

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2021-13

SUBJECT: Shoreline Master Program Update

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 11/24/2021
- ☒ Passed by the City Council: 12/01/21
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 12/06/21
- ☒ Effective: 12/11/21
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: (Seattle Times) 12/01/21
- ☒ Code Publishing
- ☐ City Attorney
- ☒ Clerk's Department:
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
- ☒ Posted to Laserfiche
- ☐ Scanned and Tossed: _____
- ☒ Electronically Created Document (No Hard Copy Exists)
- ☐ _____

Rhiannon Fernandez

City Clerk

12/01/21

Date

ORDINANCE NO. 2021 - 13

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2021 SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTERS 16.08 AND 16.09 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ADOPT SHORELINE REGULATIONS; AMENDING THE NATURAL ENVIRONMENT CHAPTER OF THE POULSBO COMPREHENSIVE PLAN IN ORDER TO MAKE THE SAME CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Shoreline Management Act of 1971, codified at Chapter 90.58 RCW (SMA), requires all cities and counties with "shorelines of the state" to prepare and adopt a Shoreline Master Program ("SMP") that is based on state laws and rules, but tailored to the specific jurisdiction; and

WHEREAS, the City of Poulsbo initially adopted the Shoreline Master Program (SMP) in 1976, with a major rewrite in 2012; and

WHEREAS, the City of Poulsbo is required to updates its SMP pursuant to the SMA and WAC 173-26; and

WHEREAS, on February 23, 2021, the City released the draft SMP documents to the public, distributed to Washington State Department of Commerce and other local, regional and state agencies, and emailed to the City's Development Regulations interested parties e-notice list; and

WHEREAS, on March 17, 2021, a combined Notice of Application (NOA) with Optional DNS and Notice of Planning Commission Public Hearing was published in the Seattle Times, emailed to applicable email notice lists, and posted at the Poulsbo Post Office, Library, City Hall, and the city's website; and

WHEREAS, on April 19, 2021, the SEPA Threshold Determination was issued; and

WHEREAS, on April 27, 2021, the Planning Commission held a duly noticed public hearing on the SMP update; and

WHEREAS, after considering the testimony received at the public hearing, the Planning Commission voted to recommend approval of the SMP update to the Poulsbo City Council, and adopted findings of fact in support of their decision; and

WHEREAS, on April 28, 2021, staff submitted the Planning Commission recommended SMP update documents to the Department of Ecology (Ecology) for their initial determination; and

WHEREAS, on June 17, 2021, staff received the Department of Ecology for their initial determination; and

WHEREAS, on June 30, 2021, a notice announcing the City Council Public Hearing was published in the Seattle Times and posted at the Poulsbo Post Office, Library, City Hall and the City's website; and emailed to applicable email notice lists; and

WHEREAS, on July 21, 2021, the Poulsbo City Council held a duly noticed public hearing on the SMP update and after considering the staff and Planning Commission recommendations and any public testimony received in the public hearing, the Poulsbo City Council approved ordinance 2021-08; and

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

WHEREAS, on August 5, 2021, the city transmitted the adopted ordinance and the administrative record to Ecology; and

WHEREAS, on August 9, 2021, Ecology determined that the City's submission was complete; and

WHEREAS, on November 15, 2021, Ecology issued a letter of conditional approval outlining specific required changes (Exhibit E); and

WHEREAS, pursuant to RCW 90.58.090, the City of Poulsbo Shoreline Master Program takes effect after the passage of 14 days from Ecology's written notice of final approval action.

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

Section 1. Findings. In support of the actions undertaken by this ordinance, the Poulsbo City Council hereby adopts the findings of the Poulsbo Planning Commission dated April 28, 2021.

Section 2. Shoreline Master Program Regulations. Poulsbo Municipal Code Chapter 16.08 is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Shoreline Administrative Regulations. Poulsbo Municipal Code Chapter 16.09 is hereby amended to read as set forth in Exhibit B attached hereto and incorporated herein by this reference as if set forth in full.

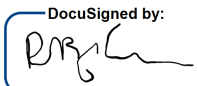
Section 4. Comprehensive Plan Amendments. Comprehensive Plan Natural Environments Chapter is hereby amended to read as set forth in Exhibit C attached hereto and incorporated herein by this reference as if set forth in full.

Section 5. Shoreline Master Program Maps. The shoreline master program maps attached to this Ordinance as Exhibit D and incorporated herein by this reference as if fully set forth.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance shall take effect and be in full force after the passage of 14 days from Ecology's written notice of final approval action pursuant to RCW 90.58.090.

APPROVED:

DocuSigned by:

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MAYOR REBECCA ERICKSON

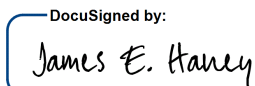
ATTEST/AUTHENTICATED:

DocuSigned by:

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CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
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JAMES E. HANEY

FILED WITH THE CITY CLERK: 11/24/2021
PASSED BY THE CITY COUNCIL: 12/1/2021
PUBLISHED: 12/6/2021
EFFECTIVE DATE: 12/11/2021
ORDINANCE NO. 2021-13

SUMMARY OF ORDINANCE NO. 2021-13


of the City of Poulsbo, Washington

On the 1st day of December, 2021, the City Council of the City of Poulsbo, passed Ordinance No. 2021-13. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTING THE 2021 SHORELINE MASTER PROGRAM UPDATE; AMENDING CHAPTERS 16.08 AND 16.09 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ADOPT SHORELINE REGULATIONS; AMENDING THE NATURAL ENVIRONMENT CHAPTER OF THE POULSBO COMPREHENSIVE PLAN IN ORDER TO MAKE THE SAME CONSISTENT WITH THE SHORELINE MASTER PROGRAM UPDATE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 1st day of December, 2021.

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