

City of Poulsbo

Planning & Economic Development



STAFF REPORT AND RECOMMENDATION Floodplain Management Code Revisions Amending PMC 15.24 to Adopt Required Text Amendments

To: Planning Commission
From: Michael Bateman, PE, Development Review Engineer
Subject: PMC 15.24 Text Amendments
Date: August 31, 2022

Staff respectfully recommends approval of the text amendments to PMC 15.24 as set forth in Exhibit A to this staff report. Draft presentation is included as Exhibit D.

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council the Floodplain Management code text amendments as identified as Exhibit A; and direct the Planning and Economic Development Director to prepare findings of fact in support of this decision for the Planning Commission Chair's signature.

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1.0 Introduction

Chapter 15.24 of the Poulsbo Municipal Code regulates and manages development in areas of special flood hazard within the City. The City's adoption and enforcement of 15.24 promotes public health, safety and welfare by reducing loss of life and property damage due to flooding and by minimizing expenditures for flood control projects and for rescue and relief operations. Chapter 15.24 allows property owners in the City of Poulsbo to purchase flood insurance through the National Flood Insurance Program (NFIP).

The City entered the National Flood Insurance Program in July of 1979. There are currently 47 flood insurance policies in Poulsbo, with an average annual premium of \$514. Over the course of the program, there have been two paid claims to date per FEMA records.

Periodically the Flood Insurance Maps are revised and updated by FEMA (no map change is associated with this minor update). In addition, language and references in Chapter 15.24 may be necessary to be revised and updated in order to keep the City code up-to-date. If the City codes are not adopted, then the property owners in the City of Poulsbo may lose the ability to purchase flood insurance through the NFIP.

In 2021, the Washington State Department of Ecology performed a Community Assistance Contact, evaluating the City's flood management program. As part of the assistance, Ecology staff reviewed Poulsbo Municipal Code (PMC) Chapter 15.24 – Floodplain Management for compliance with current FEMA National Flood Insurance Program requirements, identifying changes needed to stay current.

The full text modifications and a summary of modifications are available here: <https://cityofpoulsbo.com/development-regulation-amendments-2/>

In general, the revisions to Chapter 15.24 are minor in nature; the overall intent of 15.24 remains the same. The adoption of additional definitions and minor code language updates is imperative for the City to maintain compliance with NFIP requirements and for property owners to have the ability to purchase and maintain flood insurance.

2.0 Review Process to Date

The proposed amendments to PMC 15.24 were publicly released August 15, 2022. 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.

The Public Participation Plan is included as an attachment below (Exhibit B).

On August 17, 2022, the Notice of Application (NOA) w/ Optional DNS and Notice of Planning Commission Public Hearing was published in the Seattle Times, emailed to the NOA, SEPA, Public Hearing and Development Regulations e-notice list, and posted at the Poulsbo Post Office, City Hall and the City's website (Exhibit C). The comment period closed August 31, 2022.

No public comments have been received.

3.0 Planning Commission Workshop / Draft Amendments

Planning Commission held a workshop on the code amendments on August 23, 2022 prior to the Public Hearing on September 13, 2022. No public comments on the amendments were received during the workshop, and no amendments were proposed by Planning Commission. Planning Commission inquired as to how many flood insurance policies are in effect in Poulsbo, the presentation has been revised to include that 47 flood insurance policies are in effect in Poulsbo, and to date there have been two paid claims per FEMA records.

4.0 Review Criteria and Staff Conclusion and Recommendation

Amendments to development regulations and text amendments to the chapter shall be applied for and processed according to the provisions of Title 19.

In order to grant a development regulation 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: The Engineering staff respectfully recommends the Planning Commission offer a recommendation of approval to the City Council for the proposed text amendments to Floodplain Management code, PMC 15.24.

5.0 Planning Commission Public Hearing, September 13, 2022

A public hearing has been scheduled for 6:00 on September 13, 2022 for the Planning Commission to receive public comments on the proposed code amendments. Public Hearings are being held as a hybrid virtual/in-person at the web address and call-in number noted below and at City Hall Council Chambers, 200 NE Moe Street. This call-in number: **1 253 215 8782** and meeting id: **810 2047 3350** are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81020473350>.

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council the Floodplain Management code text amendments as identified as Exhibit A; and direct the Planning and Economic Development Director to prepare findings of fact in support of this decision for the Planning Commission Chair's signature.

6.0 Exhibits

- A. Draft/Proposed Amendments to PMC 15.24 – Floodplain Management
- B. Public Participation Plan
- C. Notice of Application w/ODNS and Planning Commission Public Hearing
- D. Draft Presentation

Chapter 15.24

FLOODPLAIN MANAGEMENT

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Article I. General Provisions

15.24.010 Purpose.

This chapter is to:

- A. Promote the public health, safety and general welfare;
- B. Reduce the loss of life and property damages associated with flooding;
- C. Minimize public expenditures for flood control projects and rescue and relief operations; and
- D. Assure continued availability of flood insurance. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 1, 1979)

15.24.020 Definitions.

Unless specified in this section, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application:

- A. **Alteration of watercourse:** Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.
- B. “Appeal” means the request for the review of the city engineer’s interpretation of any provision of this chapter or a request for a variance.
- C. “Area of shallow flooding” means a designated AO or AH zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist and the path of flooding is unpredictable and indeterminate. Velocity flow in such zones may be evident. AO is characterized as sheet flow and AH indicates ponding.
- D. “Area of special flood hazard” means the land in the floodplain within the community subject to a one percent or greater chance of flooding in any given year. Designation of these areas on maps always includes the letters A or V.
- E. “Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year and is also referred to as the one-hundred-year flood. Designation of these areas on maps always includes the letters A or V.

