

DRAFT REGULATIONS

Title 13 WATER AND SEWERS

13.12.025 Waivers

- 1) The director may waive the requirements, with the exception of the requirement in 13.12.020 requiring connection to public sewer if an existing septic system under certain conditions, in this chapter upon making findings that the following criteria are met:
 - a) The waiver is based on unusual and site-specific conditions that are not created by the property owner; and
 - b) The requirements of this chapter impose a severe and unexpected economic hardship on the applicant. Sewer connection fees and rates shall not be considered in the determination of a severe and unexpected economic hardship; and
 - c) The grant of a waiver will not increase the risk to the public health and welfare, nor be injurious to other properties in the vicinity, to properties downstream or to the quality of the waters of the state; and
 - d) The grant of a waiver will in no way prevent or deter the extension of public sewers at any future date; and
 - e) The grant of a waiver will meet the objectives of safety, function, appearance, environmental protection and maintainability based on sound engineering judgment.
In granting a waiver, the director has the authority to impose conditions, including but not limited to requiring a no-protest agreement for future connection to public sewer.
- 2) With respect to the requirement in 13.12.020 requiring connection to public sewer if an existing septic system under certain conditions, the board of county commissioners may consider, upon appeal, a waiver of such a requirement if it finds that the conditions set forth in RCW 36.01.330, as it now exists or is hereafter amended, are met.

**Commented [DG1]: 17.480.020 (Formerly 17.383.020)
Public sewer connections in UGAs.**

In accordance with Sections 13.12.020 and .025, Health District Ordinance 2008A-01 and WAC 246-272A-0025, 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.

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Title 17 ZONING

Chapter: (Old Chapter): **Description:**

17.100	(17.100)	General Provisions	
17.110	(17.110)	Definitions	
17.120	(17.200)	Establishment of Zones and Maps	
17.130	(17.310)	Rural Residential	(RR)
17.140	(17.305)	Rural Protection	(RP)
17.150	(17.301)	Rural Wooded	(RW)
17.160	(17.300)	Forest Resource Lands	(FRL)
17.170	(17.380)	Mineral Resource Overlay	(MRO)
17.180	(17.325)	Urban Restricted	(UR)
17.190	(17.326)	Greenbelt	(GB)
17.200	(17.330)	Urban Low Residential	(UL)
17.210	(17.335)	Urban Cluster Residential	(UCR)
17.220	(17.340)	Urban Medium Residential	(UM)
17.230	(17.350)	Urban High Residential	(UH)
17.240	(17.353)	Urban Village Center	(UVC)
17.250	(17.355)	Neighborhood Commercial	(NC)
17.260	(N/A)	Commercial	(CO)
17.270	(N/A)	Regional Center	(RC)
17.280	(17.355)	Low Intensity Commercial	(LIC)
17.290	(17.355)	Rural Commercial	(RCO)
17.300	(17.365)	Business Center	(BC)
17.310	(17.360)	Business Park	(BP)
17.320	(17.370)	Industrial	(IND)
17.330	(17.370)	Rural Industrial	(RI)
17.340	(17.377)	Parks	(P)
17.350	(N/A)	Reserved	
17.360	(17.321)	Limited Areas of More Intensive Rural Development (LAMIRD)	
17.360 A	(17.321D)	Keyport Village	(KVC) (KVL) (KVR)
17.360 B	(17.321C)	Manchester Village	(MVC) (MVL) (MVR)
17.360 C	(17.321B)	Port Gamble Rural Historic Town	(RHTC) (RHTR) (RHTW)
17.360 D	(17.321A)	Suquamish Village	(SVC) (SVL) (SVR)
17.360 E	(17.376)	Rural Employment Center and Twelve Trees Employment Center	(REC) (TEC)
17.370	(17.351)	Multi-Family Development – Design Criteria	
17.380	(17.354)	Urban Village Commercial Design Criteria	
17.390	(17.318)	Poulsbo Urban Transition Area	
17.400	(17.378)	Gorst Subarea	
17.410	(17.381)	Allowed Uses	
17.420	(17.382)	Density, Dimensions and Design	
17.430	(17.435)	Off-Street Parking and Loading	
17.440	(17.385)	Landscaping	
17.450	(17.446)	Sign Code	
17.455	(N/A)	Agriculture Code	

Commented [DG2]:

Remove Zones:

(URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Add Zones:

(C) Commercial
 (RC) Regional Center

Re-Name Zone:

From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG3]: Reserved for potential Public Facility Zone

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17.460	(17.465)	<i>Marijuana Regulations</i>
17.470	(17.470)	<i>Wireless Communication Facilities</i>
17.480	(17.383)	<i>Development Regulations for Public Sewer Systems, Community Sewage Disposal Systems and Large On-Site Sewage Systems</i>
17.490	(17.400)	<i>Land Use Review</i>
17.500	(17.415)	<i>Master Planning</i>
17.510	(17.425)	<i>Performance Based Development</i>
17.520	(17.430)	<i>Transfer of Development Rights</i>
17.530	(17.420)	<i>Administrative Conditional Use Permit</i>
17.540	(17.421)	<i>Hearing Examiner Conditional Use Permit</i>
17.550	(17.455)	<i>Interpretations and Exceptions</i>
17.560	(17.460)	<i>Nonconforming Uses, Structures and Use of Structures</i>
17.570	(17.500)	<i>Variances</i>
17.580	(17.520)	<i>Appeals</i>
17.590	(17.525)	<i>Revocation of Permits or Variances</i>
17.600	(17.530)	<i>Enforcement</i>

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Chapter 17.100 GENERAL PROVISIONS

(Formerly Chapter 17.100)

Sections:

17.100.010 Title.

17.100.020 Purpose and scope.

17.100.030 Compliance.

17.100.040 Allowed uses.

17.100.050 Conflict with other regulations.

17.100.060 Relationship to procedures ordinance.

17.100.070 Interpretation.

17.100.080 Severability.

17.100.010 Title.

The ordinance codified in this title may be cited as either the "Kitsap County Zoning Ordinance" or "Title 17, Kitsap County Code."*

* **Editor's Note:** This Zoning Ordinance took effect on February 15, 1999.

17.100.020 Purpose and scope.

The text and zoning maps constitute the Zoning Ordinance. The Zoning Ordinance classifies, designates, and regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial, and public land uses for the unincorporated area of Kitsap County. Further, it is the purpose of this title to provide for predictable, judicious, efficient, timely, and reasonable administration respecting due process set forth in this title and other applicable laws; and to protect and promote the public health, safety and general welfare.

In fulfilling these purposes, this title is intended to benefit the public as a whole and not any specific person or class of persons. Although through the implementation, administration and enforcement of this title, benefits and detriments will be enjoyed or suffered by specific individuals, such is merely a byproduct of the overall benefit to the whole community. Therefore, unintentional breaches of the obligations of administration and enforcement imposed upon the county hereby shall not be enforceable in tort.

Applications for permits and approvals are subject to the provisions of this title and all other ordinances and laws. Such ordinances and laws include, but are not limited to, the following:

- A. KCC Title 6 (Business Licenses and Regulations)
- B. KCC Title 9 (Health, Welfare and Sanitation);
- C. KCC Title 11 (Roads, Highways and Bridges)
- D. KCC Title 12 (Storm Water Drainage);
- E. KCC Title 13 (Water and Sewers);
- F. KCC Title 14 (Buildings and Construction);
- G. KCC Title 15 (Flood Hazard Areas);
- H. KCC Title 16 (Land Division and Development);
- I. KCC Title 18 (Environment);
- J. KCC Title 19 (Critical Areas Ordinance);
- K. KCC Title 20 (Transportation);
- L. KCC Title 21 (Land Use and Development Procedures);
- M. KCC Title 22 (Shoreline Management Master Program);
- N. Chapter 36.70A RCW, Growth Management Act, and Chapter 36.70B RCW, Local Project Review;
- O. Kitsap Countywide Planning Policies;
- P. Kitsap County Comprehensive Plan and Sub-Area Plans;
- Q. Kitsap County Buildable Lands Report;
- R. Kitsap County Greenways, Bicycle & Mosquito Fleet Trail Plan;

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- S. Kitsap County Parks, Recreation & Open Space Plan;
- T. Kitsap County Comprehensive Solid Waste Plan;
- U. Chapter 43.21 RCW, State Environmental Policy Act; and
- V. Chapter 58.17 RCW, Plats – Subdivisions – Dedications.

17.100.030 Compliance.

No building or other structure shall be constructed, improved, altered, enlarged, or moved; nor shall any use or occupancy of premises within the county be commenced or changed; nor shall any condition of or upon real property be caused or maintained, after the effective date of this title, except in conformity with conditions prescribed for each of the several zones established hereunder. It shall be unlawful for any person, firm, or corporation to erect, construct, establish, move into, alter, enlarge, use or cause to be used, any buildings, structures, improvements, or use of premises contrary to the provisions of this title, provided, however, conditions of approval as referred to in the changes to zones, amendments and alterations section, and the existing uses referred to in the interpretations and exceptions section, shall be allowed to continue in the manner and extent provided for therein. Where this title imposes greater restrictions than those imposed or required by other rules, regulations, or ordinances, the provisions of this title shall control.

17.100.040 Allowed uses.

Except as provided in Chapter 17.460, when a use is not specifically listed in this title, it shall be understood that the use may be allowed if it is determined by the director that the use is similar to other uses listed. It is further recognized that every conceivable use cannot be identified. In anticipation that new uses will evolve over time, this section establishes the director's authority to compare a proposed use and measure it against those listed in this title for determining similarity. In determining similarity, as well as when considering all other uses, the director shall make all of the following findings:

- A. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the Kitsap County Comprehensive Plan;
- B. The proposed use shall meet the stated purpose and general intent of the Comprehensive Plan land use designations and zoning classification in which the use is proposed to be located;
- C. The proposed use shall not adversely impact the public health, safety and general welfare of the residents of the county; and
- D. The proposed use shall share characteristics in common with, and not be of greater intensity, density or generate more environmental impact than, those uses listed in the land use zone in which it is to be located.

If determined similar, the unspecified use shall meet all of the code requirements and follow the approval process prescribed for the listed use.

17.100.050 Conflict with other regulations.

Where conflicts occur between the provisions of this title and other applicable code provisions, or other regulations from other jurisdictions with authority, the more restrictive shall apply.

17.100.060 Relationship to procedures ordinance.

To the extent that there is a conflict regarding the requirements of this title and Title 21 (Land Use and Development Procedures), Title 21 shall control.

17.100.070 Interpretation.

This title shall be liberally interpreted and construed to secure the public health, safety, and welfare and the rule of strict construction shall have no application.

17.100.080 Severability.

If any section, subsection, clause or phrase of this title or amendment thereto, or its application to any person or circumstance, is held by a court of competent jurisdiction to be invalid, the remainder or application to other persons or circumstances shall not be affected.

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Chapter 17.110 DEFINITIONS

(Formerly Chapter 17.110)

Sections:

- 17.110.005 Generally.
- 17.110.010 Abutting.
- 17.110.015 Access.
- 17.110.020 Accessory dwelling unit.
- 17.110.025 Accessory living quarters.
- 17.110.030 Accessory use or structure.
- 17.110.035 Adjacent.
- 17.110.040 Adjoining.
- 17.110.045 Adult family home.
- 17.110.050 Agricultural uses.
- 17.110.055 Alley.
- 17.110.057 Alternative technology.
- 17.110.060 Animal.
- 17.110.065 Animal, small.
- 17.110.070 Animal hospital.
- 17.110.075 Amusement center.
- 17.110.085 Aquaculture practices.
- 17.110.087 Assembly and packaging operations.
- 17.110.090 Automobile repair.
- 17.110.095 Automobile service station.
- 17.110.100 Awning.
- 17.110.103 (Repealed)
- 17.110.105 Bed and breakfast house.
- 17.110.110 Board.
- 17.110.120 Boat yard.
- 17.110.125 Breezeway.
- 17.110.126 Brew pubs.
- 17.110.130 Buffer.
- 17.110.132 Buffer, landscaping.
- 17.110.133 Buffer, screening.
- 17.110.135 Building.
- 17.110.140 Building height.
- 17.110.145 Building line.
- 17.110.150 Caretaker's dwelling.
- 17.110.155 Carport.
- 17.110.157 Child care center.
- 17.110.160 Clinic.
- 17.110.165 Club.
- 17.110.168 Co-location.
- 17.110.170 Commission or planning commission.
- 17.110.171 Comprehensive plan.
- 17.110.175 Conditional use.
- 17.110.177 Conference center.
- 17.110.180 Congregate care facility.
- 17.110.185 Contiguous.

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- 17.110.190 Convalescent, nursing or rest home.
- 17.110.195 Contractor's storage yard.
- 17.110.196 Cottage housing development.
- 17.110.197 County engineer.
- 17.110.199 Custom art and craft stores.
- 17.110.200 Day-care center.
- 17.110.205 Day-care center, family.
- 17.110.210 Density.
- 17.110.212 Density, maximum.
- 17.110.213 Density, minimum.
- 17.110.215 Department.
- 17.110.220 Development.
- 17.110.222 Development rights.
- 17.110.223 Directional panel antenna.
- 17.110.225 Director.
- 17.110.226 Drinking establishments.
- 17.110.230 (Repealed)
- 17.110.240 Dwelling, single-family attached.
- 17.110.242 Dwelling, single-family detached.
- 17.110.245 Dwelling, duplex.
- 17.110.250 Dwelling, multiple-family.
- 17.110.255 Dwelling unit.
- 17.110.257 Emergency service communications.
- 17.110.260 Employees.
- 17.110.265 Exotic animal.
- 17.110.270 Family.
- 17.110.275 Fence, sight-obscuring.
- 17.110.280 Forestry.
- 17.110.285 Foster home.
- 17.110.290 Frontage.
- 17.110.295 Garage, private.
- 17.110.301 General merchandise stores.
- 17.110.302 General office and management services.
- 17.110.303 Golf course.
- 17.110.305 Grade.
- 17.110.315 Gross floor area.
- 17.110.317 Guest house.
- 17.110.319 Habitable area.
- 17.110.320 Habitable floor.
- 17.110.325 Hearing examiner.
- 17.110.330 Heavy equipment.
- 17.110.340 (Repealed)
- 17.110.345 Home business.
- 17.110.350 Home day care.
- 17.110.355 Home owners' association.
- 17.110.360 Hospital.
- 17.110.365 Hotel/motel.
- 17.110.366 Immediate vicinity.

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- 17.110.367 Impervious surface.
- 17.110.368 Infill development.
- 17.110.369 Junk motor vehicle.
- 17.110.370 Junk yard.
- 17.110.375 Kennel.
- 17.110.380 Kennel, hobby.
- 17.110.390 Landscaping.
- 17.110.392 Large on-site sewage system (LOSS).
- 17.110.393 Lattice support structure.
- 17.110.395 Livestock.
- 17.110.396 Loading space.
- 17.110.400 Lot.
- 17.110.405 Lot area.
- 17.110.410 Lot, corner.
- 17.110.412 Lot, interior
- 17.110.415 Lot coverage.
- 17.110.420 Lot depth.
- 17.110.425 (Repealed)
- 17.110.430 Lot line.
- 17.110.435 Lot line, front.
- 17.110.440 Lot line, rear.
- 17.110.445 Lot line, side.
- 17.110.450 Lot of record.
- 17.110.455 Lot, through.
- 17.110.460 Lot width.
- 17.110.462 Macro antenna array.
- 17.110.465 Maintain.
- 17.110.470 Manufactured home.
- 17.110.473 Manufacturing and fabrication.
- 17.110.475 Marina.
- 17.110.477 Master plan.
- 17.110.480 Micro antenna array.
- 17.110.483 Mini antenna array.
- 17.110.485 Mixed use development.
- 17.110.490 Mobile home.
- 17.110.493 Mobile home park.
- 17.110.503 Mono-pole.
- 17.110.504 Movie/performance theater.
- 17.110.506 Net developable area.
- 17.110.508 Nonconforming lot.
- 17.110.510 Nonconforming use, nonconforming structure or nonconforming use of structure.
- 17.110.512 Non-motorized recreation rentals
- 17.110.515 Nuisance.
- 17.110.520 Nursery, retail.
- 17.110.525 Nursery, wholesale.
- 17.110.530 Nursing or rest home.
- 17.110.535 Open space.
- 17.110.540 Ordinary high water mark.

Commented [DG4]:
Add Definition:
Reason: Added to Use Table as a category

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- 17.110.545 Owner.
- 17.110.547 Parabolic antenna.
- 17.110.548 Parcel.
- 17.110.550 Park.
- 17.110.555 Parking area, public.
- 17.110.560 Parking space.
- 17.110.565 Parking space, barrier free.
- 17.110.570 Parking space, compact.
- 17.110.572 Performance based development (PBD).
- 17.110.575 Perimeter setback.
- 17.110.576 Permitted use.
- 17.110.580 Person.
- 17.110.585 Pet.
- 17.110.590 Pet, non-traditional.
- 17.110.591 Pharmacies.
- 17.110.595 Pier.
- 17.110.600 Places of worship.
- 17.110.605 (Repealed)
- 17.110.610 Planning commission.
- 17.110.615 Porch.
- 17.110.620 Portable sign.
- 17.110.625 Premises.
- 17.110.630 Private airport or heliport.
- 17.110.635 Prohibited use.
- 17.110.637 Project permit or project permit application.
- 17.110.640 Public facilities.
- 17.110.641 Public sewer system.
- 17.110.642 Race track, major.
- 17.110.643 Race track, minor.
- 17.110.645 Receiving areas and parcels.
- 17.110.646 Recreational amenity, active.
- 17.110.647 Recreational facility.
- 17.110.650 Recreational vehicle.
- 17.110.655 Recreational vehicle camping park.
- 17.110.660 Residential care facility.
- 17.110.662 Restaurant.
- 17.110.663 Restaurant, high-turnover.
- 17.110.665 Rezone.
- 17.110.666 Rural character.
- 17.110.667 Rural cluster.
- 17.110.668 Rural Wooded Incentive Program development.
- 17.110.669 Sending areas and parcels.
- 17.110.670 ~~Repealed Senior living development.~~
- 17.110.671 Setback.
- 17.110.673 Shipping container.
- 17.110.674 (Repealed)
- 17.110.675 Sign.
- 17.110.680 Sign permit.

Commented [DG5]: Remove definition:
Reason: Senior Living Homestead Zone is proposed to be removed, this definition is directly tied to that zone.

