

# Kitsap County Zoning Code

## Agriculture Code, Standards, and Regulations

09/02/2025

### Chapter 17.110 DEFINITIONS

#### 17.110.330 Heavy equipment.

“Heavy equipment” means, but shall not be limited to, self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily used for commercial purposes such as tandem axle trucks, graders, backhoes, tractor trailers, cranes and lifts but excluding automobiles, recreational vehicles, boats and their trailers, and farm equipment equipment used for agricultural purposes.

### Chapter 17.415 ALLOWED USE STANDARDS

#### 17.415.020 Accessory use or structure.

- A. 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.
- B. 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(l). This restriction does not apply to shipping containers used for agricultural purposes.

### Chapter 17.455 AGRICULTURE CODE

#### 17.455.030 Definitions

“Agricultural activity” means a condition or activity that occurs on a farm in connection with the production of farm products and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial application of seed, fertilizers, conditioners, and plant protection products; keeping of bees for production of agricultural or apicultural products; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, ditches, waterways, and similar features and maintenance of stream banks and watercourses; and conversion from one agricultural activity to another, including a

change in the type of farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry. For purposes of this chapter, gardens maintained for personal or community use and not for commercial production are not considered agricultural activities.

“Agricultural use, primary” means using land for the production of food and fiber, dairying, pasturage, equine boarding or training, horticulture, floriculture, viticulture, apiaries, animal husbandry, and wholesale nurseries. Gardens for personal or community use, as defined in this chapter, are not considered a primary agricultural use.

“Farm” means any size parcel or parcels owned or leased by the same person or entity, wherein a majority of the net developable acreage is managed for primary agriculture uses. Multiple contiguous parcels in the same ownership or leased may be considered one parcel for the purposes of livestock management calculations. Multiple noncontiguous parcels under the same ownership or leased may be considered a single farm. The term “farm” does not include gardens as defined in this chapter.

“Garden” means the cultivation of fruits, vegetables, herbs, flowers, or ornamental plants for personal use, enjoyment, or subsistence, and not as part of a commercial agricultural enterprise. Gardens are typically maintained at a household or community scale and do not include commercial production, animal husbandry, or large-scale farming practices.

“Heavy equipment” means, but shall not be limited to, self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily used for commercial purposes such as tandem axle trucks, graders, backhoes, tractor trailers, cranes and lifts but excluding automobiles, recreational vehicles, boats and their trailers and farm equipment equipment used for agricultural purposes.

#### **17.455.060 Agricultural, accessory use or agritourism**

An accessory agricultural use or agritourism use is allowed on a farm where a primary agricultural use exists and is allowed. The accessory agricultural or agritourism use shall be operated so as to not interfere with the primary agricultural use and shall not significantly interfere with the rural character of an area.

H. Wineries, Breweries, Cideries, and Distilleries. A winery, brewery, cidery, or distillery as defined in this chapter is allowed as an accessory agricultural use; provided, that:

1. A tasting room under this chapter may be allowed in conjunction with a winery, brewery, or distillery licensed by the Washington State Liquor and Cannabis Board subject

to an administrative conditional use permit (ACUP). As part of the ACUP applications shall include:

- a. A site plan review with a fee established by county resolution;
- b. A traffic management plan;
- c. Except as included in a town master plan approved pursuant to Section [17.360C.030](#), a parcel(s) without direct access to a Kitsap County maintained right-of-way shall require the farm owner to obtain written consent by a majority of the owners of an easement used to access the farm. A notice to title for each owner of the easement shall be required and submittal of the associated fee established by county resolution;
- d. ~~A written agreement to not serve products in serving glassware, cups, or containers greater than a four-ounce capacity except when included in a town master plan approved pursuant to Section [17.360C.030](#), glassware with larger capacity may be served with a conditional use permit;~~

#### **14.455.080 Agriculture structure requirements**

All agricultural structures, including those exempted from a building permit, shall be constructed to the standards in Title [14](#), Buildings and Construction. An agriculture structure where public access is allowed shall require a building permit and certificate of occupancy regardless of size or exemptions stated below.

##### **B. Building Permit Exemptions.**

1. Temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits are not considered structures subject to the State Building Code, Chapter 19.27 RCW, pursuant to RCW 19.27.065; and
2. An agricultural structure is exempt from acquiring a building permit; provided, that:
  - a. Agricultural buildings are no larger than ~~eight hundred sixty-four~~ (XXXX – to be determined in consultation with County building official) square feet; erected exclusively for the storage of livestock, feed, and/or farm implements; located no closer than ten feet from the nearest structure and not attached to any structure; do not contain plumbing, except as necessary to maintain farm animals; do not contain a heat source, such as a wood stove or electric heat, unless specifically permitted;

#### **14.455.100 Right to farm and notifications**

The conservation and protection of agricultural lands or farms in Kitsap County is considered economically and nutritionally beneficial. Protection of these lands will enhance the cultural and economic diversity and retain the Kitsap County character.

C. Notification. ~~All landowners in Kitsap County shall receive a notice in the annual tax statement newsletter that unincorporated parcels in Kitsap County may be within or near agricultural lands on which a variety of commercial activities may occur.~~ Property owners with parcels adjacent to land enrolled in the open space agriculture use program shall be notified by mail from the Department of Community Development that agricultural lands may be used for a variety of commercial agricultural activities. This notice shall be provided at the time that a property is enrolled in the program. The notice shall be for informational purposes only, and does not convey any appeal or review rights.

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