



Planning Commission Executive Summary

Issue Title: 2019 Zoning Use Table Update
Meeting Date: March 17, 2020
Time Required: 60 minutes
Department: Department of Community Development (DCD)
Attendees: Dave Ward, Liz Williams and Darren Gurnee

Action Requested at This Meeting:

No action requested – conduct a study session to discuss the Department recommended proposal regarding residential uses across all zones.

Background

- The Board of County Commissioners approved funds to develop alternatives to the zoning use tables found in Title 17, Zoning, of the Kitsap County Code.
- Outreach to date includes:
 - Online surveys.
 - Planning Commission study sessions for preliminary feedback.
 - Community organization presentations.
 - Open houses.
 - Stakeholder workshops.
- The Department analyzed feedback from the outreach efforts to inform the development of a recommended proposal for the planning commission public review process. On March 3, 2020 the planning commission reviewed the:
 - preliminary feedback from the outreach efforts.
 - strategies behind the development of the proposal format.
 - strategies for reviewing future documents.
 - the Department recommended draft outline as follows:
 - Sections 1-4: Placeholders for Final Draft Ordinance
 - Section 5: Definitions
 - Sections 6-34: Individual zone chapters
 - Section 35: Rural, resource, and urban residential zones
 - Section 36: Commercial, industrial, parks, and public facility zones
 - Section 37: Limited areas of more intensive rural development (LAMIRD)
 - Section 38-39: Use table footnote analysis
 - Section 40: Additional categorical use regulations 17.415
 - Section 41-42: Multifamily applicability and site design
 - Sections 43-45: Placeholders for Final Draft Ordinance

- The Department suggested review process. The process of reviewing Attachment C1 – Department Recommended Draft should start with sections 35-37 'use tables'. These tables reference definitions and regulations located in other areas of the document. Using this method helps layer information to allow review at a conceptual level (e.g., categorical uses allowed within a zone) and the ability to dive into multiple levels of detail (e.g., definitions and regulations).
- **This session will review the Department Recommended Proposal regarding residential uses in all zones.** The review will address:
 - Definitions.
 - Changes to the level of permit review required for the use.
 - Additional regulations by categorical use.
 - Additional regulations for a categorical use in a specific zone.
- The Department will incrementally review commercial, industrial, institutional, recreational, resource, accessory, and temporary uses with the planning commission at future meetings.

Attachments:

- Attachment A – Department Recommended Draft
Attachment A – Department Recommended Draft is a working document that will update to include additional use tables and revised definitions or standards associated with those tables as future meetings occur. The residential uses and applicable definitions should not change beyond this date.
- Attachment B – March 3, 2020 Planning Commission Study Session Powerpoint Presentation

1 “Accessory living quarters Accessory dwelling unit, attached” means separate living quarters
2 contained within or directly connected by a minimum of four feet to the habitable space of the
3 owner-occupied primary residence. Alternate configurations shall not be allowed as an
4 accessory dwelling unit, attached.

5 **17.110.--- Dwelling, accessory-detached.**

6 “Accessory dwelling unit, detached” means separate living quarters detached from the owner-
7 occupied primary residence. No mobile home or recreational vehicle shall be allowed as an
8 accessory dwelling unit. This definition excludes guest houses.

9 **17.110.150--- Dwelling, accessory-caretaker.**

10 “Caretaker’s dwelling” means a single-family residence accessory to a commercial or industrial,
11 or park use intended for the purposes of providing supervision, maintenance or security of the
12 property.

13 ~~**17.110.--- Dwelling, accessory-guest house.**~~

14 ~~“Guest house” means living quarters in an accessory building for the use of the occupant,~~
15 ~~persons employed on the premises, or for temporary use by guests of the occupant. Such~~
16 ~~quarters have no kitchen facilities and are not otherwise used as a separate dwelling unit.~~

17 **17.110.--- Dwelling, adult family home.**

18 “Adult family home” means a dwelling licensed pursuant to Chapter 70.128 RCW in which a
19 person or persons provide personal care, special care, and room and board to no more than six
20 residents.

21 **17.110.--- Dwelling, assisted or independent living facility.**

22 “Assisted or independent living facility” means a facility, other than a clinic, that provides room,
23 board, and/or care to dependent children, the elderly, and the physically or mentally
24 handicapped. Services in these establishments include, but are not limited to: assistance with
25 dressing, grooming, and bathing. Assisted and independent facilities may have a central or
26 private kitchen, dining, recreational, and other facilities, with separate bedrooms or living
27 quarters.

28 ~~**17.110.112--- Dwelling, boarding house.**~~

29 ~~“Boarding house” means a building arranged or used for lodging for compensation, with or~~
30 ~~without meals, with any number of guest rooms and not occupied as a single-family unit.~~

31 ~~**17.110.180--- Dwelling, congregate care facility.**~~

32 ~~“Congregate care facility” means any building in which people live in individual housing units~~
33 ~~which provide for independent living while providing common living areas and limited services~~
34 ~~such as health care, meals and housekeeping.~~

35 ~~**17.110.190--- Dwelling, convalescent, nursing or rest home.**~~

36 ~~“Convalescent, nursing or rest home” means any building or premises in or on which sick,~~
37 ~~injured, or infirm persons are housed, for a period in excess of twenty-four consecutive hours~~
38 ~~and furnished with meals and nursing care for hire.~~

39 ~~**17.110.196--- Dwelling, cottage housing development.**~~

1 “Cottage housing development” means a tract of land under single ownership or unified control
2 developed with four or more detached living structures sharing any of the following: common
3 kitchen and sanitation facilities, common area/courtyard and/or parking area.

4 **17.110.--- Dwelling, dormitory.**

5 “Dwelling, dormitory” means a college or university building that provides boarding school,
6 college, or university students with sleeping quarters, common bathrooms, common rooms,
7 and may include a dining area and cafeteria.

8 **17.110.245--- Dwelling, duplex.**

9 “Dwelling, duplex,” means a building containing two dwelling units and designed for occupancy
10 by not more than two families. ~~A duplex may not be considered a primary residence for the~~
11 ~~purposes of constructing an accessory dwelling unit or accessory living quarters.~~

12 **17.110.--- Dwelling, family living.**

13 “Dwelling, family living” means the residential occupancy of a structure by a family. Each
14 dwelling unit includes kitchen and bathroom facilities. Family living includes the following
15 dwelling types:

- 16 A. Manufactured home, mobile home, tiny home;
- 17 B. Single family detached (includes manufactured homes);
- 18 C. Single family attached, condominium or townhome;
- 19 A.D. Multiple family; or
- 20 E. Group home.

21 **17.110.--- Dwelling, group home.**

22 “Dwelling, group home” means:

- 23 A. A dwelling unit containing up to eight unrelated persons who are mentally or physically
24 impaired who are protected under the Fair Housing Act, along with support or supervisory
25 personnel or family members who may reside at the facility.
- 26 B. The term mental or physical impairment includes conditions such as blindness, hearing
27 impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug
28 addiction, chronic fatigue, learning disability, head injury, and mental illness.
- 29 C. Current users of illegal controlled substances, persons convicted for illegal manufacture or
30 distribution of a controlled substance, sex offenders, and juvenile offenders are not
31 considered mentally or physically impaired under the Fair Housing Act.
- 32 D. The Fair Housing Act affords no protections to individuals with or without disabilities who
33 present a direct threat to the persons or property of others. Determining whether someone
34 poses such a direct threat must be made on an individualized basis, however, and cannot be
35 based on general assumptions or speculation about the nature of a disability.

36 **17.110.--- Dwelling, group living.**

37 “Dwellings, group living” Means the residential occupancy of a structure by seven or more
38 people that does not meet the definition of dwelling, family living. Generally, group living

1 facilities have a common eating area for residents, and residents may receive care or training.
2 Group living includes the following:

- 3 A. Adult family home.
- 4 B. Assisted living facility;
- 5 C. Boarding house, rooming house, or lodging house;
- 6 D. Congregate care facility;
- 7 E. Shelter;
- 8 F. Dormitory;
- 9 G. Hospice;
- 10 H. Monastery or convent;
- 11 I. Nursing or care home;
- 12 J. Independent living facility; and
- 13 K. Skilled nursing care facility.

14 **17.110.470--- Dwelling, manufactured home.**

15 “Manufactured home” means a single-family dwelling constructed after June 15, 1976, and
16 built according to the Department of Housing and Urban Development Manufactured Home
17 Construction and Safety Standards Act. A manufactured home is built on a permanent chassis.

18 **17.110.--- Dwelling, manufactured/mobile/RV/park model/tiny home parks.**

19 “Manufactured/mobile/RV/park model/tiny home parks” means a parcel of land which has
20 been planned and improved for the placement of manufactured homes, recreational vehicles,
21 tiny homes, and/or park models, including hook up facilities, for permanent residential use,
22 with single control or ownership. Accessory uses often include bathing and laundry uses.

23 **17.110.490--- Dwelling, mobile home.**

24 “Mobile home” means a factory-built single-family dwelling constructed prior to June 15, 1976,
25 to standards other than the Department of Housing and Urban Development Manufactured
26 Home Construction and Safety Standards Act.

27 **17.110.250--- Dwelling, multiple-family.**

28 “Dwelling, multiple-family” means a building or portion thereof containing three or more
29 dwelling units and designed for occupancy by three or more families.

30 **17.110.--- Dwelling, shelter.**

31 “Dwelling, shelter” means a residential facility serving as a center to receive, provide and house
32 persons who need shelter. The shelter may allow partners, dependents, pets, and/or
33 possessions. The facility may provide on-site services.

34 **17.110.--- Dwelling, temporary shelter.**

35 “Shelter” means a place giving temporary protection that is not on a permanent foundation and
36 is used for the shelter of homeless or other vulnerable populations consistent with the
37 allowance of this chapter. Allowable shelters are membrane structures or structures made of
38 wood, composites, metal or other suitable materials as follows:

- 39 1. A membrane shelter is any tent or other fabric enclosure that is not constructed on site,
40 but is manufactured and approved according to the manufacturer’s specifications

1 ~~1.2.~~ A wood, composite, metal or other suitable material structure must be
2 manufactured to the manufacturer’s or other specifications approved by the director
3 and intended for temporary housing or is constructed on site and meets minimum
4 public health and safety building code requirements as established by the building
5 official.

6 **17.110.--- Dwelling, single-family attached.**

7 “Dwelling, single-family attached” or “attached single-family dwelling” means a single dwelling
8 unit designed for occupancy by not more than one family and separated from adjacent units by
9 one or more common vertical walls. ~~where each dwelling includes adjacent dwelling specific~~
10 ~~yard area within its ownership.~~

11 **17.110.--- Dwelling, single-family detached.**

12 “Dwelling, single-family detached” or “detached single-family dwelling” means a single dwelling
13 unit designed for occupancy by not more than one family that is physically separated from any
14 other dwelling unit.

15 **17.110. --- Dwelling unit.**

16 “Dwelling unit” means a single unit providing complete, independent living facilities for one or
17 more persons, including permanent provisions for living, sleeping, eating, cooking and
18 sanitation. A recreational vehicle is not considered a dwelling unit outside of an approved RV
19 park.

20 14.10.010 (4) “Dwelling unit” means any building or portion thereof which contains living
21 facilities, including provisions for sleeping, eating, cooking and sanitation as required by the
22 Uniform Building Code (1997 Ed.), for not more than one family, or a congregate residence
23 which accommodates ten or fewer persons.

24 14.10.010 (9) “Group R, Division 1 building” means a hotel or motel, an apartment
25 building or congregate residence, including condominiums.

26 **17.110.345--- Home business.**

27 “Home business” means a commercial or industrial use (excluding retail) conducted entirely
28 within a dwelling, which use is clearly secondary to the use of the dwelling for residential
29 purposes and does not change the character thereof or adversely affect adjacent properties.

30 **~~17.110.493— Mobile home park.~~**

31 ~~“Mobile home park” means a tract of land developed or operated as a unit with individual~~
32 ~~leased sites and facilities to accommodate two or more mobile homes or manufactured homes.~~

33 **~~17.110.530— Nursing or rest home.~~**

34 ~~See Section 17.110.190, Convalescent, nursing or rest home.~~

35 **17.110.--- Short-term vacation rental.**

36 “Short-term vacation rental” means a dwelling unit used by any person or group of persons,
37 other than the owner, which is occupied through payment to the owner for a period of less
38 than thirty calendar days, counting portions of days as full days.

1 Section 6. Chapter 17.130 RURAL RESIDENTIAL (RR)

2 **17.130.030 Special provisions.**

3 Section 7. Chapter 17.140 RURAL PROTECTION ZONE (RP)

4 **17.140.030 Special provisions.**

5 Section 8. Chapter 17.150 RURAL WOODED ZONE (RW)

6 **17.150.030 Special provisions.**

7 All plats, short plats, development permits and building permits issued for land development
8 activities on or within five hundred feet of designated, undeveloped forest resource lands (FRL)
9 shall contain the following notice:

10 The subject property is within or near land in which resource activities are permitted and
11 encouraged, including a variety of activities which may not be compatible with residential
12 development for certain periods of limited duration. In addition to other activities, these may
13 include noise, dust, smoke, visual impacts and odors resulting from harvesting, planting,
14 application of fertilizers, herbicides and associated reclamation and management activities.
15 When performed in accordance with state and federal law, these resource activities are not
16 subject to legal action as a nuisance.

17 Section 9. Chapter 17.160 FOREST RESOURCE LANDS (FRL)

18 **17.160.030 Special provisions.**

19 A. Aggregate extraction sites shall be no greater than two acres for the purpose of
20 construction and maintenance of a timber management road system, provided the total
21 parcel is at least twenty acres.

22 B. Establishing a public facility shall not inhibit forest practices.

23 C. All plats, short plats, development permits and building permits issued for land
24 development activities on or within five hundred feet of designated forest resource lands
25 (FRL) shall contain the following notice:

26 D. The subject property is within or near land in which timber production and harvest activities
27 are permitted and encouraged, including a variety of activities which may not be compatible
28 with residential use for certain periods of limited duration. In addition to other activities,
29 these may include noise, dust, smoke, visual impacts and odors resulting from harvesting,
30 planting, application of fertilizers, herbicides and associated reclamation and management
31 activities. When performed in accordance with state and federal law, these resource
32 activities are not subject to legal action as a nuisance.

33

34 Section 10. Chapter 17.170 MINERAL RESOURCE OVERLAY (MRO)

35 **17.170.030 Special standards or requirements.**

- 1 A. All activities shall be consistent with all applicable Washington State surface mining permits
2 and approvals.
- 3 B. The director shall review all plans meeting the submittal requirements of Section
4 17.170.050 through a process consistent with Title 21.
- 5 C. Site area shall be in accordance with Chapter 17.420 and Section 17.420.052, Rural,
6 resource, and urban residential zones density and dimensions table.
- 7 D. Lot width shall be in accordance with Chapter 17.420 and Section 17.420.052, Rural,
8 resource, and urban residential zones density and dimensions table.
- 9 E. Fencing. The periphery of all sites within the gross site area being actively mined or
10 reclaimed shall be fenced.
- 11 F. Berms. Berms of sufficient height, width, and mass to screen the site from adjacent land
12 uses shall be provided to protect health, property and welfare. Suitable planting shall be
13 determined by the director.
- 14 G. Setbacks. The tops and toes of cut and fill slopes shall be set back from property boundaries
15 according to the State Department of Natural Resources standards for safety of adjacent
16 properties, and to prevent water runoff or erosion of slopes and to provide adequate
17 reclamation slopes per subsection (J) of this section.
- 18 H. Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to
19 the provisions of the Kitsap County noise ordinance.
- 20 I. Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall
21 be between 7:00 a.m. and 6:00 p.m.
- 22 J. Slope. When reclaimed, no slope of cut and fill surfaces shall be steeper than is safe for the
23 intended use, and shall not exceed one and one-half horizontal to one vertical for
24 unconsolidated material such as gravel, and one-fourth horizontal to one vertical for
25 consolidated material, unless otherwise approved by the director.
- 26 K. Erosion Control. All disturbed areas, including faces of cut and fill slopes, shall be prepared
27 and maintained to control erosion. This control may consist of plantings sufficient to
28 stabilize the slope (as approved by the director).
- 29 L. Drainage. Provisions shall be made to:
- 30 1. Prevent any surface water or seepage from damaging the cut face of any excavations or
31 the sloping face of a hill.
- 32 2. Drain any surface waters that are or might be concentrated as a result of a fill or
33 excavation to a natural watercourse, or by other means approved by the department of
34 public works director.
- 35 3. Prevent sediment from leaving the site in a manner which violates RCW 90.48.080
36 and/or WAC 173-201A-100.
- 37 M. Bench/Terrace. Benches shall be back-sloped, and shall be established at not more than
38 forty-foot vertical intervals, to control surface drainage and debris. Swales or ditches on
39 benches shall have a maximum gradient of five percent.
- 40 N. Access Roads Maintenance. Access roads to mining and quarrying sites shall be maintained
41 and located to the satisfaction of the director of public works, to minimize problems of dust,
42 mud, and traffic circulation.
- 43 O. Overburden. Overburden shall only be removed to accommodate aggregate removal
44 operations and related activities of this section.

1 **17.170.050 Information on plans and in specifications.**

2 Plans shall be drawn to an appropriate engineer’s scale upon substantial paper, mylar, or
3 electronic, as authorized by state law, and shall be of sufficient detail and clarity to indicate the
4 nature and extent of the work proposed, and show in detail that they will conform to the
5 provisions of this section and all other relevant laws, ordinances, rules, and regulations. The
6 first sheet of each set of plans shall give the location of the work, and the person by whom they
7 were prepared. The plans shall include the following minimum information:

- 8 A. General vicinity maps of the proposed site.
- 9 B. Property limits and accurate contours, at an appropriate interval, of existing ground and
10 details of terrain and area drainage.
- 11 C. Dimensions, elevations, or finished contours to be achieved by the grading, proposed
12 drainage channels and related construction.
- 13 D. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms,
14 settling ponds and other protective devices to be constructed with or as part of the
15 proposed work together with the maps showing the drainage area and the estimated runoff
16 of the area served by any drains.
- 17 E. Location of any buildings or structures on the property where the work is to be performed,
18 and the location of any buildings or structures on land of adjacent property owners which
19 are within fifty feet of the property.
- 20 F. Landscape and rehabilitation plan as required by Section 17.170.060.

21 **17.170.060 Land restoration.**

- 22 A. Upon the exhaustion of minerals or materials, or upon the permanent abandonment of the
23 quarrying or mining operation, all buildings, structures, apparatus, or appurtenances
24 accessory to the quarrying and mining operation which are nonconforming to the
25 underlying zone shall be removed or otherwise dismantled to the satisfaction of the
26 director.
- 27 B. Final grades shall be such so as to encourage the uses permitted within the zone with which
28 this overlay is combined or allowed as a conditional use.
- 29 C. Unless approved as a sanitary landfill, grading or back-filling shall be made with nonnoxious,
30 nonflammable, noncombustible, and nonputrescible solids.
- 31 D. Such graded or back-filled areas, except for roads, shall be sodded or surfaced with soil of a
32 quality at least equal to the topsoil of the land areas immediately surrounding the site, and
33 to a depth of at least four inches, or a depth of that of the topsoil of surrounding land, if less
34 than four inches.
- 35 E. Such topsoil as required by subsection (D) of this section shall be planted with trees, shrubs,
36 or grasses.
- 37 F. Graded or back-filled areas shall be reclaimed in a manner which will not permit stagnant
38 water to remain. Suitable drainage systems approved by the director of public works shall
39 be constructed or installed if natural drainage is not possible.
- 40 G. Waste or soil piles shall be leveled and the area treated, as required in subsections (D) and
41 (E) of this section.

1 **17.170.065 Transition of uses from mineral resource and removal of the mineral resource**
2 **overlay.**

3 As an option to the requirements of Section 17.170.060 to reclaim a property(s) and extinguish
4 a Washington State Department of Natural Resources (DNR) surface mining permit, the county
5 may accept, review and approve development permits for uses consistent with the property(s)
6 underlying zone. If a permit meets all applicable zoning, building, storm water, fire and other
7 county codes, such permits shall be forwarded to the DNR to be reviewed as a reclamation
8 plan. Upon receipt by the county of DNR confirmation of the closing of the surface mining
9 permit for the property(s), the county shall include the property(s) in the next scheduled
10 Comprehensive Plan amendment cycle. At this time, the county shall rescind the Mineral
11 Resource Comprehensive Plan designation and zoning classification, reverting the property(s)
12 back to their underlying zone and compatible designation.

13 **17.170.070 Special provisions.**

14 All plats, short plats, development permits and building permits issued for land development
15 activities on or within five hundred feet of designated mineral resource lands, shall contain the
16 following notice:

17 The subject property is within or near land in which resource activities are permitted and
18 encouraged, including a variety of activities which may not be compatible with residential use
19 for certain periods of limited duration. In addition to other activities, these may include noise,
20 dust, smoke, visual impacts and odors resulting from harvesting, planting, surface mining,
21 quarrying, application of fertilizers, herbicides and associated reclamation and management
22 activities. When performed in accordance with state and federal law, these resource activities
23 are not subject to legal action as a nuisance.