F. Base Flood Elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.

G. "Basement" means any area of the building having its floor sub-grade (below ground level) on all sides.

H. "Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

I. "Critical facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

J. "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

~~K. "Elevation certificate" means the official form (FEMA Form 086-0-33) used to track development, provide elevation information necessary to ensure compliance with the community floodplain management ordinances, and determine the proper insurance premium rate with Section B completed by community officials.~~

L. Elevation Certificate: An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

M. "Elevated building" means for insurance purposes, a nonbasement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

N. "Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

O. "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

P. "Flood or flooding" means

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:

a. The overflow of inland or tidal waters; and/or

b. The unusual and rapid accumulation of runoff of service waters from any source.

c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

Q. "Flood elevation study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

R. "Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

S. "Flood insurance study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood-floodway map and the water surface elevation of the base flood.

T. "Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source. See "Flood or flooding."

U. "Floodplain administrator" means the community official designated by title to administer and enforce the floodplain management regulations.

V. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than ~~one foot~~ a designated height. Also referred to as "Regulatory Floodway."

W. "Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

X. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Y. "Historic structure" means any structure that is:

1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a) By an approved state program as determined by the Secretary of the Interior, or
 - b) Directly by the Secretary of the Interior in states without approved programs.

Z. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of Section [15.24.230](#).

AA. "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

BB. "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

CC. "Mean Sea Level" For purposes of the National Flood Insurance Program, mean the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

DD. "New construction" means structures for which the "start of construction" commenced on or after the effective date of the ordinance codified in this chapter and includes any subsequent improvements to such structures

EE. "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

FF. "Recreational vehicle" means a vehicle:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

GG. "Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

HH. "Structure" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

II. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent of the market value of the structure before the damage occurred.

JJ. "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which exceeds or equals fifty percent of the market value of the construction either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historical Places or the State Inventory of Historical Places, provided that the alteration will not preclude the structure's continued designation as a "historic structure."

KK. “Variance” means a grant of relief from the requirements of this chapter which permits construction in a manner which would otherwise be prohibited by this chapter.

LL. “Water dependent” means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 §§ 1, 2, 2005; Ord. 87-20 § 1, 1987: Ord. 79-24 § 2, 1979)

15.24.030 Lands to which provisions apply.

This chapter applies to all areas of special flood hazards within the jurisdiction of the city of Poulsbo. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 3.1, 1979)

15.24.040 Flood hazard areas established.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for Kitsap County and Incorporated Areas,” dated February 3, 2017, and any revisions thereto, with accompanying flood insurance rate maps and any revisions thereto, are adopted by reference and declared to be a part of this section as if set out fully in this section. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2010-21 § 1, 2010: Ord. 2005-27 § 3, 2005; Ord. 81-30, 1981: Ord. 79-24 § 3.2, 1979)

15.24.050 Compliance generally.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with all terms of this chapter and other applicable regulations. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 3.3, 1979)

15.24.060 Effect on conflicting ordinances, easements, covenants and deed restrictions.

This chapter is not intended to repeal, abrogate or impair any existing easement, covenant or deed restriction. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent requirements shall prevail. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 3.4, 1979)

15.24.070 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Construed as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed not to limit nor repeal any other powers granted under state statute or city ordinance. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 3.5, 1979)

15.24.080 Liability denied.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Large floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the area of special flood hazard or uses permitted within such areas will be free from such flooding or flood damage. This chapter shall not create liability on the part of the city of Poulsbo, any officer or employee thereof or the Federal Insurance Administration, for any flood damage that results from reliance on this chapter or an administrative decision lawfully made under this chapter. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 3.6, 1979)

Article II. Permits and Administration

15.24.085 Development permit required.

A floodplain development permit shall be obtained before construction or development begins within any area of special flood hazard established in PMC 15.24.040. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

15.24.090 Flood protection permit.

A. Before issuance of any building permit, and before construction or development begins within any area of specific flood hazard established in Section [15.24.040](#), all provisions of this chapter shall be complied with by the person or persons or corporations obtaining the building permit or undertaking the construction or development. This requirement of compliance with the provisions of this chapter applies to all structures, including mobile homes, set forth in Section [15.24.020](#), and for all other development including fill or other activities, also set forth in Section [15.24.020](#). Applications for a building permit within any area of specific flood hazard as established in Section [15.24.040](#) shall, in addition to meeting the requirements of Chapter [15.04](#), contain the following information:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures as determined by a Washington State registered land surveyor or Washington State licensed civil engineer;
2. Elevation in relation to mean sea level to which any structure has been floodproofed as determined by a Washington State registered land surveyor or Washington State licensed civil engineer;
3. Certification by a registered professional engineer or architect that the floodproofing method for any nonresidential structure meets the floodproofing criteria in Section [15.24.240](#);
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
5. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and
6. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

B. In the event that any person, persons or corporations undertake any development including fill or other activity which falls within Section [15.24.020](#), but for which no building permit would otherwise be required but for this chapter, the requirements of this chapter must be met, and the city engineer shall, upon compliance by such person, persons or corporations with all of the requirements of this chapter, issue a certificate to such person, persons or corporations to that effect. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.1, 1979)

15.24.100 Administration by city engineer.

Whenever any building permit application is filed for any structure to be located in an area of special flood hazard, the planning department shall forward the same to the city engineer for review. The city engineer is appointed to administer and implement this chapter by granting or denying building permit applications in accordance with its provisions and all other provisions of the building code of the city. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 2, 1987: Ord. 79-24 § 4.2, 1979)

15.24.110 City engineer's duties.

Duties of the city engineer include, but are not limited to:

A. Review of all building permits to determine that the permit requirements of this chapter have been met;

B. Review of development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

C. Review of all building permits to determine if the proposed development is located in the floodway. If a development is located in a floodway, the engineer shall ensure that the encroachment provisions of Section [15.24.260](#)(A) are met.

