

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2025-02

SUBJECT: Extension of Interim Unit Lot

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 01/09/2025
- Passed by the City Council: 01/15/2025
- Signature of Mayor
- Signature of City Clerk
- Publication: 01/21/2025
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Kati Diehl
Deputy City Clerk

01/17/2025
Date

ORDINANCE NO. 2025-02

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, EXTENDING FOR AN ADDITIONAL SIX-MONTH PERIOD THE INTERIM DEVELOPMENT REGULATIONS RELATED TO UNIT LOT SUBDIVISIONS ORIGINALLY ADOPTED UNDER ORDINANCE NO. 2024-03; AND MAKING MINOR MODIFICATIONS TO THOSE INTERIM DEVELOPMENT REGULATIONS; ADOPTING FINDINGS IN SUPPORT OF THE EXTENSION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2024-03, passed by the City Council on March 6, 2024, imposed twelve-month development regulations related to Unit Lot Subdivisions (“Interim Regulations”); and

WHEREAS, the City is near completion of the Comprehensive Plan Update with adoption planned May 2025; and

WHEREAS, additional municipal code amendments are needed to align the code with the updated Comprehensive Plan; and

WHEREAS, City staff are preparing those additional code amendments but they will not be ready for review and consideration until later in the second quarter of 2025; and

WHEREAS, after processing the first Unit Lot subdivision application, City staff determined that minor amendments to the Interim Regulations were needed to allow for more streamlined application processing and review; and

WHEREAS, an extension of the Interim Regulations, as modified herein, will allow City staff time to prepare, review and consolidate all applicable code amendments into one comprehensive package, which will allow for a better and more thorough public review and consideration process; and

WHEREAS, the City Council finds that extending the Interim Regulations originally established under Ordinance No. 2024-03, and modified herein, while the City staff complete the preparation of the additional necessary code amendments following the adoption of the Comprehensive Plan Update, and then return with a complete package of code amendments is in the public's interest; and

WHEREAS, RCW 36.70A.390 and RCW 35A.63.220 authorizes the City to extend the interim development regulation for additional six-month periods as long as a public hearing is held prior to the extension and findings are made justifying the continuing imposition of the interim development regulation; and

WHEREAS, on January 15, 2025, the Poulsbo City Council held a public hearing to solicit and receive public comment on the extension of the Interim Regulations, as modified in Exhibit A, and has decided to extend the Interim Regulations set forth in Ordinance No. 2024-03, as modified in Exhibit A, for an additional six-month period as stated herein;

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

Section 1. Adoption of Findings. The findings of the Poulsbo City Council in Ordinance No. 2024-03 are hereby re-adopted as justification for the extension of the interim development regulation established by that ordinance. The recitals set forth above in this Ordinance are hereby adopted as additional findings of the Poulsbo City Council justifying the modification and extension.

Section 2. Interim Development Regulation Extended. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the emergency interim regulations, attached and incorporated

herein as Exhibit A, of the Poulsbo Municipal Code made by Ordinance 2024-03 are hereby amended and extended for an additional six months from the current expiration date, i.e. from March 6, 2025 through September 6, 2025.

Section 3. Work Plan. The work plan attached to this Ordinance as Exhibit B is hereby adopted. The work plan is a guideline for completing the action items necessary to adopt permanent regulations and specific dates and process steps may be adjusted administratively as the need arises as long as the substance of the action items remains the same.

Section 4. Transmittal to Department. Pursuant to 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 6. Effective Date; Sunset. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law, and shall remain effective for a period of six months unless terminated earlier or subsequently extended by the City Council. Provided that the six-month effective period of the interim zoning regulation extension set forth herein shall commence concurrently with the scheduled expiration of Ordinance No. 2024-03 on March 6, 2025.

APPROVED:

DocuSigned by:

77AA4B38C18A4BA...
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:

D21DA14DCC754A8...
CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

Signed by:

BY 833D0DC77F3647F...
EMILY F. ROMANENKO

FILED WITH THE CITY CLERK: 01/09/2025
PASSED BY THE CITY COUNCIL: 01/15/2025
PUBLISHED: 01/21/2025
EFFECTIVE DATE: 03/06/2025
ORDINANCE NO. 2025-02


SUMMARY OF ORDINANCE NO. 2025-02
of the City of Poulsbo, Washington

On the 15th day of January, 2025, the City Council of the City of Poulsbo, passed Ordinance No. 2025-02. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, EXTENDING FOR AN ADDITIONAL SIX-MONTH PERIOD THE INTERIM DEVELOPMENT REGULATIONS RELATED TO UNIT LOT SUBDIVISIONS ORIGINALLY ADOPTED UNDER ORDINANCE NO. 2024-03 AND MAKING MINOR MODIFICATIONS TO THOSE INTERIM DEVELOPMENT REGULATIONS; ADOPTING FINDINGS IN SUPPORT OF THE EXTENSION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 15th day of January, 2025.

