



PLANNING AND ECONOMIC DEVELOPMENT

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MEMO

To: Mayor and City Council
From: Edie Berghoff, Associate Planner *EB*
Subject: Proposed Ekelmann-Divoky Annexation Initial Meeting | Planning File P-04-30-21-01
Date: June 2, 2021

SUMMARY

The city received an intent to annex letter April 30, 2021. State law provides Council meet with the applicant within 60 days to determine if an annexation petition will be authorized. State law further identifies Council determine the boundary of the area to be considered for annexation, if the area accept its proportionate share of the City's bonded indebtedness, and determine zoning of the property.

Staff recommends Council authorize circulation of an annexation petition. Two potential annexation areas are identified, and staff recommends acceptance of the applicant's proposal, requirement the area accept a proportionate share of bonded indebtedness, and requirement zoning be as identified in the Poulsbo Subarea Plan. Residential Low zoning is identified in the subarea plan.

FOUNDATION

The intent of the Growth Management Act is the area identified in Poulsbo's Urban Growth Area (UGA) be annexed to the city and be developed to urban densities. Procedures and requirements for annexing territory to the city are provided in Section 18.220 PMC (Poulsbo Municipal Code). Provisions in this section and as set in state statute Chapter 35A.14 RCW (Revised Code of Washington) for code cities are applicable to annexation proposals.

ANNEXATION PROCESS

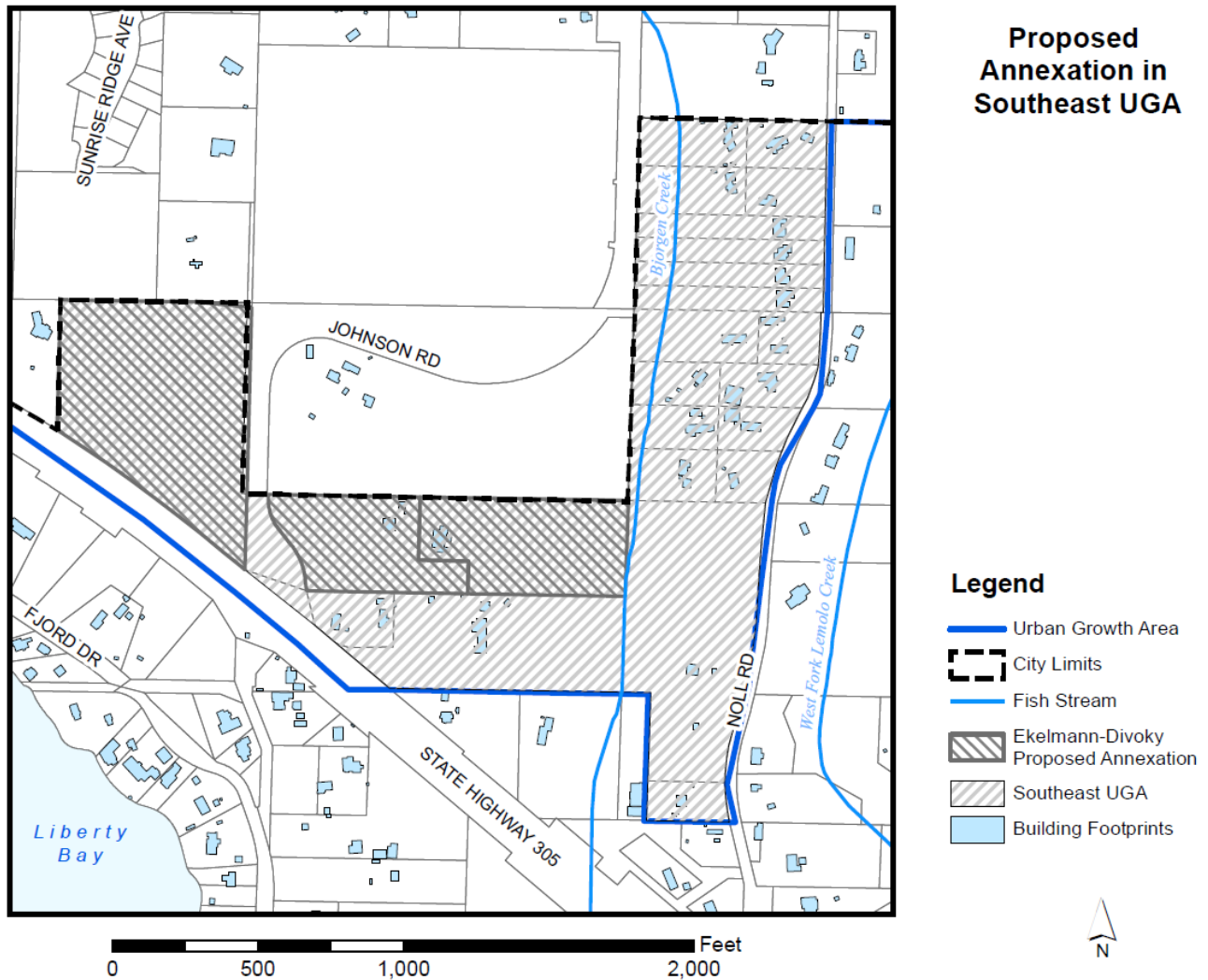
PMC identifies two methods: An Election Method annexation may be initiated by City Council or property owners; A Direct Petition Method annexation may be requested by property owners. Annexation actions may be subject to review by the Kitsap County Boundary Review Board.