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- 17.110.683 Site.
- 17.110.685 Site plan.
- 17.110.686 Site-specific amendment.
- 17.110.687 Stealth technology.
- 17.110.688 Storage, hazardous materials.
- 17.110.689 Storage, self-service.
- 17.110.690 Storage, vehicles and equipment.
- 17.110.691 Storage, indoor.
- 17.110.692 Storage, outdoor.
- 17.110.693 Storage container.
- 17.110.695 Street.
- 17.110.700 Structural alteration.
- 17.110.705 Structure.
- 17.110.706 Sub-area plan.
- 17.110.707 Support structure.
- 17.110.710 Temporary sign.
- 17.110.715 Temporary structure.
- 17.110.720 Temporary use.
- 17.110.725 Tract.
- 17.110.728 Urban level of sanitary sewer service.
- 17.110.730 Use.
- 17.110.735 (Repealed)
- 17.110.740 Veterinary clinic.
- 17.110.745 Water-dependent use.
- 17.110.750 Water-enjoyment use.
- 17.110.755 Water-oriented use.
- 17.110.760 Water-related use.
- 17.110.765 Wireless communication antenna array.
- 17.110.770 Wireless communication facility.
- 17.110.775 Wireless communication support structure.
- 17.110.780 Whip antenna.
- 17.110.782 (Repealed)
- 17.110.783 Wrecking yard.
- 17.110.785 Yard.
- 17.110.790 Yard, front.
- 17.110.795 Yard, rear.
- 17.110.800 Yard, side.
- 17.110.805 Zone.

17.110.005 Generally.

Except as provided in Section 17.450.010, for the purpose of this title, certain terms, phrases, words and their derivatives shall be construed as specified in this section and elsewhere in this title where specific definitions are provided. Terms, phrases and words used in the singular include the plural and the plural the singular. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. The word "shall" is mandatory. The word "may" is discretionary. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context with which they are used. The most current version of the English Webster's Dictionary shall be considered as providing ordinary accepted meanings.

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17.110.010 Abutting.

"Abutting" means adjoining with a common boundary line; except that where two or more lots adjoin only at a corner or corners, they shall not be considered as abutting unless the common property line between the two parcels measures ten feet or greater in a single direction. Where two or more lots are separated by a street or other public right-of-way, they shall be considered "abutting" if their boundary lines would be considered abutting if not for the separation provided by the street or right-of-way.

17.110.015 Access.

"Access" means the place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use, as required by this title.

17.110.020 Accessory dwelling unit.

"Accessory dwelling unit" means separate living quarters detached from the primary residence. No mobile home or recreational vehicle shall be considered an accessory dwelling unit. This definition excludes guest houses.

17.110.025 Accessory living quarters.

"Accessory living quarters" means separate living quarters contained within the primary residence.

17.110.030 Accessory use or structure.

"Accessory use or structure" means an activity or structure that is commonly associated with but subordinate to any principal use or structure.

17.110.035 Adjacent.

"Adjacent" means the same as "abutting."

17.110.040 Adjoining.

"Adjoining" means the same as "abutting."

17.110.045 Adult family home.

"Adult family home" means a dwelling licensed pursuant to RCW 70.128 in which a person or persons provide personal care, special care, and room and board.

17.110.050 Agricultural uses.

"Agricultural uses" means the use of the land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, wholesale nurseries, floriculture, viticulture and wineries, apiaries, and animal and poultry husbandry, and the necessary accessory uses; provided, however, that the operation of any such accessory use shall be incidental to that of normal agriculture activities, and provided further, that the above uses shall not include slaughter houses and meat packing or commercial feed-lots.

17.110.055 Alley.

"Alley" means a private or public right-of-way having a typical width of at least ten feet, but generally no more than twenty feet, which affords only secondary means of access to abutting properties. Alleys are not intended for general traffic circulation.

17.110.057 Alternative technology.

"Alternative technology" means the use of structures, fixtures, and technology which substantially limit the visibility of wireless communication support structures and facilities. This may include, but is not limited to, use of existing utility poles, flagpoles, existing structures such as water tanks, church steeples and any other method which substantially minimizes the visual impact of wireless communication support structures and facilities. This is commonly referred to as "stealth technology."

17.110.060 Animal.

"Animal" means any live vertebrate creature, reptile, amphibian or bird, except man.

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17.110.065 Animal, small.

"Animal, small" or "small animal" means any animal other than livestock used for agricultural purposes.

17.110.070 Animal hospital.

"Animal hospital" means a place where animals or pets are given medical or surgical treatment, and are cared for during the time of such treatment.

17.110.075 Amusement center.

"Amusement center" means a commercially operated facility having one or more forms of entertainment such as a bowling alley, indoor golf driving range, merry-go-round, roller coaster, batting cages, electronic and/or video games, or miniature golf course.

17.110.085 Aquaculture practices.

"Aquaculture practices" means the harvest, culture or farming of cultivated food fish, shellfish or other aquatic plants and animals and includes fisheries enhancement, the mechanical harvesting of shellfish and hatchery culture, excluding traditional noncommercial shellfish harvesting.

17.110.087 Assembly and packaging operations.

"Assembly and packaging operations" means a facility where pre-manufactured components are assembled to construct a product. Products may be packaged and moved off site for wholesale or retail sale. This may include, but is not limited to, assembly and packaging of computer, electronics, office equipment, fabricated metal products, and other products.

17.110.090 Automobile repair.

"Automobile repair" means replacement of parts, motor service, rebuilding or reconditioning of engines, painting, upholstering, detailing, or cleaning motor vehicles, recreational vehicles or trailers.

17.110.095 Automobile service station.

"Automobile service station" means a building or lot having dispensers and storage tanks where fuels or oils for motor vehicles are dispensed, sold, or offered for sale. Service stations may include accessory convenience stores and minor automobile services, including car washes.

17.110.100 Awning.

"Awning" or "canopy" means a temporary or movable shelter (awning), or a fixed rigid shelter (canopy) supported entirely by the exterior wall of the building and generally extending over a pedestrian walkway. When used in conjunction with signs, only that portion of the awning or canopy that is actually used as a sign shall be included in sign area calculations. Lighting of the awning or canopy, whether directly, indirectly, or by back-lighting, shall have no effect on the sign requirements, unless lighted signs are specifically prohibited in that area or zone.

17.110.103 (Repealed)*

* **Editor's Note:** Former Section 17.110.103, "Barrier buffer," was repealed by § 17 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.105 Bed and breakfast house.

"Bed and breakfast house" means a dwelling or separate structure which is used by the owner or primary resident to provide overnight guest lodging for compensation including not more than ten guest rooms and which usually provides a morning meal as part of the room rate structure.

17.110.110 Board.

"Board" means the Kitsap County board of county commissioners or their assigns.

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17.110.120 Boat yard.

"Boat yard" means a place where boats are constructed, dismantled, stored, serviced, or repaired, including maintenance work thereon and may include such facilities as a marine railway, dry-dock or tidal grid.

17.110.125 Breezeway.

"Breezeway" means a structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

17.110.126 Brew pubs

"Brew pubs" shall mean a combination of retail, wholesale and manufacturing business that brews and serves beer and/or food on the premises.

17.110.130 Buffer.

"Buffer" or "buffering" means space, either landscaped or in a natural state, intended and dedicated by easement or condition of approval to separate uses that may or may not conflict with each other and to reduce visual, noise, odors and other impacts.

17.110.132 Buffer, landscaping.

"Buffer, landscaping" means a buffer treatment within or along the perimeter of a development which varies in numbers and types of vegetation and/or fencing depending on land uses. Trees, shrubs, ground covers and/or fencing are to be provided as prescribed by Chapter 17.440.

17.110.133 Buffer, screening.

"Buffer, screening" means a buffer of evergreen vegetation and/or site-obscuring fencing intended to provide functional screening between different uses, land use intensities and/or zones installed or maintained as prescribed by Chapter 17.440.

17.110.135 Building.

"Building" means any structure used or intended for supporting or sheltering any use or occupancy.

17.110.140 Building height.

"Building height" is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof.

17.110.145 Building line.

"Building line" means the perimeter of that portion of a building or structure nearest a property line but excluding eaves, open space, terraces, cornices and other ornamental features projecting from the walls of the building or structure.

17.110.150 Caretaker's dwelling.

"Caretaker's dwelling" means a single-family residence accessory to a commercial or industrial use intended for the purposes of providing supervision, maintenance or security of the property.

17.110.155 Carport.

"Carport" means a roof designed to cover, but not enclose, automobile parking spaces and should be open on two or more sides.

17.110.157 Child care center.

"Child care center" means the same as "day-care center."

17.110.160 Clinic.

"Clinic" means a building or portion of a building containing offices for providing non-emergency chiropractic, medical, dental, or psychiatric services not involving overnight housing of patients.

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17.110.165 Club.

"Club" means a place where an association of persons organized for some common purpose meet. This definition excludes places of worship and groups organized primarily for business purposes.

17.110.168 Co-location.

"Co-location" means the use of a single support structure by more than one wireless services provider where appropriate, and/or placement of up to four support structures for co-location on a specific site. This may include shared facilities with Kitsap County central communications or public safety emergency communications equipment.

17.110.170 Commission or planning commission.

"Commission" or "planning commission" means the Kitsap County planning commission.

17.110.169 Community sewage disposal systems.

"Community sewage disposal system" means any system of piping, treatment devices and/or other facilities which:

- A. Conveys, stores, treats and/or provides subsurface soil treatment and disposal on-site or on adjacent or nearby property under the control of the users; and
- B. The system is not connected to a public sewer system; and
- C. Is designed to serve more than one single-family dwelling or one multi-family dwelling but the design capacity does not exceed three thousand, five hundred gallons of sewage volume per day.

17.110.171 Comprehensive plan.

"Comprehensive plan" means the principals, objectives, and policies to guide growth and development, as required under Chapter 36.70A RCW. The Kitsap County Comprehensive Plan coordinates and provides policy direction for county programs and services, and establishes urban/rural boundaries.

17.110.175 Conditional use.

"Conditional use" means an activity specified by this title as a principal or an accessory use that may be approved or denied based upon consistency with specific criteria (Chapters 17.530 and/or 17.540). Approval of a conditional use is subject to certain conditions. Conditional uses reviewed by the planning department are administrative (ACUP); those reviewed by the hearing examiner (C) require a public hearing.

17.110.177 Conference center.

"Conference center" means a building or group of buildings with overnight accommodations and meeting space, primarily intended for conferences, meetings, and retreats. Conference centers may include facilities such as dining and banquet rooms, recreation rooms and other amenities.

17.110.180 Congregate care facility.

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

17.110.185 Contiguous.

"Contiguous" means the same as "abutting."

17.110.190 Convalescent, nursing or rest home.

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

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17.110.195 Contractor's storage yard.

"Contractor's storage yard" means a place where heavy equipment, vehicles, construction equipment or any material commonly used in the erection of any structure, is stored or accumulated. Sites that involve current construction of projects with active permits involving the materials on site shall not be considered a contractor's storage yard.

17.110.196 Cottage housing development.

"Cottage housing development" means a tract of land under single ownership or unified control developed with four or more detached dwelling units sharing a commonly owned courtyard/common area and parking area. Cottage housing development may or may not be condominiums.

17.110.197 County engineer.

"County engineer" means the director of the department of public works or a duly authorized designee as defined in RCW 36.75.010.

17.110.199 Custom art and craft stores.

"Custom art and craft stores" shall mean a business in which finished, personal or household items are produced and/or sold. Examples include, but are not limited to: pottery and candle making; leather work; jewelry making; creation of sculpture or other artwork.

17.110.200 Day-care center.

"Day-care center" means a primary dwelling in which more than seven individuals, or a building other than a primary dwelling in which any number of individuals, are cared for during some portion of a twenty-four-hour period.

17.110.205 Day-care center, family.

"Day-care center, family" means an owner- or manager-occupied primary dwelling and premises in and on which not more than six individuals are cared for during some portion of a twenty-four-hour period.

17.110.210 Density.

"Density" means a ratio comparing the number of dwelling units with land area.

17.110.212 Density, maximum.

"Density, maximum" means the largest number of dwelling units that shall be developed on a property(s) within a specific zone based upon the gross acreage of the property(s). In circumstances involving state or federal bald eagle habitat regulations, the calculation of maximum density may be affected.

17.110.213 Density, minimum.

"Density, minimum," unless otherwise specified by Section 17.420.110, means the fewest number of dwelling units that shall be developed on a property(s) within a specific zone based upon the net developable acreage of the property(s).

17.110.215 Department.

"Department" means the Kitsap County department of community development.

17.110.220 Development.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations and other land-disturbing activities.

17.110.222 Development rights.

"Development rights" means the residential building rights permitted to a lot or parcel within a sending area, as defined in this chapter, based on the gross density, established pursuant to the Kitsap County zoning map and this title, and measured in base dwelling units per developable acre.

(Ord. 367 (2006) § 5 (part), 2006)

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17.110.223 Directional panel antenna.

"Directional panel antenna" means, generally, a rectangular antenna designed to transmit and receive radio frequency signals in a specific directional pattern.

17.110.225 Director.

"Director" means the director of the Kitsap County department of community development or a duly authorized designee.

17.110.226 Drinking establishments.

"Drinking establishments" means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including night clubs, bars, and taverns. It shall not mean premises primarily engaged in the retail sale of food for consumption on the premises, where the sale of alcoholic beverages is clearly accessory and incidental (e.g., comprises less than twenty percent of the gross receipts). This definition excludes brew pubs.

17.110.230 (Repealed)*

* **Editor's Note:** Former Section 17.110.230, "Drive-in restaurants," was repealed by § 33 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.240 Dwelling, single-family attached.

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

17.110.242 Dwelling, single-family detached.

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

17.110.245 Dwelling, duplex.

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

17.110.250 Dwelling, multiple-family.

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

17.110.255 Dwelling unit.

"Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A recreational vehicle is not considered a dwelling unit.

17.110.257 Emergency service communications.

"Emergency service communications" means any police, fire, emergency, and/or medical wireless communication of radio frequency (RF) signals through electromagnetic energy.

17.110.260 Employees.

"Employees" means all persons, including proprietors, working on the premises.

17.110.265 Exotic animal.

"Exotic animal" means:

Commented [DG6]:

Revise Definition:

Definition changed to maintain consistency with proposed changes to KCC Title 7.

See also KCC 17.110.375 'Kennel' and inclusion of a commercial pet facility.

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- A. Any species of animal whose venom is commonly known to be capable of inflicting serious physical harm or death to human beings, livestock, dogs or cats.
- B. Non-human primates including prosimians.
- C. All members of the Ursidae family (e.g. bears)
- D. Non-domesticated members of the Felidae family (e.g. cats).
- E. Non-domesticated members of the Canidae family (e.g. dogs) and their hybrids including wolves, coyotes and foxes.
- F. All members of the crocodylian order (e.g. alligators, crocodiles, caiman and gavials).
- G. All members of the Melinae, Mellivorinae and Taxideinae sub-families (e.g. badgers).

"Exotic animal" means any member of the animal kingdom which is not commonly domesticated or which is not common to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any domesticated animal which, because of its size, vicious nature or similar characteristics, would constitute a danger to human life or property if not kept, maintained or confined in a safe manner. (Ord. 367 (2006) § 5 (part), 2006: Ord. 216 (1998) § 4 (part), 1998)

17.110.270 Family.

"Family" means two or more persons customarily living together as a single house-keeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding or lodging house, or other group of unrelated individuals.

17.110.275 Fence, sight-obscuring.

"Fence, sight-obscuring" or "sight-obscuring fence" means a fence or combination of fence and planting arranged in such a way as to screen areas from view.

17.110.280 Forestry.

"Forestry" means the use of land for producing and caring for a forest, including the harvesting of timber.

17.110.285 Foster home.

"Foster home" means a dwelling unit in which a full-time resident provides care and supervision on a full-time basis to not more than six children or to not more than three expectant mothers.

17.110.290 Frontage.

"Frontage" means the actual length of the front property line abutting a street or alley (if no street frontage), or length of the property line of a flag lot that most closely parallels the street in which it receives access.

17.110.295 Garage, private.

"Garage, private" means an accessory building or part of a main building intended primarily for the storage of motor vehicles owned or used by occupants of the main building.

17.110.301 General merchandise stores.

"General merchandise stores" means stores that sell a wide variety of grocery and non-grocery items, including, but not limited to: fresh foods; packaged foods for preparation and consumption in the home; household supplies; consumer electronics; hardware; apparel; and sporting goods.

17.110.302 General office and management services.

"General office and management services" means the offices of real estate agencies, advertising agencies, mailing services and postal substations, employment agencies, insurance agencies, management and consulting firms, accountants, attorneys, security brokers, architects, surveyors, tax preparation services, computer software development, and other similar business services. This term also includes the administrative offices for businesses whose primary activity may be a non-office use conducted elsewhere. This definition excludes engineering and construction firms and financial, banking, mortgage and title institutions.

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17.110.303 Golf course.

"Golf course" means an area designed and used for playing golf, including all accessory uses incidental to the operation of the facility, including driving ranges.

17.110.305 Grade.

"Grade" means the average point of elevation of the finished surface of the ground within five feet of a building or structure.

17.110.315 Gross floor area.

"Gross floor area" means the sum of horizontal areas of floors of a building when measured from the exterior faces of exterior walls or, if appropriate, from the center line of dividing walls. Gross floor area generally excludes vent shafts, covered walkways, porches, and similar areas. However, gross floor area shall include decks, or porches when covered by a roof or portion of the floor above.

17.110.317 Guest house.

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

17.110.319 Habitable area.

"Habitable area" means the entire area of a dwelling unit or living quarters used for living, sleeping, eating and/or cooking. Storage areas and garages are excluded from calculations of habitable area.

17.110.320 Habitable floor.

"Habitable floor" means any floor usable for living purposes including working, sleeping, eating, cooking, or recreating uses, or any combination of these uses. A floor used only for storage purposes is not a "habitable floor."

17.110.325 Hearing examiner.

"Hearing examiner" means a person appointed to hear or review certain land use applications and appeals pursuant to Title 21 of this code, the Land Use and Development Procedures Ordinance.

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 equipment used for agricultural purposes.

17.110.340 (Repealed)*

* **Editor's Note:** Former Section 17.110.340, "High turnover restaurants," was repealed by § 39 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.345 Home business.