DocuSigned by:

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CITY CLERK RHIANNON FERNANDEZ

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Red Strikethrough and Underline = Initial (March 6, 2024) Staff Proposed Amendments

Purple Strikethrough and Underline = New Staff Proposed Amendments

CHAPTER 17.10 GENERAL PROVISIONS

17.10 General Provisions

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17.10.030 Applicability.

- A. All division and redivision of land into lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership shall comply with the requirements of this title except where specifically exempted herein. Subdivisions, short subdivisions, unit lot subdivisions, binding site plans, boundary line adjustments, plat alterations and plat vacations are all considered divisions or redivisions of land for the purposes of this title.
- B. Exemptions. The following are exempt from the provisions of this title except where expressly indicated:
1. Cemeteries and burial plots while used for that purpose.
 2. Testamentary Divisions. Divisions made by testamentary provisions or the laws of descent; provided, that a map is recorded with the Kitsap County auditor's office at the time the land is divided and that all lots created must meet the requirements of this chapter and other applicable regulations. Land divided in this manner does not guarantee creating legal lot, nor exempt the division to meet other city standards such as, but not limited to, lot size requirements, frontage and infrastructure improvements as applicable.
 3. Divisions of land into lots or tracts each of which is 1/128th of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline.
 4. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose consistent with RCW 58.17.040(8).
 5. A division of land into lots or tracts of less than three acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of the city. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. (New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.)

17.20.010 Definitions.

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As used in this title, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this chapter shall have the following meanings:

Alteration. An “alteration” is the amendment or change to a recorded final plat, recorded short plat, recorded binding site plan, recorded unit lot subdivision, or any portion thereof, that results in changes to conditions of approval, configuration of lots, street alignment, utility provision, or the removal of plat or lot restrictions or dedications that are shown on the recorded plat. An alteration does not include a boundary line adjustment.

Binding Site Plan. A “binding site plan” is a plan drawn to scale in accordance with the provisions of this title and Chapter 58.17 RCW, and which: (1) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by this title; (2) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the review authority; and (3) contains provisions making any development or division of land be in conformity with the site plan.

Block. A “block” is a group of lots, tracts, or parcels within well-defined and fixed boundaries.

Boundary Line Adjustment.

1. An adjustment of boundary lines between two or more lots, tracts, parcels, sites or divisions which does not create any additional lot, tract, parcel, site, or division, nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site and may be accomplished in nonconforming situations when the degree of nonconformity is not increased; or
2. A consolidation (or aggregation) of multiple lots into one single lot; provided, that the consolidation does not create any additional lot, tract, or parcel; and does not create any lot, tract, or parcel which contains insufficient area and dimension to meet minimum requirements for width and area of a building site.

Building Site. A “building site” is the physical portion of real property upon which structures are situated, and which must satisfy the applicable zoning code standards.

City Engineer. The “city engineer” shall mean the designated Poulsbo city engineer or a duly authorized designee.

Condominium. A “condominium,” pursuant to RCW 64.34.020(9), means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and survey map and plans have been recorded.

Dedication. A “dedication” is the deliberate appropriation of land by an owner for general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentation for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing with the Kitsap County auditor.

Director. The “director” shall mean the designated director of the Poulsbo planning and economic development department (PED) or a duly authorized designee.

Division of Land. For purposes of this title, “division of land” means any transaction or action, not otherwise exempt, which alters or affects the shape, size, or legal description of any part of a lot, parcel or site.

Easement. An “easement” is a grant by the property owner to specific persons or to the public to use land for a specific purpose or purposes.

Electric Utility Facilities. For purposes of this title, “electric utility facilities” are unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations.

Final Plat. A “final plat” is the final drawing of the subdivision and dedication prepared for filing for record with the Kitsap County auditor and containing all elements and requirements set forth in this title and Chapter 58.17 RCW.

