

City of Poulsbo

Planning & Economic Development



OLHAVA/COLLEGE MARKETPLACE CODE AMENDMENTS STAFF REPORT AND RECOMMENDATION

To: Planning Commission
From: Nikole Coleman, Senior Planner
Subject: Olhava/College Marketplace Code Amendments
Date: March 18, 2024

Staff respectfully recommend approval of the Olhava/College Marketplace Code Amendments as set forth in Exhibit A to this staff report.

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council Application No. P-03-01-24-01, the Olhava/College Marketplace Code Amendments, as identified in Exhibit A to this staff report.

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1.0 General Information

Applicant:	City of Poulsbo 200 NE Moe Street Poulsbo WA, 98370
Application No.:	P-03-01-24-01
Description of Proposal:	<p>Amendments are proposed for the C-4 Commercial and Business Park zoning districts, which are only found in College Marketplace, along with a very limited amendment to the Residential Low (RL) zoning district to allow increased height for higher education uses. The proposed amendments are focused on three items - height increases within specific areas, minor reductions in parking requirements, and strategic revisions to permitted uses.</p> <p>It should be noted that not all provisions of a specific section are presented in Exhibit A; only the pertinent sections proposed to be amended are identified. For full context, please see the complete section at: https://www.codepublishing.com/WA/Poulsbo/</p>
Type of Amendment:	Zoning Code Text Amendments
SEPA Status:	An Optional DNS was issued on March 6, 2024
Enabling Code:	PMC 18.210.010, PMC 19.40.050
Planning Commission Hearing:	March 26, 2024
Staff Contact:	Nikole Coleman, Senior Planner ncoleman@cityofpoulsbo.com

2.0 Planning Commission Review Process to Date

The Planning commission held workshops on the proposed amendments on February 12 and 27, 2024.

On March 6, 2024, the Notice of Application (NOA) with Optional DNS and Notice of Planning Commission Public Hearing were published in the Seattle Times, emailed to the NOA, SEPA, Public Hearing, and Development Regulations e-notice list, distributed to Washington State Department of Commerce, and posted at the Poulsbo Post Office, City Hall, and the City's website (Exhibit C).

3.0 Background

The [Olhava Master Plan](#) (OMP) was submitted to the City of Poulsbo in 1995 and approved in 1997. The property is divided by State Highway 3 into a northern 174-acre parcel and a southern 41-acre parcel. Its approval included a 10-year phasing plan to construct a 50,000 square foot Olympic College, 490 residential units, 840,000 square feet of commercial and 325,000 square feet of business park. This area is commonly known today as College Marketplace.

In addition to the OMP, a [Development Agreement](#) between the property owners, Olympic College and the City was executed in 2004. Also, that same year, mass grading and infrastructure improvements such as roads, sewer and water were constructed and installed along with the grand opening of Olympic College campus in Poulsbo. Since the opening of Olympic College in 2004, approximately [18 development projects](#) have been approved and constructed beginning with Wal Mart and Home Depot in 2006, with the most recent opening of Chipotle and the first phase of the CMP apartments.

On August 9, 2023, the Poulsbo City Council passed emergency Ordinance No. [2023-11](#) approving a 12-month development moratorium for vacant undeveloped property zoned [Commercial \(C-4\) and Business Park \(BP\)](#) within the OMP (Exhibit B). A moratorium is a pause on some new development, land use, and construction applications in order for a city to consider new and/or revised development and zoning regulations. The State of Washington grants Cities the authority to adopt a moratorium under [RCW 36.70A.390](#). There were multiple reasons for passing the moratorium, however, the principal purpose is the desire by the City Council to open up more residential capacity in this part of the city.

Staff held a meeting with impacted property owners on November 30, 2023. Please add what we discussed, who attended and what we heard,

Following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the Olhava Master Plan can only be amended by property owners (or applicants). Therefore, the city did not have the ability to holistically make changes to the OMP. However, amendments to the underlying zoning text could provide opportunities for property owners to construct

additional much needed housing. Staff provided an update and proposed next steps to the City Council on January 17, 2024. The City Council provided direction to staff to proceed with proposed code amendments.

4.0 Planning Commission Draft Amendments

The Planning Commission, in its role as the City's primary land use advisory committee held a workshop on the proposed amendments on February 27, 2024, and identified additional modifications. The Planning Commission modifications are shown in [blue underline](#) for proposed new language or additions or [blue strikeout](#) for deletions and are reflected in the Planning Commission Recommended Amendments (Exhibit A). Initial staff proposed amendments are represented as [red underline](#) and [red strikeout](#).

5.0 Attorney General's Unconstitutional Takings Memo

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

6.0 Review Criteria and Staff Conclusion and Recommendation

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

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

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

Conclusion:

The amendments support the land use (Ch 1), community character (Ch 2), housing (Ch 7), and participation, implementation, and evaluation (Ch 11) chapters of the Comprehensive Plan. Supporting policies include:

- Policy LU-3.8 Encourage the infill, renovation or redevelopment of existing commercial areas and discourage expansion of linear commercial "strips."
- Policy LU-3.9 Encourage mixed use by allowing residential units to be located in combination with existing and new street frontage commercial in all commercial zoning districts.
- Policy HS-3.1 Promote socioeconomic integration by allowing for a variety of housing types and sizes together in new residential and redevelopment projects.

The amendments support and/or enhance public health, safety and welfare and is not contrary to the best interest of the citizens and property owners by accomplishing the following:

- Permit mixed-use structures and sites within the Business Park (BP) zone.
- Allow flexible first-floor in the C-4 Commercial zone for mixed-use structures.
- Increase height and make minor reductions in parking requirements, within the C-4 and BP zones, to incentivize construction of additional housing units within an area that has the needed infrastructure (streets, sewer, water, stormwater) to support the growth.

Recommendation: The Planning and Economic Development staff respectfully recommends the Planning Commission offer a recommendation of approval to the City Council for the proposed Olhava/College Marketplace Code Amendments.

7.0 Planning Commission Public Hearing, March 26, 2024

The Planning Commission Public Hearing is scheduled for Tuesday **March 26, 2024, at 6:00 pm or soon thereafter**. The Planning Commission will make a 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: 813 4761 3119 are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81347613119>

PROPOSED MOTION:

MOVE to recommend (approval) (approval with modifications) to the Poulsbo City Council Application No. P-03-01-24-01, the Olhava/College Marketplace Code Amendments, as identified in Exhibit A to this staff report.

8.0 Exhibits

- A. Olhava/College Marketplace Code Amendments
- B. Ordinance No. [2023-11](#)
- C. Notice of Application with Optional DNS and Notice of Planning Commission Public Hearing
- D. Public Participation Plan

EXHIBIT A

Proposed Code Amendments Related to the Olhava Master Plan | Planning Commission Public Hearing | March 26, 2024

Initial staff proposed amendments are shown in red underline and ~~strikethrough~~

Initial staff proposed amendments are shown in purple underline and ~~strikethrough~~

NOTE: Not all provisions of a specific section are presented below; only the pertinent sections proposed to be amended are identified. For full context, please refer to the complete section in the Poulsville Municipal Code: <https://www.codepublishing.com/WA/Poulsville/>. Full project review documents can be viewed on the project website: <https://cityofpoulsville.com/development-regulation-amendments-2/>.

Chapter 18.80 | COMMERCIAL DISTRICTS

18.80.020 Purpose.

- E. The C-4 commercial district applies to the geographic area of College MarketPlace, and is intended to:
1. Provide the appropriate location within the city for big-box, large-scale, and national chain retailers.
 2. Encourage businesses that depend on convenient vehicular access from major transportation corridors.
 3. Support businesses that offer consumer goods and services for the regional population.
 4. Ensure development is consistent with the approved master plan and developer's agreement.
 5. Allow for residential and mixed-use projects to increase the opportunities for people to live, work, shop and recreate within walking distance.

18.80.030 Uses.

- A. Types of Uses. For the purposes of this chapter, there are six kinds of use:
1. A permitted (P) use is one that is permitted outright, subject to all the applicable provisions of this title.
 2. A conditional use (C) is discretionary use reviewed through the process set forth in Chapter 18.230 governing conditional uses.
 3. An administrative conditional use (AC) is a discretionary use reviewed through the process set forth in Chapter 18.230 governing administrative conditional uses.
 4. A prohibited use (X) is one that is not permitted in the zoning district under any circumstances.
 5. An N/A use is one that is not applicable to the zoning district.
 6. A temporary use permit (TUP) is a use that is allowed only through a temporary use through the process and limitations set forth in Chapter 18.280.
- B. Recognizing that there may be certain uses not mentioned specifically in Table 18.80.030 because of changing business, technology advances, or other reasons, the planning director is authorized to make similar use determinations, as set forth in Section 18.50.030.

The following Table 18.80.030 is a list of uses for the four zoning districts:

Table 18.80.030 Commercial Zoning Districts Use Table					
USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Retail Sales and Service					
<u>Automobile sales</u>	X	X	P	X	X
<u>Automobile rental agencies</u>	X	X	P	X	X
<u>Automobile towing services</u>	X	X	P	X	X
<u>Automotive repair</u>	X	X	P	P	P
<u>Automotive parts</u>	X	X	P	P	P
Auto fuel service station ¹	X	X	AC	AC	AC
Automobile sales, service, parts or rental establishment	X	X	P	P	P
Building with drive-through facility ¹	AC	X	P	P	P

Table 18.80.030 Commercial Zoning Districts Use Table

USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Building materials, garden and farm supplies	X	X	P	P	P
Convenience store	P	P	P	P	P
Grocery stores	P ²	X	P	P	P
Marine boat sales, service or rental	P	X	P	P	X P
Mobile, manufactured and modular housing sales	X	X	P	X	X P
Pet and animal sales or service (including dog day care)	P	P	P	P	P
Pharmacies and medical supplies	P	P	P	P	P
Regional retail, large-size 50,001 square feet or larger	X	X	X	P	P
Regional retail, mid-size 50,000 square feet or less	X	X	P	P	P
Rentals, equipment	X	X	AC	AC	AC <u>in an enclosed building only</u>
Retail sales, including variety and specialty stores; general merchandise; flower/plant shop; clothing; home and business/office supplies and goods; art and art supplies; dry goods; gifts; marine supplies, and the like	P	P	P	P	P
Vehicle car wash	X	X	AC	AC	AC
Food and Drink Services¹					
Eating and drinking establishments	P	P	P	P	P
Bakeries, confectioneries and artisan foods	P	P	P	P	P
Mobile food services ¹	TUP ⁶	X	TUP	TUP	TUP
Farmers market/outdoor produce stands	AC	AC	AC	AC	AC
Food service contractor	X	X	P	P	P
Full-service restaurant (no drive-through)	P	P	P	P	P
Microbrewery, distillery or winery	AC	AC	P	P	P
Restaurant or coffee w/drive-through ¹	X	X	P	P	P
Business and Professional Services					
Business services (<i>copy centers, printing, mailing, courier and the like</i>)	AC	X	P	P	P
Conference centers	C	X	AC	AC	AC
Corporate headquarters and regional offices	AC	X	P	P	P
Financial services	P	p ³	P	P	P
Investigation and security services	P	X	P	P	P
Offices	P	p ³	P	P	P

Table 18.80.030 Commercial Zoning Districts Use Table

USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Professional services	P	P ³	P	P	P
Real estate	P	P ³	P	P	P
Travel arrangement and reservation services	P	P	P	P	P
Personal Services					
Barber and beauty salons	P	P	P	P	P
Banks and credit unions	P	P	P	P	P
Health and personal care/spas	P	P	P	P	P
Laundry and dry cleaning	P	X	P	P	P
Science/Technology/Research and Development					
Biotechnical/medical laboratories	AC	AC ³	P	P	P
Computer and information technology	P	AC ³	P	P	P
Electronic components, board systems and similar engineering and development	P	AC ³	P	P	P
Research and development/technology uses not otherwise named	P	AC ³	P	P	P
Software engineering	P	AC ³	P	P	P
Fabrication and Assembly					
Electrical or similar component fabrication and/or assembly	AC	AC ³	P	P	P
Metal, wood and other materials machining, fabrication and assembly completely within an enclosed building	AC	AC ³	P	P	P
Handcrafted artisan-type products, crafts, food processing or other art-related items within an enclosed building	P	P	P	P	P
Miscellaneous light fabrication and assembly not otherwise named	P	AC ³	P	P	P
Lodging					
Bed and breakfast ¹	P	P	P	P	P
Boutique hotel/inn	P	P	P	P	P
Hotels and motels	AC	AC	P	P	P
Arts, Entertainment and Recreation					
Golf course	X	X	C	C	C
Historic and cultural exhibits	P	P	P	P	P
Libraries, museums, galleries	P	P	P	P	P
Marina	C	C	C	N/A	N/A
Movie theater	AC	AC	P	P	P
Performing arts or supporting establishment	P	P	P	P	P

