

City of Poulsbo

Planning & Economic Development



LAND USE HOUSEKEEPING CODE AMENDMENTS STAFF REPORT AND RECOMMENDATION

To: Mayor Erickson and City Council
From: Nikole Coleman, Senior Planner
Subject: Land Use Housekeeping Code Amendments
Date: July 29, 2020

Planning Commission and Staff respectfully recommends approval of the Land Use Housekeeping Code Amendments as set forth in Exhibit A to this staff report.

PROPOSED MOTION:

MOVE to (approve) (approval with modifications) the Land Use Housekeeping Code Amendments as set forth in Exhibit A to this staff report; and direct the Planning and Economic Development Director to prepare an adopting ordinance in support of this decision.

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1.0 Introduction

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. *The proposed amendments do not involve significant changes to the code.*

Amendments are included for the following PMC Chapters: 15.35, Tree Cutting and Clearing; 16.20, Critical Areas; 17.30, Boundary Line Adjustments; 18.40, Zoning Definitions; 18.70, Residential Districts; 18.80, Commercial Districts; 18.120, Design Review; 18.130; Landscaping; 18.140, Off-Street Parking; 19.20, Application Classification; 19.30, Application Review Procedures; 19.50, Public Notices; 19.70, Decision Appeal Procedures; 19.80, Time Frames for Review; and 19.90, Post Decision Procedures.

Initial staff proposed amendments are represented as red underline for proposed new language or additions or ~~red strikeout~~ for deletions. Planning Commission modifications are shown in blue underline or ~~blue strikeout~~. City Council proposed modifications are shown in purple underline or ~~purple strikeout~~. The City Council proposed draft is included as Exhibit A. A summary of amendments, with staff commentary, is included as Exhibit B.

2.0 Review Process to Date

The Draft Land Use Housekeeping Code Amendments were publicly released February 21, 2020. This release and all associated documents were posted on the City's website, distributed to Washington State Department of Commerce and local, regional, and state agencies, and emailed to the City's Development Regulations Update interested parties e-notice list.

On February 21, 2020, the Notice of Application (NOA) with Optional DNS was published in the North Kitsap Herald, emailed to the NOA, SEPA and Development Regulations e-notice list, and posted at the Poulsbo Post Office, City Hall and the City's website (Exhibit D). On March 9, 2020, the SEPA Threshold Determination was issued (Exhibit E).

The originally scheduled Planning Commission Public Hearing was postponed due to the Governor's "Stay Home, Stay Healthy" order. On June 4, 2020, a revised public hearing notice was published in the Seattle Times, emailed to the public hearing and Development Regulations e-notice list, posted at the Poulsbo Post Office, City Hall, and the City's website (Exhibit F).

On June 23, 2020, the Planning Commission held a duly noticed public hearing and after considering the testimony received at the public hearing, the Planning Commission voted to recommend approval to the Poulsbo City Council and adopted findings of fact in support of their decision (Exhibit G).

On July 21, 2020, a public hearing notice announcing the City Council Public Hearing was published in the Seattle Times and posted at the Poulsbo Post Office and City Hall and the City's website; and emailed to the public hearing and development regulations e-notice list (Exhibit H).

One public comment has been received to date (Exhibit I).

3.0 City Council Amendments

The initial release of staff recommended amendments included an amendment to the definition of grade. At the July 8, 2020 City Council workshop, Councilmember Musgrove expressed concern that the amendment was inconsistent with other language in the code. After careful consideration by staff, the height definition amendment was pulled from the amendment package. Staff determined that the existing definition is appropriate and that an image in our Measuring Height handout was incorrect. That handout has since been updated.

4.0 Review Criteria, Conclusion and Recommendation

Amendments to the text of this title or zoning amendments to the city's zoning map shall be applied for and processed according to the provisions of Title 19.

In order to grant a zoning code text amendment, the following findings must be made:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment supports and/or enhances the public health, safety or welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners.

Conclusion: The proposed amendments are consistent with the Comprehensive Plan, supports and/or enhances the public health, safety, or welfare, and is not contrary to the best interest of the citizens and property owners of the City of Poulsbo. Criterion met.

Recommendation: Planning Commission and Staff respectfully recommends approval of the Land Use Housekeeping Code Amendments as set forth in Exhibit A to this staff report.

5.0 City Council Public Hearing, August 5, 2020

The City Council public hearing is scheduled for **August 5, 2020 at 7pm**. Due to the Governors "Stay Home – Stay Healthy" Order, **public hearings must be held virtually**. This call-in number: **1-623-404-9000** and meeting id: **148-485-5074** are provided for attendance.

If you wish to provide verbal citizen comment during the virtual meeting, please call in 10 minutes prior to the meeting and to be added to the sign-in sheet to speak during citizen comments or the public hearing. Alternatively, please submit written comments requesting your comments be read during the meeting to cityclerks@cityofpoulsbo.com, mail to City Hall, call and leave a message with the Clerk's Office, or drop comments off at the 3rd & Moe drop box **before 4:30 p.m.** to be read by the City Clerk during the virtual meeting.

PROPOSED MOTION:

MOVE to (approve) (approval with modifications) the Land Use Housekeeping Code Amendments as set forth in Exhibit A to this staff report; and direct the Planning and Economic Development Director to prepare an adopting ordinance in support of this decision.

6.0 Attorney General's Unconstitutional Takings Memo

Pursuant to Comprehensive Plan Policy PI-2.4, City staff members are familiar with Washington State Attorney General's "warning signals" for unconstitutional takings of private property. Staff has reviewed the Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings in the context of the proposed amendment and has consulted with the City Attorney regarding the warning signals. Staff and the City Attorney are comfortable that the draft ordinance does not result in any unconstitutional taking.

7.0 Exhibits

- A. Draft/Proposed Land Use Housekeeping Code Amendments
- B. Summary of Amendments
- C. Public Participation Plan
- D. Notice of Application with Optional DNS
- E. SEPA Threshold Determination DNS with commented checklist
- F. Revised Notice of Planning Commission Public Hearing
- G. Planning Commission Findings of Fact and Recommendation
- H. Notice of City Council Public Hearing
- I. Public Comments Received to Date

EXHIBIT A

Proposed Land Use Housekeeping Code Amendments

2020 Land Use Housekeeping Amendments | City Council Recommended | August 5, 2020

Staff initial release amendments are shown in red underline and ~~strikethrough~~

Planning Commission recommended amendments are shown in blue underline and ~~strikethrough~~

City Council recommended amendments are shown in purple underline and ~~strikethrough~~

INTRODUCTION:

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Amendments are included for the following PMC Chapters: 15.35, Tree Cutting and Clearing; 16.20, Critical Areas; 17.30, Boundary Line Adjustments; 18.40, Zoning Definitions; 18.70, Residential Districts; 18.80, Commercial Districts; 18.120, Design Review; 18.130; Landscaping; 18.140, Off-Street Parking; 19.20, Application Classification; 19.30, Application Review Procedures; 19.50, Public Notices; 19.70, Decision Appeal Procedures; 19.80, Time Frames for Review; and 19.90, Post Decision Procedures.

The proposed amendments to the sections identified above, have been assigned an amendment number and are presented below in its sequential order per the Poulsbo Municipal Code. Staff proposed amendments are represented as red underline for proposed new language or additions, and ~~red strikethrough~~ for deletions. Planning Commission recommended amendments are represented as blue underline for proposed new language or additions, and ~~blue strikethrough~~ for deletions. City Council recommended amendments are represented as purple underline for proposed new language or additions, and ~~purple strikethrough~~ for deletions.

It should be noted that not all provisions of a specific section are presented below; only the pertinent sections proposed to be amended are identified. For full context, please refer to the complete section in the Poulsbo Municipal Code: <https://www.codepublishing.com/WA/Poulsbo/>.

Full project review documents, including timeline, can be viewed on the project website: <https://cityofpoulsbo.com/development-regulation-amendments/>.

TITLE 15: BUILDINGS AND CONSTRUCTION | Chapter: 15.35 Tree Cutting and Clearing

1. Section: 15.35.070 Activities Exempt from Tree Cutting or Clearing Permit.

An exemption from a tree cutting or clearing permit does not necessarily exempt a property owner from complying with other requirements. These may include policies, criteria, and standards contained in this chapter, plat requirements, HOA rules, or other applicable local, state, or federal regulations or permit requirements. The following are exempt from a tree cutting or clearing permit:

- A. Normal and routine maintenance of existing landscaping, such as lawn mowing, rototilling, composting, gardening and pruning of vegetation.
- B. Any removal or cutting on developed, partially developed, or undeveloped lots when the total area to be disturbed is seven thousand square feet or less (see Stormwater Management Manual for Western Washington) per calendar year.
- C. The installation and maintenance of fire hydrants, water meters, and pumping stations by the city or its contractors.
- D. All nonconversion forest practice on property equal to or greater than twenty acres; and has provided a statement to the city and DNR that the forest landowner does not intend to convert the use to a nonforest operation for a period of at least ten years. All applicable state forest practice permit requirements remain, as set forth under Chapter 76.09 RCW. (Class IV general forest practice requires a tree cutting and clearing permit; see Section 15.35.090 for Class IV general forest practice.)
- E. Minimal blazing for line-of-site surveying and foot access and limited clearing and grading as required to perform geotechnical exploration to characterize geologic formations and soils.
- F. The removal of plants designated as noxious weeds by government agencies.
- G. Trees that are damaged during a weather event, such as windstorm.
- H. Removal of trees in emergency situations involving immediate danger to life or property or substantial fire hazards. If the removal is seven thousand one square feet or more of disturbed area, or is located within an open space tract, tree retention tract, required landscaping, designated critical area or shoreline (including buffers) and other protective areas, the city shall be notified within seven days of the removal and shall be provided additional information, as to verify the emergency. An after-the-fact permit may be required.

I. Removal of dead, dying or dangerous trees per Section 15.35.120.

J. Removal of trees on City owned property for installation of utilities and public facilities and maintenance of City property.

2. Section: 15.35.110 Trees and Vegetation in Open Space Tracts, Tree Retention Tracts and other Protective Areas.

A. Trees located in open space tracts, tree retention tracts, or other protected areas may only be removed if the tree is dead, dying, or dangerous and poses potential hazard to persons or property. See Section 15.35.120 for provisions to remove dead, dying or dangerous trees.

~~B. A tree cutting and clearing permit is required for tree removal in these protective areas.~~

B. ~~C~~ Replanting is required. Replacement trees shall conform to the original planting installation or as approved by the planning director.

1. Tree replacement shall be determined according to the diameter at breast height (DBH) of the tree removed, upon consultation with the city arborist.
2. The location of the replacement tree(s) shall be on the property where the tree was removed, unless approved otherwise by the planning director upon consultation with the city arborist.
3. If any replacement tree dies within three years of the planting, the tree shall be replaced in accordance with this chapter.

3. Section: 15.35.120 Dead, Dying or Dangerous Trees.

A. For purposes of this section:

1. "Dead" means the tree is lifeless.
2. "Dying" means the tree is in an advanced state of decline because it is diseased, infested by insects or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent the spread of the infestation or disease to other trees.
3. "Dangerous" means the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.

B. Removal of dead, dying or dangerous trees is allowed. If the removal is seven thousand one square feet or more of disturbed area, or is located within ~~an open space tract, tree retention tract, required landscaping, a~~ designated critical area (including buffers) and other protective areas, a tree cutting and clearing permit shall be required.

C. When ~~removal of dead, dying or dangerous trees is allowed a permit is required~~ per subsection B of this section, a qualified arborist or landscape architect shall provide written verification which states the removal is essential for the protection of life, limb or property. The planning director may consult with the city arborist to assist in the review of the submitted written verification when deemed necessary.

D. The planning director, upon consultation with the city arborist, may determine that dead or dying trees be retained in critical area, critical area buffer, tree retention tract, open space tract or other protected areas, in order to provide for wildlife habitat and natural processes, unless the tree presents a potential hazard to person or properties.

TITLE 16: ENVIRONMENT | Chapter: 16.20 Critical Areas | Fish and Wildlife Habitat Conservation

4. Section: 16.20.320 Project-Specific Development Standards.

I. Road/Street Repair and Construction. Public road or street repair, maintenance, expansion or construction may be allowed in fish and wildlife habitat conservation areas or their buffers subject to the following development standards:

1. No other reasonable or practicable alternative exists;
2. The road or street serves multiple properties wherever possible;
3. Publicly owned or maintained road or street crossings provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.;
4. The road or street construction is the minimum necessary, as required by the department, and shall comply with the department's guidelines to provide public safety and mitigated storm water impacts;
5. Construction time limits shall be determined in consultation with WDFW in order to ensure habitat protection; and

6. Mitigation shall be performed in accordance with specific project mitigation requirement.

TITLE 17: LAND DIVISION | Chapter: 17.30 Boundary Line Adjustments

5. Section: 17.30.040 Decision Criteria.

The review authority may approve an application for a boundary line adjustment provided the following criteria are met:

- A. The boundary line adjustment shall not result in the creation of any additional lot, tract, parcel, site, or division.
- B. The lots or parcels resulting after the boundary line adjustment shall meet all dimensional requirements specified for the applicable zone as set forth in Title 18, Zoning.
 - 1. Boundary line adjustments in residentially zoned property must meet the requirements of minimum and maximum lot sizes, as set forth in Section 18.70.040, Table 18.70.050 or Table 18.70.060.
 - a. In the RL zoning district, when adjusting lots through this section, ~~one~~ lots may exceed the maximum lot size if it is a minimum fifteen thousand square feet or larger, in order to be of sufficient size to be further subdivided in the future; and which no existing or future structure(s) is located in such a way as to prevent future subdivision that meets the city's lot dimensional requirements. All other adjusted lots must meet the minimum/maximum lot size requirement.

TITLE 18: ZONING ORDINANCE | Chapter: 18.40 Definitions

6. Section: 18.40.030 Definitions.

B Definitions.

Building Height. See also Section 18.150.050. The vertical distance measured from the average elevation of the finished grade at an exterior building wall or building segment to the highest point of the building wall or building segment. The overall building height shall be calculated as the average of all building sides. A "building segment" is when a break in the roof line, change in number of stories, or break in finished grade occurs of at least four feet.

F Definitions.

"Farmers market" means an indoor and/or outdoor retail market open to the public consisting of three or more independent vendors, with each vendor operating independently from other vendors and subleasing booths, stalls or tables for the purpose of selling farm-grown or home-grown produce, food, flowers, plants or other similar perishable goods, and/or new wares, used goods or merchandise, which operates for a minimum of six months per year.

G Definitions.

"Grade, highest sidewalk" means the highest elevation of the sidewalk parallel to the building frontage.

L Definitions.

"Lot depth" means the horizontal length of a straight line drawn from the midpoint of the average distance measured from the front lot line to the rear lot line. In the case of a corner lot, the depth shall be the length of its longest side lot line.

M Definitions.

~~"Beverage/food and retail sales m~~Mobile vending cart" means a cart or wagon that can be pushed or pulled (not self-propelled) with functional wheels which is not affixed to the ground and is mobile; and which is operated for the purpose of vending food, drink, or retail goods.

"Mobile food truck" means motorized vehicles from which food or drink (prepared on-site or pre-packaged) is sold or served to the public, whether consumed on-site or elsewhere.

N Definitions.

"Nonprofit community organization" means a bona fide nonprofit organization recognized by the United States Internal Revenue Service as a charitable institution exempt from taxation under Section 5013(C) of the Internal Revenue Code and whose principal offices or meeting place is located within the city of Poulso.

S Definitions.

"Site distance triangle" means a clear view area maintained within a triangular space at the corner of a lot so that it does not obstruct the view of travelers upon the streets, as determined by the City Engineer.

V Definitions.

Vending Cart. See definition of ~~"beverage/food and retail sales~~ mobile vending cart."

TITLE 18: ZONING ORDINANCE | Chapter: 18.70 Residential Districts.