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Health Officer. “Health officer” means the designated health officer of the Kitsap Public Health District or a duly authorized designee.

Lot. A “lot” is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area and intended for development ~~except for unit lots approved per Chapter 17.65~~. The term shall include parcels, sites or divisions.

Model Home. For purposes of this title, a “model home” is a single-family residence that is allowed to be constructed in an approved preliminary subdivision prior to final subdivision approval and recording.

Modification. A “modification” is a revision, correction or change to an approved preliminary plat, short plat or binding site plan prior to recording.

Parent lot. A lot which is subdivided into unit lots through the unit lot subdivision process.

Personal Wireless Services. For purposes of this title, “personal wireless services” means any federally licensed personal wireless service. “Personal wireless facilities” means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures.

Planning Commission. “Planning commission” means the designated members of the city of Poulsbo planning commission.

Plat. A “plat” is a map or representation of a subdivision and short subdivision, respectively, showing thereon the division of a parcel of land into lots, blocks, tracts, streets and alleys or other divisions and dedications.

Preliminary Plat. A “preliminary plat” is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this title and Chapter 58.17 RCW. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Review Authority. The person or body responsible for interpreting and/or directing a land use permit or activity, and as set forth in Title 19, Project Permit Application Procedures, Table 19.20.020.

Short Plat. A “short plat” is a drawing of a proposed short subdivision showing the layout of streets, alleys, lots, tracts and other elements of a short subdivision required by this title and Chapter 58.17 RCW. The short plat shall be the basis for the approval or disapproval of the layout of a subdivision.

Short Subdivision. A “short subdivision” is the division or redivision of land into four or fewer lots, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

Street. A “street” is a private or public way designed primarily for vehicular traffic. It includes the terms “road,” “highway,” “avenue,” “boulevard,” “thoroughfare,” and other traffic way, and usually includes improvements, including curbs, sidewalks, and street pavement.

Subdivision. A “subdivision” is the division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

Tract. A “tract,” for purposes of this title, shall mean land reserved for specified uses, including but not limited to surface water retention, utility facilities, access, open space, recreation areas, tree retention areas, critical area and buffers. Tracts are not considered lots or building sites for purposes of development.

Unit Lot. A subdivided lot within a development as created from a parent lot and approved through the unit lot subdivision process.

Vacation. A “vacation,” for purposes of this title, shall mean rendering the plat, or portion thereof, null and void and no longer platted.

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CHAPTER 17.65 UNIT LOT SUBDIVISIONS (NEW)

17.65.010 Purpose.

17.65.020 General standards.

17.65.030 Application submittal requirements.

17.65.040 Alternative Street standards.

17.65.050 Decision criteria.

17.65.060 Approval process.

17.65.070 Final review requirements.

17.65.080 Unit lot recording.

17.65.090 Expiration and extension of time.

17.65.100 Unit lot modifications.

17.65.010 Purpose.

The purpose of this section is to provide an alternative to the traditional method of land division. The unit lot subdivision (ULS) process provides opportunities for fee-simple ownership of land. Unit lot subdivisions allow development on individual unit lots to avoid complying with typical dimensional standards if the parent lot conforms to all such development standards.

17.65.020 General standards.

- A. The provisions of this section apply exclusively to the unit lot subdivision of land for detached dwellings in RM and RH zoning districts, attached multifamily dwellings in zoning districts in which multifamily dwellings are permitted, cottage housing, and manufactured or mobile home parks.
- B. As allowed by this chapter, development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area or dimensional standards of PMC Title 18, Zoning; provided, that overall development of the parent lot meets the development and design standards of the underlying zone and the requirements of this chapter. There shall be no minimum required lot area for individual lots within a unit lot subdivision; provided, that the area of the unit lot shall be large enough to contain the dwelling unit and any accessory structures, decks, fences, garages, driveways, private yard areas, parking, landscaping or other improvements that are accessory to the dwelling unit; provided further, so long as conforming to the approved site development plan, such accessory improvements may encroach upon or be located in an adjoining unit lot or common area pursuant to an appropriate easement.
- C. Overall development of the parent lot shall meet the development and design standards of the underlying land use district.
- D. The density of the parent lot shall not exceed the maximum net density of the zone. Only one dwelling unit shall be located on a unit lot.
- E. As with dimensional standards, compliance with access standards, including but not limited to fire lanes, neighborhood connectivity, drive aisles, turnarounds, and access of/to the parent lot from/to the street will be evaluated based on the parent lot's compliance with such requirements, and not based on whether individual unit lots meet such standards.
- F. Except for any site for which a permit has been issued for a detached accessory dwelling unit, lots developed or proposed to be developed with uses described in (A) above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private

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usable open space or private amenity area for each dwelling unit shall be provided on the same unit lot as the dwelling unit it serves.

