



**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF POULSBO**

**FINDINGS, CONCLUSIONS AND DECISION
APPROVING
“DAUNTLESS TOWNHOMES”
CONDITIONAL USE PERMIT, SITE PLAN REVIEW, DESIGN REVIEW,
AND UNIT LOT SUBDIVISION APPLICATIONS**

APPLICANT/OWNER: JIM C. LAUGHLIN, LAUGHLIN DEVELOPMENT, LLC, BAINBRIDGE ISLAND, WA

LOCATION/TAX PARCEL NUMBER: THE PROJECT SITE IS AN APPROXIMATELY 1.83-ACRE PARCEL LOCATED AT 21900 DAUNTLESS DRIVE NW, IN POULSBO, WASHINGTON, ON TAX PARCEL NO. 102601-1-042-2001. THE PROPERTY IS LOCATED WITHIN THE OLHAVA MASTER PLAN AREA AND IS DESIGNATED “BUSINESS PARK”. THE SITE IS CURRENTLY VACANT

APPLICATION: CONDITIONAL USE PERMIT, SITE PLAN REVIEW, DESIGN REVIEW, AND UNIT LOT SUBDIVISION TO AUTHORIZE AND FACILITATE DEVELOPMENT OF SIXTEEN TOWNHOME DWELLING UNITS IN EIGHT DUPLEX-STYLE RESIDENTIAL BUILDINGS, WITH ASSOCIATED PARKING, LANDSCAPING, RECREATIONAL AMENITIES, PRIVATE STREETS AND PEDESTRIAN FACILITIES, WATER, SEWER, STORMWATER AND OTHER UTILITY IMPROVEMENTS, AND CREATION OF SIXTEEN FEE-SIMPLE RESIDENTIAL LOTS THROUGH THE UNIT LOT SUBDIVISION PROCESS, CONSOLIDATED INTO A SINGLE REVIEW AND HEARING PROCESS BEFORE THE CITY’S HEARING EXAMINER, ASSIGNED PLANNING FILE NO. P-02-06-26-01.

SUMMARY OF DECISION: *APPROVED*, SUBJECT TO CONDITIONS

DATE OF DECISION: AUGUST 11, 2026

I. CONTENTS OF RECORD

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing, are maintained by the City of Poulsbo, in accord with applicable law.

Exhibits:

Exhibit	Description
1	Dauntless Townhomes Staff Report, dated June 16, 2026
2	Conditional Use Permit Application form
3	Proposed Unit Lot Subdivision Drawing
4	Site Plan Drawing
5	Building Elevations and Design Narrative
6	Lighting Plan
7	Landscaping Plans
8	Wetland Review by BGE Environmental LLC (10/6/25)
9	Storm Drainage Report by Seabold Engineering LLC (1/6/26)
10	Geotechnical Engineering Investigation by Krazan Associates (10/6/22)
11	Trip Generation Assessment by Heath and Associates (12/2025)
12	Notice of Application with Optional DNS and Noticing Materials
13	SEPA Environmental Checklist and Threshold Determination
14	Staff Report Addendum dated July 1, 2026
15	Planning Commission Findings of Fact, Conclusion and Recommendation
16	Planning Commission Meeting Minutes
17	SEPA Determination – Affidavit of posting
18	Notice of Public Hearing – Affidavits of mailing, publishing, and posting
19	Updated Conditions of Approval
20	Dauntless Townhomes Public Hearing, Staff's slide presentation, July 16, 2026

Testimony/Comments:

The public hearing for this matter occurred on July 16, 2026, in Council Chambers at Poulsbo City Hall, where all witnesses were sworn in by the Examiner and provided testimony under oath, including the following individuals. The hearing notice invited written and oral testimony concerning all four consolidated applications. (*Ex. 18; audio recording of public hearing*).

*Findings, Conclusions and Decision Approving
Dauntless Townhomes Consolidated Project Applications –
File No. P-02-06-26-01.*

1. Ashley Weller, Assistant Planner for the City of Poulsbo who coordinated review of the project and prepared the Staff Report, summarized the proposal, its history within the Olhava Master Plan area, the consolidated land use approvals before the Examiner, the applicable review criteria, SEPA review, Planning Commission recommendation, and Staff's recommended conditions of approval. Ms. Weller utilized the slide presentation admitted as Exhibit 20 and recommended approval subject to the updated Conditions of Approval. (*Staff Report; Ex. 20*).

2. Don Washburn, of the City's Public Works Department engineering division, summarized Public Works' review of engineering and infrastructure issues associated with the proposal, all of which are also addressed in the Staff Report, supporting exhibits, and updated Conditions of Approval. His review and testimony focused upon roads and circulation, water, sewer, stormwater, utilities, and solid-waste service. (*Staff Report; Ex. 19; Testimony of Mr. Washburn*).

3 and 4. Jim Laughlin and Ian Laughlin, on behalf of the applicant, Laughlin Development, accepted the Staff Report analysis and proposed Conditions of Approval as written and did not request that any recommended condition be deleted or modified. They also responded to questions from the Examiner intended to clarify features depicted on the project site-plan illustrations. (*Testimony of Messrs. Laughlin*).

No one appeared at the public hearing, either in person or remotely, to question or oppose the project, and no written comment was submitted questioning or opposing the pending applications. The earlier Notice of Application comment period likewise generated no public comments, and no comment or appeal was filed challenging the City's SEPA determination. (*Staff Report, pp. 20-21; Exs. 17-18; Testimony of Ms. Weller*).

II. APPLICABLE LAW

Jurisdiction, Consolidated applications.

A Conditional Use Permit application is processed as a Type III permit application. The Conditional Use Permit, Site Plan Review, Unit Lot Subdivision, and associated Design Review have been consolidated for an open record public hearing before the Hearing Examiner. The Hearing Examiner is the review authority under PMC Table 19.20.020 and makes the final decision after receiving the Planning Commission recommendation and conducting the open record public hearing. (*PMC Title 19; PMC 19.40.040(F); Ex. 20*).

Criteria for Approval of the Conditional Use Permit.

The City's approval criteria for a Conditional Use Permit are found in PMC Chapter 18.230. The Staff Report quotes and applies the four criteria governing approval: material detriment, compatibility, adequacy of public facilities, and compliance with applicable code requirements. (*Staff Report, pp. 6-7*).

Requirements for Design Review.

Design Review is governed by PMC Chapter 18.120 and occurs concurrently with the underlying land use permit review. The code requires submission of complete building elevations, a schematic color and material palette, prospective drawings or other representative graphics, and conceptual profiles of site elements such as lighting, signage, equipment screening, paving, and bicycle and pedestrian fixtures. The review authority is the same as for the associated land use permit. (*Staff Report, pp. 17-18*).

Criteria for Approval of Site Plan Review.

The City's Site Plan Review criteria are found in PMC Chapter 18.270. The Staff Report identifies two governing criteria: (1) compliance with applicable design and development standards; and (2) adequacy of public facilities, including roads, sanitary and storm sewer, and water. (*Staff Report, p. 18*).

Criteria for Approval of the Unit Lot Subdivision.

