

CODE UPDATE: REASONABLE MEASURES

Final Draft Ordinance: Matrix

#	Topic Title And Description	Revisions to existing code (Includes Staff Proposed Revisions)
1.	<p>Topic: Dry Sewer Policy</p> <p><i>Use table footnote 48 revised to include a reference to exemptions in KCC 17.460.020.</i></p> <p><i>Allow properties within an Urban Growth Area, that are too far from sewer, to develop with increased densities provided a dry sewer is constructed with a mandatory sewer hook-up agreement to connect once sewer is available. The properties must be located within an area where sewer service will become available as identified by a sewage facility plan.</i></p>	<p><u>17.410.050 Footnotes for zoning use table.</u></p> <p>A. Where noted on the preceding use tables, the following additional restrictions apply:</p> <p>48. Within urban growth areas, all new residential subdivisions, single-family or multi-family developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units <u>unless exemptions identified in KCC 17.460.020 allow for the implementation of a dry sewer.</u></p> <p><u>17.460.020 Public sewer connections in UGAs.</u></p> <p>In accordance with Sections <u>13.12.020 and .025, 17.410.050 (48),</u> Health District Ordinance 2008A-01 and WAC <u>246-272A-0025,</u> all new development or existing development requiring a replacement on-site septic system that is located within an urban growth area must connect to public sewer if the property is within two hundred feet of an existing public sewer main that has adequate capacity for the development.</p> <p><u>New urban developments may be allowed to utilize interim on-site sewage systems and shall install dry sewer facilities provided the following conditions are met:</u></p> <p>A. <u>A Sewage Facility Plan, or an equivalent plan that is recognized by Kitsap County, must indicate an expectation of future sewer provisions that would serve the area where the proposed development would occur. The Plan shall be recorded against the property and shall, at a minimum identify::</u></p> <ol style="list-style-type: none"> <u>1. How the sewer connection fees will be paid;</u> <u>2. Provision of land for a sewage pump station if needed for future sewer expansion;</u> <u>3. A requirement to connect within a specified number of days when a serviceable sewer line is within two hundred feet of the exiting dry sewer connection point and which includes a sewer main that has adequate capacity for the development;</u> <u>4. A requirement that the property owner will pay for and construct the connection to the sewer; and</u> <u>5. A temporary drainfield may be located on developable lots provided that a plan to dismantle the septic system upon connection to the sewer in accordance with Health District Requirements; and</u> <p>B. <u>When dry sewer lines are installed, a residential development up to the maximum density may be allowed, provided that lots in excess of the density permitted with on-site septic shall not be built upon until the sewer line is extended and connected to all parcels within the approved development; and</u></p> <p>A-C. <u>Dry sewer lines shall be installed in conformance with the standards established by the Kitsap County Public Works Department, applicable permitting jurisdiction, or other purveyor.</u></p>

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2.	<p>Topic: Reduced Regulatory Fees in UGA</p> <p><i>Allow use of general funds for permit review when a project achieves the maximum density allowed by the zone.</i></p>	<p><u>Resolution crafted for review:</u></p> <p><u>Reduced Regulatory Fees in Urban Growth Areas (UGAs). The Board will explore the implementation of reduced regulatory fees for certain types of urban development that will create incentives for such development. Such incentives may include, but are not limited to, (a) discounts on impact fee assessment when a proposed project nears or meets the maximum density required for the applicable zone; and (b) the use of general funds for permit review instead of permit fees when a propose projects achieves the maximum density allowed in the applicable zone.</u></p>
3.	<p>Topic: Tax Incentives for Infill or Redevelopment</p> <p><i>Temporarily reduce taxation rate for infill developments.</i></p>	<p><u>Resolution crafted for review:</u></p> <p><u>Tax Incentives for Infill or Redevelopment. The Board will consider, to the extent allowed under existing laws, the adoption and implementation of tax incentives for redevelopment and infill projects located within unincorporated urban growth areas.</u></p>
4.	<p>Topic: Minimum Lot Size</p> <p><i>Lot size averaging proposal removed and minimum lot width and lot depth are not changed from existing code.</i></p>	<p>No change to existing code.</p>
5.	<p>Topic: Streamline Short Plat Process in UGA</p> <p><i>Allow use of general funds for permit review when a detached single family dwelling permit requires the subdivision of one parcel into three or less parcels.</i></p>	<p><u>Resolution crafted for Review:</u></p> <p><u>Streamline Short Plat Process in UGA. The Board will consider, where legally possible, providing incentives through a sliding scale of reduced fees for short plats that result in increased densities within the UGA.</u></p>