- G. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.
- H. A unit lot subdivision shall make adequate provisions through easements for ingress, egress, emergency services, and utilities access to and from each unit lot created by reserving such common areas or other areas over, under, and across the parent lot as necessary to comply with all applicable development standards. Such easements shall be recorded with the Kitsap County Recorder's Office.
- I. Access easements, joint use agreements, and maintenance agreements identifying the rights and responsibilities of property owners and any homeowners association shall be executed for use and maintenance of common garage, parking, and vehicle access areas, landscaping, underground utilities, common open space, exterior building facades and roofs, any portions of the parent lot not subdivided for individual unit lots, and other similar features, and shall be recorded with the Kitsap County Recorder's Office.
- J. Portions of the parent site not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowner's association comprised of the owners of the individual unit lots located within the parent lot.
- K. Within the parent lot, the required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Kitsap County Recorder.
- L. The fact that the unit lot is not a separate buildable lot and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Kitsap County Recorder.
- M. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parcel lot. Changes requiring permitting that affect only the interior of building units will be evaluated for compliance with the requirements only for that unit. Any exterior changes will be evaluated for compliance by considering whether the parent lot would still comply with applicable development standards. Any application for such external changes will require authorization of all owners of affected unit lots or approval of the HOA where changes to commonly owned tracts are proposed.
- N. For previously developed lots, eligibility for unit lot subdivision shall be subject to compliance with all standards applicable to the parent lot and proposed unit lots. Inconsistency of existing development with the provisions of this section shall not constitute justification for a variance under Chapter 18.290 PMC.
- O. Any conflicts between the provisions of this section and the text of other sections in the Poulsbo Municipal Code shall be resolved in favor of the text of this section.

17.65.030 Application submittal requirements.

- A. An application for a unit lot subdivision shall contain the following submittal requirements as identified in the applicable application form.:
- B. ~~J.~~ Unless previously reviewed and approved, Aall developments using the unit lot process are also required to submit for Site Plan Review per Chapter 18.270 PMC as part of the land division application. The Site Plan Review shall demonstrate compliance with the applicable regulations of Title 18.
- A.—Completed application form(s) per city requirements and all identified submittal requirements.
- B.—Required application fees.
- C.—Unit lot drawings shall include the following:

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- 1.—~~Existing parent lot and lot lines.~~
 - 2.—~~Proposed new unit lot lines.~~
 - 3.—~~All existing improvements on the site.~~
 - 4.—~~Any structures and features to be removed.~~
 - 5.—~~Critical areas as indicated in Chapter 16.20, located on or within three hundred feet of the property.~~
 - 6.—~~Legal descriptions of the parent lot and new unit lots, in addition to proposed tracts and easements.~~
 - 7.—~~Existing and proposed easements, covenants or deed restrictions that may affect development.~~
 - 8.—~~Structures and driveways within one hundred fifty feet of the property, on both sides of the street.~~
 - 9.—~~Streets and utilities adjacent to, surrounding or intended to serve the property.~~
 - 10.—~~Zoning of adjacent properties.~~
 - 11.—~~Licensed surveyors' stamp/signature.~~
- D.—~~Demonstrate compliance with current stormwater regulations.~~
- E.—~~All off-site easements necessary to provide access to the unit lot subdivision or to serve the unit lot subdivision with utility infrastructure.~~
- F.—~~A completed SEPA checklist (if required).~~
- G.—~~Any critical areas special reports (if required).~~
- H.—~~Title report or plat certificate (within ninety days of submission, or as set forth on the application form).~~
- I.—~~Any additional information identified by the city as necessary in order to provide a complete review of the proposed unit lot subdivision.~~

17.40.040 Street Standard Alternatives

The city's street standards, as set forth in the city's adopted Construction Standards, Section 2, may be modified as provided below:

- A. On-street parking as required in local access streets table may be clustered at a ratio of one-half parking space per unit. The clustered parking spaces shall be located in parking bays adjacent to a public street or within commonly owned areas. The parking bays shall be sized to appropriate parking stall sizes. The parking bays shall be owned and maintained by the project's homeowners' association.
- B. When required or proposed, private roads must be a minimum of twenty feet wide for two-way traffic and ten feet wide for one-way traffic (or as otherwise required by the fire department). Additional roadway width may be required if determined necessary for safe vehicle movement, to accommodate grading or other considerations as determined by the city engineer.
 1. Private roads shall be placed in a commonly owned tract. The tract shall be owned and maintained in common by the owners of the individual unit lots, or by a homeowner's association comprised of the owners of the individual unit lots located within the parent lot. Covenants, conditions, and restrictions (CCRs) and sales contracts for unit lots abutting private roads must indicate that the private roads are owned and maintained by the project's common owners of individual lots or homeowners' association.
 2. Private roads must gain access from public streets constructed to city standards.
 3. If fire department access is to be met by a private road, the proposed private road must meet fire department design standards.
 4. A sidewalk on one side of the private road built to city construction standards is required.
 5. Private roads shall be paved full width for their entire length. Asphalt and subgrade thickness must meet city construction standards. Street lighting is required.

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6. Private roads shall be designed for a minimum 20mph design speed unless otherwise approved by the City Engineer, in no case shall the design speed be less than 15mph.
 7. A ten-foot utility easement may be required on the outside of the private road.
 8. Stormwater collection shall meet city standards. However, the city engineer may allow modifications; provided, that stormwater treatment will be adequate, and safety will not be compromised. A geotechnical analysis of the proposed private road may be required at the discretion of the review engineer.
 9. No on-street parking is allowed on private roads unless provided in eight-foot-wide bulb-outs or in parking bays sized to appropriate parking stall sizes. CCRs and sales contracts for lots abutting private roads must indicate no on-street parking is allowed if provisions for parking are not made.
- C. Alleys will be considered private roads and must meet the requirements in subsection B of this section with the following exceptions: alleys may provide secondary access, and a sidewalk on one side will not be required. Additional width may be required if determined necessary for safe vehicle movement, to accommodate grading or other considerations as determined by the city engineer.
 - D. Sidewalks separated from public streets or private roads may be required by the city engineer upon review of the project lot widths and proposed driveway locations.
 - E. These specific modifications to the city's Construction Standards may be utilized in unit lot design, and do not require prior city council approval in order for the application to proceed to the review authority. However, any other modifications to the street standards that may be proposed are subject to the process set forth in the city's Construction Standards, Section 2.

17.65.050 Decision criteria.

- A. A proposed unit lot subdivision may be approved only if the following findings are made by the review authority:
 1. The proposed unit lot subdivision conforms to the requirements of this title.
 2. The unit lot subdivision conforms to the site requirements for the zoning district in which the property is located and/or other applicable zoning provisions.
 3. The unit lot subdivision:
 - a. Makes adequate provision for access and neighborhood circulation.
 - b. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the unit lot subdivision.
 - c. Makes adequate provisions for sidewalks and other planning features that provide safe walking conditions for students who walk to and from school.
 - d. Makes adequate provisions for critical area protection pursuant to Chapter 16.20.
 - e. Makes adequate provisions for fire and emergency access and protection.
 - f. Serves the public interest and makes appropriate provisions for public health, safety, and welfare.
- B. If the findings in subsection A of this section have not been met, the review authority shall deny the proposed unit lot subdivision, unless specified conditions have been issued to fully satisfy the criteria.

17.65.060 Approval process.

An application for a unit lot subdivision smaller than five acres in area shall be processed according to the procedures for Type II land use decisions established in Title 19, Project Permit Application Procedures. An application for a unit lot subdivision of one acre or greater shall be processed according to the Type III procedures established in Title 19, Project Permit Application Procedures.

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17.65.070 Final review requirements.

- A. Engineering plans for streets, drainage controls, utilities and other proposed or conditioned improvements shall be prepared, submitted, and reviewed for approval by the city engineer prior to the commencement of on-site clearing or construction activities.
- B. Plans and technical information reports required shall be submitted to the city engineer and prepared consistent with the city's construction standards and specifications requirements.
- C. All required facilities and improvements shall be completed prior to unit lot recording, as set forth in Section 17.80.100.
- D. The final unit lot survey, drawing and documents prepared for recording shall be submitted to the city engineer for review and approval prior to unit lot recording.
- E. All documents necessary for facilities to be dedicated to the public, including but not limited to streets, roads, sanitary sewer facilities, storm drainage systems and water supply systems, shall be submitted to the city engineer for review and approval prior to unit lot recording.
- F. When required, a final copy of the unit lots covenants, conditions and restrictions (CCRs) shall be submitted to the city for review and approval prior to unit lot recording.