The City's approval criteria for a Unit Lot Subdivision are found at PMC 17.65.050. The criteria require conformity with Title 17 and applicable zoning provisions, together with adequate provision for access and circulation, utilities, safe walking conditions, critical areas, fire and emergency access, and public health, safety, and welfare. These considerations are substantially similar to the subdivision considerations found in RCW 58.17.110(2). (*Staff Report, pp. 19-20; see also Westry Village Decision, pp. 10-12*).

Burden of Proof.

The applicant bears the burden of proof to establish by a preponderance of the evidence that their applications are consistent with state law, city codes and standards. *Rule 3.9, HEx Rules of Procedure*. Any decision to approve or deny these consolidated applications must be supported by evidence that is substantial when viewed in light of the whole record. *See RCW 36.70C.130(1)(c)*.

III. ISSUE PRESENTED

Whether a preponderance of the evidence demonstrates that the Applicant has satisfied the applicable criteria for approval of the Dauntless Townhomes Conditional Use Permit, Site Plan Review, Design Review, and Unit Lot Subdivision?

Short Answer: Yes, subject to conditions of approval.

*Findings, Conclusions and Decision Approving
Dauntless Townhomes Consolidated Project Applications –
File No. P-02-06-26-01.*

IV. FINDINGS OF FACT

Upon consideration of all evidence, testimony, codes, policies, regulations, and other information contained in the record, the undersigned Examiner issues the following Findings, Conclusions and Decision approving the Dauntless Townhomes applications as set forth below.

1. Any statements in previous or following sections of this document that are deemed findings of fact are hereby adopted as such and incorporated by this reference.
2. The applicant and owner in this matter is James C. Laughlin, and his business entity known as Laughlin Development, LLC, from Bainbridge Island, Washington. (*Staff Report, page 5*).
3. The project site is approximately 1.83 acres at 21900 Dauntless Drive NW, Poulsbo, Washington, assigned Kitsap County Tax Parcel No. 102601-1-042-2001. (*Id.*). As for the Westry Village project approved by the Examiner last year, involving the same applicant, this Dauntless Townhomes Project is in the northwest corner of the Poulsbo City Limits, on a vacant portion of the previously approved Olhava Master Plan (“OMP”) Area. The property is identified as Tract 5-R in the OMP, and is designated as “Business Park”. (*Staff Report, p. 5*).
4. The applicant seeks consolidated approval for a Conditional Use Permit, Site Plan Review, Design Review, and Unit Lot Subdivision for sixteen townhome dwelling units in eight duplex-style residential buildings, together with associated parking, landscaping, recreational amenities, utility improvements, and creation of sixteen fee-simple residential lots. (*Staff Report, p. 5; Exs. 3-7; Ex. 20*).
5. The OMP was approved April 2, 1998 and subsequently upheld in an appeal decision dated March 5, 1999. Site-preparation and stormwater permits covering the master-plan area were issued in 2002, and preliminary site work and infrastructure have since been completed. (*Staff Report, pp. 5, 7-10*).
6. Although the underlying designation is Business Park, the OMP and associated Development Agreement contemplated residential development in portions of the master-plan area and established residential-unit allocations for certain Business Park properties. Multifamily residential development on this site therefore requires a Conditional Use Permit. (*Staff Report, p. 6*).
7. The Development Agreement implements the OMP through, among other things, Schedule B development allocations, public-facility improvements, traffic mitigation, and common design requirements. The Staff Report explains that forty-two residential units remained available for allocation to the owner; development of the sixteen proposed units would leave twenty-six units

*Findings, Conclusions and Decision Approving
Dauntless Townhomes Consolidated Project Applications –
File No. P-02-06-26-01.*

available. Any Schedule B amendment required to reflect the allocation or transfer must be recorded before building permit issuance. (*Staff Report, pp. 10-11; Ex. 19, Condition 3*).

8. The applicant participated in a preliminary application meeting on May 6, 2025 and a neighborhood meeting on June 23, 2025. The formal application was submitted February 6, 2026. The Staff Report and SEPA determination were issued June 16, 2026. The Planning Commission considered the project June 23, 2026, and the Examiner conducted the public hearing July 16, 2026. (*Ex. 20*).

9. The City's SEPA responsible official issued the threshold determination on June 16, 2026. The appeal period expired June 30, 2026 without appeal. Four SEPA mitigation measures are incorporated into the updated Conditions of Approval. (*Staff Report, p. 20; Exs. 17 and 19*).

10. On June 23, 2026, the Planning Commission considered the applications, received Staff's presentation, asked questions regarding Public Works and refuse-access matters, and voted to recommend approval with a modification addressing landscaping and water conservation. (*Exs. 15-16*).

11. The Planning Commission's modification is reflected in updated Condition No. 16, which encourages drought-tolerant and low-water landscaping and recommends minimizing turf, increasing native drought-tolerant plantings, using rain-sensing irrigation controls, and considering fall planting to reduce irrigation demand. (*Exs. 15 and 19*).

12. The Staff Report recommends approval of all four consolidated applications subject to the OMP Conditions of Approval, SEPA mitigation, and the site-specific Conditions of Approval. Staff concluded that the proposal is consistent with the Poulsbo Comprehensive Plan, Zoning Ordinance, OMP, applicable OMP conditions and EIS mitigation, Development Agreement, and other applicable City regulations. (*Staff Report, p. 21*).

13. During the public hearing conducted on July 16, 2026, the Examiner received sworn testimony from Staff and applicant representatives, with no members of the public or neighbors present online or in person to offer any comments. The applicant accepted the Staff Report analysis and recommended Conditions of Approval without objection or requested modifications. No contrary expert or fact-specific evidence was submitted in the record. (*Testimony of Ms. Weller; Testimony of Mr. Washburn; Testimony of Messrs. Laughlin; audio recording of public hearing*).

The application satisfies Conditional Use Permit approval criteria.

14. A preponderance of the evidence supports approval of the Conditional Use Permit under the criteria identified in PMC Chapter 18.230, as quoted and applied below with additional findings by the Examiner provided in italics. (*Staff Report, pp. 6-7*).

PMC Chapter 18.230 - Conditional Use Permit Criteria.

a. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

The proposed sixteen-unit townhome development is consistent with residential development contemplated by the OMP and Development Agreement. The project includes landscaping, pedestrian circulation, recreational amenities, and site improvements intended to integrate the use into the OMP area. Staff found that, subject to the Conditions of Approval, the proposal will not be materially detrimental to surrounding properties. No contrary evidence was presented. (Staff Report, pp. 6-7; Testimony of Ms. Weller).

b. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

The proposed site layout, building design, landscaping, pedestrian circulation, and recreational amenities are compatible with the intended character of the OMP area and provide an appropriate transition between residential and employment-oriented uses. The architectural materials show eight duplex-style buildings with varied roof forms, facade projections and recesses, horizontal lap siding, board-and-batten siding, shake accents, and stone veneer. Conditions require enhanced residential entry and garage-door detailing before building permit issuance. (Staff Report, pp. 7, 13-18; Ex. 5; Ex. 19, Condition 4; Ex. 20).

c. The conditional use will be served by adequate public facilities including streets, fire protection and utilities.