"Home business" means a commercial or industrial use (excluding retail) conducted within a dwelling, which use is clearly secondary to the use of the dwelling for residential purposes.

17.110.350 Home day care.

"Home day care" means the same as "day-care, family."

17.110.355 Home owners' association.

"Home owners association" means a non-profit organization as defined by the State of Washington operating under recorded land agreements established through which the following take place:

- A. Each person owning or purchasing a lot in a planned unit or other described land area is automatically a member by such ownership or purchase;

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- B. Each lot may be automatically subject to a charge for a proportionate share of the expenses for the organization's activities, including but not limited to maintaining a common property, such as streets, walkways, recreational facilities, or grounds policing; and
- C. Construction and maintenance responsibilities for any undivided property are identified and assigned.

17.110.360 Hospital.

"Hospital" means any institution, place, building, or agency which maintains and operates organized facilities for the diagnosis, care, and treatment of human illness, including convalescence and also including care during and after pregnancy; or which maintains and operates organized facilities for any such purpose, and to which persons may be admitted for overnight stay or for a longer period. This definition excludes clinics.

17.110.365 Hotel/motel.

"Hotel/motel" means a building in which lodging is provided and offered to the public for compensation and which is open to transient guests. This definition excludes bed and breakfast houses.

17.110.366 Immediate vicinity.

"Immediate vicinity" means an area to include all lots, parcels, tracts, roadways or other property(s) within a four-hundred-foot radius of a subject property.

17.110.367 Impervious surface.

"Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads with compacted subgrade, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces.

17.110.368 Infill development.

"Infill development" means the construction of housing or other uses on vacant or under-utilized properties bordered on a minimum of two sides by existing development which is consistent with the current density and zoning of the area.

17.110.369 Junk motor vehicle.

"Junk motor vehicle" means a motor vehicle that is damaged, apparently inoperable, or any detached parts thereof, including, but not limited to, cars, trucks, motorcycles, vehicle hulks, campers, trailers and/or motor homes. "Junk motor vehicle" does not include a vehicle or part thereof that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, or a vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to the requirements of RCW 46.80.130.

17.110.370 Junk yard.

"Junk yard" means a place where waste or scrap materials are stored, bought, sold, accumulated, exchanged, baled, packaged, disassembled or handled including, but not limited to, scrap metals, paper, rags, tires, and bottles, and such worn out or discarded material, excluding approved recycling centers.

17.110.375 Kennel.

"Kennel" means ~~any place or entity where five (5) or more cats or dogs are boarded for the primary purpose of compensation, or where pets are housed for resale, such as pet shops, but not including a veterinary hospital where boarding is incidental to treatment, a place where dogs and/or cats are kept, for compensation. This definition includes pet daycares, but excludes veterinary clinics and hospitals, pet shops and zoos.~~

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17.110.380 Kennel, hobby.

"Hobby kennel" means ~~any indoor or outdoor facility where cats and/or dogs are routinely housed or maintained by or for any person or entity that is not an animal welfare organization and that desires to breed or maintain five or more spayed or neutered adult cats and/or five or more spayed or neutered adult dogs at the same location or residence, for primarily non-commercial purposes, a place where not more than ten adult dogs are kept for personal enjoyment, not for compensation.~~

Commented [DG7]: Modify Definition: Consistent with "Enthusiast" and "Enthusiast Facility" in Title 7 proposed draft.

17.110.390 Landscaping.

"Landscaping" means the placement, preservation, and the replacement of not only trees, grass, shrubs, plants, flowers, and other vegetative materials but also the arrangement of fountains, patios, decks, street furniture, and ornamental concrete or stonework areas and artificial turf or carpeting in accordance with an approved landscaping plan meeting adopted landscaping plan, design, and installation standards. Artificial plants, shrubs, bushes, flowers, and materials in movable containers shall not be considered "landscaping" for purposes of this title.

17.110.392 Large on-site sewage system (LOSS).

"Large on-site sewage system (LOSS)" means an on-site sewage system (OSS) that consists of an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats, and provides subsurface soil treatment and disposal of domestic sewage with design flows of at least three thousand five hundred gallons of sewage volume per day up to and including one hundred thousand gallons of sewage volume per day.

17.110.393 Lattice support structure.

"Lattice support structure" means a guyed or self-supporting three or four-sided, open, metal frame structure used to support telecommunication equipment.

17.110.395 Livestock.

"Livestock" means horses, bovine, sheep, goats, swine, reindeer, donkeys, mules, llamas and any other hoofed animal, large and small (small being one hundred fifty pounds or less).

17.110.396 Loading space.

"Loading space" means a space for temporary parking of a vehicle while loading and unloading cargo or passengers.

17.110.400 Lot.

"Lot" means platted or unplatted parcel of land which meets the minimum area, setbacks and widths required by this title for occupancy by a principal use and meets the access requirements of this title.

17.110.405 Lot area.

"Lot area" means the horizontal area within the boundary lines of a lot excluding public and private streets, tidelands, shorelands and the panhandle of a flag lot if the panhandle is less than thirty feet in width. Areas consisting of only these exceptions are not considered lots. Further, rural lots shall be considered five acres if the lot is 1/128 of a section, ten acres if the lot is 1/64 of a section, and twenty acres if the lot is 1/32 of a section.

17.110.410 Lot, corner.

"Lot, corner" or "corner lot" means a lot abutting upon two or more streets at their intersection, or upon two parts of the same street; such street or parts of the same street forming an interior angle of less than one hundred thirty degrees within the lot lines.

17.110.412 Lot, interior.

"Lot, interior" or "interior lot" means a lot or parcel of land other than a corner lot which does not abut a public street.

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17.110.415 Lot coverage.

"Lot coverage" means that percentage of the total lot area covered by buildings.

17.110.420 Lot depth.

"Lot depth" means the horizontal distance between the midpoint of the front and opposite, usually, the rear lot line. In the case of a corner lot, the depth shall be the length of its longest front lot line.

17.110.425 (Repealed)*

* **Editor's Note:** Former Section 17.110.425, "Lot, interior," was repealed by § 47 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.430 Lot line.

"Lot line" means any line bounding a lot as herein defined. Lot lines for unusual lot configurations may be determined by the director.

17.110.435 Lot line, front.

"Lot line, front" or "front lot line" means that boundary of a lot which is along a street or approved private road or easement, or, for a flag lot, approximately parallel to a street or approved private road or easement; and thus generally where access is from.

17.110.440 Lot line, rear.

"Lot line, rear" or "rear lot line" means that boundary of a lot which is most distant from the front lot line; or the ordinary high water mark on waterfront property.

17.110.445 Lot line, side.

"Lot line, side" or "side lot line" means any boundary of a lot which is not a front or rear lot line.

17.110.450 Lot of record.

"Lot of record" means a lot which was created in accordance with the laws and regulations in effect at the time it was created and is shown on the records of the county assessor or county auditor.

17.110.455 Lot, through.

"Lot, through" or "through lot" means an interior lot having frontage on two streets and/or highways.

17.110.460 Lot width.

"Lot width" means the average horizontal distance between the side lot lines.

17.110.462 Macro antenna array.

"Macro antenna array" means an attached wireless communication facility which consists of antennas equal to or less than fifteen feet in height or a parabolic antenna up to forty inches in diameter and with an area not more than one hundred square feet in the aggregate as viewed from any one point.

17.110.465 Maintain.

"Maintain" means to cause or allow to continue in existence. When the context indicates, the word means to preserve and care for a structure, improve or condition an area to such an extent that it remains attractive, safe, presentable, and carry out the purpose for which it was installed, constructed, or required.

17.110.470 Manufactured home.

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

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17.110.473 Manufacturing and fabrication.

"Manufacturing and fabrication" means the transformation of materials or substances into new products, including construction and assembling of component parts, and the blending of materials such as lubricating oils, plastics, resins or liquors.

- A. Light: Light manufacturing and fabrication is characterized by the use being contained within buildings, and materials or equipment used in production not being stored outside. Light manufacturing and fabrication activities do not generate external emissions such as smoke, odor, noise, vibrations or other nuisances outside the building. This definition may include, but is not limited to, manufacture and fabrication of electronic components, software, office products, furniture, glass products, and other manufacturing and fabrication uses as determined by the reviewing official.
- B. Medium: Medium manufacturing and fabrication is characterized by need for only very limited areas of outdoor storage and may create minor external environmental impacts during the conduct of operations but most impacts are contained on site. This definition may include, but is not limited to, manufacture and fabrication of paints, printing ink, leather goods, and other manufacturing and fabrication uses as determined by the reviewing official.
- C. Heavy: Heavy manufacturing and fabrication uses are often characterized by the need for large outdoor areas in which to conduct operations, and typically results in environmental impacts beyond their own sites. This definition may include, but is not limited to, manufacture and fabrication of automotive vehicles and their parts, cement, brick, lime, gypsum, asphalt, and other manufacturing and fabrication uses as determined by the reviewing official. This definition excludes manufacture and fabrication of hazardous materials.
- D. Hazardous: Hazardous manufacturing and fabrication uses are those engaged in the manufacture or fabrication of materials that are flammable, explosive, or present hazards to the public health, safety, and welfare, including all substances and materials defined as hazardous materials, hazardous substances, or hazardous waste.

17.110.475 Marina.

"Marina" means a public or private facility which for compensation provides moorage or wet or dry storage for watercraft and may offer marine-related sales and services.

17.110.477 Master plan.

"Master plan" means a large-scale development plan to guide the long-term physical development of a particular area. Such a plan shall be prepared and approved pursuant to Chapter 17.500 ~~or 17.428~~ of this title.

17.110.480 Micro antenna array.

"Micro antenna array" means an attached wireless communication facility which consists of antennas equal to or less than four feet in height (except omni-directional antennas which may be up to six feet in height) and with an area of not more than five hundred eighty square inches in the aggregate.

17.110.483 Mini antenna array.

"Mini antenna array" means an attached wireless communication facility which consists of antennas equal to or less than ten feet in height or a parabolic antenna up to forty inches in diameter and with an area not more than fifty square feet in the aggregate as viewed from any one point.

17.110.485 Mixed use development.

"Mixed use development" means the development of a site or building with a combination of residential and non-residential uses in a single or physically integrated group of buildings.

17.110.490 Mobile home.

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

Commented [DG8]:
Remove reference:
Master Planning for ULID#6 and SKIA

Commented [DG9]:
Optional Definition:
Definition Origin:
Planning Article on MRSC (research tool for local governments in WA state).

"Mixed use development" means the development of a site or building with a combination of uses such as residential, retail, commercial, employment, civic and entertainment uses in close proximity - sometimes in the same building.

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17.110.493 Mobile home park.

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

17.110.503 Mono-pole.

"Mono-pole" means a structure composed of a single spire used to support telecommunication equipment.

17.110.504 Movie/performance theater.

"Movie/performance theater" means a facility for showing films and performance art, including accessory retail sales of food and beverages. This definition excludes adult entertainment uses.

17.110.506 Net developable area.

"Net developable area" means the site area after subtracting all rights-of-way, critical areas (including bald eagle habitat regulations) and their buffers, stormwater controls, recreational facilities, public facilities, community drainfields or other area-wide sanitary sewer facilities, and open space.

17.110.508 Nonconforming lot.

"Nonconforming lot" means a lot was lawfully created but does not conform to the lot requirements of the zone in which it was located as established by this title or other ordinances or amendments thereto.

17.110.510 Nonconforming use, nonconforming structure or nonconforming use of structure.

"Nonconforming use, nonconforming structure or nonconforming use of structure" means, respectively, a use of land, a structure or use of a structure which was lawfully established or built and which has been lawfully continued but which does not conform to the regulations established by this title or amendments thereto.

17.110.512 Nonmotorized vehicle rentals.

"Non motorized vehicle rentals" means any form of transportation that provides personal or goods mobility by methods other than a motor.

17.110.515 Nuisance.

"Nuisance" means in addition to those definitions contained in Chapters 7.48 and 9.66 RCW, as amended, any violation of this title shall constitute a nuisance, per se.

17.110.520 Nursery, retail.

"Nursery, retail" means an establishment where trees, shrubs and other plant materials are grown, propagated and/or stored for purpose of sale directly to the public.

17.110.525 Nursery, wholesale.

"Nursery, wholesale" or "wholesale nursery" means an establishment where trees, shrubs or other plants are propagated on the property and/or continuously grown to a larger size for a period no less than one complete growing season and that is not open to the public on a regular basis. Temporary outdoor stands for the periodic and occasional sale of plants which are grown on the premises shall not disqualify an establishment for definition as a wholesale nursery. No bark, mulch, fertilizer or other similar landscape supply may be sold.

17.110.530 Nursing or rest home.

See Section 17.110.190, Convalescent, nursing or rest home.

17.110.535 Open space.

"Open space" shall mean land used for outdoor active and passive recreational purposes or for critical area or resource land protection, including structures incidental to these open space uses, including associated critical area buffers, but excluding land occupied by dwellings or impervious surfaces not

Commented [DG10]: Proposed changes have been removed and are being considered for future updates.

Commented [DG11]:

Add Definition:

Reason: Added as a category in the use table.
Definition Origin:
Planning Article on MRSC (research tool for local governments in WA state)

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related to the open space uses and yards required by this title for such dwellings or impervious surfaces. "Open space" is further divided into the following categories:

- A. "Common open space" shall mean space that may be used by all occupants of a development complex or, if publicly dedicated, by the general public;
- B. "Active recreational open space" shall mean space that is intended to create opportunities for recreational activity. Active recreational open space may be occupied by recreational facilities such as ball fields, playground equipment, trails (pedestrian, bicycle, equestrian or multi-modal), swimming pools, and game courts or sculptures, fountains, pools, benches or other outdoor furnishings;
- C. "Passive open space" shall mean all common open space not meeting the definition of active recreational open space, including, but not limited to, critical areas and their associated buffers;
- D. "Permanent open space" means an area that is permanently reserved as open space and remains in native vegetation unless approved for forestry, passive recreational or access uses; and
- E. "Recreational open space" means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreational open space. Examples of usable recreational space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.

17.110.540 Ordinary high water mark.

"Ordinary high water mark" means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

17.110.545 Owner.

"Owner" means the owner of record of real property or person purchasing a piece of property under contract. For the purposes of this title, in terms of violations and binding agreements between the county and the owner, "owner" shall also mean a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violations of agreement, or the provisions of this title. For the purpose of processing an application for a land use approval or permit under this title, where such application or permit must be filed by an owner, the term "owner" also includes a governmental entity contemplating acquisition of a parcel for a use which would require such permit or approval.

17.110.547 Parabolic antenna.

"Parabolic antenna" means an antenna which is a bowl-shaped device for the reception and/or transmission of radio frequency communication signals in a specific directional pattern. (Also known as a "dish antenna.")

17.110.548 Parcel.

"Parcel" means platted or unplatted portions of land carrying an assessor's tax account number. Parcels may be, but are not necessarily, legal lots.

17.110.550 Park.

"Park" means public or private areas of land, with or without buildings, intended for outdoor active or passive recreational uses including, but not limited to, arboretums, horticultural gardens and nature preserves.

17.110.555 Parking area, public.

"Parking area, public" or "public parking area" means an open area other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free of charge, or as an accommodation for clients or customers.

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17.110.560 Parking space.

"Parking space" means a permanently surfaced and marked area not less than nine feet wide and twenty feet long, excluding paved area necessary for access, for the parking of a motor vehicle.

17.110.565 Parking space, barrier free.

"Parking space, barrier free" or "barrier free parking space" means a parking space conforming with WAC Chapter 51.30.

17.110.570 Parking space, compact.

"Parking space, compact" or "compact parking space" means a permanently surfaced and marked area not less than eight feet wide and eighteen feet long, excluding paved area necessary for access, for the parking of a compact motor vehicle.

17.110.572 Performance based development (PBD).

"Performance based development" (or "PBD") means a property development characterized by comprehensive planning of the total project, though it may contain a variety of individual lots and/or uses. Typically, such a project may include clustering of structures and preservation of open space with a number of flexible and customized design features specific to the natural features of the property and the uses sought to be implemented. Specific lot area, dimension and setback requirements may be reduced or deleted in order to allow flexibility and innovation in building design or placement, to facilitate allowed densities and to increase open space, critical areas protection and similar components of the project.

17.110.575 Perimeter setback.

"Perimeter setback" means in a performance based development (PBD), the horizontal distance between a building line and the exterior boundary of the PBD.

17.110.576 Permitted use.

"Permitted use" means a land use allowed outright in a certain zone without a public hearing or conditional use permit; provided, such use is developed in accordance with the requirements of the zone and general conditions of this title, and all applicable provisions elsewhere in the county code.

17.110.580 Person.

"Person" means an individual, partnership, corporation, association, organization, cooperative, tribe, public or municipal corporation, or agency of the state or local governmental unit however designated.

17.110.585 Pet.

"Pet" means any animal less than one hundred fifty pounds in weight, other than exotic animals, kept for companionship, recreation or other non-agricultural purposes.

17.110.590 Pet, non-traditional.

"Pet, non-traditional" or "non-traditional pet" means any pet other than a dog, cat, fish or non-raptor bird.

17.110.591 Pharmacies.

"Pharmacies" shall mean businesses primarily engaged in the sale of prescription and over-the-counter drugs, vitamins, first-aid supplies, and other health-related products. Pharmacies that also sell a wide variety of other types of merchandise, such as beauty products, camera equipment, small consumer electronics, gift wares, housewares, and/or cleaning supplies are considered "general merchandise stores."

17.110.595 Pier.

"Pier" means a fixed structure built over tidelands or shorelands used as a landing for marine or recreational purposes.

17.110.600 Places of worship.

"Places of worship" means a permanently located building primarily used for religious worship.

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17.110.605 (Repealed)*

* **Editor's Note:** Former Section 17.110.605, "Performance based development (PBD)," was repealed by § 60 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.610 Planning commission.

"Planning commission" means the Kitsap County planning commission.

17.110.615 Porch.

"Porch" means a covered attached structure providing a single entrance to a building, which may be either open or enclosed up to one third.

17.110.620 Portable sign.

"Portable sign" means a sign which has no permanent attachment to a building or the ground which include, but is not limited to, A-frame, pole attachment, banners and reader board signs.

17.110.625 Premises.

"Premises" means a tract or parcel of land with or without habitable buildings.

17.110.630 Private airport or heliport.

"Private airport or heliport" means any runway, landing area or other facility designed and used by individual property owners for private aircraft for the purposes of landing and taking off, including associated facilities, such as hangars and taxiways.

