

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2007-19

SUBJECT: Adopt Emergency Amendment to Comp Plan Amending  
Transportation Element Policies

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk 7/5/2007
- (X) Passed by the City Council 7/11/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication 7/18/2007
- (X) Effective Immediately 7/11/2007
- ( ) Recorded

DISTRIBUTED CONFORMED COPIES AS FOLLOWS: email all departments

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Kj  
City Clerk

7-17-2007  
Date



ORDINANCE NO. 2007-19

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING AN EMERGENCY AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, AMENDING THE POLICIES IN THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN IN ORDER TO ADDRESS CONCURRENCY AND THE MITIGATION OF TRAFFIC IMPACTS, 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 of Poulsbo is experiencing rapid growth that is anticipated to result in numerous subdivision and building permit approvals over the remainder of 2007, and

WHEREAS, the Transportation Policies in the Transportation Element of the Poulsbo Comprehensive Plan have not been updated since 1994, do not reflect current traffic conditions, do not meet all of the requirements of the Growth Management Act, and do not provide adequate support for the mitigation necessary to ensure that the traffic impacts of anticipated new growth will be accommodated without a significant decline in levels of service, and

WHEREAS, unless the Transportation Policies are immediately amended, the City will not have policies in place that it can apply through SEPA and that it can use to establish concurrency ordinances and other mechanisms to ensure that the anticipated subdivisions and building permits can be appropriately conditioned to mitigate traffic impacts, and

WHEREAS, unless the Transportation Policies immediately amended, development applications could be filed and become vested under the existing codes and



policies, thereby resulting in permanent impacts to the City's roadway system from the City's inability to properly mitigate the traffic impacts of such development, and

WHEREAS, the Poulsbo City Council has therefore determined that an emergency exists which necessitates that the Poulsbo Comprehensive Plan be amended and that this ordinance be enacted on an emergency basis in order to preserve the public health, safety, and welfare, to prevent an imminent threat of serious environmental degradation, and to avoid the vesting of development applications that are contrary to the Comprehensive Plan policies provided herein, and

WHEREAS, at least one public hearing has been held on the Transportation Policy amendments set forth in this ordinance and the City has provided for appropriate public participation consistent with the GMA, 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. The Poulsbo City Council also adopts the findings set forth in the Poulsbo Staff Report regarding the amendments set forth in this ordinance.

**Section 2.**     **Transportation Policies Amended.** Policies 1-6 in the Transportation Element of the Poulsbo Comprehensive Plan are hereby amended to read as follows:

**POLICY 1. CONCURRENCY LEVEL OF SERVICE  
STANDARDS ESTABLISHED FOR CITY  
FACILITIES**

A concurrency level of service (LOS) standard of LOS E is hereby established for all streets owned by the City of Poulsbo in order to serve as a gauge to judge performance of the City's transportation system.

Transportation facilities to which the level of service standard applies include both intersections and roadways, and different methods of calculating level of service apply to each type of facility. For intersections, the definitions of level of service and capacity shall be based on the most recent edition of the Highway Capacity Manual published by the Transportation Research Board of the National Research Council. For road sections between intersections, level of service and capacity shall be as defined in the document entitled, "Allowable Capacity of Roadways based on Design Features," which is Appendix E to the report entitled, "Transportation Plan Update 2006," prepared for the City of Poulsbo by David Evans and Associates and which is adopted and incorporated herein by this reference as if fully set forth.

## **POLICY 2. TRANSPORTATION PLANNING AND CONCURRENCY LEVEL OF SERVICE STANDARDS**

The transportation planning efforts of the City shall strive to achieve LOS C on all City roadways but shall, for concurrency, purposes, maintain the level of service on such roadways at no less than LOS E. The transportation facility improvements identified in this Transportation Element and in the Capital Facilities Element of this Comprehensive Plan shall be based on achieving these level of service standards for the twenty-year planning horizon required by the Growth Management Act.

The City's Six-Year Transportation Improvement Program shall be annually updated in order to ensure the ongoing preservation of the level of service standard for the ensuing six-year period in light of approved and anticipated developments. The Six-Year Transportation Improvement Program shall be consistent with this Transportation Element.

## **POLICY 3. CONCURRENCY**

The City shall adopt and enforce a concurrency ordinance which prohibits development approval if the development causes the level of service on a City-owned transportation facility to decline below LOS E, unless transportation improvements or strategies to accommodate the impacts of the development are made concurrent



with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies.