Existing streets, water, sewer, stormwater facilities, fire protection, and other infrastructure serving the OMP area were planned to support anticipated development. City Engineering reviewed the proposal and determined that adequate public facilities are available, subject to the Public Works conditions. Poulsbo Fire Department/District 18 reviewed the proposal, and automatic fire suppression systems are required. (Staff Report, pp. 7, 18-20; Ex. 19; Testimony of Mr. Washburn).

d. The conditional use complies with all applicable requirements of this code.

The Staff Report analyzes the proposal under the OMP, Development Agreement, Business Park requirements, applicable multifamily residential standards, Design Review, Critical Areas, Site Plan Review, Unit Lot Subdivision, SEPA, and Title 19 procedures. Subject to the Conditions of Approval, Staff found compliance with applicable City requirements. The Examiner adopts that un rebutted analysis as supplemented by the findings in this Decision. (Staff Report, pp. 6-21).

15. Based on the evidence summarized above, all criteria for Conditional Use Permit approval under PMC Chapter 18.230 are satisfied.

The project satisfies Design Review requirements.

16. The project also satisfies the Design Review requirements of PMC Chapter 18.120. The specific submission requirements and the evidence addressing each are summarized below. *(Staff Report, pp. 17-18).*

PMC Chapter 18.120 - Design Review Requirements.

1. Elevation drawing. Complete elevation drawings of all buildings and building sides, showing dimensions and proposed materials including roofing, siding, windows and trim; drawings are to include trim and cornice design, roof pitch and siding materials.

The applicant submitted complete building elevations and a design narrative depicting all building sides and proposed exterior materials. The elevations provide an adequate basis for concurrent Design Review and are further refined by Condition 4 requiring enhanced residential detailing before building permit issuance. (Staff Report, pp. 17-18; Ex. 5; Ex. 19, Condition 4).

2. Color and material palette. A schematic color and material palette of the building's exterior siding, trim, cornice, windows and roofing.

The architectural package includes the required color and material information and was reviewed for consistency with the OMP, College Marketplace Design Guidelines, applicable Business Park design standards, and multifamily residential design objectives. (Staff Report, pp. 17-18; Ex. 5).

3. Prospective drawings, photographs, color renderings or other graphics that accurately represent the proposed project.

The applicant submitted architectural renderings and other project graphics depicting the proposed development. Those materials were also used during the July 16 hearing presentation. (Staff Report, pp. 17-18; Ex. 5; Ex. 20).

4. Conceptual profiles of other site elements, such as lighting fixtures, signage, equipment screening, paving materials, bicycle and pedestrian fixtures, and the like.

The record includes conceptual information regarding lighting, landscaping, screening, recreational amenities, and pedestrian facilities. Conditions require final mechanical-equipment and refuse screening, a final lighting/photometric plan, and final landscape and irrigation plans. (Staff Report, pp. 17-18; Exs. 6, 7; Ex. 19).

17. PMC Chapter 18.120 further provides that the Design Review authority is the same as the associated land use permit. Because Design Review is being processed concurrently with the Type III Conditional Use Permit, the Hearing Examiner is the review authority following the Planning Commission recommendation. (Staff Report, p. 18).

The application satisfies Site Plan Review criteria.

18. The Site Plan Review application satisfies the criteria identified in PMC Chapter 18.270, as quoted and applied below. (Staff Report, p. 18).

PMC Chapter 18.270 - Site Plan Review Criteria.

A. Compliance with Applicable Standards. The proposed development shall comply with all applicable design and development standards contained in Title 18 and other applicable regulations.

As detailed throughout the Staff Report and this Decision, the proposed development complies, as conditioned, with applicable provisions of Title 18, the OMP, Development Agreement, and other City regulations. Although the property is designated Business Park, the townhome use is permitted through the OMP and Conditional Use Permit framework, and applicable multifamily residential standards have been applied in conjunction with Business Park and OMP requirements. (Staff Report, pp. 6-18).

B. Adequacy of Public Facilities. The applicant shall demonstrate availability of adequate public services, including roads, sanitary and storm sewer, and water, available to serve the

site at the time development is to occur, unless otherwise provided for by applicable regulations.

The applicant will provide frontage improvements along Dauntless Drive NW as necessary to meet City and accessibility standards, with internal pedestrian walkways connecting the townhomes to the public sidewalk system. The January 6, 2026 Drainage Report concludes that the project is consistent with OMP stormwater assumptions and can discharge to existing regional facilities serving Sub-Basin 8, with enhanced water-quality treatment. City Engineering determined that adequate transportation facilities, stormwater management, water, sewer, and other utilities are available to serve the sixteen-unit project, subject to the Conditions of Approval. (Staff Report, p. 18; Ex. 9; Ex. 19; Testimony of Mr. Washburn).

19. For reasons explained above, both Site Plan Review criteria identified in PMC Chapter 18.270 are satisfied.

The application satisfies applicable Critical Areas codes and policies.

20. The record also establishes compliance with PMC Chapter 16.20, Critical Areas. BGE Environmental LLC's October 6, 2025 wetland review concludes that Wetland A and its buffer remain intact, that OMP stormwater facilities were designed to maintain wetland hydrology, and that the Dauntless development is outside identified critical areas and buffers, with no direct impact proposed. (Staff Report, pp. 18-19; Ex. 8).

Evidence supports approval of the requested Unit Lot Subdivision.

21. A preponderance of the evidence supports approval of the Unit Lot Subdivision under PMC 17.65.050, which provides that a proposed unit lot subdivision may be approved only if the following findings are made. The criteria and project-specific findings are set forth below. (Staff Report, pp. 19-20).

PMC 17.65.050 - Unit Lot Subdivision Decision Criteria.

- A.1. The proposed unit lot subdivision conforms to the requirements of Title 17 PMC.

As reviewed and conditioned, the preliminary Unit Lot Subdivision conforms to Title 17, Land Division. The City Engineer reviewed the project for consistency with Chapter 12.02, Construction and Development Standards, and Chapter 17.65, Unit Lot Subdivisions, and supports approval subject to the Conditions of Approval. (Staff Report, p. 19; Ex. 19; Testimony of Mr. Washburn).

A.2. The unit lot subdivision conforms to the site requirements for the zoning district in which the property is located and/or other applicable zoning provisions.

The parent property is designated Business Park, but multifamily residential development is authorized through the OMP approval framework subject to Conditional Use Permit approval. The project has been reviewed as a whole under applicable OMP, Business Park, and multifamily standards and, as conditioned, conforms to applicable zoning provisions. (Staff Report, pp. 6-18).

A.3. The unit lot subdivision:

a. Makes adequate provision for access and neighborhood circulation.

The proposal provides a single vehicular access from Dauntless Drive and an internal circulation system designed for residents, visitors, service vehicles, and emergency responders. Interior sidewalks connect units and parking areas to Dauntless Drive and the existing OMP sidewalk network. (Staff Report, p. 19; Ex. 4; Ex. 19).

b. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the unit lot subdivision.

The City Engineer determined that adequate public water, sanitary sewer, storm drainage, and other utilities are available. Electric and telecommunications services are available. Separate water meters are required for individually owned units. (Staff Report, pp. 19-20; Ex. 19, E18-E22; Testimony of Mr. Washburn).

c. Makes adequate provisions for sidewalks and other planning features that provide safe walking conditions for students who walk to and from school.

