate Planner Thomas Bonsell: Discussed the basis and aspects of the proposed Transfer of Development Rights program, completed under the grant from the Washington State Department of Commerce. The Port Orchard Planning Department was awarded by the Washington State Department of Commerce, a $97,000 planning grant to study a potential Transfer of Development Rights (TDR) Program. The discussion with the Planning Commission included the evaluation, analysis, and creation of a potential TDR program as part of the 2012 Department work program. The discussion included the prepared documents comprehensive plan amendments, the financial analysis, and possible code amendments related to a possible TDR program.

Heather Ballash from the Department of Commerce presented to the City Planning Commission, the relevance of the program in the State goals and the examples of other successful TDR programs within Washington. In addition, she spoke to elements of the City proposing a draft TDR ordinance. The Planning Commission opened the public hearing, but no comments were expressed from any citizens in attendance. The Commission had questions and expressed an interest in the program but was concerned
regarding any specific action prior to the return of the Community Development Director. The Planning Commission approved an extension of the public hearing open record to the next viable Planning Commission meeting where the Planning Director may be able to answer additional questions.

3B. Discussion: 2012 update to the Landscape Ordinance

Associate Planner Tom Bonsell explained the proposed changes to the existing landscape regulations. The existing landscape code, Chapter 16.50 of the Port Orchard Municipal Code was a section that was determined to need to be updated, due specifically to existing internal inconsistencies, outdated implementation process, and a lack of understandable terminology. The proposed landscape code included a complete rewrite of the previous code, utilizing easy to understand language and process. The redesign of the code was the result of significant public input, and a review of successful chapters and sections from other jurisdictions that could best fit the City of Port Orchard.

The Planning Commission discussion of the Landscape began with the question about POMC 16.50.120 and the amount of the bond. Mr. Baglio suggested that it be 20% of the cost of landscaping and also that the title of the section be revised to Landscape Maintenance Bond to reduce the bond amount. Both suggested revisions were approved by a Planning Commission vote.

POMC 6.50.180 Scenic view preservation was suggested to be removed. The Section was thought to be confusing with VPOD. Suggestion was approved by a Planning Commission vote.

POMC 16.50.201 Unused portions of building, was suggested to be removed. Planning Commission believed that the requirement was too onerous and would be handled by stormwater and erosion control rules. Suggestion was approved by Planning Commission vote.

POMC 16.50.300 Type II-visual buffer, a suggestion was made to require planting tree types and locations that would have tree branches touch after 5 years instead of 10 years. Discussion ensued and the Planning Commission agreed that this section of code could be changed to 7 years with a Planning Commission vote.

POMC 16.50.330(3) All single-family residences in all zoning districts. A suggestion was made to add a sentence at the end of the section to clarify what is expected in a natural vegetation buffer to wit; A natural vegetation buffer shall consist mainly of native vegetation. Suggestion was approved by a Planning Commission vote.

POMC 16.50.410 (2a) Modification of landscaping requirements, A suggestion was made to revise the maximum 45 day decision requirement to 30 days. A motion was put forward and approved accepting the 30 day change by Planning Commission Vote.

POMC 16.50.410 (2b) Modification of landscaping requirements. The Planning commission wanted to make sure of the appeal process for the Director's decision. The Director's decision is appealable to the City Council; the proper code citation was place in the code section.

POMC 16.50.510 Suggested Landscape Materials, Minor modifications were made to the suggested materials list (Inclusion of Pacific Dogwood, Flowering Cherry, Oregon Grape, Salal, Japanese Holly Removal of Portuguese Laurel from list) as approved by the Planning Commission. Motion Baglio, second Michaels Rice abstains, Approved by a Planning Commission vote.

POMC 16.50 Landscape Ordinance. Motion to approve as amended Baglio, Seconded Drury, Approved unanimous.

3C. Discussion: Sign Code Update

Planning staff member Kathy Woodside provided documents for the public hearing within exhibit “A”, “B” and “C”. Public hearing opened with comments from: Matt Wambold, Manager from Titus Ford; Susan Martin Smith, Co-owner of Home Made Café; and Jenny Diep, owner of Kai Pan Asian Cusines. Mr.
Wambold wished to express his concern regarding electronic message centers future and their availability to other businesses. He stated that his sign alone has made a marked difference in sales and services. Ms Smith, as a new business owner off the main Bay St. route, expressed the need for off-premise sandwich board signage to help businesses grow. Ms. Diep also expressed the need for the use of sandwich board signage. Commissioner Rice suggested that each of them put in writing how it could be presented in the code. Commissioner Michael reminded them that it must be equal and fair to all businesses and out of public property. Mrs. Woodside reminded them that she is available and would gladly take in code recommendations. Woodside asked the commissioners for comments to be sent to her by email for the next public hearing. Public Hearing to remain open.

3D. Discussion of use tables related to Tattoo Parlors

Thomas Bonsell discussed the City Councils directive to revise the land use tables (POMC 16.30.030) and DOD permitted uses (POMC 16.20.201) to propose a change that Tattoo parlors not be permitted on the ground floor within the Downtown Overlay District. Planning Commissioner Michaels questioned what the source of this change had been and Mr. Bonsell responded that this was a specific request directed by City Council at the July 17, 2012 Work Study meeting.

The PC requested that staff create a resolution regarding the proposed change to the Downtown Overlay District land use codes. Motion Michael, Seconded by Ron Rice approved by majority Planning Commission. Approved.

4. APPROVAL OF MINUTES

Minutes from the October 15th 2012 Planning Commission meeting were approved unanimously without changes.

5. ADJOURN:

Chairperson Annette Stewart adjourned the meeting at 9:50 p.m.

Annette Stewart, Chairperson

James Weaver, City Development Director