

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2024-09

SUBJECT: Olhava-College Marketplace C4 BP Code Amendments

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 04/24/2024
- Passed by the City Council: 05/01/2024
- Signature of Mayor
- Signature of City Clerk
- Publication: 05/06/2024
- Effective: 05/11/2024
- Recorded: _____

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Kati Diehl
Deputy City Clerk

05/02/2024
Date

ORDINANCE NO. 2024-09

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTIONS 18.70.050, 18.80.020, 18.80.030, 18.80.040, 18.80.080, 18.80.090, 18.80.110, 18.90.010, 18.90.020, 18.90.030, 18.90.040, 18.90.050, 18.90.060, 18.90.070, 18.90.090, 18.250.020, AND 19.20.020 OF THE POULSBO MUNICIPAL CODE ("PMC"); RELATING TO THE C-4 COMMERCIAL AND BUSINESS PARK ZONING DISTRICTS, WHICH ARE ONLY FOUND IN OLHAVA/COLLEGE MARKETPLACE, ALONG WITH AN AMENDMENT TO THE RESIDENTIAL LOW ZONING DISTRICT TO ALLOW INCREASED HEIGHT FOR HIGHER EDUCATION USES; REPEALING ORDINANCE NO. 2023-11; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Olhava Master Plan ("OMP") was submitted to the City of Poulsbo ("City") in 1995 and approved in 1997; and

WHEREAS, the OMP 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, and is commonly known today as College Marketplace; and

WHEREAS, a Development Agreement between the underlying property owners, Olympic College and the City was executed in 2004; and

WHEREAS, on August 9, 2023, the Poulsbo City Council passed emergency Ordinance No. 2023-11 approving a 12-month development moratorium on vacant undeveloped property zoned Commercial (C-4) and Business Park (BP) within the OMP in order to review the OMP to evaluate and consider the maximum square footage amounts, non-residential uses, and analyze opportunities for increasing housing capacity on OMP area's remaining undeveloped parcels in tandem with the City's 2024 Comprehensive Plan update process; and

WHEREAS, City staff held a meeting with impacted property owners on November 30, 2023; and

WHEREAS, following additional research, consultation with the City Attorney, and discussion with impacted property owners, it was determined that the OMP can only be amended by property owners (or applicants); and

WHEREAS, because it was determined that the City cannot amend or revise the OMP, the City desires to repeal Ordinance No. 2023-11 and focus on other options of modify maximum square footage amounts, uses and increased residential capacity; and

WHEREAS, upon review, City staff have determined that the City's stated goal of increasing housing capacity on OMP area's remaining undeveloped parcels could be facilitated by amending the underlying zoning regulations in the Poulsbo Municipal Code to provide opportunities for property owners to construct additional much needed housing; and

WHEREAS, on March 6, 2024, the City of Poulsbo ("City") released the Olhava/College Marketplace Amendments ("OCM Amendments") to the public, distributed to Washington State Department of Commerce and other local, regional, and state agencies, and emailed to the City's Development Regulations interested parties e-notice list; and

WHEREAS, on March 6, 2024, the Notice of Application (NOA), State Environmental Protection Act ("SEPA") Threshold Determination, and Planning Commission Public Hearing notice for the OCM Amendments was published in the Seattle Times, emailed to the NOA, SEPA, Public Hearing, and Development Regulations e-notice lists, posted at the Poulsbo Library, Poulsbo Post Office, City Hall, and the City's website; and

WHEREAS, on March 18, 2024, 2024, the City Planning Staff issued the Planning Commission public hearing staff report regarding the OCM Amendments; and

WHEREAS, on March 26, 2024, the Poulsbo Planning Commission held a duly noticed public hearing on the OCM Amendments; and

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

WHEREAS, on April 17, 2024, a public hearing notice announcing the Poulsbo City Council public hearing on the OCM Amendments was published in the Seattle Times, emailed to the Public Hearing and Development Regulations e-notice lists, posted at the Poulsbo Post Office, Poulsbo Library, City Hall, and the City's website; and

WHEREAS, on April 24, 2024, the City Planning Staff issued the City Council public hearing staff report on the OCM Amendments; and

WHEREAS, the Poulsbo City Council held a duly noticed public hearing on the OCM Amendments on May 1, 2024; and

WHEREAS, after considering the City Planning Staff and Planning Commission recommendations and public testimony received in the public hearing, the Poulsbo City Council desires to approve and to adopt the final version of the OCM Amendments by the passage of this ordinance.

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

Section 1. Findings and Conclusions. In support of the actions taken by this ordinance, the Poulsbo City Council hereby adopts the following as findings and conclusions:

- A. The recitals set forth above;
- B. The findings, conclusions, and analysis contained in the Planning Commission Findings of Fact and Recommendation dated March 26, 2024; and
- C. The findings, conclusions and analysis contained in the City Council Public Hearing Staff Report, dated April 24, 2024.