17.110.635 Prohibited use.

"Prohibited use" means any use which is not expressly allowed and does not meet the criteria under Section 17.100.040.

17.110.637 Project permit or project permit application

"Project permit" or "project permit application" means any land use or environmental permit or license required from Kitsap County for a project action, including, but not limited to, building permits, subdivisions, binding site plans, performance based developments, conditional uses, shoreline substantial development permits, permits or approvals required by critical area ordinances, and site-specific rezones authorized by the Kitsap County Comprehensive Plan (Plan) or a sub-area plan, but excluding the adoption or amendment of the Plan, a sub-area plan, or development regulations.

17.110.640 Public facilities.

"Public facilities" means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, waste handling facilities designated as public facilities in the comprehensive solid waste management plan, parks and recreational facilities, schools, public works storage facilities and road sheds, and utilities such as power, phone and cable television.

17.110.641 Public sewer system.

"Public sewer system" means a sewerage system which is:

- A. Owned, operated and maintained by a city, town, county, or other municipal corporation such as a water, sewer, or water-sewer district; public utility district; port district; or federal, state, local agency or department thereof, or a person regulated by the Utilities and Transportation Commission; and
- B. Consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal of sewage located on public property, dedicated easements, or within rights-of-way; and
- C. Approved by or under permit from the Department of Ecology, the Department of Health or the local health officer; and
- D. Located within a UGA or LAMIRD, or otherwise approved pursuant to RCW [36.70A.110\(4\)](#).

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17.110.642 Race track, major.

"Race track, major" means a public or private facility developed for the purpose of operating and/or competitive racing of automobiles, motorcycles or similar vehicles. The facility may allow for up to six thousand spectators and may contain an oval, drag strip, road track and/or other course. Accessory uses may include the sale of concessions and souvenirs, a recreational vehicle camping park, community events and/or vehicle safety training.

17.110.643 Race track, minor.

"Race track, minor" means a public or privately owned course designed for the operating and/or racing of automobiles, motorcycles, all-terrain vehicles or similar vehicles along a defined route that may include straight-aways, curves, jumps and/or other features.

17.110.645 Receiving areas and parcels.

"Receiving areas and parcels" means areas within an urban growth area that are designated on the Kitsap County zoning map or by further action of the board of county commissioners, that may be eligible for additional residential development through the transfer of development rights.

17.110.646 Recreational amenity, active.

A "recreational amenity, active" means an area within a development intended for use by the residents, employees or patrons of the development for leisure activities. Such facilities may include, but are not limited to, a paved sports court, children's play equipment, exercise fitness trail, community garden or gathering area with water service or similar facility.

17.110.647 Recreational facility.

"Recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities. Examples include athletic fields, batting cages, amusement parks, picnic areas, campgrounds, swimming pools, driving ranges, skating rinks and similar uses. Public recreational facilities are those owned by a government entity.

17.110.650 Recreational vehicle.

"Recreational vehicle" means a vehicle such as a motor home, travel trailer, truck and/or camper combination or camp trailer which is designed for temporary human habitation for recreational or emergency purposes and which may be moved on public highways without any special permit for long, wide or heavy loads.

17.110.655 Recreational vehicle camping park.

"Recreational vehicle camping park" means a tract of land under single ownership or unified control developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tent campers for vacation or other similar transient, short-stay purposes.

17.110.660 Residential care facility.

"Residential care facility" means a facility that provides daily care, adult day health and/or primary residences for a functionally disabled person(s) who are in need of personal care, room and board, and medical care. Such a facility serves at least five, but not more than twenty-five people.

17.110.662 Restaurant.

"Restaurant" means an establishment where food and/or beverages are served to customers for compensation.

17.110.663 Restaurant, high-turnover.

"High-turnover restaurant" means retail establishments providing food and/or beverages for sale, and which are distinguished by one or more of the following:

- A. Use of disposable food containers and utensils;
- B. Self-service is available;
- C. The principal business is take-out foods and beverages;

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D. Drive-in service is available.

17.110.665 Rezone.

"Rezone" means a change in the zoning classification on the Kitsap County Zoning Map that affects one parcel or a small group of contiguous parcels, a section, or sections of Kitsap County consistent with Chapter 17.510.

17.110.666 Rural character.

"Rural character" means the patterns of land use and development that are consistent with the following:

- A. Open space, the natural landscape, and vegetation predominate over the built environment;
- B. Traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- C. Visual landscapes that are traditionally found in rural areas and communities;
- D. Compatible with the use of the land by wildlife and for fish and wildlife habitat;
- E. Reduces the inappropriate conversion of undeveloped land into low-density development;
- F. Protects natural surface water flows and ground water and surface water recharge and discharge areas; and
- G. Meets the requirements of RCW 36.70A.030(15).

17.110.667 Rural cluster.

"Rural cluster" means site development that avoids sensitive areas while preserving forested land, steep slopes, wetlands, prairies and other ecologically or visually valuable landscape features while still obtaining residential density. Typically a percentage of a site area is preserved in its existing natural or farmed state, with individual house lots occupying the remaining acreage.

17.110.668 Rural Wooded Incentive Program development.

"Rural Wooded Incentive Program development" means a development within the area designated "Rural Wooded" on the Kitsap County Comprehensive Plan land use map that has utilized the clustering provisions of this title and for which final approval has been granted by the board of county commissioners.

17.110.669 Sending areas and parcels.

"Sending areas and parcels" means undeveloped or partially developed lot(s) or parcel(s) located within a sending area, designated on the Kitsap County zoning map or by further action of the board of county commissioners, that are appropriate to transfer development rights.

17.110.670 Repealed. Senior living development.*

~~"Senior living development" means a new planned development greater than one hundred gross acres in size that provides a range of housing types and services predominantly for senior residents over fifty-five years of age. Senior residents are defined as persons fifty-five years of age or over, and/or families where the head of household or his or her spouse is fifty-five years of age or over. This development may include single-family, cottage and multi-family dwelling units as well as congregate care and incidental commercial uses catering to the development's needs. Specific uses allowed within a senior living development are shown in Section 17.410.040(A). Projects within this zone shall include large integrated open space amenities.~~

~~* Editor's Note: Ordinance 495 (2012) adds the provisions of this section as Section 17.110.669. The section has been editorially renumbered to prevent duplication of numbering.~~

17.110.671 Setback.*

"Setback" means the horizontal distance from a property line to the nearest vertical wall or other element of a building or structure.

Commented [DG12]: Remove definition:

Reason: Senior Living Homestead Zone is proposed to be removed, this definition is directly tied to that zone.

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* **Editor's Note:** Sections 17.110.670 and 17.110.671, formerly Sections 17.110.669 and 17.110.670, have been editorially renumbered to accommodate the addition of Section 17.110.669 by Ordinance 495 (2012) and retain alphabetization.

17.110.673 Shipping container.

"Shipping container" means any repository greater than 25 feet in length traditionally commonly used for the interstate or international transport of goods.

17.110.674 (Repealed)*

* **Editor's Note:** Former Section 17.110.674, "Sheltered transit stop," was repealed by § 75 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and Attachment 7 (part) of Ord. 311 (2003) were formerly codified in this section.

17.110.675 Sign.

"Sign" means a collection of letters, numbers or symbols which calls attention to a business, product, activity, person or service. Balloons or balloon type devices in excess of five cubic feet, or flown more than twenty feet in elevation measured from grade, or taller than twenty feet in height measured from mean grade are considered signs for the purposes of this ordinance.

17.110.680 Sign permit.

"Sign permit" means a permit which authorizes the placement or alteration of a sign on a particular parcel of property or building.

17.110.683 Site.

"Site" means the spatial location of an actual or planned development. A site may contain multiple lots or parcels, excluding public right-of-way.

17.110.685 Site plan.

"Site plan" means a plan prepared to scale, showing accurately and with complete dimensions, all proposed and existing buildings, landscaping, open space, structures and features on abutting properties, and parking proposed for a specific parcel of land; including the specific requirements listed in the pre-application meeting summary and/or application.

17.110.686 Site-specific amendment.

"Site-specific amendment" means an amendment to the Comprehensive Plan and/or Zoning Map that affects one or a small group of contiguous parcels. A site-specific amendment most frequently affects only the land use designation and/or zoning classification and not the text of the Comprehensive Plan or a development regulation.

17.110.687 Stealth technology.

See Section 17.110.057, Alternative technology.

17.110.688 Storage, hazardous materials.

"Storage, hazardous materials" means the storage of materials produced on-site or brought from another site that are flammable, explosive, or present hazards to the public health, safety, and welfare, including all substances and materials defined as hazardous materials, hazardous substances, or hazardous waste.

17.110.689 Storage, self-service.

"Storage, self-service" means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. This definition excludes indoor storage, outdoor storage, vehicle and equipment storage, and hazardous materials storage.

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17.110.690 Storage, vehicles and equipment.

"Storage, vehicle and equipment" means an indoor or outdoor area for parking or holding of motor vehicles and boats or wheeled equipment for more than seventy-two hours. This definition excludes automotive sales and rentals, automotive service and repair shops, and auto wrecking yards.

17.110.691 Storage, indoor.

"Storage, indoor" means storage of goods and/or materials located within a building. The definition excludes hazardous materials storage, self-service storage, outdoor storage, and vehicle storage.

17.110.692 Storage, outdoor.

"Storage, outdoor" means outdoor storage of products, supplies, and equipment. This definition excludes hazardous materials storage, self-service storage, indoor storage, and vehicle storage.

17.110.693 Storage container.

"Storage container" means any repository twenty-five feet or less in length commonly used for the transit and short-term storage of residential belongings.

17.110.695 Street.

"Street" means all roads, streets, highways, roadways, freeways, easements, and public rights-of-way used for or designed for vehicular access or use including private roads serving or intended to serve five or more lots. Streets may also include provisions for public utilities, pedestrian walkways, cut and fill slopes, and storm drainage facilities.

17.110.700 Structural alteration.

"Structural alteration" means any change or a repair of the supporting members of a building or structure and may be subject to the provisions of Chapter 17.560.

17.110.705 Structure.

"Structure" means that which is built or constructed.

17.110.706 Sub-area plan.

"Sub-area plan" means a detailed, local land use plan which is a subcomponent of the Kitsap County Comprehensive Plan. A sub-area plan contains specific policies, guidelines, and criteria for a specific geographic area of Kitsap County.

17.110.707 Support structure.

"Support structure" means a structure designed and constructed specifically to support a wireless communication antenna array, and may include a mono-pole, self supporting (lattice) tower, guy-wire support tower and other similar structures. Any device which is used to attach an attached wireless communication facility to an existing building or structure shall be excluded from the definition of and regulations applicable to support structure.

17.110.710 Temporary sign.

"Temporary sign" means a sign or balloons intended for use which shall not be displayed for more than fourteen consecutive days and twice in a calendar year, which shall include, but is not limited to, portable signs, banners, A-boards and pennants.

17.110.715 Temporary structure.

"Temporary structure" means a structure which does not have or is not required by the Uniform Building Code to have a permanent attachment to the ground. Temporary structures are subject to building permits.

17.110.720 Temporary use.

"Temporary use" means a use which may occur on a lot on a seasonal basis or for a prescribed period of time which usually would not exceed one year's duration.

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17.110.725 Tract.

"Tract" means land reserved for specified uses including, but not limited to, reserve development tracts, recreation, open space, critical areas, stormwater facilities, utilities and access tracts. Tracts are not considered lots.

17.110.728 Urban level of sanitary sewer service.

"Urban level of sanitary sewer service" means those forms of wastewater service provision within urban growth areas that serve urban levels of development, including, but not limited to, connections to public sewer systems, membrane biofiltration reactor systems, large on-site septic systems (LOSS), community sewage disposal systems, and existing properly functioning on-site septic systems.

17.110.730 Use.

"Use" means the nature of occupancy, type of activity or character and form of improvements to which land is devoted.

17.110.735 (Repealed)*

* **Editor's Note:** Former Section 17.110.735, "Use separation buffer," was repealed by § 81 of Ord. 415 (2008). Section 5 (part) of Ord. 367 (2006) and § 4 (part) of Ord. 216 (1998) were formerly codified in this section.

17.110.740 Veterinary clinic.

"Veterinary clinic" means the same as "animal hospital."

17.110.745 Water-dependent use.

"Water-dependent use" means a use or portion of a use which requires direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of its operations. Examples of water-dependent uses may include ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking marinas, aquaculture and float plane facilities.

17.110.750 Water-enjoyment use.

"Water-enjoyment use" means a recreational use, or other use facilitating public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general character of the use and which through the location, design, and operation assure the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the public and the shoreline space of the project must be devoted to provisions that accommodate public shoreline enjoyment. Examples may include parks, piers, museums, restaurants, education/scientific reserves, resorts and mixed use projects.

17.110.755 Water-oriented use.

"Water-oriented use" means any combination of water-dependent, water-related and or water-enjoyment uses and serves as an all encompassing definition for priority uses under the Shoreline Management Act (SMA).

17.110.760 Water-related use.

"Water-related use" means a use or a portion of a use which is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a waterfront location. Examples may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

17.110.765 Wireless communication antenna array.

"Wireless communication antenna array" means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency (RF) signals through electromagnetic energy that can

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be attached to a building or sign. Wireless communication antenna array examples may include an omni-directional antenna (whip), a directional antenna (panel) and/or a parabolic antenna (dish).

17.110.770 Wireless communication facility.

"Wireless communication facility" means any unstaffed facility used for the transmission and/or reception of radio frequency (RF) signals through electromagnetic energy. This usually consists of an equipment shelter or cabinet, a support tower or structure used to achieve the necessary elevation, and the antenna array.

17.110.775 Wireless communication support structure.

"Wireless communication support structure" means a structure specifically designed to support a wireless communication antenna array. This may include a mono-pole structure, lattice structure or building.

17.110.780 Whip antenna.

"Whip antenna" means an antenna that is cylindrical in shape up to twenty feet in height.

17.110.782 (Repealed)*

* **Editor's Note:** Former Section 17.110.782, Wooded reserve, was repealed by Section 7 of Ord. 407 (2008). The section was originally derived from Ord. 367 § 5 (part), 2006.

17.110.783 Wrecking yard.

"Wrecking yard" means a place where damaged, inoperable or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled or handled.

17.110.785 Yard.

"Yard" means any area on the same lot with a building or a structure, which area is unoccupied and unobstructed by any structure from the ground upward to the sky.

17.110.790 Yard, front.

"Yard, front" or "front yard" means an area extending the full width of the lot between a building and the front (or roadway) lot line, except as specified elsewhere in this title.

17.110.795 Yard, rear.

"Yard, rear" or "rear yard" means an open space area extending the full width of the lot between a building and the rear lot line, unoccupied, and unobstructed from the ground upward, except as specified elsewhere in this title.

17.110.800 Yard, side.

"Yard, side" or "side yard" means an area extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward, except as specified elsewhere in this title.

17.110.805 Zone.

"Zone" means a section or sections of Kitsap County within which the standards governing the use of land, buildings, and premises are uniform, which is provided for in Chapter 17.120 of this title.

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Chapter 17.120 ESTABLISHMENT OF ZONES AND MAPS	(Formerly Chapter 17.200)
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Sections:

[17.120.010 Classification of zones.](#)

[17.120.020 Original zoning maps.](#)

[17.120.030 Revised maps.](#)

[17.120.040 Interpretations of zone boundaries.](#)

17.120.010 Classification of zones.

For the purposes of this title, the county is divided into zones classified as follows:

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Density
Rural Residential	Rural Residential	RR	1 dwelling unit / 5 acres
Rural Protection	Rural Protection	RP	1 dwelling unit / 10 acres
Rural Wooded	Rural Wooded	RW	1 dwelling unit / 20 acres
Forest Resource Lands	Forest Resource Lands	FRL	1 dwelling unit / 40 acres
Mineral Resource	Mineral Resource Overlay	MR	Not applicable
Urban Low-Density Residential	Urban Restricted	UR	1 – 5 dwelling units / acre
	<u>Greenbelt</u>	<u>GB</u>	<u>1 – 4 dwelling units / acre</u>
	Urban Low Residential	UL	5 – 9 dwelling units / acre
Urban Cluster Residential	Urban Cluster Residential	UCR	5 – 9 dwelling units / acre
	Urban Medium Residential	UM	10 – 18 dwelling units / acre
Urban High-Density Residential	Urban High Residential	UH	19 – 30 dwelling units / acre ¹
Urban Low Intensity Commercial and Rural Commercial ²	Urban Village Center	UVC	Up to 18 dwelling units / acre
	Neighborhood Commercial	NC	10 – 30 dwelling units / acre
Urban High Intensity Commercial and Rural Commercial ²	<u>Commercial</u>	<u>C</u>	<u>10 – 30 dwelling units / acre</u>
	<u>Regional Center</u>	<u>RC</u>	<u>10 – 60 dwelling units / acre</u>
	<u>Low Intensity Commercial</u>	<u>LIC</u>	<u>10 – 30 dwelling units / acre</u>
	<u>Rural Commercial</u>	<u>RCO</u>	<u>Not applicable</u>

Commented [DG13]:

Changes:

Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Remove Zones:

- (URS) Urban Reserve
- (SLH) Senior Living Homestead
- (UTC) Urban Town Center
- (MU) Mixed Use
- (A) Airport
- (HTC) Highway Tourist Commercial
- (RC) Regional Commercial

Add Zones:

- (C) Commercial
- (RC) Regional Center

Re-Name Zone:

- From: (IGZ) Illahee Greenbelt Zone
- To: (GB) Greenbelt

Commented [DG14]: Add Zone and Increased Density:

Regional Commercial - 30 du/ac replaced with Regional Center - 60 du/acre.
Reason: Consistency with Comprehensive Plan and Growth Management Act goals and policies.

¹ [Parcels located within the Silverdale Regional Growth Center boundary may allow higher densities. See Table 17.420.050D Silverdale Regional Center and Design District Density and Dimension Table.](#)

² Includes commercially zoned properties located outside of the urban growth areas.