Most annexations to Poulsbo utilize the Direct Petition Method. Process with completed steps indicated:

- Preliminary application meeting. Meeting was held November 19, 2019.
- Survey of Area Properties Owners. Completed by applicant.
- Letter of Intent to Annex (10%). Submitted April 30, 2021.
 - Initial Meeting with Council. June 9, 2021. If authorization is not granted for circulation of the petition (60% Petition), a substantially similar proposal may not be proposed for one year.
 - Community Notification. Proponent notifies surveyed properties.
 - Community Meeting. City staff is available to attend to answer city related and process questions.
 - 60% Petition Circulation. Circulated by the proponent.
 - Submittal of Petition. Proponent submits signed petition to the City. City provides to Kitsap County.
 - Determination of Sufficiency. Kitsap County responsible for determining sufficiency and notifies city.
 - Notice of Intent. City prepares and submits the notice to the Kitsap County Boundary Review Board.
 - City Council Public Hearing. Scheduled as soon as possible after the Board has completed review.
 - Ordinance Adoption. Typically, the ordinance is on the same Council agenda as the public hearing.
 - Paperwork Filed with State. City Clerk files paperwork and completes a census of the area.

CURRENT REQUEST

Proposed is annexation of properties in the Poulsbo UGA southeast of the City. Southeast UGA includes Johnson Road NE and is adjacent to Noll Road NE. The proposed annexation area includes two property owners. Southeast UGA and proposed annexation properties are shown below.



The proponent surveyed property owners in the Southeast UGA. Survey results are included with the Notice of Intent to Annex and are shown below. Note the owner of 2 properties south of the proposed annexation area prefer not to be annexed. In addition to interest expressed in the survey, reasonable additional value to consider is existing Utility Extension Agreements (UEA); however, no UEA are in the Southeast UGA.