Table 18.80.030 Commercial Zoning Districts Use Table

USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Privately owned amusement, sports or recreation establishments	AC	AC	P	P	P
Public parks	P	P	P	P	P
Recreational goods rentals	P	AC	P	P	P
Sports arena or stadium	X	X	C	C	<u>C-P</u>
Zoos, botanical gardens, and arboreta	X	X	C	C	C
Educational Services¹					
Colleges and universities	AC	AC ³	AC	AC	P
Grade schools K—12 (public and private)	C	C	C	C	C
Preschool/child care center ¹	AC	AC ³	P	P	P
Technical, trade and other specialty schools	AC	AC ³	AC	AC	P
Health and Human Services					
Ambulatory and outpatient care services (physicians, outpatient clinics, dentists)	AC	AC ³	P	P	P
Animal hospital and veterinary clinics	AC	X	P	P	P
Funeral homes	X	X	C	C	C
Hospital	X	X	C	C	C
Social assistance, welfare and charitable offices and services	P	P ³	P	P	P
Public Administration					
Fire/police services	P	P	P	P	P
Government services, offices	P	P ³	P	P	P
Maintenance shops	X	X	P	P	P
Postal services	P	P	P	P	P
Transit facilities, including park and ride lots and transfer centers but not including bus stops	C	X	AC	AC	AC
Residential					
Mixed-use structure ¹	P	P	P	P	P
Existing residential use without increase in density ¹	P	P	P	P	P
Home business ¹	P	P	P	P	P
Home occupation ¹	P	P	P	P	P
Family day care/adult family home (<i>within existing residential use, no increase in density</i>)	AC	AC ³	P	P	P
Nursing home, residential care facility, assisted living, congregate care housing	C	X	AC	AC	AC
Planned mixed-use developments (PMUD) ⁴	X	X	P	P	P X

Table 18.80.030 Commercial Zoning Districts Use Table

USE	C-1 Downtown/ Front Street	Shopfront Overlay	C-2 Viking Avenue	C-3 SR 305 Corridor	C-4 College MarketPlace
Utilities and Other Public Services					
Essential public facilities					
State and regional	P	P	P	P	P
Local	C	C	C	C	C
Recycling <u>center dropoff facilities</u>	X	X	AC	AC	X <u>AG</u>
Utility facilities and utility system	AC	X	P	P	P
Wireless communication facilities exceeding 21' in height	X	X	<u>AC</u> C	C	<u>AC</u> C
Co-location on existing facility or structure	<u>P</u> C	<u>P</u> C	<u>P</u> <u>AG</u>	AC	<u>P</u> <u>AG</u>
Wireless communication facilities 20' or less in height, including co-location on existing facility or structure	<u>P</u> <u>AG</u>	<u>P</u> <u>AG</u>	<u>P</u> <u>AG</u>	AC	<u>P</u> <u>AG</u>
Other					
Electric vehicle charging stations	P	P	P	P	P
Adult entertainment businesses	X	X	X	X	X
Commercial parking lots and parking garages (<i>stand-alone; not associated with commercial structure</i>)	AC	AC	P	P	<u>C</u> <u>P</u>
Self-serve mini-storage ¹	X	X	P	X ⁵	X <u>P</u>
Clubs, lodges, charitable institutions and similar uses, under 5,000 square feet and within an existing building(s)	P	AC	P	P	P
Clubs, lodges, charitable institutions and similar uses, new freestanding structures and existing building(s) 5,000 square feet or larger ¹	AC	AC	AC	AC	AC
Places of worship, under 5,000 square feet and within an existing building(s) ¹	AC	AC	P	P	P
Places of worship, new freestanding structures and existing building(s) 5,000 square feet or larger ¹	AC	AC	AC	AC	AC
¹ Subject to standards in Section 18.80.080. ² Up to 25,000 square feet gross floor area. ³ Permitted on the second floor or behind shopfront commercial use per Section 18.80.050(D)(12). ⁴ Subject to standards in Section 18.80.090. ⁵ Existing self-service mini-storage shall be permitted per Section 18.80.080(I)(13). ⁶ Permitted only in coordination with a special events permit.					

18.80.040 Development standards for commercial districts.

A. Table 18.80.040 sets forth the development standards for the commercial zoning districts.

Table 18.80.040 Commercial Districts' Development Standards

Standard	C-1 Downtown	Shopfront Overlay	C-2 Viking Avenue ^{1, 2}	C-3 SR 305 Corridor ²	C-4 College MarketPlace
Minimum Lot Area	None. Lot area shall be of size and shape appropriate to accommodate intended uses, parking and landscaping requirements.				
Maximum Lot Area	None	None	None	None	None

Initial staff proposed amendments are shown in red underline and ~~strikethrough~~
 Initial staff proposed amendments are shown in purple underline and ~~strikethrough~~

Table 18.80.040 Commercial Districts' Development Standards					
Standard	C-1 Downtown	Shopfront Overlay	C-2 Viking Avenue^{1, 2}	C-3 SR 305 Corridor²	C-4 College MarketPlace
Minimum Front Yard Setback	None	None	10'	15'	15'
Minimum Side Yard Setback	None	None	5'	5'	5'
Minimum Rear Yard Setback	None	None	10'	10'	10'
Minimum Side or Rear Yard Adjacent to R Zone	10'	10'	15'	15'	15'
Maximum Avg. Building Height ³	See Section 18.80.040(B) ⁴		35' ⁵	35' ⁵	<u>See Section 18.80.040(C)⁵</u> 35'⁵
Maximum Building Lot Coverage	85%	100%	50%	50%	<u>50% 60%, or 80% if at least 50% of the required parking is under the building.</u>

¹ Alternative development standards for the C-2 zoning district may be allowed through the provisions in Section 18.80.070.
² Alternative development standards for a planned mixed-use development may be allowed through the provisions in Section 18.80.090.
³ See Section 18.150.050 for building height measurement and Section 18.310.010 for building height exceptions.
⁴ See Section 18.80.050(D)(13) for upper level setback requirement in the shopfront overlay.
⁵ See Section 18.80.060(A)(7) for upper level setback requirement.

B. C-1 Zoning District Height. The maximum average building height in the C-1 zoning district shall be thirty-five feet; provided, that:

1. The height limit on 3rd Avenue NE between Moe Street NE and NE Hostmark Street shall be twenty-five feet as measured from the highest sidewalk grade of 3rd Avenue NE adjacent to the property line;
2. In the shopfront overlay the height limit on west side of Front Street NE shall be twenty-five feet and on east side of Front Street NE shall be thirty-five feet as measured from the highest sidewalk grade of Front Street NE adjacent to the property line;
3. "Highest sidewalk grade" means the highest elevation of the sidewalk parallel to the building frontage; and
4. The height limits described above in subsections (B)(1) and (2) of this section shall also apply to rooftop appurtenances, such as those identified in Section 18.310.010(B).

C. C-4 Zoning District Height. The maximum average building height in the C-4 zoning district shall be thirty-five feet, provided that:

1. The height limit in area 1 (as shown below) shall be forty-five feet average building height; and
2. The height limit in area 2 (as shown below) shall be fifty-five feet average building height.

stepped walls, pitched or stepped rooflines, overhangs and other elements of the building's mass. Simply changing materials or color is not sufficient to accomplish this.

3. Horizontal Definition. All buildings shall include design techniques which clearly define the building's top, middle, and bottom. The following techniques are suggested methods of achieving vertical articulation:
 - a. Top: sloped roofs, strong eave lines, cornice treatments, horizontal trellises, or sunshades, etc.
 - b. Middle: windows, balconies, material changes, railings, and similar treatments that unify the building design.
 - c. Bottom: pedestrian-oriented storefronts, pedestrian-scale building details, awnings, arcades, "earth" materials such as concrete, stone, stucco, etc.

Where appropriate, horizontal elements shall be coordinated (i.e., cornices, window lines, arcades, etc.) in a pattern and height to reflect similar elements on neighboring buildings.

4. Roof Expression. To avoid a truncated appearance, all structures shall have a visual "cap." Options include extended eaves; steep pitch hip, gable or saltbox roof form; false pitch roof with appearance of hip gable or saltbox; or projecting cornice of appropriate scale to the building and part of building's trim detail. Buildings with flat roofs shall have portions with pitched roofs, extended parapets or projecting cornices to create a prominent edge when viewed against the sky, especially to highlight major entrances.
 - a. When designing rooftops visible from hillsides, special attention shall be given to prevention of hazardous reflective glare and placement/design of mechanical equipment. Green roofs or "living roofs" are encouraged.
5. Primary Entrance. The primary entrances to structures, including all entrances to individual tenant spaces, shall be clearly identifiable through architectural design. Specific treatments include, but are not limited to, wall modulation, gables, window clusters, landscape treatment, material/color/texture change, awnings, moldings, planters, and pedestrian amenities, such as benches and tables.
6. Weather Protection. Overhangs, marquees, and awnings or similar forms of protection for pedestrians and bicycle racks from adverse weather conditions shall be incorporated at entrances, along pedestrian pathways, and at transportation waiting areas, and shall be at least five feet wide.
7. Upper Level Setback. For building walls proposed over an average of thirty feet in height, the building facade for that upper floor wall shall be stepped back at least eight feet. The stepped back upper floor shall be distinguished by a change in elements such as window design, railings, trellises, details, materials and/or color, so that the result is an organized combination of features that face the street. Balconies or other outdoor area shall extend into the setback areas. See Section 18.150.060 for example of setback.
 - a. An alternative to this requirement may be approved by the review authority, as long as the effect is the upper floor appears to recede from view.
8. Exterior Materials. Varied and high-quality facade materials shall be integrated with building modulation and articulation elements to unify commercial development and maintain harmony. Materials shall support a Northwest Lodge and/or Craftsman architectural style, generally supporting a bi- or tripartite composition of natural materials. Material changes should be used to distinguish upper, middle and lower floors of the building. Generally, heavier masonry materials should be used at the base of the building and lighter wood materials above, with contrasting trim used to accent floors, doors, window openings and material changes.
 - a. Facades visible from public streets or other publicly visible areas shall provide visual interest by providing a variety of building materials, windows, artwork, or other techniques. Desired materials include brick, stone, wood, horizontal lap siding made of wood or cement-like materials, split-faced block or ground-faced block.
 - b. For structures including mixed-use with residential units, siding materials must include but are not limited to two of the following: horizontal lap siding (of any lap design) made of wood or cement-like materials, shingles made of cedar or cement-like materials, board and batten (or panels with similarly spaced battens), brick, or stone (real or cultured). Typically, the residential component will be differentiated from the nonresidential uses by scale and amount of detailing.
 - c. Metal Siding Standards. Metal siding shall have visible corner moldings and trim and shall not extend lower than two feet above grade. Masonry, concrete, or other durable material shall be incorporated between the

siding and the ground plane. Metal siding may be used only in conjunction with other approved materials and may comprise no more than twenty-five percent of facades facing public rights-of-way, parking areas, or landscaping. Glazing, awnings, doors, and other features may count as portions of the facade. Preformed panels are not considered as metal siding. Metal siding shall be factory finished, with a matte, nonreflective surface.

- d. Concrete Block Standards. Concrete block may comprise no more than fifty-five percent of a facade facing a public right-of-way, parking areas, or landscaping. Concrete block shall include changes in textures and shapes, colors, and/or other masonry materials to add visual interest.
- e. Stonework Standards. Stone facing shall be typical of the Pacific Northwest.
- f. Prohibited Materials.
 - i. Mirrored glass and other highly reflective materials.
 - ii. Corrugated fiberglass.
 - iii. Back-lit vinyl awnings used as signs.

9. Color.

- a. Base building colors are limited to natural earthtone colors. Use any of the following colors, for areas that total more than twenty percent of the building shell: earth tones (brown, beige, tan, soft white, sand, red-brown, or ochre); muted pastels; grey or slate; dark, highly saturated (but not bright) colors (forest green, dark red, maroon, burnt orange, olive, dark brown, or terra cotta); or natural colors of materials such as brick, stone, or stained or sealed wood.
- b. Trim and secondary colors may be lighter or darker shades of the main color but shall not be bright or bold. A lighter or darker shade of the basic building color is always an appropriate trim color, as is white. Bright or primary colors are not permitted.
- c. Accent colors are generally brighter than base or trim colors and shall be limited to highlighting finer architectural details and are limited to fifteen percent of the facade area. Bright, high contrast color that is not a variation of the base or trim colors is limited to maximum two inches in width.
- d. Roof. Use any of the following colors for roofs visible from the ground level of public or adjacent properties: earth tones (brown, beige, tan, red-brown, or ochre); grey or slate; dark, natural colors of materials such as brick, stone, or stained or sealed wood; or black or charcoal; or as recommended by the IBC and IECC.

B. Site Landscaping.

1. Required Landscaping. A minimum of twenty percent of the property area shall be landscaped. Setback, parking lot, street trees and building perimeter landscaping contributes to this requirement.
 - a. Critical area buffers may count toward this requirement, but cannot contribute more than forty percent of the twenty percent overall site landscaping requirement.
 - b. Retaining land at its natural grade with existing native vegetation is strongly encouraged and may contribute toward the required landscape percentage requirement if the existing vegetation is healthy and likely to survive development. A maintenance assurance device, agreement or bond for two years will be required to ensure the existing vegetation remains healthy and additional vegetation appropriate to the overall site's landscape plan must be installed if the existing vegetation does not survive.
 - c. Low impact development techniques for stormwater management that are not fenced and can be designed to integrate vegetation appropriately into the site's overall landscape plan may count toward this requirement at the determination and approval of the review authority.
 - d. Incorporation of natural features such as large rocks or boulders into landscaping design is encouraged.
2. Retention of trees shall be evaluated for new development projects in the C-3 zoning district that are located east of Tenth Avenue, from Lincoln Avenue to Forest Rock Lane. See Chapter 18.180.
3. Setback Landscaping.
 - a. Setback areas are to be landscaped and covered with live plant materials that will ultimately cover seventy-five percent of the ground area within three years. Landscaping shall consist of evergreen and deciduous trees planted not more than thirty feet on center interspersed with large and small shrubs and ground cover. Shrubs shall be of a type that does not exceed a height at maturity of approximately three to four feet.

Deciduous trees shall have a minimum trunk diameter of two inches at time of planting. Evergreen trees shall be a minimum of six feet tall at time of planting.

