CITY OF PORT ORCHARD  
Planning Commission Minutes  
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Planning Commission Meeting Minutes  
July 15, 2013

COMMISSIONERS:  
Present: Annette Stewart, Gil Michael, Tadina Crouch, Robert Baglio, Tim Drury, Stephanie Bailey  
Absent: Dee Coppola

STAFF PRESENT:  
Nick Bond, Community Development Director  
Stephanie Andrews, Associate Planner

1. CALL TO ORDER:  
Chair Annette Stewart called the meeting to order at 7:04 p.m.

2. AUDIENCE COMMENTS:  
None

3. BUSINESS ITEMS  
A. Discussion: Agenda for 2013 Comprehensive Plan Amendments  
Community Development Director Nick Bond began the discussion by stating that the City Council, at its July 8 meeting, adopted the agenda for the 2013 Comprehensive Plan Amendments. There are 6 amendments that the staff will be preparing for discussion and action will be taken in November. Mr. Bond outlined the six proposed amendments and opened the discussion. Gil Michael had a presentation on the Greenbelt application that he submitted. Mr. Michael stated that a property owner came forward at the City Council meeting asking for his property to be reverted back to the pre-existing zoning. The reason Mr. Michael is bringing this forward is because the Greenbelt designation exceeds the 200’ stream buffer which creates issues with some properties and the development opportunity on the remaining areas. Mr. Michael suggests that the buffer be returned to the 200’ buffer. Tim Drury asked why are we doing this? Mr. Michael stated that there is an individual property owner that came forward at the City Council meeting on July 8 that is negatively impacted by the Greenbelt designation. Under the R-8 designation, on 7 acres he should be able to build 56 homes. Under the Greenbelt designation, his development maximum is limited to 3.5 homes. Mr. Drury asked if we go back to the way things used to be, we may be losing control of these sensitive areas. Mr. Michael responded that the critical area ordinances provide adequate protections for waterways and steep slopes. Stephanie Bailey asked about the timing of Gil bringing this application forward in June and presenting it at Council in July. Mr. Michael clarified that he brought forth this proposal last year (2012) and that the Planning Commission decided in 2012 to table it until 2013. Annette Stewart asked what the allowed density is. Mr. Bond responded that the density allowance mentioned earlier is correct but that it is important that the discussion tonight is just for introduction of the topics. A public hearing will still need to be held. Robert Baglio stated his confusion over the fact that Mr. Michael is not the owner or authorized agent of the specific property mentioned. Mr. Michael said that this is an area-wide amendment request, the specific property owner approached the Council individually and it is an example of an issue with the Greenbelt designation. That property owner (Mr. Vogel) stated that he received no notice of the zoning change and when Mr. Michael asked former City Planner Rob Wenman for what notice was sent out, none was provided. Stephanie Bailey and Mr. Baglio asked about the appropriateness of a Planning Commission member bringing forward an amendment request. Mr. Bond stated that Staff would be providing maps and
additional analysis materials with thorough notification of the public for these amendments. He also stated that it is appropriate for Planning Commission members to bring forward larger area-wide amendments for consideration. Tadina Crouch asked if the Planning Commission can have a copy of the meeting minutes from when the Greenbelt designation was decided.

B. Discussion: DOD Permitted Uses
Community Development Director Nick Bond introduced the topic. The City Council requested that the Planning Commission address the allowed uses in the Downtown Overlay District. There are five specific things that the Council wants to resolve and they are outlined in Mr. Bond’s memo. There are two approaches that can be taken: the Planning Commission can prepare a draft ordinance for the public to consider, or a list of questions can be drafted that the public can respond to in order to then create an ordinance. The Planning Commission agreed that they would like to work on the issues and create an ordinance that the public can respond to. Mr. Bond said that the first issue concerns the allowed uses both on and off of Bay Street. The immediate concern is over the SIC code allowance for “Miscellaneous Personal Services”. An appropriate approach might be to look at what primary businesses people want to see downtown, rather than prohibiting certain uses. The discussion continued about the best approach to take and they identified that this next level of review at the SIC level is appropriate and was not thoroughly evaluated initially. Tadina Crouch suggested that a “catch-all” be added to the end of the allowed uses – so that if a use is not identified specifically, someone can apply for that use. The Planning Commission discussed the volume of work that was put into the code that is in place today. Mr. Bond suggested that perhaps more emphasis should be placed on aesthetic improvements to a building that must be done when a building goes in rather than the type of business. The questionnaire needs to be set to the Chamber of Commerce, the Bay Street Merchants Association, and the public. To narrow the discussion, Mr. Bond started by saying that we can bring them an Ordinance that strikes “escort services”, defines ground floor, and strikes “and similar uses” from next to bail bonds. The question is whether we made this a broad list of uses that are allowed in the DOD, or make a very specific list that says “only these types of businesses are allowed”. Also mentioned by Mr. Bond was whether “general business services” should be allowed in the central DOD at all. The suggestion was to have Mr. Bond craft some language that the Planning Commission and public can consider, and that draft language will include an option for an Administrative Permit to be applied for if a specific use is not on the “allowed uses” list. It was discussed whether to restrict second-story uses or leave that more broad. The consensus was to change the uses as discussed previously and the ground floor would have additional prohibited uses such as tattoo parlors and bail bonds. Mr. Bond will craft language to further define “ground floor”. For the discussion regarding retail sales and services, Mr. Bond will provide the Planning Commission the SIC references from the definitions. We can approach the public with this question and inquire about what types of retail uses are appropriate for downtown with a map that includes landmarks.

4. Approval of Minutes

Gil Michael made a motion to approve the meeting minutes from the February 25, 2013 meeting. The motion was seconded by Stephanie Bailey, and the motion was passed unanimously.

Stephanie Bailey made a motion to approve the meeting minutes from the March 18, 2013 meeting. The motion was seconded by Gil Michael, and the motion was passed unanimously.

Gil Michael made a motion to approve the meeting minutes from the May 20, 2013 meeting. The motion was seconded by Annette Stewart, and the motion was passed unanimously.

5. Adjourn:

Chairperson Annette Stewart adjourned the meeting at 8:43 p.m.