7. Section: 18.70.030 Uses.

Table 18.70.030 Residential District Uses			
	RL	RM	RH
RESIDENTIAL			
Accessory dwelling units ¹ <i>(subject to provisions of Section 18.70.070(A))</i>	AC	AC	AC
Accessory structures normal to residential environment ¹	P	P	P
Adult family home	P	P	P
Boarding or rooming houses	C	AC	P
Confidential shelter ¹ (including confidential transition homes) <i>no public noticing required, see Section 18.70.070(H)</i>	AC	AC	P
Dormitory	C	AC	P
Dwelling, multifamily <i>Duplex, triplex, apartment, townhomes, detached/clustered cottage attached or detached condominiums</i>	PRD ² <i>Only allowed through planned residential development provisions; see Chapter 18.260</i>	P	P
Dwelling, single-family	P	P	P
Group residential home	P	P	P
Group home	P	P	P
Guest houses ¹	P	P	P
Homeless shelter	AC	AC	AC
Infill residential development ¹	AC	<i>Not applicable</i>	<i>Not applicable</i>
Manufactured home parks/subdivisions	C	C	C
Planned residential developments ³ <i>(subject to provisions of Chapter 18.260)</i>	P	P	P
BUSINESS SERVICES			
Bed and breakfast ¹	AC (up to five rooms) C (six or more rooms)	AC	AC
Home business ¹	P	P	P
Home occupation ¹	P AC	P AC	P AC
Live/work units	X	AC	AC
Neighborhood commercial ¹	C	AC	AC
Professional offices, freestanding up to 5,000 square feet ¹	X	AC	AC
Self-serve mini storage	X	X	AC
MEDICAL AND HEALTH SERVICES			
Animal hospital and veterinary clinics, freestanding up to 5,000 square feet	X	AC	AC
Assisted living	C	AC	P
Congregate care senior housing	C	AC	P
Medical/dental offices and clinics, freestanding up to 5,000 square feet	X ⁴ <i>Limited dental office/clinic allowed as neighborhood commercial; see Section 18.70.070(F)(6)</i>	AC	AC
Nursing home	C	AC	AC
Residential care facility	C	AC	P
Residential care home	P	P	P

	RL	RM	RH
EDUCATION SERVICES			
Family Day care, family home ¹	P	P	P
Preschool/Day care center ¹	X ⁵ <i>Unless as an accessory use in conjunction with a permitted use: see Section 18.70.070(D)</i>	AC	AC
Schools, public or private	C	C	C
PUBLIC AND QUASI-PUBLIC			
Essential public facilities, regional and state Essential public facilities, local ⁶ <i>(subject to the provisions of Chapter 18.125)</i>	P C	P C	P C
Governmental and public administration buildings, including fire stations, recreation buildings, post offices, and similar government services, but not including government maintenance shops In RM and RH zones only: Nongovernment professional office use, personal service, eating/drinking and retail commercial use may be permitted within the government and public administration buildings; all nongovernment uses combined shall not total more than 25% of gross building square footage. (Other agreements, funding constraints or mechanisms that limit the use(s) of government/public administration buildings shall take precedent over this provision.) Existing structures or new construction 5,000 square feet or less New construction 5,001 square feet or more	 AC C	 AC C	 AC C
Public parks	P	P	P
Utility facilities and utility system	AC	AC	AC
Transit facilities, including park and ride lots and transfer centers	C	C	C
Wireless communication facilities	C	C	C
OTHER			
Agriculture, current use/conservation futures <i>(as defined in Chapter 18.40)</i>	P	P	P
Cemeteries	C	C	C
Clubs, lodges and charitable institutions, new freestanding structures or existing building(s) 5,001 square feet or larger ¹	C	C	C
Clubs, lodges, charitable institutions and similar uses, under 5,000 square feet and within an existing building(s) ¹	C	AC	AC
Farmers market ¹ <i>(see Section 18.70.070(L))</i>	P	P	P
Places of worship, new freestanding structures and existing building(s) 5,001 square feet or larger ¹	C	C	C
Places of worship, under 5,000 square feet and within an existing building(s) ¹	C	AC	AC
Privately owned amusement, sports or recreation establishments, such as marina, country clubs and golf courses, but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), racetrack, amusement park, or gun club	C	C	C
¹ Subject to additional standards in Section 18.70.070 ² Only allowed through planned residential development provisions; see Chapter 18.260 ³ Subject to standards in Chapter 18.270 ⁴ Limited dental office/clinic allowed as neighborhood commercial; see Section 18.70.070(F)(6) ⁵ Unless as an accessory use in conjunction with a permitted use; see Section 18.70.070(D) ⁶ Subject to the provisions of Chapter 18.125 ⁷ Limited to public markets run by nonprofit community organizations			

TITLE 18: ZONING ORDINANCE | Chapter: 18.70 Residential Districts.

8. Section: 18.70.050 Development Standards in the RL Zone.

A. Lot Requirements. Table 18.70.060 establishes the lot requirements in the RM and RH zoning districts.

Table 18.70.060 Lot Requirements in the RM/RH Districts			
Development Standard	Single-Family Detached (including any method of subdivision for single-family detached, except detached cottage) ^{1,2}	Multifamily Developments (including duplex, triplex, apartment, townhouse, detached cottage,* or attached or detached condominium)	Nonresidential
Minimum Lot Area	4,000 square feet	None	6,000 square feet
Minimum Lot Width	50'	20'	50'
Maximum Building Lot Coverage	50%	60%	50%
Front Yard Setback	15'	10'	20'
Rear Yard Setback	10'	10' 20' when abutting RL zone	20'
Side Yard Setback	5'	Detached: 10' 20' when abutting RL zone	Minimum 5' for a combined total of 15'
Street Corner Yard Setback (corner lots at intersections(s) of public streets/rights-of-way)	10' ²	10' ²	10' ²
Increases in Yard Setbacks	N/A	For side, rear and peripheral yards, the setback shall be increased by 6" for each foot the building height exceeds 25'.	
Building Height	No building or structure shall exceed 35' in height. ³		
¹ *See Section 18.70.070(l) for cottage housing development lot requirements. ² of g Greater distance may be if necessary, for sight distance as determined by the city engineer. ³ See Section 18.150.050 for building height measurement; Section 18.310.010 for building height exceptions.			

B. Special Setbacks between Residential Buildings with ~~More Than~~ Two or More Attached Units.

- There shall be a minimum distance of ten feet between buildings or structures when a structure has two or more units and it exceeds twenty-five feet in height. There shall be an additional minimum distance of six inches for each foot buildings or structures exceed twenty-five feet of height on the same parcel or in the same development.
- For the purpose of calculating special setback required in subsection (B)(1) of this section, the determination of special setback distance shall be calculated based on the average height of the facing sides of the buildings or structures.

C. Recreational Amenities.

- For all residential developments proposed in the RM/RH zone, recreational amenities shall be provided. The number of amenities shall be based upon the number of dwelling units provided:

15 –20 units	2 amenities
21–40 units	3 amenities
41–60 units	4 amenities
61–80 units	5 amenities
81 units or over	1 additional amenity per 20 units

- Usable recreational amenities shall be provided for their intended use and anticipated residents of the development. Examples of usable recreational amenities include swimming pools, whirlpools, community buildings, large picnic areas including barbecues and covered shelters, tennis courts, outdoor exercise circuits, community gardens, improved playgrounds, paths and passive seating areas, exercise rooms, basketball courts, pickleball courts, and shuffleboard, and others as approved by the review authority.

3. Larger amenities, such as (but not limited to) community building, tennis courts, and swimming pools, may count as at least two amenities towards a project's required recreational amenities, or as approved by the review authority.
4. For attached units, each unit shall have an exclusive accessible outdoor private space of not less than forty square feet in area. The area shall be designed to provide privacy for unit residents and their guests.
5. The recreational amenities are to be maintained by a homeowners' association, property management, or other private association approved by the review authority.
6. Developments which are built in phases shall provide on-site recreation facilities for each phase or shall provide the total amount of required recreation area in the first phase of construction. ___

D. Landscaping, Site and Building Design Standards.

1. Site Landscaping. All developments proposed in the RM/RH zoning districts must provide landscaping as follows:
 - a. Minimum Requirement. A minimum of twenty percent of the property area shall be landscaped. Setback, parking lot, street trees and building perimeter landscaping contributes to this requirement.
 - b. Critical area buffers may count toward this requirement but cannot contribute more than forty percent of the twenty percent overall site landscaping requirement.
 - c. Retaining land at its natural grade with existing native vegetation is strongly encouraged and may contribute toward the required landscape percentage requirement if the existing vegetation is healthy and likely to survive development. A maintenance assurance device, agreement or bond for two years will be required to ensure the existing vegetation remains healthy and additional vegetation appropriate to the overall site's landscape plan must be installed if the existing vegetation does not survive.
 - d. Tree retention as required in Chapter 18.180 may contribute toward the required landscape percentage requirement.
 - e. Low impact development techniques for stormwater management that are not fenced and can be designed to integrate vegetation appropriately into the site's overall landscape plan may count toward this requirement as approved by the review authority.
 - f. Areas designated for special setbacks between buildings and common recreational amenities shall be landscaped, and such landscaped areas may contribute toward the required landscape percentage requirement.
2. Setback Landscaping.
 - a. Setback areas are to be landscaped and covered with live plant materials that will ultimately cover seventy-five percent of the ground area within three years. One tree (deciduous tree of a minimum of two inches caliper or one six-foot evergreen tree) and three shrubs, each of which will attain a height of three and one-half feet within three years, shall be provided for every three hundred square feet of area to be landscaped.
 - b. Setback landscaping may include low impact development stormwater management facilities that are not fenced and can be designed to integrate vegetation appropriately into the setback's landscape area.
 - c. When adjacent to the RL zoning district, setback landscaping shall be provided for the full width of the setback and will include a combination of sight-obscuring fencing, solid screen of evergreen trees and shrubs and berming, as approved by the review authority.
3. Street Trees. Street trees and related landscaping shall be provided forty feet on center for arterials and thirty feet on center for collectors within a minimum five-foot planting strip. Groundcover of sod or other approved groundcover shall be provided. Species of trees shall be as set forth in the city's master street tree plan if applicable, or as otherwise approved by the review authority.
4. Parking Lot Landscaping. Parking lots with more than ten spaces shall be landscaped. A minimum of five percent of the parking lot area (that area inside parking lot perimeter curbing) shall be landscaped; planting area width shall be a minimum of five feet. Providing adequate shading opportunities should be taken into account. Parked vehicles may not overhang if the planting area width is the minimum five feet. Wheel stops are required for all parking spaces abutting landscaped areas. Unfenced low impact development stormwater management facilities may be located in parking lot landscaping when feasible and when designed to be integrated appropriately in the landscaped area and may count toward the parking lot landscaping requirement.
5. Building Perimeter Landscaping. For any building wall that exceeds an average of thirty feet in height, a planting bed is required with a hierarchy of plantings for at least sixty percent of the wall length provided:

- a. Columnar trees shall be installed minimum four feet from the building's foundation within a minimum six-foot-wide planting bed at the structure's foundation/base; or larger trees may be planted twenty-five feet on center within a fifteen-foot planting bed and minimum ten feet from base.
 - b. Shrubs or small trees ranging from one to six feet in height at maturity shall be planted three to six feet on center (depending on size at maturity) within the required planting bed.
 - c. Groundcover or other organic material shall be provided to reduce wind and water erosion.
6. Alternative Landscaping Plans. The planning director may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:
- a. Represent a superior result than what would be achieved by strictly following requirements of this section; and
 - b. Incorporate unique or architectural features such as sculptures, boulders, pedestrian plazas, and the like.
7. ~~6.~~ On-Site Pedestrian Circulation. For residential developments in the RM/RH zoning districts, an on-site pedestrian circulation system meeting the following standards shall be provided. The pedestrian circulation system is in addition to recreational amenities identified in subsection C of this section.
8. ~~7.~~ On-Site Vehicular Circulation, Parking and Bicycle Facilities.
9. ~~8.~~ Building Design Standards. The purpose of building design standards in the RM and RH zoning districts is to facilitate attractive architectural design and scale by avoiding large blank walls, bright colors and providing roof line treatment.
10. ~~9.~~ Screening Standards. Mechanical equipment, trash and recycling dumpsters, and any outdoor related equipment shall be screened from abutting properties, public rights-of-way, and open space Outdoor Storage and Trash Receptacles. Outdoor dumpster and recycling storage and trash receptacles shall be completely screened with a combination of fencing and landscaping. from adjacent properties and public right-of-way. Screening shall be complementary to the materials and colors of the primary structure(s) and shall be of a height appropriate to reduce the appearance of the materials being screened.
11. ~~10.~~ Lighting. Lighting on site should be integrated into the overall design on the project.
- a. Lighting is required for entryways, parking lots, carports, and along pedestrian pathways.
 - b. Lighting fixtures shall complement project design.
 - c. Lighting shall be oriented and shielded to avoid direct glare onto adjacent properties and public rights-of-way, while providing adequate safety for pedestrians.
 - d. A photometric lighting plan shall be required as part of the underlying permit which shows includes the following:
 - i. Manufacturer specifications sheets, cut sheets, and other manufacturer-provided information for all proposed outdoor light fixtures;
 - ii. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures; and
 - iii. Photometric data showing lumen readings every 10 feet within the property or site, and 10 feet beyond the property lines. Lighting levels shall be consistent with the Illuminating Engineering Society (IES) standards, as amended.The photometric plan shall consider proposed and existing landscaping at maturity to evaluate the long term and seasonal effectiveness of lighting or screening of lighting.

9. Section 18.70.070 Additional Standards and Provisions for R Zoning Districts

M. Fences.

1. No fence may violate the sight distance restrictions at street intersections.
2. ~~Any fence that exceeds six feet in height requires a~~ A building permit ~~and~~ shall be required per ~~conform to~~ the International Building Code, as adopted and amended by the city of Pouslbo.
3. Height shall be measured from finished grade at the exterior side of the fence. Fences located on retaining walls shall be measured from the finished grade at the top of the retaining wall to the top of the fence. (No person may construct a berm upon which to build a fence unless the total height of the berm plus the fence does not exceed the maximum height allowable for the fence if the berm was not present.)
4. Prohibited fence types include barbed or razor wire and electric fencing; provided, that electric fencing may be used for livestock containment as allowed in subsection Q of this section.

TITLE 18: ZONING ORDINANCE | Chapter: 18.80 Commercial Districts.

10. Section: 18.80.100 Off-Street Parking and Loading Standards in the C-1 Zoning District.

The following standards apply to parking and loading in the C-1 zoning district:

- A. When Required.
 1. Change of commercial use to a new commercial use within an existing structure and no additional gross floor area: no parking requirement.
 2. Conversion, expansion or creation of new residential units.
 3. Enlargement of an existing structure up to a maximum of one thousand five hundred additional square feet of gross floor area: no parking requirement.
 4. Enlargement of an existing structure of more than one thousand five hundred one additional square feet: parking provided as set forth in subsection B of this section and Section 18.140.020(B)(2)(c).
 5. New construction: parking provided as set forth in subsection B of this section.
 6. Reconstruction of an existing building: new parking required for additional square footage only; provided, that existing parking spaces are retained.
 7. Conversion, expansion or creation of a hotel, motel, bed and breakfast: one space per guestroom is required.
- B. Number of Spaces Required.
 1. Retail sales, personal services, restaurant, office and professional services: one space per three hundred gsf.
 2. Residential:
 - a. Studio/one bedroom: one space per studio/dwelling unit.
 - b. Two bedrooms or more: two spaces per dwelling unit.
 - c. Residential units restricted to use for seniors (sixty-five years and older): one and one-quarter spaces per dwelling unit.
 - d. Assisted living, senior congregate care, residential care center: one for each four regular beds (or units), plus one space for every full-time employee on largest shift.
 - e. Guest parking is one space per four eight dwelling units; provided, that commercial use parking spaces may meet this requirement at a one-to-one ratio replacement when uses' peak hours of operation do not overlap.
 3. Other uses not specifically listed shall furnish parking as required by the planning director.

TITLE 18: ZONING ORDINANCE | Chapter: 18.120 Design Review.

11. Section: 18.120.020 Applicability.

- A. The city's design review process applies to development proposals, new construction and projects requiring a building permit that includes alteration to the building facade exterior of an existing building, for the following:
 1. Neighborhood commercial and nonresidential projects located in the RL zoning district. Projects located in the RM and RH zoning districts, including multifamily developments; live/work, neighborhood commercial, and mixed use; assisted living, congregate care facilities and the like; and nonresidential uses.
 2. Projects located in the C-1, C-2, C-3, and C-4 zoning districts.
 3. Projects located in the OCI, BP and LI zoning districts.
 4. Projects utilizing the master plan overlay provisions.
- B. The following activities shall be exempt from design review:
 1. Minor exterior alterations to buildings which do not result in an increase in floor area and are substantially consistent with the existing building design and character. ~~Minor construction,~~ such as, for example, replacement of doors, windows, trim, awnings, and the like determined by the planning director to be exempt.
 2. Interior work.
 3. Building permit for single-family residence.
 4. Utility facilities.

6. Any other work determined by the planning director to be minor or incidental in nature and consistent with the intent and objectives of this chapter and the specific zoning district provisions.

C. Building architectural design requirements are as set forth under each specific zoning district provisions.

TITLE 18: ZONING ORDINANCE | Chapter: 18.130 Landscaping.

12. Section: 18.130.090 Street Trees.

- A. Street Trees Required. Street trees and related landscaping shall be provided forty feet on center for arterials and thirty feet on center for collectors. Groundcover of sod or other approved groundcover shall be provided. Species of trees shall be as set forth in the city's master street tree plan, if applicable, or as otherwise approved by the review authority.
- B. Size, Spacing and Placement of Street Trees. The specific spacing of street trees by size of tree shall be as follows:
- Deciduous trees shall be a minimum of 1.5-inch caliper as measured 6 inches above the ground. Conifer trees shall be a minimum of 5 feet in height at time of planting. One two-inch caliper deciduous tree shall be provided as set forth above; provided, that the review authority may adjust the spacing to accommodate access points or other obstructions.
 - Tree pits shall be located so as not to include utilities (e.g., water and gas meters) in the tree well.
 - Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines.
 - ~~3.~~ Trees shall not be planted closer than two feet from the face of the curb.
 4. Trees shall not be planted closer than two feet from any permanent hard surface paving or walkway.
- C. Street trees shall meet the standards of the most current edition of American Standard for Nursery Stock (ANSI Z60.1). Plant material should be obtained from established commercial licensed nursery growers and installed by qualified landscape professionals.
- D. ~~C.~~ Cut and Fill around Existing Trees. Existing healthy trees may be used as street trees if no cutting or filling takes place within the dripline of the tree.
- E. ~~D.~~ Replacement of Street Trees. Existing street trees removed shall be replaced. The replacement trees shall be of a size and species similar to the trees that are being removed unless alternatives are approved by the review authority.

TITLE 18: ZONING ORDINANCE | Chapter: 18.140 Off Street Parking and Loading

13. Section: 18.140.030 General Provisions.

- H. Driveways.
- Entrances and Exits. The minimum width of driveway into a parking area shall be twelve feet for one-way traffic and twenty-four feet for two-way traffic, or as otherwise required by the city engineer or fire marshal.
 - Combined Driveway. The owners of adjoining nonresidential properties shall provide combined driveways wherever practical. In conjunction with approval of a development, the city may require a property owner to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.
 - Driveway Dimensions. Internal circulation driveways that do not provide direct access to parking stalls must be a minimum of twenty feet wide for two-way traffic and fifteen feet wide for one-way traffic unless otherwise specified by the city engineer or by the fire marshal.