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6.	<p>Topic: Increased Heights Allowed in UGA</p> <p><i>Increase allowed base height and incentivized heights.</i></p>	<p><u>See Design Standards Table 17.420.050 (A).</u> Base height UM: 35 45 feet UH: 35 55 feet With footnote 17 UM: 35 55 feet UH: 65 feet</p> <p>17.420.060 Footnotes for tables.</p> <p>A. Where noted on the preceding tables, the following additional provisions apply:</p> <p>17. A greater height may be allowed as set forth below and in accordance with the procedures in Title 21 of this code. Such approval must be consistent with the recommendations of the fire marshal/fire district and compatible with surrounding uses and zones. Such approval shall result in a decrease in building coverage, an increase in public amenities, and/or a more creative or efficient use of land. The maximum building height approved by the director shall not exceed:</p> <ul style="list-style-type: none"> a. In the UM, NC, and P zones: forty-five feet. b. In the UH and C zones: sixty-five feet. c. In the UM, BP, BC, and IND zones: fifty-five feet. <p>Height and density requirements for Urban High and Regional Center reflected in Table 17.420.050D Silverdale Regional Center and Design District Density and Dimension Table.</p>
7.	<p>Topic: Infrastructure Investment in UGA.</p> <p><i>Target infrastructure development to support other reasonable measures. For example, combine incentives for building in certain areas of a UGA with increased infrastructure development in the same area.</i></p>	<p><u>Resolution crafted for Review:</u></p> <p><u>Infrastructure Investment in UGAs. The County shall continue to target infrastructure development in urban areas through its capital improvement programs; and shall develop additional incentives to prioritize and target infrastructure improvements to development that meet higher densities or that has previously installed dry sewer mains within a specified distance to the development.</u></p>

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8.	<p>Topic: Lot Size Averaging in UGA</p> <p><i>Lot size averaging proposal removed and minimum lot width and lot depth are not changed from existing code.</i></p>	<p>No change to existing code.</p>
9.	<p>Topic: Remove minimum lot widths in UGAs</p> <p><i>Lot size averaging proposal removed and minimum lot width and lot depth are not changed from existing code.</i></p>	<p>No change to existing code.</p>
10.	<p>Topic: Transfer of Development Rights</p> <p><i>Established increased ratios and use market based values for Transfer of Development Rights.</i></p>	<p>Separate Resolution from this process.</p>
11.	<p>Topic: Rural Legacy Lots: Footnote 39</p> <p><i>Removal of existing footnote 39 will require legal lot determination at the time of building permit application.</i></p> <p><i>Resolution crafted to request further analysis.</i></p>	<p><u>17.420.060 Footnotes for tables.</u></p> <p>A. Where noted on the preceding tables, the following additional provisions apply: 39. RESERVED.</p> <p><u>Resolution crafted for review:</u></p> <p><u>Restrictions on the Development of Substandard Rural Legacy Lots. Kitsap County will continue to collect and evaluate data concerning the development of pre-GMA substandard lots in the rural areas. This information shall be used to develop a definition of “legacy lot” and the consideration of additional reasonable measures to address the rural inconsistencies in accordance with Washington and federal law.</u></p>