The site is within the North Kitsap School District. Vinland Elementary is slightly more than one mile from the site via the existing and planned pedestrian network; Poulsbo Middle School and North Kitsap High School are approximately 2.75 miles southwest. The project connects to the existing public sidewalk system, providing safe pedestrian access opportunities for school-aged residents. (Staff Report, p. 19).

d. Makes adequate provisions for critical area protection pursuant to Chapter 16.20.

As addressed above, the development is located outside identified critical areas and associated buffers. The BGE wetland review confirms no direct impact to Wetland A or its buffer. (Staff Report, pp. 18-19; Ex. 8).

e. Makes adequate provisions for fire and emergency access and protection.

Poulsbo Fire Department/District 18 reviewed the project. Fire sprinkler systems are required consistent with OMP requirements and applicable building and fire codes. The circulation system is designed to accommodate emergency responders. (Staff Report, pp. 19-20; Ex. 19, Condition 19).

f. Serves the public interest and makes appropriate provisions for public health, safety, and welfare.

The Unit Lot Subdivision has been reviewed for consistency with City regulations, the OMP, Development Agreement, and SEPA mitigation. Conditions are imposed to ensure continued compliance with applicable standards. The project provides additional housing within an area planned for urban growth and served by existing infrastructure, and no evidence demonstrates a detriment to public health, safety, or welfare. (Staff Report, p. 20; Ex. 19).

B. If the findings in subsection A have not been met, the review authority shall deny the proposed unit lot subdivision, unless specified conditions have been issued to fully satisfy the criteria.

The findings required by subsection A are satisfied by the application materials, Staff's technical review, the Conditions of Approval, and the unrebutted hearing testimony. Denial is therefore not required. (Staff Report, p. 20).

22. State subdivision codes independently require appropriate provision for matters affecting public health, safety, and general welfare, including sidewalks and other planning features that assure safe walking conditions for students. *See RCW 58.17.110(2)*. The findings under PMC 17.65.050 above address those statutory considerations and are supported by substantial evidence in the record.

23. Except as expressly modified by this Decision, all findings, recommended findings, and statements of fact contained in the Staff Report and its July 1, 2026 Addendum are incorporated herein by reference as Findings of the undersigned Hearing Examiner.

24. Based on all evidence, exhibits, and testimony in the record, the proposed Conditional Use Permit, Site Plan Review, Design Review, and Unit Lot Subdivision satisfy all applicable approval standards, subject to the Conditions of Approval.

25. The Conditions of Approval proposed in Exhibit 19 are reasonable, supported by the evidence, appropriately related to applicable development standards and identified project impacts, and capable of accomplishment.

V. CONCLUSIONS OF LAW

1. Based on the Findings above, the proposed Conditional Use Permit satisfies each approval criterion identified in PMC Chapter 18.230.

2. The submitted architectural and site-design materials, together with the conditions of approval imposed in this Decision, satisfy the Design Review requirements identified in PMC Chapter 18.120.

3. The proposed development satisfies both Site Plan Review criteria identified in PMC Chapter 18.270 addressing a) compliance with applicable standards and b) adequacy of public facilities.

4. The proposed Unit Lot Subdivision satisfies each approval criterion required by PMC 17.65.050 and the applicable State subdivision considerations found in RCW 58.17.110(2).

5. As conditioned below, the project is consistent with applicable provisions of the Olhava Master Plan and Development Agreement, including residential allocations, infrastructure requirements, design requirements, and mitigation obligations.

6. The City's June 16, 2026 SEPA determination was not timely appealed and stands as issued. Applicable SEPA mitigation measures are incorporated as conditions of project approval.

7. The Planning Commission recommended approval with a modification addressing landscape water conservation, and that modification is incorporated into the updated proposed Conditions of Approval found in Exhibit 19.

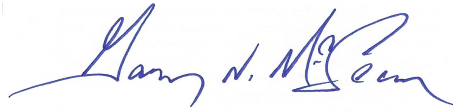
8. The Applicant has satisfied their burden of proof by a preponderance of the evidence. There is no evidence in the record that provides a basis to deny any of the consolidated applications.

9. Any Finding of Fact contained herein that is more appropriately characterized as a Conclusion of Law is adopted as such, and any Conclusion of Law more appropriately characterized as a Finding of Fact is adopted as such.

VI. DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, the evidence and testimony presented through the course of the open record public hearing, and all materials contained in the record, the undersigned Hearing Examiner APPROVES the Dauntless Townhomes Conditional Use Permit, Site Plan Review, Design Review, and Unit Lot Subdivision, Planning File No. P-02-06-26-01, subject to the Conditions of Approval set forth below and incorporated herein.

Decision issued: August 11, 2026.

A handwritten signature in blue ink, appearing to read "Gary N. McLean", is written over a faint, rectangular grid background.

Gary N. McLean
Hearing Examiner for the City of Poulsbo

CONDITIONS OF APPROVAL

Dauntless Townhomes Consolidated Project Reviews

File No. P-02-06-26-01.

[NOTE: For convenience of the parties, these conditions are generally organized and numbered as they were proposed by Staff. The use of captions, numbering, or sections has no substantive effect on the full scope or applicability of any condition to various aspects of the project].

General Conditions added by the Examiner.

- A. The Conditional Use Permit, Site Plan Review, Design Review and Unit Lot Subdivision approvals granted by this Decision are subject to compliance with all Conditions of Approval and applicable SEPA mitigation measures.
- B. No construction or site-development activity authorized by these land-use approvals may occur until the approvals become effective and the City and any other regulatory authorities with jurisdiction have issued all permits required before such work may commence.
- C. The Applicant shall comply with all applicable conclusions and recommendations contained in professional reports submitted in connection with these applications, as accepted, conditioned or subsequently approved by the City.
- D. Applicant shall be responsible for consulting with state and federal agencies, and tribal entities with jurisdiction (if any) for applicable permit or other regulatory requirements. Approval of a Unit Lot Subdivision does not limit the applicant's responsibility to obtain any required permit, license or approval from a state, federal, or other regulatory body. Any conditions of regulatory agency permits/licenses/approvals shall be considered conditions for this project.
- E. Final engineering plans, building-permit materials and Unit Lot Subdivision documents shall conform to the approved project, applicable provisions of the Poulsbo Municipal Code and the Conditions of Approval contained or incorporated into this Decision.

Conditions based on those recommended in Exhibit 19.