D. The site is reasonably safe from flooding;

E. Notify FEMA when annexations occur in the Special Flood Hazard Area.

(Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 § 4, 2005; Ord. 87-20 § 3, 1987: Ord. 79-24 § 4.3, 1979)

15.24.120 Collection and use of other base flood data.

When base flood elevation data has not been provided in accordance with Section [15.24.040](#), the city engineer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from federal, state or other sources, in order to administer and determine compliance with Sections [15.24.170](#) through [15.24.260](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 4, 1987: Ord. 79-24 § 4.3-2, 1979)

15.24.130 Gathering of information.

A. Where base flood elevation data is provided through the flood insurance study or required as provided in Section [15.24.120](#), the city engineer shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

B. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required the city engineer shall:

1. Obtain and record the actual elevation (in relation to mean sea level) to which the structure was floodproofed; and
2. Maintain the floodproofing certifications required in Section [15.24.090\(A\)\(3\)](#).

C. The city engineer shall maintain for public inspection all records pertaining to the provisions of this chapter. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 5, 1987: Ord. 79-24 § 4.3-3, 1979)

1. Certification required by Section 15.24.280

2. Records of all variance actions, including justification for their issuance.

3. Improvement and damage calculations.

15.24.140 Alteration of watercourses.

The city engineer shall:

A. Notify adjacent communities and the state coordinating agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;

B. Require that maintenance is provided within the altered or relocated portion of the watercourses so that the flood-carrying capacity is not diminished. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.3-4, 1979)

15.24.150 Interpretation of FIRM boundaries.

The city engineer shall make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazard. The person contesting the location of the boundaries shall be given a reasonable opportunity to appeal the interpretation, as provided in Section [15.24.270](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 89-30 § 1, 1989: Ord. 79-24 § 4.3-5, 1979)

Article III. Construction, Dwelling and Storage Standards

15.24.160 Applicable to flood hazard areas generally.

In all areas of special flood hazard the standards set out in Sections [15.24.170](#) through [15.24.280](#) are required. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 5.1, 1979)

15.24.170 Anchoring.

- A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
- B. All manufactured homes must be anchored to resist flotation, collapse or lateral movement by providing over-the-top or frame ties to ground anchors, or as otherwise provided in FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 6, 1987: Ord. 79-24 § 5.1-1, 1979)

15.24.180 Construction materials and methods.

- A. All new construction and substantial improvement shall be constructed of materials and utility equipment resistant to flood damage.
- B. All new construction and substantial improvement shall be constructed using methods and practices that minimize flood damage.
- C. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 7, 1987; Ord. 79-24 § 5.1-2, 1979)

15.24.190 Utilities.

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- B. New and replacement sanitary sewers shall be designed to minimize or eliminate the infiltration of floodwaters into the system and discharge from the system into the floodwaters.
- C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- D. Water wells shall be located on high ground that is not in the floodway. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 § 5, 2005; Ord. 79-24 § 5.1-3, 1979)

15.24.200 Subdivisions.

- A. All subdivision proposals shall be consistent with the need to minimize flood damage.
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

D. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres, whichever is less. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 8, 1987; Ord. 79-24 § 5.1-4, 1979)

15.24.210 Review.

Whenever elevation data is not available either through the flood insurance study or from another authoritative source, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test for reasonableness is the judgment of the city engineer and includes use of historical data, high watermarks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 9, 1987: Ord. 79-24 § 5.1-5, 1979)

15.24.220 Elevation—Generally.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section [15.24.040](#), Flood hazard areas established, the provisions set out in Section [15.24.230](#) apply. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 5.2, 1979)

15.24.230 Elevation—Residential construction.

A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at one foot or more above base flood elevation.

B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; and
2. The bottom of all openings shall be no higher than one foot above grade; and
3. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 89-38 § 2, 1989: Ord. 87-20 § 10, 1987: Ord. 79-24 § 5.2-1, 1979)

4. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

15.24.240 Elevation—Nonresidential construction.

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the level of the base flood elevation or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated

least one foot above the BFE, or as required by ASCE 24, whichever is greater, or, together with attendant utility and sanitary facilities, shall:

- A. Be floodproofed so that below one foot above the base flood level of the structure is watertight with walls substantially impermeable to the passage of water; and
- B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- C. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certification shall be provided to the city engineer as set forth in Section [15.24.130\(B\)](#); and
- D. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor set forth in Section [15.24.230\(B\)](#); and
- E. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to one foot above the base flood level will be rated as at the base flood level). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 89-38 § 3, 1989: Ord. 87-20 § 11, 1987: Ord. 79-24 § 5.2-2, 1979)

15.24.250 Manufactured homes.

All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is one foot or more above the base flood elevation and all such homes shall be securely anchored to an adequately anchored foundation system in accord with the provisions of Section [15.24.170](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 § 6, 2005: Ord. 89-38 § 4, 1989: Ord. 87-20 § 12, 1987: Ord. 79-24 § 5.2-3, 1979)

15.24.260 Recreational vehicles.

Recreational vehicles placed on sites are required to either:

- A. Be on the site for fewer than one hundred eighty consecutive days; or
- B. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- C. Meet the requirements of Section [15.24.250](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 § 7, 2005)

15.24.270 Enclosed area below the lowest floor.

If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.

