



Rafe Wysham  
Director

## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

*To enable the development of quality, affordable, structurally safe and environmentally sound communities.*

### Notice of Administrative Decision

**Date:** 12/16/2025

**To:**

**DEMING JESSE & KAREN & CRISS ROGER,** [jesse.deming@gmail.com](mailto:jesse.deming@gmail.com),  
[kgdeming@gmail.com](mailto:kgdeming@gmail.com)

**WEST SOUND COMMUNITY CHURCH,** [daniel@westsound.org](mailto:daniel@westsound.org)

**Adam Foley,** [adam.foley@rsir.com](mailto:adam.foley@rsir.com)

**Interested Parties and Parties of Record**

**RE:**

**Permit Number:** 25-01146

**Project Name:** KITSAP CHILDREN'S MUSICAL THEATER - Administrative  
Conditional Use for a Meeting and Rehearsal Venue

**Type of Application:** Administrative Conditional Use Permit (ACUP)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #25-01146: KITSAP CHILDREN'S MUSICAL THEATER - Administrative Conditional Use for a Meeting and Rehearsal Venue – ACUP**, subject to the conditions outlined in this Notice and included Staff Report.

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.**

The written appeal shall be made on, or attached to, an appeal form titled: 'Appeal/Objection of an Administrative Decision' found on DCD's website, through the Online Permit Application Portal: <https://app.ancamino.com/kitsapcounty/login>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact [help@kitsap1.com](mailto:help@kitsap1.com) or (360) 337-5777.

**CC:**

Business Owner: Kitsap Children's Musical Theater, 2356 NW RUDE RD SILVERDALE, WA 98383

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

25-01146 KCMT ACUP  
12/16/2025

Dept of Archaeological Historic Preservation  
Point No Point Treaty Council  
Port Gamble S'Klallam Tribe  
Puyallup Tribe  
Skokomish Tribe  
Squaxin Island Tribe  
Suquamish Tribe  
WA Dept of Fish & Wildlife  
WA Dept of Natural Resources  
WA State Dept of Transportation  
Parks  
Navy  
DE & PEP  
Kitsap Transit  
North Kitsap Fire District  
North Kitsap School District  
Puget Sound Energy  
Water Purveyor PUD 1  
Sewer Purveyor PUBLIC UTILITY DIST NO 1  
Puget Sound Clean Air Agency  
DCD  
Cascade Natural Gas  
Assessor's Office  
Kitsap Sun  
Prosecutor's Office  
WA Department of Health  
DCD Staff Planner: Kate Millward

Interested Parties: Steven Baker, [srb215@hotmail.com](mailto:srb215@hotmail.com); David Horton with KITSAP LAW GROUP, [TRACEY@KITSAPLAWGROUP.COM](mailto:TRACEY@KITSAPLAWGROUP.COM); Tom Bopp, [tommybopp@hotmail.com](mailto:tommybopp@hotmail.com); Robert Larsen, [coachrob2013wins@gmail.com](mailto:coachrob2013wins@gmail.com); Kevin Abrams, [kevin@edgewestllc.com](mailto:kevin@edgewestllc.com); Jason Huff, [jason.r.huff6.civ@us.navy.mil](mailto:jason.r.huff6.civ@us.navy.mil), [huff.jason@icloud.com](mailto:huff.jason@icloud.com); Margaret Kaspar, [haldiskaspar@gmail.com](mailto:haldiskaspar@gmail.com); Brandon Berndtson, [brandon.berndtson@gmail.com](mailto:brandon.berndtson@gmail.com); Nora Bopp, [norabopp@hotmail.com](mailto:norabopp@hotmail.com)



## Administrative Staff Report

**Report Date:** December 10, 2025

**Application Submittal Date:** March 18, 2025

**Application Complete Date:** July 15, 2025

**Project Name:** Kitsap Children's Musical Theater (KCMT) Clubhouse

**Type of Application:** Administrative Conditional Use Permit

**Permit Number:** 25-01146

### Project Location

2356 Rude Rd  
Poulsbo, WA 98370  
Commissioner District 1

### Assessor's Account #

092601-4-001-2007

### Applicant/Owner of Record

Karen and Jesse Demming  
20192 Clear Creek Rd NW  
Poulsbo, WA 98370

### VICINITY MAP



### Decision Summary

Approved subject to conditions listed under section 13 of this report.