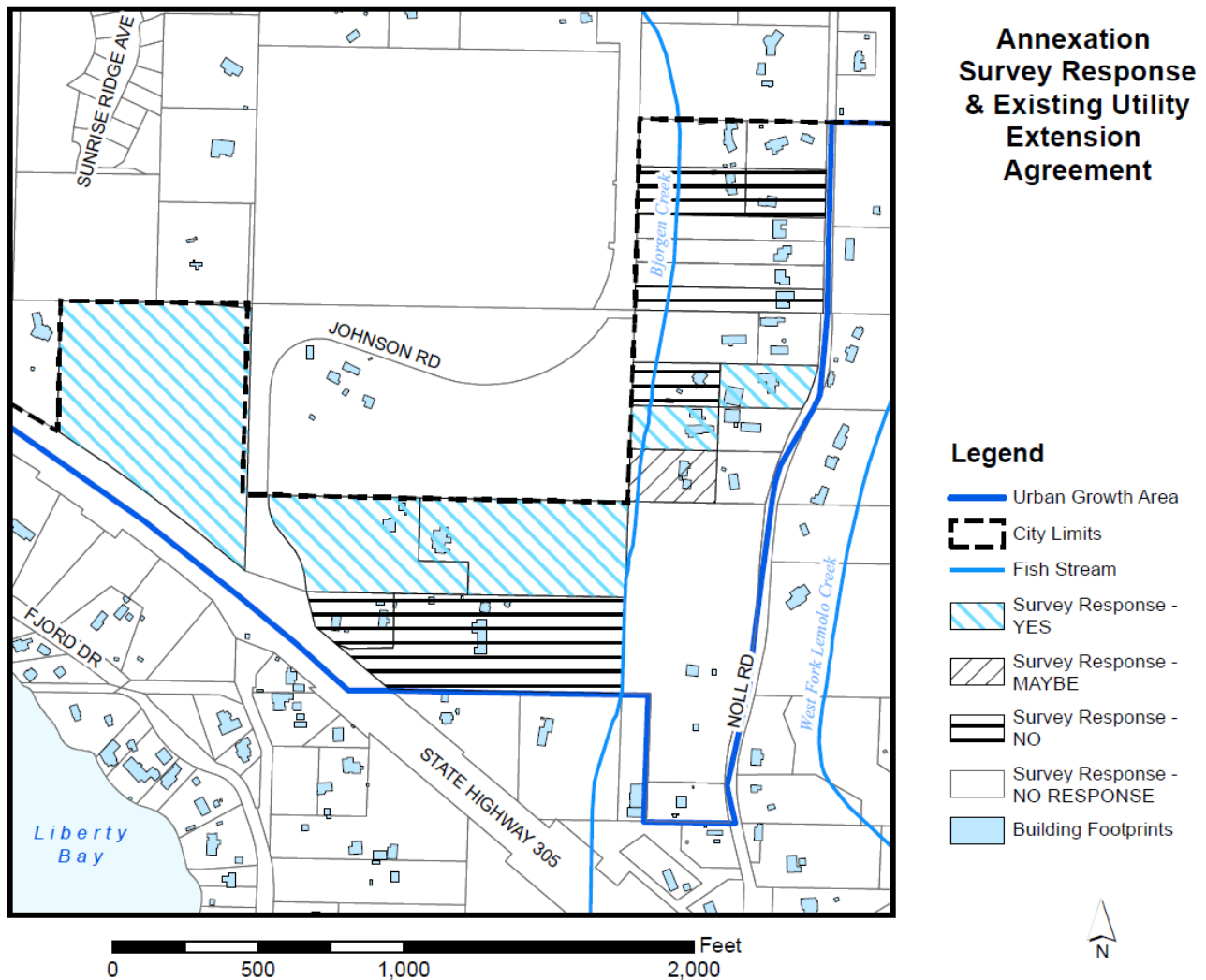