24 Section 11. Chapter 17.180 URBAN RESTRICTED ZONE (UR)

25 **17.180.030 Special provisions.**

26 ~~See Chapter 17.470, Multifamily Development – Design Criteria.~~

27 Section 12. Chapter 17.190 GREENBELT ZONE (GB)

28 **17.190.030 Special provisions.**

29 Section 13. Chapter 17.200 URBAN LOW RESIDENTIAL ZONE (UL)

30 **17.200.030 Special provisions.**

31 ~~For multifamily development, see Chapter 17.470, Multifamily Development – Design Criteria.~~

32 Section 14. Chapter 17.210 URBAN CLUSTER RESIDENTIAL (UCR)

33 **17.210.030 Special provisions.**

34 A. All development shall comply with the standards in the Kitsap County storm water
35 management ordinance, Title 12, and the Kitsap County critical areas ordinance, Title 19, as
36 they now exist or are later amended, as well as all SEPA mitigation requirements.

1 ~~B. For multifamily development, see Chapter 17.470, Multifamily Development—Design~~
2 ~~Criteria.~~

3 Section 15. Chapter 17.220 URBAN MEDIUM RESIDENTIAL ZONE (UM)

4 **17.220.030 Special provisions.**

5 ~~A. For multifamily development, see Chapter 17.470, Multifamily Development—Design~~
6 ~~Criteria.~~

7 A. Kingston. All development within Kingston must be consistent with the Design Standards
8 for the Community of Kingston.

9 Section 16. Chapter 17.230 URBAN HIGH RESIDENTIAL ZONE (UH)

10 **17.230.030 Special provisions.**

11 ~~A. For multifamily development, see Chapter 17.470, Multifamily Development—Design~~
12 ~~Criteria.~~

13 B. For recreational open space provisions, see Section 17.450.040(C).

14 Section 17. Chapter 17.240 COMMERCIAL (C)

15 **17.240.030 Special provisions.**

16 A. All development within Kingston must be consistent with the Design Standards for the
17 Community of Kingston.

18 ~~(Reserved.)~~

19 Section 18. Chapter 17.250 REGIONAL CENTER (RC)

20 **17.250.030 Special provisions.**

21 (Reserved.)

22 Section 19. Chapter 17.260 URBAN VILLAGE CENTER (UVC)

23 **17.260.030 Special provisions.**

24 ~~A. The Design Standards for the Community of Kingston set forth policies and regulations for~~
25 ~~properties within the downtown area of Kingston. All development within this area~~Kingston
26 ~~must be consistent with these standards~~the Design Standards for the Community of
27 Kingston. A copy of the Design Standards for the Community of Kingston may be referred to
28 ~~on the Kitsap County web page or at the department of community development front~~
29 ~~counter.~~

30 Section 20. Chapter 17.270 NEIGHBORHOOD COMMERCIAL (NC)

31 **17.270.030 Special provisions.**

32 Section 21. Chapter 17.280 LOW INTENSITY COMMERCIAL (LIC)

1 **17.280.030 Special provisions.**

- 2 A. Mixed use development patterns will be focused west of SR 3, while commercial
3 development will be focused in areas east of SR 3 along Sinclair Inlet, both areas having
4 smaller impervious footprints interspersed by trails, parks, and habitat.
5 B. Additional requirements for development within the LIC zone may be included in Chapter
6 17.400.
7 C. Dwellings are prohibited within the portion of the Gorst urban growth area between the
8 Sinclair Inlet shoreline and State Highways 3 and 16.

9 Section 22. Chapter 17.290 RURAL COMMERCIAL (RCO)

10 **17.290.030 Special provisions.**

11 Section 23. Chapter 17.300 BUSINESS CENTER (BC)

12 **17.300.030 Special provisions.**

- 13 A. Site Landscaping and Design Plan. As a component of permit and/or land use review,
14 development within this zone shall be subject to review and approval by the director of a
15 site landscape and design plan based on conformance with Chapter 17.420, any design
16 standards associated with this zone and/or design standards associated with a particular
17 subarea, whichever is most restrictive. In addition to these requirements, the following shall
18 apply:
- 19 1. All required landscaping shall be installed prior to occupancy.
 - 20 2. Required rear and side yard setback areas abutting a residential zone shall provide and
21 maintain a dense evergreen screening buffer which attains a mature height of at least
22 eleven feet, or other screening measure as approved by the director.
 - 23 3. Required setback areas adjacent to streets and those abutting a residential zone shall be
24 continuously maintained in plantings, with such live ground cover and trees or shrubs
25 established and maintained in a manner providing a park-like character to the property.
 - 26 4. Areas which are to be maintained in their natural setting shall be so designated on a
27 landscape plan, and subject to the review and approval of the director.
 - 28 5. All mechanical, heating, and ventilating equipment shall be visually screened whether
29 on grade or building mounted.
 - 30 6. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
31 necessary to protect property of the industry or business concerned; or to protect the
32 public from a dangerous condition. Fences may not be located in or adjacent to a
33 required yard adjacent to a public right-of-way.
- 34 B. Performance Standards. No land or structure shall be used or occupied within this zone
35 unless there is compliance with the following minimum performance standards:
- 36 1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise
37 ordinance.
 - 38 2. Vibration, other than that caused by highway vehicles, trains, and aircraft, which is
39 discernible without instruments at the property line of the use concerned is prohibited.

- 1 3. Smoke and Particulate Matter. Air emissions must meet standards approved by the
2 Puget Sound Air Pollution Control Authority.
- 3 4. Odors. The emission of noxious gases or matter in such quantities as to be readily
4 detectable at any point beyond the property line of the use causing such odors is
5 prohibited.
- 6 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be
7 conducted within an enclosed building. Exterior lighting shall be designed to shield
8 surrounding streets and land uses from nuisance and glare.
- 9 C. Administration. As a condition for the granting of a building permit and/or site plan
10 approval, at the request of the director, information sufficient to determine the degree of
11 compliance with the standards in this title shall be furnished by the applicant. Such request
12 may include continuous records of operation, for periodic checks to assure maintenance of
13 standards or for special surveys. Maximum permissible noise levels shall be in compliance
14 with the Kitsap County noise ordinance.

15 Section 24. Chapter 17.310 BUSINESS PARK (BP)

16 **17.310.030 Special provisions.**

17 A. Site Requirements.

- 18 1. Fences. Fences, walls and hedges will be allowed inside of a boundary planting screen
19 where it is necessary to protect property of the industry or business concerned, or to
20 protect the public from a dangerous condition. Fences may not be constructed in a
21 required yard adjacent to a public right-of-way.
- 22 2. Signs. Signs shall be permitted according to the provisions of Chapter 17.510.
 - 23 a. Site Signs. No signs shall be constructed or installed above the highest point of a
24 building roof; any perimeter signs adjacent to residential zones shall not be
25 illuminated.
 - 26 b. Tenant Signs. Tenant signs shall be wall mounted.
- 27 3. Site Landscaping and Design Plan. Development within this zone shall be subject to
28 review and approval by the director of a site landscape and design plan. In addition to
29 the requirements of Chapter 17.500, the following requirements shall apply:
 - 30 a. All required landscaping shall be installed prior to occupancy, unless installation is
31 bonded at one hundred fifty percent of the cost of materials and labor (or other
32 method) for a period not to exceed six months.
 - 33 b. Required rear and side yard setback areas abutting a residential zone shall provide
34 and maintain a dense evergreen buffer which attains a mature height of at least
35 eleven feet, or other screening measure as may be prescribed by the director.
 - 36 c. Required setback areas adjacent to streets and those abutting a residential zone
37 shall be continuously maintained in plantings, with such live ground cover and trees
38 or shrubs established and maintained in a manner providing a park-like character to
39 the property.
 - 40 d. Areas which are to be maintained in their natural setting shall be so designated on a
41 landscape plan, and subject to the review and approval of the director.

- 1 e. All mechanical, heating, and ventilating equipment shall be visually screened
2 whether on grade or building mounted.
- 3 B. Performance Standards. No land or structure shall be used or occupied within this zone
4 unless there is compliance with the following minimum performance standards:
- 5 1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise
6 ordinance.
- 7 2. Vibration, other than that caused by highway vehicles, trains, and aircraft, which is
8 discernible without instruments at the property line of the use concerned is prohibited.
- 9 3. Smoke and Particulate Matter. Air emissions must be approved by the Puget Sound Air
10 Pollution Control Authority.
- 11 4. Odors. The emission of noxious gases or matter in such quantities as to be readily
12 detectable at any point beyond the property line of the use causing such odors is
13 prohibited.
- 14 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be
15 conducted within an enclosed building. Exterior lighting shall be designed to shield
16 surrounding streets and land uses from nuisance and glare.
- 17 C. Administration. As a condition for the granting of a building permit and/or site plan
18 approval, at the request of the director, information sufficient to determine the degree of
19 compliance with the standards in this title shall be furnished by the applicant. Such request
20 may include continuous records of operation, for periodic checks to assure maintenance of
21 standards or for special surveys.

22 Section 25. Chapter 17.320 INDUSTRIAL (IND)

23 **17.320.030 Special provisions.**

24 In any industrial zone, an industrial park, as further described, may be permitted. An industrial
25 park is intended to provide centers or clusters of not less than twenty acres for most
26 manufacturing and industrial uses under controls which will minimize the effect of such
27 industries on nearby uses. Industrial parks are intended to encourage industrial activities to
28 occur within a park-like environment. Any use permitted outright in industrial zones or by
29 conditional use review when located in an industrial park is subject to the following provisions:

- 30 A. Lot Requirements.
- 31 1. Lot area: none.
- 32 2. Lot width: none.
- 33 3. Lot Depth. Minimum lot depth shall be two hundred feet.
- 34 B. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
35 residential zone, unless berming and landscaping approved by the director is provided
36 which will effectively screen and buffer the industrial activities from the residential zone
37 which it abuts; in which case, the minimum setback shall be fifty feet.
- 38 1. Front Yard. Minimum front yard setback shall be forty feet.
- 39 2. Side Yard. Minimum side yard setback shall be twenty-five feet.
- 40 3. Rear Yard. Minimum rear yard setback shall be twenty feet.

- 1 C. C. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions
2 set forth in Section 17.420.054, Commercial, industrial, and parks zones density and
3 dimensions table.
- 4 1. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted
5 within required yard areas adjacent to residential zones.
- 6 2. No yards are required at points where side or rear yards abut a railroad right-of-way or
7 spur track.
- 8 D. D. Fences, walls and hedges will be allowed inside of a boundary planting screen where it
9 is necessary to protect property of the industry concerned, or to protect the public from a
10 dangerous condition with no fence being constructed in a required yard adjacent to public
11 right-of-way.
- 12 E. Off-street parking and loading shall be provided as required by Chapter 17.490. No off-
13 street parking or loading shall be allowed within fifty feet of an adjacent residential zone,
14 unless the director finds that a buffer will exist that effectively screens the parking and
15 loading from the adjacent residential zone, in which case, no off-street parking or loading
16 shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or
17 loading may be permitted within the side yard but not within a required front yard area.
- 18 F. Site Landscaping and Design Plan. As a component of land use review, development within
19 this zone shall be subject to review and approval by the director of a site landscape and
20 design plan. In addition to the requirements of Chapter 17.500 and any required design
21 standards for the area, the following requirements shall apply:
- 22 1. All required landscaping shall be installed prior to occupancy.
- 23 2. Required rear and side yard setback areas abutting a residential zone shall provide and
24 maintain a dense evergreen buffer which attains a mature height of at least eleven feet,
25 or other screening measure as may be prescribed by the director.
- 26 3. Areas which are to be maintained shall be so designated on a landscape plan and
27 subject to the review and approval of the director.
- 28 4. All mechanical, heating and ventilating equipment shall be visually screened.
- 29 G. Performance Standards. No land or structure shall be used or occupied within this zone
30 unless there is compliance with the following minimum performance standards:
- 31 1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise
32 ordinance.
- 33 2. Vibration other than that caused by highway vehicles, trains, and aircraft which is
34 discernible without instruments at the property line of the use concerned is prohibited.
- 35 3. Air emissions (smoke and particulate matter) must be approved by the Puget Sound Air
36 Pollution Control Authority.
- 37 4. The emission of noxious gases (odors) or matter in such quantities as to be readily
38 detectable at any point beyond the property line of the use causing such odors is
39 prohibited.
- 40 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be
41 conducted within an enclosed building. Exterior lighting shall be designed to shield
42 surrounding streets and land uses from nuisance and glare.
- 43 H. Administration. As a condition for the granting of a building permit and/or site plan
44 approval, at the request of the director, information sufficient to determine the degree of

1 compliance with the standards in this title shall be furnished by the applicant. Such request
2 may include continuous records of operation, for periodic checks to assure maintenance of
3 standards or for special surveys.

4 Section 26. Chapter 17.330 RURAL INDUSTRIAL (RI)

5 **17.330.030 Special provisions.**

6 In any industrial zone, an industrial park, as further described, may be permitted. An industrial
7 park is intended to provide centers or clusters of not less than twenty acres for most
8 manufacturing and industrial uses under controls which will minimize the effect of such
9 industries on nearby uses. Industrial parks are intended to encourage industrial activities to
10 occur within a park-like environment. Any use permitted outright in industrial zones or by
11 conditional use review when located in an industrial park is subject to the following provisions:

12 A. Lot Requirements.

- 13 1. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
14 residential zone, unless berming and landscaping approved by the director is provided
15 which will effectively screen and buffer the industrial activities from the residential zone
16 which it abuts; in which case, the minimum setback shall be fifty feet.
 - 17 a. Front Yard. Minimum front yard setback shall be forty feet.
 - 18 b. Side Yard. Minimum side yard setback shall be twenty-five feet.
 - 19 c. Rear Yard. Minimum rear yard setback shall be twenty feet.
- 20 2. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set
21 forth in Section 17.420.054, Commercial, industrial, and parks zones density and
22 dimensions table.
 - 23 a. No service roads, spur tracks, hard stands, or outside storage areas shall be
24 permitted within required yard areas adjacent to residential zones.
 - 25 b. No yards are required at points where side or rear yards abut a railroad right-of-way
26 or spur track.
- 27 3. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
28 necessary to protect property of the industry concerned, or to protect the public from a
29 dangerous condition with no fence being constructed in a required yard adjacent to
30 public right-of-way.
- 31 4. Signs shall be permitted according to the provisions of Chapter 17.510.
- 32 5. Off-street parking and loading shall be provided as required by Chapter 17.490. In
33 addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent
34 residential zone, unless the director finds that a buffer will exist that effectively screens
35 the parking and loading from the adjacent residential zone, in which case, no off-street
36 parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-
37 street parking or loading may be permitted within the side yard but not within a
38 required front yard area. Off-street loading shall not be permitted in a required side or
39 rear yard setback abutting a residential zone. No off-street loading may be permitted
40 within fifty feet of a public right-of-way or access easement.

- 1 6. Site Landscaping and Design Plan. As a component of land use review, development
2 within this zone shall be subject to review and approval by the director of a site
3 landscape and design plan. In addition to the requirements of Chapter 17.500 and any
4 required design standards for the area, the following requirements shall apply:
5 a. All required landscaping shall be installed prior to occupancy.
6 b. Required rear and side yard setback areas abutting a residential zone shall provide
7 and maintain a dense evergreen buffer which attains a mature height of at least
8 eleven feet, or other screening measure as may be prescribed by the director.
9 c. Areas which are to be maintained shall be so designated on a landscape plan, and
10 subject to the review and approval of the director.
11 d. All mechanical, heating and ventilating equipment shall be visually screened.
- 12 7. Performance Standards. No land or structure shall be used or occupied within this zone
13 unless there is compliance with the following minimum performance standards:
14 a. Maximum permissible noise levels shall be in compliance with the Kitsap County
15 noise ordinance.
16 b. Vibration other than that caused by highway vehicles, trains, and aircraft which is
17 discernible without instruments at the property line of the use concerned is
18 prohibited.
19 c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound
20 Air Pollution Control Authority.
21 d. The emission of noxious gases (odors) or matter in such quantities as to be readily
22 detectable at any point beyond the property line of the use causing such odors is
23 prohibited.
24 e. Heat and Glare. Except for exterior lighting, operations producing heat and glare
25 shall be conducted within an enclosed building. Exterior lighting shall be designed to
26 shield surrounding streets and land uses from nuisance and glare.
- 27 8. Administration. As a condition for the granting of a building permit and/or site plan
28 approval, at the request of the director, information sufficient to determine the degree
29 of compliance with the standards in this title shall be furnished by the applicant. Such
30 request may include continuous records of operation, for periodic checks to assure
31 maintenance of standards or for special surveys.

32 Section 27. Chapter 17.340 PARKS (P)

33 **17.340.030 Special provisions.**

34 Development within this zone must be consistent with the Parks and Open Space chapter of the
35 Comprehensive Plan and other titles of Kitsap County Code.

36 Section 28. Chapter 17.350 RESERVED

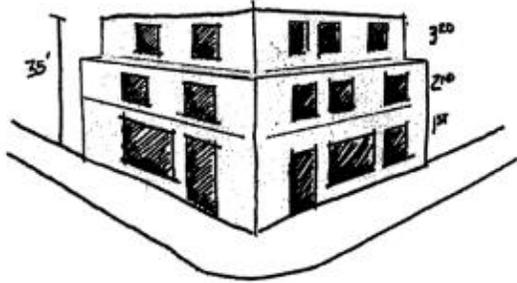
37 Section 29. Chapter 17.360 LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT
38 (LAMIRD)*

39 * **Editor's Note:** Chapter 17.360 is a general chapter heading. Subchapters are given a letter
40 designation: 17.360A, 17.360B, 17.360C, 17.360D, and 17.360E.

1 Section 30. Chapter 17.360A KEYPORT RURAL VILLAGE

2 **17.360A.030 Special provisions.**

- 3 A. Applicability. This chapter applies to all development within the boundaries of the Keyport
4 limited area of more intense development (LAMIRD). The Comprehensive Plan and the
5 county zoning maps designate the permanent LAMIRD boundaries and zoning districts
6 within the LAMIRD boundaries. In the event of a conflict between the requirements of these
7 regulations and any other applicable statute, rule, ordinance, or regulation, the more
8 restrictive regulation shall apply.
- 9 B. All references to Keyport design guidelines shall refer to the Keyport Community Plan,
10 Appendix G. In order to ensure that all commercial development furthers the goal of
11 maintaining and enhancing the rural character of the village, all commercial development
12 shall comply with the Keyport development objectives of Section 17.360A.020. The director
13 of community development shall refer any formal proposal requiring an administrative
14 conditional use permit or conditional use permit or PBD approval for consistency with the
15 Keyport design guidelines as provided by the Keyport Community Plan, Appendix G. Within
16 the area identified as the Keyport rural village limited area of more intense rural
17 development (LAMIRD), the following conditions apply to all commercial development
18 within Keyport village commercial (KVC) or neighborhood commercial (NC) zones for:
- 19 1. All new construction, including any land use permit, grading or building permit, must
20 undergo review by the department of community development to meet the Keyport
21 design guideline requirements before any land use or building permit may be issued.
 - 22 2. Any remodel of existing structures that impacts more than twenty percent of the
23 perimeter walls of the structure must undergo review by the department of community
24 development to meet the Keyport design guideline requirements before any land use or
25 building permit may be issued.
 - 26 3. Any remodel of existing structures that impacts more than fifty percent of the building
27 facade along Washington Avenue must undergo review by the department of
28 community development to meet the Keyport design guideline requirements before any
29 land use or building permit may be issued.
- 30 C. Height. In addition to height regulations in Chapter 17.420:
- 31 1. No structure in the Keyport village commercial (KVC) zone shall be constructed to have
32 more than two stories facing Washington Avenue; provided however, additional stories
33 may be allowed if those stories above the second story are set back a minimum of ten
34 additional feet from the facade line and if the building otherwise meets height
35 limitations.
 - 36 2. Subgrade stories and basements are permitted up to thirty inches above sidewalk grade
37 along Washington Avenue.
- 38



1

- 2 D. Parking. Parking requirements for all uses shall be determined by the director through
3 analysis of the proposed use and with reference to the parking requirements of Chapter
4 17.490. The availability of street parking may be considered by the director. The
5 determination of the director shall be an administrative decision made concurrently with
6 the department's decision or recommendation on a proposal.
- 7 1. Parking associated with an individual use shall, to the greatest extent feasible, be
8 located behind structures or otherwise fully screened from street view.
 - 9 2. All required commercial parking in the KVC zone may be provided off-site in shared or
10 joint use parking areas, or considered with on-street parking except that provision must
11 be made to develop or reserve on-site or on-street parking spaces for handicapped
12 parking.
 - 13 3. All required residential parking in the KVC zone for mixed use projects must be provided
14 on site. No off-site parking is acceptable for residential parking requirements.
 - 15 4. Shared or joint use parking lots shall be screened. The following standards may be
16 modified upon recommendation of the director.
 - 17 a. From adjacent residential zones by six-foot-high solid wood fencing or landscaped
18 screen, or similar visual separation intended to soften the edges of the parking area;
 - 19 b. From adjacent streets by a combination of solid wood fencing, plantings, public
20 seating, shelters, or public information kiosks. Screening and plantings shall be of a
21 height to shield light from vehicles but shall not interfere with general visibility into
22 the parking area for public safety purposes. The goal is to achieve visual separation
23 and soften the edges of the parking.
 - 24 5. Shared or joint use parking lots shall provide internal landscaping as follows:
 - 25 a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in
26 addition to the perimeter or street screening, must be provided for each stall,
27 including one tree for every five stalls.
 - 28 b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping
29 shall be provided for each stall over fifty, including one tree for every four stalls over
30 fifty.
 - 31 c. Landscaped areas shall have minimum dimensions of four feet in any direction,
32 exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.
 - 33 d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if
34 deciduous.
 - 35 e. Landscaped areas shall be distributed equally throughout the parking area to create
36 shade and break up large expanses of asphalt or other paving.