17.65.080 Unit lot recording.

- A. The city will record the unit lot subdivision drawing(s) and all other legal documents.
- B. Before a unit lot subdivision can be recorded, all foundations, including common wall foundations, shall be installed, and located on the face of the unit lot by the land surveyor of record. Your proposed unit lot must be consistent with the approved building permit application in order to record with Kitsap County.
- C. The applicant shall submit unit lot drawing(s) for approval and signatures by the planning and economic development (PED) director and city engineer.
- D. All drawings and legal descriptions are required to be prepared, stamped and dated by a licensed surveyor as set forth in Section 17.80.080.
- E. The unit lot subdivision drawing(s) shall contain the following additional notes:
 - 1. The title of the plat shall include the phrase "Unit Lot Subdivision";
 - 2. The individual unit lots are not separate buildable sites. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot;
 - 3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot;
 - 4. Subsequent platting actions, additions, or modifications to any buildings may not create a nonconformity of the parent lot; and
 - 5. If a structure or portion of a structure has been damaged or destroyed, any repair reconstruction or replacement of the structure(s) shall conform to the approved site development plan.
- F. Subdivision of zero-lot-line developments shall provide a five-foot wide building maintenance easement on adjacent lots for external walls, eaves, chimneys, and other architectural features that rest directly on or within four feet of the lot line. The maintenance easement shall be shown on the face of the plat.
- G. A unit lot subdivision does not become effective until all documents are recorded with the Kitsap County auditor. The applicant shall be responsible for submitting all final documents for recording to the city. Recording fees shall be the responsibility of the applicant.

17.65.090 Expiration and extension of time.

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- A. Unit lot subdivision approval shall expire five years from the date of the notice of decision if the unit lot has not been recorded.
- B. Upon written request by the property owner filed no less than thirty days prior to the date of expiration, the PED director and city engineer may grant an extension of time up to but not exceeding one year. Any extensions of time shall be based upon finding:
 - 1. There has been no material change of circumstances applicable to the property since unit lot approval.
 - 2. The applicant has attempted in good faith to submit the final short plat within the three-year period and the likelihood that the short plat will be recorded within the additional year.
 - 3. The city shall not grant more than one one-year extension.
- C. If the unit lot has not been recorded after the initial ~~five~~ three-year validity or after the additional one-year extension, it will be considered expired and a new application will be required to be submitted.

17.65.100 Unit lot modifications.

- A. Modifications to unit lots after city approval, but prior to recording with the Kitsap County auditor, may be requested by submitting a completed subdivision modification application form, all identified submittal requirements, and the required application fee. All property owners having an ownership interest in the parent lot of the unit lot shall sign the application form.
- B. Unit lot modifications shall be processed as a Type I application according to the provisions of Title 19.
- C. The following are examples of modifications (but are not limited to), which may be considered and approved under this section:
 - 1. Technical engineering items and details, unless the proposed detail modifies or eliminates features specifically required as an element of approval.
 - 2. Minor changes in lot or tract lines or dimensions, with no change in density or required minimum standards; and minor changes to street alignment or utility design.
 - 3. Reduction in the number of unit lots approved, as long as the modification meets the minimum density requirement.
 - 4. Minor changes to clarify notations on the face of the unit lot.
 - 5. A change to a condition of approval that does not modify the intent of the original condition.
- D. When approving a unit lot modification, the review authority shall make written findings and conclusions. Modifications must meet the following criteria:
 - 1. The modification complies with all of the requirements of this chapter and other applicable chapters of the Poulsbo Municipal Code.
 - 2. There will not be substantial changes in the impact on the neighborhood or the city as a result of the modification.
 - 3. No increase in density or lots is proposed.
 - 4. No new land use is proposed.
 - 5. The modification will not substantially alter any condition of approval.
- E. Modifications that result in an increase in the number of unit lots and/or density previously approved; significant street or stormwater redesign or relocation; or modifications that in the opinion of the review authority would significantly increase any adverse impacts or effects of the unit lot shall require a new application and fee.
- F. The review authority's decision will be the final decision of the city unless appealed in accordance with Title 19.

