***NOTE: N**ot 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 Poulsbo 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 19.50 | PUBLIC NOTICES

19.50.010 Purpose.
19.50.020 Notice of application.
19.50.030 Notice of public meeting.
19.50.040 Notice of public hearing.
19.50.050 Public notice sign ~~hearing board posting~~.
19.50.060 Notice of decision.
19.50.070 Provisions for all notices.

19.50.020 Notice of application.

A. Timing. A notice of application for Type II, III, applicant initiated IV, and V permit applications shall be provided within fourteen calendar days of the technically complete determination. A notice of application issuance for city-initiated Type IV applications shall be at such time as determined appropriate by the planning director.

B. Content. The complete notice of application shall include the following:

1. The file number assigned.
2. The date of counter complete application, date of notice of technical completion, and the date of the notice of application.
3. The description of the proposed project, a list of other permits included with the application, and, if applicable, a list of requested studies.
4. The name of the applicant or applicant's representative.
5. The name of the property owner.
6. A map showing the subject property in relation to other properties.
7. The zoning of the proposed project.
8. Identification of permits not included with the application, to the extent known by city staff.
9. A statement that the minimum public comment period shall be fourteen calendar days.
10. 1A statement of the rights of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision and any appeal rights.
11. The designation of the review authority.
12. The date, time, place and type of hearing, if known and scheduled at the date of notice of application.
13. A statement of the preliminary determination, if one has been made at the time of the notice, and of those development regulations that will be used for project mitigation and which regulations the application appears to comply with.
14. Name and contact information of the city representative to contact about the application.
15. Any other information determined appropriate by the city, such as the city's SEPA threshold determination consistent with Chapter 16.04, if complete at the time of issuance of the notice of application.

C. Distribution.

1. Publication. A summary notice of application shall be published in a newspaper of general circulation. The summary notice of application shall include the following:

a. Project name and location.
b. Description of proposed project.
c. Type of permit.
d. Minimum comment period dates.
e. Location where the technically complete application and full notice of application may be reviewed.
f. City representative contact information.

2. Mailing. Mailing of the summary notice of application shall be:
   a. Made to:
      i. Owners as identified by the Kitsap County assessor of property within three hundred feet of the project site. The records of the Kitsap County assessor's office shall be used for determining the property owner of record. If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
      ii. Applicant and applicant's representative.
      iii. Any person who has requested such a notice.
      iv. Agencies with jurisdiction.
      v. Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
      vi. When email addresses are known for parties identified to receive a notice of application, an email with the notice of application attached may suffice to meet the mailing requirement.
   b. Considered supplementary to the complete posted notice of application (per subsection B of this section).
   c. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.

3. Posting.
   a. The complete notice of application shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of application shall also be posted on the city's website.
   b. The subject site shall be posted with the notice of application on the public notice sign as set forth in Section 19.50.050.

4. Responsibility for Notice. The planning director is responsible for providing published legal notices, mailed notice, posted notice in public buildings and on the city's website. The applicant is responsible for complying with on-site notice requirements as set forth in Section 19.50.050.

D. Public Comment.

1. For Type II permit applications, the notice of application shall state that the minimum public comment period shall be fourteen calendar days, and that no decision shall be issued prior to the expiration of the minimum public comment period.

2. For Type III, IV and V permit applications, the notice of application shall state that the minimum public comment period shall be fourteen calendar days, and that public comments will be accepted at any time prior to the closing of the open record hearing.

3. Public comments should be as specific as possible and submitted to the city as early in the review of an application as possible.

4. The planning director may accept and respond to public comments at any time prior to making the Type II, III, IV or V recommendation or decision. Any comments received shall be forwarded to the review authority, applicant or applicant's representative and any person who requests a copy.

5. If the optional determination of nonsignificance (DNS) process is used as described in Chapter 16.04 and WAC 197-11-355, the planning director shall combine the notice of application and DNS comment periods. When a final DNS is issued, there is no additional SEPA comment period.
6. Public comments may be mailed, emailed, personally delivered, or sent by facsimile to the city.

E. Integration of Notice.

1. SEPA. An issuance of a determination of significance (DS) and the optional DNS process may be combined with the issuance of the notice of application, as set forth in RCW 36.70B.110 and Chapter 16.04.
    a. If the optional DNS process is not utilized, the responsible official may not issue a SEPA threshold determination until the expiration of the minimum public comment period identified in the notice of application.
2. Open Record Public Hearing. When required, the public hearing notice as set forth in Section 19.50.040 may be integrated with the notice of application; provided, that the public hearing must be held no earlier than fifteen calendar days after the issuance of the notice of application.

