

## POULSBO DISTRIBUTION SCHEDULE

**ORDINANCE NO. 2011-04**

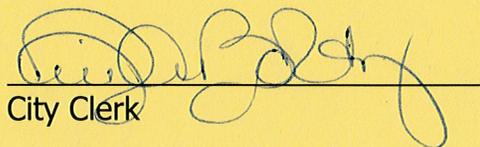
**SUBJECT: Emergency Amendment to the City's Comprehensive Plan**

### CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 02/23/2011
- Passed by the City Council: 03/02/2011
- Signature of Mayor
- Signature of City Clerk
- Publication: 03/11/2011
- Effective: 03/02/2011
- Recorded: N/A

### DISTRIBUTED COPIES AS FOLLOWS:

- NK Herald: Emailed by jb
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\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

March 15, 2011

## ORDINANCE NO. 2011-04

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING AN EMERGENCY AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, AMENDING THE CAPITAL FACILITIES PLAN TABLE CFP-3 AND TABLE CFP-4 TO INCLUDE A NEW TRANSPORTATION PROJECT, AND TABLE CFP-5, DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

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**WHEREAS**, RCW 36.70A.130(2)(b) authorizes cities to adopt emergency comprehensive plan amendments as long as such amendments conform with the Growth Management Act and as long as appropriate public participation opportunities are provided; and

**WHEREAS**, the City's 2009 Comprehensive Plan's Policy PI-3.6 allows for emergency comprehensive plan amendments based on an event, circumstance, or situation that constitutes an immediate threat to the public health, safety or welfare, and when one public hearing before the City Council is noticed and held; and

**WHEREAS**, Fjord Drive, a street within the city limits of Poulsbo and along the shoreline of Liberty Bay, experienced a land slide in late 2009 and has been restricted to one-way traffic since the slide to protect the public's safety; and

**WHEREAS**, the City commissioned a Geotechnical Landslide Investigation for Fjord Drive, prepared by Krazan and Associates in 2010, which concluded that the slope stability for Fjord Drive south of Sommerseth Street, could continue to destabilize and additional landslide activity can occur due to the slope steepness and nature of existing soils; and

**WHEREAS**, if erosion and destabilization of the slope continue, the existing utilities, including sanitary sewer, is at risk of rupturing resulting in a catastrophic impact to Liberty Bay's water quality;

**WHEREAS**, the City pursued grant opportunities in 2010 to fund the repair and reconstruction of Fjord Drive; and

**WHEREAS**, the City was notified by the Washington State Department of Transportation in Fall 2010 that a grant has been awarded to the City of Poulsbo for the repair of Fjord Drive; and

**WHEREAS**, the City wishes to initiate the Fjord Drive Bank Repair project as soon as possible during the construction season in 2011, as approved in the awarded grant by WSDOT; and

**WHEREAS**, the City is currently pursuing all local and state land use and environmental permitting requirements for the shoreline road repair; and

**WHEREAS**, the City adopted a policy during the 2010 Comprehensive Plan amendment cycle, that street repair projects that exceed \$100,000, shall be included in the City's Capital Facilities Plan; and

**WHEREAS**, under this criteria, the Fjord Drive Bank Repair project should be included in the City's Capital Facilities Plan; and

**WHEREAS**, the City's Capital Facilities Plan does not currently include Fjord Drive Bank Repair as an identified project as it is necessitated due to unforeseen circumstances; and

**WHEREAS**, notification of available funds to repair Fjord Drive occurred after the docket for the 2010 Comprehensive Plan Amendments had been approved, and the public hearing process was already underway; and

**WHEREAS**, the City's next available annual Comprehensive Plan Amendments process will not commence until November 2011, thereby delaying the project until the 2012 construction season; and

**WHEREAS**, the Poulsbo City Council has determined it is in the public's health, safety and welfare to repair the road damage created by the landslide and relocate utilities; and

**WHEREAS**, the Poulsbo City Council has therefore determined that an emergency exists which necessitates that the Poulsbo Comprehensive Plan be amended and this ordinance be enacted on an emergency basis in order to preserve the public health, safety and welfare, to prevent further environmental degradation of the slope and potential water quality impact to Liberty Bay, and to reconstruct and repair the road; and

**WHEREAS**, one public hearing has been held on the Capital Facilities Plan amendments as set forth in this ordinance and the City has provided for appropriate public participation consistent with the GMA, now therefore,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Findings.** The recitals set forth above are hereby adopted as the Poulsbo City Council's findings in support of the declaration of emergency made in this ordinance.

**Section 2. Capital Facilities Plan Amended.** The Comprehensive Plan Capital Facilities Plan is hereby amended as follows:

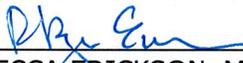
- 1) Amend Table CFP-3 "2025 City Capital Facility Project List" under Transportation/Streets to add "Fjord Drive Bank Repair."
- 2) Amend Table CFP-4 "City of Poulsbo 6-Year Capital Improvement Projects" to be replaced with City's 2011 Annual Budget's 6-year CIP which includes Fjord Drive Bank Repair project with appropriate costs and identified funding sources.

3) Amend Table CFP-5 "2025 Required Transportation Improvement Projects" to include:

Road Classification	Name	From	To	Improvement Needed	Suggested Funding Type
Minor Arterial	Fjord Drive	Sommerseth Street	9 <sup>th</sup> Avenue	Bank Repair	City; Grant

**Section 3. Declaration of Emergency - Effective Date.** The Poulsbo City Council hereby declares that a public emergency exists necessitating this ordinance become effective immediately. This ordinance shall take effect and be in full force immediately upon its passage. The Poulsbo City Clerk is hereby directed to publish this ordinance or a summary thereof as soon as practicable.

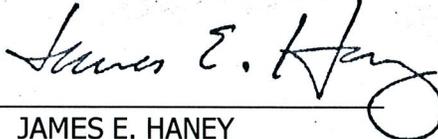
CITY OF POULSBO

  
REBECCA ERICKSON, MAYOR

ATTEST/AUTHENTICATED:

  
JILL A. BOLTZ, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JAMES E. HANEY

FILED WITH THE CITY CLERK: 02/23/2011  
PASSED BY THE CITY COUNCIL: 03/02/2011  
EFFECTIVE DATE: 03/16/2011 03/02/2011   
ORDINANCE NO. 2011-04

**SUMMARY OF ORDINANCE NO. 2011-04**

of the City of Poulsbo, Washington

On the 2nd day of March, 2011, the City Council of the City of Poulsbo, passed Ordinance No. 2011-04. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING AN EMERGENCY AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, AMENDING THE CAPITAL FACILITIES PLAN TABLE CFP-3 AND TABLE CFP-4 TO INCLUDE A NEW TRANSPORTATION PROJECT, AND TABLE CFP-5, DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 3rd day of March, 2011.

  
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CITY CLERK JILL A. BOLTZ, CMC