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12.	<p>Topic: Maximum Urban Lot Size</p> <p><i>Establish 9,000 square foot maximum lot size in Urban Low Residential (ULR) and Urban Cluster Residential (UCR) zones.</i></p>	<p><u>See Design Standards Table 17.420.050 (A).</u> <u>Maximum Lot Size:</u> ULR: <u>9,000 sf (25)</u> UCR: <u>9,000 sf (25)</u></p> <p><u>17.420.060 Footnotes for tables.</u> A. Where noted on the preceding tables, the following additional provisions apply: 25. <u>For new building permit applications on vacant lots over 18,000 square feet located in Urban Low Residential (ULR) and Urban Cluster Residential (UCR) zones, the maximum lot size shall not exceed 9,000 square feet.</u></p>
13.	<p>Topic: Urban Medium Residential and Urban High Residential Use Permissibility</p> <ul style="list-style-type: none"> • <i>Add footnote 26 to limit ability to develop detached single family dwellings.</i> • <i>Modify footnote 37 language and application to require residential uses in conjunction with certain allowed commercial uses.</i> • <i>Modify footnote 47 for consistency with zone intent with regards to commercial and mixed use development.</i> 	<p><u>See Design Standards Table 17.410.040 (A).</u></p> <p>A. Where noted on the preceding use tables, the following additional restrictions apply: 26. <u>RESERVED. Single family detached dwellings shall only be allowed when the existing parcel size as of [Insert Effective Ordinance Date] would only allow the development of one dwelling unit.</u> 37. <u>Permitted only within a mixed use development or office complex. 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.</u> 47. As a hearing examiner 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.</p>

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Chapter 17.410 ALLOWED USES

(Formerly Chapter 17.381)

Sections:

17.410.040 Zoning use tables.

17.410.050 Footnotes for zoning use tables.

17.410.040 Zoning use tables.

There are three separate tables addressing the following general land use categories and zones:

- A. Rural, Resource, and Urban Residential Zones.
 - 1. Rural Residential (RR).
 - 2. Rural Protection (RP).
 - 3. Rural Wooded (RW).
 - 4. Forest Resource Lands (FRL).
 - 5. Mineral Resource Overlay (MRO).
 - 6. Urban Restricted (UR).
 - 7. Greenbelt (GB).
 - 8. Urban Low Residential (UL).
 - 9. Urban Cluster Residential (UCR).
 - 10. Urban Medium Residential (UM).
 - 11. Urban High Residential (UH).

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Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.

Use	Rural			Resource		Urban Residential						
	RR	RP	RW	FRL	MRO	Low Density				Medium Density	High Density	
						UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47)(48)	UH (19)(47)(48)	
RESIDENTIAL USES												
124	Dwelling, single-family detached	P (43)	P (43)	P (43)	C (43)	--	P (43)	P (43)	P (43)	P (43)	P (43) <u>(26)</u>	ACUP P (43) <u>(26)</u>
COMMERCIAL/BUSINESS USES												
230	Day-care center (14)	C	C	--	--	--	C	C	C	C	ACUP <u>(37)</u>	ACUP (37)
232	Day-care center, family (14)	P	P	--	--	--	P	C	P	P	ACUP <u>(37)</u>	ACUP (37)
290	Temporary offices and model homes (27)	ACUP	ACUP	--	--	--	P	P	P	P	ACUP P <u>(37)</u>	ACUP P <u>(37)</u>
RECREATIONAL/CULTURAL USES												
314	Movie/Performance theaters, outdoor	--	--	--	--	--	--	--	--	--	--	ACUP <u>(37)</u>
316	Museum, galleries, aquarium, historic or cultural exhibits	--	--	--	--	--	--	--	--	--	--	ACUP <u>(37)</u>
INDUSTRIAL USES												
540	Storage, self-service	--	--	--	--	--	C (40)	C (40)	C (40)	C (40)	C (40) <u>(37)</u>	C (40) <u>(37)</u>