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Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Density
Urban and Rural Industrial ³	Business Park	BP	Not applicable
	Business Center	BC	Not applicable
	Industrial	IND	Not applicable
	<u>Rural Industrial</u>	<u>RI</u>	<u>Not applicable</u>
Public Facilities	Parks	P	Not applicable
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Limited Area of More Intensive Rural Development (LAMIRD) <u>Type I</u>	<u>Keyport Village Commercial</u>	<u>KVC</u>	<u>0 – 5 dwelling units / acre</u>
	<u>Keyport Village Low Residential</u>	<u>KVLR</u>	<u>2 dwelling units / acre</u>
	<u>Keyport Village Residential</u>	<u>KVR</u>	<u>5 dwelling units / acre</u>
	Manchester Village Commercial	MVC	0 – 5 dwelling units / acre
	Manchester Village Low Residential	MVLR	2 dwelling units / acre
	Manchester Village Residential	MVR	4 dwelling units / acre
	Port Gamble Rural Historic Town Commercial	RHTC	2.5 dwelling units / acre
	Port Gamble Rural Historic Town Residential	RHTR	2.5 dwelling units / acre
	Port Gamble Rural Historic Waterfront	RHTW	2.5 dwelling units / acre
	Squamish Village Commercial	SVC	Not applicable
	Squamish Village Low Residential	SVLR	2 dwelling units / acre
	Squamish Village Residential	SVR	2 dwelling units / acre
<u>Limited Area of More Intensive Rural Development (LAMIRD) Type III</u>	<u>Rural Employment Center</u>	<u>REC</u>	<u>Not applicable</u>
	<u>Twelve Trees Employment Center</u>	<u>TTEC</u>	<u>Not applicable</u>

Commented [DG13]:

Changes:

Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Remove Zones:

(URS) Urban Reserve
(SLH) Senior Living Homestead
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Add Zones:

(C) Commercial
(RC) Regional Center

Re-Name Zone:

From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Commented [DG15]: Reserved for Public Facility Zone in 2017-18

Commented [DG16]: Formatting correction:

Keyport zones were not shown in the original table, no content change

Commented [DG17]: Formatting correction:

REC and TTEC zones not shown in this table, no content change.
Reason: Distinguishes between Type I and Type III LAMIRD.

17.120.020 Original zoning maps.

The designations, locations, and boundaries of the zones set forth in this section shall be shown on the zoning map of Kitsap County, Washington. Said maps and all notations, references, data, and other information shown thereon shall be and are hereby adopted and made a part of this title. The signed copies of the zoning maps containing the zones designated at the time of the adoption of this title shall be maintained without change. Any land or property not specifically identified with a zone designation shall be considered to be zoned as the most restrictive zone classification designated on adjacent and/or abutted properties, until such time as it is determined otherwise by a rezone action.

³ Includes Industrial and Business Park zoned lands located outside of urban growth areas.

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17.120.030 Revised maps.

The board of county commissioners may instruct the director to replace the official zoning maps, or portions thereof, with a map or maps, or portions thereof, which include all lawful changes of zones-to-date. Such maps, or portions thereof, filed as replacements, shall bear dated, original signatures of the board of county commissioners and county auditor. Any maps or portions thereof thereby replaced, shall be retained in a separate file. Any revisions or replacement of said maps, when duly entered, signed, and filed with the county auditor as authorized by this section, are part of this title.

17.120.040 Interpretations of zone boundaries.

The zone boundary lines are indicated on the zoning maps. Where uncertainty exists as to the boundaries of any zone shown on the zoning maps, the following rules shall apply:

- A. Wherever the zone boundary is indicated as being along or approximately along a street, alley, property line, or the centerline of a block, said line shall be construed as the boundary of the zone, unless otherwise indicated on the map.
- B. Where the location of a zone boundary line is not determined by the above rule, and is not indicated by a written dimension, the boundaries shall be located by the use of the scale appearing on the maps.
- C. Wherever any street, alley, or other public way is vacated in the manner authorized by law, the zone adjoining each side of such street, alley, or public way shall be automatically extended to the center of the former right-of-way and all of the area included in the vacation shall then be subject to all regulations of the extended zones.
- D. Where the application of the above rule does not clarify the zone boundary location, the director shall interpret the maps, and by written decision, determine the location of the zone boundary and shall advise the planning commission and board of county commissioners of the decision. Said written decision shall be filed with the county auditor.

DRAFT REGULATIONS

Chapter 17.130 RURAL RESIDENTIAL (RR)

(Formerly Chapter 17.310)

Sections:

17.130.010 Purpose.

17.130.020 Uses permitted and design standards.

17.130.030 Special provisions. (Reserved)

17.130.010 Purpose.

This zone promotes low-density residential development and agricultural activities that are consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.

17.130.020 Uses permitted and Design Standards.

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

B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

1. Density
2. Lot dimensions
3. Lot coverage standards
4. Height regulations
5. Setbacks

C. 17.430 Off-Street Parking

D. 17.440 Landscaping

E. 17.450 Signs

F. 17.500 Master Planning

G. 17.510 Performance Based Development

H. 17.520 Transfer of Development Rights

I. 17.550 Interpretations and Exceptions

17.130.030 Special provisions. (Reserved)

Chapter 17.140 RURAL PROTECTION ZONE (RP)

(Formerly Chapter 17.305)

Sections:

17.140.010 Purpose.

17.140.020 Uses permitted and design standards.

17.140.030 Special provisions. (Reserved)

17.140.010 Purpose.

This zone promotes low-density rural development and agricultural activities that are consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.

17.140.020 Uses permitted and Design Standards.

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

B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

1. Density
2. Lot dimensions
3. Lot coverage standards
4. Height regulations
5. Setbacks

C. 17.430 Off-Street Parking

Commented [DG18]: Add to Intent:
Existing Comp Plan
Chapter 3: Rural and Resource Lands
Goals: 8 - 9
Policies: 79-91

Commented [DG19]: Formatting:
General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG20]: Add to Intent:
Existing Comp Plan
Chapter 3: Rural and Resource Lands
Goals: 8 - 9
Policies: 79-91

Commented [DG21]: Formatting:
General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

- [D. 17.440 Landscaping](#)
- [E. 17.450 Signs](#)
- [F. 17.500 Master Planning](#)
- [G. 17.510 Performance Based Development](#)
- [H. 17.520 Transfer of Development Rights](#)
- [I. 17.550 Interpretations and Exceptions](#)

17.140.030 Special provisions. (Reserved)

Chapter 17.150 RURAL WOODED ZONE (RW)*	(Formerly Chapter 17.301)
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Sections:

17.150.010 Purpose.

17.150.020 Uses permitted and design standards.

17.150.030 Special provisions.

17.150.010 Purpose.

This zone is intended to encourage the preservation of forest uses and agricultural activities, retain an area's rural character and conserve the natural resources while providing for some rural residential use. This zone is further intended to discourage activities and facilities that can be considered detrimental to the maintenance of timber production. Residents of rural wooded (RW) residential tracts shall recognize that they can be subject to normal and accepted farming and forestry practices on adjacent parcels.

Commented [DG22]: Add to Intent:?
Existing Comp Plan
Chapter 3: Rural and Resource Lands
Goals: 8 - 9
Policies: 79-91

17.150.020 Uses permitted and Design Standards.

- [A. Uses Permitted: Table 17.410.040\(A\) Rural, Resource, and Urban Residential Zones.](#)
- [B. Design Standards: Table 17.420.050\(A\) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.](#)
 - [1. Density](#)
 - [2. Lot dimensions](#)
 - [3. Lot coverage standards](#)
 - [4. Height regulations](#)
 - [5. Setbacks](#)
- [C. 17.430 Off-Street Parking](#)
- [D. 17.440 Landscaping](#)
- [E. 17.450 Signs](#)
- [F. 17.500 Master Planning](#)
- [G. 17.510 Performance Based Development](#)
- [H. 17.520 Transfer of Development Rights](#)
- [I. 17.550 Interpretations and Exceptions](#)

Commented [DG23]:

Formatting:
General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

17.150.030 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated, undeveloped Forest Resource Lands (FRL), shall contain the following notice:

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

* **Editor's note:** Former Section 17.301.080, "Rural Wooded Incentive Program," was repealed by Ordinance 456 (2010). Section 1 of Ordinance 411 (2008), § 8 of Ordinance 407 (2008) and § 8 (part) of Ordinance 367 (2006) were formerly codified in this section.

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* **Editor's Note:** As originally adopted and included with the enactment of the Zoning Ordinance, this chapter was numbered as 17.130. It was renumbered to accommodate, in logical sequence, the provisions of new Chapter 17.130, Forest Resource Lands, adopted by Ordinance 230-1999. Formerly titled Chapter 17.301, Interim Rural Forest (IRF), the chapter was amended, in its entirety, by Ord. 367 (2006). Ordinances previously codified in this chapter include parts of Ords. 216 (1998) and 346 (2005).

Chapter 17.160 FOREST RESOURCE LANDS (FRL)

(Formerly Chapter 17.300)

Sections:

17.160.010 Purpose.

17.160.020 Uses permitted and design standards.

17.160.030 Special provisions.

17.160.020 Purpose.

The primary land use allowed in this zone is commercial timber production and harvesting. This zone is further intended to discourage activities and facilities which can be considered detrimental to the production and commercial harvest of timber. Residents located within or adjacent to the forest resource lands zone (FRL) shall recognize that they can be subject to normal and accepted forestry practices on parcels located within this zone.

17.160.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
 - 1. Density
 - 2. Lot dimensions
 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.160.030 Special provisions.

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

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

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

Chapter 17.170-MINERAL RESOURCE OVERLAY (MRO)

(Formerly Chapter 17.380)

Sections:

[17.170.010 Purpose.](#)

[17.170.020 Uses permitted and design standards.](#)

[17.170.030 Special standards or requirements.](#)

[17.170.040 \(Repealed\)](#)

[17.170.050 Information on plans and in specifications.](#)

[17.170.060 Land restoration.](#)

[17.170.065 Transition of uses from Mineral Resource and removal of the Mineral Resource Overlay.](#)

[17.170.070 Special provisions.](#)

[17.170.010 Purpose.](#)

The intent of this overlay is to protect and enhance significant sand, gravel and rock deposits as identified mineral resource lands. It is also used to ensure the continued or future use without disrupting or endangering adjacent land uses, while safeguarding life, property, and the public welfare. Provisions of state statutes applicable to Kitsap County pertaining to surface mining are hereby adopted by reference.

[17.170.020 Uses permitted and Design Standards.](#)

[A. Uses Permitted:](#) [Table 17.410.040\(A\) Rural, Resource, and Urban Residential Zones.](#)

[B. Design Standards:](#) [Table 17.420.050\(A\) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.](#)

[1. Density](#)

[2. Lot dimensions](#)

[3. Lot coverage standards](#)

[4. Height regulations](#)

[5. Setbacks](#)

[C. 17.430 Off-Street Parking](#)

[D. 17.440 Landscaping](#)

[E. 17.450 Signs](#)

[F. 17.500 Master Planning](#)

[G. 17.510 Performance Based Development](#)

[H. 17.520 Transfer of Development Rights](#)

[I. 17.550 Interpretations and Exceptions](#)

[17.170.030 Special standards or requirements.](#)

- A. All activities shall be consistent with all applicable Washington State surface mining permits and approvals.
- B. The director shall review all plans meeting the submittal requirements of Section [17.170.050](#) through a process consistent with Title [21](#) of this code.
- C. Site area shall be in accordance with Chapter [17.420](#) and Section 17.420.060 Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
- D. Lot width shall be in accordance with Chapter [17.420](#) and Section 17.420.060 Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
- E. Fencing. The periphery of all sites within the gross site area being actively mined or reclaimed shall be fenced.
- F. Berms. Berms of sufficient height, width, and mass to screen the site from adjacent land uses shall be provided to protect health, property and welfare. Suitable planting shall be determined by the director.
- G. Setbacks. The tops and toes of cut and fill slopes shall be set back from property boundaries according to the State Department of Natural Resources standards for safety of adjacent properties, and to prevent water runoff or erosion of slopes and to provide adequate reclamation slopes per subsection (J) of this section.

Commented [DG25]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

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- H. Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to the provisions of the Kitsap County Noise Ordinance.
- I. Hours of Operation. Hours of operation unless otherwise authorized by the director, shall be between 7:00 a.m. and 6:00 p.m.
- J. Slope. When reclaimed, no slope of cut and fill surfaces shall be steeper than is safe for the intended use, and shall not exceed one and one-half horizontal to one vertical for unconsolidated material such as gravel, and one-fourth horizontal to one vertical for consolidated material, unless otherwise approved by the director.
- K. Erosion Control. All disturbed areas, including faces of cuts and fill slopes, shall be prepared and maintained to control erosion. This control may consist of plantings sufficient to stabilize the slope (as approved by the director).
- L. Drainage. Provisions shall be made to:
 - 1. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a hill.
 - 2. Drain any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the department of public works director.
 - 3. Prevent sediment from leaving the site in a manner which violates RCW 90.48.080 and/or WAC 173-201A-100.
- M. Bench/Terrace. Benches shall be back-sloped, and shall be established at not more than forty-foot vertical intervals, to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.
- N. Access Roads Maintenance. Access roads to mining and quarrying sites shall be maintained and located to the satisfaction of the director of public works, to minimize problems of dust, mud, and traffic circulation.
- O. Overburden. Overburden shall only be removed to accommodate aggregate removal operations and related activities of this section.

17.170.040 (Repealed)*

* Editor's Note: Former Section 17.380.040, "Investigation and report," was repealed by § 136 of Ord. 415 (2008). Section 4 (part) of Ord. 216 (1998) was formerly codified in this section.

17.170.050 Information on plans and in specifications.

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

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

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17.170.060 Land restoration.

- A. Upon the exhaustion of minerals or materials, or upon the permanent abandonment of the quarrying or mining operation, all buildings, structures, apparatus, or appurtenances accessory to the quarrying and mining operation which are nonconforming to the underlying zone, shall be removed or otherwise dismantled to the satisfaction of the director.
- B. Final grades shall be such so as to encourage the uses permitted within the zone with which this overlay is combined or allowed as a conditional use.
- C. Unless approved as a sanitary landfill, grading or back-filling shall be made with non-noxious, nonflammable, noncombustible, and nonputrescible solids.
- D. Such graded or back-filled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding the site, and to a depth of at least four inches, or a depth of that of the topsoil of surrounding land, if less than four inches.
- E. Such topsoil as required by Section 17.170.060(D) shall be planted with trees, shrubs, or grasses.
- F. Graded or back-filled areas shall be reclaimed in a manner which will not permit stagnant water to remain. Suitable drainage systems approved by the director of public works shall be constructed or installed if natural drainage is not possible.
- G. Waste or soil piles shall be leveled and the area treated, as required in subsections (D) and (E) of this section.

17.170.065 Transition of uses from Mineral Resource and removal of the Mineral Resource Overlay.

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

17.170.070 Special provisions.

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

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

Chapter 17.180-URBAN RESTRICTED ZONE (UR)

(Formerly Chapter 17.325)

Sections:

17.180.010 Purpose.

17.180.020 Uses permitted and design standards.

17.180.030 Special provisions.

17.180.010 Purpose.

The urban restricted zone is applied to areas within urban growth areas that have been identified with a significant concentration of critical areas regulated pursuant to the Title 19, or are planned as greenbelts, and are therefore appropriate for lower-density development. These areas may include significant salmon spawning streams, wetlands and/or steep slopes. Actual densities allowed will be determined at the time

DRAFT REGULATIONS

of land use approval, following a site-specific analysis and review of potential impacts to the on-site or adjacent critical areas.

17.180.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
 - 1. Density
 - 2. Lot dimensions
 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.180.030 Special provisions.

See Chapter 17.370 Multi-Family Development – Design Criteria.

Chapter 17.190 ~~GREENBELT~~ ZONE (GB)

(Formerly Chapter 17.326)

Sections:

17.190.010 Purpose.

17.190.020 Uses permitted and design standards.

17.190.030 Special provisions. (Reserved)

17.190.010 Purpose.

The Greenbelt Zone is applied to those areas ~~within Illahee~~ which have identified parcels constrained by critical areas of fifty percent or greater and are within Washington State Department of Fish and Wildlife (DFW) certified wildlife corridors. Development would be limited to a density range of one to four dwelling units per acre. Actual densities allowed will be determined at the time of land use application, following an analysis of the site and review of potential impacts to the critical areas.

17.190.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
 - 1. Density
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 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

Commented [DG26]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG27]: Re-name Zone:

Illahee Greenbelt Zone (IGZ) to Greenbelt Zone (GB)

Commented [DG28]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

17.190.030 Special provisions. (Reserved)

Chapter 17.200-URBAN LOW RESIDENTIAL ZONE (UL) (Formerly Chapter 17.330)

Sections:

17.200.010 Purpose.

17.200.020 Uses permitted and design standards.

17.200.030 Special provisions.

17.200.010 Purpose.

The intent of this zone is to recognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner.

17.200.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
 - 1. Density
 - 2. Lot dimensions
 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.200.030 Special provisions.

~~B. Master Planning Requirements for the ULID #6/McCormick Woods Sub-Area. Consistent with Chapter 17.428 of this title, prior to any new development within an area zoned UL which is also designated for master planning in an approved sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development; provided, that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new developments.~~

~~If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.~~

For multi-family development, see Chapter 17.370, Multi-Family Development – Design Criteria.

Chapter 17.210 URBAN CLUSTER RESIDENTIAL (UCR) (Formerly Chapter 17.335)

Sections:

17.210.010 Purpose.

17.210.020 Uses permitted and design standards.

17.210.020 Special provisions.

Commented [DG29]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG30]:

Remove Chapter Reference:

Master Planning requirements was written in direct correlation with ULID #6 and is no longer applicable.

DRAFT REGULATIONS

17.210.010 Purpose.

The Urban Cluster Residential zone is intended to apply to areas that are characterized by large contiguous ownership parcels capable of development as a single, unified project. Clustering of appropriate residential densities in areas most suitable for such development, while simultaneously providing a high level of protection for wetlands, streams, critical aquifer recharge areas and wildlife habitat areas, is encouraged. Flexibility related to site planning and affordable housing through innovative design is also encouraged, as the exact locations of uses should be based on the location of critical areas, transportation corridors, community needs and market conditions.

At the same time, the UCR zone should foster a development pattern that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces, recreational areas, transportation corridors and retail and employment opportunities, both within and outside the zone.

17.210.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
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- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.210.020 Special provisions.

- A. All development shall comply with the standards in the Kitsap County Storm Water Management Ordinance, Title 12 of this code, and the Kitsap County Critical Areas Ordinance, Title 19 of this code, as they now exist or are later amended, as well as all SEPA mitigation requirements.
- ~~B. Master Planning Requirements. Prior to any new development within an area zoned Urban Cluster Residential (UCR) which is also designated for master planning in an approved sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development; provided, that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development. If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.~~
- C.B. For multi-family development, see Chapter 17.370, Multi-Family Development – Design Criteria.