- b. Setback landscaping may include low impact development stormwater management facilities that are not fenced and can be designed to integrate vegetation appropriately into the setback's landscape area.
 - c. When adjacent to any R zoning district, setback landscaping shall be provided for the full width of the setback, and will include a combination of sight-obscuring fencing, solid screen of evergreen trees and shrubs and berming, as approved by the review authority.
4. **Street Trees.** Street trees and related landscaping shall be provided forty feet on center for arterials and thirty feet on center for collectors within a minimum five-foot planting strip. Groundcover of sod or other approved groundcover shall be provided. Species of trees shall be as set forth in the city's master street tree plan, if applicable, or as otherwise approved by the review authority.
 5. **Parking Lot Landscaping.** Landscape areas shall be located in such a manner as to divide and break up the large expanses of pavement, divide and define driveways, parking stalls and corridors, limit cross-taxiing, and delineate and separate pedestrian and vehicular traffic. Planting areas and landscaping shall be reasonably dispersed throughout the parking lot with the interior dimensions of such areas being sufficient to protect the landscaping materials planted therein and to ensure proper growth. The primary landscaping materials used shall consist of canopy-type deciduous trees or spreading evergreen trees planted in wells or strips with a mixture of deciduous and evergreen shrubs and/or ground cover. Shrubbery, hedges, and other planting materials shall be used to complement the tree landscaping, but shall not be the sole contribution to the landscaping. Existing vegetation, architectural barriers or berms may be incorporated into the landscape design; provided, they contribute to achieving the intent of this subsection.
 - a. Parking lots with more than ten spaces shall be landscaped. A minimum of five percent of the parking lot area (that area inside parking lot perimeter curbing) shall be landscaped. Setback and building perimeter landscaping shall not count towards the parking lot landscaping requirement.
 - b. Planting areas shall contain a minimum of fifty square feet and shall have a minimum dimension of five feet in width. Parked vehicles may not overhang if the planting area is the minimum width of five feet. This area shall contain at least one tree, with the remaining area landscaped with shrubs, ground cover, or other approved landscaping materials not exceeding three feet in height. Providing adequate shading opportunities should be considered.
 - c. An additional two feet in width and curbing is required if wheel stops are not provided.
 - d. Trees shall number not less than one for each five parking stalls, to be reasonably distributed throughout the parking lot. A minimum of forty percent of the trees shall be evergreen.
 - e. Unfenced low impact development stormwater management facilities may be located in parking lot landscaping whenever feasible and when designed to be integrated appropriately in the landscaped area. Where low impact development stormwater management facilities are proposed to meet parking lot landscape requirements, those specific areas may deviate from the requirements in this section; provided, that the overall landscape area meets the intent of this section.
 6. **Building Perimeter.** For any building wall that exceeds an average of thirty feet in height, a planting bed is required with a hierarchy of plantings for at least sixty percent of the wall length provided:
 - a. Columnar trees shall be planted at a minimum of twenty feet on center and installed four feet from the building's foundation within a minimum six-foot-wide planting bed at the structure's foundation/base; or larger trees may be planted twenty-five feet on center within a fifteen-foot planting bed and ten feet from the building's foundation.
 - b. Shrubs or small trees ranging from one to six feet in height at maturity shall be planted three to six feet on center (depending on size at maturity) within the required planting bed.
 - c. Groundcover or other organic material shall be provided to reduce wind and water erosion.
 7. **Alternative Landscaping Plans.** The planning director may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:

- a. Represent a superior result than that which would be achieved by strictly following requirements of this section, and
- b. Incorporate unique, historic, or architectural features such as fountains, sculptures, boulders, pedestrian plazas, and the like.

C. On-Site Pedestrian and Vehicular Circulation.

1. Buildings shall be linked to their fronting street(s) with primary walkways.
2. Primary walkways shall be a minimum of five feet in width, and shall be clearly defined and designed to be separated from driveways and parking areas, through the use of raised curbs, elevation changes, bollards, landscaping, different paving materials, and/or other similar treatments. Striping does not meet this requirement.
3. Secondary walkways are those that provide for pedestrian connections between buildings without depending upon parking lots. All buildings shall be linked to each other by a secondary walkway promoting the shortest distance between building entrances. Secondary walkways shall be provided to existing adjacent commercial development walkways, or shall be provided to the property line to provide future pedestrian connection for future adjacent commercial development. Secondary walkways do not need to be paved.
4. Pedestrian walkways may be permeable surfaces where appropriate and as approved by the city engineer.
5. The number of vehicular access points shall be minimized by sharing driveways and linking parking lots between adjacent uses.
6. On-site primary vehicular circulation drive should be separated and provide minimal vehicular conflict with parking areas and pedestrians.

D. Mechanical and Trash/Recycling Screening. See Section 18.80.080(H).

E. Lighting. See Section 18.80.080(N).

18.80.080 Additional standards and provisions for C zoning districts.

J. Mixed-Use Structure.

1. Purpose. Mixed-use structures allow for placement of a mix of commercial and residential uses in a single building. Mixed-use structures are intended to allow for efficient use of land and public services in an urban setting; encourage convenient access between employment, services and residential opportunities; and increase development alternatives.
2. A mixed-use structure shall contain at least two complementary, integrated, or mutually supporting uses (such as offices, retail, professional services, food and beverage, entertainment, public service and residential). (Except as allowed in subsection (J)(3)(a)(i) of this section.)
3. New mixed-use structures shall have the following standards:
 - a. Residential units must be located above allowed commercial uses (residences may not be located at street/ground level or below). However, uses accessory to the residential, such as lobby, fitness center, storage, community room and other accepted uses, may be located on the first floor (street level), and shall generally be located behind the street level commercial uses. Number of residential units shall be limited by the mixed-use structure's required development standards (lot coverage, height, parking and setbacks) for the underlying zoning district.
 - i. Within the C-1 (outside of the shopfront overlay) and C-4 zoning districts, ~~but~~, residential units may be allowed on the first floor; provided, that the first floor shall be constructed to commercial building and fire code standards and parking required at the applicable commercial ratio, to accommodate flexibility of use as both residential or commercial, as the market supports.
 - b. A minimum of fifty percent of the street level ground floor gross square footage shall be occupied by uses set forth in Table 18.80.030, Commercial Zoning Districts Use Table, or as allowed by this section, and oriented to the primary street. Any underbuilding parking located on the street level floor shall be provided at the commercial parking standards and shall have an intervening permitted use between the street and the parking.

- c. The mixed-use building shall be designed to look and function as an integrated development and encourage pedestrian travel between uses and adjacent buildings.
 - d. Buildings should be located adjacent to the primary street or immediately behind a public or semi-public space, such as a forecourt, plaza, or an outdoor seating area.
 - e. Commercial uses located on the ground floor shall have a prominent entrance facing the primary street, provide use and activity presence along the street frontage, and be designed to clearly define it as commercial space.
 - f. Compatibility with the height, massing, setback and design character of surrounding uses shall be considered in mixed-use structure design.
 - g. At least one outdoor activity feature shall be provided for the mixed-use building, including but not limited to courtyards, delineated gathering spaces, or seating areas. These areas must be paved and landscaped.
 - h. Private or shared open space shall be provided for each of the residential units, such as a private outdoor balcony or rooftop deck, and shall be provided at a minimum of thirty-eight square feet per unit.
 - i. On-site pedestrian circulation that links the public street and the primary entrance to the structure or residential units shall be provided. When the pedestrian circulation crosses driveways, parking areas and loading areas, it must be clearly identifiable through use of different paving materials.
 - j. Existing residential units in a mixed-use structure in the C zones may continue without meeting the standards above.
4. It is recommended that acknowledgement be included in lease or purchase/sale agreements for residential units in mixed-use structures, and address that residents will reside within commercial structures, where quiet enjoyment may not be guaranteed due to the nature of business, dining/entertainment or special event activity within the commercial zoning districts.

18.80.090 Planned mixed-use development (PMUD).

- A. Purpose. The purpose of this section is to encourage creative and superior site design that provides and integrates a mix of retail, service, office and residential uses while ensuring substantial compliance with the goals and policies of the Poulsbo comprehensive plan.
- B. Where Allowed. The planned mixed-use developments are allowed in the BP, C-2, C-3, and C-4 commercial zoning districts.
- C. Uses Allowed. The following uses are permitted in a planned mixed-use development:
 1. All uses in the underlying zoning district.
 2. Residential including townhouses, duplexes, triplexes, fourplexes, cottages, mixed-use structures, and apartment houses.
 3. Accessory uses specifically designed to meet the needs of the residential development or facilities.
 4. Residential and commercial uses must each constitute a minimum twenty percent of the proposed development cumulative buildings' gross square footage, with the remaining sixty percent a combination of commercial, residential public areas and other acceptable uses.
- D. Project Requirements.
 1. The planned mixed-use development proposal must constitute a mixed-use development. For purposes of this section, a mixed-use development is a single unified development that incorporates the planned integration of commercial and residential land uses consisting of some combination of office, retail, food and drink, services, hotel, public entertainment, public uses, and housing. Planned mixed-use developments may be vertically oriented in one or more buildings, or geographically distributed on a development site.
 2. ~~The development site shall be of sufficient width and depth to accommodate the proposed development. The minimum site size is two acres; however, the review authority may approve a smaller size if the site can meet the criteria of an integrated unified mixed-use development and the requirements of this section.~~

E. Development Standards. All development standards in the underlying zoning district.

~~1.—Setbacks:~~

- ~~a.—Front yard and/or primary street frontage: ten feet.~~
- ~~b.—Side and rear yard: ten feet.~~
- ~~c.—Side or rear yard adjacent to an R zone: twenty feet.~~
- ~~d.—If no subdivision is proposed:
 - ~~i.—Perimeter side and rear yard: ten feet.~~
 - ~~ii.—Perimeter side or rear yard adjacent to an R zone: twenty feet.~~
 - ~~iii.—Setbacks between buildings shall be a minimum ten feet.~~~~

~~2.—Building Lot Coverage. Maximum building lot coverage is sixty-five percent.~~

~~3.—Building Height. Maximum building height is thirty-five feet. If underbuilding parking is provided, the building height may be increased to forty-five feet. See Section 18.310.010.~~

~~4.—Landscaping, Site and Building Design Standards. The standards set forth in Section 18.80.060, Building design, landscaping, and site standards, shall apply to planned mixed-use developments.~~

F. Integration of Uses.

1. All buildings and improvements on the site shall be designed to look and function as an integrated development and to encourage pedestrian travel between buildings and uses. Complete segregation of use types, such as placement of commercial structures all on one side of a mixed-use site and multiple residential structures all on the other, shall be prohibited.
2. Separate buildings shall be connected through pedestrian walkways delineated through landscaping, differentiated surface materials or texture. Delineation through striping alone shall not be considered sufficient. (See Section 18.80.060(C)).
3. One or more similar design characteristics among separate structures shall be provided, including but not limited to similar or complementary building facades, surface materials, colors, landscaping, or signage.
4. ~~5: Residential uses in buildings with commercial uses shall be located consistent with Section 18.80.080 J on the second story or above (not at street level or below).~~
~~4. One or more outdoor publicly accessible features shall be provided to encourage interaction among residents or users of the site, including but not limited to courtyards, delineated gathering spaces, or seating areas. These areas may be paved and/or landscaped, and must comprise at least five percent of the fifteen percent common open space requirement (see open space and recreational amenities below).~~

G. Shared Parking.

1. The review authority may authorize shared or joint use parking among uses that are likely to be visited with a single driving trip; and provided, that an adequate legal agreement for the joint parking usage is recorded.
2. The review authority may authorize shared or joint use parking among uses which have differing hours of operation or usage, such as residences and offices; provided, that an adequate legal agreement for the joint parking usage is recorded.

H. Common Open Space and Recreational Amenities Required. Each planned mixed-use development shall provide at least fifteen percent of the gross site area for common open space in the form of public, site user and/or resident activity. Such activity space may be planned and designed for recreational use or involvement by employees, site visitors, general public and residents. (This requirement is different than the twenty percent landscape requirement; however, open space required in this section can be used to meet the landscape requirement.)

I. Review and Approval. See Chapter 18.250 for the review and approval process for planned mixed-use developments.

18.80.110 Off-street parking and loading standards in the C-2, C-3 and C-4 zoning districts.

The following standards apply to parking and loading in the C-2, C-3 and C-4 zoning districts. All other applicable provisions from Chapter 18.140 also apply.

A. Number of Spaces Required.

1. Retail sales, personal services, office and professional services: one space per three hundred gsf.
2. Medical/dental office or clinic: one space per three two hundred gsf.
3. Eating/drinking establishments: one space per two hundred gsf.
 - a. Fast food or drive-through, with indoor seating: one space per two one hundred gsf.
 - b. Fast food or drive-through, no indoor seating: one space per three hundred gsf.
 - c. On-site food/drink manufacturing area: one space per five hundred gsf.
4. Lodging.
 - a. Bed and breakfast: one space per rented room plus two spaces.
 - b. Motel/hotel: one space per room or suite plus one space per employee on peak shift.
 - c. Banquet and meeting rooms: one space per two hundred gsf of banquet/meeting space.
5. Ambulatory and outpatient care services: one space per two hundred gsf.
6. Hospitals: one space per two beds plus one space for every two employees on largest shift.
7. Animal hospital and veterinary clinic: one space per two hundred fifty gsf.
8. Libraries, museums, galleries: one space per three hundred gsf.
9. Performing arts, theaters, sports arena or stadium: one space per four and one-half seats.
10. Amusement, sports, recreation establishments; health club: one space per two hundred fifty gsf.
11. Self-serve storage: one space per three thousand five hundred gsf plus two for permanent on-site manager.
12. Residential.
 - a. Single-family detached residential unit: two spaces.
 - b. Studio/one bedroom: one space per residential unit.
 - c. Two or more bedrooms: one and one-half two spaces per dwelling unit.
 - d. Guest parking is one space per ten dwelling units; provided, that commercial use parking spaces may meet this requirement at a one-to-one ratio replacement when uses' peak hours of operation do not overlap.
 - e. Residential units restricted to use for seniors (sixty-five years and older): one and one-quarter spaces per dwelling unit.
 - f. Assisted living, senior congregate care, residential care center: one for each four regular beds (or units), plus one space for every two full-time employees on largest shift.
13. Places of Assembly.
 - a. Clubs, lodges: one space per two hundred fifty gsf.
 - b. Places of worship: one space per four seats.
14. Schools (includes public, private, business and vocational):
 - a. Preschool: one space per three children.
 - b. Elementary and middle school: one space per full-time employee and two per classroom.
 - c. High school: one space per full-time employee and one space per ten students of designed capacity.
 - d. College: one per classroom and office; and one for every five students of designed capacity.
15. Child Care.
 - a. Family: adequate provision for loading and unloading, plus parking required for residential unit.
 - b. Center: one space for every two employees on largest shift, plus one space per seven children and adequate provision for loading and unloading.
16. Other uses not specifically listed shall furnish parking as required by the planning director based upon the most analogous use.

