

ORDINANCE NO. 2009-14

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2009 CITY OF POULSBO COMPREHENSIVE PLAN; CHANGING THE LAND USE DESIGNATION AND ZONING CLASSIFICATION OF CERTAIN PROPERTIES; DENYING LAND USE DESIGNATION CHANGES AND ZONING CLASSIFICATION CHANGES REQUESTED FOR CERTAIN PROPERTIES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Poulsbo adopted its first comprehensive plan meeting the requirements of the Growth Management Act (GMA) in 1994; and

WHEREAS, pursuant to RCW 36.70A.130(4), the City completed a significant update of its Comprehensive Plan in December 2004 and the City is required to complete another update of its Plan no later than December 1, 2011; and

WHEREAS, in order to meet the GMA's requirements, the City initiated an update of its Comprehensive Plan in 2007 with the goal of adopting the update in 2009; and

WHEREAS, on January 20, 2009, the City released the January 2009 Draft Comprehensive Plan to the public and the Poulsbo City Council adopted City of Poulsbo Resolution 2009-03, establishing a public participation plan for the 2009 Comprehensive Plan Update; and

WHEREAS, between January 27, 2009 and June 2, 2009, the Poulsbo Planning Commission met fourteen times to consider the January 2009 Draft Comprehensive Plan; and

WHEREAS, on June 2, 2009 the Planning Commission directed that certain revisions, modifications and edits to the January 2009 Draft Comprehensive Plan be made and that a public hearing be scheduled in order to take testimony concerning the revised Plan; and

WHEREAS, the Planning Commission's revisions, modifications and edits were incorporated into the Comprehensive Plan draft and the resulting July 2009 Draft Comprehensive Plan was released to the public on July 1, 2009; and

WHEREAS, the City's SEPA Responsible Official issued a Draft Supplemental Environmental Impact Statement on the Draft Comprehensive Plan on July 1, 2009; and

WHEREAS, on July 28, 2009 and August 4, 2009, the Planning Commission held a duly noticed public hearing on the July 2009 Draft Comprehensive Plan, as well as on several site-specific requests for land use re-designation and rezone; and

WHEREAS, on August 11, 2009, after considering the testimony received at the public hearing, the Planning Commission voted to recommend approval of the July 2009 Draft Comprehensive Plan to the Poulsbo City Council, and to recommend approval of some of the site specific requests and denial of others; and

WHEREAS, the Poulsbo City Council held seven workshops between August 16 and September 30, 2009 in order to consider the Planning Commission's recommendations; and

WHEREAS, on September 29, 2009, the Final Supplemental Environmental Impact Statement for the Draft Comprehensive Plan was issued; and

WHEREAS, the Poulsbo City Council held a public hearing on the July 2009 Draft Comprehensive Plan, which was opened on September 30 and continued to and closed on October 14, 2009; and

WHEREAS, after considering the staff and Planning Commission recommendations and all public testimony received in the public hearings, the Poulsbo City Council determined to make certain revisions, modifications, and edits to the July 2009 Draft Comprehensive Plan and to adopt the final plan by the passage of this ordinance; and

WHEREAS, the Poulsbo City Council has also determined to approve some of the requested site specific land use re-designations and rezones and to deny others.

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

Section 1. Findings and Conclusions. In support of the actions taken by this ordinance, the Poulsbo City Council hereby adopts the following as findings and conclusions:

A. The recitals set forth above;

B. The findings, conclusions, and analysis contained in the attached Exhibit A regarding the site specific land use re-designation and rezone requests; and

C. The Department of Community, Trade and Economic Development Comprehensive Plan Checklist attached as Exhibit B to this ordinance.

Section 2. 2009 Comprehensive Plan Adopted. The December 2009 Poulsbo Comprehensive Plan, consisting of the July 2009 Draft Comprehensive Plan as modified by the Modification Document attached to this ordinance as Exhibit C, together with all appendices thereto, is hereby adopted. The December 2009 Comprehensive Plan supersedes and completely replaces all previous comprehensive plans and updates thereto adopted by the City.

Section 3. Site Specific Land Use Re-designation and Rezone Requests. The City Council takes the following actions with respect to the site specific comprehensive plan land use re-designation and rezone requests:

A. Application 09-01 (Finn Hill Property Owners). The 42.11 acres described in the application and located on NW Finn Hill Road in the vicinity of Olhava Way NW and Urdahl Road NW is hereby re-designated from the comprehensive plan land use designation of Light Industrial (LI) to Office Commercial Industrial (OCI). The property is not rezoned at this time, but shall be considered for rezoning upon the completion of amendments to the City's zoning code to establish the new OCI zoning district.