19.50.030 Notice of public meeting.

A. At least seven calendar days before the date of the public meeting for Type III permit application before the planning commission, a complete notice of public meeting shall be issued by the city and include the following information:

1. The date of the public meeting and that the meeting is before the planning commission.
2. A statement that this is a public meeting, but there will be an opportunity to provide written and verbal testimony to the planning commission regarding the proposed project.
3. The time and place of the meeting.
4. Identification of property and application(s) under review.
5. Brief description of the proposed project.
6. Identification of review authority.
7. Information on examination of file and city contact information.

B. The summary notice of public meeting will be:

1. Mailed to:
    a. Owners, as identified by the Kitsap County assessor, of property within three hundred feet of the project site. The records of the Kitsap County assessor's office shall be used for determining the property owner of record. If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
    b. Applicant and applicant's representative.
    c. Any person who established themselves as a party of record, has requested such a notice, or submitted written comments on the application.

    Agencies with jurisdiction.

    d. Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
    e. When email addresses are known for parties identified to receive a notice of public meeting, an email may suffice to meet the mailing requirement.
2. Considered supplementary to the complete posted notice of public meeting (per subsection A of this section).
3. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.

C. Posting.

1. The complete notice of public meeting shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of public meeting shall also be posted on the city's website.
2. The subject site shall be posted with the notice of public meeting on the public notice sign as set forth in Section 19.50.050.

D. Responsibility for Notice. The planning director is responsible for providing published legal notices, mailed notice, posted notice in public buildings and on the city's website. The applicant is responsible for complying with on-site notice requirements as set forth in Section 19.50.050.

19.50.040 Notice of public hearing.

A. Issuance. At least fourteen calendar days before the date of a public hearing for a Type III, IV or V permit application, a complete notice of public hearing shall be issued by the city and include the following information:

1. The date of the public hearing, and who the public hearing is before (e.g., hearing examiner, planning commission or city council).
2. The time and place of the hearing.
3. Identification of property and application(s) under review.
4. Brief description of the proposed project.
5. A statement of any threshold determination made under SEPA (Chapter 43.21C RCW).
6. Map depicting the subject property in relation to other properties.
7. The place and time where information about the application may be examined, and the name and information of the city representative to contact about the application.
8. A statement that the notice is intended to inform potentially interested parties about the hearing and to invite interested parties to appear or provide written statement at the public hearing.
9. A statement of when and where a staff report will be available for review.

B. Distribution.

1. Publication. The summary notice of public hearing shall be published in a newspaper of general circulation.
2. Mailing. Mailing of the summary notice of public hearing shall be:
    a. Made to:
        i. Owners as identified by the Kitsap County assessor of property within three hundred feet of the project site. The records of the Kitsap County assessor's office shall be used for determining the property owner of record. If the applicant is the owner of immediately adjacent property, notice under this section shall be given to property owners three hundred feet from any portion of the adjacent property owned by the applicant.
        ii. Applicant and applicant's representative.
        iii. Any person who established themselves as a party of record, has requested such a notice, or submitted written comments on the application.
        iv. Agencies with jurisdiction.
        v. Other persons, agencies or organizations which the planning director believes may be affected or interested in the proposed project.
        vi. When email addresses are known for parties identified to receive a notice of public hearing, an email with the notice attached may suffice to meet the mailing requirement.

b. Considered supplementary to the complete posted notice of public hearing (per subsection A of this section) and a map depicting the subject property in relation to other properties is not required to be included.

c. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.

3. Posting.

a. The complete notice of public hearing shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The complete notice of public hearing shall also be posted on the city's website.

b. The subject site shall be posted with ~~at least one copy of~~ the notice of public hearing on a public notice sign ~~board~~ as set forth in Section 19.50.050.

C. Responsibility for Notice. The planning director is responsible for providing published legal notices, mailed notice, posted notice in public buildings and on the city's website. The applicant is responsible for complying with on-site notice ~~of public hearing posting~~ requirements as set forth in Section 19.50.050.

19.50.050 Public notice sign ~~hearing board posting~~.

For type II and III applications, applicants shall post one or more signs on the subject property giving public notice of a proposed action as set forth in this section.