- 1 E. Signs and Lighting.
- 2 1. Signs and external lighting shall be designed to reflect historic styling and comply with
- 3 the town development objectives and shall be reviewed by the director or designee for
- 4 architectural and site design consistency with the Keyport design guidelines.
- 5 2. Internal illumination and neon lighting or signage is prohibited, except for window signs
- 6 not exceeding four square feet; provided, that an applicant may request review of
- 7 proposed signs by the director or his designated community committee, if one has been
- 8 appointed. Following such review and on the recommendation of the committee, the
- 9 director may allow internally illuminated signs or signs with neon lighting.
- 10 F. Within the area identified as the Keyport rural village, the following conditions apply to all
- 11 existing, newly created and/or reconfigured lots.
- 12 1. All new construction, including any site development activity permit (SDAP), grading or
- 13 building permit requiring access to a county right-of-way, must undergo appropriate
- 14 review by the department of public works to meet current right-of-way use
- 15 requirements before any site work may begin.
- 16 2. No grading of more than seventy-five cubic yards of earth may occur unless a site
- 17 development activity permit (SDAP) is first obtained.
- 18 3. Drainage review is required prior to issuance of any SDAP or building permit. When the
- 19 issuance of a grading or building permit will result in an increase in the total amount of
- 20 impervious surface that currently exists on a lot:
- 21 a. The director will review each SDAP and building permit application to determine
- 22 whether special drainage requirements are necessary to prevent newly installed
- 23 impervious surfaces from creating a drainage problem or exacerbating an existing
- 24 drainage problem. In making this determination, the director may consult the citizen
- 25 complaint databases, perform an on-site inspection, review the condition of the
- 26 receiving downstream drainage system, review the Kitsap County soil survey, and
- 27 consult with the surface and storm water management program to determine if
- 28 there have been identified drainage problems or corrections that are located in the
- 29 vicinity of the application. The director will conduct his review in accordance with
- 30 the "Downstream Analysis" section of Chapter 2 of the county's Storm Water Design
- 31 Manual;
- 32 b. If, in the opinion of the director, the proposal will not create a drainage problem or
- 33 exacerbate an existing drainage problem, the applicant will be required to meet the
- 34 minimum drainage and erosion control requirements of the storm water
- 35 management ordinance (Chapters 12.04 through 12.32);
- 36 c. If, in the opinion of the director, the proposal will create or exacerbate an existing
- 37 drainage problem then, before the director can recommend approval of the
- 38 application, the applicant may be required to:
- 39 i. Provide an engineered drainage plan that addresses impacts of increased runoff
- 40 on adjacent and downstream properties;
- 41 ii. Provide on-site storm water management BMPs to reduce or eliminate surface
- 42 water discharge; and/or
- 43 iii. Improve or contribute to the improvement of the downstream drainage system.

- 1 G. Within the Keyport village low residential zone, the following conditions apply to all newly
2 created and/or reconfigured lots that request or result in a density of three units per acre:
3 1. Three units per acre may only be requested through a performance based development
4 (Chapter 17.450) and the use of lot clustering, common open space (Section
5 17.450.040(B)).
6 a. Within the Keyport LAMIRD, recreational open space (Section 17.450.040(C)) is
7 modified as follows. All residential PBDs in Keyport village low residential shall
8 provide a developed recreational area that meets the following requirements:
9 i. A contiguous area that is five percent of the lot area, (excluding critical areas). Said
10 area shall be:
11 (a) Developed as an open grass field (manicured to a condition that allows
12 mowing by mechanical means) or a natural area (not inside critical areas, or
13 their buffers), that contains a pathway and benches;
14 (b) Owned in common and/or available for use by all residents of Keyport; and
15 (c) A provision implemented by the covenants for perpetual maintenance.
16 ii. A developed active recreation facility or facilities commensurate with the number
17 of units/lots contained within the PBD. A “facility” shall be: a paved “sport court”;
18 children’s play area; exercise fitness trail; community garden area with water
19 service; or similar amenity (bocce ball, volleyball, horseshoes, putting green, rock
20 climbing wall, etc.). Facilities shall be provided as follows:
21 (a) One facility per every three lots, partial calculations above 0.49 are rounded
22 up to include an additional facility.
23 (b) All facilities shall be located adjacent to a public right-of-way or provided
24 pedestrian easement access to the nearest public right-of-way and shall
25 include directional signage and signage identifying the ability for public use.
26 (c) Land shown in the final development plan as common open space, and its
27 landscaping and/or planting contained therein, shall be permanently
28 maintained by and conveyed to one of the following:
29 (i) An association of owners formed and continued for the purpose of
30 maintaining the common open space. The association shall be created as
31 an association of owners under the laws of the state of Washington and
32 shall adopt articles of incorporation of association and bylaws. The
33 association shall adopt, in a form acceptable to the prosecuting attorney,
34 covenants and restrictions on the open space providing for the continuing
35 care of the area. No common open space may be altered or put to a
36 change in use in a way inconsistent with the final development plan unless
37 the final development plan is first amended. No change of use or
38 alteration shall be considered as a waiver of any covenants limiting the
39 use of the common open space, and all rights to enhance these covenants
40 against any use permitted are expressly reserved;
41 (ii) A private nonprofit conservation trust or similar entity with a
42 demonstrated capability to carry out the necessary duties and approved
43 by the county. Said entity shall have the authority and responsibility for

1 the maintenance and protection of the common open space and all
2 improvements located in the open space.

3 Section 31. Chapter 17.360B MANCHESTER RURAL VILLAGE

4 **17.360B.030 Special provisions.**

5 A. In the Manchester Village Commercial (MVC) zone:

6 1. Engineering and construction offices shall be allowed. Equipment storage located
7 externally is not allowed.

8 2. A retail nursery is allowed if the nursery operation is less than five thousand square feet.

9 B. Vegetation Restrictions. After adoption of the Manchester Community Plan, newly planted
10 row trees (three or more) and shrubbery such as hedges may not be maintained in a way
11 that significantly impacts existing views from neighboring properties. All existing vegetation
12 is exempt from this restriction.

13 C. Sewer Connections. All new development within two hundred feet of existing sewer lines
14 must be connected to sewer to develop. Additions or remodels to existing structures
15 involving an increase in sewage flow beyond the existing capacity of the septic system
16 constitute new development.

17 D. Access Prohibition. Commercial properties are prohibited from using private residential
18 roadways for vehicular or pedestrian access.

19 E. Off-street Parking Requirements. The off-street parking requirements for commercial uses
20 within the Manchester village are identical to those found in Chapter 17.490, except as
21 follows:

22 3. Retail stores generating little automobile traffic, such as appliance, furniture, hardware
23 or repair stores: one parking space per four hundred fifty square feet of gross floor area;

24 4. Retail and personal service establishments generating heavy automobile traffic, such as
25 department, drug and auto parts stores, supermarkets, ice cream parlors, bakeries and
26 beauty and barber shops: one parking space per two hundred twenty-five square feet of
27 gross floor area;

28 5. Drive-in and fast food restaurants: one parking space per one hundred twenty-five
29 square feet of gross floor area with a minimum of five, provided, drive-in window
30 holding and stacking area shall not be considered parking places;

31 6. Restaurants, Drinking Establishments.

32 a. If under four thousand square feet of gross floor area: one parking space per three
33 hundred square feet of gross floor area;

34 b. If four thousand or more square feet of gross floor area: sixteen parking spaces, plus
35 one parking space per each additional one hundred fifty square feet of gross floor
36 area over four thousand square feet;

37 7. Medical and dental office or clinic: one parking space per three hundred square feet of
38 gross floor area;

39 8. Bank, professional office (except medical or dental): one parking space per five hundred
40 square feet of gross floor area.

41 Section 32. Chapter 17.360C PORT GAMBLE RURAL HISTORIC TOWN

1 **17.360C.030 Special provisions.**

2 A. Procedures. In order to ensure that all development furthers the goal of maintaining and
3 enhancing the historic nature of the town, all development shall comply with the town
4 development objectives of Section 17.360C.020. The director of community development
5 shall refer any formal proposal requiring a conditional use permit or PBD approval for
6 review by the architectural and site design committee or consultant as provided by the
7 Comprehensive Plan.

8 B. Any proposal for large-scale development or redevelopment, as determined by the director,
9 shall require preparation of a town master plan. Examples of large-scale development
10 include subdivisions creating five or more lots, residential development of five or more
11 homes, or new commercial development greater than five thousand square feet. A town
12 master plan that lays out the preferred development scenario and phasing for each of the
13 three zones may be approved by the board of county commissioners using the performance
14 based development process of Chapter 17.450. (The TDOs and specific requirements of this
15 chapter for density, height, parking, and other development standards shall replace the PBD
16 standards and requirements of Section 17.450.040.) Detailed project-level environmental
17 analysis, including analysis of site-specific alternatives, shall be required as part of a master
18 plan review.

19 C. Infrastructure Capacity Required. In all zones, no development shall be allowed unless
20 adequate infrastructure, including but not limited to sewer and water service, is available.
21 Allowed densities shall be restricted to reflect the capacity of the sewer and water systems.

22 D. Parking.

23 1. Parking requirements for all uses shall be determined by the director through analysis of
24 the proposed use and with reference to the parking requirements of Chapter 17.490.
25 The availability of street parking may be considered by the director. The determination
26 of the director shall be an administrative decision made concurrently with the
27 department's decision or recommendation on a proposal.

28 2. Parking associated with an individual use shall, to the greatest extent feasible, be
29 located behind structures or otherwise fully screened from street view.

30 3. All required parking in the RHTC and RHTW zones may be provided off-site in shared or
31 joint use parking areas, except that provision must be made to develop or reserve on-
32 site or on-street parking spaces for handicapped parking.

33 4. Shared or joint use parking lots shall be screened. The following standards may be
34 modified upon recommendation of the consultant or architectural and site design
35 review committee:

36 a. From adjacent residential zones by six-foot-high solid wood fencing or by a three-
37 foot-high earthen berm planted densely with native evergreen shrubs and
38 groundcover to form a visual separation and soften the edges of the parking area;

39 b. From adjacent streets by a combination of solid wood fencing, plantings, public
40 seating, shelters, or public information kiosks. Screening and plantings shall be of a
41 height to shield light from vehicles but shall not interfere with general visibility into
42 the parking area for public safety purposes. The goal is to achieve visual separation
43 and soften the edges of the parking area;

- 1 c. From adjacent commercial properties by a four-foot-wide perimeter landscape area,
2 planted to achieve visual separation and soften the edges of the parking area.
- 3 5. Shared or joint use parking lots shall provide internal landscaping as follows:
 - 4 a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in
5 addition to the perimeter or street screening, must be provided for each stall,
6 including one tree for every five stalls.
 - 7 b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping
8 shall be provided for each stall over fifty, including one tree for every four stalls over
9 fifty.
 - 10 c. Landscaped areas shall have minimum dimensions of four feet in any direction,
11 exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.
 - 12 d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if
13 deciduous.
 - 14 e. Landscaped areas shall be distributed equally throughout the parking area to create
15 shade and break up large expanses of asphalt or other paving.
- 16 E. Signs and Lighting.
 - 17 1. Signs and external lighting shall be designed to reflect historic styling and comply with
18 the town development objectives and shall be reviewed by an architectural and site
19 design review committee.
 - 20 2. Internal illumination and neon lighting or signage is prohibited, except for window signs
21 not exceeding four square feet; provided, that an applicant may request review of
22 proposed signs by an architectural and site design review committee, if one has been
23 appointed. Following such review and on the recommendation of the committee, the
24 director may allow internally illuminated signs or signs with neon lighting.
 - 25 3. All other requirements of Chapter 17.510, Sign Code, apply in the RHT zones.

26 Section 33. Chapter 17.360D SUQUAMISH RURAL VILLAGE

27 **17.360D.030 Special provisions.**

28 Within the area identified as the Suquamish Rural Village Subarea Plan, the following conditions
29 apply to all existing, newly created and/or reconfigured lots.

- 30 A. All new construction, including any site development activity permit (SDAP), grading or
31 building permit requiring access to a county right-of-way, must undergo appropriate review
32 by the department of public works to meet current right-of-way use requirements before
33 any site work may begin.
- 34 B. No right-of-way may be opened or improved without the approval of the director of the
35 department of public works or his designee (director).
- 36 C. No grading of more than twenty-five cubic yards of earth may occur unless a site
37 development activity permit (SDAP) is first obtained.
- 38 D. Drainage review is required prior to issuance of any SDAP or building permit. When the
39 issuance of a grading or building permit will result in an increase in the total amount of
40 impervious surface that currently exists on a lot:

- 1 1. The director will review each SDAP and building permit application to determine
2 whether special drainage requirements are necessary to prevent newly installed
3 impervious surfaces from creating a drainage problem or exacerbating an existing
4 drainage problem. In making this determination, the director may consult the citizen
5 complaint databases, perform an on-site inspection, review the condition of the
6 receiving downstream drainage system, review the Kitsap County soil survey, and
7 consult with the surface and storm water management program to determine if the
8 Suquamish Drainage Study, currently underway, has identified drainage problems or
9 corrections that are located in the vicinity of the application. The director will conduct
10 his review in accordance with the “Downstream Analysis” section of Chapter 2 of the
11 county’s Storm Water Design Manual;
- 12 2. If, in the opinion of the director, the proposal will not create a drainage problem or
13 exacerbate an existing drainage problem, the applicant will be required to meet the
14 minimum drainage and erosion control requirements of the storm water management
15 ordinance (Chapters 12.04 through 12.32);
- 16 3. If, in the opinion of the director, the proposal will create or exacerbate an existing
17 drainage problem then, before the director can recommend approval of the application,
18 the applicant may be required to:
 - 19 a. Provide an engineered drainage plan that addresses impacts of increased runoff on
20 adjacent and downstream properties;
 - 21 b. Provide on-site storm water management BMPs to reduce or eliminate surface
22 water discharge; and/or
 - 23 c. Improve or contribute to the improvement of the downstream drainage system.

24 Section 34. Chapter 17.360E RURAL EMPLOYMENT CENTER (REC) AND 12 TREES
25 EMPLOYMENT CENTER (TTEC)

26 **17.360E.030 Special provisions.**

- 27 A. Landscaping. It is recognized that buffers have value in providing a consistent screening
28 between uses, intensities and zones which may otherwise conflict. Buffers shall only be
29 required along the exterior boundary of the rural employment center and 12 Trees center
30 zones.
 - 31 1. For new development where existing approved screening buffers abut the subject lot,
32 the director shall apply an appropriate screening buffer width of no less than twenty-
33 five feet and no greater than fifty feet, depending on the proposed project or site
34 impacts, such as traffic generation, light, noise, glare, odor, dust, and visual impact,
35 adjacent to residential development. To the extent feasible, the director shall maintain
36 consistent buffer widths throughout the development.
 - 37 2. For new development where there are not existing approved screening buffers abutting
38 the subject lot, the director shall apply an appropriate screening buffer width of no less
39 than twenty-five feet and no greater than fifty feet, depending on the proposed project
40 or site impacts, such as traffic, light, noise, glare, odor, dust, and visual impact, adjacent
41 to residential development.

- 1 3. All legally created existing businesses, upon the date of adoption, within the REC and
- 2 TTEC boundaries, are exempt from complying with the above.
- 3 B. Signs. Signs for development within the REC may not exceed ten feet in height.
- 4 C. Temporary Permits. Temporary permits within the REC and TTEC are subject to the
- 5 provisions of Section 17.105.090, Temporary permits.



Section 35. 17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Proposed Definition ↓	Categorical Use Standards ↓
Zoning Classification →		RR	RP	RW	FRL	MRO	UR	GB	UL	UCR	UM	UH		
Categorical Use ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
RESIDENTIAL USES														
Dwelling, Accessory														
102	<u>Attached</u> <i>Formerly Accessory Living Quarters (ALQ)</i>	P	P	P	--	--	P	P	P	P	P	--	17.110.--- Dwelling, accessory-attached .	17.415.--- Dwelling, accessory-attached
100	<u>Detached</u> <i>Formerly Accessory Dwelling Unit (ADU)</i>	C	C	C	--	--	P	P	P	P	P	--	17.110.--- Dwelling, accessory-detached.	17.415.--- Dwelling, accessory-detached
110	Caretaker	--	--	--	--	-P	-	-	-	-	ACUP --	--	17.110.--- Dwelling, accessory-caretaker.	17.415.--- Dwelling, caretaker's dwelling
Dwelling, family living														
114	Cottage housing developments	--	--	--	--	--	ACUP	ACUP	ACUP	P	ACUP	- ACUP	17.110.196--- Dwelling, cottage housing development.	
116	Duplex	P	P	P	P	--	P	P	P	P	P	--	17.110.--- Dwelling, duplex.	17.415.--- Dwelling, duplex
	<u>Manufactured/RV/park-model/tiny home parks</u>	C	C	C	--	--	C	C	C	- C	- C	- C	17.110.--- Dwelling, manufactured/RV/park-model/tiny home parks	
	Multiple family	--	--	--	--	--	€ ACUP	€ ACUP	€ ACUP	P	P	P	17.110.250--- Dwelling, multiple-family.	17.415.--- Dwelling, multiple family
122	Single-family attached	C	C	--	C	--	P	P	P	P	P	ACUP	17.110.--- Dwelling, single-family attached.	17.415.--- Dwelling, single-family attached
124	Single-family detached (includes manufactured homes)	P	P	P	C	--	P	P	P	P	P	P	17.110.--- Dwelling, single-family detached. 17.110.--- Dwelling, manufactured home.	17.415.--- Dwelling, single-family detached (includes manufactured homes)
132	Mobile home	P	P	P	P	P	C	C	C	C	C	C	17.110.490--- Dwelling, mobile home.	17.415.--- Dwelling, mobile homes
Dwelling, group living														
106	Adult family home	P	P	P	--	--	P	- P	P	P	P	P	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Proposed Definition ↓	Categorical Use Standards ↓
Zoning Classification →		RR	RP	RW	FRL	MRO	UR	GB	UL	UCR	UM	UH		
Categorical Use ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
	Dwelling, Group Living (1 to 6 rooms)	--	--	--	--	--	ACUP*	ACUP*	ACUP*	P	P	P	17.110.--- Dwelling, group living.	
109	Boarding house (102)	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house
112	Convalescent home or congregate care facility (97)	--	--	--	--	--	C	C	C	ACUP	C	ACUP	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.	
134	Residential care facility <u>Assisted or independent living facility</u>	--	--	--	--	--	ACUP	ACUP	ACUP	P	P	P	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility
	Dwelling, Group Living (7 or more rooms)	--	--	--	--	--	ACUP*	ACUP	ACUP	P	P	P	17.110.--- Dwelling, group living.	
109	Boarding house (102)	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house
112	Convalescent home or congregate care facility (97)	--	--	--	--	--	C	C	C	ACUP	C	ACUP	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.	
134	Residential care facility <u>Assisted or independent living facility</u>	--	--	--	--	--	ACUP	ACUP	ACUP	P	P	P	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility
	Adult family home, serving 7 or more residents (State considers assisted living facility)	ACUP	ACUP	ACUP	--	--	ACUP	C	ACUP	ACUP	ACUP	ACUP	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home
Other Residential Uses														
	Bed and breakfast house, 1-4 rooms or vacation rental	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.105 Bed and breakfast house.	
	Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests	C	C	C	--	--	C	C	C	C	C	--	17.110.105 Bed and breakfast house.	
	Short-term vacation rentals, 1-4 rooms	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.--- Short-term vacation rental.	

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification →		RR	RP	RW	FRL	MRO	UR	GB	UL	UCR	UM	UH	Proposed Definition ↓	Categorical Use Standards ↓
Categorical Use ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
	<u>Short-term vacation rentals, 5 or more rooms</u>	C	C	C	--	--	C	C	C	C	C	--	17.110.--- Short-term vacation rental.	
128	Home business, incidental	ACUP	ACUP	ACUP	C	--	P	P	P	P	ACUP P	ACUP P	17.110.345 Home business.	17.415. --- Home business
	Home business, minor	ACUP	ACUP	ACUP	C	--	ACUP P	ACUP P	ACUP P	ACUP P	ACUP	ACUP	17.110.345 Home business.	17.415. --- Home business
	Home business, moderate	ACUP	ACUP	ACUP	C	--	--	--	--	--	--	--	17.110.345 Home business.	17.415. --- Home business

*The Department recommends reducing the required permit review to “permitted outright”. However, this may remove the ability for the Department to apply conditions of approval to address compatibility and safety issues.

Brown text = The categorical will be lumped into the category immediately above in the table shown in black text. As compared to the “lumped” category permissibilities:

Green highlighted text = indicates a reduced permit review process.

Red = highlighted text indicates an increased permit review process.

Grey text = The Department intends for the proposal to have no substantive effect.