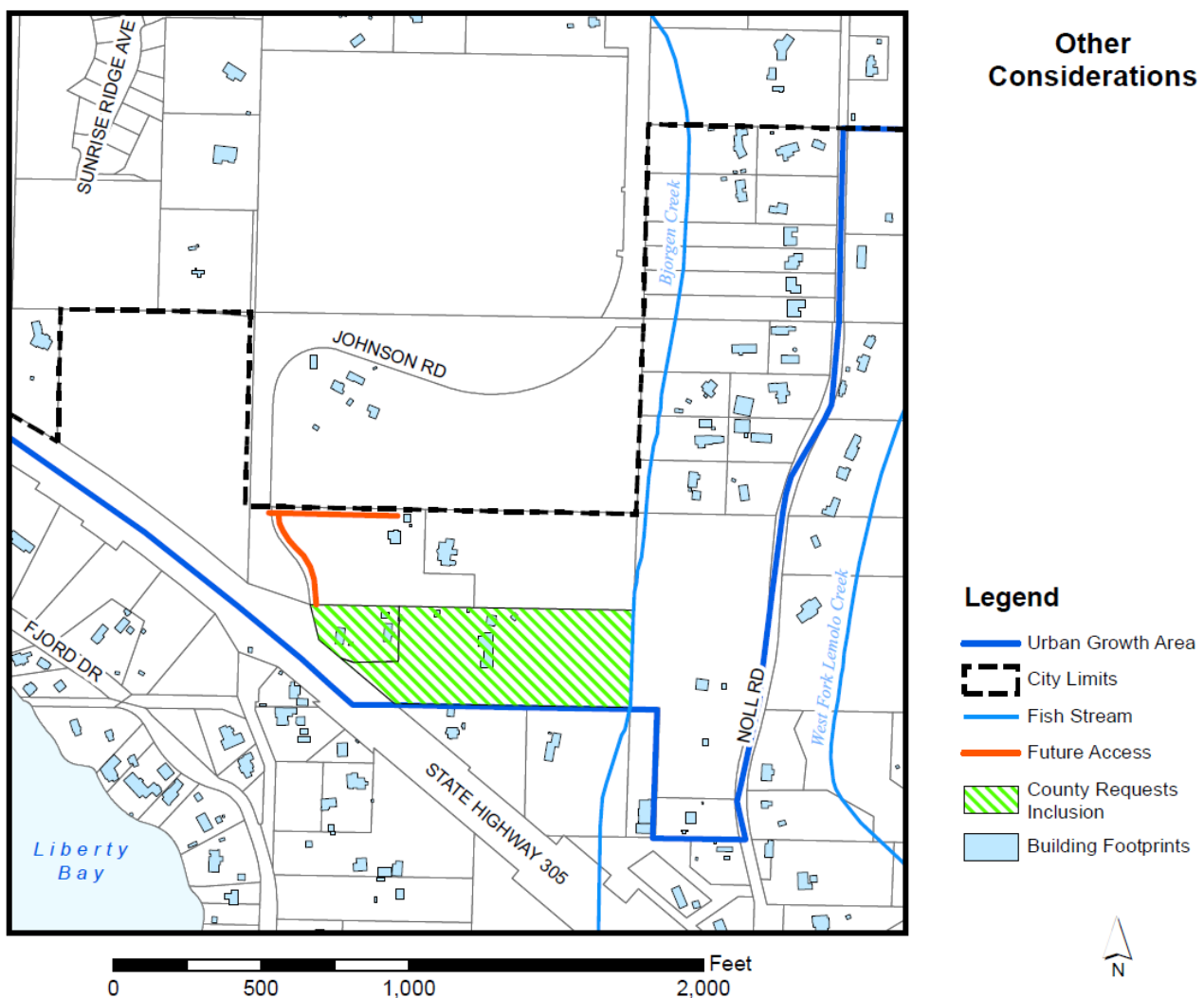