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- B. When underbuilding parking is proposed, at least sixty percent of the site’s total street frontage shall include square footage that is to be occupied by permitted uses.
- C. Parking or staging of delivery trucks on public streets is prohibited; provided, that smaller delivery trucks (i.e., UPS, FedEx) may park on public streets when on-street parking is available.
- D. The primary vehicular access shall avoid a street that primarily serves residential uses.
- E. Entrances and exits to and from parking and loading facilities shall be clearly marked with appropriate directional signage.
- F. Internal circulation shall be designed for safety and efficiency by reducing conflicts between vehicular and pedestrian traffic.
- G. Loading facilities shall be located internal to the site. Loading docks and doors facing a public street shall be offset from the access drive and shall be screened from the street as much as possible.

18.250.020 Review authority.

All planned mixed use development permits shall be processed ~~as Type III applications~~ according to the provisions of Title 19. The review authority shall have the authority to approve, approve with conditions, disapprove, or revoke planned mixed use developments.

19.20.020 Permit application classification

Table 19.20.020 Permit, Process and Review Authority Classification		
Permit Type	Process Type	Review Authority
Planned mixed use development (PMUD), <u>no subdivision</u>	<u>II</u>	<u>PD</u>
Planned mixed use development (PMUD), <u>with subdivision</u>	III	HE

Chapter 18.90 | BUSINESS AND EMPLOYMENT DISTRICTS

18.90.010 Zoning districts.

The city's comprehensive plan establishes three land use designations that support the business and employment goals and policies of the city of Pouslbo. The three land use designations will also serve as titles of zoning districts on the city's zoning map, and are identified as:

- A. Office commercial industrial (OCI).
- B. Business park (BP).
- C. Light industrial (LI).

The three business and employment districts are intended to enhance Pouslbo's economic base by providing suitable areas to support the employment needs of the community. The business and employment districts provide for the location of manufacturing, product processing, research and development facilities, assembly, warehousing, distribution, professional services, corporate headquarters, medical facilities and complementary educational and recreational uses among others. Limited residential, retail, business and support services that generally serve the needs of the districts' tenants and patrons are allowed. The business and employment districts are intended to have limited nuisance factors and hazards.

18.90.020 Purposes.

- A. The office commercial industrial (OCI) district provides for business and professional offices, corporate headquarters, research and development facilities, light industry and complementary educational, and recreational uses. The district is not intended to support the general commercial needs of the community; however, limited retail sales, convenience and personal services, and residential, as subordinate uses, are allowed. The OCI district is intended to be compatible and transitional with adjoining uses, have smaller sized and scaled buildings with a more diverse mix of uses than the business park district, and have fewer nuisance factors and hazards than the light industrial district.
- B. The business park (BP) district, located in the College MarketPlace master planned development, is intended to enhance the city's economic base by providing for an integrated grouping of businesses and buildings of a larger size and scale than the OCI or LI districts may support. The BP district supports a variety of uses, such as light manufacturing, professional office buildings, and warehousing and distribution, and residential uses when associated with a mixed-use project.
- C. The light industrial (LI) district provides appropriate locations for combining light, clean industries, including industrial service, manufacturing, fabrication, assembly and production; business and technology research and development; and warehousing, distribution and storage activities. Professional offices and sale of goods are subordinate to permitted activities.

18.90.030 Uses.

- A. Types of uses. For the purposes of this chapter, there are four kinds of use:
 - 1. A permitted (P) use is one that is permitted outright, subject to all the applicable provisions of this title.
 - 2. A conditional use (C) is discretionary use reviewed through the process set forth in Chapter 18.230 governing conditional uses.
 - 3. An administrative conditional use (AC) is a discretionary use reviewed through the process set forth in Chapter 18.230 governing administrative conditional uses.
 - 4. A prohibited use (X) is one that is not permitted in the zoning district under any circumstances.
- B. Recognizing that there may be certain uses not mentioned specifically in Table 18.90.030 because of changing business, technology advances, or other reasons, the planning director is authorized to make similar use determinations, as set forth in Section 18.50.030.

The following Table 18.90.030 is a list of uses for the three zoning districts:

Table 18.90.030 Business and Employment District Uses

USE	OCI	BP	LI
Office and Professional Services			
All forms of corporate, professional, public, brokerage, administrative, financial, building trade, and research offices	P	P	X
Corporate headquarters and regional offices	P	P	X
Office-oriented service providers, such as communications services, photocopying, courier and messenger services, graphic design, printing, promotional products, and the like	P	P	X
Office equipment sales and services	P	P	X
Technology service and support, copy and connectivity centers, telework centers	P	P	X
Business/Technology Research and Development			
Biotechnology/medical laboratories	AC	AC	AC
Computer technology	P	P	P
Electronic components and board systems engineering and development	P	P	P
Research and research industry-oriented service providers	P	P	P
Software engineering	P	P	X
Commercial Services and Retail			
Auto and boat service and repair (but not sales)	X	X	P
Auto fuel service station (<i>An associated retail convenience structure may be allowed; however, size is limited to no more than 1,500 square feet.</i>)	AC	AC	X unless associated in support of a permitted vehicle fleet use
Building materials retail sales (<i>not including regional retailers which are not allowed</i>)	AC	AC	X
Commercial convenience, personal services, and restaurant establishments (<i>In existing or new structures 5,000 square feet or larger, commercial convenience, personal service uses, and restaurant eating/drinking establishments are allowed but are to be subordinate to the building's primary uses. All commercial uses located in the structure shall be limited to 50% <u>25%</u> of the building's gross square footage. No drive-through facilities are allowed.</i>)	P	P	X
Commercial retail in conjunction with a primary use (<i>Retail sales of products assembled, manufactured, etc., in the OCI/BP/LI zoning districts are allowed but are to be subordinate to the building's primary use. Retail sales use is limited to 50% <u>25%</u> of the building's gross square footage.</i>)	P	P	P
Food service contractor	P	P	P
Food and drink where manufactured and sold on premises (<i>on-premises tasting room, restaurant, and/or retail sales limited to 50% <u>25%</u> of gross square footage</i>)	AC	AC	AC
Nursery/landscaping materials retail sales	AC	P	X
Wholesale product showrooms	P	P	AC

Table 18.90.030 Business and Employment District Uses			
USE	OCI	BP	LI
Light Industrial			
Equipment rental	AC	AC <u>in an enclosed building only</u>	P
Industrial laundry and upholstery services	X	AC	P
Resource recycling and recovery (not including recycling dropoff facilities)	X	X	P
Manufacturing			
Beverage products	AC	P	P
Cabinet shop or carpenter shop	AC	AC	P
Electrical and electronic equipment manufacture	AC	P	P
Electrical component assembly, including assembly of computer products, office equipment, and related components	P	P	P
Metal, wood and other materials fabrication and assembly in an enclosed building	AC	AC	P
Food and kindred products, manufacture, processing and packaging <i>(excluding animal slaughtering and processing)</i>	AC	P	P
Furniture and fixtures manufacture and assembly	AC	P	P
Handcrafted products, crafts or other art-related items	P	P	P
Large-scale and mass-produced lumber and wood products <i>(excluding sawmills)</i>	X	X AG	<u>AC-P</u>
Measuring, analyzing and control instruments	P	P	P
Medical equipment and supplies	P	P	P
Miscellaneous light fabrication and assembly not otherwise named	AC	AC	P
Perfumes, cosmetics and similar preparations	AC	AC	P
Photographic, medical, audio and optical equipment	AC	P	P
Printing, publishing and allied products	AC	P	P
Products made from light stone, clay and glass	AC	P	P
Signs	P	P	P
Textiles, apparel and leather goods	P	P	P
Warehousing, Distribution and Storage			
Equipment/materials outdoor storage as a primary use (including building trade and landscaping)			
a. Storage yards occupying less than 10,000 square feet	X AG	X AG	P
b. Storage yards occupying more than 10,000 square feet	X	X AG	AC
Commercial fuel distributors	X	C	AC
Mail order or direct selling and distribution	P	P	P
Packing, crating and convention and trade show services	P	P	P
Processing and/or packaging previously prepared materials	P	P	P

Table 18.90.030 Business and Employment District Uses

USE	OCI	BP	LI
Self-serve mini-storage	X	<u>AC when associated with a mixed-use structure or PMUD</u>	P
Truck and freight transportation services	X	X G	AC
Warehousing, product distribution, and wholesale trade	X	AC	P
Residential			
<u>Mixed-use structure¹ Dwelling units above nonresidential uses (mixed-use structures) (Nonresidential uses must be located on ground level or first floor if ground level is parking)-</u>	P	P	AC
<u>Planned Mixed Use Development (PMUD)²</u>	X	P	X
Employee/security units in conjunction with manufacturing, distribution or storage uses	P	P	P
Existing residential use without increase in density (subject to the provisions of Section 18.160.060)	P	P	P
Live/work units	P	P X	X
<u>Nursing home, residential care facility, assisted living, congregate care housing</u>	X	<u>P when associated with a mixed-use structure or PMUD</u>	X
Public and Quasi-Public			
Essential public facilities, state and regional	P	P	P
Essential public facilities, local	C	C	C
Government maintenance shops and fleet vehicle storage	AC	<u>AC in an enclosed building only</u>	P
Public administration office and services	P	P	P
Public parks	P	P	P
Solid waste transfer facilities	X	X G	C
Recycling dropoff facilities	X	X AG	P
Utility facilities and utility system	P	P	P
Transit facilities, including park and ride lots and transfer centers	C	C	C
Wireless communication facilities (exceeding 21' in height)	AC G	AC G	AC G
Co-location on existing facility or structure	P AG	P AG	P AG
Wireless communication facilities (20' or less)	P	P	P
Other			
Adult entertainment businesses	X	X	P
Ambulatory and outpatient care services (physicians, outpatient clinics, dentists)	P	P	X
Child care centers	AC	AC	X

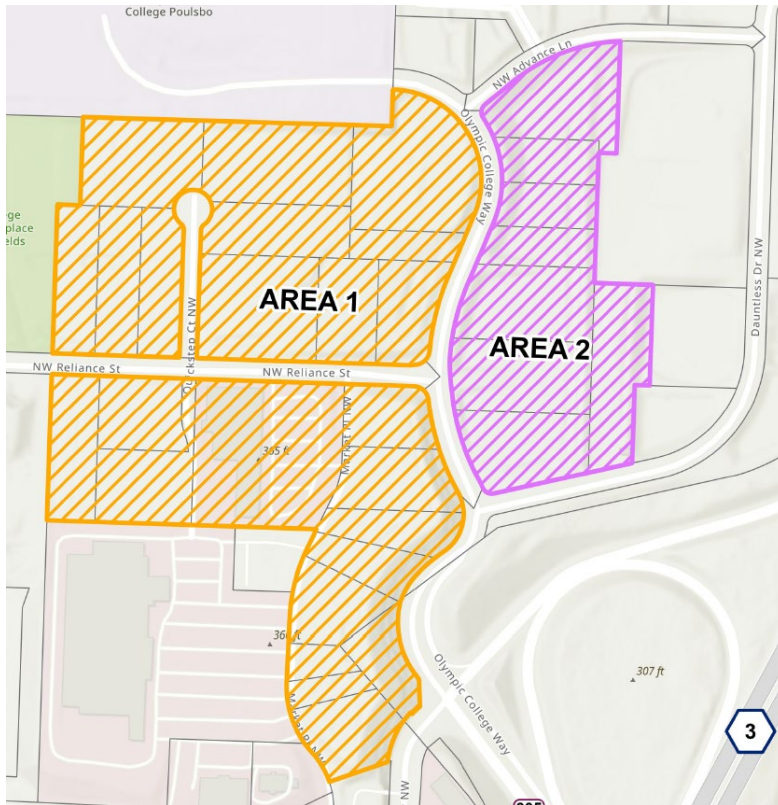
Table 18.90.030 Business and Employment District Uses			
USE	OCI	BP	LI
Colleges, <u>and</u> universities, technical, trade and other specialty schools	C	AC G	X
<u>Technical, trade and other specialty schools</u>	<u>P</u>	<u>AC</u>	<u>AC</u>
Existing legal nonconforming uses <i>(provided that the legal nonconforming use continues and does not cease to be in use for 12 months or longer. See Chapter 18.160)</i>	P	P	P
Grade schools (K—12)	C	C	X
High-risk secured facilities	X	X	C
Hospital	C	C	X
Museums, historic and cultural exhibits	P	P	X
Privately owned amusement, sports or recreation establishments <i>(retail sales limited to 25% of use's total square footage)</i>	P	P	X
Churches, new freestanding structures and existing building(s) 5,000 square feet or larger	C	C	X
Churches, under 5,000 square feet and within an existing building(s)	AC	AC	X
Sports arena or stadium	C	C	X
Veterinary clinics and hospitals (not including kennels)	P	P	X
¹ Subject to standards in Section 18.80.080 J.			
² Subject to standards in Section 18.80.090.			