Section 36. 17.410.044 Commercial, industrial, parks, and public facility zones use table.

Comprehensive Plan Land Use Designation	Urban High Intensity Commercial		Urban Low Intensity Commercial			Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Proposed Definition ↓	Categorical Use Standards ↓	
	C 17.240	RC 17.250	LVC 17.260	NC 17.270	LIC 17.280	RCO 17.290	BC 17.300	BP 17.310	IND 17.330	RI 17.330	P 17.340			
RESIDENTIAL USES														
Dwelling, Accessory														
<u>Attached</u> <i>Formerly Accessory Living Quarters (ALQ)</i>	-- <u>P</u>	-- <u>P</u>	--	-- <u>P</u>	-- <u>P</u>	--	--	--	--	--	--	17.110.--- Dwelling, accessory-attached .	17.415.--- Dwelling, accessory-attached	
<u>Detached</u> <i>Formerly Accessory Dwelling Unit (ADU)</i>	-- <u>P</u>	-- <u>P</u>	--	-- <u>P</u>	-- <u>P</u>	--	--	--	--	--	--	17.110.--- Dwelling, accessory-detached.	17.415.--- Dwelling, accessory-detached	
Caretaker	<u>ACUP</u> <u>P</u>	<u>ACUP</u> <u>P</u>	<u>ACUP</u>	<u>ACUP</u> <u>P</u>	<u>ACUP</u> <u>P</u>	P	P	P	P	P	P	17.110.--- Dwelling, accessory-caretaker.	17.415.--- Dwelling, caretaker's dwelling	
Dwelling, family living														
114 Cottage housing developments	-- <u>ACUP</u>	-- <u>ACUP</u>	<u>ACUP</u>	-- <u>ACUP</u>	-- <u>ACUP</u>	--	--	--	--	--	--	17.110.196--- Dwelling, cottage housing development.		
116 Duplex	-- <u>P</u>	-- <u>P</u>	<u>ACUP</u>	P	-- <u>P</u>	--	--	--	--	--	--	17.110.--- Dwelling, duplex.	17.415.--- Dwelling, duplex	
<u>Manufactured/RV/park-model/tiny home parks</u>	C	--	--	C	--	--	--	--	--	--	ACUP	17.110.--- Dwelling, manufactured/RV/park-model/tiny home parks		
Multiple family	<u>ACUP</u> <u>P</u>	<u>ACUP</u> <u>P</u>	<u>ACUP</u>	P	P	--	--	--	--	--	--	17.110.250--- Dwelling, multiple-family.	17.415.--- Dwelling, multiple family	
Single-family attached	P	P	<u>ACUP</u>	P	P	--	--	--	--	--	--	17.110.--- Dwelling, single-family attached.	17.415.--- Dwelling, single-family attached	
124 Single-family detached (includes manufactured homes)	--	--		P	-- <u>P</u>	--	--	--	--	--	--	17.110.--- Dwelling, single-family detached. 17.110.--- Dwelling, manufactured home.	17.415.--- Dwelling, single-family detached (includes manufactured homes)	
132 Mobile home	--	--	--	P	P	--	--	--	--	--	--	17.110.490--- Dwelling, mobile home.	17.415.--- Dwelling, mobile homes	
Dwelling, group living														
Adult family home	<u>ACUP</u> <u>P</u>	<u>ACUP</u> <u>P</u>	<u>ACUP</u>	-- <u>P</u>	<u>ACUP</u> <u>P</u>	--	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home						
Group Living	P	P	<u>ACUP</u>	P	P	P	--	--	--	--	ACUP	17.110.--- Dwelling, group living.		

Comprehensive Plan Land Use Designation	Urban High Intensity Commercial		Urban Low Intensity Commercial				Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Proposed Definition ↓	Categorical Use Standards ↓
	Zoning Classification →	C 17.240	RC 17.250	LVC 17.260	NC 17.270	LIC 17.280	RCO 17.290	BC 17.300	BP 17.310	IND 17.330	RI 17.330	P 17.340		
Categorical Use ↓														
(1 to 6 rooms)														
109 Boarding house	P	P	ACUP	P	P	P	--	--	--	--	ACUP	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house	
112 Convalescent home or congregate care facility	ACUP	ACUP	ACUP	C	ACUP	C	--	--	--	--	C	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.		
134 Residential care facility <u>Assisted or independent living facility</u>	ACUP	ACUP	ACUP	C	ACUP	C	--	--	--	--	C	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility	
Group Living (7 or more rooms)	ACUP*	ACUP*	ACUP*	ACUP*	ACUP*	ACUP*	--	--	--	--	ACUP	17.110.--- Dwelling, group living.		
109 Boarding house	P	P	ACUP	P	P	P	--	--	--	--	ACUP	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house	
112 Convalescent home or congregate care facility	ACUP	ACUP	ACUP	C	ACUP	C	--	--	--	--	C	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.		
134 Residential care facility <u>Assisted or independent living facility</u>	ACUP	ACUP	ACUP	C	ACUP	C	--	--	--	--	C	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility	
Adult family home, serving 7 or more residents (State considers assisted living facility)	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	C	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home	
Other Residential Uses														
Bed and breakfast house, 1-4 rooms or vacation rental	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.105 Bed and breakfast house.		
<u>Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests</u>	--	--	C	C	ACUP	C	--	--	--	--	--	17.110.105 Bed and breakfast house.		
<u>Short-term vacation rentals, 1-4 rooms</u>	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.--- Short-term vacation rental.		

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial		Urban Low Intensity Commercial			Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification →		C	RC	LVC	NC	LIC	RCO	BC	BP	IND	RI	P		
Categorical Use ↓		<u>17.240</u>	<u>17.250</u>	<u>17.260</u>	<u>17.270</u>	<u>17.280</u>	<u>17.290</u>	<u>17.300</u>	<u>17.310</u>	<u>17.330</u>	<u>17.330</u>	<u>17.340</u>	Proposed Definition ↓	Categorical Use Standards ↓
	<u>Short-term vacation rentals, 5 or more rooms</u>	--	--	C	C	ACUP	C	--	--	--	--	--	17.110.--- Short-term vacation rental.	
128	Home business, incidental	-- <u>P</u>	-- <u>P</u>	P	ACUP <u>P</u>	-- <u>P</u>	ACUP <u>P</u>	--	--	--	--	--	17.110.345 Home business.	17.415. --- Home business
	Home business, minor	-- <u>P</u>	-- <u>P</u>	--	-- <u>P</u>	-- <u>P</u>	--	--	--	--	--	--	17.110.345 Home business.	17.415. --- Home business
	Home business, moderate	-- <u>P</u>	-- <u>P</u>	--	-- <u>P</u>	-- <u>P</u>	--	--	--	--	--	--	17.110.345 Home business.	17.415. --- Home business

*The Department recommends reducing the required permit review to “permitted outright”. However, this may remove the ability for the Department to apply conditions of approval to address compatibility and safety issues.

Brown text = The categorical will be lumped into the category immediately above in the table shown in black text. As compared to the “lumped” category permissibilities:

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Red = highlighted text indicates an increased permit review process.

Grey text = The Department intends for the proposal to have no substantive effect.



1 Section 37. 17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation	TYPE I LAMIRDS												TYPE III LAMIRDS		Proposed Definition ↓	Categorical Use Standards ↓	
	Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D			REC 17.360E	TTEC 17.360E			
	Zoning Classification →	KVC	KVLR	KVR	MVC	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR					SVR
Categorical Use ↓																	
RESIDENTIAL USES																	
Dwelling, Accessory																	
Attached <i>Formerly Accessory Living Quarters (ALQ)</i>	ACUP	P	P	-- <u>ACUP</u>	P	P	C	P	P	C	P	P	--	--	17.110.--- Dwelling, accessory-attached .	17.415.--- Dwelling, accessory-attached	
Detached <i>Formerly Accessory Dwelling Unit (ADU)</i>	ACUP	P	P	-- <u>ACUP</u>	€ <u>ACUP</u>	€ <u>ACUP</u>	C	C	--	C	ACUP	ACUP	--	--	17.110.--- Dwelling, accessory-detached.	17.415.--- Dwelling, accessory-detached	
Caretaker	ACUP	--	--	--	--	--	P	--	P	--	--	--	P	P	17.110.--- Dwelling, accessory-caretaker.	17.415.--- Dwelling, caretaker's dwelling	
Dwelling, family living																	
114 Cottage housing developments	€ <u>ACUP*</u>	ACUP <u>P</u>	ACUP <u>P</u>	-- <u>C</u>	-- <u>ACUP*</u>	-- <u>ACUP*</u>	--	C	C	--	€ <u>ACUP*</u>	€ <u>ACUP*</u>	--	--	17.110.196--- Dwelling, cottage housing development.		
116 Duplex	€ <u>ACUP*</u>	ACUP <u>P</u>	ACUP <u>P</u>	--	P	P	P	P	--	--	€ <u>P</u>	€ <u>P</u>	--	--	17.110.--- Dwelling, duplex.	17.415.--- Dwelling, duplex	
Manufactured/RV/park-model/tiny home parks	--	C	C	--	C	C	--	C	C	--	C	C	--	--	17.110.--- Dwelling, manufactured/RV/park-model/tiny home parks		
Multiple family	€ <u>ACUP</u>	€ <u>ACUP</u>	€ <u>ACUP</u>	--	-- <u>ACUP</u>	-- <u>ACUP</u>	ACUP	ACUP	--	-- <u>C</u>	-- <u>ACUP</u>	-- <u>ACUP</u>	--	--	17.110.250--- Dwelling, multiple-family.	17.415.--- Dwelling, multiple family	
Single-family attached	■	■	■	--	■	■	■	■	--	C	■	■	--	--	17.110.--- Dwelling, single-family attached.	17.415.--- Dwelling, single-family attached	
124 Single-family detached (includes manufactured homes)	C	P	P	-- <u>P</u>	P	P	P	P	--	C	P	P	--	--	17.110.--- Dwelling, single-family detached. 17.110.--- Dwelling, manufactured home.	17.415.--- Dwelling, single-family detached (includes manufactured homes)	
132 Mobile home	C	■	■	■	■	■	■	■	--	■	■	■	--	--	17.110.490--- Dwelling, mobile home.	17.415.--- Dwelling, mobile homes	
Dwelling, group living																	

	Adult family home	ACUP P	€ P	€ P	€ P	€ P	€ P	P	P	P	ACUP P	ACUP P	ACUP P	--	--	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home
	Group Living (1 to 6 rooms)	ACUP*	ACUP*	ACUP*	ACUP*	C	C	ACUP	ACUP	--	ACUP	C	C	--	--	17.110.--- Dwelling, group living.	
109	Boarding house	█	█	█	█	█	█	ACUP	ACUP	--	█	█	█	--	--	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house
112	Convalescent home or congregate care facility	ACUP	█	█	ACUP	█	█	ACUP	█	--	█	█	█	--	--	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.	
134	Residential care facility Assisted or independent living facility	ACUP	ACUP	ACUP	█	█	█	█	█	--	█	█	█	--	--	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility
	Group Living (7 or more rooms)	C	C	C	C	ACUP	ACUP	--	--	--	--	ACUP	ACUP	--	--	17.110.--- Dwelling, group living.	
109	Boarding house	C	C	C	█	█	█	ACUP	ACUP	--	█	█	█	--	--	17.110.--- Dwelling, boarding house.	17.415.--- Dwelling, boarding house
112	Convalescent home or congregate care facility	ACUP	█	█	ACUP	█	█	ACUP	C	--	█	█	█	--	--	17.110.--- Dwelling, congregate care facility. 17.110.--- Dwelling, convalescent, nursing or rest home.	
134	Residential care facility Assisted or independent living facility	ACUP	ACUP	ACUP	█	█	█	█	█	--	█	█	█	--	--	17.110.--- Dwelling, assisted or independent living facility.	17.415.--- Dwelling, assisted or independent living facility
	Adult family home, serving 7 or more residents (State considers assisted living facility)	ACUP	C	C	C	█	█	P	P	P	ACUP	ACUP	ACUP	--	--	17.110.--- Dwelling, adult family home.	17.415.--- Dwelling, adult family home
Other Residential Uses																	
	Bed and breakfast house, 1-4 rooms or vacation rental	ACUP	P	P	--	ACUP	ACUP	C	C	C	ACUP	ACUP	ACUP	--	--	17.110.105 Bed and breakfast house.	
	Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests	C	C	C	--	C	C	C	C	C	C	C	C	--	--	17.110.105 Bed and breakfast house.	
	Short-term vacation rentals, 1-4 rooms	ACUP	ACUP	ACUP	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	17.110.--- Short-term vacation rental.	

	<u>Short-term vacation rentals, 5 or more rooms</u>	C	C	C	--	C	C		C	C	C	C	C	--	--	17.110.--- Short-term vacation rental.	
128	Home business, incidental	ACUP P	ACUP P	ACUP P	--	ACUP P	ACUP P	P	P	--	-- P	ACUP P	ACUP P	--	--	17.110.345 Home business.	17.415. --- Home business
	Home business, minor	ACUP	ACUP	ACUP	--	ACUP	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	--	--	17.110.345 Home business.	17.415. --- Home business
	Home business, moderate	--	--	--	--	--	--	--	--	--	--	--	--	--	--	17.110.345 Home business.	17.415. --- Home business

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1 Section 38. Revises Chapter 17.410.050 'Allowed Uses – Footnotes' as follows:

LEGEND

	<i>Add to a new chapter for categorical uses, similar to 17.410.060.</i>	<i>RR</i>	<i>Abbreviated zoning designations</i>
	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
1	Where applicable subject to Section 17.410.060, Provisions applying to special uses. See Chapter 17.410.060 'Provisions applying to special uses'.	100 Accessory dwelling unit. 102 Accessory living quarters. 104 Accessory use or structure. 126 Guest house. 128 Home business. 130 Hotel/motel. (not in .044 or 056 table) 200 Accessory use or structure. 202 T10 Adult Entertainment 262 Kennel. 300 Accessory use or structure. 400 Accessory use or structure. 500 Accessory use or structure. 542 Storage, vehicles and equipment. 552 Wrecking yard. Junk yard. 600 Accessory use or structure.		
2	Minimum setbacks shall be twenty feet from any abutting right-of-way or property line; provided, however, advertising for sale of products shall be limited to two on-premises signs each not exceeding six square feet. Remove footnote, no longer applicable	Temporary farm stands (Removed in 2016 by Agriculture Code)		
3	When located within urban growth areas (except UR), duplexes shall require five thousand square feet of minimum lot area. Duplexes located in the UR zone or outside of urban growth areas shall require double the minimum lot area required for the zone. Remove footnote, no longer applicable. The department reviews building permits against minimum density.			116 Dwelling, duplex. <i>RR, RP, RW, FRL, UR, UL, KVL, KVR, MVL, MVR</i>
4	No greater than two acres for the purpose of construction and maintenance of a timber management road system, provided the total parcel is at least twenty acres. Moved to 17.160.030 Forest Resource Lands - Special provisions.			602 Aggregate extraction sites <i>FRL</i>
5	Provided public facilities do not inhibit forest practices. Moved to 17.160.030 Forest Resource Lands - Special provisions.			410 Public facilities. <i>FRL</i>

LEGEND

	Add to a new chapter for categorical uses, similar to 17.410.060.	<i>RR</i>	Abbreviated zoning designations
	Re-locate content into special provisions for the zone.	Text	Missing definition in Kitsap County Code

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6	Where permitted, automobile service stations shall comply with the following provisions: a. Sale of merchandise shall be conducted within a building, except for items used for the maintenance and servicing of automotive vehicles; b. No automotive repairs other than incidental minor repairs or battery or tire changing shall be allowed; c. The station shall not directly abut a residential zone; and d. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard.	214 Automobile service station.		
7	Reserved.			
8	A veterinary clinic or animal hospital shall not be located within fifty feet of a lot line in the rural protection (RP) or rural residential (RR) zones. In addition, the applicant may be required to provide additional measures to prevent or mitigate offensive noise, odor, light and other impacts.		Veterinary clinics/animal hospital. RR, RP	298
9	Veterinary clinics and animal hospitals are allowed, provided a major part of the site fronts on a street and the director finds that the proposed use will not interfere with reasonable use of residences by reason of too close proximity to such residential uses, or by reason of a proposed exterior too different from other structures and character of the neighborhood. All activities shall be conducted inside an enclosed building.			298 Veterinary clinics/animal hospital. UH
10	A cemetery, crematorium, mausoleum, or columbarium shall have its principal access on a county roadway with ingress and egress so designed as to minimize traffic congestion, and shall provide required off-street parking spaces. No mortuary or crematorium in conjunction with a cemetery is permitted within two hundred feet of a lot in a residential zone.	508 Cemeteries, mortuaries, and crematoriums		
11	A circus, carnival, animal display, or amusement ride may be allowed through a Type I administrative review in all industrial zones and any commercial zones, except neighborhood commercial (NC), Keyport village commercial (KVC), or Manchester village commercial (MVC) for a term not to exceed ninety days, with a written approval of the director. The director may condition such approval as appropriate to the site. The director's decision may be appealed to the hearing examiner.			302 Amusement center. 304 Carnival or circus <i>C, RC, UVC, LIC, IND, KVC, MVC, RHTC, SVC</i>

LEGEND

	Add to a new chapter for categorical uses, similar to 17.410.060.	<i>RR</i>	Abbreviated zoning designations
	Re-locate content into special provisions for the zone.	Text	Missing definition in Kitsap County Code

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12	All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP, RR, RCO, RI or parks zones 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.	306 Club, civic or social 406 Places of worship.	<i>RCO, RI</i>	262 Kennel. <i>RR, RP</i> 306 Club, civic or social <i>RR, RP, MRO, UR, GB</i> 308 Golf course. <i>RR, RP</i> 392 (320) Race track, major. <i>P</i> 322 Race track, minor. <i>RW, FRL, MRO, P</i> 324 Recreational facility, private <i>RR, RP</i> 406 Places of worship. <i>RR, RP</i>
13	Heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit. All private landing strips, runways, and heliports shall be so designed and oriented that the incidences of aircraft passing directly over dwellings during their landing or taking off patterns are minimized. They shall be located so that traffic shall not constitute a nuisance to neighboring uses. The proponents shall show that adequate controls or measures will be taken to prevent offensive noise, vibrations, dust, or bright lights. Moved to 17.415.--- Helicopter pads	518 Helicopter pads 548 Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.		
14	In those zones that prohibit residential uses, family day-care centers are only allowed in existing residential structures. Day-care centers shall have a minimum site size of ten thousand square feet and shall provide and thereafter maintain outdoor play areas with a minimum area of seventy-five square feet per child of total capacity. A sight-obscuring fence of at least four feet in height shall be provided, separating the play area from abutting lots. Adequate off-street parking and loading space shall be provided.	230 Day-care center. 232 Day-care center, family.		
15	Reserved.			
16	The erection, construction, alteration, or maintenance of overhead or underground utilities by a public utility, municipality, governmental agency, or other approved party shall be permitted in any zone; provided, that any permanent above-ground structures not located within a right-of-way or easement shall be subject to the review of the director. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title. Water towers which exceed thirty-five feet in height, solid waste collection, transfer and/or handling sites in any zone shall be subject to a conditional use permit. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.530.	410 Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots		
17	Reserved.			