Table 1 provides information regarding assessed property value for those favoring annexation. Ownerships not interested, uncertain, and not responding to the annexation survey are also shown in the table.

Table 1: Southeast UGA					
Survey Response	Yes	Maybe	No	No Response	Total
Assessed Value 2021	1,884,830	221,550	2,197,885	3,463,270	7,767,535
Percentage of Area	24.3	2.8	28.3	44.6	100

Other considerations in addition to property owner interest and existing utility extensions inform selection of annexation boundary.

- Utilities. Immediate proximity to utility connection is being provided with Johnson Road NE improvements construction.
- County Request. Kitsap County review results in request to consider including two properties south of the proposed annexation shown in the map below. Provision of emergency services is the concern.
- Transportation.
 - ✓ Johnson Road NE Improvement Project. New frontage road crossing property north providing access to County identified properties is shown in the map below. Utility connection options for water and sewer also provided for properties with road improvements.
 - ✓ Properties in the UGA west of Bjorgen Creek are accessed from Johnson Road NE. Properties in the UGA east of Bjorgen Creek are accessed from Noll Road NE. Properties outside the UGA gain access from State Highway 305 or Noll Rd NE.
 - ✓ Critical Area. Bjorgen Creek bisects the Southeast UGA creating a natural low point through the UGA. Further development east and west of Bjorgen Creek are unlikely to occur simultaneously.



In past, City Council has requested the largest potential annexation area supported by survey results be provided. Map below shows the area; Table 2 summarizes survey results.