15.24.280 Floodways.

Located within the areas of special flood hazard established by Section [15.24.040](#) are areas designated as floodways. Such floodways are extremely hazardous areas due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, and the following requirements apply:

A. Encroachments, including fill, new construction, substantial improvements and other developments, are prohibited unless certification by a registered professional engineer or architect is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that encroachment will not result in any increase in the flood levels during the occurrence of the base flood discharge;

B. Construction or reconstruction of residential structures is prohibited within designated floodways, except for:

1. Repairs, reconstruction, or improvements to a structure which do not increase the ground flood area, and
2. Repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the market value of the structure either:
 - a. Before the repair, reconstruction, or improvement is started, or
 - b. If the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the fifty percent,
3. If certification is provided as set forth in subsection A of this section, new construction and substantial improvements are allowed; provided, that they comply with all applicable provisions of this chapter. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 2005-27 § 8, 2005; Ord. 89-38 § 5, 1989; Ord. 87-20 § 13, 1987: Ord. 79-24 § 5.3, 1979)

Article IV. Variances, Appeals and Violations

15.24.290 City council to hear and decide.

The city council shall decide appeals and requests for variances from the requirements of this chapter. The city council shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the city engineer in the enforcement or administration of this chapter. All appeals must be brought by filing a written notice of appeal with the city council within fourteen days of the engineer's decision. Any appeal not brought within this time period is barred. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 14, 1987: Ord. 79-24 § 4.4, 1979)

15.24.300 Factors to be considered.

In passing upon applications for variances from the requirements of this chapter, the city council shall consider all technical evaluations, all relevant factors and standards specified in other sections of this chapter, and:

- A. The danger that materials may be swept onto other lands to the injury of others;
- B. The danger to life and property due to flooding or erosion damage;
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- D. The importance of the services provided by the proposed facility to the community;
- E. The necessity to the facility of a waterfront location, where applicable;
- F. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- G. The compatibility of the proposed use with existing and anticipated development;
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- I. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- J. The expected heights, velocity, duration, rate of rise, and sediment transport from the floodwaters and effects of wave action, if applicable, expected at the site; and
- K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 15, 1987: Ord. 79-24 § 4.4-1(1), 1979)

15.24.310 General considerations for variances.

- A. Variances from the elevation standards set forth in this chapter will generally be limited to new construction and substantial improvements which are to be erected on a lot of one-half acre or less in size contiguous and surrounded by lots with existing structures constructed below the base flood level; provided, that the requirements of Section [15.24.300](#) are met.
- B. Variances shall pertain to a physical piece of property. Variances are not personal in nature and do not pertain to the structure, its inhabitants, its economic or financial circumstances. Variances shall primarily address small lots in densely populated residential neighborhoods.
- C. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except those of

subsection A of this section, and otherwise complies with Sections [15.24.170](#) through [15.24.180](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 16, 1987)

D. For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;

E. Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;

F. Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 15.24.020 of this ordinance in the definition of "Functionally Dependent Use."

15.24.320 Conditions.

Upon consideration of the factors in Section [15.24.300](#) and the purpose of this chapter, the city council may attach such conditions to the granting of variances as it deems necessary to further the purpose of this chapter. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-1(2), 1979)

15.24.330 City engineer to maintain records.

The city engineer shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-1(3), 1979)

~~15.24.310 Variances—Historic structures.~~

~~Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historical Places or the State Inventory of Historical Places, without regard to the provisions set forth in Sections [15.24.320](#) through [15.24.350](#). (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-2(1), 1979)~~

15.24.340 Variances—Designated floodways.

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-2(2), 1979)

15.24.350 Variances—Minimum relief.

Variances shall only be issued upon the determination that the variance is the minimum necessary, considering the flood hazard to afford relief. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-2(3), 1979)

15.24.360 Variances—Issuance standards.

Variances shall only be issued upon:

- A. Showing of a good and sufficient cause;
- B. Determination that failure to grant the variance would result in exceptional hardship to the applicants; and
- C. A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-2(4), 1979)

15.24.370 Variances—Notice of effect and risk.

Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 79-24 § 4.4-2(5), 1979)

15.24.380 Appeals.

Any appeal from the decision of the city council on any variance shall be made by filing an appropriate action in Kitsap County Superior Court within ten days after final action is taken by the council. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 17, 1987)

15.24.390 Violations—Penalty.

A. Any person, firm or corporation violating any of the provisions or failing to comply with any of the requirements of this chapter is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any amount not to exceed five thousand dollars or by imprisonment for a term not to exceed one year, or both such fine and imprisonment.

B. Every person, firm or corporation is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by any such person, firm or corporation, and is punishable accordingly.

C. In addition to the penalties in subsections A and B of this section, the city may, in its discretion, commence a civil action to compel compliance with the provision of this chapter in either the Poulsbo municipal court or the Kitsap County superior court. In addition, any violation or failure to comply with any provision of this chapter shall constitute a public nuisance and all remedies given by law for the prevention and abatement of nuisances shall apply thereto. (Ord. 2017-05 § 2 (Att. A (part)), 2017: Ord. 87-20 § 18, 1987: Ord. 79-24 § 6, 1979)

15.24.400 Severability.

If any section, clause, sentence or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter. (Ord. 2017-05 § 2 (Att. A (part)), 2017)



2022 FEMA Floodplain Management Revision and Update

Public Participation Plan

August 2022

INTRODUCTION

Chapter 15.24 of the Poulsbo Municipal Code regulates and manages development in areas of special flood hazard within the City. The City's adoption and enforcement of 15.24 promotes public health, safety and welfare by reducing loss of life and property damage due to flooding and by minimizing expenditures for flood control projects and for rescue and relief operations. Chapter 15.24 allows property owners in the City of Poulsbo to purchase flood insurance through the National Flood Insurance Program (NFIP).

In 2021, the Washington State Department of Ecology performed a Community Assistance Contact, evaluating the City's flood management program. As part of the assistance, Ecology staff reviewed Poulsbo Municipal Code (PMC) Chapter 15.24 – Floodplain Management for compliance with current FEMA National Flood Insurance Program requirements, identifying changes needed to stay current.

