

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2019-14

SUBJECT: C1 Limited Zoning Amendment Ordinance Adoption

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 08/28/19
- ☒ Passed by the City Council: 09/04/19
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 09/13/19
- ☒ Effective: 09/18/19
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: 09/05/19
- ☒ Code Publishing
- ☐ City Attorney
- ☒ Clerk's Department: Original
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
- ☐ _____

Rhiannon Fernandez
City Clerk

09/05/19
Date

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTION 18.80.080 OF THE CITY OF POULSBO MUNICIPAL CODE IN ORDER TO ENCOURAGE REINVESTMENT IN DOWNTOWN POULSBO BY ALLOWING FLEXIBLE USE OF THE FIRST FLOOR OF MIXED-USE BUILDINGS IN THE C-1 ZONING DISTRICT, OUTSIDE OF THE SHOPFRONT OVERLAY; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on June 28, 2019, the City released the Draft C-1 Downtown Limited Zoning Amendments (Flexible Use) to the public, distributed to Washington State Department of Commerce and other local, regional and state agencies, and emailed to the City's Development Regulations interested parties e-notice list; and

WHEREAS, on June 28, 2019, the Notice of Application (NOA), SEPA Threshold Determination, and Planning Commission public hearing notice was published in the North Kitsap Herald, emailed to the NOA, SEPA and Development Regulations interested parties e-notice list, posted at the Poulsbo Library, Poulsbo Post Office, City Hall, and the city's website; and

WHEREAS, on July 23, 2019, the Planning Commission held a duly noticed public hearing on the C-1 Downtown Limited Zoning Amendments (Flexible Use); and

WHEREAS, after considering the testimony received at the public hearing, the Planning Commission voted to recommend approval of the C-1 Downtown Limited Zoning Amendments (Flexible Use) to the Poulsbo City Council, and adopted findings of fact in support of their decision; and

WHEREAS, on July 26, 2019 a public hearing notice announcing the Poulsbo City Council Public Hearing was published in the North Kitsap Herald, emailed to the public hearing and Development Regulations e-notice list, posted at the Poulsbo Library, Poulsbo Post Office, City Hall, and the City's website; and

WHEREAS, the City Planning Staff issued a City Council public hearing staff report on August 7, 2019; and

WHEREAS, the Poulsbo City Council held a duly noticed public hearing on the C-1 Downtown Limited Zoning Amendments (Flexible Use) on August 14, 2019; and

WHEREAS, after considering the staff and Planning Commission recommendations and all public testimony received in the public hearing, the Poulsbo City Council determined to approve and to adopt the final document by the passage of this ordinance;

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 Planning Commission Findings of Fact and Recommendation; and
- C. The findings, conclusions and analysis contained in the City Council Public Hearing Staff Report, dated August 7, 2019.

Section 2. C-1 Downtown Limited Zoning Amendments (Flexible Use). Poulsbo Municipal Code section 18.80.080 is hereby amended as set forth in Attachment A to this ordinance.

Section 3. 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 4. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



MAYOR REBECCA ERICKSON

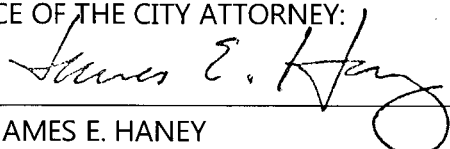
ATTEST/AUTHENTICATED:



CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY 

JAMES E. HANEY

FILED WITH THE CITY CLERK: 08/28/19

PASSED BY THE CITY COUNCIL: 09/04/19

PUBLISHED: 09/13/19

EFFECTIVE DATE: 09/18/19

ORDINANCE NO. 2019-14

SUMMARY OF ORDINANCE NO. 2019-14

of the City of Poulsbo, Washington

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTION 18.80.080 OF THE CITY OF POULSBO MUNICIPAL CODE IN ORDER TO ENCOURAGE REINVESTMENT IN DOWNTOWN POULSBO BY ALLOWING FLEXIBLE USE OF THE FIRST FLOOR OF MIXED-USE BUILDINGS IN THE C-1 ZONING DISTRICT, OUTSIDE OF THE SHOPFRONT OVERLAY; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

On the 4th day of September, 2019, the City Council of the City of Poulsbo, passed Ordinance No. 2019-14. A summary of the content of said ordinance, consisting of the title, provides as follows:

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

DATED this 5th day of September, 2019.



