



# POULSBO PLANNING COMMISSION

## FINDINGS OF FACT, CONCLUSION AND RECOMMENDATION

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The Planning Commission has reviewed and **RECOMMENDED APPROVAL WITH MODIFICATION** to the Planning and Economic Development Director of the **Haugen Development**, planning file P-07-13-20-01, which would subdivide 1.3 acres into 4 lots with a vote of 4 for, 3 absent.

In reaching this conclusion, the Planning Commission followed the criteria under Zoning Ordinance Section 18.230.060 Administrative Conditional Use Permit Decision Criteria and Subdivision Ordinance Section 17.40.040 Short Subdivision Decision Criteria.

### **MODIFICATION:**

Recommended modification is to project condition E27 shown in ~~strikeout~~ and underline.

E27. Retaining walls will not be permitted within City Right of Way. The shown wall along the stormwater easement will be required to be no more than 4' in height and constructed of modular block type material if proposed with grading drawings ~~or as approved by the City Engineer~~.

### **FINDINGS:**

#### ***Administrative Conditional Use Permit – Section 18.260.060***

The review authority may approve, or approve with conditions, the application for a conditional use permit, if it meets the following criteria. Applications that do not meet all decision criteria will be denied.

- A. *The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and*

The proposed four-lot short subdivision will not have a detrimental effect to the immediate vicinity as set forth in this staff report and by complying with applicable code and regulation.

- B. *The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.*

The residential infill provisions in PMC 18.70.070.P provide design standards to ensure compatibility with existing neighborhood. Architectural design elements and building height review (see COA P9 and P10) ensure compatibility to the existing neighborhood.

Storm system improvements necessary to bury pipe carrying stormwater between Haugen and Sommerseth Streets, and the required on-street parking and driveway access grades, will require ground surface modification including fill. (Exhibit H). Artificially raising building pads and land abutting homes is the primary concern raised by the public. Grading of building pads shall be limited to that necessary to bring the pad to street level and as needed for storm drainage away from structure. Grading shall not be used to artificially raise building pads above street and structure drainage. (COA P7).

- C. *The conditional use will be served by adequate public facilities including streets, fire protection and utilities; and*

New lots abut existing streets. Fire hydrants, water and sewer mains are in Haugen Street, stormwater will be piped into the City system. See Engineering Department staff report memo. (Exhibit L).

- D. *The conditional use complies with all applicable requirements of this code.*

As shown in this staff report, the application complies with all applicable requirements of the City's codes.

#### ***Short Subdivision – 17.40.040***

A proposed short subdivision may be approved only if the following findings are made by the review authority. If the findings have not been made the review authority shall deny the proposed short subdivision unless specified conditions have been issued to fully satisfy the decision criteria.

A. *The proposed short subdivision conforms to the requirements of this title.*

As reviewed and conditioned, the proposed short subdivision conforms to the requirements of Title 17, Land Division. The City Engineer has reviewed the project for consistency with Chapter 12.02, Construction and Development Standards, and supports approval of the short subdivision subject to all conditions of approval.

B. *The short subdivision conforms to the site requirements for the zoning district in which the property is located and/or other applicable zoning provisions.*

As reviewed and conditioned, the proposed short subdivision conforms to the requirements of Title 18, Zoning. The site is designated "Residential Low" in the Zoning Ordinance Map and is being subdivided consistent with this designation. (See Section IV of staff report, page 8). The lots and development pattern will be similar and compatible with nearby residential development. The project meets the Comprehensive Plan's goals of providing single-family housing according to established zoning densities in order to meet the City's population allocation under the Countywide Planning Policies and the Growth Management Act.

C. The short subdivision:

1. *Makes adequate provision for access through streets, roads, alleys, other public ways, and transit stops as required; and the proposed street system provides for the safe, orderly and efficient circulation of traffic.*

The City has capacity in the concurrency trip bank for the 30 average daily trips (ADT) anticipated with this proposal. A full traffic impact analysis is not warranted since the project creates less than 300ADT. Traffic Impact Fees are required in accordance with Chapter 3.86 PMC. Two required on-street parking spaces will be located in existing right-of-way. Sidewalk is not required to be constructed with this project. New lot driveway transitions and utility connection work and will require pavement restoration. See Engineering Department Staff Report Memo (Exhibit L).

2. *Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the short subdivision.*

The existing home is connected to City water, sewer, and storm systems. Water and sewer stubs for new home connection are required to be installed. Storm line stub for on-site stormwater is also required. New utility stubs and pipes system are required to be installed prior to recording of the short plat.