18.90.40 Development standards.

For development standards, see Table 18.90.040 below.

Table 18.90.040 Business and Employment Districts Development Standards	
Minimum lot area	No minimum lot area requirement.
Maximum building coverage	As provided after setbacks, landscaping, parking and other applicable standards are met.
Minimum setbacks when lot line is adjacent to a R zoning district	20', plus an additional 1 foot for each foot the building wall facing the R district exceeds an average of <u>35'</u> 25' in height, to a maximum setback requirement of <u>20'</u> 40' .
Minimum setbacks when lot line is adjacent to nonresidential zoning district	Front yard: 10' Other yards: 5' Street (public or private) frontage: 10' <i>Setbacks may be enlarged to provide additional area to meet overall site landscaping requirement.</i>
Maximum building height ¹	No building or structure shall exceed 35' in height, <u>provided that the height limit in area 1 (as shown below) shall be 45'; and the height limit in area 2 (as shown below) shall be 55'.</u> (Roof-mounted mechanical equipment and its screening shall not be included in the height calculation.)
¹ See Section 18.150.050 for building height measurement and Section 18.310.010 for building height exceptions.	

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Initial staff proposed amendments are shown in purple underline and ~~strikethrough~~



18.90.050 Site planning and design.

A. Landscaping.

1. A minimum of twenty percent of the property area shall be landscaped. Setback, parking lot, street trees and building perimeter landscaping contribute to this requirement.
 - a. Critical area buffers may count toward this requirement but cannot contribute more than forty percent of the twenty percent overall site landscaping requirement.
 - b. Retaining land at its natural grade with existing native vegetation is strongly encouraged and may contribute toward the required landscape percentage requirement if the existing vegetation is healthy and likely to survive development. A maintenance assurance device, agreement or bond for two years will be required to ensure the existing vegetation remains healthy and additional vegetation appropriate to the overall site's landscape plan must be installed if the existing vegetation does not survive.
 - c. Low impact development techniques for stormwater management that are not fenced and can be designed to integrate vegetation appropriately into the site's overall landscape plan, may count toward this requirement at the determination and approval of the review authority.
2. Setback Landscaping.
 - a. Setback areas are to be landscaped and covered with live plant materials that will ultimately cover seventy-five percent of the ground area within three years. One tree (deciduous tree of a minimum of two inches caliper or one six-foot-high evergreen tree) and three shrubs, each of which will attain a height of three and one-half feet within three years, shall be provided for every three hundred square feet of area to be landscaped.
 - b. Setback landscaping may include low impact development stormwater management facilities that are not fenced and can be designed to integrate vegetation appropriately into the setback's landscape area.
 - c. When adjacent to any R zoning district, setback landscaping shall be provided for the full width of the setback and will include a combination of sight-obscuring fencing, solid screen of evergreen trees and shrubs and berming, as approved by the review authority.

3. Street Trees. Street trees and related landscaping shall be provided forty feet on center for arterials and thirty feet on center for collectors within a minimum five-foot planting strip. Groundcover of sod or other approved groundcover shall be provided. Species of trees shall be as set forth in the city's master street tree plan, if applicable, or as otherwise approved by the review authority.
 4. Parking Lot Landscaping. Parking lots with more than ten spaces shall be landscaped. A minimum of five percent of the parking lot area (that area inside parking lot perimeter curbing) shall be landscaped; planting areas shall be a minimum of five feet width. Providing adequate shading opportunities should be taken into account. Parked vehicles may not overhang if the planting area is the minimum width of five feet. Wheel stops will be required when any parking space abuts landscaping. Unfenced low impact development stormwater management facilities may be located in parking lot landscaping when feasible and when designed to be integrated appropriately in the landscaped area.
 5. Building Perimeter Landscaping. For any building wall that exceeds an average of thirty feet in height and combined with an unmodulated wall exceeding one hundred feet in length (not including loading areas), a planting bed is required, with a hierarchy of plantings for at least sixty percent of the wall's length provided:
 - a. Columnar trees and large shrubs shall be installed a minimum of four feet from the building's foundation within a minimum six-foot-wide planting bed at the structure's foundation/base; or larger trees may be planted twenty-five feet on center within a fifteen-foot planting bed and a minimum ten feet from the building's foundation.
 - b. Shrubs or small trees shall be planted minimum three to six feet on center (depending on size at maturity) within the required planting bed.
 - c. Groundcover or other organic material shall be provided to reduce wind and water erosion.
- B. On-Site Pedestrian Circulation.
1. Buildings shall be linked to their fronting street(s) with primary walkways.
 2. Primary walkways shall be a minimum of five feet in width, and must be visually distinct from parking lot and driveway surfaces. Pedestrian walkways may be of permeable surfacing when appropriate and as approved by the city engineer.
 3. Secondary walkways are those that provide for pedestrian connection between buildings without depending upon parking lots. All buildings shall be linked to each other by a secondary walkway promoting the shortest distance between building entrances. When adjacent to an undeveloped parcel, a secondary walkway shall be provided to the property line to provide future pedestrian connection separate from a future street connection. Secondary walkways do not need to be paved.
- C. Building Design Standards. The purpose of building design standards in the business and employment zoning districts is to facilitate attractive architectural design and scale by avoiding large blank walls, bright colors and providing roof line treatment. The following standards apply to building design in all three of the business and employment zoning districts. Building design shall reflect a Northwest Lodge and/or Craftsman style through architectural elements, streetscape features, landscaping, artwork, lighting, and signage. The city's design review process applies to all proposals that require site plan review or a building permit that contains substantial building facade alteration to the exterior of an existing building. See also Chapter 18.120.
1. Building Facades.
 - a. Architectural interest is required for all building facades visible from public streets and other publicly visible areas, such as parking areas.
 - i. Publicly visible building walls shall incorporate insets or offsets, canopies, colonnades, wing walls, trellises, building facade landscaping, material variation, multi-planed roof line, or other features which diminish large blank walls.
 - ~~ii. For publicly visible building walls exceeding one hundred feet in length, offset elements shall be required that break up the plane of the wall into at least three sections.~~
 - ii. Any building facades visible from public streets and other publicly visible areas that exceed fifty feet in width shall include articulation features to reduce the perceived scale of the

building and add visual interest. Multiple articulation methods shall be used, including window patterns, offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs and other elements of the building's mass. Simply changing materials or color is not sufficient to accomplish this.

b. All buildings shall include design techniques which clearly define the building's top, middle, and bottom. The following techniques are suggested methods of achieving vertical articulation:

- i. Top: sloped roofs, strong eave lines, cornice treatments, horizontal trellises, or sunshades, etc.
- ii. Middle: windows, balconies, material changes, railings, and similar treatments that unify the building design.
- iii. Bottom: pedestrian-oriented storefronts, pedestrian-scale building details, awnings, arcades, "earth" materials such as concrete, stone, stucco, etc.

Where appropriate, horizontal elements shall be coordinated (i.e., cornices, window lines, arcades, etc.) in a pattern and height to reflect similar elements on neighboring buildings.

- c. Provide visual terminus to tops of buildings. To avoid a truncated appearance, all structures shall have a visual "cap." Options include extended eaves; steep pitch hip, gable or saltbox roof form; false pitch roof with appearance of hip gable or saltbox; or projecting cornice of appropriate scale to the building and part of building's trim detail.
- a. Primary building entrances shall be physically oriented to the street and primary pedestrian walkway. The primary entrances to structures, including all entrances to individual tenant spaces, shall be clearly identifiable through architectural design. Specific treatments include, but are not limited to, wall modulation, gables, window clusters, landscape treatment, material/color/texture change, awnings, moldings, planters, and pedestrian amenities, such as benches and tables.

2. Materials.

- a. Facades visible from public streets or other publicly visible areas shall provide visual interest by providing a variety of building materials, windows, artwork, or other techniques. Desired materials include brick, wood, horizontal lap siding made of wood or cement-like materials; split-faced block or ground-faced block.
- b. For structures including residential (mixed use structures) or live/work units, siding materials must include but are not limited to two of the following: horizontal lap siding (of any lap design) made of wood or cement-like materials, shingles made of cedar or cement-like materials, board and batten (or panels with similarly spaced battens), brick, or stone (real or cultured). Typically, the residential component will be differentiated from the nonresidential uses by scale and amount of detailing.

3. Color.

- a. Main color of exterior walls is limited to subtle earth tone colors. Soft white, sands, grays, muted pastels, and deep, rich earth colors (terra cotta, forest green) are acceptable.
- b. Trim color may be lighter or darker shades of the main color, soft white, or contrast or complement the main color but shall not be bright or bold.
- c. Accents or graphics may be brighter than main or trim color and shall be limited to fifteen percent of the facade area, excluding glass. Bright, high contrast color banding is limited to maximum four inches in width.

18.90.060 Performance standards.

No land or structure shall be used or occupied unless there is compliance with the following minimum performance standards:

- A. Outdoor Storage. Outdoor storage of materials and supplies shall be completely screened with a combination of fencing and landscaping, from adjacent properties and public right-of-way, and be located in the interior of the lot to the extent possible as determined by the planning director.
- B. Emissions. Any air emissions shall meet applicable regulations of the Puget Sound Clean Air Agency, and no visible, frequent smoke, dust, or gases shall be emitted.
- C. Exterior Lighting. Exterior lighting, except for warning or emergency lighting, shall be hooded or shielded so illumination is directed downward and shall be confined to the property boundaries of the light source.
 - 1. Lighting in exterior canopies shall be recessed so that the lens does not drop below the level of the canopy.
 - 2. Lighting shall be located near the activity needing illumination. Walkways, entrances, and parking areas may be lit during nighttime business hours, but such lighting shall be the minimum necessary for safety. Lighting in parking lots should be of uniform intensity.
 - 3. Buildings shall not be outlined with neon or other lighting, except seasonal lighting.
 - 4. If, once installed, lighting is found to be performing in violation of these standards, the city may require the business owner to take corrective action to bring the lighting into compliance.
 - 5. Nighttime lighting of the American flag is exempt from these provisions, except that such lighting shall not provide direct glare to neighboring properties or traffic.
 - 6. A photometric plan shall be required as part of the underlying permit which shows lumen readings every ten feet within the property or site, and ten feet beyond the property lines. The photometric plan shall consider proposed and existing landscaping at maturity to evaluate the long-term and seasonal effectiveness of lighting or screening of lighting.
- D. Noise. Noise levels shall not exceed the maximum allowed in Chapter 173-60 WAC for Class B (commercial) or Class C (industrial) environmental designations as appropriate to the use, or as set forth in the International Building Code requirements.
- E. Exterior Mechanical Equipment. All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from adjacent streets and properties.
 - 1. Roof-mounted mechanical equipment shall be screened one of the following ways:
 - a. A parapet wall or other architectural element that is an integral part of the building's architectural design.
 - b. Setting the equipment back so that it is not visible.
 - 2. Ground-mounted mechanical equipment shall be screened by landscaping or a decorative wall that incorporates at least one of the materials and colors of the primary structure. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened. If landscaping is used, the screening material shall be designed to provide a seventy-five percent opacity one year after planting along the full required height and length of the screening buffer.
 - 2. ~~Vents, mechanical penthouses, elevator equipment and similar appurtenances may extend no more than fifteen feet above the roof line, must be surrounded by a sight-obscuring screen constructed to the same height as the mechanical equipment, and conform to the following criteria:~~
 - a. ~~The screen must be integrated into the architecture of the building.~~
 - b. ~~The screen must obscure to the extent possible the view of the appurtenances from adjacent streets and properties.~~

~~c.—Rod, wire and dish antennas are exempt from the screening requirement if the screening would interfere with the effective operation of the antenna.~~

- F. Odors. The emission of objectionable odors or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.
- G. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building.
- H. Trash dumpsters shall be screened from view with a combination of one hundred percent sight-obscuring fencing and vegetative screening.
1. Screening shall be complementary to the materials and colors of the primary structure.
 2. Screening shall be of a height equal to or greater than the height of the materials being screened.
 3. The location of all trash and recycling storage spaces shall meet the following requirements:
 - a. If located within fifteen feet of a street lot line, screening shall also contain landscaping and/or artistic elements;
 - b. The storage space shall not be located in any required driveways, parking aisles, or parking spaces;
 - c. The storage space shall not block or impede any fire exits, any public rights-of-way, or any pedestrian or vehicular access;
 - d. The storage space shall be located to minimize noise and odor impacts on building occupants and beyond the lot lines of the lot; and
 - e. The storage space shall not be used for purposes other than trash and recyclable materials storage and access.
- I. Ground and Soil Contamination. Materials shall be handled in such a manner to prevent ground or soil pollution, or which may contaminate aquifer or other natural drainage systems as required by state and local health agencies.
- J. Fire and Explosive Hazards. The manufacture, use, processing or storage of flammable liquids or materials, liquids or gases that produce flammable or explosive vapors or gases shall be permitted in accordance with the regulations of the adopted International Fire Code and International Building Code.
- K. In addition to the standards identified above, the city may utilize its authority under the State Environmental Policy Act (SEPA), to identify additional mitigations on impacts to the environment, as determined at time of project review.

