



Clearing and Grading Update
Overview Memo
Initial Public Release of Draft Amendments
March 2019

1.0 INTRODUCTION AND SUMMARY OF UPDATE

The City's Grading and Clearing ordinance is found in Poulsbo Municipal Code Chapter 15.35 and was last substantially updated in 1995, with a few amendments since then. As part of this update, the grading portion of the ordinance would be moved to a new Chapter 15.40, *Grading*. Chapter 15.35 will be repealed and replaced with the *Tree Cutting and Clearing Ordinance*.

The update is initiated to primarily reformat the existing ordinance to be consistent with the recent updates of other City land development ordinances (i.e. zoning, critical areas, land division, and permit procedures). The City Planning and Economic Development (PED) staff believe that the reorganization of the existing Grading and Clearing ordinance will result in ease of administration for both the private sector users and City staff. Additionally, the updated ordinance includes new or revised sections based on input received internally and externally.

Tree Cutting and Clearing

Land clearing includes any activity which cuts, removes or seriously damages vegetation, groundcover, trees or other organic plant matter, including but not limited to root-mat removal and/or topsoil removal, by physical, mechanical, chemical or any other means.

The purpose of the *Tree Cutting and Clearing Ordinance* is to regulate the cutting of trees in order to help preserve the wooded character of the City of Poulsbo and to protect its urban forest, promote, protect and preserve the public interest by regulating land alteration, enhance the City's physical aesthetic character by managing the removal of vegetation, trees and ground cover, and recognize there will be circumstances, such as land development, disease or danger of falling, that may require the removal of trees and ground cover.

The *Tree Cutting and Clearing Ordinance* provides the vehicle to allow Poulsbo to administer the DNR forest practice permits as required by RCW 76.09.240, provides a mechanism to control the timing of clearing to be closely related to the actual development of the property, and clarifies the process for the maintenance of required planting areas.

Grading

The *Grading Ordinance* regulates grading within the City, and establishes standards for grading, including filling and excavation activities. The purpose of the *Grading ordinance* is to promote, protect and preserve the public interest by regulating land alteration, ensure prompt construction, restoration, replanting and effective erosion and sedimentation, prevent water quality degradation and the sedimentation of streams, wetlands and other water bodies, and preserve natural drainage paths and outfalls, minimize the impact of runoff, sedimentation or erosion caused by improper land development and maintenance practices, promote safety upon public and private property, and promote the health safety and welfare of the public.

The *Grading ordinance* update includes changes to strengthen and clarify text and eliminate "loopholes" and ambiguity.

The Tree Cutting and Clearing Ordinance and Grading Ordinance are new ordinances, and while most of the provisions are the same or similar to the current Chapter 15.35, the entirety of each draft ordinance should be read and reviewed based upon the newly formatted document.

3.0 PLANNING COMMISSION AND CITY COUNCIL REVIEW

The Poulsbo Planning Commission, in its role as advisory body on land use policy documents and regulations, will begin meeting to review Clearing and Grading Update. Two workshops are scheduled with the Planning Commission, with the ability to add more if determined necessary by the Commission. After the Planning Commission has completed its review through workshops, a public hearing on the proposed amendments will be held, and a recommendation to the City Council will occur. The Planning Commission recommended draft code will then be transferred to the City Council. The Council will also hold two workshops and a public hearing. These meetings and dates are detailed below.

4.0 PUBLIC AND AGENCY REVIEW TIMELINE

All documents related the Clearing and Grading Update are available for public review and will be posted on the City's website here: <https://cityofpoulsbo.com/development-regulation-amendments/>.

The following is the anticipated public review timeline of the Clearing and Grading Update. Interested parties are encouraged to attend the workshops and/or public hearings. Written testimony may be submitted at any time up until the close of the City Council public hearing (May 15). All meetings are held at Poulsbo City Hall, Council Chambers, 200 NE Moe Street.

March 8, 2019

Public Release of Update: 1) post on City's website; 2) distributed to local, regional and state agencies; 3) distributed to Planning Commission and City Council; 4) email announcing availability of material sent to email list.

March 15, 2019

Notice of Application with Optional DNS published in NK Herald; distributed to resource agencies, Tribe, other interested parties

March 12, 2019

Planning Commission (PC) workshop - 6 p.m. | Council Chambers

March 29, 2019

Notice of Application with Optional DNS comment period over

March 26, 2019

PC Workshop - 7 p.m. | Council Chambers

March 29, 2019

PC Public Hearing Notice published in NK Herald; posted and distributed

April 9, 2019

PC Public Hearing 7 p.m. | Council Chambers

April 26, 2019

City Council (CC) Public Hearing Notice published in NK Herald; posted and distributed

May 1, 2019

CC Workshop – 7 p.m. | Council Chambers

May 8, 2019

CC Workshop (if needed) – 7 p.m. | Council Chambers

May 15, 2019

City Council Public Hearing - 7 p.m. | Council Chambers

5.0 PUBLIC ENGAGEMENT OPPORTUNITIES

The City is committed to providing multiple opportunities for the public to engage throughout the process. The City will take advantage of various modes of communication to inform the public and encourage their participation.

- **Website:** The City's Planning and Economic Development (PED) Department webpage will house the Clearing and Grading Update where interested citizens and community members may visit for status updates, draft documents, official notices, minutes, and project information. This webpage will be the primary repository of all information related to the process:
<https://cityofpoulsbo.com/development-regulation-amendments/>
- **E-Notice Mailing List:** An e-notice mailing list of interested persons and organizations has been established. Those on the e-notice list will receive periodic notices regarding the Clearing and Grading Update progress. Individuals interested in being on the mailing list should contact the PED Department at (360) 394-9748 or at plan&econ@cityofpoulsbo.com and request being placed on the Development Regulations updates e-notice mailing list.
- **Comment:** Interested citizens are encouraged to provide comments to the City by letter, email or fax. All comments will be forwarded to the Poulsbo Planning Commission and City Council. Written comments can be submitted by the following methods:

City of Poulsbo Planning and Economic Development Department
200 NE Moe Street
Poulsbo, WA 98370
Fax (360)697-8269
plan&econ@cityofpoulsbo.com

- **Attend:** Interested citizens are encouraged to attend and provide verbal comments to the City at the Planning Commission and/or City Council workshops and public hearings.

A public and agency participation plan has been developed for this project and can be viewed at the [City's website](#), under the link <https://cityofpoulsbo.com/development-regulation-amendments/>.