Planning and Economic Development Department Conditions of Approval:

1. Development of the site shall be in conformance with the drawings identified in Exhibits 3-7, dated March 2026, or as otherwise stamped approved in Planning File No. P-02-06-26-01 and subject to the conditions of approval contained herein.
2. Limitations of Approval.
 - a. The Conditional Use Permit approval is valid for five years, as provided by PMC 18.230.070(A), unless within that time the required building construction, alteration or enlargement has been commenced and diligently pursued, or if no such construction, alteration or enlargement is required, that the permitted use is regularly conducted on the premises.
 - b. Site Plan approval is effective for a period of 5 years from the date of approval. The site plan approval shall expire if substantial construction of the approved plan has not begun within the 5-year period. Site Plan approval will become void if construction on the site is a departure of the approved plan.
 - c. An extension of the site plan and conditional use not to exceed one year may be granted by the Director if applied for 30 days prior to the expiration date and found to meet the criteria provided in the Poulsbo Municipal Code. Modifications of an approved site plan shall be processed pursuant to Title 19 regarding post-decision review.
3. If required, amendments with the purpose of making the project consistent with Schedule B of the Olhava Development Agreement shall be recorded prior to the issuance of the building permit.
4. Prior to building permit issuance, the applicant shall submit revised architectural elevations demonstrating enhanced residential detailing consistent with the approved Northwest lodge architectural theme. Enhancements shall include upgraded individual entry features, such as decorative brackets, enhanced porch columns, increased trim detailing, decorative lighting fixtures, or similar architectural treatments approved by the PED Director. In addition, garage doors visible from public streets shall incorporate windows, decorative hardware, or comparable design elements to reinforce the residential character of the development. Review and approval of the revised architectural elevations by the PED Director pursuant to this condition shall not constitute a modification to the approved land use decision and shall not require processing under the post-decision modification provisions of PMC Title 19, provided the revisions remain substantially consistent with the approved building forms, site layout, architectural character, and overall design intent of this approval.
5. All HVAC equipment, pumps, heaters, and other mechanical devices shall be screened from view from adjacent streets and property. Ground-mounted mechanical equipment is required to be screened by landscaping or decorative wall. Mechanical equipment screening shall be

*Findings, Conclusions and Decision Approving
Dauntless Townhomes Consolidated Project Applications –
File No. P-02-06-26-01.*

constructed out of the same materials as the related building. Ground mounted equipment shall be reviewed at the time of building permit. Certificate of Occupancy will not be issued until the mechanical equipment screening has been installed.

6. All exterior lighting shall be pointed downward and shielded from direct observation from the air, adjacent properties, and public rights-of-way. Lighting shall meet all standards identified in the PMC. The applicant shall include a final lighting/photometric plan, including specification of fixtures, at the time of grading permit submittal. A lighting scheme was created by Olhava Associates. The proposed lighting shall be consistent with this design scheme, and adjacent properties. See Olhava Consolidated Building and Site Design (page 17-18).
7. The trash receptacles(s) shall be screened from public view on at least 3 sides by opaque wall 6 feet in height and on the fourth side by an opaque gate not less than 5 feet in height. Dumpster enclosures shall be constructed out of the same materials as the related building and shall be consistent with the approved site plan drawings. Trash receptacles shall be reviewed at the time of grading permit submittal.
8. Buildings and accessory structures shall be provided with EV charging stations, EV-ready parking spaces, and EV-capable parking spaces in accordance with IBC Section 429, as amended.
9. Separate sign permits are required for any proposed signage. Design of signs shall be consistent with the College Marketplace Design Guidelines (Exhibit H). In addition, site signage will be reviewed for compliance with the City's signage standards PMC 18.80.120 and 18.170. The location of the free- standing sign shall be approved by the city engineer for site distance.
10. The manufacturer specification for the bicycle rack(s) shall be provided with the building permit submittal and shall be consistent with the College Marketplace Design Guideline. Certificate of Occupancy will not be issued until the bicycle parking racks have been installed.
11. While there are no known archaeological resources on this site, in the event archaeological artifacts are uncovered during construction, activity shall be halted immediately, and the State Historic Preservation Office and Tribes will be contacted.
12. A final landscape plan is required to be submitted and approved by the PED department prior to building permit approval, and shall show the location, species, container size, height and number of trees, shrubs and groundcover area. The plan shall be in a form suitable for contractor bid on materials and installation. The final plan shall be substantially consistent with the approved preliminary plan in Exhibit 7.
13. Street trees shall be consistent with the Conceptual Landscape Plan in Exhibit 4 and shall be included on the Final Landscape Plan submitted with the grading permit. Root barriers shall be used to protect sidewalks and roadways from root heave.
14. All landscaping shall be accompanied by a suitable irrigation system designed by a licensed landscape contractor or landscape architect. An irrigation plan is required to be submitted with the final landscape plan at the time of grading permit submittal. Native vegetation and drought-

tolerant species require irrigation at least during the bonded two-year landscape maintenance period. Automated systems should include moisture sensing automatic shut-off controls. Landscape irrigation systems require a separate building permit.

15. Per PMC 18.130.070 Maintenance bonding for all landscaping shall be required prior to issuance of certificate of occupancy. Estimates or bid for landscaping work and materials, including irrigation, shall be provided. Estimates shall match the “as-built” drawing and identify plant name, common name, size at planting, and number each that was planted. Performance bonding for installation of landscaping (except for street trees) will not be considered.
16. Landscaping materials shall be those which best serve the intended function and shall be appropriate for the soil and other environmental conditions of the site. Drought-tolerant, low water plant materials shall be encouraged. The Poulsbo city council is reviewing their Water Comprehensive Plan and has a goal to reduce water consumption by 5% over 6 years. Additionally, the Department of Ecology declared a Statewide Emergency Drought Declaration in April 2026. Therefore, the importance of water conservation when it comes to irrigation for landscaping is a focus to reduce water consumption/demands. When designing your landscape plan please consider minimizing the amount of grass or turf, increasing the number of native drought tolerant plantings, installing an irrigation controller with a “rain sense” feature, and planting in the fall to reduce irrigation demand. The City is currently in process of modifying the irrigation code and new regulations are anticipated to be adopted later this year. Therefore, it is recommended you connect with planning staff before finalizing your landscape plans to see if any changes have been adopted.
17. Proposed freestanding and/or monument sign(s) shall be shown on the Final Landscape Plan. A separate building permit is required for construction of the sign(s).
18. A final ‘as-built’ drawing landscaping plan and irrigation plan shall be provided to the city prior to certificate of occupancy.
19. The structures shall be constructed to include automatic fire suppression/sprinkler systems, in conformance with the Uniform Fire Code. Plans for all fire suppression/sprinkler systems shall be submitted to the Poulsbo Fire Department and City Building Department for review and approval prior to issuance of building permits.
20. This project is subject to the Olhava Conditions, Covenants and Restrictions (CC&Rs) providing provisions for maintaining tracts which are private and commonly owned by the property owners within the Olhava Development.
21. Approval of this Conditional Use Permit and site plan subject to the conditions and mitigations does not vest or limit the project to those conditions and mitigations until the time of building permit application. If during the time between Conditional Use Permit and site plan approval and building permit application, there are changes to applicable regulations such conditions may apply to this project.