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Chapter 17.420 DENSITY, DIMENSIONS, AND DESIGN

(Formerly Chapter 17.382)

Sections:

17.420.050 Tables.

17.420.060 Footnotes for tables.

17.420.050 Tables.

There are four separate tables addressing the density, dimensions, and design standards as applied to the following general land use categories and zones:

- A. Rural, Resource, and Urban Residential Zones.
 - 1. Rural Residential (RR).
 - 2. Rural Protection (RP).
 - 3. Rural Wooded (RW).
 - 4. Forest Resource Lands (FRL).
 - 5. Mineral Resource Overlay (MRO).
 - 6. Urban Restricted (UR).
 - 7. Greenbelt (GB).
 - 8. Urban Low Residential (UL).
 - 9. Urban Cluster Residential (UCR).
 - 10. Urban Medium Residential (UM).
 - 11. Urban High Residential (UH).

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Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

Standard	Rural			Resource		Urban Low Density Residential				Urban Medium/High Density Residential	
	RR	RP	RW	FRL	MRO	UR (33)(53)	GB (33)(50)	UL (5)(33)	UCR (5)	UM (5)	UH (33)(55)
Min. density (du/acre)	NA	NA	NA	NA	NA	1 (3) (18)	1 (3) (18)	5 (19)	5 (19)	10 (19)	19
Max. density (du/acre)	NA	NA	NA	NA	NA	5 (18)	4 (18)	9 (19)	9 (19)	18 (19)	30
Min. lot size (39)	5 acres	10 acres	20 acres	40 acres	20 acres (30)	5,800 sf	5,800 sf	2,400 sf	2,400 sf	None for multi-family; 2,400 sf for single-family	None
Max. lot size (39)	NA	NA	NA	NA	NA	NA	NA	NA <u>9,000 sf</u> (25)	NA <u>9,000 sf</u> (25)	NA	NA
Min Lot width (feet)	140	140	140	140	60 (31)	60	60	40 (20)	40	0 for multi-family; 40 for single-family	60
Min Lot depth (feet)	140	140	140	140	NA	60	60	60	60	0 for multi-family; 60 for single-family	60
Max. height (feet) (40)	35 (2)	35 (2)	35 (2)	35 (1)	NA	35	35 (50)	35	35	35 <u>45</u> (17)	35 <u>55</u> (17)
Max. impervious surface coverage	NA	NA	NA	NA	NA	50% 55%	40%	NA	NA	85%	85%
Max. lot coverage	NA	NA	NA	NA	NA	50% 55%	40%	NA	NA	85%	85%

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Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

Standard	Rural			Resource		Urban Low Density Residential				Urban Medium/High Density Residential	
	RR	RP	RW	FRL	MRO	UR (33)(53)	GB (33)(50)	UL (5)(33)	UCR (5)	UM (5)	UH (33)(55)
Setbacks (34) (38)											
Min. front (feet) (41)(42) (43)	50 (29)	50 (29)	50 (29)	50 (29)	NA	20 (29) 15 (54)	20 (29)	20 for garage or carport; 10 for habitable area (29)	10 for single- family, duplex & townhouse; 10 for multi-family adjacent or abutting residential, otherwise 0 (29)	Multi-family = 10 Single-family = 20 for garage or carport; 10 for habitable area (29)	20 (29)
Max. front (feet)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Side (feet) (42)(43) ((48)	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	20 (29)	NA	5 (29)	5 (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (28) (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	5 (29)
Rear (feet) (42)(43) (48)	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	20 (29)	NA	10 (29) 15 (54)	10 (29)	10 If on an alley, 20 feet for a garage or carport opening directly onto the alley. (29)	5 If on an alley, 20 feet for a garage or carport opening directly onto the alley (28) (29)	10 If on an alley, 20 feet for a garage or carport opening directly onto the alley - (29)	10 (29)