For purposes of this policy, “concurrent with development” has the meaning prescribed for that term by the Growth Management Act.

#### **POLICY 4. IMPACTS OF DEVELOPMENT**

Each new development in the City shall mitigate its traffic impacts by providing safety and capacity improvements to the City’s transportation system in order to maintain the adopted level of service on transportation facilities and to provide for the safe and efficient movement of people and goods using multiple modes of travel. Concurrency shall be the minimum required. Mitigation required of any individual development shall be related and roughly proportional to the impacts of that development where so required by law.

Traffic impacts and capacity shall be measured in terms of net new trips added to the City’s roadway system and weighted by length of roads so affected. All trips generated by a development shall be counted as impacting the system.

Mitigation of traffic impacts may be achieved in any number of ways, including but not limited to, actual construction of improvements, financial contribution in lieu of such construction, payment of impact fees imposed under RCW 82.02 (if the City enacts such fees), implementation of transportation demand strategies, or any other method that is acceptable to the City and that will result in actual mitigation for the impacts of the development.

The City may use any and all authority granted to it under state law to require mitigation of the traffic impacts of development, including but not limited to, the State Environmental Policy Act, the State Subdivision Act, and the Growth Management Act. The City should consider the imposition of traffic impact fees as an additional source of funding for transportation improvements pursuant to RCW 82.02.

#### **POLICY 5. IMPLEMENTATION OF PLANS**

All roadways constructed or reconstructed within the City shall meet the design standards adopted by the City. Roads providing



access to and within each development within the City from the City's arterial and collector system must comply with the City's design standards and be designed and constructed to maintain the required level of service. Each development's site access and circulation plan shall include frontage improvements and other relevant features of the Comprehensive Plan Circulation Plan Map and the Transportation Plan Update 2006 prepared for the City of Poulsbo by David Evans and Associates and adopted and incorporated into this Transportation Element by Policy 1, to the extent consistent with law.

#### **POLICY 6. LEVELS OF SERVICE FOR STATE -OWNED TRANSPORTATION FACILITIES**

The level of service standards adopted by the Washington State Department of Transportation (WSDOT) are hereby included in this Transportation Element in order to gauge the performance of the state-owned transportation facilities located in the City of Poulsbo. SR 3, SR 305, and SR 307 are each designated by WSDOT as a Highway of Statewide Significance in the Washington State Highway System Plan, 2003-2033, and the applicable level of service standard set forth in Appendix G thereof is LOS "D". Future revisions that may be adopted by WSDOT, shall take precedence over these citations.

The purposes of reflecting level of service standards for state highways in the City's Comprehensive Plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the City's Six-Year Transportation Improvement Program and the Washington State Department of Transportation's Six-Year Investment Program. The concurrency provisions of this Transportation Element and any City ordinance relating to concurrency shall not apply to state-owned transportation facilities and services of statewide significance.

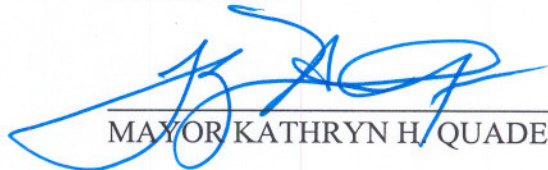
Appendix G of the Washington State Highway System Plan provides that when a development affects a segment or intersection where the LOS is already below the applicable threshold, the pre-development LOS will be used instead of the otherwise applicable deficiency level.

**Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance or any provision of the Poulsbo Comprehensive Plan adopted or amended hereby


should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or Comprehensive Plan provision.

**Section 3. Declaration of Emergency - Effective Date.** The Poulsbo City Council hereby declares that a public emergency exists necessitating that 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.

APPROVED:

  
MAYOR KATHRYN H. QUADE

ATTEST/AUTHENTICATED:

  
CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JAMES E. HANEY

FILED WITH THE CITY CLERK: 7/5/2007  
PASSED BY THE CITY COUNCIL: 7/11/2007  
PUBLISHED: 7/18/2007  
EFFECTIVE DATE: 7/11/2007  
ORDINANCE NO. 2007-19



## SUMMARY OF ORDINANCE NO. 2007-19

of the City of Poulsbo, Washington

On the 11<sup>th</sup> day of July, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-19. 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 POLICIES IN THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN IN ORDER TO ADDRESS CONCURRENCY AND THE MITIGATION OF TRAFFIC IMPACTS, DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

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

DATED this 13<sup>th</sup> day of July, 2007.

Karol Jones  
CITY CLERK KAROL JONES, CMC