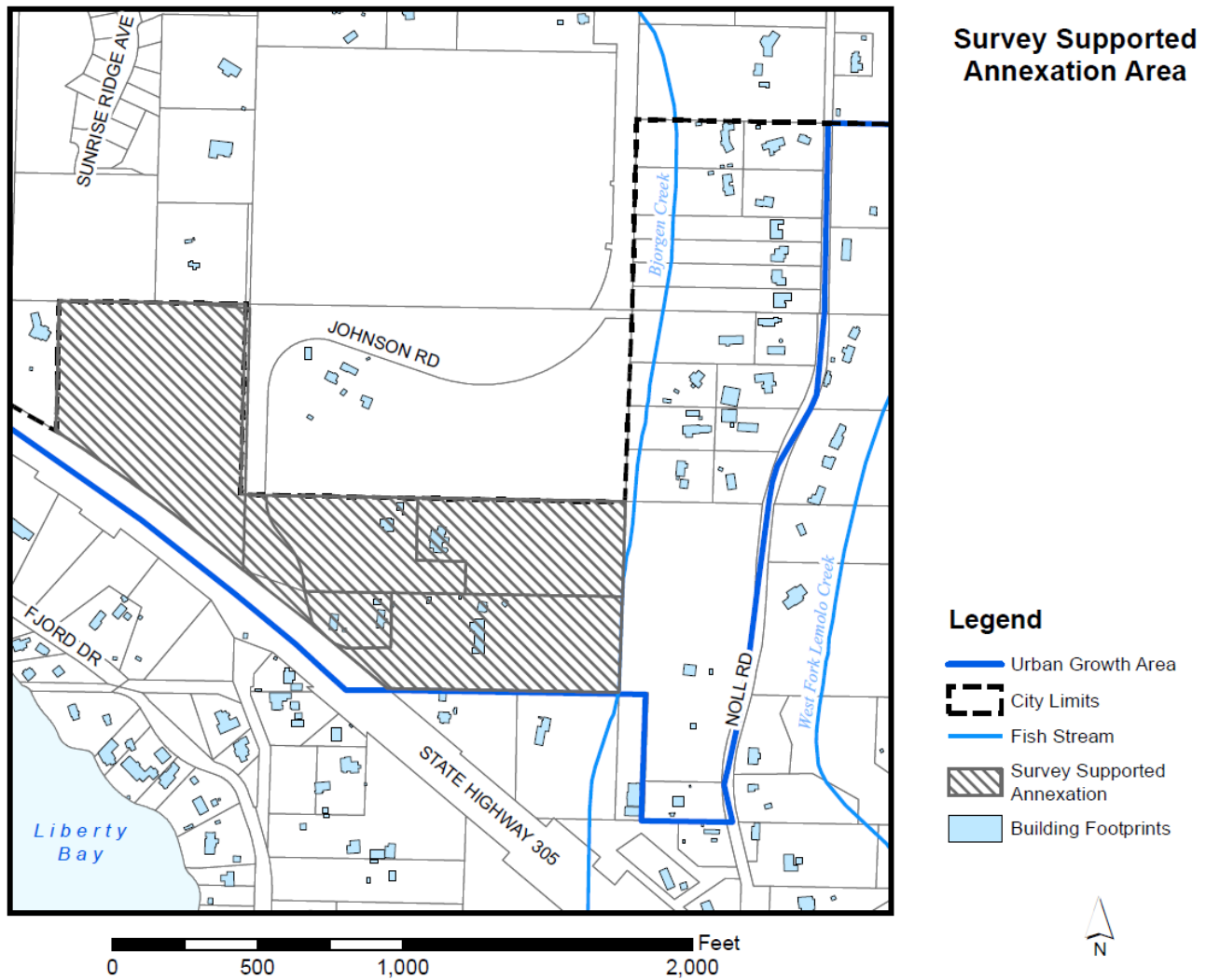


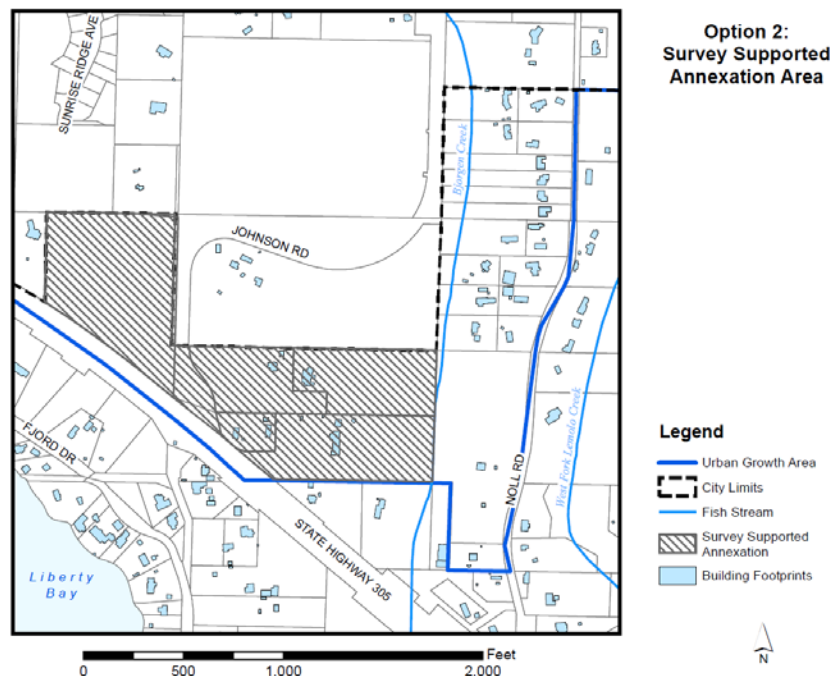
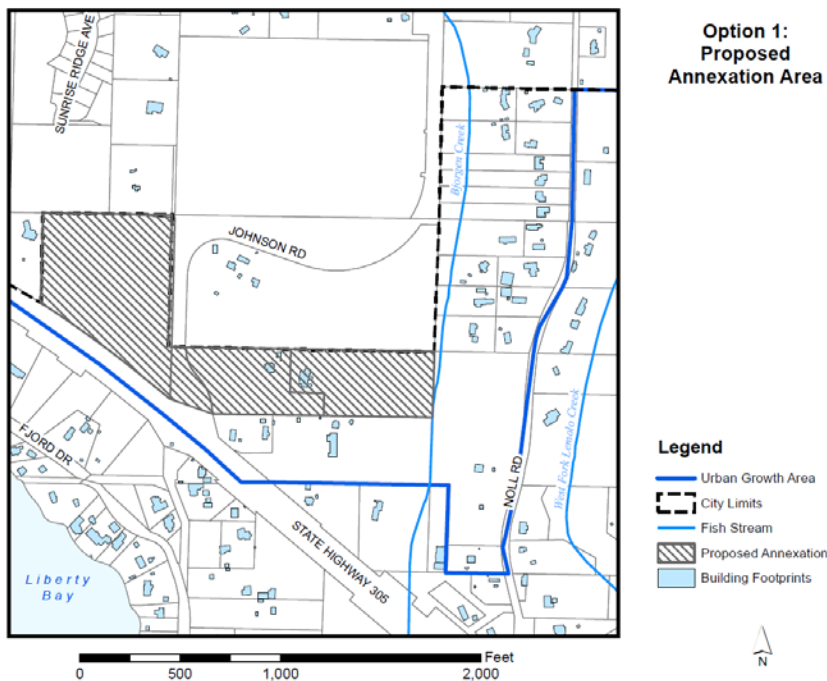
Table 2: Largest Annexation Area Supported Based on Survey Results