#### 1. Background

The subject parcel contains a single-family residence that was previously used as a church under a Conditional Use Permit (CUP). The proposed use only requires an Administrative Conditional Use Permit (ACUP). Infrastructure is already in place for this level of use, including a parking lot and a septic system.

Per the code, a church and a club have identical use standards: In rural protection (RP), rural residential (RR), or parks (P) zone, all buildings and activities shall be set back a minimum of fifty feet, and thirty-five feet in all other zones, from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation,

noise, light, or other circumstances. The director may increase setback, buffer, and landscaping standards or impose other conditions to address potential impacts.

The Conditional Use Permit 02-04355 for the previous church allowed meetings, classes, camps, revivals, choir practices, fundraisers, potlucks, nativities, rehearsals, memorial services, weddings, bake sales and any other church-related activities—within their Health District-approved limits.

Shortly after this permit was submitted, KCMT volunteers began using the property and hosted a summer youth camp without permit approval. Neighbors notified the County of the violation. Since then, KCMT has been involved in negotiations with neighbors to produce acceptable conditions and screening. Some of the proposed conditions for this permit were volunteered by KCMT and are more restrictive than Kitsap County Code (KCC).

## **2. Project Request**

This applicant requests approval of an Administrative Conditional Use Permit (CUP) to allow a club, the closest similar categorical use, in the Rural Residential Zone. Kitsap County Code (KCC) does not define “rehearsal space”, “theater”, or “venue”. KCC defines “entertainment facility” and “event facility”; however, the proposed use doesn’t meet those definitions since:

- no performances will be held at this location.
- neither the parcel nor structure will be open to the public.
- neither the parcel nor structure may be rented to host an event.

## **3. SEPA (State Environmental Policy Act)**

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law requiring the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the permit record as it was issued, since it cannot be changed by the deciding authority.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Revised Notice of Application dated October 10, 2025. A Determination of Nonsignificance (DNS) was issued on November 10, 2025. SEPA noted the following SEPA mitigation conditions have been

imposed and are listed in this report:

1. The proposal is conditioned to comply with all Kitsap County Code (KCC). This includes, but is not limited to, the following:
  - a. KCC Title 9 'Health, Welfare, and Sanitation'
  - b. KCC Title 10 'Peace, safety, and morals'
  - c. KCC Title 11 'Roads, Highways and Bridges'
  - d. KCC Title 12 'Stormwater'
  - e. KCC Title 14 'Buildings and Construction'
  - f. KCC Title 17 'Zoning'
  - g. KCC Title 18 'Environment'

The SEPA appeal period expired November 24, 2025. No appeals were filed; therefore, the SEPA determination is final.

#### 4. Physical Characteristics

The parcel is irregularly shaped, but generally rectangular, with a driveway to Rude Rd NW. The 3.84-acre parcel is generally flat and cleared, with trees along south, east and west property lines. The parcel is developed with a one-story house, paved driveway, and parking area.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Rural Residential Zone: Rural Residential	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	1 unit per 5 acres	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	140'	NA
Minimum Lot Depth	32'	NA
Maximum Height	35'	NA
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (South)	50'	230' (existing) 70' (existing - measured to northeastern line)
Side (East)	20'	65' (existing)
Side (West)	20'	240' (existing)

Rear (North)	20'	253' (existing) 43' (existing - measured to southeastern line)
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**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Residential (RR)
South	Single-family residence	Rural Residential (RR)
East	Single-family residence	Rural Residential (RR)
West	Single-family residence	Rural Residential (RR)

**Table 4 - Public Utilities and Services**

	Provider
Water	Kitsap PUD
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District

**5. Access**

NW Rude Rd, a county-maintained right-of-way, provides direct access to the parcel from the south.

**6. Site Design**

The parcel is developed with a structure and a 40-spot parking lot centrally located on the site. The proposal includes landscape buffers on all sides of the parcel. Additional plantings may be required to supplement mature trees along the east, west and south, if needed to achieve the intent of the landscape buffer requirements.

**7. Policies and Regulations Applicable to the Subject Proposal**

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted December 2024.

The following Comprehensive Plan goals and policies are most relevant to this application:

**Land Use Goal 3. Full and Equal Access**

Evaluate land use actions and decisions for their impact on the provision of full and equal access to opportunities and resources for all residents, regardless of identity, community, or socioeconomic circumstances.

**Land Use Goal 4. Property Rights**

Balance community rights for health, safety, and conservation of resources with the rights of private property owners in development regulations.