PUBLIC AND AGENCY GOALS

- To provide the public with timely information, an understanding of the process, and opportunities to review and comment on the Floodplain requirements of Poulsbo Municipal Code Chapter 15 section 24.
- 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.
- 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 2019 Construction Standard Update 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 2019 Construction Standard Update progress. Individuals interested in being on the mailing list should contact the PED Department at (360) 394-9748 or at plan&econ@cityofpoulsbo.com and request being placed on the Development Regulations updates e-notice mailing list.
- Comment: Interested citizens are encouraged to provide comments to the City by letter, email or fax. All comments will be forwarded to the Poulsbo Planning Commission and City Council. Written comments can be submitted by the following methods:

City of Poulsbo Planning and Economic Development Department
200 NE Moe Street | Poulsbo, WA 98370
Fax (360)697-8269 | Email 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 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 reviewing and updating Development Regulations. The Public Participation Plan includes opportunities to comment, review timeline, and contact information. Please see <https://cityofpoulsbo.com/development-regulation-amendments/> to review the Public Participation Plan.

August 15, 2022

Public Release of 2022 FEMA Floodplain Management Revision and Update

August 31, 2022

Notice of Application with Optional DNS comment period over

September 9, 2022

Planning Commission Staff Report Due

September 13, 2022

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

October 5, 2022

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

PUBLIC HEARINGS

The Planning Commission and City Council will conduct at least one public hearing each to gather and consider public testimony on the 2022 FEMA Floodplain Management Revision and Update. The hearing(s) are anticipated for **September 13, 2022 (PC)** and **October 5, 2022 (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.



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-03-18-22-01 Project Name: Floodplain Management Amend

Tiffany Simma, 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 August 17, 2022, 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

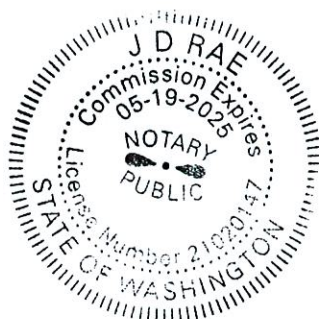
has been provided:

- ☐ 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: _____

Date: 8/18/22

Subscribed and sworn to before me this 18th day of August, 2022



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

Silverdale
My Commission expires on:

05/19/2025



NOTICE OF APPLICATION W/ 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

FLOODPLAIN MANAGEMENT CODE AMENDMENT | TYPE IV

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.

Project Name:	Floodplain Management Code Amendments
File No.	P-03-18-22-01
Notice of Application:	August 17, 2022
Comments Due	August 31, 2022
Applicant:	Poulsbo Engineering Dept. 200 NE Moe Street Poulsbo, WA 98370
Project Summary:	<p>Chapter 15.24 of the Poulsbo Municipal Code (PMC) regulates and manages development in areas of special flood hazard within the city. The City's adoption and enforcement of PMC Chapter 15.24, Floodplain Management, promotes public health, safety, and welfare by reducing loss of life and property damage due to flooding and by minimizing expenditures for flood control projects and for rescue and relief operations. Chapter 15.24 allows property owners in the City of Poulsbo to purchase flood insurance through the National Flood Insurance Program (NFIP).</p> <p>In 2021, the Washington State Department of Ecology performed a Community Assistance Contact, evaluating the City's flood management program. As part of the assistance, Ecology staff reviewed Chapter 15.24 for compliance with current FEMA National Flood Insurance Program requirements, identifying changes needed to stay current.</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. 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 AUGUST 31, 2022.</p>
Public Comment Methods:	<p>Written comments may be mailed, e-mailed, or delivered to the City of Poulsbo. To ensure consideration, all written comments must be received prior to close of the public hearing. At the hearing, the public will have an opportunity to provide written and verbal testimony regarding the proposed project.</p>
Public Participation Plan:	<p>A public and agency participation plan has been developed for this review process and can be viewed at https://cityofpoulsbo.com/development-regulation-amendments-2/</p>
Draft Document:	<p>The proposed amendments are represented as bold underline for proposed additions and strikeouts for deletions. The proposed amendments can be found online: https://cityofpoulsbo.com/development-regulation-amendments-2/</p>
Staff Contact:	Anthony Burgess Engineer I aburgess@cityofpoulsbo.com 360.394.9739.

**Planning Commission
Public Hearing:**

The Planning Commission Public Hearing is scheduled for a **September 13, 2022, at 6:00 pm** or soon thereafter. The Planning Commission will make recommendation to the City Council. Meeting procedures are available from the PED Department and City Clerk's office and are conducted based on Roberts Rules of Order. Public Hearings are being held as a hybrid virtual/in-person at the web address and call-in number noted below and at City Hall Council Chambers, 200 NE Moe Street. This call-in number: **1 253 215 8782** and meeting id: **810 2047 3350** are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81020473350>.

Examination of File:



<https://cityofpoulsbo.com/development-regulation-amendments-2/>

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



Nikole CH. Coleman

From: Constant Contact <noreply@constantcontact.com>
Sent: Wednesday, August 17, 2022 9:05 AM
To: City of Poulsbo Planning and Economic Development
Subject: Your campaign Floodplain Management Code Amend - Notice of Application w/Optional DNS and Planning Commission Public Hearing has been sent

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 '**Floodplain Management Code Amend - Notice of Application w/Optional DNS and Planning Commission Public Hearing**' was sent on 8/17/2022 around 12:01 PM 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: Floodplain Management Code Amend - Notice of Application w/Optional DNS and Planning Commission Public Hearing



City of Poulsbo Public Notice

You are receiving this email because you have signed up to be on a City of Poulsbo PED public outreach list.