A. The applicant shall provide for and erect public notice sign by the commencement of the notice of application per Section 19.50.020.

1. An affidavit of posting, which shall include the posted notice, date and location of posting, and the notarized signature of the person responsible for the posting, shall be submitted to the planning director prior to the end of the notice of application comment period. If an affidavit is not filed as required, any scheduled date by which the public may comment on the application may be postponed or extended until there is compliance with the notice requirement. The fees associated with re-noticing shall be charged to the applicant.

B. The signs shall be designed and constructed to City standards. The Planning Director is authorized to develop the standards for the public notice signs necessary for implementation of this section.

C. One public notice sign shall be required per street frontage. Signs shall be located on the site of the proposed action, set back at least 10 feet from a public right-of-way or private road or easement as applicable, and shall be situated to maximize readability by the public from public rights-of-way.

D. The applicant shall update the public notice sign when a substantial change to the project which requires a reissue of the notice of application per Section 19.50.020, An updated affidavit of posting shall be submitted to the planning director within fourteen calendar days.

E. The signs shall not be removed until the City has taken action on the application and the time for filing an appeal of that action has expired. Removal of the public notice sign shall be made by the applicant no later than fourteen calendar days from expiration of the appeal period.

~~A. Public hearing board posting shall be made for permit applications requiring a public hearing. The public hearing notice board shall include the content as set forth in Section 19.50.040(A) and shall be placed by the applicant.~~

~~B. One public hearing board is required and shall be placed on the site for maximum visibility from a public street or public area. Additional notice boards may be required by the planning director when:~~

~~1. The site does not abut a public street.~~

~~2. The site is large and abuts more than one public street.~~

~~3. The planning director determines that additional notice boards are necessary to provide adequate public notice.~~

~~C. An affidavit of posting, which shall include an attached photo of the posted notice, date and location of posting, and the notarized signature of the person responsible for the posting, shall be submitted to the planning director at least fourteen days prior to the public hearing. If an affidavit is not filed as required, any scheduled hearing or date by which the public may comment on the application shall be postponed or extended until there is compliance with the notice requirement.~~

~~D. A public hearing board shall be maintained in good condition by the applicant.~~

~~E. A public hearing board shall remain posted throughout the public hearing process until the hearing is closed and complete. Removal of the board prior to the end of the required time period shall cause the application to be placed on hold until the hearing board is replaced and remains in place.~~

~~F. A public hearing board shall be provided by the city for a reasonable fee, or be constructed and installed in accordance with specifications provided by the planning director.~~

~~G. Removal of the public notice board shall be made by the applicant no later than seven calendar days from the issuance of notice of decision.~~

19.50.060 Notice of decision.

A. Within seven calendar days after a final decision on a Type I, II, III, IV or V permit application has been made by the applicable review authority, a notice of decision shall be issued.

B. Content. The notice of decision shall include the following information:

1. The project name, file number, permit application type, date of decision, date of the notice of decision issuance, and review authority.
2. The name of the application and a description of the project.
3. The site location and map.
4. The applicable municipal code criteria for review.
5. A statement of the review authority conclusion and decision.
6. A statement that the decision and any SEPA determination are final.
7. A statement that the decision may be appealed and a brief description of appeal procedures.
8. A statement that the complete case file, including conditions of approval, is available for review. The notice shall list the place the case file is available and the name and contact information of the city representative to contact about reviewing the case file.
9. For shoreline permits, a statement that construction shall not begin until twenty-one calendar days from the date of the notice of decision, or as otherwise set forth in Chapter 16.09.

C. Distribution.

1. The notice of decision shall be distributed to:
    a. Applicant, property owner, and/or authorized representative;
    b. Any persons who commented in writing or testified at a public hearing on the proposed project and which contact information is known;
    c. Any other parties of record.
2. When email addresses are known for parties identified to be mailed a notice of decision, an email with the notice of decision attached may suffice to meet this requirement.
3. The notice of decision may be distributed to other persons, agencies or organizations which the planning director believes may be affected or interested in the permit application.
4. Posting. The notice of decision shall be posted at designated locations at City Hall, the Poulsbo Post Office, and the Poulsbo Library. The notice of decision shall also be posted on the city's website. Although not required, it is recommended that the notice of decision be posted to the public notice sign.