14. Section: 18.140.040 Design Standards for Surface Parking Areas.

- A. Space and Aisle Dimensions. Table 18.140.040 sets forth the required minimum dimensions for parking spaces and drive aisles.

Parking Angle (degree)	Standard Stall Dimensions		Compact Stall Dimensions		Aisle Width Dimensions	
	Stall Width (feet)	Stall Depth (feet)	Stall Width (feet)	Stall Depth (feet)	1-way Aisle Width	2-way Aisle Width
0	20	8	18	8	12	20
45	9	18	8	15	14	20
60	9	18	8	15	16	22
90	9	18	8	15	22	24

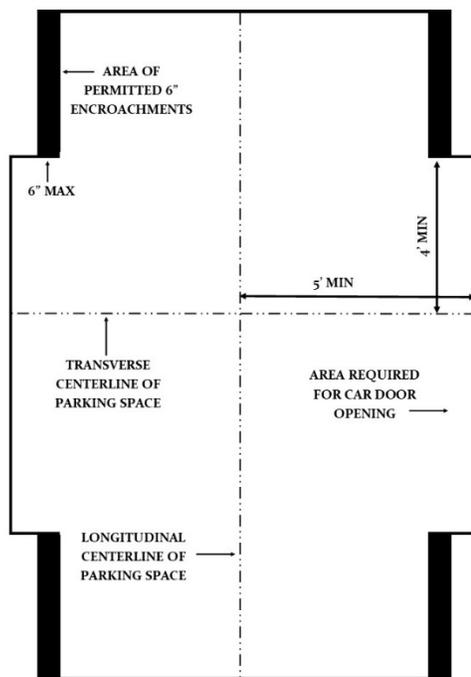
1. Other parking angles may be approved, with dimensional requirements consistent with those set forth in Table 18.140.040.
 2. When a parking space abuts a fence, structure, wall or other obstruction, an additional eighteen inches of width to the parking space are required. When a parking space abuts landscaping, an additional twelve inches are required.
 3. Two additional feet beyond the last parking space in an aisle are required.
- B. Compact Spaces. Up to forty percent of all required on-site vehicular parking spaces may be compact spaces. Such spaces shall be marked as “Compact” or “C.”
- C. Parking Space Clustering. No more than fifteen parking spaces shall be placed side by side without an intervening break by a circulation aisleway, pedestrian walkway or landscaping. If an average of no more than fifteen side-by-side stalls is maintained overall, up to twenty may be located side by side. Where landscaping provides a break in the group of spaces, the landscape island shall extend at least one foot into the circulation aisleway to provide a visual narrowing of the aisleway.
- D. Tandem Parking. Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following:
1. No more than two vehicles shall be placed one behind the other;
 2. Both spaces shall be assigned to a single dwelling unit;
 3. The tandem parking bay shall equal two (2) standard stall dimensions per Table 18.140.040;
 - a. Tandem parking stalls may be allowed on a case by case basis when their size equals the combination of a standard stall and a compact stall per Table 18.140.040. In reviewing the proposal, the review authority shall consider the possible impacts of allowing the reduced tandem stall size, including the amount of tandem parking in relationship to side by side parking; the amount of overall parking; the width of the drive aisle.
 4. Tandem parking shall not be used to satisfy the parking requirement for guest parking; and
 5. The ingress and egress for the tandem parking stalls shall not interfere with the safety of residents or adjacent property owners, and the functionality of adjacent parking.
- E. ~~D.~~ Parking Lot and Access Striping.
1. Except for single-family residences, any area intended to meet the off-street vehicle parking requirements as contained in this title shall have all parking spaces clearly marked.
 2. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.
- F. ~~E.~~ Wheel Stops. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop or bumper rail at least six inches high located two feet back from the front of the parking stall. The front two feet of the parking stall may be concrete, asphalt or low-lying landscape material that does not exceed the height of the wheel stop, provided sidewalks or other pedestrian paths are not obstructed.
- G. ~~F.~~ Parking Lot Surfacing. All areas used for parking or maneuvering of any vehicle shall be improved with asphalt, concrete or other permanent surface approved by the city engineer. The city engineer may approve the use of city

and Washington State Department of Ecology alternative paving best management practices to enhance on-site water quality, when determined to be appropriate.

- H. ~~G.~~ Vehicle Circulation between Adjoining Property Required. Parking lots shall be designed to provide for off-street vehicle circulation to adjoining property and parking areas whenever physically feasible.
- I. ~~H.~~ Parking Lot Lighting. Lighting shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive "light throw" to off-site areas.
- J. ~~I.~~ Rideshare Spaces. In the C, OCI, BP and LI zoning districts, rideshare/carpool parking spaces may be designated in an approved parking lot.

15. Section: 18.140.050 Design Standards for Parking Structures (stand-alone and underbuilding).

- A. Space and aisle dimensions shall be as set forth in Table 18.140.040.
 - 1. Other parking angles may be approved, with dimensional requirements consistent with those set forth in Table 18.140.040.
 - 2. When a parking space abuts a column, wall or other obstruction, one extra foot of width to the parking space is required. Columns or other structural elements may encroach into the parking space a maximum of 6 inches on a side, except in the area for car door opening, 5 feet from the longitudinal centerline or 4 feet from the transverse centerline of a parking space. No wall, post, guardrail, or other obstruction, or lot line, is permitted within the area for car door opening.



- 3. Two additional feet beyond the last parking space in an aisle are required.
- B. Lighting on and/or within multi-level parking structures shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive "light throw" to off-site areas.
- C. The parking structure shall incorporate architectural elements, window-like openings, trellis-work, surface treatments, offset planes, and integrated planters to provide design interest and visual variety to the parking structure exterior facade.
- D. Adequate vision clearance shall be provided so that motorists leaving a parking structure have a clear view of the sidewalk or pedestrian pathway on either side of the exit, and so that approaching pedestrians have a clear view of any approaching vehicle. Parking structure entrances and exits shall require a vehicle stop directly prior to crossing the street sidewalk or pedestrian pathway. Entrance and exit areas shall be designed so that vehicles approaching or leaving the parking structure can queue to enter/exit the traffic stream without blocking the sidewalk or pedestrian pathway.
- E. Parking structure internal circulation design shall include provisions for the safe and convenient circulation of pedestrians. Traffic control measures shall be provided at any location where vehicle circulation crosses a pedestrian walkway.

16. Section: 18.140.070 Off-Street Loading Requirements.

- A. When Required. Off-street loading and unloading spaces are required for all uses having a gross floor area of over four thousand square feet ~~to which or~~ and from which deliveries or pickups are made by trucks or truck-trailer combinations over thirty-five feet in length more frequently than monthly.
- B. Design Requirements. Loading and unloading spaces shall be a minimum of forty-five feet in length, ten feet in width and provide for clearance of fifteen feet. Adequate access shall be provided to each space. No area required for off-street parking may be used as a loading or unloading space. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way.

17. Section: 18.140.080 Electric Vehicle Charging Station Spaces.

- A. There is no minimum number of charging station spaces required.
- B. Electric vehicle charging stations may be reserved for parking and charging electric vehicles only. The property owner may set hours and conditions of use on the spaces and the charging stations. The owner of the property may charge a fee for charging any electric vehicle.
- C. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter 19.20: Application Classification

18. Section: 19.20.020 Permit Application Classification.

The following table sets forth the various applications required and classifies each application by the process used to review and the review authority who will decide the application.

Table 19.20.020 Permit, Process and Review Authority Classification		
Permit Type	Process Type	Review Authority
Accessory dwelling unit	I	PD
Accessory dwelling unit, w/administrative conditional use permit	II	PD
Administrative interpretation/determination, written (including but not limited to: similar use determination; code/map interpretations; landscape plan review/approval; family day care home; etc.)	I	PD
Administrative modification	I/II	PD
Annexation	Exempt	CC/BRB
Appeals Type I and II permit decisions Type III permit decisions Type IV Type V		HE CC GMHB Kitsap County Superior Court
Binding site plan	II	PD
Binding site plan modification	I	PD
Boundary line adjustment	I	PD
Building permit	Exempt	BO
Comprehensive plan map, policy or text amendment	IV	CC
Concomitant agreements, release	V	CC
<u>Fulfilled, all conditions met, no longer valid</u>	<u>I</u>	<u>PD</u>
<u>Approved administratively or by City Council not for rezone</u>	<u>II</u>	<u>PD</u>
<u>Approved for rezone by City Council</u>	<u>V</u>	<u>CC</u>
Construction/engineering drawing review	Exempt	CE
Conditional use permit	III	HE

Table 19.20.020 Permit, Process and Review Authority Classification

<i>Permit Type</i>	<i>Process Type</i>	<i>Review Authority</i>
Conditional use permit, administrative	II	PD
Construction standards	IV	CC
<u>Critical area exemption</u>	<u>I</u>	<u>PD</u>
Critical area permit	II	PD
Design review, With underlying land use application	Underlying application	Underlying application
With building permit only	I	PD
Development agreements	Exempt	CC
Development regulations	IV	CC
Final plat Final PRD site development plan Final PMUD site development plan	Exempt	CC
Grading permit	I/II	CE
Home business	Exempt	City clerk business license only
Home occupation	II	PD
Master plan, including establishment of map overlay (which requires a zoning map amendment), and/or amendments to existing master plan, <u>and/or release of an existing master plan.</u>	III	CC
Preliminary subdivision/plat	III	HE
Preliminary subdivision/plat modifications	II	PD/CE
Planned residential development (PRD)	III	HE
Planned mixed use development (PMUD)	III	HE
Plat alterations and vacation	Exempt	CC
Post decision modifications	I or II	PD
Public agency and utility exception (critical areas ordinance)	III	HE
Right-of-way permit	Exempt	CE
Reasonable accommodations (zoning ordinance)	Exempt	PD
Reasonable use exception (critical areas ordinance)	III	HE
SEPA threshold determination, stand alone, not associated with other land use permit; subject to SEPA notification requirements	I	PD
Shoreline conditional use permit	III	HE
Shoreline conditional use permit, minor	II	PD
Shoreline exemption	I	PD
Shoreline master program	IV	CC
Shoreline substantial development permit	III	HE
Shoreline substantial development permit, minor	II	PD
Shoreline variance	III	HE
Short subdivision/plat	II	PD
Short subdivision/plat modifications	I	PD/CE

Table 19.20.020 Permit, Process and Review Authority Classification		
Permit Type	Process Type	Review Authority
Short subdivision/plat, final	Exempt	CE
Sign permit	Exempt	BO/PD
Site plan review	II	PD
Site plan review, minor	I	PD
Street vacations	Exempt	CC
Temporary use permit	I	PD
<u>Tree Cutting and</u> Clearing permit	I/II	PD
Variance	III	HE
Zoning map amendment—Zoning map only, when consistent with comprehensive plan and an amendment to the comprehensive plan is not necessary	III	HE
Zoning map amendment—When associated with a master plan overlay designation, and consistent with comprehensive plan and an amendment to the comprehensive plan is not necessary	III	CC
Zoning map amendment—Area wide, city wide, or site specific when requiring a comprehensive plan amendment	IV	CC
Zoning code amendment—Text	IV	CC
PD: Planning Director; CE: City Engineer; PD/CE: Both Planning Director and City Engineering; BO: Building Official; BO/PD: Both Building Official and Planning Director; HE: Hearing Examiner; CC: City Council; BRB: Boundary Review Board; GMHB: Growth Management Hearings Board		
Note: An exempt status in Table 19.20.020 indicates exemption from the procedural requirements of this title and does not indicate exemption from other city required permits.		

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter 19.30: Application Requirements

19. Section: 19.30.010 Preapplication Review.

- A. The purpose of preapplication review is:
 1. To acquaint city and other agency staff with a sufficient level of detail about the proposed development, in order for staff to advise applicants on the requirements of the Pousbo Municipal Code and other applicable requirements, law and information from the city and other agencies.
 2. To reduce or eliminate the city's need to request additional information or corrections that causes revisions or resubmittals.
 3. Reduce time frames for approval of land use applications by providing the applicant detailed input and applicable requirements in order for the applicant to submit a complete and code-compliant land use application.
- B. Preapplication review is required for Type II and III permits and may be required for Type IV and V permit applications that are not filed by the city.
- C. Preapplication review may be waived by the planning director ~~only for Type II permit applications~~, when: (1) a completed preapplication waiver form and any requested information has been submitted by applicant; and (2) the planning director, in consultation with other development review departments, determines that the proposal is ready for counter complete review and includes all necessary documents.
 1. In general, a waiver of a preapplication conference may be granted when it is either: (a) determined the proposal is relatively simple (i.e., has few development-related issues); (b) involves subsequent phases of an approved development where requirements are known; (c) an application is substantially similar to a prior proposal affecting substantially the same property; or (d) is an application for post-decision modification(s).
 2. In requesting a waiver, the applicant shall complete a waiver request form as provided by the planning department and submit it with the preapplication package submittal, explain why the application warrants waiving of preapplication review, and acknowledge that waiving the preapplication review increases the risk the application processing will be delayed. The preapplication package shall contain all the documents necessary for counter complete review (Section 19.30.020).

- D. To initiate preapplication review, an applicant shall submit a completed preapplication form with the requested information to the city and required fee. Information not provided on the form shall be provided on the face of a supporting map, drawing, documents or attachments. The information included in the submitted materials shall be of sufficient detail in order for the city to adequately review the proposed project and provide feedback.
- E. Within fourteen calendar days after receipt of an application for preapplication review, the planning department shall schedule a preapplication conference and provide in writing to the applicant, city development review staff and other appropriate agencies, a notice of the conference with date, time and location.
- F. The planning department shall coordinate the involvement of department and agency staff responsible for development review in the preapplication review process.
- G. Preapplication conferences are not public meetings~~s~~ and are not typically open to the public. The planning director may limit attendance at such meetings.
- H. The planning director shall provide to the applicant and those who request a copy a preapplication conference summary letter within fourteen calendar days after the date of the preapplication conference. The written summary shall do the following to the extent possible given the information provided by the applicant:
1. Summarize the proposed project.
 2. Identify the review authority, relevant approval criteria and development standards in the Poulsbo Municipal Code or other applicable codes, standards or requirements.
 3. Evaluate the submitted information the applicant offered to comply with the relevant code, standards or requirements. Identify specific additional information that is needed to respond to the relevant codes, standards or requirements, or is recommended to respond to other issues.
 4. Identify applicable application fees in effect at the time, with the disclaimer that fees may change.
 5. Identify information relevant to the application that may be in the possession of the city or other agencies of which the city is aware, such as:
 - a. Comprehensive plan map designation and zoning on and in the vicinity of the project subject the application.
 - b. Physical development limitations, such as steep or unstable slopes, wetlands, water bodies, shorelines and others that may exist on and in the vicinity of the project subject to the application.
 - c. Those public facilities that will serve the property subject to the application, including water, sewer, roads, storm drainage, parks and schools, fire and relevant considerations, such as minimum access and fire flow requirements, and impact fees.
 - d. Other applications that have been approved or are being considered for land in the vicinity of the property subject to the proposed application that may affect or be affected by the proposed application.
 6. Confirm the application(s) and document(s) that will be necessary for counter complete application requirements. The planning director may waive application requirements that are clearly not necessary based on the nature of the proposed application, development, site or other factors. To the extent possible, the application requirements shall be identified in the preapplication summary letter.
- I. The preapplication summary letter provided by the city shall expire six months from the date the preapplication conference is held. Upon written request by the applicant fourteen calendar ~~thirty~~ days prior to the expiration setting forth reasons for the request, the planning director may extend the validity of the preapplication comments by one additional six-month period.
- J. More than one preapplication conference may be held on a proposed project~~s~~ and may be required by the planning director at the conclusion of the initial preapplication conference.
1. A second preapplication conference will be charged one-half the amount of the original preapplication conference fee.
 2. If a second preapplication is for a similar project as the initial preapplication conference, but on a different site, or on the same site, but the scope of the project has changed significantly, the full fee amount for preapplication conference will be charged.
 3. If the preapplication has expired per subsection I above, a new request for a preapplication conference or a preapplication waiver shall be required.
- K. A counter complete application that the planning director finds is substantially similar to the subject of a preapplication conference must be submitted prior to the expiration set forth in subsection H~~I~~ of this section.

- L. Once the preapplication comments have expired, the applicant must file a new request for a preapplication conference or receive approval of a preapplication waiver (if applicable) in order to submit a development application.
- M. The pre-application conference is not intended to be an exhaustive review of all potential issues and the discussions shall not be binding or prohibit the enforcement of applicable laws. Failure to provide all pertinent information may prevent the City from identifying all of the issues or providing the most effective pre-application conference.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter: 19.40 Application Review Procedures

20. Section: 19.40.030 Type II Permit Applications.

- A. Decisions on Type II permit applications are made by the review authority as set forth in Table 19.20.020.
- B. Decision Criteria. The decision of the review authority shall be based on the decision criteria for the application set forth in the appropriate development regulations for the use or activity. The decision shall include any conditions necessary to ensure consistency with the applicable development regulations.
- C. Record. The decision of the review authority shall be prepared for each Type II permit application, shall be in the form of a staff report, and indicate approval, approval with conditions, or denial. A copy of the staff report shall be made available to the applicant, to any parties requesting it, posted to the city's website, and transmitted to the review authority at least five calendar days prior to issuing a notice of decision. If there are no parties of record, and upon confirmation from the applicant, the notice of decision can be issued without waiting a full five days. A notice of decision shall be issued and distributed as provided for in Section 19.50.060.
- D. Appeal. Type II decisions may be appealed to the hearing examiner as provided in Section 19.70.010. All decisions are final upon expiration of the appeal period, or if there is an appeal, upon issuance of the hearing examiner's final decision on the appeal.