Land Use Policy 18.3. When considering public spending for facilities and services within the rural area, prioritize the maintenance of existing facilities and services that protect public health and safety and only upgrade facilities and services to provide rural service levels without creating capacity for urban growth.

The County’s development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 21.04	Land Use and Development Procedures

**8. Documents Consulted in the Analysis**

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Project Narrative	March 28, 2025
Project Application (Submission)	March 28, 2025
Site Plan	August 8, 2025
Commercial Health Receipt	September 2, 2025
Landscaping Plan	September 10, 2025
SEPA Checklist	October 10, 2025
Revised Notice of Application	October 10, 2026

**9. Public Outreach and Comments**

The Department published a Notice of Application pursuant to KCC Title 21 land use and development procedures, which provided recipients with project information and an opportunity for public comment.

All neighbors who provided public comment oppose the proposed use. Some collaborated with KCMT, others have declined to do so. The Department received 38 public comments from nine people.

Most of the comments request denial of the project and include the following themes:

- KCMT plans to expand on the property and/or buy the property from the owners down the road and is a "wealthy" commercial entity and should, therefore, not be considered a club.
- KCMT has not been a good neighbor.
- KCMT is lying to the County and misrepresenting the scope of their project; because they used to rehearse at Briedablik Elementary which is much larger, they shouldn't be allowed to use this parcel.
- They did not get adequate opportunity to comment.
- The County is showing favoritism.
- The use would create too much traffic and Rude Road is too poorly constructed and dangerous to accommodate this much traffic.
- The activity will disturb people and livestock.
- The previous tenant (West Sound Community Church) was very quiet so KCMT should be, too.

*Staff Response: The staff report serves as the Department response to comments by identifying how the project does, or does not, meet KCC. An ACUP or CUP process doesn't allow the Department to prohibit a proposed use if it meets code requirements. The State Environmental Protection Act (SEPA) analysis provides the information necessary to determine if a proposal will impact the public.*

*Kitsap County Code (KCC) Chapter 17.410 identifies the uses allowed within a specific zoning designation and the permit required to establish said uses. An Administrative Conditional Use Permit (ACUP), as required for this permit:*

- *notifies parcel owners within 800 feet of the project site that the Department of Community Development received an application to establish the proposed use.*
- *provides an opportunity for public comment to inform the Department of potential impacts.*
- *allows the Department to analyze impacts associated with the proposal and impose conditions of approval to mitigate those impacts.*

*The previous Conditional Use Permit (CUP) provided greater opportunity for public comment by including a public hearing in the review process. A public hearing shifts the reviewing authority from the Department Director to the Hearing Examiner. The hearing also included additional noticing and allows verbal testimony. The existing church on this parcel endured the CUP process which rendered an approval.*

## **10. Analysis**

### **a. Planning/Zoning**



KCC Section 17.110.165, a club means: a place where an association of persons or 501(c)(3) nonprofits organized for some common purpose meet. This definition may include a clubhouse.

KCC Section 17.110.166, a clubhouse means: the structure or premises occupied by a club and its staff. This definition excludes places of worship and groups organized primarily for commercial business purposes.

KCC 17.110.600, a place of worship means: a permanently located building primarily used for religious worship.

Per Merriam-Webster Dictionary, commercial means: occupied with or engaged in commerce or work intended for commerce.

Per Merriam-Webster Dictionary, commerce means: the exchange or buying and selling of commodities on a large-scale involving transportation from place to place.

KCC Section 17.415.115 Club.

In rural protection (RP), rural residential (RR), or parks (P) zone, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

*Staff Comment:*

*The Department added conditions of approval to mitigate excessive traffic generation, noise, light or other nuisances.*

*The applicant proposes to use the property for Kitsap Children's Musical Theatre as a clubhouse associated with a club (see definitions listed above), where the non-profit will meet for rehearsals and club activities. KCC Section 17.410.042 allows a club with an associated clubhouse, categorical use 304, in the Rural Residential zoning designation with an Administrative Conditional Use Permit (ACUP). The project does not meet the definition of commercial or commerce.*

*Permit 02-04355 already approved a Place of Worship, categorical use 406, and mitigated impacts to parcels in the vicinity. This project further mitigates visual and noise impacts through landscape buffers, restricting the number of people, types of*

*activities, and hours of operation. Furthermore, the applicant proposed mitigation measures, added as conditions of approval, that are more restrictive than KCC.*

*Regarding zoning setbacks, the existing building is located approximately 230 feet from the front property line, 65 feet from the east side property line, and 240 feet from the west property line. The property includes two rear property lines to the north, 253 feet and 43 feet from the existing structure.*

*The proposed use will not increase traffic levels above those approved with the previously approved CUP for the place of worship. The property is accessed from NW Rude Rd. The Department confirmed that the internal circulation provides adequate access and parking with 40-space parking lot. The long drive aisle access to the parking lot minimizes the potential for traffic stacking on NW Rude Rd.*

**b. Lighting**

Lighting is not analyzed for this permit.