LEGEND

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18	One piece of heavy equipment may be stored in any single-family zone; provided, that it is either enclosed within a permitted structure, or screened to the satisfaction of the director.	104 (Residential) accessory use or structure.		542 Storage, vehicles and equipment. <i>RR, RP, KVLRL, MVLR, MVR, RHTR, RHTW, SVLR, SVR</i>
19	All development within the Silverdale Design District boundaries must be consistent with the Silverdale Design Standards.		<i>UR, UL, UH, C, RC, NC</i>	
20	Site plans for public schools shall include an area identified and set aside for the future placement of a minimum of four portable classroom units. The area set aside may not be counted towards meeting required landscaping or parking requirements.	408 Private or public schools		
21	Outdoor contractors' storage yards accessory to a primary residence shall be limited to not more than ten heavy equipment vehicles or heavy construction equipment. The use shall be contained outside of required setbacks within a contained yard or storage building. The storage yard and/or building shall be screened from adjacent properties with a screening buffer a minimum of twenty-five feet in width and capable of providing functional screening of the use. Minimum lot size shall be one hundred thousand square feet.	512 Contractor's storage yard.		
22	Stump grinding, soil-combining and composting in rural protection and rural residential zones must meet the following requirements: a. The subject property(ies) must be one hundred thousand square feet or greater in size; b. The use must take direct access from a county-maintained right-of-way; c. A fifty-foot natural vegetation buffer must be maintained around the perimeter of the property(ies) to provide adequate screening of the use from neighboring properties; d. The subject property(ies) must be adjacent to an industrial zone or a complementary public facility such as a sewage treatment plant or solid waste facility; e. The proposed use must mitigate noise, odor, dust and light impacts from the project; and f. The use must meet all other requirements of this title.			544 Top soil production, stump grinding <i>RR, RP</i>
23	Home businesses located in the forest resource lands (FRL) must be associated with timber production and/or harvest.			128 Home business. <i>FRL</i>
24	Mobile homes are prohibited, except in approved mobile home parks.			132 Mobile home. <i>UR, GB, UL, UCR</i>
25	All uses must comply with the town development objectives of Section 17.360C.020.		<i>RHTC, RHTR, RHTW</i>	

LEGEND

	<i>Add to a new chapter for categorical uses, similar to 17.410.060.</i>	<i>RR</i>	<i>Abbreviated zoning designations</i>
	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
26	Single-family detached dwellings shall only be allowed when the existing parcel size as of August 31, 2016, would only allow the development of one dwelling unit.			122 Dwelling, single-family attached. Single-family dwelling. KVC 124 Dwelling, single-family detached. Manufactured home. Single-family dwelling. UM, UH, KVC
27	Subject to the temporary permit provisions of Chapter 17.105.	290 Temporary offices and model homes Temporary structure. Temporary use.		
28	Allowed only within a commercial center limited in size and scale (e.g., an intersection or corner development).			246 General office and management services less than 4K sf UM 252 General merchandise stores less than 4K sf UM 266 Laundromats and laundry services UM 284 Restaurant. UM
29	Reserved.			
30	The Design Standards for the Community of Kingston set forth policies and regulations for properties within the downtown area of Kingston. All development within this area must be consistent with these standards. A copy of the Design Standards for the Community of Kingston may be referred to on the Kitsap County web page or at the department of community development front counter.		UM, C, UVC, NC,	
31	Uses permitted only if consistent with an approved master plan pursuant to Chapter 17.440. Where a master plan is optional and the applicant chooses not to develop one, all uses shown as permitted require an administrative conditional use permit.		BC	
32	For properties with an approved master plan, all uses requiring a conditional use permit will be considered permitted uses.		IND	
33	Must be located and designed to serve adjacent area.	286 Restaurant, high-turnover.	C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI	212 Automobile repair and car washes IND 214 Automobile service station. IND, BC, BP 222 Brew pubs. BC, BP 230 Day-care center. IND, BC, BP 232 Day-care center, family. BC, BP 234 Drinking establishments. BC, BP 236 Engineering and construction offices IND, BP 238 Espresso stands IND, BC, BP 244 Financial, banking, mortgage and title institutions IND, BP 246 General office and management services less than 4K sf IND 252 General merchandise stores less than 4K sf IND, BC, BP 266 Laundromats and laundry services BC 284 Restaurant. IND, BC, BP

LEGEND

	<i>Add to a new chapter for categorical uses, similar to 17.410.060.</i>	<i>RR</i>	<i>Abbreviated zoning designations</i>
	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
34	Bed and breakfast houses or vacation rentals with one to four rooms require an administrative conditional use permit; bed and breakfast houses with five or more rooms require a hearing examiner conditional use permit. Bed and breakfast houses serving meals to patrons other than overnight guests require a hearing examiner conditional use permit. Still applicable – Split into separate categorical uses with corresponding permissibility reflected in the use table.			108 Bed and breakfast house. Vacation rental. <i>RR, RP, RW, UR, GB, UL, UM, UVC, NC, RCO, KVC, KVLR, KVR, MVLR, MVR, RHTC, RHTR, RHTW, SVC, SVLR, SVR</i>
35	The use shall be accessory and shall not occupy more than twenty-five percent of the project area.			216 Automobile, recreational vehicle or boat sales <i>IND, BC</i>
36	Requires a conditional use permit when abutting SVR or SVLR zone.			214 Automobile service station. <i>SVC</i>
37	The overall project shall include a residential component. A mixed use project shall be required to meet the minimum density for the zone in which it is located.			224 Clinic, medical <i>UH</i> 230 Day-care center. <i>UM, UH</i> 232 Day-care center, family. <i>UM, UH</i> 238 Espresso stands <i>UH</i> 245 Fitness center. <i>UH</i> 246-250 General office and management services. (all sizes) <i>UH</i> 252 General merchandise stores less than 4K sf <i>UH</i> 266 Laundromats and laundry services <i>UH</i> 278 Personal services – skin care, massage, manicures, hairdresser/barber <i>UH</i> 280 Pet shop – retail and grooming <i>UH</i> 284 Restaurant. <i>UH</i> 298 Animal hospital. <i>UH</i> 314 Movie/performance theater. <i>UH</i> 316 Museum, galleries, aquarium, historic or cultural exhibits <i>UH</i> 540 Storage, self-service. <i>UM, UH</i>
38	Customer service oriented uses over five thousand square feet are prohibited.			248 General merchandise stores. <i>RHTC, RHTW</i>
39	Reserved.			
40	Self-storage facilities must be accessory to the predominant residential use of the property, sized consistently for the number of lots/units being served and may serve only the residents of the single-family plat or multifamily project.			540 Storage, self-service. <i>UR, GB, UL, UCR, UM, UH</i>
41	Adult family homes serving one to six residents (excluding proprietors) are permitted uses. Adult family homes serving more than six applicable residents (excluding proprietors) require an administrative conditional use permit (ACUP). Reflected in the use table ‘Adult family homes’. No longer applicable because we split the use into two categories to reflect the level of permit review.			Use 106 Adult family home. <i>RR, RP, RW, UR, UL, UCR, UM, UH, C, RC, UVC, LIC, RCO, BC, BP, IND, RI, MVC, MVLR, MVR, RHTC, RHTR, RHTW, SVC, SVLR, SVR</i>

LEGEND

	Add to a new chapter for categorical uses, similar to 17.410.060.	<i>RR</i>	Abbreviated zoning designations
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42	All business, service repair, processing, storage, or merchandise display on property abutting or across the street from a lot in any residential zone shall be conducted wholly within an enclosed building unless screened from the residential zone by a sight-obscuring fence or wall.		<i>BC, IND, RI</i>	268 Lumber and bulky building material sales <i>C, RC, LIC</i>
43	Where a family member is in need of special, frequent and routine care and assistance by reason of advanced age or ill health, a manufactured home or mobile home may be placed upon the same lot as a single-family dwelling for occupancy by the individual requiring or providing such special care subject to the following limitations: a. Not more than two individuals shall be the recipients of special care; b. No rent, fee, payment or charge in lieu thereof may be made for use of the single-family dwelling or manufactured/mobile home as between the recipients or providers of special care; c. The manufactured/mobile home must meet the setback requirements of the zone in which it is situated; d. A permit must be obtained from the director authorizing such special care manufactured/mobile home. Such permit shall remain in effect for one year and may, upon application, be extended for one-year periods, provided there has been compliance with the requirements of this section; e. The manufactured/mobile home must be removed when the need for special care ceases; and f. Placement of the manufactured/mobile home is subject to applicable health district standards for water service and sewage disposal.			124 Dwelling, single-family detached. Manufactured home. Single-family dwelling. <i>RR, RP, RW, FRL, UR, GB, UL, UCR, UM, UH, KVC, KVL, KVR, MVL, MVR, RH, RHTR, SVL, SVR</i> 132 Mobile home. <i>RR, FRL, UR, GB, UL, UCR, UM, UH, UVC, KVC, KVL, KVR</i>
44	Certain development standards may be modified for mixed use developments, as set forth in Section 17.420.035 and Chapter 17.430.	Mixed Use (Removed via 2016 Comprehensive Plan Update. Mixed use category and zone removed. The County allows a project to mix uses allowed in the zone.)		
45	Reserved.			
46	Allowed only as an accessory use to a park or recreational facility greater than twenty acres in size.			328 Recreational vehicle camping park. <i>RR, RP, RW</i>

LEGEND

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	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

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47	As a conditional use, UM and UH zones adjacent to a commercial zone may allow coordinated projects that include commercial uses within their boundaries. Such projects must meet the following conditions: a. The project must include a combination of UM and/or UH and commercially zoned land; b. The overall project must meet the density required for the net acreage of the UM or UH zoned land included in the project; c. All setbacks from other residentially zoned land must be the maximum required by the zones included in the project; d. Loading areas, dumpsters and other facilities must be located away from adjacent residential zones; and e. The residential and commercial components of the project must be coordinated to maximize pedestrian connectivity and access to public transit.		<i>UM, UH</i>	
48	Within urban growth areas, all new residential subdivisions, single-family or multifamily developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units unless exemptions identified in Section 17.460.020 allow for the implementation of a dry sewer.		<i>UL, UCR, UM, UH, C, RC, UVC, NC, LIC</i>	
49	Mixed use development is prohibited outside of urban growth areas.	Mixed Use (Mixed use category and zone removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)		
50	The Manchester Community Plan, Appendix A – Manchester Design Standards, sets forth policies and regulations for properties within the Manchester village commercial (MVC) district. All development within the MVC district must be consistent with these standards.		<i>MVC</i>	
51	Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.105.090(I).	104, 200, 300, 400, 500, 600 Accessory use or structure.		
52	Aggregate production and processing only. Allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).	130 Hotel/motel. Only in 17.410.042 (RR, RP, RW, FRL, MRO, UR, GB, UL, UCR, UM, UH)		522 Manufacturing and fabrication. BC
53	Commercial or industrial uses otherwise prohibited in the zone may be allowed as a component of a home business subject to the requirements of Section 17.410.060(B).	128 Home business.		

LEGEND

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54	The gross floor area shall not exceed four thousand square feet.			212 Automobile repair and car washes IND, NC 228 Custom art and craft stores. UVC, NC 230 Day-care center. UVC, NC 232 Day-care center, family. UVC, NC 236 Engineering and construction offices NC 244 Financial, banking, mortgage and title institutions UVC, NC 266 Laundromats and laundry services UVC, NC 278 Personal services – skin care, massage, manicures, hairdresser/barber RC, UVC, NC 280 Pet shop – retail and grooming RC 284 Restaurant. UVC, NC
55	Auction house and all items to be auctioned shall be fully enclosed within a structure.			206 Auction house C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
56	There shall be no more than six rental vehicles kept on site.			210 Automobile rentals UVC, NC
57	Unless the permit application is a Type III quasi-judicial action, when a component of development located within a commercial or industrial zone involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type II administrative decision.		C, RC, UVC, NC, LIC	
58	In addition to the other standards set forth in the Kitsap County Code, espresso stands are subject to the following conditions: a. Drive aisles/stacking lanes shall be designed to accommodate a minimum of three vehicles per service window/door (i.e., eight and one-half feet in width and sixty feet in length) with direct access to the service window. The drive aisles/stacking lanes shall be designed to prevent any vehicles from interfering with public or private roadways, pedestrian circulation, traffic circulation, parking areas or other required development amenities. b. Subject to provisions set forth in Chapter 17.490, drive aisles and parking areas must also be paved in urban growth areas and include, at minimum, hard compacted surfaces in rural areas. Such surfaces must be addressed with required drainage facilities. A joint parking agreement shall be required if parking cannot be accommodated on site. c. All structures must be permanently secured to the ground. d. Restroom facilities must be available for employees. Portable or temporary restroom facilities shall not be used to meet this requirement.	238 Espresso stands		
59	Reserved.			
60	All development in Illahee shall be consistent with the Illahee Community Plan.		GB	

LEGEND

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61	Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards).			210 Automobile rentals <i>RC</i> 212 Automobile repair and car washes <i>BC</i> 214 Automobile service station. <i>RC</i> 232 Day-care center, family. <i>RC, BC</i> 238 Espresso stands <i>RC, BC</i> 240 Equipment rentals <i>RC</i> 242 Farm and garden equipment and sales <i>RC</i> 262 Kennel or pet day cares <i>RC</i> 268 Lumber and bulky building material sales <i>RC, BC</i> 270 Mobile home sales <i>RC</i> 274 Nursery, wholesale. <i>RC</i> 288 Recreational vehicle rental <i>RC, BC</i> 304 Carnival or circus <i>RC</i> 308 Golf course. <i>RC</i> 310 Marina. T22 Marina. <i>RC</i> 392 (320) Race track, major. <i>RC, BC</i> 330 Zoo <i>RC</i> 504 Assembly and packaging operations. <i>RC</i> 506 Boat yard. <i>RC, BC</i> 508 Cemeteries, mortuaries, and crematoriums <i>RC, BC</i> 512 Contractor’s storage yard. <i>BC</i> 514 Food production, brewery or distillery <i>RC</i> 516 Fuel distributors <i>RC, BC</i> 520 Manufacturing and fabrication – light. <i>RC</i> 522 Manufacturing and fabrication. – medium. <i>BC</i> 536 Storage, indoor. <i>RC, BC</i> 538 Storage, outdoor. <i>BC</i> 540 Storage, self-service. <i>RC, BC</i> 542 Storage, vehicles and equipment. <i>BC</i> 546 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities <i>BC</i> 550 Warehousing and distribution <i>BC</i>
62	General retail merchandise stores greater than one hundred twenty-five thousand square feet in size are prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards). Additional square footage may be allowed for projects greater than twenty-five acres in size.			260 General merchandise stores – 25k sf or greater <i>C, RC</i>

LEGEND

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63	Reserved. Restaurants, high-turnover that provide drive-through service must be compatible with the pedestrian focus of the Waaga Way Town Center (see the Silverdale Design Standards). Such businesses shall minimize potential conflicts with pedestrian and bicycle traffic and gathering areas by subordinating the drive-through service to the overall development design. Remove footnote, no longer applicable			286 Restaurant, high-turnover. RC Was applied to Restaurant, high-turnover in the regional commercial. Removed when Regional Commercial zone transitioned to Regional Center (within the Silverdale Regional Center Boundary) and Commercial (outside SRC boundary).
64	When a component of development is located within the rural commercial or rural industrial zone and involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type III hearing examiner decision.		<i>RCO, RI</i>	
65	No car washes allowed in RCO or RI.			208 Auto parts and accessory stores 212 Automobile repair and car washes <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
66	Personal service businesses in the RCO are limited to four chairs and are intended for local use only.			278 Personal services – skin care, massage, manicures, hairdresser/barber <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
67	No aquariums are allowed in the RCO zone. Galleries, museums, historic and cultural exhibits should be geared toward the character of the rural area, rural history, or a rural lifestyle.			316 Museum, galleries, aquarium, historic or cultural exhibits <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
68	In the RI zone, warehousing and distribution should be focused on agricultural, food, or forestry uses only.			550 Warehousing and distribution <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
69	In the RI zone, cold storage facilities are only allowed for agricultural and food uses.			510 Cold storage facilities <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
70	In the RCO and RI zones, slaughterhouses and animal processing may have a retail component not to exceed four thousand square feet.			532 Slaughterhouse or animal processing. RCO, RI
71	In the RCO zone, custom art and craft stores are limited to studio type and size only.			(Added to list of footnotes via Ord. 467-2010, yet never applied to a use, zone, or cell.)
72	Must be accessory to an immediate primary use.			236 Engineering and construction offices RI 238 Espresso stands <i>C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P</i>
73	Heavy construction, farming and forestry equipment only.			240 Equipment rentals RI
74	Allowed for existing airports only.			548 Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. RI

LEGEND

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	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
75	All storage must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. Applicant must also demonstrate how the storage would serve the immediate population.			534 Storage, hazardous materials. <i>RCO, RI</i> 536 Storage, indoor. <i>RCO, RI</i> 538 Storage, outdoor. <i>RCO, RI</i> 540 Storage, self-service. <i>RCO, RI</i> 542 Storage, vehicles and equipment. <i>RI</i>
76	00 square feet = P, 4,001 - 10,000 square feet = ACUP, 10,001 - 15,000 square feet = C, 15,001 square feet and above = X.			206 Auction house <i>REC, TTEC</i> 212 Automobile repair and car washes <i>REC</i> 220 Boat/marine supply stores <i>REC</i> 228 Custom art and craft stores. <i>REC</i> 236 Engineering and construction offices <i>REC, TTEC</i> 244 Financial, banking, mortgage and title institutions <i>REC, TTEC</i> 280 Pet shop – retail and grooming <i>REC</i> 284 Restaurant. <i>REC, TTEC</i> 286 Restaurant, high-turnover. <i>REC</i> 290 Temporary offices and model homes Temporary structure. <i>Temporary use.</i> <i>REC, TTEC</i> 292 Tourism facilities, including outfitter and guide facilities <i>REC</i>
77	Reserved.			
78	Reserved.			
79	No residential uses are allowed within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.			106 Adult family home. <i>LIC</i> 108 Bed and breakfast house. Vacation rental. <i>LIC</i> 112 Convalescent, nursing or rest home. Congregate care facility. <i>LIC</i> 120 Dwelling, multiple-family. <i>LIC</i> 122 Dwelling, single-family attached. Single-family dwelling. <i>LIC</i> 130 Home business. <i>LIC</i> 134 Residential care facility. <i>LIC</i> 214 Automobile service station. <i>LIC</i> 230 Day-care center. <i>LIC, P</i> 232 Day-care center, family. <i>LIC</i> 302 Amusement center. <i>LIC</i> 304 Carnival or circus <i>LIC</i> 540 Storage, self-service. <i>LIC</i> 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). <i>LIC, P</i>
80	Use prohibited within the Gorst urban growth area.			120 Dwelling, multiple-family. <i>UR</i> 264 Kennel, hobby. <i>UR</i> 308 Golf course. <i>UR</i> 310 Marina. T22 Marina. <i>UR</i> 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). <i>UR</i>

LEGEND

	Add to a new chapter for categorical uses, similar to 17.410.060.	RR	Abbreviated zoning designations
	Re-locate content into special provisions for the zone.	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
81	Use permitted outright in the Gorst urban growth area.			Applied to Dwelling, multiple-family, Dwelling, single-family attached, Restaurant, Restaurant, high-turnover, and Mixed use development in the Mixed use zone. (Mixed use category and zone removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)
82	Use requires a conditional use permit in the Gorst urban growth area.			Applied to Automobile service station in the Mixed use zone. (Mixed use zone removed via 2016 Comprehensive Plan Update.)
83	In the Gorst urban growth area, must take access from state route. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.			208 Auto parts and accessory stores LIC 210 Automobile rentals LIC 212 Automobile repair and car washes LIC 214 Automobile service station. LIC 216 Automobile, recreational vehicle or boat sales LIC 220 Boat/marine supply stores LIC
84	Use prohibited on the Central Kitsap Community Campus. (See the Silverdale Design Standards.) Remove footnote, no longer applicable			104 Accessory use or structure. RC 106 Adult family home. RC 110 Caretaker's dwelling. RC 112 Convalescent, nursing or rest home. Congregate care facility. RC 122 Dwelling, single-family attached. Single-family dwelling. 130 Hotel/motel. RC 134 Residential care facility. RC 204 Ambulance service RC 208 Auto parts and accessory stores RC 210 Automobile rentals RC 212 Automobile repair and car washes RC 214 Automobile service station. RC 216 Automobile, recreational vehicle or boat sales RC 220 Boat/marine supply stores RC 232 Day-care center, family. RC 236 Engineering and construction offices RC 238 Espresso stands RC RC 240 Equipment rentals 242 Farm and garden equipment and sales RC 248 - 250 General office and management services. 4K sf or greater RC 254 – 260 General merchandise stores 4K sf or greater RC 262 Kennel or pet day-cares RC 266 Laundromats and laundry services RC 268 Lumber and bulky building material sales RC 270 Mobile home sales RC 272 Nursery, retail. RC 274 Nursery, wholesale. RC

LEGEND

	<i>Add to a new chapter for categorical uses, similar to 17.410.060.</i>	<i>RR</i>	<i>Abbreviated zoning designations</i>
	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
				280 Pet shop – retail and grooming Pet. Pet, nontraditional. RC 286 Restaurant, high-turnover. RC 288 Recreational vehicle rental RC 294 Tourism facilities, including seaplane and tour boat terminals RC 298 Veterinary clinics/Animal hospital. RC 304 Carnival or circus RC 308 Golf course. RC 310 Marina. T22 Marina. RC 392 Race track, major. RC 330 Zoo RC 404 Hospital. RC 406 Places of worship. RC 500 Accessory use or structure. RC 502 Air pilot training schools RC 504 Assembly and packaging operations. RC 506 Boat yard. RC 508 Cemeteries, mortuaries, and crematoriums RC 514 Food production, brewery or distillery RC 516 Fuel distributors RC 518 Helicopter pads RC 520 Manufacturing and fabrication - light RC 536 Storage, indoor. RC 540 Storage, self-service. RC 600 Accessory use or structure. RC 606 Aquaculture practices. T22 Aquaculture. RC 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). RC
85	Use requires an administrative conditional use permit (ACUP) or hearing examiner conditional use permit (C) if located on the Central Kitsap Community Campus. (See Silverdale Design Standards.) Remove footnote, no longer applicable			120 Dwelling, multiple-family. RC 222 Brew pubs. RC 226 Conference center. RC 228 Custom art and craft stores. RC 230 Day-care center. RC 244 Financial, banking, mortgage and title institutions RC 276 Off-street private parking facilities. Parking area, public. RC 284 Restaurant. RC 296 Transportation terminals RC 306 Club, civic or social RC 312 Movie/performance theater, indoor RC 316 Museum, galleries, aquarium, historic or cultural exhibits RC

LEGEND

	Add to a new chapter for categorical uses, similar to 17.410.060.	<i>RR</i>	Abbreviated zoning designations
	Re-locate content into special provisions for the zone.	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
86	If located on the Central Kitsap Community Campus, any mixed use development must be in a single building, and total floor area devoted to commercial uses shall not exceed seventy percent. Other mixed use development standards and waivers set forth in Section 17.420.035 shall not apply to the Central Kitsap Community Campus. (See Silverdale Design Standards.)			Applied to mixed use development in the Regional Commercial zone. (Mixed use category removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)
87	If located on the Central Kitsap Community Campus, retail/office uses are allowed if accessory and directly related to priority public or community uses. (See the Silverdale Design Standards.) Remove footnote, no longer applicable			222 Brew pubs. <i>RC</i> 224 Clinic, medical <i>RC</i> 228 Custom art and craft stores. <i>RC</i> 234 Drinking establishments. <i>RC</i> 244 Financial, banking, mortgage and title institutions <i>RC</i> 278 Personal services – skin care, massage, manicures, hairdresser/barber <i>RC</i>
88	Uses allowed on the Poplar’s property, as defined by the Silverdale Design Standards, shall not be subject to footnotes 84 through 87 until such time it is substantially redeveloped; but will be subject to all special provisions of this title. Remove footnote, no longer applicable		<i>RC</i>	
89	Reserved.			
90	Equipment storage located externally is not allowed. Moved to 17.360B.030 Manchester Rural Village special provisions.			236 Engineering and construction offices <i>MVC</i>
91	Permitted in the Manchester village commercial zone if less than five thousand square feet. Moved to 17.360B.030 Manchester Rural Village special provisions.			272 Nursery, retail. <i>MVC</i>
92	Drive-through lanes are not allowed. Reflected in the use table ‘Restaurant, with drive through’.			286 Restaurant, high-turnover. <i>MVC</i>
93	Terminals or facilities for motorized equipment are not allowed.			292 Tourism facilities, including outfitter and guide facilities <i>MVC</i>
94	Any combination of structures shall not exceed five thousand square feet. Zoos and aquariums are prohibited.			316 Museum, galleries, aquarium, historic or cultural exhibits <i>MVC</i>
95	Allowed on all port district owned property.	218 Nonmotorized recreational rentals.		
96	Reserved.			
97	Cottage housing is an allowed use in conjunction with congregate care facilities and shall be reviewed under the congregate care facility permit review process. Moved to 17.415.060 ‘Assisted or independent living facility’.	112 Convalescent, nursing or rest home. Congregate care facility.		
98	Number of individual boarding rooms may not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Moved to 17.415.105 ‘Boarding Rooms’.			109 Boarding house. <i>UR, GB, UL, UCR, KVC, KVLR, KVR, RHTC, RHTR</i>

LEGEND

	<i>Add to a new chapter for categorical uses, similar to 17.410.060.</i>	<i>RR</i>	<i>Abbreviated zoning designations</i>
	<i>Re-locate content into special provisions for the zone.</i>	Text	Missing definition in Kitsap County Code

FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
99	The number of individual boarding rooms must meet the minimum density for the zone or equal six boarding rooms, whichever is greater. Moved to 17.415.105 'Boarding Rooms'.			109 Boarding house. <i>UM, UH, C, RC, UVC, NC, LIC, RCO, P</i>
100	Allowed only as micro-gyms less than five thousand square feet in size. All other fitness centers are prohibited.			245 Fitness center. <i>RC, BC, IND, RI, REC, and TTEC</i>
101	Transitory accommodations allowed only pursuant to Chapter 17.505.		<i>All zones except FRL and MRO</i>	
102	Boarding houses must have health district approval prior to occupancy.	109 Boarding house.		