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- G. A statement is required on the unit lot drawing and any other affected documents noting the changes and that the revised plat drawing/documents supersede the originally approved drawing/documents.
- H. Modifications to a unit lot shall not amend or extend the established time limit for unit lot approval as provided in Section 17.65.090.
- I. Alterations to a unit lot after recording with the Kitsap County auditor shall follow the process established in Chapter 17.90 or through submittal of a new application. Vacations of an approved unit lot shall be made through the vacation process in Chapter 17.90.

CHAPTER 17.90 PLAT ALTERATIONS AND VACATION

17.90.020 Alteration of recorded land division.

- A. Plat alterations are required when a property owner wishes to make any change to a recorded final subdivision, recorded short subdivision, recorded unit lot subdivision, or recorded binding site plan. An alternative to the plat alteration process described herein is to submit a new application for the subdivision, or through a boundary line adjustment if appropriate. This process cannot be used to create additional lots, tracts or parcels.

17.100.010 Authorization.

- A. The planning and economic development (PED) director and/or city engineer is authorized to require more detailed requirements for the submittal of complete preliminary subdivision, short subdivision, unit lot subdivision, binding site plan, boundary line adjustments, final plat approval, plat alterations and plat vacations, including size, scale, number of copies, and content.

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CHAPTER 19.20 APPLICATION CLASSIFICATION

19.20.020 Permit application classification

The following table sets forth the various applications required and classifies each application by the process used to review and the review authority who will decide the application.

Table 19.20.020 Permit, Process and Review Authority Classification		
Permit Type	Process Type	Review Authority
Unit lot subdivision, less than 5 acres	<u>II</u>	<u>PD</u>
Unit lot subdivision, 5 acres or more	<u>III</u>	<u>HE</u>
Unit lot subdivision, final	<u>Exempt</u>	<u>CE</u>
PD: Planning Director; CE: City Engineer; PD/CE: Both Planning Director and City Engineering; BO: Building Official; BO/PD: Both Building Official and Planning Director; HE: Hearing Examiner; CC: City Council; BRB: Boundary Review Board; GMHB: Growth Management Hearings Board		
Note: An exempt status in Table 19.20.020 indicates exemption from the procedural requirements of this title, and does not indicate exemption from other city-required permits.		

EXHIBIT B to Ordinance No. 2025-02

Extension of Interim Zoning Ordinance 2024-03

WORK PLAN (January 15, 2025)

On March 6, 2024, the City Council passed a twelve-month interim zoning ordinance via Ordinance 2024-03 to allow unit lot subdivisions. The purpose of these interim zoning controls is to provide an immediate alternative to the subdivision process while continuing to evaluate the proposed 2024 Comprehensive Plan update and its intent of creating housing options and choices. This interim period will provide an opportunity for staff to learn from the applying the unit lot subdivision code to land use applications; and to modify based on experience to adopt permanent regulations as part of the 2024 Comprehensive Plan update. The initial interim control was for twelve months, or until March 6, 2025.

On January 15, 2025, the City Council passed a 6-month extension, or until September 6, 2025, of the interim zoning ordinance via Ordinance 2025-02 to allow for additional time for staff to finalize the comprehensive Plan Update process and associated development regulations, including Chapter 17.65, Unit Lot Subdivisions.

As part of the extension, the City updated the Work Plan described below:

January 2025

Notify and educate the development community of the extension of the interim unit lot subdivision ordinance.

Release the Draft Environmental Impact Statement (EIS) as part of the 2024 Comprehensive Plan. Release Draft EIS for public comment. Allow for 30-day public comment period.

February 2025

Review public comments, provide written response, prepare and issue final EIS.

March 2025

Planning Commission/City Council select preferred growth alternatives. Evaluate the interim unit lot subdivision ordinance to determine if it supports the SEPA EIS preferred growth alternative. Consider modifications to the interim unit lot subdivision based on application of unit lot subdivision ordinance.

March-April 2025

Release public draft of the 2024 Comprehensive Plan and draft regulations. Hold Study Sessions and Public Hearings with the Planning Commission and City Council. Adopt 2024 Comprehensive Plan

May-July 2025

Develop and adopt amendments to the development regulations, including unit lot subdivision.