21. Section: 19.40.040 Type III Permit Applications.

- A. Decisions on Type III permit applications are made by the review authority as set forth in Table 19.20.020.
- B. Decision Criteria. The decision of the review authority shall be based on the decision criteria for the application set forth in the appropriate development regulations for the use or activity. The decision shall include any conditions necessary to ensure consistency with the applicable development regulations.
- C. Record. A written staff report shall be issued by the planning department at least seven calendar days prior to the date of the planning commission meeting. The staff report shall include an analysis of the application, including SEPA review, and provide a recommendation on the application including any conditions of approval. All written comments received to date prior to the issuance of the staff report shall be included. A copy of the staff report shall be made available to the applicant, to any parties requesting it, posted to the city's website, and transmitted to the planning commission and review authority.
- D. Planning Commission Review. The planning commission shall review all Type III applications at a public meeting and provide a recommendation to the review authority. The planning commission may recommend that the review authority approve or approve with modifications the application if it complies with the applicable decision criteria. In all other cases, the planning commission shall recommend denial of the proposal. The planning commission's recommendation shall be in writing and shall contain the following: (1) the recommendation of the planning commission; (2) any conditions included as part of the planning commission recommendation; and (3) findings of fact upon which the recommendation was based, and the conclusions derived from those facts.
- E. Public Hearing. The review authority shall hold an open record public hearing on Type III permit applications. The open record public hearing shall proceed as follows:
 - 1. Notice of the hearing shall be given as provided in Section 19.50.030.
 - 2. Any person may participate in the public hearing by submitting written comments prior to or at the hearing, or by providing oral testimony and exhibits at the hearing.
 - 3. The planning director shall transmit to the review authority a staff report and exhibits on the application, including all written comments received and information reviewed by or relied upon by the planning director, at least seven calendar days prior to the hearing. The file shall also include information to verify that the requirements for notice to the public have been met. The planning commission findings, conclusions and recommendation shall also be transmitted.
 - 4. The review authority shall create a complete record of the public hearing, including all exhibits introduced at the hearing and an electronic sound recording of each hearing.

5. At the conclusion of the hearing, the review authority shall announce one of the following:
 - a. That the hearing is continued. If the hearing is continued to a place, time and date certain, then additional notice of the continued hearing is not required to be made. If the hearing is not continued to a place, date, and time certain, then notice of the continued hearing shall be given as though it was the initial hearing.
 - b. That the public record is held open to a date and time certain. The review authority shall state where additional written evidence and testimony can be sent and shall announce any limits on the nature of the evidence that will be received after the oral testimony portion of the hearing.
 - c. For hearing examiner decisions, that the application(s) is/are taken under advisement, the record is closed, and a final decision will be issued as set forth in subsection F of this section.
 - d. For city council decisions, that the application(s) is/are approved, approved with conditions, or denied, together with a brief summary of the basis for the decision and that a written decision supported by findings and conclusions will be issued as set forth in subsection G of this section.
- F. Hearing Examiner Decisions on Type III. The hearing examiner shall make the final decision after receiving the recommendation of the planning commission, and after holding an open record public hearing and receiving any public testimony.
 1. The hearing examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria. The hearing examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.
 2. Prior to issuing a decision, if the hearing examiner determines that information, analysis, revision or other material needed to satisfy the provisions of relevant law or code requirements have not been provided, the examiner may remand the matter for the addition of the requisite information, analysis, revision or other material.
 - a. If the hearing examiner remands a matter for additional information, analysis, revision or material, the hearing examiner shall retain jurisdiction in order to review the adequacy of the information, analysis, revision or material submitted in response to the remand. The remand order shall expressly state that jurisdiction is retained and what information, analysis, revisions or material is to be provided, and may identify a date when it is to be submitted.
 - b. A copy of the information, analysis, revision or other material filed with the hearing examiner in response to a remand shall also be made available to all parties to the proceeding. The parties shall have an opportunity to review and file rebuttal to the information, analysis, revision or other material filed in response to a remand.
 3. In all other cases, the hearing examiner shall deny the application.
 4. The hearing examiner shall issue a written report supporting the decision within thirty fourteen calendar days following the close of the record. The decision shall be issued and distributed as provided for in Section 19.50.060, Notice of decision. The decision shall include:
 - a. The decision of the hearing examiner.
 - b. Any conditions included as part of the decision.
 - c. Findings of facts for which the decision, including any conditions, was based and the conclusions derived from those facts.
 5. Request for Reconsideration. Any party of record may file a written request with the hearing examiner for reconsideration within ~~seven fourteen~~ calendar days of the date of the written decision. The request shall explicitly set forth alleged errors of procedure, law, or fact. No new evidence may be submitted in support of or in opposition to a request for reconsideration.
 - a. The hearing examiner shall summarily dismiss a request for reconsideration that is without merit on its face or brought merely to secure a delay.
 - b. ~~a.~~ The hearing examiner shall act within thirty fourteen calendar days after the filing of the request for reconsideration by either denying the request or issuing a revised. The decision on the request for reconsideration and/or the revised decision shall be sent to all parties of record.
 - c. The appeal period shall begin from the date the decision on the reconsideration is issued.
 - d. The hearing examiner's action following reconsideration is not subject to further requests for reconsideration.
- G. City Council Decisions on Type III. The city council shall make the final decision after receiving the recommendation of the planning commission, and after holding an open record public hearing and receiving any public testimony.

1. The city council shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria. The city council may, based on the record, include conditions to ensure a proposal conforms to the relevant decision criteria.
 2. Prior to issuing a decision, if the city council determines that additional information, analysis, revision or other material needed to satisfy the provisions of relevant law or code requirements have not been provided, the city council may remand the matter for the addition of the requisite information, analysis, revision or other material.
 - a. If the city council remands a matter for additional information, analysis, revision or material, the city council shall retain jurisdiction in order to review the adequacy of the information, analysis, revision or material submitted in response to the remand. The remand order shall expressly state that jurisdiction is retained and what information, analysis, revisions or material is to be provided, and may identify a date when it is to be submitted.
 - b. A copy of the information, analysis, revision or other material filed with the city council in response to a remand shall also be made available to all parties to the proceeding. The parties shall have an opportunity to review and file rebuttal to the information, analysis, revision or other material filed in response to a remand.
 3. In all other cases, the city council shall deny the application.
 4. The city council decision shall be in writing and shall include findings and conclusions derived from those facts which support the decision of the council, including any conditions. The city council may by reference adopt some or all of the findings and conclusions of the planning commission.
 5. The decision shall be issued and distributed as set forth in Section 19.50.060, Notice of decision.
- H. Appeal. Appeal of the hearing examiner decision or city council decisions on Type III permit applications may be appealed to Kitsap County superior court as set forth in Section 19.70.020.

22. Section: 19.40.060 Type V Permit Applications.

- A. Applicability. A property owner or authorized agent may request the city consider releasing a concomitant agreement that has been recorded on a legal parcel or parcels of land.
- B. Submittal Requirements. The property owner or authorized agent shall submit to the city a completed application form provided by the city, signed by the owner(s) of property subject to the concomitant agreement, and accompanied by a copy of the valid concomitant agreement and legal description of the property.
- C. Complete Application. Determination of a complete application shall be as set forth in Sections 19.30.020 and 19.30.030.
- D. Review Authority.
 1. The city council is the review authority for the release of legislatively enacted valid concomitant agreements for rezones.
 2. The planning director is the review authority for the release of fulfilled (no conditions remaining) valid concomitant agreements and applications shall be processed under a Type I application according to the provisions of section 19.40.020. The decision criteria in subsection H does not apply, as the concomitant agreement has been fulfilled and no conditions of approval remain. A written record shall be prepared pursuant to section 19.40.020. D.
 3. The planning director is the review authority for the release of administratively enacted (no ordinance or City Council action) and city council enacted (not for rezone) valid concomitant agreements and shall be processed under a Type II application according to the provisions of section 19.40.030. The decision criteria in subsection H shall apply. A written record shall be prepared pursuant to section 19.40.030. C.
- E. Noticing. Upon acceptance of a complete application, the planning director will issue a notice of application, to be distributed consistent with Section 19.50.020. A public hearing notice, for legislatively enacted concomitant agreements for rezones, may be combined with the notice of application, if a date to hold a public hearing before the city council has been identified. Noticing of this public hearing will be made as set forth in Section 19.50.040.
- F. Record. A written staff report shall be issued by the planning director at least seven calendar days prior to the date of the city council hearing. The staff report shall include an analysis of the application and provide a recommendation on the application including any conditions of approval. All written comments received to date prior to the issuance of the staff report shall be included. A copy of the staff report shall be made available to the applicant, to any parties requesting it, posted to the city's website, and transmitted to the city council.

- G. Public Hearing. The city council shall hold an open record public hearing on Type V permit applications for legislatively enacted concomitant agreements for rezones. The open record public hearing shall proceed as follows:
1. Any person may participate in the public hearing by submitting written comments prior to or at the hearing, or by providing oral testimony and exhibits at the hearing.
 2. The city council shall create a complete record of the public hearing, including all exhibits introduced at the hearing and an electronic sound recording of each hearing.
 3. At the conclusion of the hearing, the city council shall announce one of the following:
 - a. That the hearing is continued. If the hearing is continued to a place, time and date certain, then additional notice of the continued hearing is not required to be made. If the hearing is not continued to a place, date, and time certain, then notice of the continued hearing shall be given as though it was the initial hearing.
 - b. The public record is held open to a date and time certain. It shall be stated where additional written evidence and testimony can be sent and shall announce any limits on the nature of the evidence that will be received after the oral testimony portion of the hearing.
 - c. Close the public hearing and initiate deliberations.
- H. Decision Criteria. In order to approve the release or amendment of the concomitant agreement, the review authority ~~city council~~ shall be required to make the following findings:
1. Development of the site would be consistent with current development regulations and comprehensive plan goals and policies.
 2. Adequate public/private services are available to support development of the site.
 3. Development would not unreasonably impact nearby property development which has relied upon the covenant commitments.
 - ~~4. Future development under current zoning will be consistent with existing and planned development.~~
- I. City Council Decision. The city council, at the conclusion of the public hearing or as soon thereafter as the city council business permits, will issue a decision to approve or deny the release or amendment of the concomitant agreement. Where the concomitant agreement was entered into in connection with a rezone of property, the decision shall be in the form of an ordinance. A notice of decision shall be issued and distributed as set forth in Section 19.50.060.
- J. Recording. If the release or amendment of a concomitant agreement is approved, the city and the applicant shall execute an appropriate agreement or instrument releasing the concomitant agreement and the same shall be recorded in the records of Kitsap County.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter: 19.50 Public Notices

23. Section: 19.50.020 Notice of Application.

- A. Timing. A notice of application for Type II, III, applicant initiated IV, and V permit applications shall be provided within fourteen calendar days of the technically complete determination. A notice of application issuance for city-initiated Type IV applications shall be at such time as determined appropriate by the planning director.
- B. Content. The complete notice of application shall include the following:
1. The file number assigned.
 2. The date of counter complete application, date of notice of technical completion, and the date of the notice of application.
 3. The description of the proposed project, a list of other permits included with the application, and if applicable, a list of requested studies.
 4. The name of the applicant or applicant's representative.
 5. The name of the property owner.
 6. A map showing the subject property in relation to other properties.
 7. The zoning of the proposed project.
 8. Identification of permits not included with the application, to the extent known by city staff.
 - ~~9. Identification of existing environmental documents that evaluate the proposal.~~
 9. ~~10.~~ A statement that the minimum public comment period shall be fourteen calendar days.

10. ~~11.~~ A statement of the rights of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision and any appeal rights.
11. The designation of the review authority.
12. ~~13.~~ The date, time, place and type of hearing, if known and scheduled at the date of notice of application.
13. ~~14.~~ A statement of the preliminary determination, if one has been made at the time of the notice, and of those development regulations that will be used for project mitigation and which regulations the application appears to comply with.
- ~~14. ~~15.~~ The date, place and times where information about the application may be examined and the Name and contact information of the city representative to contact about the application.~~
15. ~~16.~~ Any other information determined appropriate by the city, such as the city's SEPA threshold determination consistent with Chapter 16.04, if complete at the time of issuance of the notice of application.

C. Distribution.

1. Publication. A summary notice of application shall be published in a newspaper of general circulation. The summary notice of application shall include the following:
 - a. Project name and location.
 - b. Description of proposed project.
 - c. Type of permit ~~(s)~~ required.
 - d. Minimum comment period dates.
 - e. Location where the technically complete application and full notice of application may be reviewed.
 - f. City representative contact information.
2. Mailing. Mailing of the full summary notice of application shall be ~~made to:~~
 - a. ~~Mailing shall be M~~made to:
 - i. a- Owners as identified by the Kitsap County assessor of property within three hundred feet of the project site. ~~i-~~The records of the Kitsap County assessor's office shall be used for determining the property owner of record. ~~ii-~~ If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
 - ii. b- Applicant and applicant's representative.
 - iii. c- Any person who has requested such a notice.
 - iv. d- Agencies with jurisdiction.
 - v. e- Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
 - vi. f- When email addresses are known for parties identified to receive a notice of application, an email with the notice of application attached may suffice to meet the mailing requirement.
 - b. Considered supplementary to the complete posted notice of application (per subsection B above).
 - c. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.
3. Posting. The complete full notice of application shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of application shall also be posted on the city's website.

D. Public Comment.

1. For Type II permit applications, the notice of application shall state that the minimum public comment period shall be fourteen calendar days, and that no decision shall be issued prior to the expiration of the minimum public comment period.
2. For Type III, IV and V permit applications, the notice of application shall state that the minimum public comment period shall be fourteen calendar days, and that public comments will be accepted at any time prior to the closing of the open record hearing.
3. Public comments should be as specific as possible and submitted to the city as early in the review of an application as possible.

4. The planning director may accept and respond to public comments at any time prior to making the Type II, III, IV or V recommendation or decision. Any comments received shall be forwarded to the review authority, applicant or applicant's representative and any person who requests a copy.
 5. If the optional determination of nonsignificance (DNS) process is used as described in Chapter 16.04 and WAC 197-11-355, the planning director shall combine the notice of application and DNS comment periods. When a final DNS is issued, there is no additional SEPA comment period.
 6. Public comments may be mailed, emailed, personally delivered, or sent by facsimile to the city.
- E. Integration of Notice.
1. SEPA. An issuance of a determination of significance (DS) and the optional DNS process may be combined with the issuance of the notice of application, as set forth in RCW 36.70B.110 and Chapter 16.04.
 - a. If the optional DNS process is not utilized, the responsible official may not issue a SEPA threshold determination until the expiration of the minimum public comment period identified in the notice of application.
 2. Open Record Public Hearing. When required, the public hearing notice as set forth in Section 19.50.040 may be integrated with the notice of application; provided, that the public hearing must be held no earlier than fifteen calendar days after the issuance of the notice of application.

24. Section: 19.50.030 Notice of Public Meeting.

- A. ~~At least No later sooner than~~ seven calendar days before the date of the public meeting for Type III permit application before the planning commission, a complete notice of public meeting shall be issued by the city and include the following information:
1. The date of the public meeting and that the meeting is before the planning commission.
 2. A statement that this is a public meeting, but there will be an opportunity to provide written and verbal testimony to the planning commission regarding the proposed project.
 3. The time and place of the meeting.
 4. Identification of property and application(s) under review.
 5. Brief description of the proposed project.
 6. Identification of review authority.
 7. Information on examination of file and city contact information.
- B. The summary notice of public meeting will be ~~mailed to~~:
1. Mailed to:
 - ~~a. 1.~~ Owners, as identified by the Kitsap County assessor, of property within three hundred feet of the project site. ~~a.~~ The records of the Kitsap County assessor's office shall be used for determining the property owner of record. ~~b.~~ If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
 - ~~b. 2.~~ Applicant and applicant's representative.
 - ~~c. 3.~~ Any person who established themselves as a party of record, has requested such a notice, or submitted written comments on the application.
 - ~~d. 4.~~ Agencies with jurisdiction.
 - ~~e. 5.~~ Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
 - f. When email addresses are known for parties identified to receive a notice of public meeting, an email may suffice to meet the mailing requirement.
 2. Considered supplementary to the complete posted notice of public meeting (per subsection A above).
 3. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.
- C. Posting. The complete notice of public meeting shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of public meeting shall also be posted on the city's website.

