

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2017-15

SUBJECT: Interim Prohibition on Self-Serve Mini Storage in C-3 Zone

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 8/10/2017
- ☒ Passed by the City Council: 08/16/2017
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 8/25/2017
- ☒ Effective: 8/16/2017
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: 8/17/17
- ☒ Code Publishing
- ☐ City Attorney
- ☒ Clerk's Department: Original
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
- ☐ _____

Rhiannon Fernandez

City Clerk

08/17/17

Date

ORDINANCE NO. 2017- 15

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING INTERIM DEVELOPMENT REGULATIONS AND FINDINGS IN SUPPORT THEREOF; AMENDING CHAPTER 18.80 OF THE POULSBO MUNICIPAL CODE IN ORDER TO CHANGE WHERE SELF-SERVE MINI STORAGE USES ARE ALLOWED WITHIN THE CITY'S COMMERCIAL ZONING DISTRICTS; SETTING SEPTEMBER 20, 2017 AS THE DATE FOR A PUBLIC HEARING ON THE INTERIM REGULATION, PROVIDING FOR THE INTERIM REGULATION TO BE IN EFFECT FOR A PERIOD OF SIX MONTHS OR UNTIL A PERMANENT REGULATION IS ADOPTED; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Chapter 18.80 of the Poulsbo Municipal Code establishes commercial zoning districts and commercial development regulations within the City; and

WHEREAS, the C-3 zoning district is intended to 1) Encourage businesses that offer the frequently needed consumer goods and services for the local population; 2) Support a wide range of activities to enhance the SR-305 corridor as the business and financial, health services, and professional office hub of the community; 3) Ensure that projects are designed using consistent and compatible architectural design (PMC 18.80.020.D); and

WHEREAS, the City has received interest in the permitting and development of self-serve mini storage facilities within the C-3 SR 305 Corridor Commercial zoning district, that if approved will more than double the amount of square footage currently provided in the C-3 zoning district within the City; and

WHEREAS, in general, self-serve mini storage facilities generate low levels of vehicular and pedestrian activity and do not contribute to the vitality of a commercial area compared to other commercial uses; and

WHEREAS, the purpose of the C-3 SR 305 Corridor zoning district is to provide uses which support and enhance the business, financial, health and

professional office hub of the community, and self-serve mini storage use is not compatible with the stated intended purpose of the zoning district; and

WHEREAS, the development of several self-serve mini storage, would take approximately 12 acres of commercial zoned property off the market for desired uses within the C-3 zoning district; and

WHEREAS, there are other zoning districts within the City in which self-serve zoning districts are permitted, and which the City believes are more appropriate location for these facilities to be located; and

WHEREAS, unless immediate action is taken to prohibit the location of self-serve mini storage within the C-3 zoning district, building permit applications could be filed vesting the applicants' rights to have such incompatible uses evaluated under the City's current regulations, thereby further undermining the purpose of the C-3 zoning district; and

WHEREAS, RCW 36.70A.390 and RCW 35A.63.220 authorizes the City to adopt interim amendments to its development regulations by declaring an emergency and holding a public hearing on the amendments within sixty (60) days of adoption; and

WHEREAS, the Poulsbo City Council has decided to use the interim amendment procedures set forth in RCW 36.70A.390 and RCW 35A.63.220 to adopt the necessary changes to Chapter 18.80 of the Poulsbo Municipal Code for the immediate preservation of the public health, safety and welfare; now, therefore

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

Section 1. Adoption of Findings. The recitals set forth above are hereby adopted as the Poulsbo City Council's findings justifying the interim development regulation amendments adopted by this ordinance. The Poulsbo City Council may,

but shall not be required to, adopt additional findings after the public hearing referred to in Section 3 below.

Section 2. Interim Amendment to Table 18.80.030 Commercial

Zoning Districts Use Table. Pursuant to RCW 26.70A.390 and RCW 35A.63.220, Table 18.80.030 of the Poulsbo Municipal Code is hereby amended to prohibit Self-serve mini storage use in the C-3 SR 305 Corridor Zoning District.

Table 18.80.030 Commercial Zoning Districts Use Table

USE	C-1 Downtown /Front Street	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Other				
Adult Entertainment businesses	X	X	X	X
Commercial parking lots and parking garages (<i>stand alone; not associated with commercial structure</i>)	AC	P	P	P
Self-serve mini storage	X	P	P X	P
Clubs, lodges, charitable institutions and similar uses, under 5,000 square feet and within an existing building(s)	P	P	P	P

The amendment provided for this Section shall be in effect for a period of six months from the date of this ordinance is adopted and shall thereafter expire, unless the same is extended as provided by law or unless more permanent regulations are adopted.

Section 3. Public Hearing. The Poulsbo City Council shall hold a public hearing on the interim development regulations adopted by Section 2

above on September 20, 2017 at 7:00 p.m. or as soon thereafter as the matter may be heard, in the Council Chambers at Poulsbo City Hall, 200 NE Moe Street, Poulsbo, Washington 98370. The City Clerk shall cause notice of the hearing to be published in the City's official newspaper as provided in PMC 19.50.040.

Section 4. Permanent Regulations. The Mayor or her designee is hereby directed to process more permanent amendments to Chapter 18.80 through the usual City process and bring such amendments back to the Poulsbo City Council in time for the Council to deliberate and take action before the interim amendments expire.

Section 5. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 6. 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 7. Declaration of Emergency – Immediate Effective Date. For the reasons set forth in the recitals above, the Poulsbo City Council hereby finds and declares that an emergency exists that makes this ordinance necessary for the immediate protection of the public health, public safety, public property, or public peace. This ordinance, having been passed by a majority plus one of the whole membership of the Council, shall therefore

become effective immediately upon passage as provided in RCW 35A.12.130.
The City Clerk shall make public the attached summary of the ordinance in the
City's official newspaper as soon as practicable.

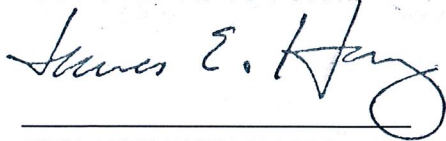
APPROVED:


MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:


CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:


CITY ATTORNEY JAMES E. HANEY

FILED WITH THE CITY CLERK: 08/10/2017
PASSED BY THE CITY COUNCIL: 08/16/2017
PUBLISHED: 08/25/2017
EFFECTIVE DATE: 08/16/2017
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SUMMARY OF ORDINANCE NO. 2017-15
of the City of Poulsbo, Washington

On August 16, 2017, the City Council of the City of Poulsbo, Washington, approved Ordinance No. 2017-15, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING INTERIM DEVELOPMENT REGULATIONS AND FINDINGS IN SUPPORT THEREOF; AMENDING CHAPTER 18.80 OF THE POULSBO MUNICIPAL CODE IN ORDER TO CHANGE WHERE SELF-SERVE MINI STORAGE USES ARE ALLOWED WITHIN THE CITY'S COMMERCIAL ZONING DISTRICTS; SETTING SEPTEMBER 20, 2017 AS THE DATE FOR A PUBLIC HEARING ON THE INTERIM REGULATION, PROVIDING FOR THE INTERIM REGULATION TO BE IN EFFECT FOR A PERIOD OF SIX MONTHS OR UNTIL A PERMANENT REGULATION IS ADOPTED; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

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

DATED this 16th day of August, 2017.


CITY CLERK, RHIANNON FERNANDEZ CMC