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG32]: Reference Removed:

Master Planning requirements was written in direct correlation with ULID #6 and is no longer applicable.

Chapter 17.220 URBAN MEDIUM RESIDENTIAL ZONE (UM)	(Formerly Chapter 17.340)
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Sections:

17.220.010 Purpose.

17.210.020 Uses permitted and design standards.

17.220.030 Special provisions.

DRAFT REGULATIONS

17.220.010 Purpose.

This zone is intended to provide for higher densities where a full range of community services and facilities are present or will be present at the time of development. This zone is also intended to create energy-efficient residential areas by allowing common wall construction, as well as to facilitate residential development which utilizes cost-efficient design.

17.220.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(A) Rural, Resource, and Urban Residential Zones.
- B. Design Standards: Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.
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- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.220.030 Special provisions.

For multi-family development, see Chapter 17.370 Multi-Family Development – Design Criteria.

~~C. Master Planning Requirements. Prior to any new development within an area zoned Urban Medium (UM) which is also designated for master planning in an approved ULID #6 sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development; provided, that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development. If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.
(Ord. 415 (2008) § 113, 2008; Ord. 311 (2003) [Attachment 7 (part)], 2003; Ord. 250-2000 § 3 (part), 2000; Ord. 216 (1998) § 4 (part), 1998)~~

Commented [DG33]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG34]:

Remove Chapter Reference:

Master Planning requirements was written in direct correlation with ULID #6 and is no longer applicable.

Chapter 17.230 URBAN HIGH RESIDENTIAL ZONES (UH) (Formerly Chapter 17.350)

Sections:

17.230.010 Purpose.

17.230.020 Uses permitted and design standards.

17.230.030 Special provisions.

17.230.010 Purpose.

This zone is intended to provide for multiple-family residential and professional office development based upon compatibility with surrounding land uses. The primary use of this zone is intended to be high density residential. Professional office use is intended to compliment and support the residential use within the zone and be consistent with, and in conjunction with, residential development. It is intended that office developments within these zones will be of a higher standard in recognition of their residential setting. The following factors will be considered in the application of one of these zones to a particular site: proximity to major streets and the available capacity of these streets, availability of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these zones will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.

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17.230.020 Uses permitted and Design Standards.

- A. Uses Permitted: [Table 17.410.040\(A\) Rural, Resource, and Urban Residential Zones.](#)
- B. Design Standards: [Table 17.420.050\(A\) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.](#)
 - 1. [Density](#)
 - 2. [Lot dimensions](#)
 - 3. [Lot coverage standards](#)
 - 4. [Height regulations](#)
 - 5. [Setbacks](#)
- C. [17.430 Off-Street Parking](#)
- D. [17.440 Landscaping](#)
- E. [17.450 Signs](#)
- F. [17.500 Master Planning](#)
- G. [17.510 Performance Based Development](#)
- H. [17.520 Transfer of Development Rights](#)
- I. [17.550 Interpretations and Exceptions](#)

17.230.030 Special provisions.

- A. For multi-family development, see Chapter 17.370 Multi-Family Development – Design Criteria.
- B. For recreational open space provisions, see Section 17.510.040 (C).

Chapter 17.240 URBAN VILLAGE CENTER (UVC)

(Formerly Chapter 17.353)

Sections:

17.240.010 Purpose.

17.240.020 Uses permitted and design standards.

17.240.030 Special provisions. (Reserved)

17.240.010 Purpose.

- A. **Purpose – Generally.** The general purposes of the urban center zones are as follows:
 - 1. To foster a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses, in order to facilitate pedestrian and bicycle travel and reduce the number and length of automobile trips.
 - 2. To provide for a compatible mix of single-family, multi-family housing and neighborhood commercial businesses and services, with an emphasis on promoting multi-story structures with commercial uses generally located on the lower floors and residential housing generally located on upper floors.
 - 3. To promote a compact growth pattern to efficiently use developable land within UGAs, to enable the cost-effective extension of utilities, services and streets, to enable frequent and efficient transit service, and to help sustain neighborhood businesses.
 - 4. To foster the development of mixed-use areas that are arranged, scaled and designed to be compatible with surrounding land.
- B. **Specific Purposes for the Urban Village Center (UVC) Zone.** This zone provides for a compatible mix of small-scale commercial uses and mixed-density housing, typically in multi-story buildings. Development within the zone should promote neighborhood identity, by providing a range of commercial retail and service opportunities in close proximity to housing. The UVC zone is intended to encourage flexible land uses, recognizing that the exact configuration of uses must be responsive to community needs and market conditions. Accordingly, commercial and residential uses may be mixed either vertically or horizontally in the UVC zone, though the more common configuration locates commercial uses on the lower floors of multi-story structures, with residential units located above. Residential densities within this zone may not exceed 18 units per net acre. Development within the UVC zone must occur in a manner that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking the development in the

Commented [DG35]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Formatting:

Recreational open space moved to 17.230.030 (B)

Commented [DG36]: Remove Zone References:

Reason: Urban Town Commercial no longer a zoning designation.

DRAFT REGULATIONS

UVC zone to surrounding residential neighborhoods, open spaces, recreational areas, and transportation corridors.

17.240.090 Master planning requirements for the South Kitsap UGA/ULID #6 Sub-Area.

~~Master Planning Requirements. Prior to any new development within an area zoned Urban Center which is also designated for master planning in an approved sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development, provided that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development. If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that these non-contiguous same-zoned lands be included in the subject master plan.~~

Commented [DG37]: Remove Chapter Reference:
Master Planning requirements was written in direct correlation with ULID #6 and is no longer applicable.

17.240.020 Uses permitted and Design Standards.

- ~~A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones
B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.
1. Density
2. Lot dimensions
3. Lot coverage standards
4. Height regulations
5. Setbacks
C. 17.430 Off-Street Parking
D. 17.440 Landscaping
E. 17.450 Signs
F. 17.500 Master Planning
G. 17.510 Performance Based Development
H. 17.520 Transfer of Development Rights
I. 17.550 Interpretations and Exceptions~~

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

17.240.030 Special provisions. (Reserved)

Chapter 17.250 NEIGHBORHOOD COMMERCIAL (NC) (Formerly Chapter 17.355)

Sections:

- 17.250.010 Purpose.
17.250.020 Uses permitted and design standards.
17.250.030 Special provisions. (Reserved)

17.250.010 Purpose.

These centers are intended to provide for the quick stop shopping needs of the immediate neighborhood in which they are located. These centers should be based upon demonstrated need and shall be sized in a manner compatible with a residential setting.

17.250.020 Uses permitted and Design Standards.

- ~~A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones
B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.
1. Density
2. Lot dimensions
3. Lot coverage standards
4. Height regulations
5. Setbacks
C. 17.430 Off-Street Parking
D. 17.440 Landscaping~~

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

- [E. 17.450 Signs](#)
- [F. 17.500 Master Planning](#)
- [G. 17.510 Performance Based Development](#)
- [H. 17.520 Transfer of Development Rights](#)
- [I. 17.550 Interpretations and Exceptions](#)

17.250.030 Special provisions. (Reserved)

Chapter 17.260 COMMERCIAL (C)

(Formerly Chapter N/A)

Sections:

17.260.010 Purpose.

17.210.020 Uses permitted and design standards.

17.260.030 Special provisions.

17.260.010 Purpose.

~~This zone is intended to provide for those commercial establishments require large sites. This zone serves which serve the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destination and en route travelers.~~

17.260.020 Uses permitted and Design Standards.

- A. Uses Permitted: [Table 17.410.040\(B\) Commercial, Industrial, and Parks Zones](#)
- B. Design Standards: [Table 17.420.050\(B\) Commercial, Industrial, and Parks Zones Density and Dimensions Table.](#)
 - 1. [Density](#)
 - 2. [Lot dimensions](#)
 - 3. [Lot coverage standards](#)
 - 4. [Height regulations](#)
 - 5. [Setbacks](#)
- C. [17.430 Off-Street Parking](#)
- D. [17.440 Landscaping](#)
- E. [17.450 Signs](#)
- F. [17.500 Master Planning](#)
- G. [17.510 Performance Based Development](#)
- H. [17.520 Transfer of Development Rights](#)
- I. [17.550 Interpretations and Exceptions](#)

17.260.030 Special provisions. (Reserved)

Chapter 17.270 REGIONAL CENTER (RC)

(Formerly Chapter N/A)

Sections:

17.270.010 Purpose.

17.210.020 Uses permitted and design standards.

17.270.030 Special provisions. (Reserved)

17.270.010 Purpose.

~~The regional center zone is intended to encourage flexible land uses, recognizing that the exact configuration of uses must be responsive to community needs and market conditions. Uses may be mixed either vertically or horizontally. Such a mix of uses is encouraged within individual projects and/or between adjacent projects. This zone is intended to foster a development pattern focused on the public street that will provide for an integrated, compatible mix of higher density housing and commercial businesses and services. Mixed use development as defined by Section 17.110.485 is encouraged and incentivized within this zone but not required.~~

Commented [DG40]: Add Zone:

Commercial (CO). Purpose statement is a verbatim copy of existing Highway Tourist Commercial Zone (HTC) purpose statement.

Existing Purpose Statements for reference:

Highway/Tourist Commercial (HTC). These centers are intended to provide for those commercial establishments which require large sites. This zone serves the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destination and en route travelers.

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG42]:

Add Zone:

The Regional Center (RC) purpose statement is a modified version of the existing Mixed Use Zone purpose statement as indicated below:

~~This proposed mixed use The regional center zone is intended to encourage flexible land uses, recognizing that the exact configuration of uses must be responsive to community needs and market conditions. Accordingly, commercial and residential uses may be mixed either vertically or horizontally in the MU zone. Such a mix of uses is encouraged within individual projects and/or between adjacent projects. The MU zone This zone is intended to foster a development pattern focused on the public street that will provide for an integrated, compatible mix of higher density housing single and multi-family housing and commercial businesses and services. Mixed use development as defined by Section 17.110.485 is encouraged within this zone but not required.~~

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17.270.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones
- B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.
 - 1. Density
 - 2. Lot dimensions
 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.270.020 Special provisions. (Reserved)

Chapter 17.280 LOW INTENSITY COMMERCIAL (LIC) (Formerly Chapter 17.355)

Sections:

17.280.010 Purpose.

17.210.020 Uses permitted and design standards.

17.280.030 Special provisions.

17.280.010 Purpose.

The intent of the low-intensity commercial zoning is to promote mixed uses – retail, hotel, office, services, or attached residential in horizontal or small-scale vertical patterns – and commercial uses designed to maximize shoreline views and allow streamside and shoreline public access where appropriate. A new development pattern reduces impervious surfaces, promotes marine waterfront and creek restoration, promotes landscape and streetscape improvements, promotes pedestrian safety and comfort, and improves vehicular access. ~~Mixed use development patterns will be focused west of SR 3, while commercial development will be focused in areas east of SR 3 along Sinclair Inlet, both areas having smaller impervious footprints interspersed by trails, parks, and habitat.~~

17.280.020 Uses permitted and Design Standards.

- A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones
- B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.
 - 1. Density
 - 2. Lot dimensions
 - 3. Lot coverage standards
 - 4. Height regulations
 - 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

Commented [DG43]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG44]: Formatting:

Moved to 17.280.030 Special provisions.

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General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

17.280.030 Special provisions.

A. Mixed use development patterns will be focused west of SR 3, while commercial development will be focused in areas east of SR 3 along Sinclair Inlet, both areas having smaller impervious footprints interspersed by trails, parks, and habitat.

B. Additional requirements for development within the LIC zone may be included in Chapter 17.400.

Commented [DG46]: Moved from the purpose statement.

Chapter 17.290 RURAL COMMERCIAL (RCO)

(Formerly Chapter 17.355)

Sections:

17.290.010 Purpose.

17.290.020 Uses permitted and design standards.

17.290.030 Special provisions. (Reserved)

17.290.010 Purpose.

The intent and function of the rural commercial zone is to permit the location of small-scale commercial retail businesses and personal services which serve a limited service area and rural population outside established UGAs. The rural commercial zone permits small-scale retail; sales and services located along county roads on small parcels that serve the immediate rural residential population. Rural businesses, which serve the immediate rural population, may be located at crossroads of county roads, state routes, and major arterials.

17.290.020 Uses permitted and Design Standards.

A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones

B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.

1. Density

2. Lot dimensions

3. Lot coverage standards

4. Height regulations

5. Setbacks

C. 17.430 Off-Street Parking

D. 17.440 Landscaping

E. 17.450 Signs

F. 17.500 Master Planning

G. 17.510 Performance Based Development

H. 17.520 Transfer of Development Rights

I. 17.550 Interpretations and Exceptions

17.290.030 Special provisions. (Reserved)

Commented [DG47]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Chapter 17.300 BUSINESS CENTER (BC)

(Formerly Chapter 17.365)

Sections:

17.300.010 Purpose.

17.300.020 Uses permitted and design standards.

17.300.030 Special Provisions.

17.300.010 Purpose.

This zone is intended to provide for integrated grouping of medium to large size businesses within an attractive park-like setting. The Business Center (BC) Zone allows flexibility in the amount of space within each business dedicated to office use, warehousing, and/or light manufacturing operations. Permitted businesses are intended to support the creation, development and retention of primary wage employment

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in the professional and technical fields, and not intended for the general retail commercial needs of the area.

17.300.020 Uses permitted and Design Standards.

- A. Uses Permitted: [Table 17.410.040\(B\) Commercial, Industrial, and Parks Zones](#)
- B. Design Standards: [Table 17.420.050\(B\) Commercial, Industrial, and Parks Zones Density and Dimensions Table.](#)
 - 1. [Density](#)
 - 2. [Lot dimensions](#)
 - 3. [Lot coverage standards](#)
 - 4. [Height regulations](#)
 - 5. [Setbacks](#)
- C. [17.430 Off-Street Parking](#)
- D. [17.440 Landscaping](#)
- E. [17.450 Signs](#)
- F. [17.500 Master Planning](#)
- G. [17.510 Performance Based Development](#)
- H. [17.520 Transfer of Development Rights](#)
- I. [17.550 Interpretations and Exceptions](#)

17.300.030 Special Provisions.

- A. **Site landscaping and design plan.** As a component of permit and/or land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan based on conformance with Chapter [17.440](#), any design standards associated with this zone and/or design standards associated with a particular sub-area, whichever is most restrictive. In addition to these requirements, the following shall apply:
 - 1. All required landscaping shall be installed prior to occupancy.
 - 2. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen screening buffer which attains a mature height of at least eleven feet, or other screening measure as approved by the director.
 - 3. Required setback areas adjacent to streets and those abutting a residential zone shall be continuously maintained in plantings, with such live ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.
 - 4. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the director.
 - 5. All mechanical, heating, and ventilating equipment shall be visually screened whether on grade or building mounted.
 - 6. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry or business concerned; or to protect the public from a dangerous condition. Fences may not be located in or adjacent to a required yard adjacent to a public right-of-way.
- B. **Performance Standards.** No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:
 - 1. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.
 - 2. Vibration, other than that caused by highway vehicles, trains, and aircraft which is discernible without instruments at the property line of the use concerned is prohibited.
 - 3. Smoke and Particulate Matter. Air emissions must meet standards approved by the Puget Sound Air Pollution Control Authority.
 - 4. Odors. The emission of noxious gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.

Commented [DG48]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
- C. **Administration.** As a condition for the granting of a building permit and/or site plan approval, at the request of the director, information sufficient to determine the degree of compliance with the standards in this title, shall be furnished by the applicant. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards or for special surveys. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.

Chapter 17.310 BUSINESS PARK (BP)

(Formerly Chapter 17.360)

Sections:

17.310.010 Purpose.

17.310.020 Uses permitted and design standards.

17.310.030 Special Revisions.

~~17.310.100 Master planning requirements for the ULID #6/McCormick Woods Sub-Area~~

17.310.010 Purpose.

This zone is intended to provide for integrated grouping of small to medium size businesses within an attractive park-like setting. The business park (BP) zone allows flexibility in the amount of space within each business dedicated to office use, warehousing, and/or light manufacturing operations. Permitted businesses are intended to support the creation, development and retention of primary wage employment in the professional and technical fields, and not intended for the general retail commercial needs of the area.

17.310.020 Uses permitted and Design Standards.

A. Uses Permitted: [Table 17.410.040\(B\) Commercial, Industrial, and Parks Zones](#)

B. Design Standards: [Table 17.420.050\(B\) Commercial, Industrial, and Parks Zones Density and Dimensions Table.](#)

1. [Density](#)

2. [Lot dimensions](#)

3. [Lot coverage standards](#)

4. [Height regulations](#)

5. [Setbacks](#)

C. [17.430 Off-Street Parking](#)

D. [17.440 Landscaping](#)

E. [17.450 Signs](#)

F. [17.500 Master Planning](#)

G. [17.510 Performance Based Development](#)

H. [17.520 Transfer of Development Rights](#)

I. [17.550 Interpretations and Exceptions](#)

17.310.030 Special Provisions.

A. Site requirements.

1. Fences. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry or business concerned; or to protect the public from a dangerous condition. Fences may not be constructed in a required yard adjacent to a public right-of-way.
2. Signs. Signs shall be permitted according to the provisions of Chapter [17.450](#).
 - a. Site Signs. No signs shall be constructed or installed above the highest point of a building roof, any perimeter signs adjacent to residential zones shall not be illuminated.
 - b. Tenant Signs. Tenant signs shall be wall mounted.
3. Site landscaping and design plan. Development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter [17.440](#), the following requirements shall apply:

Commented [DG49]: Remove Chapter Reference:
Master Planning Requirements ULID #6/McCormick Woods

Commented [DG50]: Formatting:
General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

- a. All required landscaping shall be installed prior to occupancy, unless installation is bonded at one hundred fifty percent of the cost of materials and labor (or other method) for a period not to exceed six months.
 - b. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven feet, or other screening measure as may be prescribed by the director.
 - c. Required setback areas adjacent to streets and those abutting a residential zone shall be continuously maintained in plantings, with such live ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.
 - d. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the director.
 - e. All mechanical, heating, and ventilating equipment shall be visually screened whether on grade or building mounted.
- B. **Performance standards.** No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:
1. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.
 2. Vibration, other than that caused by highway vehicles, trains, and aircraft which is discernible without instruments at the property line of the use concerned is prohibited.
 3. Smoke and particulate matter, air emissions must be approved by the Puget Sound Air Pollution Control Authority.
 4. Odors. The emission of noxious gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.
 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
- C. **Administration.** As a condition for the granting of a building permit and/or site plan approval, at the request of the director, information sufficient to determine the degree of compliance with the standards in this title, shall be furnished by the applicant. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards or for special surveys.