25. Section: 19.50.040 Notice of Public Hearing.

- A. Issuance. ~~At least No later sooner than~~ fourteen calendar days before the date of a public hearing for a Type III, IV or V permit application, a complete notice of public hearing shall be issued by the city and include the following information:
1. The date of the public hearing, and who the public hearing is before (e.g., hearing examiner, planning commission or city council).
 2. The time and place of the hearing.
 3. Identification of property and application(s) under review.
 4. Brief description of the proposed project.
 5. A statement of any threshold determination made under SEPA (Chapter 43.21C RCW).
 6. Map depicting the subject property in relation to other properties.
 7. The place and time where information about the application may be examined, and the name and information of the city representative to contact about the application.
 8. A statement that the notice is intended to inform potentially interested parties about the hearing and to invite interested parties to appear or provide written statement at the public hearing.
 9. A statement of when and where a staff report will be available for review.
- B. Distribution.
1. Publication. The summary notice of public hearing shall be published in a newspaper of general circulation.
 2. Mailing. Mailing of the summary notice of public hearing shall be ~~made to~~:
 - a. Made to:
 - i. ~~a-~~ Owners as identified by the Kitsap County assessor of property within three hundred feet of the project site. ~~i-~~The records of the Kitsap County assessor's office shall be used for determining the property owner of record. ~~ii-~~ If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
 - ii. ~~b-~~ Applicant and applicant's representative.
 - iii. ~~e-~~ Any person who established themselves as a party of record, has requested such a notice, or submitted written comments on the application.
 - iv. ~~d-~~ Agencies with jurisdiction.
 - v. ~~e-~~ Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
 - vi. ~~f-~~ When email addresses are known for parties identified to receive a notice of public hearing, an email with the notice attached may suffice to meet the mailing requirement.
 - b. Considered supplementary to the complete posted notice of public hearing (per subsection A above) and a map depicting the subject property in relation to other properties is not required to be included.
 - c. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.
 3. Posting.
 - a. The complete notice of public hearing shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of public hearing shall also be posted on the city's website.
 - b. The subject site shall be posted with at least one copy of the notice of public hearing on a public notice board as set forth in Section 19.50.050.
- C. Responsibility for Notice. The planning director is responsible for providing published legal notices, mailed notice, posted notice in public buildings and on the city's website. The applicant is responsible for complying with on-site notice of public hearing posting requirements as set forth in Section 19.50.050.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter: 19.70 Decision Appeal Procedures

26. Section: 19.70.010 Appeal on Type I and Type II Permit Decision.

- A. Overview. For Type I and Type II permit decisions, the hearing examiner shall act as the appellate body, conducting an open record appeal hearing when an administrative decision is appealed.
- B. Commencing an Appeal. Type I and II decisions may be appealed as follows:
 - 1. A party of record may appeal the decision.
 - 2. A party of record appealing a Type I or II decision must submit a completed written appeal which sets forth:
 - a. Facts demonstrating that the person is adversely affected by the decision.
 - b. A concise statement identifying each alleged error of fact, law, or procedure, and the manner in which the decision fails to satisfy the applicable decision criteria.
 - c. The specific relief requested.
 - d. Any other information reasonably necessary to make a decision on the appeal.
 - 3. The written appeal, and the appeal fee and deposit must be received by the Poulsbo planning department no later than 4:30 p.m. on the fourteenth calendar day following the date the notice of decision was issued.
 - 4. The planning director shall review a submitted appeal and reject an appeal which fails to meet all the requirements of this section.
- C. Notice of Open Record Appeal Hearing before Hearing Examiner. If a Type I or II decision is appealed, an open record appeal hearing before the city hearing examiner shall be set and notice of the appeal hearing shall be provided to all parties of record no less than fourteen calendar days prior to the date on which the hearing examiner will hold the appeal hearing. The notice of appeal hearing shall include the following:
 - 1. Name of the approved project under appeal.
 - 2. Name of the appellant.
 - 3. The street address of the subject property and a description in nonlegal terms sufficient to identify its location.
 - 4. A brief description of the administrative decision which is being appealed.
 - 5. The date, time and place of the open record appeal hearing before the hearing examiner.
- D. Hearing Examiner Public Hearing on Appeal.
 - 1. The hearing examiner shall conduct an open record hearing on a Type I or Type II decision appeal. Notice of the appeal hearing shall be given as provided in subsection C of this section.
 - 2. The appellant, applicant, owner(s) of property subject to the application, and the city shall be designated parties to the appeal. Only designated parties may participate in the appeal hearing by presenting testimony or calling witnesses to present testimony and by providing exhibits.
 - 3. Interested persons, groups, associations, or other entities who have not appealed may participate only if called by one of the parties to present information; provided, that the hearing examiner may allow nonparties to present relevant testimony if allowed under the hearing examiner's rules of procedure.
 - 4. The hearing examiner shall create a complete record of the public hearing, including all exhibits introduced at the hearing and an electronic sound recording of each hearing.
- E. Hearing Examiner Decision on Appeal.
 - 1. Within thirty fourteen calendar days after the close of the record for the Type I or II decision appeal, the hearing examiner shall issue a written decision to grant, grant with modifications, or deny the appeal.
 - 2. The decision on appeal shall be mailed to all parties of record.
 - 3. When making the decision, the hearing examiner shall give substantial weight to the decision of the review authority.
 - 4. The hearing examiner's decision shall be made upon whether the appellant has carried the burden of proving that the Type I or Type II decision is not supported by a preponderance of the evidence or was clearly erroneous.
- F. Request for Reconsideration.

1. Any designated party to the appeal who participated in the hearing may file a written request with the hearing examiner for reconsideration within seven fourteen calendar days of the date of the hearing examiner's decision.
 2. The request shall explicitly set forth alleged errors of procedure, law, or fact. No new evidence may be submitted in support of or in opposition to a request for reconsideration.
 3. The hearing examiner shall summarily dismiss a request for reconsideration that is without merit on its face or brought merely to secure a delay
 4. ~~3.~~The hearing examiner shall act within fourteen calendar days after the filing of the request for reconsideration by either denying the request or issuing a revised decision, decision unless a longer period has been identified by the Hearing Examiner.
 5. ~~4.~~The decision on the request for reconsideration and/or ~~issuing a the~~ revised decision shall be sent to all parties of record.
 6. The appeal period shall begin from the date the decision on the reconsideration is issued.
 7. The hearing examiner's action following reconsideration is not subject to further requests for reconsideration.
- G. Hearing Examiner Appeal Decision. The hearing examiner's decision on Type I and II appeals may be appealed to the city council as provided for in Section 19.70.020.
1. The planning director shall mail a notice of appeal decision to all parties of record within seven calendar days of the hearing examiner issuance of an appeal decision. The notice of appeal decision shall include at a minimum the following:
 - a. Name of the approved project under appeal.
 - b. The street address of the subject property and a description in nonlegal terms sufficient to identify its location.
 - c. A brief description of the appeal decision.
 - d. The date of the notice of appeal decision.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter: 19.80 Time Frames for Review.

27. Section: 19.80.050 Time Frame to Provide Revisions, Corrections, Studies or Information.

- A. A technically complete application shall be deemed null and void if the applicant fails to submit the city required revisions, corrections, studies or information as described in Section 19.80.040(A) and (B) within ninety calendar days of the city's written request.
 1. The ninety-day time limit set forth by this section does not apply for circumstances set forth in Section 19.80.040(C), (D), (E) or (F).
- B. An applicant may request one extension to the time limit set forth in subsection A of this section. The planning director will review the request for extension and may grant it only if all of the following are met:
 1. The applicant requests such an extension in writing no less than fourteen thirty days prior to the permit becoming null and void. Verbal requests will not be accepted.
 2. The planning director finds that good cause has prevented them from providing the additional information within the ninety-calendar-day time period. Disagreement with required city codes and/or standards does not qualify as "good cause."
 3. The applicant demonstrates the likelihood that the requested information will be provided to the city within the additional ninety-calendar-day time period.
 4. No more than one extension shall be granted.
 5. If at the end of the ninety-day extension the requested revisions, corrections, studies or information has not been submitted and accepted by the city, the application will be formally closed, and a new application and fees will be required to be submitted.

TITLE 19: PROJECT PERMIT PROCEDURES | Chapter: 19.90 Post Decision Procedures.

28. Section: 19.90.030 Extension of Approval.

- A. After approval of a permit application, within fourteen thirty calendar days prior to the date of the permit expiration as set forth in the applicable permit section in the PMC, the property owner may request in writing an extension of time. The planning director, upon consultation with other development review departments, may grant an

extension of time for the permit approval, up to but not exceeding one year. Any extensions of time shall be based on the finding:

1. The approved permit is compliant with all applicable development codes at the time of the extension request, unless otherwise allowed by vesting laws.
 2. There has been no material change of circumstances applicable to the property since project permit approval.
 3. The property owner must provide good cause for the delay and demonstrate likelihood that the permit will be commenced within the additional year.
 4. The planning director shall not grant more than one extension.
- B. Once the approval time period and any extension have expired, approval shall terminate, and the application is null and void.
- C. The permit approval will remain valid as long as action proposed in the application has been physically commenced and is in progress.
- D. See Section 16.09.210 for shoreline permit approval and time extensions.

EXHIBIT B

Summary of Amendments

SUMMARY OF 2020 LAND USE HOUSEKEEPING AMENDMENTS

No.	Title	Chapter/Section Name	Section No.	Purpose/Staff Comment
1.	Title 15: Buildings and Construction	Tree Cutting and Clearing / Activities Exempt	15.35.070	Allows for the removal of trees on City owned property for installation of utilities and public facilities and maintenance of City property.
2.	Title 15: Buildings and Construction	Tree Cutting and Clearing / Open Space Tracts	15.35.110	Allows the removal of danger/dead trees in required open space, tree retention, and landscaping areas without a tree cutting and clearing permit. Staff has found this to be overly burdensome on homeowners and HOAs. An arborist report will still be required to show that the tree is a danger and replanting may be required. The review would be done via a tree cutting and clearing <i>exemption</i> application (no fees), so that the removal of trees can be tracked.
3.	Title 15: Buildings and Construction	Tree Cutting and Clearing / Dead, Dying Trees	15.35.120	
4.	Title 16: Environment	Critical Areas / Fish and Wildlife Habitat	16.20.320	Adds language currently in the wetland section of the Critical Areas Ordinance to the Fish and Wildlife Habitat section. Kitsap County has similar language in their Fish and Wildlife section.
5.	Title 17: Land Division	Boundary Line Adjustments	17.30.040	Allows more than one lot larger than 15,000 square feet based upon special circumstances consistent with rural sized lots and configurations that may not easily be subdivided or is not ready for urban conversion.
6.	Title 18: Zoning Ordinance	Definitions	18.40.030	Adds definitions from code amendments over the last 2 years (farmers market, mobile food trucks) and adds a definition for site distance.
7.	Title 18: Zoning Ordinance	Residential Districts / Uses	Table 18.70.030	Reformats the table (i.e. adds footnotes) consistent with the Commercial Districts Chapter (PMC 18.80), which was updated in 2018.
	Title 18: Zoning Ordinance	Residential Districts / Uses / Home Occupation	Table 18.70.030	Changes "home occupation" from an Administrative Conditional Use Permit (AC) to Permitted. Home occupation will still be required to go through a type II review process (which includes public notice), but without the added cost and time associated with an AC permit.
8.	Title 18: Zoning Ordinance	Residential Districts / Standards in the RL Zone	Table 18.70.050	Reformats the table (i.e. adds footnotes) consistent with the Commercial Districts Chapter (PMC 18.80), which was updated in 2018. No substantive changes.
	Title 18: Zoning Ordinance	Residential Districts / Special Setbacks	18.70.050 B	Clarifies confusing language.
	Title 18: Zoning Ordinance	Residential Districts / Recreational Amenities	18.70.050 C	Removes the requirement to provide recreational amenities when constructing up to 4 units in the RM and RH zones. This can be an overly burdensome requirement on smaller lots which are attempting to construct, for example, a duplex or triplex. The requirement to provide 20% landscaping and private outdoor space of 48 square feet for each attached unit remains. Also codifies administrative policy for phased projects.
	Title 18: Zoning Ordinance	Residential Districts / Landscaping and Site Design	18.70.050 D	Adds language to be consistent with the Commercial Districts Chapter (PMC 18.80), which was updated in 2018, for alternative landscaping plans, screening, and lighting. For lighting, references the Illuminating Engineering Society (IES) standards which staff utilizes to review photometric lighting plans.
9.	Title 18: Zoning Ordinance	Residential Districts / Fences		The existing ordinance provides a specific height standard for triggering a building permit for fences, which was adopted prior to an International Building Code (IBC) Update. The IBC now requires a building permit for fences at 7 feet or higher. The zoning ordinance and IBC are in conflict. The updated language refers to the IBC, as adopted and amended.
10.	Title 18: Zoning Ordinance	Commercial Districts / Guest Parking in C-1	18.80.100	Guest parking requirement was added to the C-1 commercial zone with amendments in 2018. The standard was copied from the RM/RH (residential multi-family) standard. However, it has become clear to staff that the requirement for 1 guest parking stall per 4 units is overly restrictive in the C-1 zoning district. 1 guest parking stall per 8 units still requires guest parking without being overly burdensome. The Planning Commission had a lengthy discussion about this amendment and considered alternatives and the impact to downtown parking, but ultimately concluding that 1 space per 8 dwelling units was an appropriate standard for downtown, with its smaller lots and constrained sites.
11.	Title 18: Zoning Ordinance	Design Review	18.120.020	Clarifies when design review is required and allows discretion by the PED Director.
12.	Title 18: Zoning Ordinance	Landscaping / Street Trees	18.130.090	Staff has come across problems with the requirement for 2" caliper trees, specifically available nursery stock within the region. 1.5" caliper is still consistent with industry standards.

13.	Title 18: Zoning Ordinance	Off Street Parking / General	18.140.030	Clarifies standards for driveways. Current code is not clear that a 24-foot driveway is not required for one-way traffic.
14.	Title 18: Zoning Ordinance	Off Street Parking / Surface Parking Areas	18.140.040	Adds standards for tandem parking.
15.	Title 18: Zoning Ordinance	Off Street Parking / Parking Structures	18.140.050	Adds standards for parking adjacent to columns, vision/site clearance, and circulation.
16.	Title 18: Zoning Ordinance	Off Street Parking / Loading	18.140.070	Clarifies existing and adds new standards for loading areas.
17.	Title 18: Zoning Ordinance	Off Street Parking / Electric vehicle	18.140.080	Per RCW 36.70A.695, development regulations of all jurisdictions must allow electric vehicle battery charging stations in all areas except those zoned for residential or resource use, or critical areas. This amendment adds language on how to regulate electric vehicle charging stations but does not require that they be installed at this time. It is voluntary.
18.	Title 19: Application Procedures	Application Classification	Table 19.20.020	Adds new levels of review for Concomitant Agreements and adds or clarifies existing reviews for Critical Area Exemption, Master Plans, and Tree Cutting and Clearing.
19.	Title 19: Application Procedures	Application Review Procedures / Pre-App Review	19.30.010	Adds flexibility for when a pre-application conference can be waived, when a second pre-application conference can take advantage of a reduced fees and clarifies the intent of pre-application conferences.
20.	Title 19: Application Procedures	Application Review Procedures / Type II Permits	19.40.030	Clarifies that if there are no parties of record, and the applicant agrees, the notice of decision can be issued without waiting a full five days. Codifies administrative policy.
21.	Title 19: Application Procedures	Application Review Procedures / Type III Permits	19.40.040	Allows up to 30 days for the Hearing Examiner decision and also amends and adds to the Request for Consideration section to provide more structure.
22.	Title 19: Application Procedures	Application Review Procedures / Type V Permit	19.40.060	Adds new levels of review for Concomitant Agreements and eliminates H.4 due to redundancy with H.1.
23.	Title 19: Application Procedures	Public Notices / Notice of Application (NOA)	19.50.020	Removes some of the <i>required</i> information provided in notices in order to reduce the size of notices. Also clarifies that mailed notices (i.e. postcards) are supplementary to the complete notice, which is available online and in person.
24.	Title 19: Application Procedures	Public Notices / Notice of Public Meeting (NOPM)	19.50.030	
25.	Title 19: Application Procedures	Public Notices / Notice of Public Hearing (NOPH)	19.50.040	
26.	Title 19: Application Procedures	Decision Appeal Procedures / Type I and Type II	19.70.010	Allows up to 30 days for the Hearing Examiner decision and also amends and adds to the Request for Consideration section to provide more structure.
27.	Title 19: Application Procedures	Time Frames for Review/ Revisions and Corrections	19.80.050	Generally, applicants are not sure if they need to submit a request for an extension a full 30 days prior, and since only one extension is permitted, applicants are hesitant to submit prematurely.
28.	Title 19: Application Procedures	Post Decision Procedures / Extension of Approval	19.90.030	

EXHIBIT C

Public Participation Plan



2020 LAND USE HOUSEKEEPING CODE AMENDMENTS

Tree Cutting and Clearing, Critical Areas, Zoning, Land Division, and Permit Procedures

Public Participation Plan

February 2020

INTRODUCTION

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Amendments are included for the following PMC Chapters: 15.35, Tree Cutting and Clearing; 16.20, Critical Areas; 17.30, Boundary Line Adjustments; 18.40, Zoning Definitions; 18.70, Residential Districts; 18.80, Commercial Districts; 18.120, Design Review; 18.130; Landscaping; 18.140, Off-Street Parking; 19.20, Application Classification; 19.30, Application Review Procedures; 19.50, Public Notices; 19.70, Decision Appeal Procedures; 19.80, Time Frames for Review; and 19.90, Post Decision Procedures.

Full project documents can be viewed here: <https://cityofpoulsbo.com/development-regulation-amendments/>.

PUBLIC AND AGENCY GOALS

- To provide the public with timely information, an understanding of the process, and opportunities to review and comment on the amendments, and to have these comments forwarded to the City's decision makers.
- Ensure that information about the process is provided to the public early in the process and at regular intervals thereafter, to maximize public awareness and participation in the process.
- Actively solicit information from citizens, property owners and stakeholders about their concerns, questions and priorities for the amendment process and the future of Poulsbo land uses and the Comprehensive Plan.
- Encourage the public to informally review and comment on the update throughout the process.
- Incorporate public comment into the local government's review process prior to significant milestones or decision making.
- Provide forums for formal public input at milestones prior to decision making by local officials.
- Consult and consider recommendations from neighboring jurisdictions, federal and state agencies, and Native American tribes.