Section 2. Repeal of Ordinance No. 2023-11. Ordinance No. 2023-11, approved by the Poulsbo City Council on August 9, 2023, establishing a moratorium development of C-4 and BP properties in the Olhava Master Plan is hereby repealed in its entirety.

Section 3. Olhava/College Marketplace Amendments. PMC Sections 18.80.020, 18.80.030, 18.80.040, 18.80.080, 18.80.090, 18.80.110, 18.250.020, AND 19.20.020 are hereby amended as set forth in Exhibit A to this ordinance and incorporated herein.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener’s/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

Section 6. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:

DocuSigned by:

77AA4B38C18A4BA...
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:

D21DA14DCC754A8
CITY CLERK RHIANNON FERNANDEZ

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

BY 
833D0DC77F3647E...
EMILY F. ROMANENKO

FILED WITH THE CITY CLERK: 04/24/2024
PASSED BY THE CITY COUNCIL: 05/01/20204
PUBLISHED: 05/06/2024
EFFECTIVE DATE: 05/11/2024
ORDINANCE NO. 2024-09

SUMMARY OF ORDINANCE NO. 2024-09
of the City of Poulsbo, Washington

On the 1st day of May, 2024, the City Council of the City of Poulsbo, passed Ordinance No. 2024-09. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTIONS 18.70.050, 18.80.020, 18.80.030, 18.80.040, 18.80.080, 18.80.090, 18.80.110, 18.90.010, 18.90.020, 18.90.030, 18.90.040, 18.90.050, 18.90.060, 18.90.070, 18.90.090, 18.250.020, AND 19.20.020 OF THE POULSBO MUNICIPAL CODE ("PMC"); RELATING TO THE C-4 COMMERCIAL AND BUSINESS PARK ZONING DISTRICTS, WHICH ARE ONLY FOUND IN OLHAVA/COLLEGE MARKETPLACE, ALONG WITH AN AMENDMENT TO THE RESIDENTIAL LOW ZONING DISTRICT TO ALLOW INCREASED HEIGHT FOR HIGHER EDUCATION USES; REPEALING ORDINANCE NO. 2023-11; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 1st day of May, 2024.

DocuSigned by:
Rhiannon Fernandez
D21DA14DCC754A8
CITY CLERK RHIANNON FERNANDEZ

City Council Public Hearing | May 1, 2024Initial staff proposed amendments are shown in red underline and ~~strikethrough~~.Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.City Council proposed amendments are shown in blue 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
<u>Automobile sales, service, parts or rental establishment</u>	X	X	P	P	P
Building with drive-through facility ¹	AC	X	P	P	P

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 Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.
 City Council proposed amendments are shown in blue underline and ~~strikethrough~~.

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) ¹	P	P ³	P	P	P
Pharmacies and medical supplies	P	P	P	P	P
Regional retail, large-size <i>50,001 square feet or larger</i>	X	X	X	P	P
Regional retail, mid-size <i>50,000 square feet or less</i>	X	X	P	P	P
Rentals, equipment	X	X	AC	AC	AC ^Z
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
Professional services	P	P ³	P	P	P

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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
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

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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

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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
Planned mixed-use developments (PMUD) ⁴	X	X	P	P	P X
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 AC
Utility facilities and utility system	AC	X	P	P	P
Wireless communication facilities exceeding 21' in height	X	X	AC C	C	AC C
Co-location on existing facility or structure	P C	P C	P AC	AC	P AC
Wireless communication facilities 20' or less in height, including co-location on existing facility or structure	P AC	P AC	P AC	AC	P AC
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	C P
Self-serve mini-storage ¹	X	X	P	X ⁵	X P
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. ⁷ <u>In an enclosed building only.</u>					

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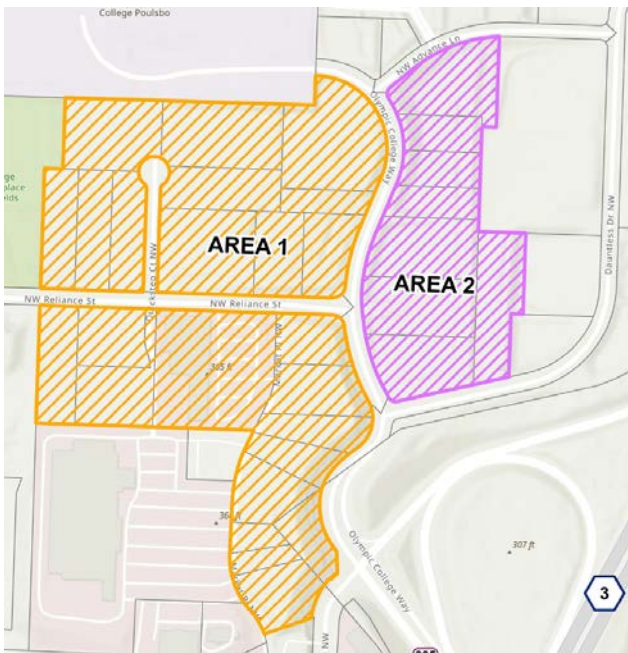
18.80.040 Development standards for commercial districts.