~~**360.100 Master planning requirements for the ULID #6/McCormick Woods Sub-Area.**
Consistent with Chapter 17.428, prior to any new development within an area zoned BP in the ULID #6/McCormick Woods Sub-Area, a master plan shall be prepared for the entirety of the BP zone located within the ULID #6/McCormick Woods Sub-Area prior to any new development; provided that, the director may decrease the area within the sub-area that will be included in the master plan upon making a written finding that doing so will not adversely effect the provision of a coordinated system of open space, parks, recreational areas, transportation improvements and water and wastewater facilities within the entirety of the zone.~~

Commented [DG51]: Remove Chapter Reference:
Master Planning Requirements ULID #6/McCormick Woods

Chapter 17.320-INDUSTRIAL (I) (Formerly Chapter 17.370)

Sections:

17.320.010 Purpose.

~~**17.320.022 Master planning – When required.**~~

~~**17.320.025 Existing plan recognition – Bremerton National Airport and Olympic View Industrial Park.**~~

17.320.020 Uses permitted and design standards.

17.320.030 Special provisions.

17.320.010 Purpose.

This urban zone allows a wide range of industrial activities including heavy industry such as fabrication, warehousing, processing of raw materials, bulk handling and storage, construction, and heavy transportation. This zone is intended to provide sites for activities which require processing, fabrication,

Commented [DG52]: Remove Reference:
Master Planning Requirements ULID #6/McCormick Woods and Bremerton National Airport

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storage, and wholesale trade. Generally, these activities require reasonable accessibility to major transportation corridors including highways, rail, airports or shipping.

17.330.022 Master planning – When required.

~~Development of Property within the South Kitsap Industrial Area (SKIA) with a Master Plan. Required overlay must be consistent with a master plan approved under Chapter 17.500 of this code. Property with no overlay, or a master plan optional overlay, may elect to develop a master plan to receive the expedited review of individual land use permits shown in Section 17.410.040(C). Master plans developed within the SKIA must include analyses of the entire sub-basin(s) in which the development is proposed.~~

~~(Ord. 467 (2010) § 8 (Appx. B (part)), 2010: Ord. 415 (2008) § 129, 2008: Ord. 311 (2003) [Attachment 5 [§ 6 (part)]], 2003)~~

17.330.025 Existing plan recognition – Bremerton National Airport and Olympic View Industrial Park.

~~Except for development of Port of Bremerton properties located within sub-basin(s) where storm water runoff flows to the business-center zone properties with a master plan required overlay, plans for the Bremerton National Airport and the Olympic View Industrial Park in place before the adoption of the South Kitsap Industrial Area Plan will be considered master plans consistent with Chapter 17.500 until the earliest of the following events:~~

~~A. The Port of Bremerton chooses to submit a master plan(s) meeting the requirements of Chapter 17.500; or~~

~~B. The Port of Bremerton or other developers of these lands within these areas submit development applications inconsistent with the currently recognized plans.~~

~~(Ord. 467 (2010) § 8 (Appx. B (part)), 2010: Ord. 367 (2006) § 89, 2006: Ord. 311 (2003) [Attachment 5 [§ 6 (part)]], 2003)~~

17.320.020 Uses permitted and Design Standards.

~~A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones~~

~~B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.~~

~~1. Density~~

~~2. Lot dimensions~~

~~3. Lot coverage standards~~

~~4. Height regulations~~

~~5. Setbacks~~

~~C. 17.430 Off-Street Parking~~

~~D. 17.440 Landscaping~~

~~E. 17.450 Signs~~

~~F. 17.500 Master Planning~~

~~G. 17.510 Performance Based Development~~

~~H. 17.520 Transfer of Development Rights~~

~~I. 17.550 Interpretations and Exceptions~~

17.320.030 Special provisions.

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

A. Lot Requirements.

1. Lot area – None.

2. Lot width – None.

3. Lot depth – Minimum lot depth shall be two hundred feet.

B. Lot setback – Minimum lot setback shall be one hundred feet for any yard abutting a residential zone, unless berming and landscaping approved by the director is provided which will effectively

Commented [DG53]: Remove Reference:

Master Planning Requirements ULID #6/McCormick Woods and Bremerton National Airport

Commented [DG54]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

screen and buffer the industrial activities from the residential zone which it abuts; in which case, the minimum setback shall be fifty feet.

1. Front Yard – Minimum front yard setback shall be forty feet.
 2. Side Yard – Minimum side yard setback shall be twenty-five feet.
 3. Rear Yard – Minimum rear yard setback shall be twenty feet.
- C. **Lot coverage** – Maximum lot coverage by buildings shall be consistent with provisions set forth in Section 17.420.070 Commercial, Industrial, and Parks Zones Density and Dimensions Table.
1. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted within required yard areas adjacent to residential zones.
 2. No yards are required at points where side or rear yards abut a railroad right-of-way or spur track.
- D. **Fences, walls and hedges** will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry concerned, or to protect the public from a dangerous condition with no fence being constructed in a required yard adjacent to public right-of-way.
- E. **Off-street parking and loading** shall be provided as required by Chapter 17.430. No off-street parking or loading shall be allowed within fifty feet of an adjacent residential zone, unless the director finds that a buffer will exist that effectively screens the parking and loading from the adjacent residential zone, in which case, no off-street parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or loading may be permitted within the side yard but not within a required front yard area.
- F. **Site Landscaping and Design Plan.** As a component of land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter 17.440 and any required design standards for the area, the following requirements shall apply:
1. All required landscaping shall be installed prior to occupancy.
 2. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven feet, or other screening measure as may be prescribed by the director.
 3. Areas which are to be maintained shall be so designated on a landscape plan, and subject to the review and approval of the director.
 4. All mechanical, heating and ventilating equipment shall be visually screened.
- G. **Performance Standards.** No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:
1. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.
 2. Vibration other than that caused by highway vehicles, trains, and aircraft which is discernible without instruments at the property line of the use concerned is prohibited.
 3. Air emissions (smoke and particulate matter) must be approved by the Puget Sound Air Pollution Control Authority.
 4. The emission of noxious gases (odors) or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.
 5. Heat and glare, except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
- H. **Administration.** As a condition for the granting of a building permit and/or site plan approval, at the request of the director, information sufficient to determine the degree of compliance with the standards in this title shall be furnished by the applicant. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards or for special surveys.

Chapter 17.330-RURAL INDUSTRIAL (RI)	(Formerly Chapter 17.370)
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Sections:

17.330.010 Purpose.

17.330.020 Uses permitted and design standards.

17.330.030 Special provisions.

DRAFT REGULATIONS

17.330.010 Purpose.

This zone provides for small-scale light industrial, light manufacturing, recycling, mineral processing, and resource-based goods production uses that are compatible with rural character and do not require an urban level of utilities and services.

17.330.022 Master planning – When required.

~~Development of Property within the South Kitsap Industrial Area Puget Sound Industrial Center - Bremerton (SKIAPSIC-B) with a Master Plan. Required overlay must be consistent with a master plan approved under Chapter 17.500 of this code. Property with no overlay, or a master plan optional overlay, may elect to develop a master plan to receive the expedited review of individual land use permits shown in Section 17.410.040(C). Master plans developed within the SKIAPSIC-B must include analyses of the entire sub-basin(s) in which the development is proposed.
(Ord. 467 (2010) § 8 (Appx. B (part)), 2010; Ord. 415 (2008) § 129, 2008; Ord. 311 (2003) [Attachment 5 [§ 6 (part)]], 2003)~~

Commented [DG55]: Remove Reference:
Master Planning Requirements ULID #6/McCormick Woods and Bremerton National Airport

~~17.330.025 Existing plan recognition – Bremerton National Airport and Olympic View Industrial Park. Except for development of Port of Bremerton properties located within sub-basin(s) where storm water runoff flows to the business center zone properties with a master plan required overlay, plans for the Bremerton National Airport and the Olympic View Industrial Park in place before the adoption of the South Kitsap Industrial Area Puget Sound Industrial Center - Bremerton Plan will be considered master plans consistent with Chapter 17.500 until the earliest of the following events:~~

~~A. The Port of Bremerton chooses to submit a master plan(s) meeting the requirements of Chapter 17.500; or~~

~~B. The Port of Bremerton or other developers of these lands within these areas submit development applications inconsistent with the currently recognized plans.~~

~~(Ord. 467 (2010) § 8 (Appx. B (part)), 2010; Ord. 367 (2006) § 89, 2006; Ord. 311 (2003) [Attachment 5 [§ 6 (part)]], 2003)~~

17.330.020 Uses permitted and Design Standards.

~~A. Uses Permitted: Table 17.410.040(B) Commercial, Industrial, and Parks Zones~~

~~B. Design Standards: Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.~~

~~1. Density~~

~~2. Lot dimensions~~

~~3. Lot coverage standards~~

~~4. Height regulations~~

~~5. Setbacks~~

~~C. 17.430 Off-Street Parking~~

~~D. 17.440 Landscaping~~

~~E. 17.450 Signs~~

~~F. 17.500 Master Planning~~

~~G. 17.510 Performance Based Development~~

~~H. 17.520 Transfer of Development Rights~~

~~I. 17.550 Interpretations and Exceptions~~

Commented [DG56]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

17.330.030 Special provisions.

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

A. **Lot Requirements.**

DRAFT REGULATIONS

1. **Lot setback** – Minimum lot setback shall be one hundred feet for any yard abutting a residential zone, unless berming and landscaping approved by the director is provided which will effectively screen and buffer the industrial activities from the residential zone which it abuts; in which case, the minimum setback shall be fifty feet.
 - a. Front Yard – Minimum front yard setback shall be forty feet.
 - b. Side Yard – Minimum side yard setback shall be twenty-five feet.
 - c. Rear Yard – Minimum rear yard setback shall be twenty feet.
2. **Lot coverage** – Maximum lot coverage by buildings shall be consistent with provisions set forth in Section 17.420.070 Commercial, Industrial, and Parks Zones Density and Dimensions Table.
 - a. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted within required yard areas adjacent to residential zones.
 - b. No yards are required at points where side or rear yards abut a railroad right-of-way or spur track.
3. **Fences, walls and hedges** will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry concerned, or to protect the public from a dangerous condition with no fence being constructed in a required yard adjacent to public right-of-way.
4. **Signs** shall be permitted according to the provisions of Chapter 17.450.
5. **Off-street parking and loading** shall be provided as required by Chapter 17.430. In addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent residential zone, unless the director finds that a buffer will exist that effectively screens the parking and loading from the adjacent residential zone, in which case, no off-street parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or loading may be permitted within the side yard but not within a required front yard area. Off-street loading shall not be permitted in a required side or rear yard setback abutting a residential zone. No off-street loading may be permitted within fifty feet of a public right-of-way or access easement.
6. **Site Landscaping and Design Plan.** As a component of land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter 17.440 and any required design standards for the area, the following requirements shall apply:
 - a. All required landscaping shall be installed prior to occupancy.
 - b. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven feet, or other screening measure as may be prescribed by the director.
 - c. Areas which are to be maintained shall be so designated on a landscape plan, and subject to the review and approval of the director.
 - d. All mechanical, heating and ventilating equipment shall be visually screened.
7. **Performance Standards.** No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:
 - a. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.
 - b. Vibration other than that caused by highway vehicles, trains, and aircraft which is discernible without instruments at the property line of the use concerned is prohibited.
 - c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound Air Pollution Control Authority.
 - d. The emission of noxious gases (odors) or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.
 - e. Heat and glare, except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.

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8. **Administration.** As a condition for the granting of a building permit and/or site plan approval, at the request of the director, information sufficient to determine the degree of compliance with the standards in this title shall be furnished by the applicant. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards or for special surveys.

Chapter 17.340 - PARKS (P)

(Formerly Chapter 17.377)

Sections:

17.340.010 Purpose.

17.340.020 Uses permitted and design standards.

17.340.030 Special provisions.

17.340.010 Purpose.

The intent of this zone is to create long-term consistency between the purpose for the purchase of parks and open space properties and the zoning regulations that apply to their development. **Properties zoned as parks include all parks identified in the Kitsap County park inventory list and Washington State Parks.** Parks properties are intended for the development of parks, open space areas and recreational facilities for the benefit of the citizens of Kitsap County. Uses for these properties should be limited to those serving this purpose.

Commented [DG57]: Modify purpose statement:
Reason: Clarification necessary for zoning designation and mapping purposes.

17.340.020 Uses permitted and Design Standards.

A. Uses Permitted: [Table 17.410.040\(B\) Commercial, Industrial, and Parks Zones](#)

B. Design Standards: [Table 17.420.050\(B\) Commercial, Industrial, and Parks Zones Density and Dimensions Table.](#)

1. [Density](#)

2. [Lot dimensions](#)

3. [Lot coverage standards](#)

4. [Height regulations](#)

5. [Setbacks](#)

C. [17.430 Off-Street Parking](#)

D. [17.440 Landscaping](#)

E. [17.450 Signs](#)

F. [17.500 Master Planning](#)

G. [17.510 Performance Based Development](#)

H. [17.520 Transfer of Development Rights](#)

I. [17.550 Interpretations and Exceptions](#)

Commented [DG58]: Formatting:
General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.
Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

17.340.030 Special provisions.

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

Chapter 17.350 - RESERVED.

(Formerly N/A)

Commented [DG59]: Future: PUBLIC FACILITY ZONE (PF)

DRAFT REGULATIONS

Chapter 17.360 LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (LAMIRD)* (Formerly Chapter 17.321)

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

Chapter 17.360 A KEYPORT RURAL VILLAGE (Formerly Chapter 17.321 D)

Sections:

17.360A.010 Purpose.

17.360A.020 Uses permitted and design standards.

17.360A.030 Special provisions.

17.360A.010 Purpose.

The purpose of this chapter is to set forth the regulations, procedures and special development objectives that apply to the Keyport rural village. The county has identified Keyport as a limited area of more intensive rural development (LAMIRD). A fundamental underpinning of this chapter is to comply with the requirements of the State Growth Management Act, while preserving and enhancing the unique historic character of the village. The intent of these regulations is to provide for visually compatible infill, development, and redevelopment of the existing commercial and residential areas in Keyport, while also containing such development within logical, permanent LAMIRD boundaries.

In the event of a conflict between the requirements of these regulations for the Keyport rural village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern. The Keyport Community Plan shall be considered as a reference in any resolution.

Within the Keyport rural village, three land use zones exist. The purpose of each of the three Keyport rural village zones is set forth below.

- A. **Keyport Village Residential (KVR).** This zone is intended to recognize and encourage redevelopment of the historic residential patterns within the village. Residential densities may approximate historic densities but shall not exceed five dwelling units per acre.
- B. **Keyport Village Commercial (KVC).** This zone is intended to meet many of the village needs for basic retail shopping, tourism, and local services. The zone also recognizes and reflects the historically significant commercial use of the village, as well as the types of uses present in July, 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents. Residential densities may approximate historic densities of five dwelling units per acre with the provision for a mixed-use development density bonus based upon the historic underlying platted lots.
- C. **Keyport Village Low Residential (KVLR).** This zone is intended to recognize and encourage redevelopment of the existing residential patterns in the Keyport village area west of Sunset Avenue. Residential densities may approximate historic density maximums of two dwelling units per acre with a provision for performance based developments to allow a maximum of three units per acre per the conditions of KCC 17.360 A.090(B).

17.360A.020 Uses permitted and Design Standards.

- A. **Uses Permitted:** [Table 17.410.040\(C\) Limited Areas of More Intensive Rural Development \(LAMIRD\).](#)
- B. **Design Standards:** [Table 17.420.050\(C\) Limited Areas of More Intensive Rural Development \(LAMIRD\) Density and Dimensions Table.](#)
 1. [Density](#)
 2. [Lot dimensions](#)
 3. [Lot coverage standards](#)
 4. [Height regulations](#)
 5. [Setbacks](#)

Commented [DG60]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

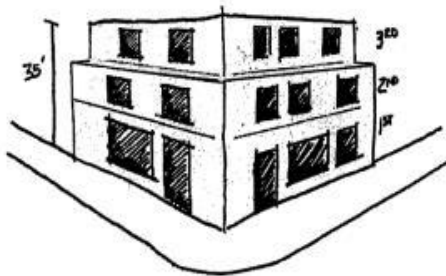
Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

DRAFT REGULATIONS

- C. [17.430 Off-Street Parking](#)
- D. [17.440 Landscaping](#)
- E. [17.450 Signs](#)
- F. [17.500 Master Planning](#)
- G. [17.510 Performance Based Development](#)
- H. [17.520 Transfer of Development Rights](#)
- I. [17.550 Interpretations and Exceptions](#)

17.360A.030 Special provisions.

- A. **Applicability.** This chapter applies to all development within the boundaries of the Keyport Limited Area of More Intense Development (LAMIRD). The Comprehensive Plan and the county zoning maps designate the permanent LAMIRD boundaries and zoning districts within the LAMIRD boundaries. In the event of a conflict between the requirements of these regulations and any other applicable statute, rule, ordinance, or regulation, the more restrictive regulation shall apply.
- B. All references to Keyport Design Guidelines shall refer to the Keyport Community Plan, Appendix G. In order to ensure that all commercial development furthers the goal of maintaining and enhancing the rural character of the village, all commercial development shall comply with the Keyport development objectives of Section 17.360 A.020. The director of community development shall refer any formal proposal requiring an administrative conditional use permit or conditional use permit or PBD approval for consistency with the Keyport Design Guidelines as provided by the Keyport Community Plan, Appendix G. Within the area identified as the Keyport Rural Village Limited Area of More Intense Rural Development (LAMIRD), the following conditions apply to all commercial development within Keyport Village Commercial (KVC) or Neighborhood Commercial (NC) zones for:
1. All new construction, including any land use permit, grading or building permit, must undergo review by the department of community development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.
 2. Any remodel of existing structures that impacts more than twenty percent of the perimeter walls of the structure must undergo review by the department of community development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.
 3. Any remodel of existing structures that impacts more than fifty percent of the building facade along Washington Avenue must undergo review by the department of community development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.
- C. **Height.** In addition to height regulations in Chapter 17.420:
1. No structure in the Keyport Village Commercial (KVC) zone shall be constructed to have more than two stories facing Washington Avenue; provided however, additional stories may be allowed if those stories above the second story are set back a minimum of ten additional feet from the facade line and if the building otherwise meets height limitations.
 2. Sub-grade stories and basements are permitted up to thirty inches above sidewalk grade along Washington Avenue.
- D. **Parking.** Parking requirements for all uses shall be determined by the director through analysis of the proposed use and with reference to the parking requirements of Chapter 17.430. The availability of street parking may be considered by the director. The determination of the director shall be an administrative decision made concurrently with the department's decision or recommendation on a proposal.