Section 39. Revises Chapter 17.410.060 'Provisions applying to special uses' as follows:

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 B. FOOTNOTE
1.a	<p>1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <ul style="list-style-type: none"> a. Incidental home businesses, as defined below, shall be permitted in all residential zones and have no permit required. <ul style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business; iii. The business shall be conducted entirely within the residence; iv. The residence shall be occupied by the owner of the business; v. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; vi. No clients or customers shall visit or meet for an appointment at the residence; vii. No employees or independent contractors are allowed to work in the residence other than family members who reside in the residential dwelling; viii. No activities that create noise, increase risk of fire, or in any way threaten the safety and tranquility of neighboring residents are permitted; ix. No more than two pick-ups and/or deliveries per day are allowed, not including normal U.S. mail; x. The business shall not occupy more than twenty-five percent of the gross floor area of the residence; and xi. No signs to advertise the business/occupation shall be allowed on the premises (except attached to mailbox not to exceed one square foot). <p>Moved to 17.415. --- Home business</p>
1.b	<p>1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <ul style="list-style-type: none"> b. Minor home businesses, as defined below, shall be permitted in all residential zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location. <ul style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business; iii. The residence shall be occupied by the owner of the business; iv. The business shall occupy no more than thirty percent of the gross floor area of the residence; v. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; vi. No more than two employees, including proprietors (or independent contractors), are allowed; vii. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; viii. No outside storage shall be allowed; and ix. In order to assure compatibility with the dominant residential purpose, the director may require: <ul style="list-style-type: none"> (a) Patronage by appointment. (b) Additional off-street parking.

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 B. FOOTNOTE
	(c) Other reasonable conditions. Moved to 17.415. --- Home business
1.c.	<p>1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <ul style="list-style-type: none"> c. Moderate home businesses, as defined below, shall be permitted in RW, RP, and RR zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location. <ul style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business; iii. The residence shall be occupied by the owner of the business; iv. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; v. No more than five employees (or independent contractors) are allowed; vi. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; and vii. In order to ensure compatibility with the dominant residential purpose, the director may require: <ul style="list-style-type: none"> (a) Patronage by appointment. (b) Additional off-street parking. (c) Screening of outside storage. (d) A conditional use permit (required for engine or vehicle repair or servicing). (e) Other reasonable conditions. <p>Moved to 17.415. --- Home business</p>
2	<p>2. Pets and Exotic Animals. Pets, nontraditional pets and exotic animals are subject to the following conditions:</p> <ul style="list-style-type: none"> a. Pets which are kept inside of a primary structure as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number by this section. Other pets, excluding cats, which are kept indoors shall be limited to five; b. Pets which are kept outside of the primary structure shall be limited to three per household on lots less than twenty thousand square feet in area, only one of which may be a nontraditional pet; five per household on lots of twenty thousand to thirty-five thousand square feet, only two of which may be nontraditional pets; with an additional two pets per acre of site area over thirty-five thousand square feet up to a limit of twenty; and c. No feeding area or structure used to house, confine or feed pets shall be located closer than the minimum yard setbacks for the zone in which they are located. No feeding area or structure used to house, confine or feed nontraditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.
3	<p>3. Accessory Dwelling Unit (ADU). In order to encourage the provision of affordable and independent housing for a variety of households, an accessory dwelling unit may be located in residential zones, subject to the following criteria:</p> <ul style="list-style-type: none"> a. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary; b. An ADU shall be subject to a conditional use permit in those areas outside an urban growth boundary; c. Only one ADU shall be allowed per lot; d. Owner of the property must reside in either the primary residence or the ADU; e. The ADU shall not exceed fifty percent of the square footage of the habitable area of primary residence or nine hundred square feet, whichever is smaller. Dimensions are determined by exterior measurements; f. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (e.g., garage); g. The ADU shall be designed to maintain the appearance of the primary residence; h. All setback requirements for the zone in which the ADU is located shall apply; i. The ADU shall meet the applicable health district standards for water and sewage disposal; j. No mobile homes or recreational vehicles shall be allowed as an ADU; k. An ADU shall use the same side-street entrance as the primary residence and shall provide additional off-street parking; and l. An ADU is not permitted on the same lot where an accessory living quarters exists. m. Existing, Unpermitted Accessory Dwelling Units. <ul style="list-style-type: none"> i. Applicability. The provisions of this subsection shall only apply to property and property owners who can establish all of the following criteria: <ul style="list-style-type: none"> (a) The parcel is within the unincorporated area of Kitsap County; (b) An accessory dwelling unit (ADU), as defined in Section 17.110.020, or similar dwelling previously defined as an accessory living quarters (ALQ) or an accessory rental unit (ARU) is located on the parcel; (c) The accessory dwelling has not received any prior review and/or approval by Kitsap County; (d) The property owner did not construct or cause to have the accessory dwelling constructed;

FN ID	<p align="center">17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses.</p> <p align="center">17.410.060 B. FOOTNOTE</p>
	<p>(e) The property owner did not own the property when the accessory dwelling was constructed;</p> <p>(f) The property owner exercised due diligence when purchasing the property with the existing accessory dwelling to discover whether or not the accessory dwelling was approved when purchasing the property. Due diligence is presumed to have occurred if the property owner can document the following conditions:</p> <p>(i) That county tax records or parcel records contain no inquiry or other notice that the ADU was unpermitted; and</p> <p>(ii) That the current owner requested and obtained a title report with no exceptions, restrictions, enforcement actions, permitting or similar issues pertinent to the ADU; and</p> <p>(iii) That the prior owner’s property and improvement disclosures at the time of sale did not indicate any permitting, compliance or similar issues pertinent to the ADU; and</p> <p>(iv) That any third party involved in the sale or inspection of the ADU did not disclose any permitting, compliance or other issues pertinent to the ADU;</p> <p>(g) The parcel has a history of property tax assessment and a history of continuous tax payments on the principal and the accessory dwelling;</p> <p>(h) Acceptable documentation for subsections (B)(3)(m)(i)(a) through (g) of this section may include but is not limited to current or previous county assessment records, real estate disclosure forms, listing agreements, records of sale, title reports and aerial photography establishing compliance with the required conditions.</p> <p>ii. Application. Persons who meet the criteria of subsection (B)(3)(m)(i) of this section desiring to gain approval of their accessory dwelling shall make application to the director of the department of community development on forms provided by the department, with fees to be paid at the time of application as provided in subsection (B)(3)(m)(v) of this section. Such application shall be a Type II permit under Chapter 21.04.</p> <p>iii. Approval. The director, or his designee, is authorized to approve submitted applications that satisfy all of the following:</p> <p>(a) All the requirements of this section;</p> <p>(b) All the applicable zoning, health, fire safety and building construction requirements:</p> <p>(i) The applicable requirements shall be those in effect when the accessory dwelling was constructed. The burden of proof of when the accessory dwelling was constructed shall be upon the applicant and may consist of dated aerial photography, tax assessments, surveys or similar documents.</p> <p>(ii) If the applicant cannot prove a date of construction, the applicable requirements shall be those currently in effect on the date of application.</p> <p>(iii) If the applicant can only show a date range for construction, the applicable requirements shall be the latest requirements of the range;</p> <p>(c) Proof of adequate potable water;</p> <p>(d) Proof of adequate sewage disposal systems for both the principal and the accessory dwelling. Proof shall be shown by Kitsap County health district approval; and</p> <p>(e) Verification by Kitsap County inspection staff that the accessory dwelling is habitable.</p> <p>Applications approved subject to these provisions shall be considered legal nonconforming uses.</p> <p>iv. Variances.</p> <p>(a) When reviewing the application, the director is authorized to grant an administrative variance to the requirements of subsection (B)(3)(m)(iii)(b) of this section only when unusual circumstances relating to the property cause undue hardship in the application of subsection (B)(3)(m)(iii)(b) of this section. The granting of an administrative variance shall be in the public interest. An administrative variance shall be granted at the director’s sole discretion only when the applicant has proven all of the following:</p> <p>(i) There are practical difficulties in applying the regulations of subsection (B)(3)(m)(iii)(b) of this section;</p> <p>(ii) The applicant did not create or participate in creating the practical difficulties;</p> <p>(iii) A variance meets the intent and purpose of this section;</p> <p>(iv) The variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and</p> <p>(v) The variance is the minimum necessary to grant relief to the applicant.</p> <p>(b) The director is authorized to require mitigation in connection with the administrative variance to minimize the effect of the variance on surrounding properties.</p> <p>(c) In reviewing a request for an administrative variance, the director shall notify and solicit comments from surrounding property owners of the application and the intended variance and mitigation. The director shall consider such comments when determining whether or not to approve the variance. The director is further authorized to require mediation to resolve issues arising from the notification process and the costs of such mediation shall be paid by the applicant.</p> <p>(d) Variance requests submitted as part of this subsection shall be considered as part of the original application and not subject to additional procedural or fee requirements.</p> <p>v. Fees. Applicants shall pay a fee established by resolution at the time of application. Additionally, applicants shall pay notification costs, reinspection fees, additional review and other applicable fees in accordance with Chapter 21.10. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.10 shall not, however, be credited towards any subsequent application submitted under these provisions.</p> <p>vi. Land Use Binder. Following approval of the accessory dwelling and any administrative variance, the applicant shall record a land use permit binder with the county auditor using forms provided by the Kitsap County department of community development.</p> <p>vii. Expiration. Qualifying property owners shall have one year from the time that the noncompliant ADU is discovered to submit an application for approval of the ADU.</p> <p>Moved to 17.415.--- Dwelling, accessory-detached</p>

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 B. FOOTNOTE
4	<p>4. Accessory Living Quarters. In order to encourage the provision of affordable housing, accessory living quarters may be located in residential zones, subject to the following criteria:</p> <ul style="list-style-type: none"> a. Accessory living quarters shall be located within an owner-occupied primary residence; b. Accessory living quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence; c. The accessory living quarters are subject to applicable health district standards for water and sewage disposal; d. Only one accessory living quarters shall be allowed per lot; e. Accessory living quarters are to provide additional off-street parking with no additional street-side entrance; and f. Accessory living quarters are not allowed where an accessory dwelling unit exists. g. Existing Unpermitted Accessory Living Quarters. Existing unpermitted accessory living quarters may be approved under the provisions of subsection (B)(3)(m) of this section. <p>Moved to 17.415.--- Dwelling, accessory-attached</p>
5	<p>5. Adult Entertainment.</p> <ul style="list-style-type: none"> a. The following uses are designated as adult entertainment uses: <ul style="list-style-type: none"> i. Adult bookstore; ii. Adult mini-motion picture theater; iii. Adult motion picture theater; iv. Adult novelty store; and v. Cabaret. b. Restrictions on Adult Entertainment Uses. In addition to complying with the other sections of this title, adult entertainment uses shall not be permitted: <ul style="list-style-type: none"> i. Within one thousand feet of any other existing adult entertainment use; and/or ii. Within five hundred feet of any noncommercial zone, or any of the following residentially related uses: <ul style="list-style-type: none"> (a) Churches, monasteries, chapels, synagogues, convents, rectories, or church-operated camps; (b) Schools, up to and including the twelfth grade, and their adjunct play areas; (c) Public playgrounds, public swimming pools, public parks and public libraries; (d) Licensed day care centers for more than twelve children; (e) Existing residential use within a commercial zone. iii. For the purposes of this section, spacing distances shall be measured as follows: <ul style="list-style-type: none"> (a) From all property lines of any adult entertainment use; (b) From the outward boundary line of all residential zoning districts; (c) From all property lines of any residentially related use. c. Signage for Adult Entertainment Uses. <ul style="list-style-type: none"> i. In addition to special provisions relating to signage in this title, it shall be unlawful for the owner or operator of any adult entertainment use establishment or any other person to erect, construct, or maintain any sign for the adult entertainment use establishment other than one primary sign and one secondary sign, as provided herein. ii. Primary signs shall have no more than two display surfaces. Each such display surface shall: <ul style="list-style-type: none"> (a) Be a flat plane, rectangular in shape; (b) Not exceed seventy-five square feet in area; and (c) Not exceed ten feet in height or ten feet in length. iii. Primary and secondary signs shall contain no photographs, silhouettes, drawings or pictorial representations of any manner, and may contain only: <ul style="list-style-type: none"> (a) The name of the regulated establishment; and/or (b) One or more of the following phrases: <ul style="list-style-type: none"> (i) "Adult bookstore," (ii) "Adult movie theater," (iii) "Adult cabaret," (iv) "Adult novelties," (v) "Adult entertainment." iv. Primary signs for adult movie theaters may contain the additional phrase, "Movie Titles Posted on Premises."

FN ID	<p align="center">17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses.</p> <p align="center">17.410.060 B. FOOTNOTE</p>
	<p>(a) Each letter forming a word on a primary or secondary sign shall be of a solid color, and each such letter shall be the same print-type, size and color. The background behind such lettering on the display surface of a primary sign shall be of a uniform and solid color.</p> <p>(b) Secondary signs shall have only one display surface. Such display surface shall:</p> <ul style="list-style-type: none"> (i) Be a flat plane, rectangular in shape; (ii) Not exceed twenty square feet in area; (iii) Not exceed five feet in height and four feet in width; and (iv) Be affixed or attached to any wall or door of the establishment. <p>Moved to 17.415.--- Adult Entertainment</p>
6	<p>6. Storage of Junk Motor Vehicles.</p> <p>a. Storage of junk motor vehicles on any property outside of a legally constructed building (minimum of three sides and a roof) is prohibited, except where the storage of up to six junk motor vehicles meets one of the following two conditions:</p> <ul style="list-style-type: none"> i. Any junk motor vehicle(s) stored outdoors must be completely screened by a sight-obscuring fence or natural vegetation to the satisfaction of the director (a covering such as a tarp over the vehicle(s) will not constitute an acceptable visual barrier). For the purposes of this section, “screened” means not visible from any portion or elevation of any neighboring or adjacent public or private property, easement or right-of-way; or ii. Any junk motor vehicle(s) stored outdoors must be stored more than two hundred fifty feet away from all property lines. <p>b. Environmental Mitigation Agreement. The owner of any such junk motor vehicle(s) must successfully enter into an environmental mitigation agreement with the department of community development (the “department”) regarding the property where such vehicle(s) will be located or stored.</p> <ul style="list-style-type: none"> i. An environmental mitigation agreement between a property owner and the department is required before the outdoor storage of up to six screened junk motor vehicles will be approved. A property owner may enter into such agreement with the department for a one-time fee of \$10.00 per vehicle, the proceeds of which shall be used to assist with clean-up costs associated with the administration of Chapter 9.56. ii. In order to mitigate any potential environmental impact from the storage of these junk motor vehicles, the property owner must agree to institute one of the following two preventative measures: <ul style="list-style-type: none"> (a) Each junk motor vehicle must be drained of all oil and other fluids including, but not limited to, engine crankcase oil, transmission fluid, brake fluid and radiator coolant or antifreeze prior to placing the vehicle on site; or (b) Drip pans or pads must be placed and maintained underneath the radiator, engine block, transmission and differentials of each junk motor vehicle to collect residual fluids. (c) Either preventative measure shall require that the owner of such vehicle(s) clean up and properly dispose of any visible contamination resulting from the storage of junk motor vehicles. The agreement will require the property owner to select one of the two preventative measures and to allow for an initial inspection of the property by the department to assure that the preventative measure has been implemented to the satisfaction of the department. By entering into the agreement, the property owner further agrees to allow the department entry onto the property on an annual basis for reinspection to assure compliance with the approved agreement. If a property is found to be in compliance with the terms of the agreement for two consecutive inspections, the department may waive the annual inspection requirement. A property owner found to be in violation of the agreement may be issued a civil infraction pursuant to this section and could later be deemed a nuisance in accordance with Chapter 9.56.
7	<p>7. Model Homes. Notwithstanding any other provision of this code, model homes may be constructed within a subdivision prior to final plat approval by the board. The purpose of the model homes shall be to demonstrate a variety of housing designs together with associated on-site improvements, e.g., landscaping, improved driveway, patios. Model homes shall be subject to the following requirements:</p> <ul style="list-style-type: none"> a. The subdivision shall have received preliminary plat approval; b. One model home may be occupied as a temporary real estate office; c. A model home may not be occupied as a dwelling unit or sold until the approved final plat is recorded; d. The number of model home permits that may be issued for any approved preliminary plat or division thereof shall not exceed six; e. If the lots to be used for model home purposes are in a block of two or more contiguous lots, temporary uses may be incorporated onto one or more lots, including temporary offices, parking, parks and playgrounds, subject to the approval of the director, and subject to obtaining a temporary use permit, which shall authorize the temporary uses for a period of one year. The director may extend the temporary use permit for up to two additional periods of six months each; f. Lots used for model homes must be clear of restrictions or easements that may be subject to line changes before recording; g. Stormwater management facilities must be in place and/or approved for recording. Temporary erosion control must be completed prior to occupancy of a model home; h. Roads must be constructed to final alignment and grade such that the building inspector can determine if connecting driveways meet county standards prior to occupancy of a model home; i. Permanent or temporary fire flow for the final plat must be approved by the fire marshal, constructed and operational prior to occupancy of a model home; and j. Final plat restoration bonds must be posted prior to occupancy of a model home.