18.90.070 Residential uses.

- ~~A. Mixed Use Structures. Residential uses in buildings with commercial uses shall be consistent with Section 18.80.080~~
~~J. Mixed-use structures allow for placement of a mix of commercial, business, employment and residential uses in a single building. Mixed-use structures are intended to allow for efficient use of land and public services in an urban setting; encourage convenient access between employment, services and residential opportunities; and increase development alternatives.~~
- ~~1.—Permitted nonresidential uses shall be located on the ground floor. However, part of the ground floor may be used as a driveway to rear or under-grade parking, or as a pedestrian park area. Residential units must be located above allowed nonresidential uses (residences may not be located at street/ground level or below). Number of residential units shall be limited by the mixed-use structure's required development standards (lot coverage, height, parking and setbacks) for the underlying zoning district.~~
 - ~~2.—The mixed-use building shall be designed to look and function as an integrated development and encourage pedestrian travel between uses and adjacent buildings.~~
 - ~~3.—At least one outdoor activity feature shall be provided for the mixed-use building, including but not limited to courtyards, delineated gathering spaces, or seating areas. These areas may be paved and/or landscaped.~~
 - ~~4.—A minimum of thirty-eight square feet of private open space shall be provided for each of the residential units, such as a private outdoor balcony.~~

~~5.—On-site pedestrian circulation that links the public street and the primary entrance to the structure or residential units shall be provided. When the pedestrian circulation crosses driveways, parking areas and loading areas, it must be clearly identifiable through use of different paving materials.~~

B. Live/Work Units. Live/work units are allowed in the OCI and BP zoning districts, and are a building use that combines business or manufacturing activities within the same structure as a residential living space. Live/work units are distinctive from mixed use because the business owner or employee must live in the unit. In addition, they can provide affordable work and housing space, meet the needs of special groups such as artists, and serve to incubate new businesses.

1. The total live/work unit is limited to three thousand square feet in gross floor area.
2. The nonresidential use portion must be located on the first floor of the unit or, if parking is on the first floor, the unit's main floor area.
3. The nonresidential area is limited to fifty percent of live/work unit's area.
4. Living space shall be physically integrated into the live/work unit and not be rented, leased, sold or occupied separately.
5. Private outdoor open space shall be provided for the live/work units, such as a balcony or patio.
6. The live/work unit shall be occupied and used only by the owner of the business or manufacturing activity, or the owner's employee, and that person's household.
7. The business may employ up to five persons who do not reside in the live/work unit.
8. On-premises sales of goods shall be limited to those produced within the live/work unit or related to the permitted business activity.
9. A valid business license associated with the business or manufacturing activity must be obtained from the city.
10. An annual certificate of inspection to ensure circumstances and conditions remain compliant, shall be required to be obtained from the planning director.
11. Other restrictions may apply subject to the requirements of the adopted International Building Code.

C. Existing Residences.

1. Existing detached single-family residences are allowed to continue, provided no increase in density occurs (including adding accessory dwelling units), and subject to the provisions of Section 18.160.060. Special uses related to the existing residential unit, such as home occupations, home day care, may be allowed and are regulated as appropriate, as set forth in Section 18.70.070.

~~2.—Existing residential units in a C zone that are located within a mixed-use structure are allowed as mixed use, and are not subject to the provisions of Section 18.160.060.—~~

18.90.090 Parking and loading standards.

The following standards apply to parking and loading in the OCI, BP and LI zoning districts. All other applicable provisions from Chapter 18.140 also apply.

A. Number of Spaces Required.

1. Office and professional services: one space per three hundred gsf.
2. Business/technical research and development: one space per three hundred gsf.
3. Commercial Services and Retail.
 - a. Convenience and personal services: one space per three hundred gsf.
 - b. Eating/drinking establishments: one space per two hundred gsf.
 - i. Fast food or drive-through, with indoor seating: one space per two hundred gsf.
 - ii. Fast food or drive-through, no indoor seating: one space per three hundred gsf.

4. Building trade/landscaping materials sales: one space per three hundred gsf of retail area; and one space per five hundred gsf of warehouse or storage area (including outdoor).
5. Food/drink manufacturing: one space per five hundred gsf.
 - a. Food/drink with on-premises tasting room, restaurant and/or retail sales space: one space per two hundred gsf.
1. Eating/drinking establishments: one space per two hundred gsf.
 1. Manufacturing: one space per five hundred gsf.
 2. Warehouse, distribution, and storage: one space per five hundred gsf.
 3. Mixed use residential and live/work units: ~~one and one-half spaces per residential unit in addition to other use required spaces, including additional customer/client and employee spaces for live/work units.~~
 - a. Studio/one bedroom: one space per residential unit.
 - b. Two or more bedrooms: one and one-half spaces per dwelling unit.
 - c. Guest parking is one space per ten dwelling units; provided, that commercial use parking spaces may meet this requirement at a one-to-one ratio replacement when uses' peak hours of operation do not overlap.
 - d. Residential units restricted to use for seniors (sixty-five years and older): one and one-quarter spaces per dwelling unit.
 - e. Assisted living, senior congregate care, residential care center: one for each four regular beds (or units), plus one space for every two full-time employees on largest shift.
 - f. Live/Work: one space per residential unit plus one space per five hundred gsf of nonresidential area.
 4. Ambulatory and outpatient care services: one space per two hundred gsf.
 5. Assembly uses: to be determined by planning director at time of project.
 6. Other uses not specifically listed shall furnish parking as required by the director based upon the most analogous use.
- B. When underbuilding parking is proposed in the OCI district and the structure fronts a collector or arterial street, at least fifty percent of street frontage (of the collector or arterial street) shall include square footage that is to be occupied by permitted uses.
- C. Parking or staging of delivery trucks on public streets is prohibited; provided, that smaller delivery trucks (i.e., UPS, FedEx) may park on public streets when on-street parking is available.
- D. The primary vehicular access to businesses and loading areas shall avoid a street that primarily serves residential uses.
- E. Entrances and exits to and from parking and loading facilities shall be clearly marked with appropriate directional signage.
- F. Internal circulation shall be designed for safety and efficiency by reducing conflicts between vehicular and pedestrian traffic, combining circulation and access areas where possible, and providing adequate truck maneuvering, stacking, and loading areas.
- G. Loading facilities shall be located internal to the site. Loading docks and doors facing a public street shall be offset from the access drive and shall be screened from the street as much as possible.

Chapter 18.70 | RESIDENTIAL DISTRICTS

18.70.050 Development Standards in the RL Zone.

A. For development standards in the RL zone, see Table 18.70.050 below:

Table 18.70.050 Residential Low (RL) District Development Standards	
Minimum Lot Size	7,500 square feet
Maximum Lot Size	10,890 square feet <i>when subdividing, a parent lot may remain larger than 10,890 square feet; provided, that it must be a minimum of 15,000 square feet in order to be further subdivided in 7,500-square-foot increments.</i>
Minimum Lot Width	60' at the midpoint of the lot. Each lot shall have a minimum of 20' of frontage on a dedicated street or approved access way.
Minimum Lot Depth	90'
Maximum Building Coverage	50%
Front Yard Setback	20' from main building facade; 25' from attached garage facade if front loaded and protrudes streetward from main building facade.
Rear Yard Setback	10'
Side Yard Setback	5' with a combined total of 15'
Street Corner Setback <i>(corner lots at intersection(s) of public or private streets)</i>	10' <i>(or greater if necessary for sight distance as determined by the city engineer)</i>
Maximum Building Height ³	No building or structure may exceed 35' in height, <u>provided that the height limit for institutions of higher education shall be 45'</u> .
¹ See Section 18.70.070(l) for cottage housing development lot requirements. ² Greater distance may be necessary for sight distance as determined by the city engineer. ³ See Section 18.150.050 for building height measurement, Section 18.310.010 for building height exceptions.	

EXHIBIT B

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2023-11

SUBJECT: Moratorium on Development of C-4 an BP Properties in Olhava

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 08/09/2023
- Passed by the City Council: 08/09/2023
- Signature of Mayor
- Signature of City Clerk
- Publication: 08/14/2023
- Effective: 08/19/2023
- Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- Seattle Times: 08/10/2023
- Code Publishing
- City Attorney
- Clerk's Department:
- City Council
- Finance:
- Posted to Library Drive and Website
- Posted to Laserfiche
- Scanned and Tossed: _____
- Electronically Created Document (No Hard Copy Exists)
- _____

Kati Diehl
Deputy City Clerk

08/10/2023
Date

ORDINANCE NO. 2023 –11

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTED PURSUANT TO RCW 35A63.220 and RCW 36.70A.390; IMPOSING A TWELVE-MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF CERTAIN APPLICATIONS FOR DEVELOPMENT OF C-4 AND BP ZONED PROPERTIES WITHIN THE OLHAVA MASTER PLAN; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF THIS MORATORIUM; IMPOSING THE MORATORIUM; STATING THE EFFECT ON VESTED RIGHTS; PROVIDING FOR EXCLUSIONS; SETTING A PUBLIC HEARING TO BE HELD WITHIN 60 DAYS; AUTHORIZING INTERPRETIVE AUTHORITY; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; SETTING THE DURATION; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt moratoria related to land uses; and

WHEREAS, the Olhava Master Plan (“Master Plan”) was approved in 1995 by City of Poulsbo (“City”);

WHEREAS, proposals to develop parcels within the Master Plan are reviewed in the context of the 1995 Master Plan, including the Environmental Impact Statement (EIS), mitigations, conditions of approval, and the subsequent Development Agreement, recorded 4/29/2004; and

WHEREAS, the Master Plan anticipated a mixture of residential, commercial and business park uses and allocated those uses a maximum amount of square footage (840,000 sq commercial floor area; 325,000 square feet business park floor area; 50,000 square feet college floor space; and 490 residential units) and these maximum amounts were identified within the Olhava Master Plan, Final EIS and Development Agreement; and

WHEREAS, the Master Plan was anticipated to be developed over a 10 year period, but currently continues to be developed; and

WHEREAS, all of the mitigation infrastructure improvements identified in the Final EIS and Development Agreement (e.g. roads, sewer system, stormwater controls, water system) have been constructed and the mitigation remaining is vested, paid but unused traffic impact fees for the remaining_undeveloped parcels; and

WHEREAS, all of the residential units have been allocated to properties, and

WHEREAS, the City has received a land use application proposal that exceeds the maximum amount of square footage allocated to the business park zoning, and will require an amendment to the master plan to be approved by the City Council in order to authorize exceeding the maximum amount of business park square footage allocated; and

WHEREAS, the Olympic College's Poulsbo Campus is located and subject to the Olhava Master Plan, Final EIS, and Development Agreement and the Board of Trustees for the Olympic College have announced plans to move its Nursing and Allied Health Division programs to Olympic College's Poulsbo Campus; and

WHEREAS, the existing Poulsbo Olympic College campus is anticipated to expand to 100,000 square feet of facilities between existing and proposed buildings, including five acres of vacant land south of the current campus and is within the Business Park zoning, which may exceed the maximum square footage for college use and would also exceed the maximum amount of business park square footage allowed by the Olhava Master Plan, Final EIS and Development Agreement; and

WHEREAS, the expansion of the college will also require an amendment to the Master Plan to authorize exceeding the maximum amount of square footage allocated to the business park zone and possibly the square footage amount allocated for college use in order to be approved by the City; and

WHEREAS, the State Legislature made significant amendments to the Growth Management Act during the 2022 and 2023 legislative session, that tasks cities to increase its housing capacity and plan for and accommodate housing affordable to all economic segments of the population; and

WHEREAS, the City prepared a Housing Action Plan in 2021 which identified strategies for increasing housing stock, and the City is currently in the process of updating its comprehensive plan scheduled for adoption by December 31, 2024 which will respond to the State Legislature's housing capacity increase requirements; and

WHEREAS, the Olhava Master Plan does not allow for any additional residential units beyond the original maximum of 490 units without an amendment to the Master Plan; and

WHEREAS, the Olhava Master Plan was drafted in 1995 and continues to be the primary document authorizing land use development within the master plan area; and

WHEREAS, the Olhava Master Plan is nearly 30 years old and no longer reflects the preferred land use development patterns and uses as established by the recent amendments to the Growth Management Act, as well as preferred by the City Council; and

WHEREAS, the City Council now desires to review the Olhava Master Plan to evaluate and consider the maximum square footage amounts, non-residential uses, and analyze opportunities for increasing housing capacity on Olhava Master Plan area's remaining, undeveloped parcels, in tandem with the City's 2024 Comprehensive Plan update process; and

WHEREAS, the City Council desires to review the Olhava Master Plan, Final EIS and Development Agreement to determine proper procedures for amendments or other options to modify maximum square footage amounts, uses and increased residential units; and

WHEREAS, the City possess land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, unless a moratorium on new applications for development of C-4 and BP properties in the Olhava Master Plan is adopted, vacant lands in the Master Plan could be developed prior to the City completing a thorough review of the Master Plan and the remaining properties to determine the uses that best meet the City's vision, as determined by the 2024 Comprehensive Plan update process; and

WHEREAS, the moratorium imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare. A public emergency exists requiring that the City's moratorium become effective immediately upon adoption.

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council's initial findings of fact in support of the moratorium established by this ordinance. The City Council may, in its discretion, adopt additional findings after public hearing referenced in Section 5 below.

Section 2. Moratorium Imposed. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11 of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220 and unless expressly excluded under Section 3 and Section 4 of this ordinance, the City hereby imposes a temporary moratorium, as described in this Section², for those properties requesting the following ("Permit Applications"):

All building permit applications or land use applications for development on vacant undeveloped property zoned Commercial (C-4) and Business Park (BP) within the Olhava Master Plan that have not received an approved land use permit from the City at the date of adoption of this moratorium. From and after the effective date of this ordinance, the City shall not accept new building permit applications and new land use applications for the development of vacant undeveloped property zoned C-4 or BP in the Olhava Master Plan and shall not process or approve any pending applications or issue any permits that are not vested under applicable law, except as provided in this ordinance.