Survey Response	Yes	Maybe	No	No Response	Total
Assessed Value 2021	1,332,800	0	803,955	0	2,136,755
Percentage of Area	62.4	0	37.6	0	100

CONCLUSION

RCW provides City Council authority to accept annexation as proposed, add properties to the annexation proposed, or indicate annexation is not feasible at this time. Two options, one proposed by the applicant, the other determined based on survey results, are shown in the following maps.

Staff recommends proceeding with the boundary proposed by the applicant, shown in Option 1, as a stand-alone annexation which can meet the requirements of RCW and PMC. At this time the property owner, Erstad, added in Option 2 has expressed a preference to not be included. Engineering staff confirms the Johnson SR305 Roundabout project relocates the Erstad property access and as part of the relocation blue driveway addressing signage will be installed to assist emergency services response, this addresses County concern.



From: [Michael J. Bateman](#)
To: [Edie Berghoff](#); [Anthony W. Burgess](#)
Cc: [Diane K. Lenius](#); [Karla Boughton](#)
Subject: RE: Ekelmann-Divoky Annexation Request Recommended Boundary
Date: Wednesday, June 02, 2021 11:17:16 AM

Hello Edie –

The Engineering Department has reviewed the annexation boundary proposed for the Ekelmann-Divoky annexation.

Utility stubs are being provided to adjacent properties for future connection to City served utilities after annexation as a part of the Johnson Parkway and SR305 Roundabout project. This does include the Erstad properties, so the Erstad properties can be properly served by City utilities in the future upon annexation.

The Erstad properties driveway access point is being relocated as part of the Johnson Parkway and SR305 Roundabout project. As a part of that relocation blue driveway addressing signage will be installed to assist emergency services response. Appropriate and safe access to right of way is provided for the property by the relocated driveway.

Engineering staff finds no compelling reason from the Engineering Department standpoint to recommend inclusion or exclusion of the Erstad properties with this annexation proposal and can support either option for annexation boundary, with or without the Erstad properties.

Michael Bateman, PE
City of Poulsbo Engineering Department
200 NE Moe St, Poulsbo, WA 98370
Ph: 360-394-9744 Fax: 360-697-8269

NOTICE OF INTENT TO PETITION FOR ANNEXATION

I, the undersigned, am an owner of real property lying outside of the corporate limits of the City of Poulsbo, Washington, but contiguous thereto and designated as part of the City of Poulsbo Urban Growth Area.

I, the undersigned, am an owner of not less than 10 percent in value according to the assessed valuation for general taxation of the property for which annexation is sought, hereby advise the City Council of the City of Poulsbo that it is my desire to commence annexation proceedings in accordance with RCW 35A.14.120 (Direct Petition Method). It is respectfully requested that a public meeting be held within 60 days to determine if the City will accept, reject, or geographically modify the proposed annexation; whether it shall require the simultaneous adoption of a proposed zoning regulation; and whether it shall require the assumption of existing city indebtedness by the area to be annexed. The proposed annexation area is depicted on the attached map and summary.