22. The final Unit Lot Subdivision shall be substantially consistent with the approved site plan, architectural elevations, recreational amenities, landscaping, parking layout, and Conditions of Approval associated with Planning File P-02-06-26-01. Any modifications shall be reviewed pursuant to PMC Title 19.
23. Prior to final Unit Lot Subdivision approval, the applicant shall submit draft homeowners' association documents, covenants, conditions, and restrictions (CC&Rs) for review and approval by the City Attorney and Planning Director. The documents shall establish responsibility for the ownership, operation, maintenance, repair, and replacement of all common facilities and improvements, including but not limited to recreational amenities, landscaping, irrigation systems, private utility facilities, fencing, common open space, pedestrian facilities, stormwater facilities not accepted by the City, and any other shared infrastructure associated with the development.
24. The requirements of this decision, including but not limited to conditions related to open space, landscaping, fencing, recreational amenities, and other improvements required as part of this approval, shall remain binding upon the property regardless of any future amendment, termination, expiration, or dissolution of the homeowners' association or any modification to the project's Covenants, Conditions, and Restrictions (CC&Rs). No amendment to the CC&Rs shall eliminate, reduce, or conflict with the obligations established through this approval unless otherwise authorized by the City through a subsequent land use approval process.
25. All tracts established through the Unit Lot Subdivision shall be identified with their intended purpose on the face of the final plat. Open space tracts, recreational amenity tracts, landscaping tracts, access tracts, utility tracts, and stormwater tracts shall not be separately sold, transferred, or developed except as authorized by the City.
26. Prior to recording of the final Unit Lot Subdivision, all required maintenance agreements for common improvements shall be executed and recorded with Kitsap County Auditor's Office in a form approved by the City Attorney.
27. The common recreation area and associated improvements identified on the approved site plan shall be installed prior to issuance of the final Certificate of Occupancy for the development and shall thereafter be maintained by the homeowners' association.
28. Development may occur in phases or in a sequence determined by the applicant; provided, however, that all infrastructure, utility improvements, fire access improvements, stormwater facilities, and other improvements necessary to serve each phase of development shall be completed, bonded, or otherwise secured to the satisfaction of the City prior to issuance of Certificates of Occupancy for the dwelling units within that phase.

Engineering Department Conditions of Approval:

Service Availability

- E1.** All water, wastewater, and stormwater facilities and streets shall be designed by a professional civil engineer licensed in the State of Washington. The applicant is responsible for the design and installation of the facilities. In the event that there is a conflict between standards, the more restrictive standard shall apply as determined by the City Engineer.
- E2.** Land use permit approval shall not waive any requirements for the applicant to (a) obtain all appropriate permits; (b) pay all required fees and deposits; and (c) provide the City with adequate construction plans for approval which conform to City codes and standards. Any utility plans, details, and drawing notes associated with the approved site plan drawing are approved in concept only and are not considered approved for construction. Approval of the site plan does not constitute approval of any construction drawings submitted with the site plan approval documents. Civil construction drawings must be submitted directly to the Engineering Department. For site plans, it is not acceptable to submit the civil drawings with the building plans to the Building Department.
- E3.** Construction plans for the following shall be reviewed and approved by the Engineering Department and Public Works Department: storm drainage and street improvements (including signage and pavement markings), sanitary sewer, water, and interim and permanent on-site erosion control systems. Prior to final project construction approval the applicant shall: construct the required improvements per City standards, and submit “as-built” drawings on paper, and electronically (compatible with the AutoCAD version utilized by the City at the time of submittal), dedicate easements, convey utility ownership as determined by the City, and post a maintenance bond(s).
- E4.** All plan review and project inspection and administration expenses shall be paid for at the developer’s expense consistent with the fee and deposit schedule adopted by City ordinance in effect at the time of construction. Plan review fees shall apply to the original drawing submittal and one re-submittal. Subsequent submittals will require payment of hourly charges. Fees are non-refundable. Deposits are required for payment of actual expenses incurred by Engineering Department staff for project administration and inspection. If the City Engineer determines that the magnitude or complexity of the project requires full or part-time on-site inspection in addition to the inspection by City staff, he may contract with a duly qualified inspector or hire additional personnel to provide inspection, testing, or other professional services for the City in connection with the construction. Deposits for Engineering Department services or outside professional services shall be paid in advance. The deposits are estimates and may require replenishment. Deposits may be required at the time of, or after, payment of any fees. Unused deposits are refundable.
- E5.** At any point in the process of application approval, construction plan review, or construction, the City Engineer may hire an independent consultant to review and comment on any, or all, utilities or sitework (for example, storm sewer, sanitary sewer, water, roads/streets, retaining

walls, slopes) proposed by the applicant. The applicant shall make a cash deposit which will be used to pay for any independent review required by the City Engineer. If additional funds are required, the applicant shall immediately deposit the requested amount. Any unused funds will be refunded. Acceptance of the proposal and consultant comments shall be at the discretion of the City Engineer.

E6. The applicant shall adhere to all recommendations of the applicant's geo-technical engineer and the City's consultants as determined by the City Engineer.

E7. City of Poulsbo Construction Standards and Specifications are published on the City website within the Public Works/Engineering Department page. Unless specified otherwise within Conditions of Approval these standards shall be followed.

E8. Construction drawings will be rejected, without review, if the following drafting requirements are not met.

- a. Construction plan size shall not exceed 24"x36" (22"x34" preferred). The minimum drawing scale shall be 1:40 horizontal and 1:5 vertical. A larger scale may be required for legibility.
- b. Utilities shall be shown on plan/profile sheets. Each sheet shall have the corresponding plan/profiles on the same sheet with aligned stationing.
- c. Labels from the various overlapping AutoCAD layer shall be legible.
- d. All curb ramps shall be individually designed and detailed appropriately on the plans such that slopes and design can be verified to meet ADA requirements.
- e. All elements on the drawings shall be legible as determined by the City Engineer.

Clearing, Grading, and Erosion Control

E9. A Grading Permit is required prior to any land-disturbing activity on the site (PMC 15.35, 15.40). The permit may include restrictions as to the limits of any particular area or phase that can be cleared and graded at any one time or during any construction season. Additional restrictions may be placed on the permit in regard to seasonal weather conditions. At any time, the City Engineer may restrict activities or access to portions of the site which would be detrimental to maintaining erosion and sediment control.

E10. Application must include the following documentation:

- (3) plan set.
- Final Drainage Report
- Supporting reports (Geotech, Environmental Assessment or as applicable)
- Digital Copy of all submittals
- Payment of funds consistent with the Grading Permit Application

E11. The developer's engineer shall submit a completed NPDES Permit Appendix 7 Worksheet along with other required stormwater application documents.

E12. Applicant shall obtain a Construction Stormwater General permit from Department of Ecology prior to project start if disturbing more than one acre.

Stormwater

E13. All temporary and permanent storm system and erosion control measures shall be designed, constructed, maintained, and governed per the following, as adopted by the City of Poulsbo:

- a. All temporary and permanent storm system and erosion control measures shall be designed, constructed, maintained, and governed in accordance with PMC Chapter 13.17. Chapters 12.02.030 and 12.02.040 provide further guidance on design manual and threshold criteria within compliance of NPDES Phase II Permit
- b. City of Poulsbo standards and ordinances
- c. All conditions of approval associated with any clearing and/or grading permits

E14. Project is subject to a Stormwater General Facility Fee as per PMC 13.70, payable at time of Building Permit. The applicant may pay this fee upfront with the first building permit submittal or may pay incrementally with each permit. The connection charge is based on Impervious Surface Units (ISU) where 1 ISU = 3,000sf of impervious area per PMC 13.70. Based on the preliminary drainage report provided by the applicant the proposed project approximately 45,270 square feet of impervious surface is proposed which is subject to the storm GFC. This results in 16 ISUs for the project.

E15. Provision shall be made for the conveyance of any upstream off-site water that naturally drains across the applicant's site.