Project documents and public notices for the Floodplain Management Code Amendment can be found [here](#). If there is an issue with the link, you can go to <https://ci-poulsbo-wa.smartgovcommunity.com/Public/Home> > Applications > and search for permit number P-03-18-22-01.

Comments are due by August 31, 2022

The Planning Commission Public Hearing is scheduled for a **September 13, 2022, at 6:00** pm or soon thereafter. Public Hearings are being held as a hybrid virtual/in-person at the web address and call-in number noted below and at City Hall Council Chambers, 200 NE Moe Street. This call-in number: 1 253 215 8782 and meeting id: 810 2047 3350 are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81020473350>.

Thank you!

- [Notice of Application w/Optional DNS and Planning Commission Public Hearing](#)
- [SEPA Checklist](#)

Nikole Coleman, Senior Planner
ncoleman@cityofpoulsbo.com

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

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

[Update Profile](#) | [Constant Contact Data Notice](#)

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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: 2022-S-4230

Submittal Date Time: 08/12/2022

Submittal Information

Jurisdiction City of Poulsbo
Submittal Type Request for Expedited Review / Notice of Intent to Adopt
Amendment Type Amendment
Amendment Type Development Regulation Amendment

Amendment Information

Brief Description

In 2021, the Washington State Department of Ecology performed a Community Assistance Contact, evaluating the City's flood management program. As part of the assistance, Ecology staff reviewed Chapter 15.24 for compliance with current FEMA National Flood Insurance Program requirements, identifying changes needed to stay current.

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

Anticipated/Proposed Date of Adoption 10/12/2022

Attachments

Attachment Type	File Name	Upload Date
Development Regulation Amendment - Draft	Initial Release_PMC 15.24.pdf	08/12/2022 09:16 AM
Public Notice	NOA_ODNS Flyer_V2.pdf	08/12/2022 09:16 AM

Contact Information

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

Email ncoleman@cityofpoulsbo.com

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

■ I certify that I am authorized to submit this Amendment for the Jurisdiction identified in this Submittal and all information provided is true and accurate to the best of my knowledge.

Full Name Nikole Coleman
Email ncoleman@cityofpoulsbo.com

Nikole CH. Coleman

From: Tiffany Simmons
Sent: Monday, August 15, 2022 2:01 PM
To: Nikole CH. Coleman
Subject: FW: SEPA record published

Proof of SEPA for Floodplain.

From: NoReply@ecy.wa.gov <NoReply@ecy.wa.gov>
Sent: Monday, August 15, 2022 1:53 PM
To: Tiffany Simmons <tsimmons@cityofpoulsbo.com>
Subject: SEPA record published

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

The SEPA admin reviewed and published [SEPA record number 202204098, "Floodplain Management Code Amendment"](#).
Lead Agency File Number: P-03-18-22-01.
It will now be available to the public.

From: Stevie Colson
Email: separegister@ecy.wa.gov
Phone number: (360) 280-4429



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: PMC Chapter 15.24 – Floodplain Management Revision and Update		Date Prepared: August 3, 2022
Name of Applicant: City of Poulsbo	Address: 200 NE Moe Street Poulsbo, WA 98370	Phone Number: (360) 779-4078
Contact: Anthony Burgess, Engineer I Diane Lenius, City Engineer	Agency Requesting Checklist: City of Poulsbo	
Proposed timing or schedule (including phasing, if applicable): The Planning Commission has a scheduled public workshop on August 23, 2022, and public hearing on September 13, 2022. The City Council has a public hearing scheduled for October 5, 2022		
Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain. It is unlikely that all environmental impacts can be identified and appropriately mitigated as a part of this application, because there isn't a specific development project. The City will utilize the provisions of WAC 197-11-060(5) that provides for Phased Review of SEPA – this provides for a broad environmental review of the proposed ordinance and project-specific environmental review as development proposals are submitted.		
List any environmental information you know about that has been prepared, directly related to this proposal. No specific environmental information has been prepared for the draft ordinance. Land use development projects submitted to the City will be required to be processed under the provisions of Title 19, and will require environmental review when development is proposed, as applicable pursuant to SEPA rules		
Do you know whether applications are pending for governmental approvals or other proposals directly affecting the property covered by your proposal? If yes, explain. No		
List any government approvals or permits that will be needed for your proposal, if known. City Council approval and adoption		

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. Chapter 15.24 of the Poulsbo Municipal Code regulates and manages development in areas of special flood hazard within the city. The City's adoption and enforcement of 15.24 promotes public health, safety and welfare by reducing loss of life and property damage due to flooding and by minimizing expenditures for flood control projects and for rescue and relief operations. Chapter 15.24 allows property owners in the City of Poulsbo to purchase flood insurance through the National Flood Insurance Program (NFIP).

Periodically the Flood Insurance Maps are revised and updated by FEMA. In addition, language and references in Chapter 15.24 may be necessary to be revised and updated in order to keep the City code up-to-date. If the City codes are not updated and the new maps are not adopted, then the property owners in the City of Poulsbo may lose the ability to purchase flood insurance through the NFIP. In March of 2021, the Washington State Department of Ecology performed a Community Assistance Contact, evaluating the City's flood management program. As part of the assistance, Ecology staff reviewed Poulsbo Municipal Code (PMC) Chapter 15.24 - Floodplain Management for compliance with current FEMA National Flood Insurance Program requirements, identifying changes needed.

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. Amendments are located in the following Sections: The proposed ordinance will revise existing Chapter 15.24 of the Poulsbo Municipal Code.

B. ENVIRONMENTAL ELEMENTS

Agree

Disagree

Mitigate

1. Earth

a. General description of the site (check one):

- ☐ flat
- ☐ rolling
- ☐ hilly
- ☐ steep
- ☐ slopes
- ☐ mountainous
- ☐ 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.

X

b. What is the steepest slope on the site (approximate percent slope)?