Proposed Annexation Name: *Ekelmann Annexation*

Annexation Proposal Contact Person:

Berni Kenworthy, PE (berni.kenworthy@axislandconsulting.com)

Axis Land Consulting

PO Box 596

Poulsbo, WA 98370

360-509-3716

Area of Proposed Annexation: *20 acres*



Area Represented by Signature: *8.82 acres (44.1% of 20-acre proposed annexation)*

2021 Assessed Value Represented by Signature: *\$1,029,000 (76.6% of \$1,342,800 proposed annexation value)*

Property Owner	Parcel Number	Street Address	Property Owner SIGNATURE	Date Signed
Robert Ekelmann, Personal Representative for Vickie Arness Estate	252601-2-049-2005 & 252601-2-050-2001	Vacant & 17152 Johnson Road NE	<i>Robert & Ekelmann P.R.</i>	<i>4-27-21</i>

252601-2-034-2002
ANDREA C., STEPHEN C. & CRAIG E. DIVOKY, CO TRUSTEES
SITE ADDRESS: NONE FOUND
MAIL ADDRESS:
8309 JONES AVE NW
SEATTLE, WA 98117
CURRENT LAND USE: VACANT
CURRENT ZONING: KITSAP COUNTY RURAL RESIDENTIAL (1 DU/5 AC)
PROPOSED ZONING: CITY OF POULSBO RESIDENTIAL LOW (4-5 DU/AC)
PARCEL AREA: 10.14 AC
2021 ASSESSED VALUE: \$313,800 (LAND)

JOHNSON ROAD NE

-  City of Poulsbo UGA Boundary
-  Proposed Annexation Boundary

ANNEXATION DATA

OWNER	PARCEL AREA (AC)	% OF ANNEXATION AREA
EKELMANN	8.82	44.1
DIVOKY	10.14	50.7
ROW	1.04	5.2
TOTAL	20.00	100.0

OWNER	2021 ASSESSED VALUE	% OF ANNEXATION AREA
EKELMANN	\$1,029,000	76.6
DIVOKY	\$313,800	23.4
TOTAL	\$1,342,800	100.0

ROW AREA: 1.04 AC

252601-2-049-2005
ROBERT EKELMANN, PERSONAL REP
VICKIE ARNESS ESTATE
SITE ADDRESS: NONE FOUND
MAIL ADDRESS:
5376 E EDGERTON PARKS RD
PALMER, AK 99645
CURRENT LAND USE: VACANT
CURRENT ZONING: KITSAP COUNTY RURAL RESIDENTIAL (1 DU/5 AC)
PROPOSED ZONING: CITY OF POULSBO RESIDENTIAL LOW (4-5 DU/AC)
PARCEL AREA: 3.85 AC
2021 ASSESSED VALUE: \$138,050 (LAND)

252601-2-050-2001
ROBERT EKELMANN, PERSONAL REP
VICKIE ARNESS ESTATE
SITE ADDRESS:
17152 JOHNSON RD NE
POULSBO, WA 98370
MAIL ADDRESS:
5376 E EDGERTON PARKS RD
PALMER, AK 99645
CURRENT LAND USE: SINGLE-FAMILY RESIDENCE
CURRENT ZONING: KITSAP COUNTY RURAL RESIDENTIAL (1 DU/5 AC)
PROPOSED ZONING: CITY OF POULSBO RESIDENTIAL LOW (4-5 DU/AC)
PARCEL AREA: 4.97 AC
2021 ASSESSED VALUE:
\$241,690 (LAND) + \$639,260 (BLDGS) = \$890,950

DRIVE NE

JOHNSON WAY NE

STATE HWY 305 NE