E16. Ownership and maintenance of stormwater systems located on commercial/multifamily private property will remain the responsibility of the property owner. Prior to the use of the development or redevelopment project, the owner shall sign and record a maintenance covenant using the City's form (Reference: PMC 13.17).

E17. The preliminary drainage report submitted for this project demonstrates compliance with stormwater improvements constructed for the Olhava Master Plan area overall. The detention pond was shown to have capacity for the proposed project. Enhanced treatment is required to be installed as part of the stormwater system.

Sanitary Sewer and Water

E18. Refer to Public Works Department comments for water and sewer connection requirements, construction standards, and looping requirements.

E19. Water and Sewer connection fees for commercial projects are calculated based upon water meter size for the project and Equivalent Residential Units (ERUs) per PMC 13.70. These will be collected proportionally with each building permit according to the code in place at the time of the permit. The proposed project has 16 units. Anticipate upcoming code changes which may change the ERU adjustment factor in PMC 13.70.040 to accommodate unit lot subdivision. Per PMC 13.70 the adjustment factor as of the date of this memo is 0.80 resulting in 13 ERUs for the project.

*Findings, Conclusions and Decision Approving
Dauntless Townhomes Consolidated Project Applications –
File No. P-02-06-26-01.*

E20. A separate water meter is required for each of the proposed individually owned units.

E21. [*Deleted as duplicative of E20.] ~~A separate water meter is required for each of the proposed individually owned units.~~

E22. Ownership of any water main and appurtenances shall be conveyed to the City prior to final construction approval. An easement for access and maintenance of the water main and hydrants within the site shall be legally described and dedicated to the City prior to final construction approval. The easement shall be shown on the construction drawings and as-built drawings. The easement shall be fifteen feet wide and include a ten-foot radius around fire hydrants.

Streets

E23. Unless otherwise approved by the City Council, street sections shall conform to adopted City standards. (refer to Developer's Guide – Section 2 – Street Standards, revised Sept. 2005, available online; <http://www.cityofpoulsbo.com/publicworks/ConstructionStandards.htm>)

E24. Roads shall remain private for the project and as proposed are acceptable, with minimum of 22ft for roadways and minimum 8ft for parallel parking where shown.

E25. The applicant shall inspect existing frontage for ADA compliance and any sidewalk or curb ramp not compliant shall be replaced as part of this project.

E26. The applicant has submitted a transportation concurrency application consistent with PMC 14.04.

E27. The applicant has submitted a trip generation memo. This project is within the Olhava Master Plan area and the Schedule B of the Developers Agreement allocates trips to the site. Based on the trip generation memo, the trips generated by the project are within the trips allocated by Schedule B. Tract 5R is currently allocated 210 average daily trips (ADT) and is subject to traffic impact fees per Schedule B totaling \$6,365. Traffic impact fees are payable at the time of building permit.

E28. Private roads shall be placed in a commonly owned tract. The tract shall be owned and maintained in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots located within the parent lot. Covenants, conditions, and restrictions (CCRs) and sales contracts for unit lots abutting private roads must indicate that the private roads are owned and maintained by the project's common owners of individual lots or a homeowners' association.

E29. No on-street parking is allowed on private roads unless provided in eight-foot-wide bulb-outs or in parking bays sized to appropriate parking stall sizes. CCRs and sales contracts for lots abutting private roads must indicate no on-street parking is allowed if provisions for parking are not made.

Other

E30. Applicant and contractor or contractors shall have a utility specific pre-construction meeting with City staff, consultants, and/or inspectors for each utility prior to work beginning on that

specific utility. This meeting will outline construction, inspection, acceptance requirements and expectations.

E31. All bonds, conveyances, and easements dedicated to the City shall be on the City's forms.

E32. A Public Property Construction Permit is required when connecting to City-owned utilities or performing other work within the City right-of-way or other public/City-owned property (PMC 12.08). The permittee shall be responsible for repair and/or restoration of any damage to City property (such as sidewalks, curbs, gutters, pavement, and utilities) that occurs as a result of his operations under this permit.

E33. The applicant shall be responsible for obtaining all required easements and rights-of-way. Copies of all recorded easements shall be provided to the City Engineer.

E34. The applicant's engineer shall obtain approval of the postmaster and the City Engineer for all mailbox installation locations if applicable.

Public Works Department Conditions of Approval:

Service Availability

PW1. The City of Poulsbo has determined that, as of the date of this development approval, the City has sufficient water supply to serve the development. This determination is not, however, a guarantee that sufficient supply will exist at the time of connection to the City's water system is applied for and the City expressly disclaims any such guarantee. The City allows connections to its water system on a first-come, first-served basis and the City may or may not have an adequate supply of water available to serve the development at the time connection is applied for. Pursuant to RCW 19.27.097, verification that an adequate water supply exists to serve the development will be required at the time a building permit is applied for and issuance of a certificate of water availability by the City at the time will be necessary before the ability to connect to the City's water system is assured

PW2. Sewer conveyance and treatment demand to serve the City's growth is anticipated in the City's Comprehensive Sewer Plan, the Poulsbo sanitary sewer Capital Improvement Plan (CIP) and the Kitsap County Capital Improvement Plan. The City's CIP identifies improvements to serve the projected growth of the City based on historic growth rates, and adequately provides for the development of the Dauntless Townhomes project. [**The reference in Exhibit 19 to the "Kitsap Gastro and Liver Clinic project" is corrected here as an obvious clerical copy-over.*] This determination is not, however a guarantee that sufficient capacity will exist at the time connection to the City's sewer system is applied for and the City expressly disclaims any such guarantee. The City allows connections to its sewer system on a first-come, first-served basis and the City may or may not have adequate sewer capacity to serve the development at the time connection is applied for. Verification of available sewer capacity will be required prior to issuance of building permits

Water

PW3. Buildings shall be connected to city water.

PW4. A separate water meter is required for each of the proposed individually owned units.

PW5. Service connection to the City water system shall be the responsibility of the property owner and shall comply with state and local design and development standards.

PW6. All water systems shall be publicly owned up to and through the water meter. All mains and fire hydrants shall be within easements dedicated to the City of Poulsbo. Dedicated water lines shall be centered in an easement of 15 feet in width minimum. For fire mains, the City shall own up to and including the Post Indicator Valve.

PW7. Pursuant to WAC 246-290-490, the water services for domestic, irrigation and fire suppression systems shall be installed with the proper backflow prevention facilities. The minimum backflow prevention device required on this type of application shall be a double check valve.

PW8. A double check valve assembly shall be installed within 18-inches of the downstream side of the water meter.

PW9. Hydrants shall have bollards installed.

Irrigation

PW10. Irrigation water shall come from a separate connection and its own meter. Please show irrigation connection(s) on the utility drawing(s).

PW11. A double check valve assembly shall be installed within 18-inches of the downstream side of the irrigation water meter.

PW12. The double check valve assembly shall be tested by a “city approved” state certified tester upon installation. A copy of the test report must be sent to the Public Works and Engineering Departments.

Sewer

PW13. Building shall be connected to City sewer.

PW14. Service connection to the City sewer system shall be the responsibility of the property owner and shall comply with state and local design and development standards.

PW15. Sewer infrastructure for the proposed development shall remain private. Maintenance of the sewer system shall be the responsibility of the property owner.