There are areas within the city limits with slopes exceeding 40 percent, 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.

X

<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. No development is proposed at this time, therefore site specific development impacts are not identified. Future development will be subject to phased SEPA review.</p>	X		
<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>	X		
<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>	X		
<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>	X		
<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>	X		
<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>	X		
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>	X		
<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>	X		
<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>	X		

3. Water			
a. Surface:			
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.	X	
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.	X	
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.	X	
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.	X	
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.	X	
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.	X	
b. Ground:			
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.	X	

2)	<p>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.</p> <p>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>	X		
c. Water Runoff (including storm water):				
1)	<p>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.</p> <p>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>	X		
2)	<p>Could waste materials enter ground or surface waters? If so, generally describe.</p> <p>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>	X		
3)	<p>Does the proposal alter or otherwise affect drainage patterns near the site? If so, describe.</p> <p>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>	X		
d.	<p>Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:</p> <p>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 critical areas ordinance.</p>	X		
4. Plants				
a.	<p>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>	X		

<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>	X		
<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>	X		
<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>	X		
<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.</p>	X		
<p>5. Animals</p>			
<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 checked="" type="checkbox"/> Birds: hawk, heron, eagle, songbirds, other: <input checked="" type="checkbox"/> Mammals: deer, bear, elk, beaver, other: <input checked="" 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>	X		
<p>b. List any threatened or endangered species known to be on or near 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>	X		
<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>	X		
<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>	X		
<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.</p>	X		

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.</p> <p>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>	X		
<p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.</p> <p>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>	X		
<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.</p> <p>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. Future development will meet the current energy code as identified in the International Building Code.</p>	X		
7. Environmental Health			
<p>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.</p> <p>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>	X		
<p>1) Describe any known or possible contamination at the site from present or past uses.</p> <p>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>	X		
<p>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.</p> <p>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>	X		
<p>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.</p> <p>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>	X		
<p>4) Describe special emergency services that might be required.</p> <p>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>	X		

5)	<p>Proposed measures to reduce or control environmental health hazards, if any.</p> <p>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>	X		
b. Noise				
1)	<p>What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?</p> <p>The city has a typical level of noise expected in an urban environment.</p>	X		
2)	<p>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.</p> <p>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>	X		
3)	<p>Proposed measures to reduce or control noise impacts, if any.</p> <p>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.</p>	X		
8. Land and Shoreline Use				
a.	<p>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.</p> <p>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>	X		
b.	<p>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 because 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?</p> <p>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>	X		
1)	<p>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:</p> <p>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>	X		
c.	<p>Describe any structures on the site.</p> <p>No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	X		
d.	<p>Will any structures be demolished? If so, what?</p> <p>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>	X		

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.	X		
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.	X		
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.	X		
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 environmentally sensitive areas will be made based on the City's Critical Area Ordinances maps and site-specific environmental information prepared during the development review process.	↓		
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.	X		
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.	X		
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.	X		
l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any. This process of reviewing comprehensive plan amendments is one measure to ensure future development is compatible and consistent with the City's comprehensive plan. No development is proposed with the comprehensive plan amendments. Determination of specific measures to ensure compatibility will be made during development review.	X		
m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, 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.	X		
9. Housing			
a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. None. This is a non-project action.	4		

<p>b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. None. This is a non-project action.</p>	X		
<p>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.</p>	X		
10. Aesthetics			
<p>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.</p>	X		
<p>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.</p>	X		
<p>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.</p>	X		
11. Light and Glare			
<p>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.</p>	X		
<p>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.</p>	X		
<p>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.</p>	X		
<p>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.</p>	X		
12. Recreation			
<p>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.</p>	X		

<p>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.</p>	X		
<p>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.</p>	✓		
13. Historic and Cultural Preservation			
<p>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.</p>	X		
<p>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</p>	X		
<p>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.</p>	X		
<p>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.</p>	X		
14. Transportation			
<p>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.</p>	X		
<p>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.</p>	X		
<p>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.</p>	X		
<p>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</p>	X		

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	X		
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.	X		
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.	X		
15. Public Services			
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.	X		
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.	X		
16. Utilities			
a. Check the utilities currently available at the site: <input checked="" type="checkbox"/> electric <input checked="" type="checkbox"/> natural gas <input checked="" type="checkbox"/> water <input checked="" type="checkbox"/> refuse service <input checked="" type="checkbox"/> telephone, <input checked="" 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.	X		

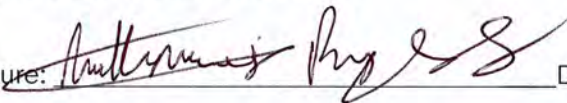
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

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.



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: 8/3/22

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, that would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. 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?

As a non-project action, revisions to PMC Chapter 15.24, Floodplain Management, do 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. Projects resulting from the amendments to the comprehensive plan may require further review under SEPA.

Proposed measures to avoid or reduce such increases are:

No measures are proposed with the revisions to PMC Chapter 15.24 Floodplain Management. 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.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

As a non-project action, revisions to PMC Chapter 15.24 Floodplain Management would not directly affect plants, animals, fish or marine life. Chapter 15.24 by its nature provides protection to listed species.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The City's Critical Areas ordinance 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.

3. How would the proposal be likely to deplete energy or natural resources?

As a non-project action, revisions to PMC Chapter 15.24 Floodplain Management would not deplete energy or natural resources.

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.