**c. Off-Street Parking**

The existing 40-space parking lot provides adequate parking.

**Table 5 – Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Clubs/Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotels, restaurants, auditoriums, etc.	Use Places of Worship requirements	
Place of Worship	1 space per 4 seats <b>or</b> 8 feet of bench length in main auditorium	50 seats @ 1 space per 4 seats = 13 spaces	40 existing spaces

**d. Signage**

Signage is not analyzed for this permit. Signs require an additional permit per the conditions of approval.

**e. Landscaping**

KCC Section 17.500.027 Buffer Types

B. Solid Screening Buffer. This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and commercial or industrial uses. It is also intended to provide a sight barrier around

outdoor storage yards, service yards, trash receptacles, mechanical and electrical equipment, etc.

*Staff Comment: Given the potential for headlight glare and noise, a 20' vegetated buffer is appropriate between the club use and the surrounding rural residential uses. Kitsap Children's Musical Theater discussed this with neighbors and understands the need for this to maintain rural character. KCMT has submitted a landscaping plan, demonstrating how it will comply with this requirement.*

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	15 %	Greater than 15%
North	Solid Screen Buffer	Solid Screen Buffer
South	Solid Screen Buffer	Solid Screen Buffer
East	Solid Screen Buffer	Solid Screen Buffer
West	Solid Screen Buffer	Solid Screen Buffer
Street Trees	NA	NA

**f. Frontage Improvements**

Frontage improvements are not analyzed for this permit.

**g. Design Districts/Requirements**

This parcel is not within a design district.

**h. Development Engineering/Stormwater**

No comment at this time.

**i. Environmental**

No critical area issues present.

**j. Access, Traffic and Roads**

The Department reviewed the proposal and approve the concept as proposed, subject to the conditions of approval.

**k. Fire Safety**

The Department reviewed the proposal and approve the concept as proposed, subject to the conditions of approval.

**l. Solid Waste**

No comment at this time.

**m. Water/Sewer**

No comment at this time.

**n. Kitsap Public Health District**

Approved for a maximum of 50 attendees 4 times a week. Future increase in use will require review and approval from the Health District. See Health District Commercial Building Clearance Application memo #160395 for more information.

**11. Review Authority**

KCC Sections 17.540.020 and 21.04.100 provide the Director review authority for this Administrative Conditional Use Permit application. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

**12. Findings**

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

**13. Decision**

Based upon the analysis above and the decision criteria found in KCC 17.540.040, the Department of Community Development recommends **approval** subject to the following conditions:

**a. Planning/Zoning**

1. All activities will take place indoors.
2. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property. Camping, outdoor

daycamps, or performances are not approved under this permit. Any such use would require a separate permit and review.

3. Existing shipping containers and tents must be removed before occupancy. Any such structure(s) requires a separate permit and review.
4. Parking is limited to the existing parking lot and no overflow parking is allowed.
5. No amplified sound is approved outdoors.
6. Weekday rehearsals shall only occur between 3:00 pm and 7:30 pm, and no more than three days per week. On early release school days, rehearsals shall only occur between 2:00 pm and 7:30 pm.
7. Weekday rehearsals will have no more than 20 cast members.
8. Saturday rehearsals shall occur between 10:00 am and 6:00 pm.
9. Saturday rehearsals will not exceed 40 cast members.
10. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation. A minimum 20' vegetated and/or fenced solid screening buffer is required along all property lines. Existing vegetation located onsite can be used to satisfy the buffer requirements.
11. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
12. Any and all signage design and location (including exempt signs) shall comply with KCC 17.510. Signage will require a separate permit, unless as otherwise allowed in KCC 17.510. Sign permits shall be reviewed and approved by the Department of Community Development prior to installation.
13. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of, and agreement to, abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
14. The decision set forth herein is based upon representations made and exhibits contained in the project application #25-01146. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
15. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

**b. Development Engineering**

NA

**c. Environmental**

NA

**d. Traffic and Roads**

NA

**e. Fire Safety**

NA

**f. Solid Waste**

NA

**g. Kitsap Public Health District**

16. Approved for a maximum of 50 attendees 4 times a week. Future increase in use will require review and approval from the Health District. See Health District Commercial Building Clearance Application memo #160395 for more information.