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
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> <u>35'⁵</u>
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-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.



1. .

Initial staff proposed amendments are shown in red underline and ~~strikethrough~~.
Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.
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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 Pouslbo 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.

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 Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.
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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.

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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.
 - i. Two or more bedrooms: two spaces per dwelling unit, except for the C-4 zoning district, which shall be 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. Supportive housing: one per four regular beds (or units), plus one space for every full-time employee on the 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 for every two employees on the largest shift, plus one space per seven children and adequate provision for loading and unloading.
 - 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.
- 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.

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Chapter 18.250 | PLANNED MIXED USE DEVELOPMENTS

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.

Chapter 19.20 | APPLICATION CLASSIFICATION

19.20.020 Permit application classification

Permit Type	Process Type	Review Authority
Planned mixed use development (PMUD), no subdivision	II	PD
Planned mixed use development (PMUD), with subdivision	III	HE

City Council Public Hearing | May 1, 2024Initial staff proposed amendments are shown in red underline and ~~strikethrough~~.Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.City Council proposed amendments are shown in blue 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 Poulso Municipal Code: <https://www.codepublishing.com/WA/Poulsbo/>. Full project review documents can be viewed on the project website: <https://cityofpoulsbo.com/development-regulation-amendments-2/>.*

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 Poulso. 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 Poulso'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.

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- 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	<i>X unless associated in support of a permitted vehicle fleet use</i>
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

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Table 18.90.030 Business and Employment District Uses

USE	OCI	BP	LI
Food and drink where manufactured and sold on premises (<i>on-premises tasting room, restaurant, and/or retail sales limited to <u>50%</u> 25% of gross square footage</i>)	AC	AC	AC
Nursery/landscaping materials retail sales	AC	P	X
Wholesale product showrooms	P	P	AC
Light Industrial			
Equipment rental	AC	AC ⁴	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 AC	AC -P
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 AC	X AC	P
b. Storage yards occupying more than 10,000 square feet	X	X AC	AC

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Table 18.90.030 Business and Employment District Uses

USE	OCI	BP	LI
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
Self-serve mini-storage	X	AC ³	P
Truck and freight transportation services	X	X C	AC
Warehousing, product distribution, and wholesale trade	X	AC	P
Residential			
<u>Mixed-use structure</u> ¹ Dwelling units above nonresidential uses (mixed-use structures) (Nonresidential uses must be located on ground level or first floor if ground level is parking)-	P	P	AC
<u>Planned Mixed Use Development (PMUD)</u> ²	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	P ³	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	AC ⁴	P
Public administration office and services	P	P	P
Public parks	P	P	P
Solid waste transfer facilities	X	X C	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 C	AC C	AC C
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

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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 <u>C</u>	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 <u>Subject to standards in Section 18.80.080 J.</u> ² <u>Subject to standards in Section 18.80.090.</u> ³ <u>When associated with a mixed-use structure or PMUD.</u> ⁴ <u>In an enclosed building only.</u>			

18.90.40 Development standards.

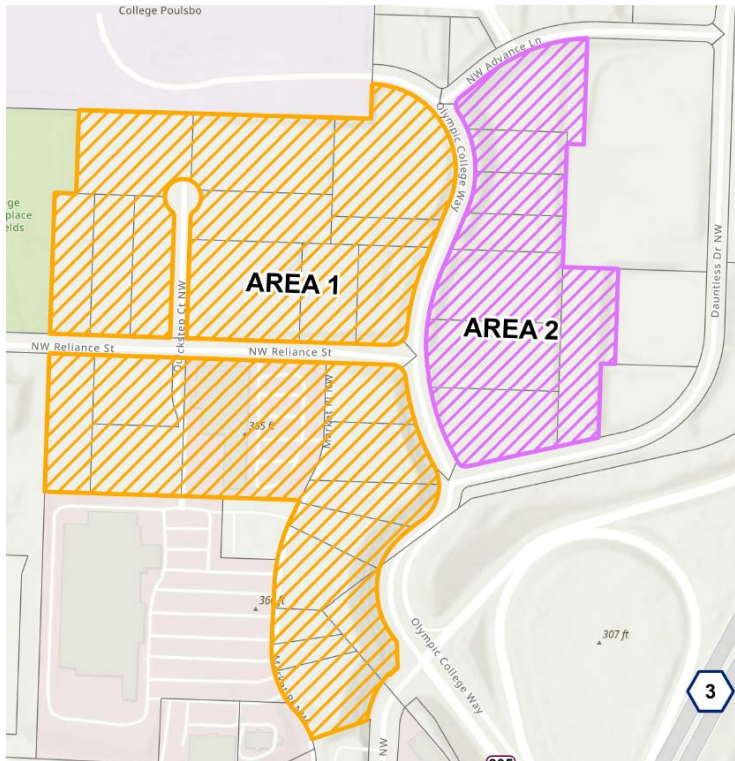
For development standards, see Table 18.90.040 below.

