

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2019-06

SUBJECT: Farmers Market Limited Zoning Amendments

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 03/27/19
- ☒ Passed by the City Council: 04/03/19
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 04/12/19
- ☒ Effective: 04/17/19
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: 04/05/19
- ☒ Code Publishing
- ☐ City Attorney
- ☒ Clerk's Department: Original
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
- ☐ _____

Rhiannon Fernandez
City Clerk

04/05/19
Date

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTIONS 18.70.030 AND 18.70.070 OF THE CITY OF POULSBO MUNICIPAL CODE IN ORDER TO PERMIT THE FARMERS MARKET TO CONTINUE IN ITS CURRENT LOCATION; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on January 25, 2019, the City released the Draft Farmers Market Limited Zoning 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 January 25, 2019, the Notice of Application (NOA) and SEPA Threshold Determination was published in the North Kitsap Herald, emailed to the NOA, SEPA and Development Regulations interested parties e-notice list, posted at the Poulsbo Library, Poulsbo Post Office, City Hall, and the city's website; and

WHEREAS, on March 8, 2019 a public hearing notice announcing the Poulsbo Planning Commission public hearing was published in the North Kitsap Herald, emailed to the public hearing and Development Regulations e-notice list; posted at the Poulsbo Library, Poulsbo Post Office, City Hall and the City's website; and

WHEREAS, on March 26, 2019, the Planning Commission held a duly noticed public hearing on the Farmers Market Limited Zoning Amendments; and

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

WHEREAS, on March 15, 2019 a public hearing notice announcing the Poulsbo City Council Public Hearing was published in the North Kitsap Herald, emailed to the public hearing and Development Regulations e-notice list, posted at the Poulsbo Library, Poulsbo Post Office, City Hall, and the City's website; and

WHEREAS, the City Planning Staff issued a City Council public hearing staff report on March 27, 2019; and

WHEREAS, the Poulsbo City Council held a duly noticed public hearing on the Farmers Market Limited Zoning Amendments on April 3, 2019; and

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

**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; and
- C. The findings, conclusions and analysis contained in the City Council Public Hearing Staff Report, dated March 27, 2019.

Section 2. Farmers Market Limited Zoning Amendments Adopted. Poulsbo

Municipal Code sections 18.70.030 and 18.70.070 are hereby amended as set forth in Attachment A to this ordinance.

Section 3. 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 4. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



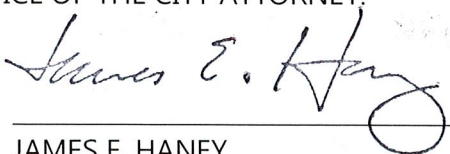
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:


BY _____
JAMES E. HANEY

FILED WITH THE CITY CLERK: 03/27/19
PASSED BY THE CITY COUNCIL: 04/03/19
PUBLISHED: 04/12/19
EFFECTIVE DATE: 04/17/19
ORDINANCE NO. 2016-06

SUMMARY OF ORDINANCE NO. 2019-06

of the City of Poulsbo, Washington

On the 3rd day of April, 2019, the City Council of the City of Poulsbo, passed Ordinance No. 2019-06. 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 18.70.030 AND 18.70.070 OF THE CITY OF POULSBO MUNICIPAL CODE IN ORDER TO PERMIT THE FARMERS MARKET TO CONTINUE IN ITS CURRENT LOCATION; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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

DATED this 3rd day of April, 2019.

CITY CLERK RHIANNON FERNANDEZ

RED UNDERLINE = STAFF RECOMMENDED
 BLUE UNDERLINE = PLANNING COMMISSION RECOMMENDED
 PURPLE UNDERLINE AND STRIKETHROUGH = CITY COUNCIL AMENDMENTS

PMC 18.70.030 Uses.

Table 18.70.030 Residential District Uses			
	RL	RM	RH
OTHER			
Agriculture, current use/conservation futures (as defined in Chapter 18.40)	P	P	P
Cemeteries	C	C	C
Clubs, lodges and charitable institutions, new freestanding structures or existing building(s) 5,001 square feet or larger	C	C	C
Clubs, lodges, charitable institutions and similar uses, under 5,000 square feet and within an existing building(s)	C	AC	AC
<u>Farmers market (see Section 18.70.070(L))</u>	<u>P</u>	<u>P</u>	<u>P</u>
Places of worship, new freestanding structures and existing building(s) 5,001 square feet or larger	C	C	C
Places of worship, under 5,000 square feet and within an existing building(s)	C	AC	AC
Privately owned amusement, sports or recreation establishments, such as marina, country clubs and golf courses, but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), race track, amusement park, or gun club	C	C	C

PMC 18.70.070 Additional standards and provisions for R zoning districts.

L. Farmers Market. A farmer's market is an indoor and/or outdoor retail market open to the public consisting of three or more independent vendors, with each vendor operating independently from other vendors and subleasing booths, stalls or tables for the purpose of providing services, selling farm-grown or home-grown produce, food, flowers, plants or other similar perishable goods, and/or new wares, used goods or merchandise, which operates for a minimum of 6 months per year.

1. Farmers markets shall be limited to those run by nonprofit community organizations. "Nonprofit community organizations" are hereby defined to mean: bona fide nonprofit organizations recognized by the United States Internal Revenue Service as a charitable institution exempt from taxation under Section 503(C) of the Internal Revenue Code and whose principal offices or meeting place is located within the city of Poulsbo.
2. Minimum site location shall be ~~5~~2-acres.
3. The market shall provide 1.50 parking spaces per vending booth. Off-site parking may be permitted for vendors. Customer parking shall be provided on site.
4. All litter, food, merchandise, signs, tents, tables or any other physical items associated with the market must be removed from the premises at the end of each market day.
5. The market must conform to the Sign Code, Chapter 18.170, particularly as it relates to sandwich boards, banners, temporary signs and prohibited signs. Please be aware that some signs will require a permit.
6. A farmers market permit is required and will be processed as a Type I permit pursuant to Title 19. The application shall be accompanied by a complete site plan containing the following information:
 - a. Designated vendor space;
 - b. Vendor and customer parking and circulation;
 - c. Vehicle entrance /exit location(s);
 - d. Pedestrian circulation;
 - e. Setbacks from property lines and existing structures;

- f. Proposed temporary structures;
 - g. Size and location of waste receptacles;
 - h. Size, location, and proposed screening for bathroom facilities; and
 - i. Property owner notarized signature page.
7. Any entity having a Farmer's Market must obtain all necessary state, county, health and other applicable permits, licenses and vendor numbers for that specific use and location.
8. Sales by farmers or gardeners of their own farm products raised and grown exclusively upon lands owned or occupied by them and sold upon lands owned or occupied by them shall be exempt from the licensing provisions