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 B. FOOTNOTE
8	<p>8. Guest Houses. Guest houses may be located in those zones specified in Sections 17.410.042 through 17.410.046 subject to the following conditions:</p> <ul style="list-style-type: none"> a. Guest houses shall not exceed nine hundred square feet. Dimensions are determined by exterior measurements; b. Guest houses shall not include any kitchen plumbing, appliances or provisions for cooking; c. Guest houses shall not include more than one bathroom (may be full bathroom); d. Guest houses shall not include more than two habitable rooms and a bathroom; e. Guest houses shall not be rented separately from the primary residence; f. Only one guest house is allowed per parcel; g. No guest house is allowed on a parcel with an existing accessory dwelling unit or accessory living quarters; h. Newly constructed guest houses must meet the required setbacks for a single-family dwelling consistent with their zone. Legally established, existing structures built before May 7, 1998, may be remodeled into guest houses at their existing setback; i. Guest houses must be within one hundred fifty feet of the primary residence; j. Guest houses must use the same street entrance as the primary structure; k. Guest houses must meet all applicable health district standards for water provision and sewage disposal; and l. The property owner must record a notice to title outlining these conditions. This notice must be approved by the department and may not be extinguished without the county’s written permission. <p>Removed footnote, no longer applicable</p>
9	<p>9. High-Risk Secured Facility. A high-risk secured facility shall comply with the following conditions:</p> <ul style="list-style-type: none"> a. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-risk secured facility. The project applicant shall cover all meeting costs. b. The county shall mail community notification to the school district and all landowners within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to the required neighborhood meeting. The project applicant shall cover all community notification costs. c. A high-risk secured facility shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of a risk potential activity or facility in existence at the time a facility is established. <ul style="list-style-type: none"> i. “Within the line of sight” means that it is possible to reasonably visually distinguish and recognize individuals. ii. “Risk potential activities and facilities” means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: public and private schools, school bus stops, licensed day care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and other specific uses identified during a neighborhood hearing. For the purpose of this section, “school bus stops” does not include bus stops established primarily for public transit. d. A high-risk secured facility shall not be located in a community protection zone as defined in RCW 9.94A.030(6). <ul style="list-style-type: none"> i. Distance shall be measured from all property lines of a high-risk secured facility from all property lines of the facilities and grounds of a public or private school. e. A high-risk secured facility shall meet the applicable health district standards for water and sewage disposal to account for staff and residents. f. Principal access to the site shall be from a county-maintained right-of-way. g. A high-risk secured facility shall be equipped with an automatic fire sprinkler system, installed in accordance with applicable building and fire codes. h. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the fire protection system to automatically release any facility security locks and allow safe egress from the structure in the event of fire or other emergency. i. A high-risk secured facility shall be equipped with a backup power system and an automatic transfer switch sufficient to energize and maintain the function of safety, security, and surveillance systems in the event of a power outage. <p>Moved to <u>17.415. --- High-risk secured facilities</u></p>



1 Section 40. **NEW SECTION.** Adds Kitsap County Code chapter 17.415 ‘Additional categorical
2 use regulations’, as follows:

3 **17.415.005 Purpose**

4 **17.415.--- Accessory use or structure**

5 **17.415.--- Adaptive reuse of commercial buildings**

6 **17.415.--- Adult Entertainment**

7 **17.415.--- Aggregate extractions sites**

8 **17.415.--- Agricultural use, primary**

9 **17.415.--- Airports**

10 **17.415.--- Auction house**

11 **17.415.--- Automobile, recreational vehicle or boat rentals**

12 **17.415.--- Automobile or recreational vehicle repair**

13 **17.415.--- Automobile or recreational vehicle sales**

14 **17.415.--- Aquaculture practices**

15 **17.415.--- Carnival or circus**

16 **17.415.--- Car washes**

17 **17.415.--- Campground**

18 **17.415.--- Cemeteries**

19 **17.415.--- Clinic, medical**

20 **17.415.--- Club, civic or social**

21 **17.415.--- Conference center**

22 **17.415.--- Contractor’s storage yard**

23 **17.415.--- Day-care center**

24 **17.415.--- Drinking establishments**

25 **17.415.--- Dwelling, accessory-attached**

26 A. In order to encourage the provision of affordable housing, ~~accessory living quarters~~
27 accessory dwelling units, attached shall be allowed in the zones identified in Section
28 17.410.042 through 17.410.048, subject to permit approval and the following standards:

- 29 1. ~~Accessory living quarters~~ An accessory dwelling unit, attached shall be located within an
30 owner-occupied primary residence;
- 31 2. ~~Accessory living quarters~~ An accessory dwelling unit, attached ~~are is~~ limited in size to no
32 greater than fifty percent of the habitable area of the primary residence. Dimensions
33 are determined by interior measurements;
- 34 3. ~~The accessory living quarters~~ An accessory dwelling unit, attached ~~are is~~ subject to
35 applicable health district standards for water and sewage disposal;
- 36 4. Only one ~~accessory living quarters~~ accessory dwelling unit, attached shall be allowed per
37 lot;
- 38 5. ~~Accessory living quarters~~ An accessory dwelling unit, attached ~~are is~~ to provide
39 additional off-street parking with no additional street-side entrance; and
- 40 6. ~~Accessory living quarters~~ An accessory dwelling unit, attached ~~are is~~ not allowed where
41 an accessory dwelling unit, detached exists.

- 1 7. Existing Unpermitted ~~Accessory Living Quarters~~ Accessory Dwelling Units, Attached.
2 Existing unpermitted ~~accessory living quarters~~ accessory dwelling units, attached may be
3 approved under the provisions of subsection (B)(3)(m) of this section.

4 **17.415.--- Dwelling, accessory-detached**

5 A. In order to encourage the provision of affordable and independent housing for a variety of
6 households, an accessory dwelling unit, detached shall be allowed in the zones identified in
7 Section 17.410.042 through 17.410.048, subject to permit approval and the following
8 standards:

- 9 1. An ADU accessory dwelling unit, detached shall be allowed as a permitted use in those
10 areas contained within an urban growth boundary where residential uses are allowed;
11 2. An ADU accessory dwelling unit, detached shall be subject to a conditional use permit in
12 those areas outside an urban growth boundary;
13 3. Only one ADU accessory dwelling unit, detached shall be allowed per lot;
14 4. Owner of the property must reside in either the primary residence or the ADU accessory
15 dwelling unit, detached;
16 5. The ADU accessory dwelling unit, detached shall not exceed fifty percent of the square
17 footage of the habitable area of primary residence or nine hundred square feet,
18 whichever is smaller. Dimensions are determined by ~~exterior~~ interior measurements;
19 6. The ADU accessory dwelling unit, detached shall be located within one hundred fifty
20 feet of the primary residence or shall be the conversion of an existing detached
21 structure (e.g., garage);
22 7. The ADU accessory dwelling unit, detached shall be designed to maintain the
23 appearance of the primary residence;
24 8. All setback requirements for the zone in which the ADU accessory dwelling unit,
25 detached is located shall apply;
26 9. The ADU accessory dwelling unit, detached shall meet the applicable health district
27 standards for water and sewage disposal;
28 10. No mobile homes or recreational vehicles shall be allowed as an ADU accessory dwelling
29 unit, detached;
30 11. An ADU accessory dwelling unit, detached shall use the same side-street entrance as the
31 primary residence and shall provide additional off-street parking; and
32 12. An ADU accessory dwelling unit, detached is not permitted on the same lot where an
33 accessory living quarters accessory dwelling unit, attached exists.
34 13. Existing, Unpermitted Accessory Dwelling Units, Attached or Detached.
35 a. Applicability. The provisions of this subsection shall only apply to property and
36 property owners who can establish all of the following criteria:
37 i. The parcel is within the unincorporated area of Kitsap County;
38 ii. An accessory dwelling unit (ADU), as defined in Section 17.110.020, or similar
39 dwelling previously defined as an accessory living quarters (ALQ) or an accessory
40 rental unit (ARU) is located on the parcel;
41 iii. The accessory dwelling has not received any prior review and/or approval by
42 Kitsap County;

- 1 iv. The property owner did not construct or cause to have the accessory dwelling
2 constructed;
- 3 v. The property owner did not own the property when the accessory dwelling was
4 constructed;
- 5 vi. The property owner exercised due diligence when purchasing the property with
6 the existing accessory dwelling to discover whether or not the accessory dwelling
7 was approved when purchasing the property. Due diligence is presumed to have
8 occurred if the property owner can document the following conditions:
- 9 (a) That county tax records or parcel records contain no inquiry or other notice
10 that the ADU was unpermitted; and
- 11 (b) That the current owner requested and obtained a title report with no
12 exceptions, restrictions, enforcement actions, permitting or similar issues
13 pertinent to the ADU; and
- 14 (c) That the prior owner's property and improvement disclosures at the time of
15 sale did not indicate any permitting, compliance or similar issues pertinent to
16 the ADU; and
- 17 (d) That any third party involved in the sale or inspection of the ADU did not
18 disclose any permitting, compliance or other issues pertinent to the ADU;
- 19 vii. The parcel has a history of property tax assessment and a history of continuous
20 tax payments on the principal and the accessory dwelling;
- 21 viii. Acceptable documentation for subsections (B)(3)(m)(i)(a) through (g) of this
22 section may include but is not limited to current or previous county assessment
23 records, real estate disclosure forms, listing agreements, records of sale, title
24 reports and aerial photography establishing compliance with the required
25 conditions.
- 26 a. Application. Persons who meet the criteria of subsection (B)(3)(m)(i) of this section
27 desiring to gain approval of their accessory dwelling shall make application to the
28 director of the department of community development on forms provided by the
29 department, with fees to be paid at the time of application as provided in subsection
30 (B)(3)(m)(v) of this section. Such application shall be a Type II permit under Chapter
31 21.04.
- 32 b. Approval. The director, or his designee, is authorized to approve submitted
33 applications that satisfy all of the following:
- 34 i. All the requirements of this section;
- 35 ii. All the applicable zoning, health, fire safety and building construction
36 requirements:
- 37 (a) The applicable requirements shall be those in effect when the accessory
38 dwelling was constructed. The burden of proof of when the accessory
39 dwelling was constructed shall be upon the applicant and may consist of
40 dated aerial photography, tax assessments, surveys or similar documents.
- 41 (b) If the applicant cannot prove a date of construction, the applicable
42 requirements shall be those currently in effect on the date of application.
- 43 (c) If the applicant can only show a date range for construction, the applicable
44 requirements shall be the latest requirements of the range;

- 1 iii. Proof of adequate potable water;
- 2 iv. Proof of adequate sewage disposal systems for both the principal and the
- 3 accessory dwelling. Proof shall be shown by Kitsap County health district approval;
- 4 and
- 5 v. Verification by Kitsap County inspection staff that the accessory dwelling is
- 6 habitable.

7 Applications approved subject to these provisions shall be considered legal
8 nonconforming uses.

9 c. Variances.

- 10 i. When reviewing the application, the director is authorized to grant an
- 11 administrative variance to the requirements of subsection (B)(3)(m)(iii)(b) of this
- 12 section only when unusual circumstances relating to the property cause undue
- 13 hardship in the application of subsection (B)(3)(m)(iii)(b) of this section. The
- 14 granting of an administrative variance shall be in the public interest. An
- 15 administrative variance shall be granted at the director's sole discretion only when
- 16 the applicant has proven all of the following:
- 17 (a) There are practical difficulties in applying the regulations of subsection
- 18 (B)(3)(m)(iii)(b) of this section;
- 19 (b) The applicant did not create or participate in creating the practical difficulties;
- 20 (c) A variance meets the intent and purpose of this section;
- 21 (d) The variance will not be materially detrimental to the public welfare or
- 22 injurious to property in the vicinity or zone in which the property is located;
- 23 and
- 24 (e) The variance is the minimum necessary to grant relief to the applicant.
- 25 ii. The director is authorized to require mitigation in connection with the
- 26 administrative variance to minimize the effect of the variance on surrounding
- 27 properties.
- 28 iii. In reviewing a request for an administrative variance, the director shall notify and
- 29 solicit comments from surrounding property owners of the application and the
- 30 intended variance and mitigation. The director shall consider such comments
- 31 when determining whether or not to approve the variance. The director is further
- 32 authorized to require mediation to resolve issues arising from the notification
- 33 process and the costs of such mediation shall be paid by the applicant.
- 34 iv. Variance requests submitted as part of this subsection shall be considered as part
- 35 of the original application and not subject to additional procedural or fee
- 36 requirements.

- 37 d. Fees. Applicants shall pay a fee established by resolution at the time of application.
- 38 Additionally, applicants shall pay notification costs, reinspection fees, additional
- 39 review and other applicable fees in accordance with Chapter 21.10. Applicants may
- 40 initiate a staff consultation in considering or preparing an application under these
- 41 provisions. The staff consultation fee established in Chapter 21.10 shall not,
- 42 however, be credited towards any subsequent application submitted under these
- 43 provisions.

- 1 e. Land Use Binder. Following approval of the accessory dwelling and any
2 administrative variance, the applicant shall record a land use permit binder with the
3 county auditor using forms provided by the Kitsap County department of community
4 development.
5 f. Expiration. Qualifying property owners shall have one year from the time that the
6 noncompliant ADU is discovered to submit an application for approval of the ADU.

7 **17.415.--- Dwelling, adult family home**

8 **17.415.--- Dwelling, assisted or independent living facility**

9 A. Assisted or independent living facilities shall be allowed in the zones identified in Section
10 17.410.042 through 17.410.048, subject to permit approval and the following standards:

- 11 1. In conjunction with assisted or independent living facilities, cottage housing is an
12 allowed use and shall be reviewed under the assisted or independent living facilities
13 permit review process.

14 **17.415.--- Dwelling, boarding house**

15 A. Boarding houses shall be allowed in the zones identified in Section 17.410.042 through
16 17.410.048, subject to permit approval and the following standards:

- 17 1. Boarding houses must have health district approval prior to occupancy.
18 2. Each room counts as a dwelling unit when calculating the required minimum and
19 allowed maximum density. The number of individual boarding rooms shall:
20 a. meet the minimum density for the zone or equal six boarding rooms, whichever is
21 greater.
22 b. not exceed the maximum density for the zone or six boarding rooms, whichever is
23 greater.

24 **17.415.--- Dwelling, caretaker's dwelling**

26 ~~**17.415.--- Dwelling, duplex**~~

27 ~~A. Duplexes shall be allowed in the zones identified in Section 17.410.042 through 17.410.048,~~
28 ~~subject to permit approval and the following standards:~~

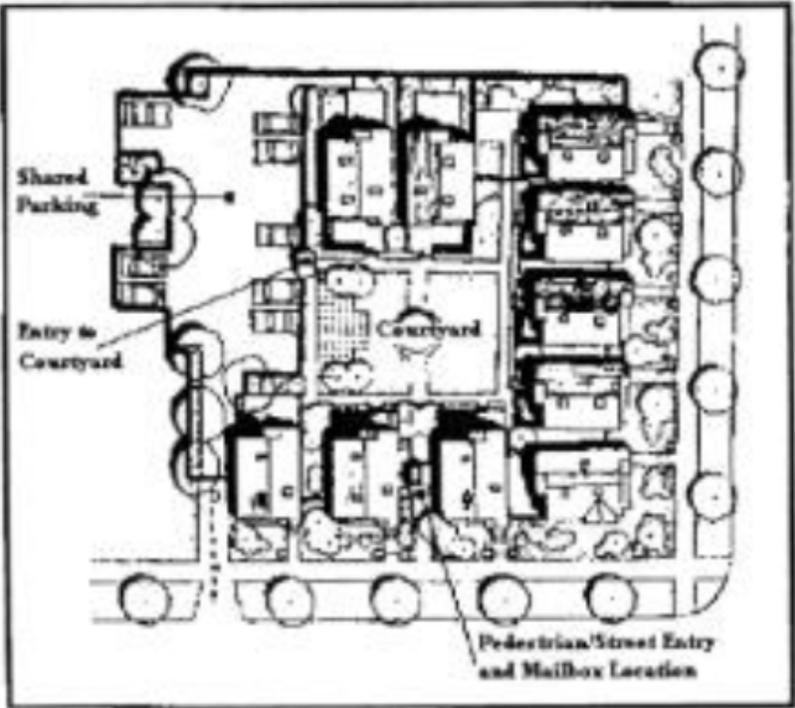
- 29 ~~1. In the Greenbelt (GB), Urban Low Residential (UL), Urban Cluster Residential (UCR),~~
30 ~~Urban Medium Residential (UM), Urban High Residential (UH), Urban Village Center~~
31 ~~(UVC), Neighborhood Commercial (NC), Commercial (C), Regional Center (RC), Low~~
32 ~~Intensity Commercial (LIC) zones, duplexes shall require five thousand square feet of~~
33 ~~minimum lot area.~~
34 ~~2. In the Rural Residential (RR), Rural Protection (RP), Rural Wooded (RW), Forest Resource~~
35 ~~Lands (FRL), Urban Restricted (UR), Keyport Village Commercial (KVC), Keyport Village~~
36 ~~Low Residential (KVLR), Keyport Village Residential (KVR), Manchester Village Low~~
37 ~~Residential (MVLR), Manchester Village Residential (MVR), Port Gamble Rural Historic~~
38 ~~Town Commercial (RHTC), Port Gamble Rural Historic Town Residential (RHTR), and~~
39 ~~Suquamish Village Low Residential (SVLR), and Suquamish Village Residential (SVR)~~
40 ~~zones, duplexes shall require double the minimum lot area required for the zone.~~

41 **17.415.--- Dwelling, cottage housing developments**

- 1 A. Cottage housing development shall be allowed in the zones identified in Section 17.410.042
2 through 17.410.048, subject to permit approval and the following standards:
3 1. Requirement. Design cottage housing to use shared off-street parking, orienting the
4 cottages to the street edge and to the shared interior courtyard.
5 1. Guideline.
6 a. Entryways should be oriented to the public street, with secondary entries oriented
7 to the shared courtyard.
8 a. Parking should be shared and accessed off an alley or secondary street wherever
9 possible.
10 b. The width of the driveway curb cut entry to the parking areas should be minimized
11 to prevent as much pedestrian/sidewalk disruption as possible.
12 c. Provide pedestrian connections from the interior courtyard to the shared parking
13 area and to the street and sidewalk.



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~~17.415. --- Dwelling, guest house~~

~~A. Guest houses shall be allowed in the zones identified in Section 17.410.042 through 17.410.048, subject to permit approval and the following standards:~~

- ~~1. Guest houses shall not exceed nine hundred square feet. Dimensions are determined by exterior measurements;~~
- ~~2. Guest houses shall not include any kitchen plumbing, appliances or provisions for cooking;~~
- ~~3. Guest houses shall not include more than one bathroom (may be full bathroom);~~
- ~~4. Guest houses shall not include more than two habitable rooms and a bathroom;~~
- ~~5. Guest houses shall not be rented separately from the primary residence;~~
- ~~6. Only one guest house is allowed per parcel;~~
- ~~7. No guest house is allowed on a parcel with an existing accessory dwelling unit or accessory living quarters;~~
- ~~8. Newly constructed guest houses must meet the required setbacks for a single family dwelling consistent with their zone. Legally established, existing structures built before May 7, 1998, may be remodeled into guest houses at their existing setback;~~
- ~~9. Guest houses must be within one hundred fifty feet of the primary residence;~~
- ~~10. Guest houses must use the same street entrance as the primary structure;~~
- ~~11. Guest houses must meet all applicable health district standards for water provision and sewage disposal; and~~
- ~~12. The property owner must record a notice to title outlining these conditions. This notice must be approved by the department and may not be extinguished without the county's written permission.~~

17.415. --- Dwelling, manufactured home/RV park/park-model/tiny home parks

- 1 **17.415.--- Dwelling, multiple family**
- 2 A. Dwellings, multifamily shall be allowed in the zones identified in Section 17.410.042 through
- 3 17.410.048, subject to permit approval and the following standards and:
- 4 1. must comply with 17.470 'Multi-family development – design criteria'.
- 5 **17.415.--- Dwelling, single-family attached.**
- 6 **17.415.--- Dwelling, single-family detached (includes manufactured homes)**
- 7 **17.415.--- Entertainment facility, indoor**
- 8 **17.415.--- Entertainment facility, outdoor**
- 9 **17.415.--- Engineering and construction offices**
- 10 **17.415.--- Espresso stands**
- 11 **17.415.--- Equipment sales, rentals and repair, heavy**
- 12 **17.415.--- Equipment sales, rentals and repair, light**
- 13 **17.415.--- Equipment sales, rentals and repair, nonmotorized**
- 14 **17.415.--- Farmer's market**
- 15 **17.415.--- Firework sales**
- 16 **17.415.--- Fitness center**
- 17 **17.415.--- Food and beverage production, less than 4,000 s.f.**
- 18 **17.415.--- Food and beverage production, 4,000 to 9,999 s.f.**
- 19 **17.415. --- Food and beverage production, 10,000 s.f. or greater**
- 20 **17.415. --- Food truck**
- 21 **17.415. --- Forestry**
- 22 **17.415. --- Fuel or charging stations, with convenience store**
- 23 **17.415. --- Fuel or charging station, without convenience store**
- 24 **17.415. --- Fuel distributors**
- 25 **17.415.--- Funeral homes**
- 26 **17.415. --- Garage sales**
- 27 **17.415. --- General office and management services – less than 4,000 s.f.**
- 28 **17.415. --- General office and management services – 4,000 to 9,999 s.f.**
- 29 **17.415. --- General office and management services – 10,000 s.f. or greater**
- 30 **17.415. --- General retail merchandise stores – less than 4,000 s.f.**
- 31 **17.415. --- General retail merchandise stores – 4,000 to 9,999 s.f.**
- 32 **17.415. --- General retail merchandise stores – 10,000 to 15,000 s.f.**
- 33 **17.415. --- General retail merchandise stores – 15,001 to 24,999 s.f.**
- 34 **17.415. --- General retail merchandise stores – 25,000 s.f. or greater**
- 35 **17.415. --- Golf courses**
- 36 **17.415. --- Government/public structures**
- 37 **17.415.--- Helicopter pads**
- 38 **17.415. --- High-risk secured facilities**
- 39 **17.415. --- Home-based day-care**
- 40 **17.415. --- Home business**
- 41 A. Home businesses shall be allowed in the zones identified in Section 17.410.042 through
- 42 17.410.048, subject to permit approval and the following standards:

- 1 1. Commercial or industrial uses otherwise prohibited in the zone may be allowed as a
2 component of a home business in a dwelling, single family residence. Specific uses (e.g.,
3 automobile and recreational vehicle repair) may require:
4 a. a commercial or industrial building permit-
5 a-b. an additional land use permits such as Site Development Activity Permits.
- 6 2. Incidental home businesses, as defined below, shall be ~~permitted-allowed~~ in all
7 ~~residential zones~~ and have no permit required.
- 8 a. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
9 b. The residential character of the building shall be maintained and the business shall
10 be conducted in such a manner as not to give an outside appearance of a business;
11 c. The business shall be conducted entirely within the residence;
12 d. The residence shall be occupied by the owner of the business;
13 e. The business shall not infringe upon the right of the neighboring residents to enjoy
14 the peaceful occupancy of their homes;
15 f. No clients or customers shall visit or meet for an appointment at the residence;
16 g. No employees or independent contractors are allowed to work in the residence
17 other than family members who reside in the residential dwelling;
18 h. No activities that create noise, increase risk of fire, or in any way threaten the safety
19 and tranquility of neighboring residents are permitted;
20 i. No more than two pick-ups and/or deliveries per day are allowed, not including
21 normal U.S. mail;
22 j. The business shall not occupy more than twenty-five percent of the gross floor area
23 of the residence; and
24 k. No signs to advertise the business/occupation shall be allowed on the premises
25 (except attached to mailbox not to exceed one square foot).
- 26 3. Minor home businesses, as defined below, shall be ~~permitted-allowed in all residential~~
27 ~~zones~~ subject to approval by the director. Said approval is not transferable to any
28 individual, future property owner or location.
- 29 a. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
30 b. The residential character of the building shall be maintained and the business shall
31 be conducted in such a manner as not to give an outside appearance of a business;
32 c. The residence shall be occupied by the owner of the business;
33 d. The business shall occupy no more than thirty percent of the gross floor area of the
34 residence;
35 e. The business shall not infringe upon the right of the neighboring residents to enjoy
36 the peaceful occupancy of their homes;
37 f. No more than two employees, including proprietors (or independent contractors),
38 are allowed;
39 g. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign
40 permit approved by the director;
41 h. No outside storage shall be allowed; and
42 i. In order to assure compatibility with the dominant residential purpose, the director
43 may require:
44 i. Patronage by appointment.