On-site stormwater treatment and best management practices (BMPs) include soils amendment to enhance infiltration and permeable driveways. Stormwater treatment and BMPs are required to be as described or better than described in the preliminary stormwater report. (COA P6).

Off-site storm water from Haugen Street and Torgeson Avenue will be directed to a new piped system crossing the property from north to south to join with Sommerseth Street runoff in ditch along right-of-way and contribute to 6<sup>th</sup> Avenue piped stormwater system.

See also Engineering Department Staff Report Memo. (Exhibit L).

3. *Makes adequate provisions for sidewalks and other planning features that provide safe walking conditions for students who walk to and from school.*

The site is served by the North Kitsap School District. Students in the neighborhood are served by school bus since schools are located more than 1 mile from the neighborhood. A 40-foot-wide right-of-way is needed to provide sidewalk, which would necessitate dedication of property the entire length of Haugen Street. See also Engineering Department Staff Report Memo. (Exhibit L).

4. *Makes adequate provisions for critical area protection pursuant to Chapter 16.20.*

Potential critical areas are reviewed and addressed, and no mitigation measures are required under SEPA. Per PMC 16.20.115.E, the project is reviewed for potential critical area on and within 300 feet of the property.

*Wetlands.* No wetlands have been identified on or adjacent to the property through a wetland reconnaissance letter. (Exhibit D).

*Fish and Wildlife Habitat Conservation Areas.* Poulsbo Creek, a fish bearing stream, is located west and north of the subject property. Existing development near the creek is reviewed under PMC

16.20.315.G. Significant residential development and roadways are located north and west of the project separating the creek and short plat.

*Geologically Hazardous Areas.* No evidence of instability, springs, or groundwater on or adjacent to the property have been identified. (Exhibit B.4; Exhibit I). Development is required to adhere to all recommendations of the geo-technical engineer. (COA E8).

*Critical Aquifer Recharge Area.* No Group A or high concentration of Group B wells are in the vicinity. Site soils are identified as Unit 39 - Poulsbo gravelly sandy loam by the Natural Resource Conservation Service. Unit 39 is *not* identified in PMC Table 16.20.510.A of soils considered to have relatively high permeability. Single-family residential development is not an identified operation posing potential threat to groundwater. When feasible, stormwater treatment and infiltration, and use of BMPs for smaller developments, are required. Treatment, infiltration and BMPs are reviewed in the Preliminary Storm Drainage Report. (Exhibit I). The Kitsap Public Health District and Suquamish tribe have been notified of this proposal.

5. *Makes adequate provisions for fire and emergency access and protection.*

Hydrants are located along and new homes front and gain access from Haugen Street.

6. *Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.*

The proposed project has been conditioned according to City code so as not to be detrimental to the public health, safety, and welfare of the city and its residents. Compatibility with neighboring properties and adjacent uses has been evaluated and the project has been conditioned as appropriate. The project developer is required to mitigate for their project's park impacts through payment of an impact fee due at the time of building permit issuance. Existing roadways have been mitigated adequately by the requirement to improve to City requirement and by the payment of impact fees. Access and utility provisions meet city requirements. Through conditions of approval, the public health, safety, and welfare have been adequately addressed.

## **CONCLUSION:**

The PLANNING COMMISSION has concluded that the Haugen Development Administrative Conditional Use Permit and Short Subdivision, in conjunction with the Conditions of Approval, will not be materially detrimental to uses or property in the immediate vicinity; is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; complies with all applicable requirements of code; promotes the public health, safety and welfare, conforms to the Comprehensive Plan; will provide for stormwater, transportation, sanitary sewer and water supplies, critical areas, schools, parks and recreation; is compatible with existing and planned uses in the general area; will promote high quality development; and meets all other applicable city regulations. Further, the proposed project is subject to the conditions of approval and does not pose any health or safety concerns for the City. Therefore, the proposed project has been found not to be detrimental to the public health, safety, or welfare of the City.

## **RECOMMENDATION:**

The PLANNING COMMISSION recommends APPROVAL WITH MODIFICATION to the Planning and Economic Development Director of the Haugen Development, planning file P-07-13-20-01, including the staff report, all associated exhibits, and Conditions of Approval.

Modification:

- E27. Retaining walls will not be permitted within City Right of Way. The shown wall along the stormwater easement will be required to be no more than 4' in height and constructed of modular block type material if proposed with grading drawings- or as approved by the City Engineer.



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Ray Stevens, CHAIR  
Poulsbo Planning Commission