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 35' <u>25'</u> in height, to a maximum setback requirement of 20' <u>40'</u> .
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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18.90.050 Site planning and design.

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:

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- ~~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.~~
 - ~~d. 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.

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- 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.

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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,

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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.

Initial staff proposed amendments are shown in red underline and ~~strikethrough~~.
Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.
City Council proposed amendments are shown in blue underline and ~~strikethrough~~.

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.

City Council Public Hearing | May 1, 2024Initial staff proposed amendments are shown in red underline and ~~strikethrough~~.Planning Commission proposed amendments are shown in purple underline and ~~strikethrough~~.City Council proposed amendments are shown in blue 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 18.70 | 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(I) 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.	

City of Poulsbo

Planning & Economic Development



OLHAVA/COLLEGE MARKETPLACE CODE AMENDMENTS STAFF REPORT AND RECOMMENDATION

To: Mayor Erickson and Poulsbo City Council
From: Nikole Coleman, Senior Planner
Subject: Olhava/College Marketplace Code Amendments
Date: April 19, 2024

The Planning Commission and 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 (approve) (approval with modifications) Application No. P-03-01-24-01, the Olhava/College Marketplace Code Amendments, as identified in Exhibit A to this staff report, and repeal the development moratorium (Ord. No. 2023-11),

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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
City Council Public Hearing:	May 1, 2024
Staff Contact:	Nikole Coleman, Senior Planner ncoleman@cityofpoulsbo.com

2.0 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 D).

On March 26, 2024, the Planning Commission held a duly noticed public hearing and after considering the testimony received at the public hearing, the Planning Commission voted to recommend approval to the Poulsbo City Council and adopted findings of fact in support of their decision (Exhibit E).

On April 10, 2024, the City Council held a workshop on these amendments and following discussion, set the public hearing for May 1, 2024.

On April 17, 2024, a public hearing notice announcing the City Council Public Hearing was published in the Seattle Times and posted at the Poulsbo Post Office, Public Library and City Hall and the City's website; and emailed to the public hearing and development regulations e-notice list (Exhibit F).

No public comments have been received to date.

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. Impacted property owners are those who own vacant properties in the C-4 or BP zoning district. The agenda included a history of the Olhava Master Plan and developments, current development standards, and proposed changes. The two-hour meeting allowed for discussion and brainstorming regarding uses, height, and parking.

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 Proposed Amendments

Initial staff proposed amendments are represented as [red underline](#) and [red strikeout](#). The Planning Commission, in its role as the City's primary land use advisory committee, identified additional modifications to the staff proposed amendments. The Planning Commission modifications are shown in [purple underline](#) and [strikeout](#). City Council modifications are shown in [blue underline](#) and [strikeout](#).

The proposed amendments will simultaneously amend the Poulsbo Municipal Code and repeal the moratorium (Ord. No. 2023-11). Adoption of these regulations will complete the moratorium workplan.

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 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: Planning Commission and staff respectfully recommend approval for the proposed Olhava/College Marketplace Code Amendments.

7.0 City Council Public Hearing, May 1, 2024

The City Council Public Hearing is scheduled for **Wednesday, May 1, 2024**, at 5:00 pm, or soon thereafter. Public hearings are being held as a hybrid virtual/in-person meeting at the web address and call-in number noted below and at Poulosbo City Hall Council Chambers, 200 NE Moe Street, Poulosbo, Washington. This call-in number: 1-253-215-8782 and meeting id: 898 4841 6447 are provided for virtual attendance, in addition to this webinar link: <https://us02web.zoom.us/j/89848416447>. Oral comments can be made in-person. Please state your name and limit your comments to 5 minutes unless additional time is granted by the Council. As a rule, the Council will not respond to citizen comments. Written comments can be emailed to cityclerks@cityofpoulosbo.com by 2:00 p.m. the day of the meeting, and they will be distributed to the Council before the meeting. Written comments will not be read into the record.

PROPOSED MOTION:

MOVE to (approve) (approval with modifications) Application No. P-03-01-24-01, the Olhava/College Marketplace Code Amendments, as identified in Exhibit A to this staff report, and repeal the development moratorium (Ord. No. 2023-11),

8.0 Exhibits

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