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 amendments where interested citizens and community members may visit for status updates, draft documents, official notices, minutes, and project information:
<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 amendments 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.

INFORMATION AVAILABILITY

The proposed ordinance is available for public review. The primary repository of all information related to the update is the City’s website— www.cityofpoulsbo.com – at the Planning and Economic Development main page – where draft documents, meeting dates, updates on process, and official notices (notice of application, environmental review, public hearing notices, etc.), will be posted. An e-mail link for questions or comments will also be provided at the website.

Documents are also available for review at Poulsbo City Hall 200 NE Moe Street, Poulsbo. Copies will be provided at a reasonable cost. Official notices will be published in the North Kitsap Herald and posted in the Poulsbo Post Office, Poulsbo Library, and Poulsbo City Hall notice boards. The local news media will be kept up to date on the update process and receive copies of all official notices.

PUBLIC AND AGENCY REVIEW TIMELINE

A Public Participation Plan is required by the Growth Management Act to describe how the City will encourage early and continuous public participation throughout the process of updating Development Regulations.

February 21, 2020

Public Release of Amendments: 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.

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

March 6, 2020

Notice of Application with Optional DNS comment period over

February 25, 2020

Planning Commission Workshop 6 p.m. | Council Chambers

March 10, 2020

Planning Commission Workshop (if needed) 6 p.m. | Council Chambers

March 24, 2020

Planning Commission Public Hearing 7 p.m. | Council Chambers

April 8, 2020

City Council Workshop - 7 p.m. | Council Chambers

April 15, 2020

City Council Workshop (if needed) - 7 p.m. | Council Chambers

May 6, 2020

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

All dates and times subject to change, please check the project website for up to date information

PUBLIC HEARINGS

The Planning Commission and City Council will conduct at least one public hearing each to gather and consider public testimony on the amendments. The hearing(s) are anticipated for **March 24, 2020 (PC) and May 6, 2020 (CC)**. Public notice of all hearings will state explicitly the date/time, review body and location of the public hearing. The public notices will be published in the North Kitsap Herald, posted at the City's public notice locations, sent to the E-notice mailing list and others who request such notice.

RECORDING OF MEETINGS

All public meetings and hearings will be audio recorded. Minutes and/or meeting summary for all public meetings will be prepared, and hard copies made available upon request.

EXHIBIT D

Notice of Application w/Optional DNS



NOTICE OF APPLICATION and Optional DNS

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

2020 LAND USE HOUSEKEEPING CODE AMENDMENTS, TYPE IV

Comments Due: March 6, 2020

The public has the right to review contents of the official file for the proposal, provide written comments, participate in any public hearings, and request a copy of the final decision.

Planning File:	P-02-14-20-01
Notice of Application:	February 21, 2020
Summary of Proposed Amendments:	<p>The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.</p> <p>Amendments are included for the following PMC Chapters: Chapter 15.35, Tree Cutting and Clearing; Chapter 16.20, Critical Areas; Chapter 17.30, Boundary Line Adjustments; Chapter 18.40, Zoning Definitions; Chapter 18.70, Residential Districts; Chapter 18.80, Commercial Districts; Chapter 18.120, Design Review; Chapter 18.130; Landscaping; Chapter 18.140, Off-Street Parking; Chapter 19.20, Application Classification; Chapter 19.30, Application Review Procedures; Chapter 19.50, Public Notices; Chapter 19.70, Decision Appeal Procedures; Chapter 19.80, Time Frames for Review; and Chapter 19.90, Post Decision Procedures.</p> <p>Full project documents can be viewed here: https://cityofpoulsbo.com/development-regulation-amendments/.</p>
Environmental Review:	<p>The City of Poulsbo has reviewed the proposed amendments for probable adverse environmental impacts and expects to issue a determination of nonsignificance (DNS) for this project. The Optional DNS process in WAC 197-11-355 is being used. <i>This may be the only opportunity to comment on the environmental impacts of the proposed amendments.</i> The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for the proposal may be obtained upon request.</p> <p>Agencies, tribes, and the public are encouraged to review and comment on the proposed amendments and probable environmental impacts. COMMENTS RELATED TO ENVIRONMENTAL REVIEW MUST BE SUBMITTED BY <u>MARCH 6, 2020.</u></p>

Public Comment Methods:

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:

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

Public Participation Plan:

Interested citizens are also encouraged to attend and provide verbal comments to the City at the Planning Commission and City Council public hearings. Workshops and hearings are held at Poulsbo City Hall, 200 NE Moe Street, Poulsbo, WA.

A public and agency participation plan has been developed for this amendment process, and can be viewed here: <https://cityofpoulsbo.com/development-regulation-amendments/>. A copy is also available at the Planning and Economic Development (PED) Department.

Date, Time, and Place of Meetings and Hearings:

The Planning Commission has scheduled a public workshop on February 25 and March 10, 2020; a public hearing is tentatively scheduled for March 24, 2020. The City Council has workshops scheduled for April 8 and April 15, 2020; a public hearing is tentatively scheduled for May 6, 2020. All meeting dates are subject to change. Public notices for public hearing dates will be issued and published in the City's official newspaper and City's website.

The Planning Commission will make recommendations to the City Council. The City Council is the decision-making authority for the draft ordinance. Hearing procedures are available from the PED Department and City Clerk's office and are conducted based on Roberts Rules of Order.

Further Information:

Please contact the Poulsbo PED Department at (360) 394-9748, www.cityofpoulsbo.com or plan&econ@cityofpoulsbo.com for further information.

Examination of File:

The complete document may be viewed at the PED Department, Poulsbo City Hall, 200 NE Moe Street, from 8:30 a.m. to 4:30 p.m. Monday through Friday. Project documents are also available online here: <https://cityofpoulsbo.com/development-regulation-amendments/>

Staff Contact:

Nikole Coleman | ncoleman@cityofpoulsbo.com | 360.394-9730





Affidavit of Public Notice

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

Application No: P-02-14-20-01 Project Name: 2020 Housekeeping Amendments

Nikole Coleman, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on Feb 21, 2020, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

- Notice of Application
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing
- Notice of Decision

has been provided:

- Mailed to owners of property within 300' of the project site
- Provided to newspaper of general circulation
- Emailed to PED Department distribution lists and/or parties of record
- Posted at Library, City Hall, Poulsbo Post Office
- Posted to the City's website
- Posted at Site Address: _____

Signature: [Signature] Date: 2/21/20

Subscribed and sworn to before me this 21 day of Feb, 2020

KATI B DIEHL
Notary Public
State of Washington
License Number 82970
My Commission Expires
June 01, 2022

[Signature]

NOTARY PUBLIC in and for the State of Washington, residing at:

Poulsbo, WA

My Commission expires on:

06-01-2022

North Kitsap Herald

Affidavit of Publication

State of Washington }
County of Kitsap } ss

Leanna Hartell being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the North Kitsap Herald a weekly newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a weekly newspaper in Kitsap County, Washington and is and always has been printed in whole or part in the North Kitsap Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Kitsap County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of NKH891061 NOA AND OPT. DNS as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/21/2020 and ending on 02/21/2020 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$28.05.

Leanna Hartell

Subscribed and sworn before me on this

21st day of February,
2020

Linda Phillips

Notary Public in and for the State of
Washington.

City of Poulsbo-Planning | 80707350
NIKOLE COLEMAN



**CITY OF POULSBO
NOTICE OF
APPLICATION
Notice of Application
and Optional DNS
RCW 36.70B.110**

Project Name: 2020
Land Use Housekeeping
Code Amendments

Project Description:

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments ongoing effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Amendments are included for the following PMC Chapters: 15.35, Tree Cutting and Clearing; 16.20, Critical Areas; 17.30, Boundary Line Adjustments; 18.40, Zoning Definitions; 18.70, Residential Districts; 18.80, Commercial Districts; 18.120, Design Review; 18.130, Landscaping; 18.140, Off-Street Parking; 19.20, Application Classification; 19.30, Application Review Procedures; 19.50, Public Notices; 19.70, Decision Appeal Procedures;

19.80, Time Frames for Review; and 19.90, Post Decision Procedures.

Permit Type: Type IV | Legislative

Public Comment Methods: The Planning Commission has scheduled workshops on February 25 and March 10, 2020; a public hearing is tentatively scheduled for March 24, 2020. The City Council has workshops scheduled for April 8 and April 15, 2020; a public hearing is tentatively scheduled for May 6, 2020. All meeting dates are subject to change. Public notices for public hearing dates will be issued and published in the City's official newspaper and City's website.

Public Comment: Agencies, tribes, and the public are encouraged to review and comment on the proposed amendments and their probable environmental impacts. Comments related to environmental review (SEPA) must be submitted by March 6, 2020.

More Information: Documents may be examined at the PED Department, Poulsbo City Hall from 8:30 am to 4:00 pm Monday through Friday. All pertinent documents will be posted here <https://city-of-poulsbo.com/development-regulation-amendments/>
Published: North Kitsap Herald
February 21, 2020
Legal #: NKH891061

From: [Constant Contact](#)
To: [City of Poulsbo Planning and Economic Development](#)
Subject: Your campaign Housekeeping Code Amendment - Initial Release and Notice of Application w/Optional DNS has been sent
Date: Friday, February 21, 2020 8:45:13 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Dear Nikole Coleman,

Your campaign '**Housekeeping Code Amendment - Initial Release and Notice of Application w/Optional DNS**' was sent on 2/21/2020 around 11:45 AM EST.

Below is a copy of the message your subscribers received. See how your campaign is doing by visiting Reports [in your account](#) to get real-time results and stats.

Subject: Housekeeping Code Amendment - Initial Release and Notice of Application w/Optional DNS



City of Poulsbo Public Notice

You are receiving this email because you've signed up to receive periodic notices regarding the City of Poulsbo's development regulations. Thank you for your interest in the future of Poulsbo.

The Planning and Economic Development Department (PED) has drafted housekeeping amendments to the Poulsbo Municipal Code (PMC). The proposed amendments are part of the PED Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Amendments are included for the following PMC Chapters: 15.35, Tree Cutting and Clearing; 16.20, Critical Areas; 17.30, Boundary Line Adjustments; 18.40, Zoning Definitions; 18.70, Residential Districts; 18.80, Commercial Districts; 18.120, Design Review; 18.130; Landscaping; 18.140, Off-Street Parking; 19.20, Application Classification; 19.30, Application Review Procedures; 19.50, Public Notices; 19.70, Decision Appeal Procedures; 19.80, Time Frames for Review; and 19.90, Post Decision Procedures.

Full project documents, including the public participation plan, can be viewed [here](#).

The City encourages all interested parties to review the proposed amendment and attend any or all of the scheduled workshops and hearings. Comments may also be made in writing to plan&econ@cityofpoulsbo.com or to Planning and Economic Development Department 200 NE Moe Street, Poulsbo WA 98370.

The Planning Commission has scheduled a public workshop on February 25 and March 10, 2020; a public hearing is tentatively scheduled for March 24, 2020. The City Council has workshops scheduled for April 8 and April 15, 2020; a public hearing is tentatively scheduled for May 6, 2020. All meeting dates are subject to change. Public notices for public hearing dates will be issued and published in the City's official newspaper and City's website.

Again, thank you for your interest in the future of Poulsbo.

Staff Contact: Nikole Coleman, Associate Planner; ncoleman@cityofpoulsbo.com; (360) 394 -9730.

Please provide comments on the Notice of Application w/ODNS by March 6.

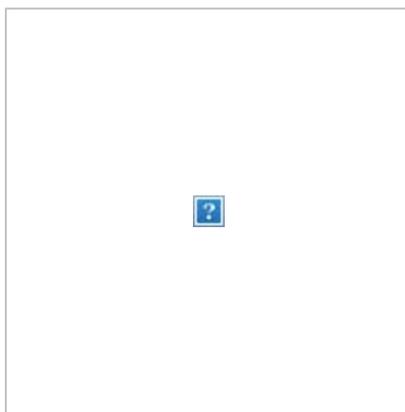
- [Notice of Application w/Optional DNS](#)
- [SEPA Checklist](#)
- [Proposed Amendments](#)
- [Summary of Amendments](#)

City of Poulsbo | Planning and Economic Development Department, 200 NE Moe Street, Poulsbo, WA 98370

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[Update Profile](#) | [About](#) [Constant Contact](#)

Sent by planninginfo@cityofpoulsbo.com in collaboration with



Try email marketing for free today!

From: [Nikole CH. Coleman](#)
To: [Nikole CH. Coleman](#)
Subject: Code Amendments, ODNs
Date: Thursday, March 05, 2020 3:59:39 PM
Attachments: [Proposed Amendments Initial Release 022120.pdf](#)
[2 - NOA optional DNS.pdf](#)
[SEPAChecklist Signed.pdf](#)

From: Nikole CH. Coleman
Sent: Thursday, February 20, 2020 4:39 PM
To: ECY RE SEPA REGISTER <separegister@ecy.wa.gov>
Subject: Code Amendments, ODNs

See attached.

Nikole Coleman, AICP
Associate Planner | City of Poulsbo
200 NE Moe Street | Poulsbo WA 98370
(360) 394-9730 | ncoleman@cityofpoulsbo.com

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.



THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2020-S-1215

Submittal Date Time: 02/20/2020

Submittal Information

Jurisdiction City of Poulsbo
Submittal Type 60-day Notice of Intent to Adopt Amendment
Amendment Type Development Regulation Amendment

Amendment Information

Brief Description

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law.

Yes, this is a part of the 8-year periodic update schedule, required under RCW 36.70A.130.

Anticipated/Proposed Date of Adoption 05/16/2020

Attachments

Attachment Type	File Name	Upload Date
Development Regulation Amendment - Draft	Proposed Amendments_Initial Release 022120.pdf	02/20/2020 04:40 PM
SEPA Materials	2 - NOA optional DNS.pdf	02/20/2020 04:40 PM
SEPA Materials	SEPAChecklist_Signed.pdf	02/20/2020 04:40 PM
Supporting Documentation or Analysis	1 - Public Participation Plan.pdf	02/20/2020 04:40 PM

Contact Information

Prefix Ms.
First Name Nikole
Last Name Coleman
Title Associate Planner
Work (360) 394-9730

EXHIBIT E

SEPA Threshold Determination with Commented Checklist



DETERMINATION OF NONSIGNIFICANCE (DNS)

2020 Land Use Housekeeping Code Amendments, Type IV Application

Description of Proposed Amendments:

The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Amendments are included for the following PMC Chapters: Chapter 15.35, Tree Cutting and Clearing; Chapter 16.20, Critical Areas; Chapter 17.30, Boundary Line Adjustments; Chapter 18.40, Zoning Definitions; Chapter 18.70, Residential Districts; Chapter 18.80, Commercial Districts; Chapter 18.120, Design Review; Chapter 18.130; Landscaping; Chapter 18.140, Off-Street Parking; Chapter 19.20, Application Classification; Chapter 19.30, Application Review Procedures; Chapter 19.50, Public Notices; Chapter 19.70, Decision Appeal Procedures; Chapter 19.80, Time Frames for Review; and Chapter 19.90, Post Decision Procedures.

Full project documents can be viewed here: <https://cityofpoulsbo.com/development-regulation-amendments/>.

Planning File:

P-02-14-20-01

NOA/Optional DNS:

February 21, 2020

Applicant:

City of Poulsbo Planning and Economic Development Department
200 NE Moe Street, Poulsbo, WA 98370

Lead Agency:

City of Poulsbo

The City of Poulsbo has determined that the above-described proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

THIS DNS IS ISSUED AFTER USING THE OPTIONAL DNS PROCESS IN WAC 197-11-355. THERE IS NO FURTHER COMMENT PERIOD ON THE DNS.

Responsible Official:

Karla Boughton

Position/Title:

Planning and Economic Development Department Director
200 NE Moe Street
Poulsbo, WA 98370
(360) 394 -9748

Date:

3/9/20

Signature:

APPEAL: Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than 10 working days from the date of this notice. You should be prepared to make specific factual objections. Contact the responsible official to read or ask about the procedure for SEPA appeals.