**Report prepared by:**



Kate Millward, Project Lead

12/10/2025

Date

**Report approved by:**



Darren Gurnee, Current Planning Supervisor

12/10/2025

Date

**Attachments:**

Attachment A – Site Plan

Attachment B – Landscaping Plan

Attachment C – Critical Areas Map

Attachment D – Aerial Imagery

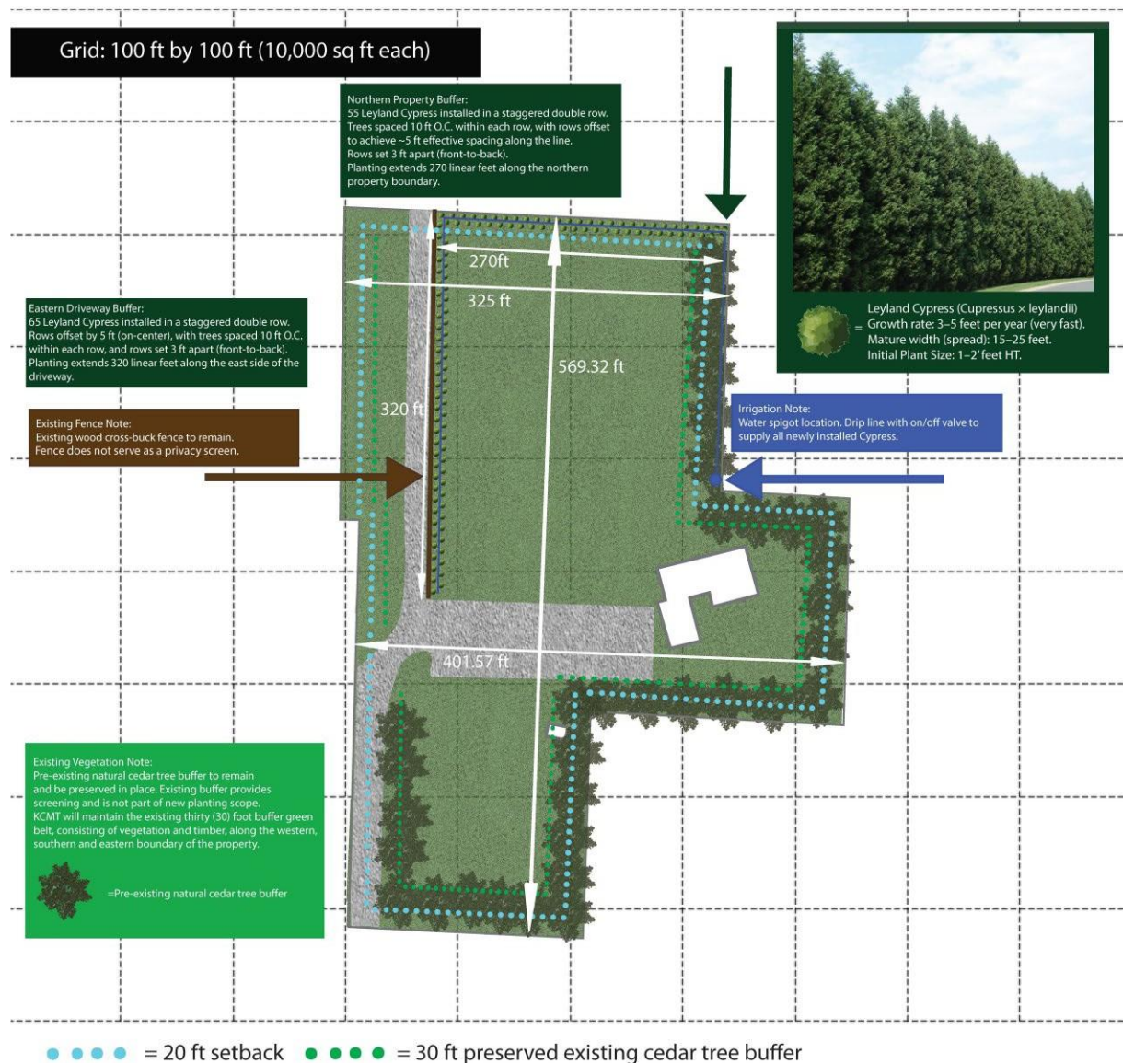
CC: Jesse and Karen Deming and Criss Roger,  
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Karen Deming, [kgdeming@gmail.com](mailto:kgdeming@gmail.com)  
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West Sound Community Church,  
[daniel@westsound.org](mailto:daniel@westsound.org)  
DCD Staff Planner: Kate Millward