B. Application 09-02 (Jim Laughlin). The 2.48 acres described in the application and located on the northeast corner of the intersection of SR 305 and Viking Avenue NW is hereby re-designated from the comprehensive plan land use designation of Residential

Medium (RM) to Commercial (C). The property is also rezoned from Residential Medium (RM) to Commercial (C).

C. Application 09-03 (Kitsap County Public Works). The 2.28 acres described in the application and located at 301 Bernt Road is hereby re-designated from the comprehensive plan land use designation of Commercial (C) to Light Industrial (LI). The property is also rezoned from Commercial (C) to Light Industrial (LI).

D. Application 09-04 (Little Valley Area Owners). The requested re-designation for the 47.2 acres described in the application and located in the vicinity of Little Valley Road and Bernt Road from the comprehensive plan land use designation of Residential Low (RL) and Light Industrial (LI) to Commercial (C) is hereby denied. The requested rezone from Residential Low (RL) and Light Industrial (LI) to Commercial (C) is also denied.

E. Application 09-05 (Peter Sing and Poulsbo Pee Wees). The 7.15 acres described in the application and located at 110 Hamilton Court and the Pee Wee Association Field is hereby re-designated from the comprehensive plan land use designation of Residential Low (RL) to Residential Medium (RM). The property is also rezoned from Residential Low (RL) to Residential Medium (RM).

F. Application 09-06 (Martha and Mary Ebenezer and Day Care). The 3.18 acres described in the application and located north of NE Iverson St. between 3rd and 4th Avenue NE are hereby included in the Poulsbo Place Master Plan (MP) Overlay designation set forth in the Comprehensive Plan. The property is not rezoned at this time, but future zoning map amendments will be made at the time of an approved amendment to the Poulsbo Place Redevelopment Master Plan.

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Comment [A2]: Scrivener's Error – Corrections made to original document.

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G. Application 09-07 (City of Poulsbo Fish Park). The City Council takes no action on this application. Fish Park is included in a new Park land use designation in the Comprehensive Plan.

H. Application 09-08 (City of Poulsbo Kiwanis Park and Klingel Property). This application was withdrawn by the City and the Council took no action on the application.

I. Application 09-09 (Michael Curtis). The requested re-designation for the 0.28 acres described in the application and located at 458 NE Ryen Street from the comprehensive plan land use designation of Residential Low (RL) to Residential Medium (RM) is hereby denied. The requested rezone from Residential Low (RL) to Residential Medium (RM) is also denied.

J. Application 09-10 (Steven Powell). The requested re-designation for the 2.68 acres described in the application and located at 20831 Bond Road NE from the comprehensive plan land use designation of Residential High (RH) to Commercial (C) is hereby denied. The requested rezone from Residential High (RH) to Commercial (C) is also denied.

K. Application 09-11 (Thomas Sorenson). The 0.54 acres described in the application and located at 20011 and 20033 1st Avenue NE is hereby re-designated from the comprehensive plan land use designation of Residential Low (RL) to Residential Medium (RM). The property is also rezoned from Residential Low (RL) to Residential Medium (RM).

L. Application 09-12 (Roberto Soltero). The requested re-designation for the .25 acres described in the application and located at 18745 9th Avenue from the comprehensive plan land use designation of Residential Low (RL) to Commercial (C) is hereby denied. The requested rezone from Residential Low (RL) to Commercial (C) is also denied.

M. Application 09-13 (Philip Lanzafame). The requested re-designation for the 2.89 acres described in the application and located at 21425 Urdahl Road from the

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comprehensive plan land use designation of Residential Low (RL) to Light Industrial (LI) is hereby denied. The requested rezone from Residential Low (RL) to Light Industrial (LI) is also denied.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance 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.

Section 5. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:

MAYOR KATHRYN H.QUADE

ATTEST/AUTHENTICATED:

CITY CLERK JILL A. BOLTZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
JAMES E. HANEY

FILED WITH THE CITY CLERK: 11/23/2009
PASSED BY THE CITY COUNCIL: 12/02/2009
PUBLISHED: 12/11/2009
EFFECTIVE DATE: 12/16/2009
ORDINANCE NO. 2009-14

SUMMARY OF ORDINANCE NO. 2009-14

of the City of Poulsbo, Washington

On the 2nd day of December, 2009, the City Council of the City of Poulsbo, passed Ordinance No. 2009-14. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2009 CITY OF POULSBO COMPREHENSIVE PLAN; CHANGING THE LAND USE DESIGNATION AND ZONING CLASSIFICATION OF CERTAIN PROPERTIES; DENYING LAND USE DESIGNATION CHANGES AND ZONING CLASSIFICATION CHANGES REQUESTED FOR CERTAIN PROPERTIES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 2nd day of December, 2009.

CITY CLERK, JILL A. BOLTZ