- 1 ii. Additional off-street parking.
- 2 iii. Other reasonable conditions.
- 3 4. Moderate home businesses, as defined below, shall be ~~permitted~~ allowed in RW, RP,
- 4 ~~and RR-zones~~ subject to approval by the director or hearing examiner. Said approval is
- 5 not transferable to any individual, future property owner or location.
- 6 a. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
- 7 b. The residential character of the building shall be maintained and the business shall
- 8 be conducted in such a manner as to moderate any outside appearance of a
- 9 business;
- 10 c. The residence shall be occupied by the owner of the business;
- 11 d. The business shall not infringe upon the right of the neighboring residents to enjoy
- 12 the peaceful occupancy of their homes;
- 13 e. No more than five employees (or independent contractors) are allowed;
- 14 f. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign
- 15 permit approved by the director; and
- 16 g. In order to ensure compatibility with the dominant residential purpose, the director
- 17 may require:
 - 18 i. Patronage by appointment.
 - 19 ii. Additional off-street parking.
 - 20 iii. Screening of outside storage.
 - 21 ~~iv. A conditional use permit (required for engine or vehicle repair or servicing).~~
 - 22 ~~v.~~ iv. Other reasonable conditions.
- 23 5. In the Forest Resource Lands (FRL) zone, home businesses shall be permitted if
- 24 associated with timber production and/or harvest.

- 25 **17.415. --- Hospital**
- 26 **17.415. --- Kennel**
- 27 **17.415. --- Kennels, hobby**
- 28 **17.415. --- Kennels or pet day-cares**
- 29 **17.415. --- Lumber and bulky building material sales**
- 30 **17.415. --- Shared work/Maker spaces**
- 31 **17.415. --- Manufactured home, park models, tiny homes sales**
- 32 **17.415. --- Manufacturing and fabrication, light**
- 33 **17.415. --- Manufacturing and fabrication, heavy**
- 34 **17.415. --- Manufacturing and fabrication, heavy**
- 35 **17.415. --- Manufacturing and fabrication, medium**
- 36 **17.415. --- Marijuana retailer**
- 37 **17.415. --- Marijuana processor**
- 38 **17.415. --- Marijuana producer, Tier 1**
- 39 **17.415. --- Marijuana producer, Tier 2**
- 40 **17.415. --- Marijuana producer, Tier 3**
- 41 **17.415. --- Marinas**
- 42 **17.415. --- Marina support services**
- 43 **17.415. --- Nursery, retail**

- 1 17.415. --- Nursery, wholesale
- 2 17.415. --- Off-street parking facilities
- 3 17.415. --- Outdoor display
- 4 17.415. --- Overnight lodging, bed and breakfast house
- 5 17.415. --- Overnight lodging, hotel/motel
- 6 17.415. --- Overnight lodging, short-term vacation rentals.
- 7 17.415. --- Overnight lodging, resort
- 8 17.415. --- Personal services
- 9 17.415. --- Places of worship
- 10 17.415. --- Public facilities and electric power and natural gas utility facilities, and substations
- 11 17.415. --- Private or public schools, elementary and middle school/junior high
- 12 17.415. --- Private or public schools, high school
- 13 17.415. --- Private or public schools, college/ vocational school – less than 8,000 s.f.
- 14 17.415. --- Private or public school, college/ vocational school – 8,000 s.f. or greater
- 15 17.415. --- Race track
- 16 17.415. --- Reasonable accomodation.
- 17 17.415. --- Recreational facilities, indoor
- 18 17.415. --- Recreational facilities, outdoor
- 19 17.415. --- Research laboratory, less than 4,000 s.f.
- 20 17.415. --- Research laboratory, 4,000 to 9,999 s.f.
- 21 17.415. --- Research laboratory, 10,000 s.f. or greater
- 22 17.415. --- Restaurants, without drive-through
- 23 17.415. --- Restaurant, carry-out or drive-through
- 24 17.415. --- Rock crushing
- 25 17.415. --- Secure community transition facility
- 26 17.415. --- Shellfish/fish hatcheries and processing facilities
- 27 17.415. --- Shooting/gun range, indoor
- 28 17.415. --- Shooting/gun range, outdoor
- 29 17.415. --- Slaughterhouse or animal processing
- 30 17.415.--- Storage, hazardous materials
- 31 17.415.--- Storage, indoor
- 32 17.415.--- Storage, outdoor
- 33 17.415.--- Special care units
- 34 17.415.--- Stormwater infrastructure
- 35 17.415.--- Structured parking facilities
- 36 17.415.--- Temporary offices and model homes
- 37 17.415.--- Top soil production, stump grinding, firewood cutting, and composting
- 38 17.415.--- Tourism facilities, including outfitter and guide facilities
- 39 17.415.--- Tourism facilities, including seaplane and tour boat terminals
- 40 17.415.--- Transportation terminals, non-marine
- 41 17.415.--- Transportation terminals, marine
- 42 17.415.--- Transshipment facilities, including docks, wharves, marine rails, cranes, and barge
- 43 facilities
- 44 17.415.--- Veterinary clinics/animal hospitals/wildlife shelter

- 1 **17.415.---** Warehousing and distribution
- 2 **17.415.---** Wedding facility
- 3 **17.415.---** Wireless communications facilities
- 4 **17.415.---** Wrecking yards and junk yards (1)
- 5 **17.415.---** Zoo, aquarium, arboreta, botanical gardens

6 Section 41. Revises Chapter 17.470.020 ‘Applicability – How to use design criteria’, as
7 follows:

8 **17.470.020 Applicability – How to use the design criteria.**

9 A. Applicability.

10 1. The “requirements sections” in the following design criteria apply to each multifamily
11 project ~~requiring conditional use review under Chapter 17.540 or 17.550.~~

12 1. In addition to the requirements set forth in this chapter, the “requirements sections” set
13 forth in Sections 17.480.160 and 17.480.180 to 17.480.240 shall apply to each
14 multifamily project requiring review under subsection (A) of this section.

15 A. How to Use the Design Criteria. The “requirements sections” state the design criteria that
16 each project shall meet. ~~These design criteria are intended to supplement the development~~
17 ~~standards of the UCR, UM and UH zones. Where the provisions of this chapter conflict with~~
18 ~~the provisions of Chapters 17.210 (UCR), 17.220 (UM), and 17.230 (UH),~~ The provisions of
19 the zoning district shall apply if in conflict with this chapter. The “guidelines” which follow
20 each requirement statement are suggested ways to achieve the design intent. Each
21 guideline is meant to indicate the preferred conditions, but other equal or better design
22 solutions will be considered acceptable by the director or hearing examiner, so long as
23 these solutions meet the intent of these sections. They are to be applied with an attitude of
24 flexibility, recognizing that each development site and project will have particular
25 characteristics that may suggest that some guidelines be emphasized and others de-
26 emphasized. However, while alternative solutions can be proposed, none of the criteria in
27 the requirement statements can be disregarded.

28 Section 42. **Revises Chapter 17.470.020 ‘Multifamily site design – Orientation (UCR, UM,**
29 **and UH zones)’ as follows:**

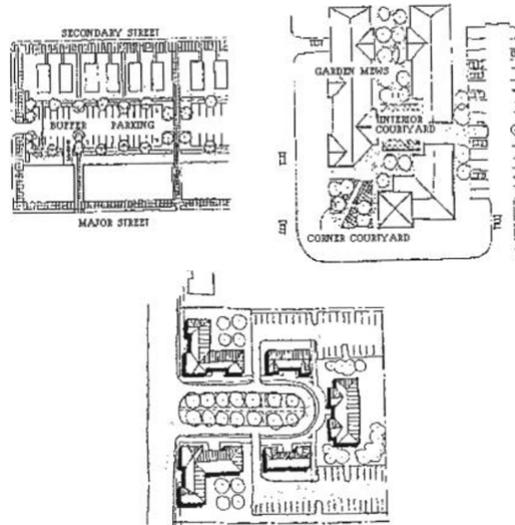
30 **17.470.030 Multifamily site design – Orientation** ~~(UCR, UM and UH zones).~~

31 A. Requirement. Design multifamily projects to be oriented to public streets or common open
32 spaces and to provide pedestrian and vehicular connections to existing neighborhoods.

33 B. Guidelines. Possible ways to achieve neighborhood connections include:

- 34 1. Use a modified street grid system where most buildings in a project front on a street.
35 Where no public streets exist, create a modified grid street system within the project.
- 36 2. Locate parking areas behind or under building and access such parking from alley-type
37 driveways. If driveway access from streets is necessary, minimum width driveway
38 providing adequate firefighting access should be used.
- 39 3. Provide each building with direct pedestrian access from the main street fronting the
40 building and from the back where the parking is located.

- 1 4. Another alternative may be to orient the buildings into U-shaped courtyards where the
 2 front door/main entry into the building is from a front courtyard. Access to the
 3 courtyard from the rear parking area should be through a well-lighted breezeway or
 4 stairway. This alternative will work where projects abut an arterial or major collector
 5 street where the quality of living could be enhanced with building facing into the
 6 courtyard. The buildings would still be located between the street and parking lot.
 7 5. The following illustrations depict site-planning techniques that orient multifamily
 8 projects to streets, adding value and identity to the complex, by siting parking behind
 9 the buildings:



10
 11 Examples of preferred site planning that orients multifamily projects to streets, adding
 12 value and identity to the complex, by siting parking behind the buildings.

13 Section 43. **[Placeholder for Final Draft Ordinance] Severability.** If any section, sentence,
 14 clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of
 15 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any
 16 other section, sentence, clause or phrase of this ordinance.

17 Section 44. **[Placeholder for Final Draft Ordinance] Clerical/Typographical Error.** Should this
 18 Ordinance, upon being enacted by the Kitsap County Board of Commissioners during its
 19 deliberations on [Month Day, Year], inadvertently leave out or in error upon publication, the
 20 explicit action of the Board as discussed and passed shall prevail upon subsequent review and
 21 verification by the Board.

22 Section 45. **[Placeholder for Final Draft Ordinance] Effective Date.** This ordinance shall take
 23 effect __ months after adoption.



1
2



2019 ZONING USE TABLE - UPDATE

PLANNING COMMISSION – STUDY SESSION
MARCH 3, 2020



PROJECT PROCESS

PROJECT PROCESS

Phase 1: Scoping

Phase 2: Develop Draft

Phase 3: Analysis

Phase 4: Consideration

Scoping - Develop Conceptual Changes:

- **Countywide survey**
- **Internal review**
- **Planning Commission workshops**
- **Open houses**
- **Public comment**
- **Stakeholder workshops**
- **Review all comments and develop a proposed Draft**

PROJECT PROCESS – GOAL AND POLICY GUIDANCE

Goal and policy general guidance includes:

- Outreach early and often
- Coordinate with jurisdictions
- Support development (new, mixed uses, infill, and redevelopment) in designated Urban Growth Areas.
- Prioritize primary uses of a zone (urban and rural)
- Support a mix of uses at different scales.
- Support uses to serve as transition areas between commercial and residential.
- Revise development regulations to better implement goals and policies.



Project Process – Limiting the Scope

Parking lot items deferred to individual projects:

- Zones:
 - Kingston Urban Village Center (UVC) zone changes
 - Port Gamble Masterplan (all Port Gamble zones)
- Bed and Breakfast establishments
- Vacation Rentals
- Transitory Accommodations
- Timber Harvest code updates
- Title 21 code updates

DECEMBER WORKSHOPS

DECEMBER WORKSHOP GOAL – Detailed Feedback

Workshop attendees:

- Subject matter knowledge
 - Growth Management Act
 - Comprehensive Plan
 - Allowed uses
 - Development regulations
- Community character knowledge
 - Urban Growth Areas (UGA)
 - Limited Areas of More Intense Rural Development (LAMIRD)
 - Type I (Residential and Commercial)
 - Type III (Rural Employment)



DECEMBER WORKSHOP GOAL – Detailed Feedback

Did attendees support or not support conceptual changes to:

- Use categories
 - New Uses
 - Combined uses
 - Split uses
 - Definitions
- Allowed uses by zone
 - Purpose and Intent
 - Preclude achieving purpose and intent
 - Preclude achieving natural resource programs
 - Compatibility of uses
 - Permit review compared across the zones
 - Remove barriers to investment

DECEMBER WORKSHOP - AGENDA

Introduction

- Brief overview of project/process
- Goals and expectations for workshop – limiting the scope

Use Table Review Exercise

- Group Stations (Residential, Commercial/Industrial, All other uses)
- 40 minutes at each station
- Facilitated with questions prompting discussion

Follow up

- Opportunity for additional written comments
- Workshop feedback sent to participants
- Next step – preliminary draft



PROJECT PROCESS

Phase 1: Scoping

Phase 2: Develop Draft

Phase 3: Analysis

Phase 4: Consideration

Develop Department Recommended Draft and analyze:

- Analyze preliminary feedback
- Inter-Department meetings
- Review all comments and develop a Department recommended draft
- Prepare a staff report for the Planning Commission public review process.

JANUARY – MARCH
DEPARTMENT
RECOMMENDED DRAFT

PROJECT PROCESS

Phase 1: Scoping

Phase 2: Develop Draft

Phase 3: Analysis

Phase 4: Consideration

Consideration:

- **Planning Commission public review process**
- **Board of County Commissioner public review process**



Department Recommended Draft – General Timeline

<u>March 3, 17, and April 7, 2020</u>	<u>Planning Commission study sessions</u>
April 7, 2020	Planning Commission public hearing
April 8, 2020	Board briefing to provide an update on Planning Commission public hearing
April 21, 2020	Planning Commission deliberates, recommends, and approves Findings of Fact
May 5, 2020	Planning Commission approves Findings of Fact (if necessary)
May 20, 2020	Board study session to review final draft Ordinance
June 8, 2020 & June 22, 2020	Board open house & public hearing
July 8, 2020	Board work study to review public comment
July 13, 2020	Board deliberations & tentative adoption
July 27, 2020	Board adoption (if necessary)
August – October	Update permit templates and website resource guides
September – November, 2020	Internal & external training
January, 2021	Ordinance effective date



Department Recommended Draft – Planning Commission Meeting Timeline

- March 3, 2020
 - Department recommendation document format
 - Feedback to date (Attachment A – Preliminary Feedback)
 - Residential use example review
- March 17, 2020
 - Residential
 - Commercial
 - Industrial
 - Institutional
- April 7, 2020
 - Recreational/Cultural
 - Resource
 - Accessory
 - Temporary



Department Recommended Draft – Feedback considered

External Feedback:

- 2016 Comprehensive Plan goals and policies
- Attachment A – Preliminary Feedback
- Residential:
 - Allow more uses across more zones (e.g., mix of uses)
 - Don't force single projects into mixed use, let the market drive it
 - Housing affordability only works if the project pencils out
 - Culture shift
- Commercial and Industrial:
 - Limited land available, allow these uses in other zones
 - More scaling of uses by size, intensity of use, or occupancy
 - Reduce permit review requirement for less intensive uses
 - Storage facilities should be allowed in residential and commercial zones. They are amenities.

Department Recommended Draft – Feedback considered

External Feedback:

- Institutional
 - Schools, places of worship, and hospitals should be in or near residential areas.
- Recreational
 - Allow more in or near residential areas. These are amenities.
 - Conversely, increase permit requirements for uses that have greater impact to aesthetics, noise, traffic (event facility, parks).
- Resource
 - Allow mineral extraction and processing without the MRO.
- Temporary and Accessory
 - Skeptical about regulating temporary uses, should be over the counter permits.
- Parking lot items
 - Predictable sewer needed, relax design standards, allowed uses in rural residential zones.



Department Recommended Draft – Feedback considered

Internal Feedback:

- Maintain integrity of each zone - Do we need separate zones if two zones allow the same uses? (e.g., Urban Restricted vs. Greenbelt, Urban High Residential vs. Commercial)
- Limited supply of land within certain zones:
 - commercial zones – require commercial component at project level
 - industrial zones – require industrial component at project level
 - urban medium and urban high zones – require residential component at project level
- Human Services
 - Washington Housing Policy act – reviewed long term care facilities
 - Dwellings, family living
 - Dwellings, group living
- Parks
 - 2006 adoption doesn't allow residential
 - Using existing structures for revenue generation (e.g., Point No Point Bed and Breakfast)
 - Residential care facility for human services



DEPARTMENT RECOMMENDED DRAFT

Preliminary Draft Development – Documents to expect

Staff Report

Staff Report Attachments:

- Department recommended proposal
- Summary of changes
- SEPA determination
- SEPA checklist
- Zone purpose statements
- Permit review descriptions



Preliminary Draft Development – Future Document Navigation

Format:

- Microsoft WORD document – read only
- Navigation pane
- Split screen
- Collapse white space
- Collapse headings
- Hyperlinking
- Use definitions
- Use regulations
- Zone specific – use regulations

The screenshot shows the Microsoft Word interface. The ribbon is set to 'View', with the 'Navigation Pane' checkbox checked and circled in red. A red arrow points from this checkbox to the 'Navigation' pane on the left side of the window. The 'Navigation' pane shows a list of document headings, with '17.110.--- Dwelling, accessory-attached.' selected. The main document area displays a text block with a blue hyperlink: [17.110.--- Dwelling, accessory-attached.](#) followed by a definition: [“Accessory living quarters. Accessory dwelling unit, attached” means separate living quarters contained within or directly connected by a minimum of four feet to the habitable space of the owner-occupied primary residence. Alternate configurations shall not be allowed as an accessory dwelling unit, attached.](#)

Below the text is a table titled 'Section 36. 17.410.044 Commercial, industrial, parks, and public facility zones use table.' The table has columns for 'Comprehensive Plan Land Use Designation', 'Zoning Classification', 'Categorical Use', and various zoning codes (C, RC, 17.260, NC, LIC, 17.280, RCO, 17.290, BC, BP, 17.310, IND, 17.330, RI, 17.340, P). The table is divided into sections for 'RESIDENTIAL USES' and 'Dwelling, Accessory'. The 'Dwelling, Accessory' section includes rows for 'Attached Formerly Accessory Living Quarters (ALQ)', 'Detached', 'Caretaker', and 'Guest house'. The 'Dwelling, family living' section includes rows for 'Adult family home' and 'Adult family home, serving 7 or more residents'. The table cells contain 'P' for permitted and '-' for not permitted.

Preliminary Draft Development - Format

Document outline:

- Sections 1-4: Placeholders for Final Draft Ordinance
- Section 5: Definitions
- Sections 6-34: Individual zone chapters
- Section 35: Rural, resource, and urban residential zones
- Section 36: Commercial, industrial, parks, and public facility zones
- Section 37: Limited areas of more intensive rural development (LAMIRD)
- Section 38-39: Use table footnote analysis
- Section 40: Additional categorical use regulations 17.415
- Section 41-42: Multifamily applicability and site design
- Sections 43-45: Placeholders for Final Draft Ordinance

Residential Use Example