Section 3. Effect on Vested rights. The moratorium imposed under Section 2 of this ordinance shall apply prospectively only and shall operate to prevent acceptance of Permit Applications submitted after the effective date of this ordinance. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any permit applicant's vested development rights as defined by state law and City of Poulsbo regulations, provided that such a permit applicant has filled a Permit Application before the effective date of this ordinance.

Section 4. Exclusions. Any property owner that has been issued a valid, unexpired land use permit pursuant to PMC 18.270 prior to the effective date of this ordinance may apply to modify said permit pursuant to PMC 19.90.040.B 1-4 and/or apply for any building permit for the approved land use and is not subject to this moratorium.

Section 5. Adoption of Work Plan. A work plan for the twelve-month period of this moratorium is hereby adopted and attached as Exhibit B to this ordinance.

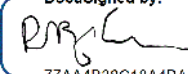
Section 6. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall hold a public hearing at a City Council meeting to be held at Poulsbo City Hall, 200 Moe Street, Poulsbo, Washington, on September 20, 2023 at 5:00 p.m., or as soon thereafter as the same may be heard. Public testimony shall be taken at the hearing and the City Council may, but shall not be obligated to, consider adopting further findings of fact justifying the moratorium after the close of such hearing.

Section 7. Interpretive Authority. The City of Poulsbo Director of Planning and Economic Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 8. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other person or circumstances.

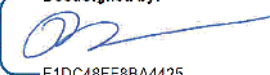
Section 9. Declaration of Emergency; Effective Date; Duration. This ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the "Whereas" clauses above, all of which are adopted by reference as findings of fact as if fully set forth herein. This moratorium shall take effect immediately, and shall remain effective for 12 months, unless terminated earlier by the City Council. Provided, that the Council may, at its sole discretion, renew the moratorium for one or more six-month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

APPROVED:

DocuSigned by:


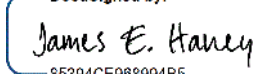
77AA4B38C18A4BA...
MAYOR, BECKY ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:


F1DC48FF8BA4425...
CITY CLERK, RHIANNON FERNANDEZ, CMC

APPROVED AS TO FORM BY THE
OFFICE OF THE CITY ATTORNEY:

BY DocuSigned by:

85394CE988994B5...
OGDEN MURPHY WALLACE, PLLC

FILED WITH THE CITY CLERK: 08/09/2023
PASSED BY THE CITY COUNCIL: 08/09/2023
PUBLISHED: 08/14/2023
EFFECTIVE DATE: 08/19/2023
ORDINANCE NO. 2023-11

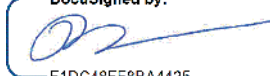
SUMMARY OF ORDINANCE NO. 2023-11
of the City of Poulsbo, Washington

On August 9, 2023, the City Council of the City of Poulsbo, Washington, approved Ordinance No. 2023-11, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ADOPTED PURSUANT TO RCW 35A63.220 and RCW 36.70A.390; IMPOSING A TWELVE-MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF CERTAIN APPLICATIONS FOR DEVELOPMENT OF C-4 AND BP ZONED PROPERTIES WITHIN THE OLHAVA MASTER PLAN; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF THIS MORATORIUM; IMPOSING THE MORATORIUM; STATING THE EFFECT ON VESTED RIGHTS; PROVIDING FOR EXCLUSIONS; SETTING A PUBLIC HEARING TO BE HELD WITHIN 60 DAYS; AUTHORIZING INTERPRETIVE AUTHORITY; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; SETTING THE DURATION; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

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

DATED this 9th day of August, 2023

DocuSigned by:

F1DC48FF8BA4425...

CITY CLERK, RHIANNON FERNANDEZ CMC

EXHIBIT A: C-4 College Market Place and Business Park Moratorium

Effective: 07/19/2023

Legend

- C-4 College Market Place
- Parks
- Office Commercial Industrial
- Business Park
- Light Industrial
- Residential Low
- Residential Medium
- Residential High
- C-3 SR305 Corridor
- Olhava Master Plan
- Olhava Moratorium Area
- City Limits

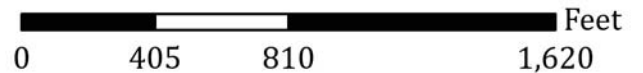
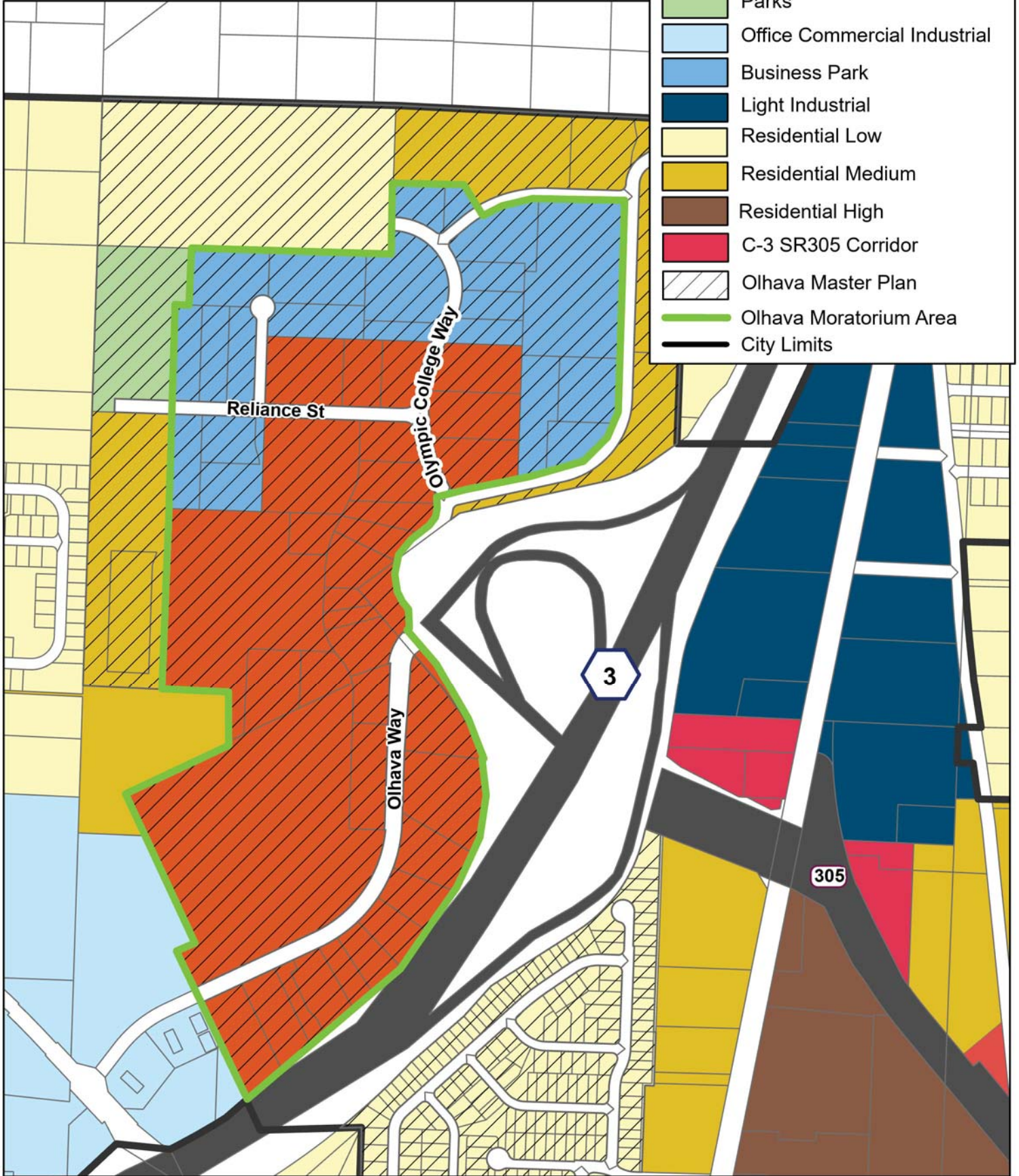


EXHIBIT B to Ordinance No. 2023 – 11

Olhava Moratorium, Vacant C-4 & Business Park Zoned Properties

WORK PLAN (August 9, 2023)

On August 9, the City Council imposed a twelve-month moratorium via Ordinance 2023-11 to prohibit all building permit applications or land use applications for development on vacant undeveloped property zoned Commercial (C-4): College MarketPlace and Business Park (BP) within the Olhava Master Plan that have not received an approved land use permit from the City at the date of adoption of this moratorium. From and after the effective date of this ordinance, the City shall not accept new building permit applications and new land use applications for the development of vacant undeveloped property zoned C-4 or BP in the Olhava Master Plan and shall not process or approve any pending applications or issue any permits that are not vested under applicable law, except as provided in this ordinance.

The initial interim control was for twelve months, or until July 19, 2024.

The City has developed the following Work Plan described below:

August - September, 2023

Identify undeveloped parcels and vested development rights under the Master Plan and Developers Agreement as well as allowances through the zoning code.

October - November, 2023

Engage affected property owners within the master plan and discuss development alternatives.

December 2023

Workshop with the City Council and determine preferred path forward.

January 2023

Re-engage affected property owners within the master plan and identify preferred alternative.

February – March, 2024

Discuss preferred alternative with legal staff.

April, 2024

Re-engage City Council (particularly new Council members) on discussions with property owners, legal staff and staff recommendations and determine council's preferred alternative.

May – August 2024

Pursue amendments to the master plan, developers' agreement and zoning code as appropriate as well as consider the sunseting of the master plan.

City of Poulsbo

Office of the City Clerk



MEMORANDUM

DATE: September 18, 2023

FROM: Deputy City Clerk Kati Diehl

SUBJECT: Correction to Ordinance No. 2023-11 – Moratorium on Development of C-4 and BP properties in Olhava

On August 9, 2023, the City Council passed Ordinance No. 2023-11 Moratorium on Development of C-4 and BP properties in Olhava. It has been brought to our attention the ordinance contained a scrivener's error. After review by our city attorney has been requested it be treated as such and does not require further City Council consideration.

The original ordinance stated:

FILED WITH THE CITY CLERK: 08/09/2023
PASSED BY THE CITY COUNCIL: 08/09/2023
PUBLISHED: 08/14/2023
EFFECTIVE DATE: 08/19/2023
ORDINANCE NO. 2023-11

The reference to EFFECTIVE DATE of 08/19/2023 is incorrect; the correct EFFECTIVE DATE should be 08/09/2023.

Given that the above -referenced correction is administrative in nature, we have included this memo to note the correction.

Respectfully submitted,

Kati Diehl

Kati Diehl
Deputy City Clerk



Notice of Application with Optional DNS and Planning Commission Public Hearing

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

OLHAVA/COLLEGE MARKETPLACE CODE AMENDMENTS

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

Planning File:

P-03-01-24-01

Application Type: IV

Notice of Application:

March 6, 2024

Comments Due: March 20, 2024

Summary of Proposed Amendments:

The Olhava Master Plan (OMP) was submitted to the City of Poulsbo in 1995 and approved in 1997. The property is divided by State Highway 3 into a northern 174-acre parcel and a southern 41-acre parcel. Its approval included a 10-year phasing plan to construct a 50,000 square foot Olympic College, 490 residential units, 840,000 square feet of commercial and 325,000 square feet of business park. This area is commonly known today as College Marketplace.

In addition to the OMP, a Development Agreement between the property owners, Olympic College and the City was executed in 2004. Also, that same year, mass grading and infrastructure improvements such as roads, sewer and water were constructed and installed along with the grand opening of Olympic College campus in Poulsbo. Since the opening of Olympic College in 2004, approximately 18 development projects have been approved and constructed beginning with Wal Mart and Home Depot in 2006, with the most recent opening of Chipotle and the first phase of the CMP apartments.

On August 9, 2023, the Poulsbo City Council passed emergency Ordinance No. 2023-11 approving a 12-month development moratorium for vacant undeveloped property zoned Commercial (C-4) and Business Park (BP) within the OMP. A moratorium is a pause on some new development, land use, and construction applications in order for a city to consider new and/or revised development and zoning regulations. The State of Washington grants Cities the authority to adopt a moratorium under RCW 36.70A.390. There were multiple reasons for passing the moratorium, however, the principal purpose is the desire by the City Council to open up more residential capacity in this part of the city.

Following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the Olhava Master Plan can only be amended by property owners (or applicants). Therefore, the city did not have the ability to holistically make changes to the OMP. However, amendments to the underlying zoning text could provide opportunities for property owners to construct additional much needed housing.

The proposed amendments are focused on three items - height increases within specific areas, minor reductions in parking requirements, and strategic revisions to permitted uses. Amendments are proposed for the C-4 Commercial and Business Park zoning districts, which are only found in College Marketplace, along with a very limited amendment to the Residential Low (RL) zoning district for higher education uses.

Public Comment Methods:

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 the closing of the public hearing. At the hearing, the public will have an opportunity to provide written and verbal testimony regarding the proposed project.