PW16. Waste water discharges from the proposed development into the City of Poulsbo’s sanitary sewer system shall meet the requirements set forth in Section 13.06.340 of the Poulsbo Municipal Code with regard to waste strength and unlawful discharges.

PW17. All manholes will be required to have an insert installed. The insert shall be ‘The Rainstopper’ by Southwestern Packing & Seals, Inc. Further information available upon request from the Public Works Department.

Solid Waste

PW18. Prior to construction plan approval the Public Works department shall approve the dumpster enclosure designs and location. Public works has the following comments regarding the proposed dumpster enclosure:

- a. A standard garbage truck is about 40' in length bumper to bumper and 50' with forks down ready to dump. The truck will need to back into the driveway across the street to be able to line up to dump the dumpster. This driveway needs to be large enough to accommodate the truck in a simple motion. Requiring the truck to do multiple turning movements to fit will not be acceptable.
- b. The dumpster area should be shifted toward the West slightly to better line up with the driveway across the street and straight in access to the dumpsters.
- c. This driveway and honestly road section should be reinforced as it will have numerous turning movements with a heavy truck on it. Public Works will not be responsible for any damage to the private roadway or driveway.
- d. During this process of lining up to dump, dumping the dumpster and pulling back out the entire roadway will be blocked. The resident will not be allowed to access for a period of 5 min or so while this process is taking place.

PW19. Solid waste service for this project shall be provided by the City of Poulsbo.

PW20. No other use will be allowed in the garbage dumpster enclosure other than to hold the garbage dumpster and recycle dumpster. Recyclables shall be maintained in the enclosure in a manner that does not interfere with garbage collection.

PW21. The dumpster pad shall be flush with the road pavement.

PW22. No overhead structures are allowed above the dumpster enclosure.

PW23. A wheel stop is required in the interior of the dumpster enclosure to limit the distance a dumpster will be placed in the enclosure.

General Conditions

PW24. Design: All water, wastewater, stormwater system facilities and streets shall be designed by a professional engineer registered in the State of Washington. Design and installation of the improvements shall be the property owners responsibility.

PW25. Design and Development Standards: Design shall be subject to the following Standards:

- City of Poulsbo Utility Comprehensive Plan
- City of Poulsbo Design, Development and Construction Standards
- City of Poulsbo Municipal Code
- Washington State Department of Health Design Standards
- Washington State Department of Ecology's Criteria for Sewage Works Design

- American Public Works Association/Department of Transportation Standard Specifications
- Washington State Department of Ecology 2019 Stormwater Management Manual for Western Washington

PW26. In the event that there is a conflict between construction standards, the more restrictive standard shall apply as determined by the City Engineer.

PW27. No walls or structures shall be permitted in utility easements.

PW28. Placement of landscape plantings and/or street trees shall not interfere with utilities. Required landscape vegetation may need to be relocated in the final landscape plan. Landscape vegetation not required by city code may need to be relocated or removed from the final landscape plan.

PW29. Appropriate easements shall be provided for public and private utilities.

PW30. City owned utilities shall be located in right-of-way or easements which are dedicated to the City.

PW31. If existing utility stubs are not utilized, they must be decommissioned at the main.

PW32. Locate meters in a single bank when possible.

Submittal and Approval

PW33. The applicant shall be required to submit to the City for approval, the plans and specifications associated with design and construction of utility system improvements.

PW34. Utility systems include, but are not limited to, distribution and collection mains, pumping facilities, storage reservoirs, detention/retention facilities or any improvements to be dedicated to the city under a deed of conveyance.

PW35. Upon completion of the project, the developer shall supply the Public Works Department with a copy of drawings of record; these drawings shall be in hard copy form and in electronic form compatible with the most recent version of AutoCAD.

Connection Fees and Assessments

PW36. Utility service for the noted property is subject to application and payment of the applicable fees and assessments. The exact fees and assessment charges will be determined at the time of building permit.

SEPA Mitigation Measures:

S1. The Environmental Impact Statement, SEPA mitigations and conditions of approval for the Olhava Master Plan (OMP), incorporated into the 1998 approval and subsequent appeal decision of 1999, are incorporated by reference. The same OMP SEPA mitigations and Conditions are included in the Development Agreement among the City of Poulsbo, Community College District #3 (Olympic College) and Olhava Associates, signed April 4, 2004 and

recorded April 29, 2004, and are applicable to the entire OMP property. The Development Agreement is the mechanism that implements the payment of SEPA mitigation fees. The Development Agreement and OMP documents are available at the Poulsbo City Hall for review

Transportation

S2. Payment of traffic mitigation fees is required for the project, as implemented through Schedule B of the 2004 Olhava Development Agreement, as may be amended from time to time. Traffic mitigation fees shall be confirmed with the building permit application and paid before building permit issuance

Animals

S3. It shall be the responsibility of the applicant to take all necessary steps to prevent the incidental taking of protected species under the Endangered Species Act through habitat modification or degradation during the life of the project or development authorized by this permit or approval. The applicant shall notify the City through its Public Works Superintendent and the Federal agencies with responsibility for enforcement of the Endangered Species Act immediately, in the event of any damage or degradation to salmon habitat by or from the project or the development subject to this permit or approval. In any such case, the applicant shall, at its sole cost and expense, take all actions necessary to prevent the furtherance of the damage or degradation and to restore the salmon habitat as required by the Federal, State, and local agencies with jurisdiction.

Historic and Cultural Preservation

S4. While there are no known archaeological resources on this site, in the event archaeological artifacts are uncovered during construction, activity shall be halted immediately, and the Washington State Department of Archaeology and Historic Preservation Office and Tribes will be contacted.

**End of Conditions.*

In the event of a need for clarification regarding the application or interpretation of any term or condition of approval set forth above, either the applicant or the city can invoke the jurisdiction of the Hearing Examiner to issue a written clarification of a particular term or condition, through a written request detailing the matter, and the basis for such request. Such request shall be made as a Request for Reconsideration.

NOTICE OF RIGHTS TO REQUEST RECONSIDERATION OR APPEAL THIS DECISION

Reconsideration –

As provided in PMC 19.40.040.F.5 (captioned “Request for Reconsideration”), any party of record may file a written request with the hearing examiner for reconsideration within seven calendar days of the date of the written decision. The request shall explicitly set forth alleged errors of procedure, law, or fact. No new evidence may be submitted in support of or in opposition to a request for reconsideration.

Appeal –

PMC 19.70.020 explains that all decisions of the hearing examiner on Type I and II appeals, and all decisions of the hearing examiner on Type III permits may be appealed to the city council. (See definition of “permit application” in PMC 19.10.030, and Table 19.20.020, where various proposals are listed as a permit type). The city council will make a final decision on such matters in a closed record appeal proceeding in which no new evidence may be submitted. The deadline and filing requirements for appeals are detailed in the city’s code, including without limitation PMC 19.70.020.

NOTE: The Notice provided on this page is only a short summary, and is not a complete explanation of fees, deadlines, and other filing requirements applicable reconsideration or appeals. Individuals should confer with advisors of their choosing and review all relevant codes, including without limitation the city code provisions referenced above and the Land Use Petition Act (Chapter 36.70C RCW) for additional information and details that may apply.