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?</p> <p>No development is proposed with the proposed revisions to PMC Chapter 15.24. There will not be negative effects to environmentally sensitive areas designated or under study for protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.</p> <p>Proposed measures to protect such resources or to avoid or reduce impacts are:</p> <p>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?</p> <p>Projects resulting from the proposed revisions to PMC Chapter 15.24 will require further review at the time of development application.</p> <p>Proposed measures to avoid or reduce shoreline and land use impacts are:</p> <p>As a non-project action, revisions to Chapter 15.24 Floodplain Management would not impact shoreline or land use.</p>
6.	<p>How would the proposal be likely to increase demands on transportation or public services and utilities?</p> <p>No development is proposed with the proposed revisions to Chapter 15.24 Floodplain Management. However, future may have increased demands, which would be identified during the specific project development review.</p> <p>Proposed measures to reduce or respond to such demand(s) are:</p> <p>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. Chapter 15.24 Floodplain Management will provide measures and regulations to reduce and control impacts to areas within the identified floodplain.</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.</p> <p>The proposed revisions to PMC 15.24 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 Nikole Coleman, Senior Planner



8/11/22

2022 Floodplain Management Revisions – PMC Chapter 15.24

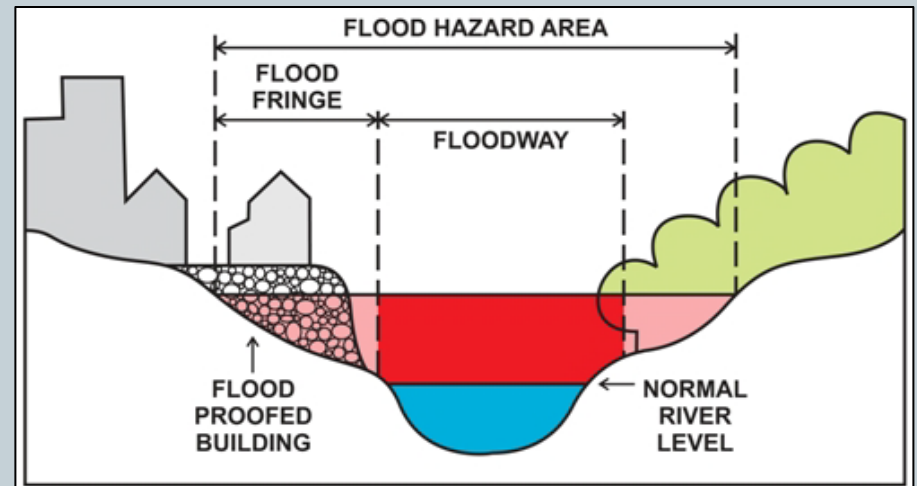


PLANNING COMMISSION
AUGUST 23, 2022

Background

Chapter 15.24 – Floodplain Management

- Adopts flood insurance study and maps, regulates and manages development in areas of special flood hazard
- Compliance allows property owners to purchase flood insurance through National Flood Insurance Program (NFIP)
- Poulsbo entered NFIP July 2, 1979. There are 47 flood insurance policies currently with an average annual premium of \$514. To date there have been two paid claims per FEMA records
- Flood insurance study, maps and code requirements are revised and updated by FEMA periodically



FEMA Mapping



- Official study and map most recently adopted in 2017
- PMC Chapter 15.24 reviewed by Ecology staff in 2021 on behalf of FEMA as part of a Community Assistance Contact evaluating the City's flood management program.
- Revisions necessary to stay compliant with current FEMA requirements were identified
 - Added definitions and revised language to ensure consistency with FEMA definitions and requirements

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eff. 2/3/2017

53035C011
eff. 2/3/20

CITY OF POULSBO
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PANEL
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eff. 2/3/2017

PANEL
53035C021
eff. 2/3/20

WATER & GOLDEN

Summary of Revisions



- **15.24.020 Definitions.** – Added several new definitions and revised a few for consistency with FEMA regulations
- **15.24.085 Development permit required.** – Added section to clarify that a floodplain development permit is required for consistency with FEMA regulations.
- **15.24.090 Flood protection permit.** – Revised code to comply with FEMA regulations – added items 5 and 6 requiring no rise analysis and any other information required by floodplain administrator.
- **15.24.110 City Engineer's duties.** – Revised code to comply with FEMA regulations – added items D and E clarifying city engineer duty to ensure the site is reasonably safe from flooding and to notify FEMA when annexations occur in special flood hazard area.

Summary Revisions



- **15.24.130 Gathering of information.** – Revised code to comply with FEMA regulations – added items 1, 2 and 3 clarifying additional records required to be maintained by the city engineer.
- **15.24.170 Anchoring.** – Revised code to comply with FEMA regulations – added clarifying language regarding buoyancy.
- **15.24.230 Elevation – Residential construction.** - Revised code to comply with FEMA regulations – added item 4 regarding garage design requirements.
- **15.24.240 Elevation – Nonresidential construction.** - Revised code to comply with FEMA regulations – added clarifying language regarding elevation requirements.

Summary Revisions



- **15.24.255 through 15.24.270** – renumbered sections to accommodate addition of new section 15.24.270 Enclosed area below the lowest floor and removal of section 15.24.310 Variances – Historic structures.
- **15.24.270 Enclosed area below the lowest floor.** - Revised code to comply with FEMA regulations – added section to clarify allowable uses for area below the lowest floor.
- **15.24.310 General considerations for variances.** - Revised code to comply with FEMA regulations – added items D, E and F regarding conditions allowing variances.
- **15.24.310 Historic structures.** - Revised code to comply with FEMA regulations – removed section (previous section numbering) – now included in 15.24.310 (formerly 15.24.285). Note that no structures in Poulsbo would be affected by this change – none are listed on the National Register of Historical Places nor the State Inventory of Historical Places.

Questions / Discussion?



Proposed Motion



- **MOVE** to recommend (approval) (approval with modifications) to the Poulsbo City Council the Floodplain Management code text amendments as identified as Exhibit A; and direct the Planning and Economic Development Director to prepare findings of fact in support of this decision for the Planning Commission Chair's signature.