CITY CLERK RHIANNON FERNANDEZ

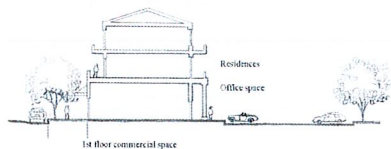
ATTACHMENT A

18.80.080.J. Mixed-Use Structure.

1. Purpose. Mixed use structures allow for placement of a mix of commercial and residential uses in a single building. Mixed use structures are intended to allow for efficient use of land and public services in an urban setting; encourage convenient access between employment, services and residential opportunities; and increase development alternatives.
2. A mixed-use structure shall contain at least two complementary, integrated, or mutually supporting uses (such as offices, retail, professional services, food and beverage, entertainment, public service and residential). (Except as allowed in 18.80.080.J(3.a.i)).
3. New mixed-use structures shall have the following standards:
 - a. Residential units must be located above allowed commercial uses (residences may not be located at street/ground level or below). However, uses accessory to the residential, such as lobby, fitness center, storage, community room and other accepted uses, may be located on the first floor (street level), and shall generally be located behind the street level commercial uses. Number of residential units shall be limited by the mixed-use structure's required development standards (lot coverage, height, parking and setbacks) for the underlying zoning district.
 - i. Within the C-1 zoning district, but outside of the shopfront overlay, residential units may be allowed on the first floor; provided that the first floor shall be constructed to commercial building and fire code standards and parking required at the applicable commercial ratio, to accommodate flexibility of use as both residential or commercial, as the market supports.
 - b. A minimum of 50 percent of the street level ground floor gross square footage shall be occupied by uses set forth in Table 18.80.030, Commercial Zoning Districts Use Table or as allowed by this section, and oriented to the primary street. Any underbuilding parking located on the street level floor shall be provided at the commercial parking standards and shall have an intervening permitted use between the street and the parking.
 - c. The mixed-use building shall be designed to look and function as an integrated development and encourage pedestrian travel between uses and adjacent buildings.
 - d. Buildings should be located adjacent to the primary street or immediately behind a public or semi-public space, such as a forecourt, plaza, or an outdoor seating area.
 - e. Commercial uses located on the ground floor shall have a prominent entrance facing the primary street, provide use and activity presence along the street frontage, and be designed to clearly define it as commercial space.
 - f. Compatible with the height, massing, setback and design character of surrounding uses shall be considered in mixed use structure design.
 - g. At least one outdoor activity feature shall be provided for the mixed-use building, including but not limited to courtyards, delineated gathering spaces, or seating areas. These areas must be paved and landscaped.
 - h. Private or shared open space shall be provided for each of the residential units, such as a private outdoor balcony or rooftop deck, and shall be provided at a minimum of thirty-eight square feet per unit.
 - i. On-site pedestrian circulation that links the public street and the primary entrance to the structure or residential units shall be provided. When the pedestrian circulation crosses driveways, parking areas and loading areas, it must be clearly identifiable through use of different paving materials.
 - j. Existing residential units in a mixed-use structure in the C zones may continue without meeting the standards above.



Conceptual design of a mixed-use building with retail commercial on the first floor, office on the second floor, and residences on the third floor. Design elements include façade modulation, roof line cascade, rooftop deck, awnings, varies façade materials, recessed and frame windows and ornamental pilasters.



Example of mixed-use structures use configuration.

4. It is recommended that acknowledgement be included in lease or purchase/sale agreements for residential units in mixed use structures, and address that residents will reside within commercial structures, where quiet enjoyment may not be guaranteed due to the nature of business, dining/entertainment or special event activity within the commercial zoning districts.