SEPA ENVIRONMENTAL CHECKLIST

200 NE Moe Street | Poulsbo, Washington 98370
 (360) 394-9748 | fax (360) 697-8269
 www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

A. BACKGROUND		
Name of proposed project, if applicable: 2020 Housekeeping Code Amendments		Date Prepared: 2/14/20
Name of Applicant: City of Poulsbo	Address: 200 NE Moe Street Poulsbo	Phone Number: 360.394.9748
Contact: Nikole Coleman	Agency Requesting Checklist: City of Poulsbo	
<p>Proposed timing or schedule (including phasing, if applicable): The Planning Commission has scheduled a public workshop on Feb 25 and March 10, 2020; a public hearing is tentatively scheduled for March 24, 2020. The City Council has workshops scheduled for April 8 and April 15, 2020; a public hearing is tentatively scheduled for May 6, 2020. All meeting dates are subject to change. Public notices for public hearing dates will be issued and published in the City's official newspaper and City's website.</p>		
<p>Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain. No.</p>		
<p>List any environmental information you know about that has been prepared, directly related to this proposal. No specific environmental information has been prepared for this update. Land use applications submitted to the City will be required to be processed under the provisions of Title 19, and may require environmental review when development is proposed, pursuant to SEPA rules.</p>		
<p>Do you know whether applications are pending for governmental approvals or other proposals directly affecting the property covered by your proposal? If yes, explain. Permits will be processed under the current zoning ordinance until new regulations go into effect.</p>		
<p>List any government approvals or permits that will be needed for your proposal, if known. City Council approval.</p>		
<p>Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.</p> <p>Amendments are included for the following PMC Chapters: Chapter 15.35, Tree Cutting and Clearing; Chapter 16.20, Critical Areas; Chapter 17.30, Boundary Line Adjustments; Chapter 18.40, Zoning Definitions; Chapter 18.70, Residential Districts; Chapter 18.80, Commercial Districts; Chapter 18.120, Design Review; Chapter 18.130; Landscaping; Chapter 18.140, Off-Street Parking; Chapter 19.20, Application Classification; Chapter 19.30, Application Review Procedures; Chapter 19.50, Public Notices; Chapter 19.70, Decision Appeal Procedures; Chapter 19.80, Time Frames for Review; and Chapter 19.90, Post Decision Procedures.</p>		
<p>Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. Poulsbo is located in Township 26 North, Range 1 East, Willamette Meridian and is located in all or portions of Sections 9, 10, 11, 13, 14, 15, 22, 23, 24, 25, and 26. The updated Ordinance will apply to residentially zoned properties city-wide. The responses provided from this point forward imply city-wide applicability, unless otherwise specified.</p>		

B. ENVIRONMENTAL ELEMENTS	Agree	Disagree	Mitigate
1. Earth			
<p>a. General description of the site (check one): <input type="checkbox"/> flat <input type="checkbox"/> rolling <input type="checkbox"/> hilly <input type="checkbox"/> steep <input type="checkbox"/> slopes <input type="checkbox"/> mountainous <input type="checkbox"/> other. Poulsbo's topography varies throughout the city, from flat to areas of steep slopes. Actual development will be subject to additional SEPA review as appropriate. Environmental review and a threshold determination will be required at the time of development review. Site specific development impacts are not identified at this time.</p>	✓		
<p>b. What is the steepest slope on the site (approximate percent slope)? There are areas within the city limits with slopes exceeding 40%, and potential geohazard areas are mapped on the City's critical areas maps. At the time of a development proposal, additional information on slopes will be required. Future development will require additional environmental review.</p>	✓		
<p>c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. According to the Kitsap County Soil Survey, the soils within the city limits is predominately classified as Poulsbo Gravelly sandy loam, with areas of Kapowsin gravelly loam and Sinclair soils.</p>	✓		
<p>d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Geohazards are mapped in the City's critical areas maps and unstable soils/slopes are regulated by the City's Critical Areas Ordinance. No development is proposed at this time. Review of soil conditions will occur at the time specific proposals move forward.</p>	✓		
<p>e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. This is not applicable to this non-project action.</p>	✓		
<p>f. Could erosion occur as a result of clearing, construction or use? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Erosion control would be addressed through existing City ordinances, including the clearing and grading and critical areas regulations.</p>	✓		
<p>g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This is not applicable to this non-project action. No development is proposed at this time. Projects will require further analysis and SEPA review, where appropriate.</p>	✓		
<p>h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any. None. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
2. Air			
<p>a. What types of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		

<p>c. Proposed measures to reduce or control emissions or other impacts to air, if any. None. No development is proposed at this time. Determination will be made at the time specific proposals move forward. New construction will comply with the requirements of the Poulsbo Municipal Code and the Engineering Department, which will be reviewed at the time of a specific project proposal moving forward.</p>	✓		
3. Water			
a. Surface:			
<p>1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. Poulsbo's main surface water body is Liberty Bay; there are numerous streams and wetlands throughout the city limits. There is no development proposed at this time; future development will require additional environmental review.</p>	✓		
<p>2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>3) Estimate the amount of fill and dredge that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
b. Ground:			
<p>1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		

<p>2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals; agricultural; etc...). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
c. Water Runoff (including storm water):			
<p>1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (including quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. This is not applicable to this non-project action. No development is proposed at this time. Future development will lead to stormwater runoff, which will be reviewed and required to meet City and State regulations for stormwater management. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>2) Could waste materials enter ground or surface waters? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>3) Does the proposal alter or otherwise affect drainage patterns near the site? If so, describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: This is not applicable to this non-project action. No development is proposed at this time. At the time of development review, projects will be reviewed for compliance with the City's adopted storm water management regulations and updated critical areas ordinance.</p>	✓		
4. Plants			
<p>a. Check types of vegetation found on the site:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Deciduous tree: alder, maple, aspen, other <input checked="" type="checkbox"/> Evergreen tree: fir, cedar, pine, other <input checked="" type="checkbox"/> Shrubs <input checked="" type="checkbox"/> Grass <input checked="" type="checkbox"/> Pasture <input type="checkbox"/> Crop or grain <input checked="" type="checkbox"/> Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other <input type="checkbox"/> Water plants: water lily, eelgrass, milfoil, other <input type="checkbox"/> Other types of vegetation <p>The checked vegetation is found throughout Poulsbo. This is not applicable to this non-project action. No development is proposed at this time. The existing vegetation for sites will be determined at the time of development review.</p>	✓		
<p>b. What kind and amount of vegetation will be removed or altered? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>c. List threatened or endangered species known to be on or near the site. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		

<p>d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Landscaping is typically required for new development proposals.</p>	✓		
<p>e. List all noxious weeds and invasive species known to be on or near the site. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Landscaping is typically required for new development proposals.</p>	✓		
5. Animals			
<p>a. Check any birds and animals which have been observed on or near the site or are known to be on or near the site: <input type="checkbox"/> Birds: hawk, heron, eagle, songbirds, other: <input type="checkbox"/> Mammals: deer, bear, elk, beaver, other: <input type="checkbox"/> Fish: bass, salmon, trout, herring, shellfish, other: There are a variety of birds, fish, and mammals that inhabit Poulsbo. They are primarily located near streams and Liberty Bay.</p>	✓		
<p>b. List any threatened or endangered species known to be on or near the site. Poulsbo has several listed species, including bald eagle, blue heron, harbor seal, salmon (Chinook, chum, coho), steelhead, cutthroat, hardshell clam, smelt, and sand lance. No development is proposed at this time. Additional environmental review will be conducted at the time of application for specific development.</p>	✓		
<p>c. Is the site part of a migration route? If so, explain. Liberty Bay and adjacent streams are known to contain anadromous salmonids. The City is located within the Pacific Flyway – a flight corridor for migrating waterfowl and other birds – that extends from Alaska to Mexico and South America.</p>	✓		
<p>d. Proposed measures to preserve or enhance wildlife, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. The City's Critical Areas Ordinance provides protection for wildlife. Any additional mitigation necessary will be identified at the time of site-specific development review.</p>	✓		
<p>e. List any invasive animal species known to be on or near the site. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. The City's Critical Areas Ordinance provides protection for wildlife. Any additional mitigation necessary will be identified at the time of site-specific development review.</p>	✓		
6. Energy and Natural Resources			
<p>a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Electric energy is available city-wide and natural gas is available in specific locations in the city limits.</p>	✓		
<p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any. This is not applicable to this non-project action. Determination will be made at the time specific proposals move forward. Future development will meet the current energy code as identified in the International Building Code.</p>	✓		

7. Environmental Health			
a.	Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
1)	Describe any known or possible contamination at the site from present or past uses. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
2)	Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
3)	Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
4)	Describe special emergency services that might be required. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
5)	Proposed measures to reduce or control environmental health hazards, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
b. Noise			
1)	What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? The city has a typical level of noise expected in an urban environment.	✓	
2)	What types of levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓	
3)	Proposed measures to reduce or control noise impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Construction noise is regulated in the Poulsbo Municipal Code.	✓	
8. Land and Shoreline Use			
a.	What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. The city has a variety of single-family residential development along with commercial areas, and other uses including multifamily residential, light industrial, institutional, and parks.	✓	

<p>b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>c. Describe any structures on the site. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>d. Will any structures be demolished? If so, what? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>e. What is the current zoning classification of the site? No development is proposed at the comprehensive plan amendment stage. Determination of zoning classification and applicable review requirements will be made at the time specific proposals move forward.</p>	✓		
<p>f. What is the current comprehensive plan designation of the site? No development is proposed at the comprehensive plan amendment stage. Determination of comprehensive plan designation will be made at the time specific proposals move forward.</p>	✓		
<p>g. If applicable, what is the current shoreline master program designation of the site? No development is proposed at the comprehensive plan amendment stage. Determination of shoreline designation and applicable review requirements will be made at the time specific proposals move forward.</p>	✓		
<p>h. Has any part of the site been classified as a critical area by the city or county? If so, specify The actual development of the specific sites will be subject to additional development review and would be subject to environmental review. Site specific development impacts are not identified at this time. Identification of critical areas will be made based on the City's Critical Area Ordinances maps and site-specific environmental information prepared during the development review process.</p>	✓		
<p>i. Approximately how many people would reside or work in the completed project? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>j. Approximately how many people would the completed project displace? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>k. Proposed measures to avoid or reduce displacement impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any. No development is proposed with the comprehensive plan amendments. Determination of specific measures to ensure compatibility will be made during development review.</p>	✓		
<p>m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any. No development is proposed with the comprehensive plan amendments. Determination of specific measures to ensure compatibility will be made during development review.</p>	✓		

9. Housing			
a. Approximately how many units would be provided, if any? None. This is a non-project action.	✓		
b. Approximately how many units, if any, would be eliminated? None. This is a non-project action.	✓		
c. Proposed measures to reduce or control housing impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
10. Aesthetics			
a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
b. What views in the immediate vicinity would be altered or obstructed? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
c. Proposed measures to reduce or control aesthetic impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. While site specific development impacts are not identified at this time, building height and design review requirements are set forth in Poulsbo's zoning ordinance.	✓		
11. Light and Glare			
a. What type of light or glare will the proposal produce? What time of day would it mainly occur? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
b. Could light or glare from the finished project be a safety hazard or interfere with views? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
c. What existing off-site sources of light or glare may affect your proposal? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
d. Proposed measures to reduce or control light and glare impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. While site specific impacts are not identified at this time, the City's zoning ordinance contains lighting requirements. Additional environmental review will be required as sites are proposed for development.	✓		
12. Recreation			
a. What designated and informal recreational opportunities are in the immediate vicinity? Poulsbo has a variety of public parks and recreation opportunities throughout the city.	✓		
b. Would the proposed project displace any existing recreational uses? If so, describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		

13. Historic and Cultural Preservation			
a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. Unknown at this time. This is a non-project action. Determination will be made at the time of specific proposals for development.	✓		
b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. Unknown at this time.	✓		
c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
d. Proposed measures to reduce or control impacts, if any. If at the time of site-specific development, evidence of historic or cultural resources are found, proper protocols and notifications will be initiated.	✓		
14. Transportation			
a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any. Major streets and highways in Poulsbo include Highway 3, 305, State Route 307, Viking Avenue, Finn Hill, Front Street, Fjord Drive, Hostmark, Caldart, and Lincoln.	✓		
b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Kitsap Transit provides public transit throughout the city.	✓		
c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. No.	✓		
f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		
g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.	✓		

<p>h. Proposed measures to reduce or control transportation impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. At the time of development review, projects will be reviewed for traffic impacts and appropriate mitigation will be imposed.</p>	✓		
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15. Public Services

<p>a. Would the project result in an increased need for public service (for example fire protection, police protection, health care, schools, other)? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>b. Proposed measures to reduce or control direct impacts on public services, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		

16. Utilities

<p>a. Check the utilities currently available at the site: <input type="checkbox"/> electric <input type="checkbox"/> natural gas <input type="checkbox"/> water <input type="checkbox"/> refuse service <input type="checkbox"/> telephone, <input type="checkbox"/> sanitary sewer <input type="checkbox"/> septic system <input type="checkbox"/> other. Utilities are also available throughout the city, with natural gas only available in specific areas. No development is proposed with the amendments, and specific determination of utility services will be made at the time of development review.</p>	✓		
<p>b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. Utilities are also available throughout the city, with natural gas only available in specific areas. No development is proposed with the amendments, and specific determination of utility services will be made at the time of development review.</p>	✓		

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  Date Submitted: 2/14/20

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

1.	<p>How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substance; or production of noise? The amendments would not create any of these effects. All development and uses will be subject to all applicable local, state and federal regulatory requirements and will be reviewed on a case-by-case basis during the development review process.</p>
	<p>Proposed measures to avoid or reduce such increases are: No measures are proposed with the update. However, measures will be identified as necessary during the development permit and environmental process for specific projects. Compliance with city regulations and other appropriate mitigations would reduce increases.</p>
2.	<p>How would the proposal be likely to affect plants, animals, fish, or marine life? As a non-project action, the amendments would not directly affect plants, animals, fish or marine life. Projects resulting from the update may require further review under SEPA,</p>
	<p>Proposed measures to protect or conserve plants, animals, fish, or marine life are: The CAO provides regulatory protective measures to protect and conserve vegetation and wildlife habitat. Additional measures may be identified during the development permit and environmental review process for specific projects.</p>

3.	<p>How would the proposal be likely to deplete energy or natural resources? As a non-project action, the amendments would not deplete energy or natural resources. Projects resulting from the amendments will require further environmental review at the time of development application.</p>
	<p>Proposed measures to protect or conserve energy and natural resources are: Measures would be identified during the project specific development permit and environmental review. Compliance with city regulations and other appropriate mitigations would provide the appropriate measures to reduce impacts.</p>
4.	<p>How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? No development is proposed. The CAO includes standards to protect critical areas and their buffers when development is proposed.</p>
	<p>Proposed measures to protect such resources or to avoid or reduce impacts are: Measures would be identified during the project specific development permit and environmental review. Compliance with city regulations and other appropriate mitigations would provide the appropriate measures to reduce impacts.</p>
5.	<p>How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? The proposed updates will not change existing land use patterns.</p>
	<p>Proposed measures to avoid or reduce shoreline and land use impacts are: The amendments being considered through the update do not pose shoreline or land use impacts. All development applications will be subject to further review under SEPA, the city's zoning code and the Shoreline Master Program where appropriate.</p>
6.	<p>How would the proposal be likely to increase demands on transportation or public services and utilities? No development is proposed. However, future developments on the subject sites may have increased demands, which would be identified during the specific project development review. Projects resulting from amendments may require further review under SEPA which will be accomplished as required under WAC 197-11 and the Poulsbo Municipal Code.</p>
	<p>Proposed measures to reduce or respond to such demand(s) are: Measures to reduce impacts on transportation, public services and utilities would be identified during project specific development review. Compliance with city regulations and other appropriate mitigations could provide the appropriate measures to reduce impacts.</p>
7.	<p>Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. The proposed amendments do not conflict with any local, state or federal laws or requirements for the protection of the environment. All future development proposals would be required to follow all applicable regulations regarding the protection of the environment.</p>

Reviewed by *Karen Borg* 2/20/2020



Affidavit of Public Notice

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

Application No: P-02-14-20-01 Project Name: 2020 Housekeeping Ameds

Nikole Coleman, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on March 9, 2020, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

- Notice of Application
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing
- Notice of Decision

has been provided:

- Mailed to owners of property within 300' of the project site
- Provided to newspaper of general circulation
- Emailed to PED Department distribution lists and/or parties of record
- Posted at Library, City Hall, Poulsbo Post Office
- Posted to the City's website
- Posted at Site Address: _____

Signature: [Signature] Date: 3/9/20

Subscribed and sworn to before me this 10th day of March, 2020

AMANDA RODGERS
 Notary Public
 State of Washington
 License Number 201765
 My Commission Expires
 July 16, 2022

[Signature]
NOTARY PUBLIC in and for the State of Washington, residing at:

Bremerton, WA
My Commission expires on:

07/16/2022

From: [Constant Contact](#)
To: [City of Poulsbo Planning and Economic Development](#)
Subject: Your campaign Housekeeping Code Amendment - SEPA Threshold Determination has been sent
Date: Monday, March 09, 2020 8:04:49 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Dear Nikole Coleman,

Your campaign '**Housekeeping Code Amendment - SEPA Threshold Determination**' was sent on 3/9/2020 around 11:04 AM EDT.

Below is a copy of the message your subscribers received. See how your campaign is doing by visiting Reports [in your account](#) to get real-time results and stats.

Subject: Housekeeping Code Amendment - SEPA Threshold Determination



City of Poulsbo Public Notice

You are receiving this email because you've signed up to receive periodic notices regarding the City of Poulsbo's development regulations.

Please see the SEPA Threshold Determination for the proposed Land Use Housekeeping Code Amendments.

Thank you for your interest in the future of Poulsbo.

Staff Contact: Nikole Coleman, Associate Planner; ncoleman@cityofpoulsbo.com; (360) 394 -9730.

City of Poulsbo | Planning and Economic Development Department, 200 NE Moe Street, Poulsbo, WA 98370

[Unsubscribe \[planninginfo@cityofpoulsbo.com\]\(mailto:planninginfo@cityofpoulsbo.com\)](mailto:planninginfo@cityofpoulsbo.com)

[Update Profile](#) | [About Constant Contact](#)

Sent by planninginfo@cityofpoulsbo.com in collaboration with

From: [Nikole CH. Coleman](#)
To: [ECY RE SEPA REGISTER](#)
Subject: Housekeeping Amendments - DNS
Date: Monday, March 09, 2020 8:14:00 AM
Attachments: [SEPA Threshold Determination.pdf](#)

Please see attached.