## Attachment A - Site Plan

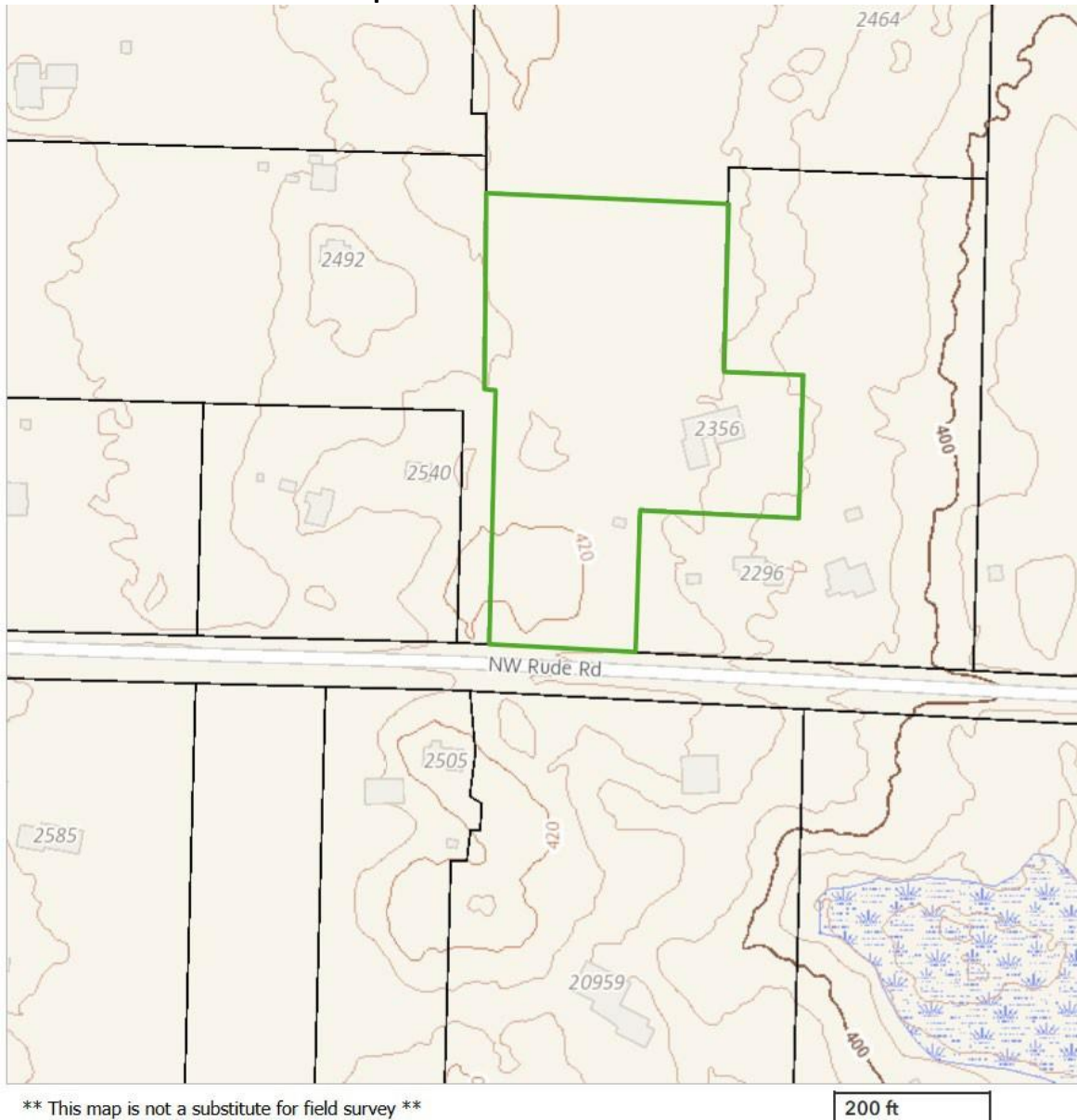




## Attachment B - Landscaping Plan



**Attachment C – Critical Areas Map**



**Attachment D – 2021 Aerial Imagery**



\*\* This map is not a substitute for field survey \*\*

200 ft