Environmental Review:

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. *This may be the only opportunity to comment on the environmental impacts of the proposed amendments.* 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 **Wednesday March 20, 2024.**

Public Participation Plan:

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/>

Draft Document:

The proposed amendments are represented as underline for proposed additions and ~~strikeouts~~ for deletions. The proposed amendments can be found online: <https://cityofpoulsbo.com/development-regulation-amendments-2/>

Planning Commission Public Hearing

The Planning Commission Public Hearing is scheduled for Tuesday **March 26, 2024, at 6:00 pm or soon thereafter.** The Planning Commission will make a 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: 813 4761 3119 are provided for virtual attendance, in addition to this webinar link: <https://us06web.zoom.us/j/81347613119>



Examination of File:

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

Staff Contact:

Nikole Coleman | Senior Planner | ncoleman@cityofpoulsbo.com





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-03-01-24-01 Project Name: Olnawa/College MP Code Amend WOA
PCPH

Tiffany Simmons, being first duly sworn, upon his/her oath deposes and says: That he/she is now, and at all times herein mentioned has been, a citizen of the United States and the State of Washington, over and above the age of twenty-one years and a resident of said County, that on March 4, 2024, a copy of the following City of Poulsbo public notices, and which is attached to this affidavit,

- Notice of Application w DNS
- SEPA Determination
- Notice of Public Meeting
- Notice of Public Hearing PCPH
- Notice of Decision

has been provided:

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

Signature: [Handwritten Signature] Date: 3-4-24

Subscribed and sworn to before me this 10th day of March, 2024



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

Bremerton
My Commission expires on:

05/19/2025

From: [Constant Contact](#)
To: [City of Poulsbo Planning and Economic Development](#)
Subject: Your campaign 'Olhava/College Marketplace Code Amendments - NOA w/ ODNS and Planning Commission Public Hearing' has been sent
Date: Wednesday, March 6, 2024 8:16:29 AM

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



Dear Nikole Coleman,

Your campaign '**Olhava/College Marketplace Code Amendments - NOA w/ ODNS and Planning Commission Public Hearing**' was sent on 3/6/2024 around 11:05 AM EST.

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

Subject: Olhava/College Marketplace Code Amendments - NOA w/ ODNS and Planning Commission Public Hearing



City of Poulsbo Public Notice

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

The Olhava Master Plan (OMP) was submitted to the City of Poulsbo in 1995 and approved in 1997. The property is divided by State Highway 3 into a northern 174-acre parcel and a southern 41-acre parcel. Its approval included a 10-year phasing plan to construct a 50,000 square foot Olympic College, 490 residential units, 840,000 square feet of commercial and 325,000 square feet of business park. This area is commonly known today as College Marketplace.

In addition to the OMP, a Development Agreement between the property owners, Olympic College and the City was executed in 2004. Also, that same year, mass grading and infrastructure improvements such as roads, sewer and water were constructed and installed along with the grand opening of Olympic College campus in Poulsbo. Since the opening of Olympic College in 2004, approximately 18 development projects have been approved and constructed beginning with Wal Mart and Home Depot in 2006, with the most recent opening of Chipotle and the first phase of the CMP apartments.

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property zoned Commercial (C-4) and Business Park (BP) within the OMP. A moratorium is a pause on some new development, land use, and construction applications in order for a city to consider new and/or revised development and zoning regulations. The State of Washington grants Cities the authority to adopt a moratorium under RCW 36.70A.390. There were multiple reasons for passing the moratorium, however, the principal purpose is the desire by the City Council to open up more residential capacity in this part of the city.

Following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the Olhava Master Plan can only be amended by property owners (or applicants). Therefore, the city did not have the ability to holistically make changes to the OMP. However, amendments to the underlying zoning text could provide opportunities for property owners to construct additional much needed housing.

The proposed amendments are focused on three items – height increases within specific areas, minor reductions in parking requirements, and strategic revisions to permitted uses. Amendments are proposed for the C-4 Commercial and Business Park zoning districts, which are only found in College Marketplace, along with a very limited amendment to the Residential Low (RL) zoning district for higher education uses.

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 the closing of the public hearing. At the hearing, the public will have an opportunity to provide written and verbal testimony regarding the proposed project.

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. This may be the only opportunity to comment on the environmental impacts of the proposed amendments. Comments related to environmental review must be submitted by Wednesday March 20, 2024.

The Planning Commission Public Hearing is scheduled for a Tuesday March 26th, 2024, at 6:00 pm or soon thereafter. The Planning Commission will make recommendation to the City Council.

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

- [Notice of Application w/Optional DNS and Notice of Public Hearing](#)
- [SEPA Checklist](#)
- Full project documents can be viewed [here](#).

Staff Contact: Nikole Coleman, Senior Planner | ncoleman@cityofpoulsbo.com

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

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

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

Sent by plan&econ@cityofpoulsbo.com powered by



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: Olhava/College Marketplace Code Amendments		Date Prepared: 3/1/24
Name of Applicant: City of Poulsbo	Address: 200 NE Moe Street Poulsbo	Phone: 360.394.9748
Contact: Nikole Coleman	Agency Requesting Checklist: City of Poulsbo	
<p>Proposed timing or schedule (including phasing, if applicable): The Planning Commission held a public workshop on February 26, 2024; a public hearing is scheduled for March 26, 2024. The City Council workshop and public hearing to be held after the conclusion of the Planning Commission review. All meeting dates are subject to change. Public notices for public hearing dates will be issued and published in the City's official newspaper and City's website.</p>		
<p>Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain. No.</p>		
<p>List any environmental information you know about that has been prepared, directly related to this proposal. No specific environmental information has been prepared for this update. Land use applications submitted to the City will be required to be processed under the provisions of Title 19, and may require environmental review when development is proposed, pursuant to SEPA rules.</p>		
<p>Do you know whether applications are pending for governmental approvals or other proposals directly affecting the property covered by your proposal? If yes, explain. Permits will be processed under the current zoning ordinance until new regulations go into effect.</p>		
<p>List any government approvals or permits that will be needed for your proposal, if known. City Council approval.</p>		
<p>Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal.</p> <p>On August 9, 2023, the Poulsbo City Council passed emergency Ordinance No. 2023-11 approving a 12-month development moratorium for vacant undeveloped property zoned Commercial (C-4) and Business Park (BP) within the Olhava Master Plan (OMP). A moratorium is a pause on some new development, land use, and construction applications in order for a city to consider new and/or revised development and zoning regulations. The State of Washington grants Cities the authority to adopt a moratorium under RCW 36.70A.390. There were multiple reasons for passing the moratorium, however, the principal purpose is the desire by the City Council to open up more residential capacity in this part of the city.</p> <p>Following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the Olhava Master Plan can only be amended by property owners (or applicants). Therefore, the city did not have the ability to holistically make changes to the OMP. However, amendments to the underlying zoning text could provide opportunities for property owners to construct additional much needed housing.</p> <p>The proposed amendments are focused on three items - height increases within specific areas, minor reductions in parking requirements, and strategic revisions to permitted uses. Amendments are proposed for the C-4 Commercial and Business Park zoning districts, which are only found in College Marketplace, along with a very limited amendment to the Residential Low (RL) zoning district for higher education uses.</p> <p>Project documents can be viewed here: https://cityofpoulsbo.com/development-regulation-amendments-2/</p>		

Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. Poulsbo is located in Township 26 North, Range 1 East, Willamette Meridian and is located in all or portions of Sections 9, 10, 11, 13, 14, 15, 22, 23, 24, 25, and 26. The updated Ordinance will apply to residentially zoned properties city-wide. The responses provided from this point forward imply city-wide applicability, unless otherwise specified.

B. ENVIRONMENTAL ELEMENTS

Agree Disagree Mitigate

1. Earth

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

2. Air			
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.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
b. Ground:			

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

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

<p>c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any. This is not applicable to this non-project action. Determination will be made at the time specific proposals move forward. Future development will meet the current energy code as identified in the International Building Code.</p>	✓		
7. Environmental Health			
<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. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>1) Describe any known or possible contamination at the site from present or past uses. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<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. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>4) Describe special emergency services that might be required. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>5) Proposed measures to reduce or control environmental health hazards, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
b. Noise			
<p>1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? The city has a typical level of noise expected in an urban environment.</p>	✓		
<p>2) What types of levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>3) Proposed measures to reduce or control noise impacts, if any. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward. Construction noise is regulated in the Poulsbo Municipal Code.</p>	✓		
8. Land and Shoreline Use			
<p>a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. The city has a variety of single-family residential development along with commercial areas, and other uses including multifamily residential, light industrial, institutional, and parks.</p>	✓		

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

9. Housing

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

<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>	✓		
<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>	✓		
<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>	✓		
<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>	✓		
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>	✓		
<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>	✓		
<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>	✓		
<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 proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		
<p>e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. No.</p>	✓		
<p>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.</p>	✓		
<p>g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. This is not applicable to this non-project action. No development is proposed at this time. Determination will be made at the time specific proposals move forward.</p>	✓		

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


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

16. Utilities

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

C. SIGNATURE

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

Signature:  Date Submitted: 3/4/24

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

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

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

Reviewed By Ashley Weller, Assistant Planner

Ashley Weller

3/4/2024



OLHAVA/COLLEGE MARKETPLACE CODE AMENDMENTS

Public Participation Plan

INTRODUCTION

The Olhava Master Plan (OMP) was submitted to the City of Poulsbo in 1995 and approved in 1997. The property is divided by State Highway 3 into a northern 174-acre parcel and a southern 41-acre parcel. Its approval included a 10-year phasing plan to construct a 50,000 square foot Olympic College, 490 residential units, 840,000 square feet of commercial and 325,000 square feet of business park. This area is commonly known today as College Marketplace.

In addition to the OMP, a Development Agreement between the property owners, Olympic College and the City was executed in 2004. Also, that same year, mass grading and infrastructure improvements such as roads, sewer and water were constructed and installed along with the grand opening of Olympic College campus in Poulsbo. Since the opening of Olympic College in 2004, approximately 18 development projects have been approved and constructed beginning with Wal Mart and Home Depot in 2006, with the most recent opening of Chipotle and the first phase of the CMP apartments.

On August 9, 2023, the Poulsbo City Council passed emergency Ordinance No. 2023-11 approving a 12-month development moratorium for vacant undeveloped property zoned Commercial (C-4) and Business Park (BP) within the OMP. A moratorium is a pause on some new development, land use, and construction applications in order for a city to consider new and/or revised development and zoning regulations. The State of Washington grants Cities the authority to adopt a moratorium under RCW 36.70A.390. There were multiple reasons for passing the moratorium, however, the principal purpose is the desire by the City Council to open up more residential capacity in this part of the city.

Following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the Olhava Master Plan can only be amended by property owners (or applicants). Therefore, the city did not have the ability to holistically make changes to the OMP. However, amendments to the underlying zoning text could provide opportunities for property owners to construct additional much needed housing.

The proposed amendments are focused on three items - height increases within specific areas, minor reductions in parking requirements, and strategic revisions to permitted uses. Amendments are proposed for the C-4 Commercial and Business Park zoning districts, which are only found in College Marketplace, along with a very limited amendment to the Residential Low (RL) zoning district for higher education uses.

Project documents can be viewed here: <https://cityofpoulsbo.com/development-regulation-amendments-2/>

PUBLIC AND AGENCY GOALS

- To provide the public with timely information, an understanding of the process, and opportunities to review and comment, and to have those comments forwarded to the City's decision makers.
- Ensure that information about the process is provided to the public early in the process and at regular intervals thereafter, to maximize public awareness and participation in the process.
- Actively solicit information from citizens, property owners and stakeholders about their concerns, questions, and priorities for the future of Poulsbo land uses and the City's Comprehensive Plan.
- Encourage the public to informally review and comment on the amendments 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 participation is an integral part of the planning process. Early and continuous public participation brings diverse viewpoints and values into the decision-making process and enables the city to make more informed decisions. These collaborative efforts build mutual understanding and trust between the city and the public they serve. The goal of this PPP is to provide all residents, property owners, business owners, and other stakeholders, an opportunity to understand and participate in the Land Use Code Amendment process.

COMMUNICATION TOOLS

The following methods may be used as part of the public outreach program to ensure that a broad population is informed and has the opportunity to participate:

- **Website:** The PED Department webpage will house the amendments where interested citizens and community members may visit for status updates, draft documents, official notices, minutes, and project information: <https://cityofpoulsbo.com/development-regulation-amendments-2/>
- **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 amendment progress. Individuals interested in being on the mailing list should email plan&econ@cityofpoulsbo.com and request being placed on the Development Regulations updates e-notice mailing list.
- **Written Comment:** Interested citizens are encouraged to provide comments to the city by letter or email. All comments will be forwarded to the 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
 or plan&econ@cityofpoulsbo.com
- **Attend:** Interested citizens are encouraged to attend and provide verbal comments to the city at the Planning Commission and/or City Council workshops and public hearings.

INFORMATION AVAILABILITY

The proposed amendments are available for public review. The primary repository of all information related to the update is the Planning and Economic Development webpage at <https://cityofpoulsbo.com/development-regulation-amendments-2/> – where draft documents, meeting dates, updates on process, and official notices (notice of application, environmental review, public hearing notices, etc.), will be posted.

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 Seattle Times and posted in the Poulsbo Post Office, Poulsbo Library, and Poulsbo City Hall notice boards.

PUBLIC AND AGENCY REVIEW TIMELINE

TASK	DATE
Initial Release of Proposed Amendments	March 6
Notice of Application with Optional DNS and Planning Commission Public Hearing Issued	March 6
Planning Commission Public Hearing 6 p.m. Council Chambers and via Zoom	March 26
City Council Workshop 5 p.m. Council Chambers and via Zoom	TBD
City Council Public Hearing 5 p.m. Council Chambers and via Zoom	TBD
<i>*All dates and times subject to change, please check the project website for up-to-date information*</i>	

PUBLIC HEARINGS

The Planning Commission and City Council will conduct at least one public hearing each to gather and consider public testimony on the amendments. 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 Seattle Time, 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.

UPDATES

This Public Participation Plan may be revised as needed during this amendment process and activities not anticipated may occur or be added without revision of this plan. Errors in exact compliance with this specific public participation program shall not constitute grounds for invalidation of legislation adopted under the amendment, so long as the spirit of the procedures are observed, unless otherwise provided by state or federal law.