Nikole Coleman, AICP
Associate Planner | City of Poulsbo
200 NE Moe Street | Poulsbo WA 98370
(360) 394-9730 | ncoleman@cityofpoulsbo.com

FYI - Planning Department Updated Counter Hours:
Walk-in customers: 8:30 am - 12 pm Monday-Friday
[Appointments](#): 8:30 am - 3:30 pm Monday-Friday

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

EXHIBIT F

Notice of Planning Commission Public Hearing



REVISED NOTICE OF PUBLIC HEARING

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

2020 LAND USE HOUSEKEEPING CODE AMENDMENTS, TYPE IV

Planning Commission Public Hearing: June 23, 2020

Hearing Date:	June 23, 2020	Hearing Time:	The hearing is scheduled to begin at 7 pm.
Hearing Location:	Due to the Governors “Stay Home – Stay Healthy” Order, public hearings must be held virtually. This call-in number: 1-623-404-9000 and meeting id: 149-849-8375 are provided for attendance.		
Requested Action:	All interested citizens and agencies are invited to provide written and verbal testimony to the Planning Commission regarding the proposed project.		
Project Description:	The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.		
Public Comment Methods:	Written comments may be mailed, faxed, or e-mailed to the PED Department contact information indicated above. To ensure consideration, all written comments must be received prior to close of the public hearing.		
Draft Document:	The proposed amendments are represented as <u>underline</u> for proposed additions and strikeouts for deletions. The proposed amendments can be found online: https://cityofpoulsbo.com/development-regulation-amendments/		
Public Participation Plan:	A public and agency participation plan has been developed for this project, and can be viewed here: https://cityofpoulsbo.com/development-regulation-amendments/		
Hearing Information:	The Planning Commission public hearing is scheduled for June 23, 2020 at 7pm . Due to the Governors “Stay Home – Stay Healthy” Order, public hearings must be held virtually . This call-in number: 1-623-404-9000 and meeting id: 149-849-8375 are provided for attendance. We encourage written public comment submission prior to the meeting via email to ncoleman@cityofpoulsbo.com . Citizen comments will also be accommodated during the virtual meeting.		

All interested people are invited to attend the hearing. If you are unable to attend, your written comments, received no later than the date and time scheduled for the hearing, will be given careful consideration by the Planning Commission and made a part of the record. Testimony will be allowed on the proposal.

The following procedural rules have been established for public hearings to allow a fair and orderly hearing:

1. The length of time given to individuals speaking for or against a proposal may be determined by the Planning Commission prior to the application being considered;
2. A speaker representing each side of the issue is encouraged.

THE CITY OF POULSBO STRIVES TO PROVIDE ACCESSIBLE MEETINGS FOR PEOPLE WITH DISABILITIES. PLEASE CONTACT THE POULSBO PED DEPARTMENT AT 360-394-9748 AT LEAST 48 HOURS PRIOR TO THE MEETING IF ACCOMMODATIONS ARE NEEDED FOR THIS MEETING.



Affidavit of Public Notice

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

Application No: P-02-14-20-01 Project Name: 2020 Housekeeping Amds

Nikole Coleman, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on June 4, 2020, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

- Notice of Application
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing (REVISED)
- Notice of Decision

has been provided:

- Mailed to owners of property within 300' of the project site
- Provided to newspaper of general circulation
- Emailed to PED Department distribution lists and/or parties of record
- Posted at Library, City Hall, Poulsbo Post Office
- Posted to the City's website
- Posted at Site Address: _____

Signature: [Handwritten Signature] Date: 6/4/20

Subscribed and sworn to before me this 4 day of June, 2020

AMANDA RODGERS
 Notary Public
 State of Washington
 License Number 201765
 My Commission Expires
 July 16, 2022

[Handwritten Signature]
NOTARY PUBLIC in and for the State of Washington, residing at:

Bremerton, WA
My Commission expires on:
07/16/2022

From: [Constant Contact](#)
To: [City of Poulsbo Planning and Economic Development](#)
Subject: Your campaign Housekeeping Code Amendments - Notice of Planning Commission Public Hearing (June 23) has been sent
Date: Thursday, June 04, 2020 7:01:09 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Dear Nikole Coleman,

Your campaign '**Housekeeping Code Amendments - Notice of Planning Commission Public Hearing (June 23)**' was sent on 6/4/2020 around 10:00 AM EDT.

Below is a copy of the message your subscribers received. See how your campaign is doing by visiting Reports [in your account](#) to get real-time results and stats.

Subject: Housekeeping Code Amendments - Notice of Planning Commission Public Hearing (June 23)



City of Poulsbo Public Notice

You are receiving this email because you've signed up to receive periodic notices regarding the City of Poulsbo's development regulations.

The proposed housekeeping amendments to the Poulsbo Municipal Code (PMC) are part of the PED Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Full project documents can be viewed [here](#).

The Planning Commission public hearing is scheduled for June 23, 2020 at 7pm. Due to the Governors "Stay Home - Stay Healthy" Order, public hearings must be held virtually. This call-in number: 1-623-404-9000 and meeting id: 149-849-8375 are provided for attendance.

We encourage written public comment submission prior to the meeting via email to ncoleman@cityofpoulsbo.com. Citizen comments will also be accommodated during the virtual meeting.

The Seattle Times

City of Poulsbo
Chloe Wardle
200 NE Moe St

Poulsbo, WA 98370

Re: Advertiser Account # 145939

Agency Account #: 0

Ad #: 945879

Agency Name:

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

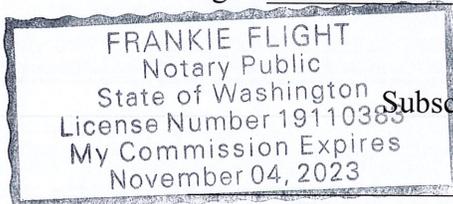
Newspaper and Publication Date(s)	
Seattle Times	06/04/20

Agent

Sharon Seligman

Signature

Sharon Seligman



Subscribed and sworn to before me on 06/05/20

DATE

Frankie Flight

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

The Seattle Times

Re: Advertiser Account # 145939

Ad #: 945879

Agency Account #: 0

Agency Name:

AD TEXT

CITY OF POULSBO Revised NOTICE OF PLANNING COMMISSION PUBLIC HEARING

Project Name/Location: 2020 Land Use Housekeeping Code Amendments | Type IV | Legislative

Project Description: The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments ongoing effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Public Hearing: The Planning Commission public hearing is scheduled for June 23, 2020 @ 7pm. Due to the Governors "Stay Home - Stay Healthy" Order, **public hearings must be held virtually**. This call-in number: 1-623-404-9000 and meeting id: 149-849-8375 are provided for attendance.

Public Comment: We encourage written public comment submission prior to the meeting via email to ncoleman@cityofpoulsbo.com. Citizen comments will also be accommodated during the virtual meeting. Please contact staff for more information on how to attend virtually (360.394.9748)

More Information: Documents may be examined online: <https://cityofpoulsbo.com/development-regulation-amendments/>. Contact staff if you are unable to obtain access to the electronic documents.

EXHIBIT G

Planning Commission Findings of Fact and Recommendation



Land Use Housekeeping Code Amendments *Planning Commission Findings of Fact and Recommendation*

The Poulsbo Planning Commission, in its role as advisory body on land use policy documents and regulations, held a public hearing on June 23, 2020 to review and discuss the Land Use Housekeeping Code Amendments.

The Planning Commission opened its noticed public hearing on June 23, 2020 and took testimony. On June 23, 2020, after discussion and deliberations, the Planning Commission provided a motion for recommendation on the Land Use Housekeeping Code Amendments.

The Planning Commission moved to recommend, with a vote of 7 for, to The City Council approval of the Land Use Housekeeping Code Amendments.

In making the recommendation, the Planning Commission offered the following **FINDINGS**:

The Land Use Housekeeping Code Amendments was publicly released February 21, 2020. This release and all associated documents were posted on the City's website, distributed to Washington State Department of Commerce and local, regional and state agencies, and emailed to the City's Development Regulations Update interested parties e-notice list.

On February 21, 2020, the Notice of Application (NOA) with Optional DNS was published in the North Kitsap Herald, emailed to the NOA, SEPA, and Development Regulations e-notice list, and posted at the Poulsbo Post Office, City Hall and the City's website.

On March 9, 2020, the SEPA Threshold Determination was issued.

The originally scheduled Planning Commission Public Hearing was postponed due to the Governor's "Stay Home, Stay Healthy" order. On June 4, 2020, a revised public hearing notice was published in the Seattle Times, emailed to the public hearing and Development Regulations e-notice list, posted at the Poulsbo Post Office, City Hall and the City's website.

On June 16, 2020, the Planning and Economic Development Department released the staff report for the Planning Commission Public Hearing.

The Poulsbo Planning Commission held a properly noticed public hearing on June 23, 2020.

After the close of the public hearing and Commission deliberations, the Planning Commission provided motions and recommendations to the City Council on the Land Use Housekeeping Code Amendments.

The **PLANNING COMMISSION RECOMMENDS APPROVAL** the Land Use Housekeeping Code Amendments as identified in Exhibit A to the Planning Commission Staff Report dated June 16, 2020 and modifications identified during Planning Commission deliberations.

RAY STEVENS, CHAIR
Poulsbo Planning Commission
June 24, 2020

EXHIBIT H

Notice of City Council Public Hearing



NOTICE OF PUBLIC HEARING

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

2020 LAND USE HOUSEKEEPING CODE AMENDMENTS, TYPE IV

City Council Public Hearing: August 5, 2020

Hearing Date:	August 5, 2020	Hearing Time:	7 pm, or soon thereafter as the agenda determines
Hearing Location:	Due to the Governors "Stay Home – Stay Healthy" Order, public hearings must be held virtually. This call-in number: 1-623-404-9000 and meeting id: 148-485-5074 are provided for attendance.		
Requested Action:	All interested citizens and agencies are invited to provide written and verbal testimony to the City Council regarding the proposed project.		
Project Description:	The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.		
Public Comment Methods:	Written comments may be mailed, faxed, or e-mailed to the PED Department contact information indicated below. To ensure consideration, all written comments must be received prior to close of the public hearing.		
Draft Document:	The proposed amendments are represented as <u>underline</u> for proposed additions and strikeouts for deletions. The proposed amendments can be found online: https://cityofpoulsbo.com/development-regulation-amendments/		
Public Participation Plan:	A public and agency participation plan has been developed for this project, and can be viewed here: https://cityofpoulsbo.com/development-regulation-amendments/		
Hearing Information:	The City Council public hearing is scheduled for August 5, 2020 at 7pm . Due to the Governors "Stay Home – Stay Healthy" Order, public hearings must be held virtually . This call-in number: 1-623-404-9000 and meeting id: 148-485-5074 are provided for attendance. If you wish to provide verbal citizen comment during the virtual meeting, please call in 10 minutes prior to the meeting and to be added to the sign-in sheet to speak during citizen comments or the public hearing. Alternatively, please submit written comments requesting your comments be read during the meeting to cityclerks@cityofpoulsbo.com , mail to City Hall, call and leave a message with the Clerk's Office, or drop comments off at the 3 rd & Moe drop box before 4:30 p.m. to be read by the City Clerk during the virtual meeting.		
Contact:	City of Poulsbo Planning and Economic Development Department 200 NE Moe Street, Poulsbo, WA 98370 Phone: (360) 394-9748 E-mail: plan&econ@cityofpoulsbo.com		
Additional Information:	Documents may be examined here https://cityofpoulsbo.com/development-regulation-amendments/		

THE CITY OF POULSBO STRIVES TO PROVIDE ACCESSIBLE MEETINGS FOR PEOPLE WITH DISABILITIES. PLEASE CONTACT THE POULSBO PED DEPARTMENT AT 360-394-9748 AT LEAST 48 HOURS PRIOR TO THE HEARING IF ACCOMMODATIONS ARE NEEDED.



Affidavit of Public Notice

Planning and Economic Development Department
200 NE Moe Street | Poulsbo, Washington 98370
(360) 394-9748 | fax (360) 697-8269
www.cityofpoulsbo.com | plan&econ@cityofpoulsbo.com

Application No: P-02-14-20-01 Project Name: Housekeeping Amendments

Nikole Coleman, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on July 21, 2020, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

- Notice of Application
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing (ccc)
- Notice of Decision

has been provided:

- Mailed to owners of property within 300' of the project site
- Provided to newspaper of general circulation
- Emailed to PED Department distribution lists and/or parties of record
- Posted at Library, City Hall, Poulsbo Post Office
- Posted to the City's website
- Posted at Site Address: _____

Signature: [Signature] Date: 7/21/20

Subscribed and sworn to before me this 21 day of July, 2020

AMANDA RODGERS
 Notary Public
 State of Washington
 License Number 201765
 My Commission Expires
 July 16, 2022

[Signature]
NOTARY PUBLIC in and for the State of Washington, residing at:

Bremerton, WA
My Commission expires on:

07/16/2022

From: [Constant Contact](#)
To: [City of Poulsbo Planning and Economic Development](#)
Subject: Your campaign Land Use Housekeeping Amendments - Notice of City Council Public Hearing (August 5) has been sent
Date: Tuesday, July 21, 2020 7:02:31 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Dear Nikole Coleman,

Your campaign '**Land Use Housekeeping Amendments - Notice of City Council Public Hearing (August 5)**' was sent on 7/21/2020 around 10:01 AM EDT.

Below is a copy of the message your subscribers received. See how your campaign is doing by visiting Reports [in your account](#) to get real-time results and stats.

Subject: Land Use Housekeeping Amendments - Notice of City Council Public Hearing (August 5)



City of Poulsbo Public Notice

You are receiving this email because you've signed up to receive periodic notices regarding the City of Poulsbo's development regulations.

The proposed housekeeping amendments to the Poulsbo Municipal Code are part of the Planning Departments on-going effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Full project documents can be viewed [here](#).

The City Council public hearing is scheduled for August 5, 2020 at 7pm. Due to the Governors "Stay Home - Stay Healthy" Order, public hearings must be held virtually. This call-in number: 1-623-404-9000 and meeting id: 148-485-5074 are provided for attendance.

If you wish to provide verbal citizen comment during the virtual meeting, please call in 10 minutes prior to the meeting and to be added to the sign-in sheet to speak during citizen comments or the public hearing. Alternatively, please submit written comments requesting your comments be read during the meeting to cityclerks@cityofpoulsbo.com, mail to City Hall, call and leave a message with the Clerk's Office, or drop comments off at the 3rd and Moe drop box before 4:30 p.m.

to be read by the City Clerk during the virtual meeting.

Thank you for your interest in the future of Poulsbo.

- **Notice of City Council Public Hearing**

Nikole Coleman, Senior Planner
ncoleman@cityofpoulsbo.com
(360) 394 -9730

City of Poulsbo | Planning and Economic Development Department, 200 NE Moe Street, Poulsbo, WA 98370

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The Seattle Times

-Receipt-

These are the details of your ad scheduled to run on the dates indicated below.

Prepayment Information

Method	Card Type	Last 4 Digits	Amount Paid
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Account Information

Account #:	145939
Advertiser Name:	City of Poulsbo
Contact:	
Address:	200 NE Moe St Poulsbo, WA 98370
Telephone:	(360) 779-3901

Run Date(s)

Seattle Times	06/04/20
NWclassifieds	06/04/20
NWclassifieds	06/05/20
NWclassifieds	06/06/20
NWclassifieds	06/07/20
NWclassifieds	06/08/20
NWclassifieds	06/09/20
NWclassifieds	06/10/20

Ad Placement Information

Ad ID:	945879
# of lines:	44
Total Cost:	\$98.12
Class Name:	Public Notices

Ad Proof

CITY OF POULSBO
Revised NOTICE OF PLANNING
COMMISSION PUBLIC HEARING

Project Name/Location: 2020 Land Use Housekeeping Code Amendments I Type IV I Legislative

Project Description: The proposed amendments to the Poulsbo Municipal Code (PMC) are part of the Planning and Economic Development Departments ongoing effort to make land use regulations more usable for residents, developers, and City staff by correcting errors, eliminating text ambiguities, codifying internal policies, and reflecting changes in state law. The proposed amendments do not involve significant changes to the code.

Public Hearing: The Planning Commission public hearing is scheduled for **June 23, 2020 @ 7pm**. Due to the Governors "Stay Home - Stay Healthy" Order, **public hearings must be held virtually**. This call-in number: **1-623-404-9000** and **meeting id: 149-849-8375** are provided for attendance.

Public Comment: We encourage written public comment submission prior to the meeting via email to ncoleman@cityofpoulsbo.com. Citizen comments will also be accommodated during the virtual meeting. Please contact staff for more information on how to attend virtually (360.394.9748)

More Information: Documents may be examined online: <https://cityofpoulsbo.com/development-regulation-amendments/>. Contact staff if you are unable to obtain access to the electronic documents.

EXHIBIT I

Public Comments Received to Date

From: [Brandon Wieschhaus](#)
To: [Nikole CH. Coleman](#)
Subject: Re: Rec Amenities
Date: Wednesday, March 04, 2020 3:48:14 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Nikole:

I'll see if I can make it to the workshop, but in the meantime, I was thinking that there should be an exemption for a single unit (2 amenities to build an SFR is silly), and only 1 amenity for 2 units to "X" units (4?). A smaller development is really challenged by being held to the same number of amenities as a larger development, so I think a graded approach is appropriate. I'll plan on catching up to you soon!

Brandon

On Wed, Mar 4, 2020 at 1:50 PM Nikole CH. Coleman <ncoleman@cityofpoulsbo.com> wrote:

Hi Brandon,

Just letting you know that I rec'd your messaged. It is not too late for this amendment. I am looking at our options for language and will run it by Karla tomorrow or Friday. The PC has another workshop next Tue on this topic.

Best,

Nikole Coleman, AICP

Associate Planner | City of Poulsbo

200 NE Moe Street | Poulsbo WA 98370

(360) 394-9730 | ncoleman@cityofpoulsbo.com

FYI - Planning Department Updated Counter Hours:

Walk-in customers: 8:30 am - 12 pm Monday-Friday

[Appointments](#): 8:30 am - 3:30 pm Monday-Friday