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1. Parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from street view.
 2. All required commercial parking in the KVC zone may be provided off-site in shared or joint use parking areas, or considered with on-street parking except that provision must be made to develop or reserve on-site or on-street parking spaces for handicapped parking.
 3. All required residential parking in the KVC zone for mixed use projects must be provided on site. No off-site parking is acceptable for residential parking requirements.
 4. Shared or joint use parking lots shall be screened. The following standards may be modified upon recommendation of the director.
 - a. From adjacent residential zones by six-foot-high solid wood fencing or landscaped screen, or similar visual separation intended to soften the edges of the parking area;
 - b. From adjacent streets by a combination of solid wood fencing, plantings, public seating, shelters, or public information kiosks. Screening and plantings shall be of a height to shield light from vehicles but shall not interfere with general visibility into the parking area for public safety purposes. The goal is to achieve visual separation and soften the edges of the parking area.
 5. Shared or joint use parking lots shall provide internal landscaping as follows:
 - a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in addition to the perimeter or street screening, must be provided for each stall, including one tree for every five stalls.
 - b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping shall be provided for each stall over fifty, including one tree for every four stalls over fifty.
 - c. Landscaped areas shall have minimum dimensions of four feet in any direction, exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.
 - d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if deciduous.
 - e. Landscaped areas shall be distributed equally throughout the parking area to create shade and break up large expanses of asphalt or other paving.
- E. **Signs and lighting.**
1. Signs and external lighting shall be designed to reflect historic styling and comply with the town development objectives and shall be reviewed by the director or designee for architectural and site design consistency with the Keyport Design Guidelines.
 2. Internal illumination and neon lighting or signage is prohibited, except for window signs not exceeding four square feet; provided, that an applicant may request review of proposed signs by the director or his designated community committee, if one has been appointed. Following such review and on the recommendation of the committee, the director may allow internally illuminated signs or signs with neon lighting.
- F. Within the area identified as the Keyport Rural Village, the following conditions apply to all existing, newly created and or reconfigured lots.
1. All new construction, including any site development activity permit (SDAP), grading or building permit requiring access to a county right-of-way, must undergo appropriate review by the department of public works to meet current right-of-way use requirements before any site work may begin.
 2. No grading of more than seventy-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.
 3. Drainage review is required prior to issuance of any SDAP or building permit. When the issuance of a grading or building permit will result in an increase in the total amount of impervious surface that currently exists on a lot:
 - a. The director will review each SDAP and building permit application to determine whether special drainage requirements are necessary to prevent newly installed impervious surfaces from creating a drainage problem or exacerbating an existing drainage problem. In making this determination, the director may consult the citizen complaint data bases, perform an on-site inspection, review the condition of the receiving downstream drainage system, review the Kitsap County soil survey, and consult with the surface and storm water management program to determine if there have been identified drainage problems or corrections that are located in the vicinity of the application. The director will conduct his review in accordance

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with the "Downstream Analysis" section of Chapter 2 of the county's Storm Water Design Manual;

- b. If, in the opinion of the director, the proposal will not create a drainage problem or exacerbate an existing drainage problem, the applicant, will be required to meet the minimum drainage and erosion control requirements of the Storm Water Management Ordinance (Chapters 12.04 through 12.32 of this code);
 - c. If, in the opinion of the director, the proposal will create or exacerbate an existing drainage problem then, before the director can recommend approval of the application, the applicant may be required to:
 - i. Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;
 - ii. Provide on-site storm water management BMPs to reduce or eliminate surface water discharge; and/or
 - iii. Improve or contribute to the improvement of the downstream drainage system.
- G. Within the Keyport Village low residential zone, the following conditions apply to all newly created and/or reconfigured lots that request or result in a density of three units per acre.
1. Three units per acre may only be requested through a performance based development (Chapter 17.510) and the use of lot clustering, common open space (Section 17.510.040(B)).
 - a. Within the Keyport LAMIRD, recreational open space (Section 17.510.040(C)) is modified as follows. All residential PBDs in Keyport village low residential shall provide a developed recreational area that meets the following requirements:
 - i. A contiguous area that is five percent of the lot area, (excluding critical areas). Said area shall be:
 - (a) Developed as an open grass field (manicured to a condition that allows mowing by mechanical means) or a natural area (not inside critical areas, or their buffers), that contains a pathway and benches;
 - (b) Owned in common and/or available for use by all residents of Keyport; and
 - (c) A provision implemented by the covenants for perpetual maintenance.
 - ii. A developed active recreation facility or facilities commensurate with the number of units/lots contained within the PBD. A "facility" shall be: a paved "sport court"; children's play area; exercise fitness trail; community garden area with water service; or similar amenity (bocce ball, volleyball, horseshoes, putting green, rock climbing wall, etc.)
Facilities shall be provided as follows:
 - (a) One facility per every three lots, partial calculations above 0.49 are rounded up to include an additional facility.
 - (b) All facilities shall be located adjacent to a public right-of-way or provided pedestrian easement access to the nearest public right-of-way and shall include directional signage and signage identifying the ability for public use.
 - (c) Land shown in the final development plan as common open space, and its landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 - (i) An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a change in use in a way inconsistent with the final development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;
 - (ii) A private nonprofit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and

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

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Chapter 17.360 B MANCHESTER RURAL VILLAGE

(Formerly Chapter 17.321 C)

Sections:

[17.360B.010 Purpose.](#)

[17.360B.020 Uses permitted and design standards.](#)

[17.360B.030 Special provisions.](#)

17.360B.010 Purpose.

MVC, MVLR, MVR

The May 7, 1998 Comprehensive Plan stated that the county could use limited areas of more intense rural developments (LAMIRDs) to reconcile historical land development patterns, and Manchester was identified as a candidate for this designation. As result of a public planning effort, the Manchester Community Plan was initially developed in 2002, setting specialized goals and policies for the Manchester Village. This subchapter establishes development regulations to implement these goals and policies. In addition to these regulations, the policies and goals of the Manchester Community Plan are incorporated herein by reference, and application within the Manchester LAMIRD must also be able to demonstrate compliance with the Manchester Community Plan. In the event of a conflict between the requirements of these regulations for the Manchester Rural Village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern.

17.360B.020 Uses permitted and Design Standards.

[A. Uses Permitted: Table 17.410.040\(C\) Limited Areas of More Intensive Rural Development \(LAMIRD\).](#)

[B. Design Standards: Table 17.420.050\(C\) Limited Areas of More Intensive Rural Development \(LAMIRD\) Density and Dimensions Table.](#)

[1. Density](#)

[2. Lot dimensions](#)

[3. Lot coverage standards](#)

[4. Height regulations](#)

[5. Setbacks](#)

[C. 17.430 Off-Street Parking](#)

[D. 17.440 Landscaping](#)

[E. 17.450 Signs](#)

[F. 17.500 Master Planning](#)

[G. 17.510 Performance Based Development](#)

[H. 17.520 Transfer of Development Rights](#)

[I. 17.550 Interpretations and Exceptions](#)

17.360B.030 Special Provisions

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

B. **Sewer connections.** All new development within two hundred feet of existing sewer lines must be connected to sewer to develop. Additions or remodels to existing structures involving an increase in sewage flow beyond the existing capacity of the septic system constitute new development.

C. **Access prohibition.** Commercial properties are prohibited from using private residential roadways for vehicular or pedestrian access. ~~through commercial properties is prohibited.~~

D. **Off-street parking requirements.** The off-street parking requirements for commercial uses within the Manchester Village are identical to those found in Chapter 17.430 of this title, except as follows:

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

2. Retail and personal service establishments generating heavy automobile traffic, such as department, drug and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty

Commented [DG61]: Formatting:

General references in each zoning description are now consolidated into one location. Every zone description includes a reference to this section.

Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

Commented [DG62]: Correction:

Grammatical correction.

DRAFT REGULATIONS

- and barber shops – one parking space per two hundred twenty-five square feet of gross floor area;
3. Drive-in and fast food restaurants – one parking space per one hundred twenty-five square feet of gross floor area with a minimum of five, provided, drive-in window holding and stacking area shall not be considered parking places;
 4. Restaurants, Drinking Establishments.
 - a. If under four thousand square feet of gross floor area – one parking space per three hundred square feet of gross floor area;
 - b. If four thousand or more square feet of gross floor area – sixteen parking spaces, plus one parking space per each additional one hundred fifty square feet of gross floor area over four thousand square feet;
 5. Medical and dental office or clinic – one parking space per three hundred square feet of gross floor area;
 6. Bank, professional office (except medical or dental) – one parking space per five hundred square feet of gross floor area.

Chapter 17.360 C PORT GAMBLE RURAL HISTORIC TOWN	(Formerly Chapter 17.321 B)
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Sections:

17.360C.010 Purpose.

17.360C.020 Town development objectives.

17.360C.040 Uses permitted and design standards.

17.360C.045 Special provisions.

17.360C.010 Purpose.

The purpose of this chapter is to set forth the regulations, procedures and special development objectives that apply to the rural historic town of Port Gamble. In the event of a conflict between the requirements of these regulations and any other applicable statute, rule, ordinance, or regulation, the more restrictive regulation shall apply. The county has identified Port Gamble as a limited area of more intensive rural development (LAMIRD) and classified the town as a rural historic town (RHT). A fundamental underpinning of this chapter is to comply with the requirements of the State Growth Management Act, while preserving and enhancing the unique historic qualities of the town. The intent of these regulations is to provide for visually compatible infill, development, and redevelopment of the existing commercial, industrial and residential areas in Port Gamble, while also containing such development within logical, permanent town boundaries.

Within the rural historic town of Port Gamble, three land use zones exist. The purpose of the three RHT zones is set forth below.

- A. **Rural Historic Town Residential (RHTR).** This zone is intended to recognize and encourage redevelopment of the historic residential patterns in the town. Residential densities may approximate historic town densities but shall not exceed 2.5 dwelling units per acre. Residential acreage in the RHTR zone totals 69.76 acres, including the town cemetery. Site design and architecture in the RHTR zone may reflect new interpretations of the historic styles and patterns, but must also work to enhance and preserve the defining "company town" characteristics of Port Gamble as described in the Historic American Engineering Record for Port Gamble, Washington, dated August 1997, on file with the department of community development. To ensure that historic platting patterns are acknowledged, maximum lot sizes shall apply and community open space is required.
- B. **Rural Historic Town Commercial (RHTC).** This zone is intended to meet many of the town needs for basic shopping and simple services. The zone also recognizes and reflects the historically

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significant commercial use of the town, as well as the types of uses present in July 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents.

- C. **Rural Historic Town Waterfront (RHTW).** This zone is intended to allow for maintaining, developing, or redeveloping a range of uses reflecting historic development and 1990 uses while supporting revitalization of the town as a whole. Forest products manufacturing, natural resource industries, and waterfront shipping are allowed, within the constraints imposed by the county's Shoreline Management Master Program. Other less intensive industrial and commercial uses similar to those of the commercial zone are also allowed. The areas within two hundred feet of the water are governed by the county's Shoreline Management Master Program, which expresses a preference for water-dependent or water-related uses.

17.360C.020 Town development objectives.

In 1967, Port Gamble was added to the National Register of Historic Places and designated a Historic Landmark. The designation recognized the unique aspects of the town, including its development as a "company town" built around the former Pope Resources (Puget Mill Company/Pope & Talbot) sawmill. The mill began operation in 1853 and, until its closure in 1995, was the oldest continuously operating sawmill and company town in the nation. In recognition of the historic value of Port Gamble and the unique factors affecting maintenance and potential development or redevelopment of the town, the county created a special planning and zoning designation for the town. In addition, special town development objectives (TDOs), set forth below, have been adopted to ensure that development maintains and enhances the defining and essential characteristics of the town.

- A. Development proposals shall be designed in a manner that highlights and enhances the historic nature of the town. Building design shall be based on characteristics of historic structures, but need not literally mimic historic styles. New structures are to be compatible with the old in mass, scale and character, but subtle differences in stylistic treatment that make buildings distinguishable as new construction are appropriate.
- B. New construction, including site design and layout, may reflect the evolution of the town, but must retain the existing visually significant sense of historic time and place. Development proposals should strive to create a dialogue between new and historic development in the town.
- C. In reviewing development proposals, the county shall consider architectural styles and traditional site design. The Secretary of the Interior's Standards for Historic Preservation Projects (36 CFR 68) shall be used as a guideline for evaluating future development. The Historic American Engineering Record for Port Gamble, Washington, dated August 1997, on file with the department of community development shall also be used to evaluate future development. In addition, new development shall, to the greatest extent feasible, comply with the following objectives:
1. New development shall reflect historic town platting patterns, including small lot development, alleys, narrow streets, sidewalks, on-street parking, and historic styles of street lighting.
 2. Homes shall face the street, with access for garages and parking off alleys whenever possible. Detached garages are preferred, with alley access or shared driveway access from the street. A development pattern with repeating double-bay garage doors facing the street shall be prohibited.
 3. Large community open spaces are preferred, rather than large private yards.
 4. Development in the RHTC zone shall be compatible in massing, size and scale with historic structures. As with residential development, existing styles should provide the basic framework, but new development shall be differentiated from the old.
 5. Waterfront development may reflect the significant industrial and commercial nature of early uses on the site. Larger, bulkier structures than would be allowed in the RHTR and RHTC zones may be permitted in this zone. Tilt-up concrete structures, reflective glass, or other treatments which commonly characterize modern industrial park developments are to be prohibited.
 6. Parking for the RHTC and RHTW zones shall be provided in shared or common parking areas whenever feasible. The parking standards set forth in Section 17.360 C.070 shall be considered an element of these TDOs and shall apply to all new commercial and waterfront development.
 7. New development shall be landscaped in such a manner as to reflect the historical character of the town and preserve and enhance publicly accessible open spaces and retain mature trees to the extent possible.

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8. Creating, enhancing and preserving a town commons or a series of connected public open space linkages shall be required in conjunction with any master planned or other significant redevelopment of the town that reflects the same qualities of the historic town including visual assets and species of vegetation.
- D. All development in the town shall comply with these TDOs. TDO review may occur for simple permitted uses as part of the building permit plan review process.
- E. As provided for in the Comprehensive Plan, a qualified consultant or site design and architectural review committee shall be appointed to provide comments or a recommendation on all proposed development.
- F. The TDOs and other development standards of this chapter shall be applied to a defined project area (DPA) as designated by the applicant. Alternatively, development proposals shall include boundary line adjustments, subdivisions, or binding site plans that serve to define lot, site or project area.

17.360B.020 Uses permitted and design standards.

- A. Uses Permitted: Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).
- B. Design Standards: Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.
 1. Density
 2. Lot dimensions
 3. Lot coverage standards
 4. Height regulations
 5. Setbacks
- C. 17.430 Off-Street Parking
- D. 17.440 Landscaping
- E. 17.450 Signs
- F. 17.500 Master Planning
- G. 17.510 Performance Based Development
- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.360C.030 Special provisions.

- A. **Procedures.** In order to ensure that all development furthers the goal of maintaining and enhancing the historic nature of the town, all development shall comply with the town development objectives of Section 17.360 C.025. The director of community development shall refer any formal proposal requiring a conditional use permit or PBD approval for review by the architectural and site design committee or consultant as provided by the Comprehensive Plan.

Any proposal for large-scale development or redevelopment, as determined by the director, shall require preparation of a town master plan. Examples of large-scale development include subdivisions creating five or more lots, residential development of five or more homes, or new commercial development greater than five thousand square feet. A town master plan that lays out the preferred development scenario and phasing for each of the three zones may be approved by the board of county commissioners using the performance based development process of Chapter 17.510. (The TDOs and specific requirements of this chapter for density, height, parking, and other development standards shall replace the PBD standards and requirements of Section 17.510.040.) Detailed project-level environmental analysis, including analysis of site-specific alternatives, shall be required as part of a master plan review.
- B. **Infrastructure capacity required.**

In all zones, no development shall be allowed unless adequate infrastructure, including but not limited to sewer and water service, is available. Allowed densities shall be restricted to reflect the capacity of the sewer and water systems.
- C. **Parking.**
 1. Parking requirements for all uses shall be determined by the director through analysis of the proposed use and with reference to the parking requirements of Chapter 17.430. The availability

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Chapters 440, 500, 510, 520, 550 were originally included in the "Other provisions" sections.

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of street parking may be considered by the director. The determination of the director shall be an administrative decision made concurrently with the department's decision or recommendation on a proposal.

2. Parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from street view.
3. All required parking in the RHTC and RHTW zones may be provided off-site in shared or joint use parking areas, except that provision must be made to develop or reserve on-site or on-street parking spaces for handicapped parking.
4. Shared or joint use parking lots shall be screened. The following standards may be modified upon recommendation of the consultant or architectural and site design review committee.
 - a. From adjacent residential zones by six foot high solid wood fencing or by a three foot high earthen berm planted densely with native evergreen shrubs and groundcover to form a visual separation and soften the edges of the parking area;
 - b. From adjacent streets by a combination of solid wood fencing, plantings, public seating, shelters, or public information kiosks. Screening and plantings shall be of a height to shield light from vehicles but shall not interfere with general visibility into the parking area for public safety purposes. The goal is to achieve visual separation and soften the edges of the parking area.
 - c. From adjacent commercial properties by a four-foot wide perimeter landscape area, planted to achieve visual separation and soften the edges of the parking area.
5. Shared or joint use parking lots shall provide internal landscaping as follows:
 - a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in addition to the perimeter or street screening, must be provided for each stall, including one tree for every five stalls.
 - b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping shall be provided for each stall over fifty, including one tree for every four stalls over fifty.
 - c. Landscaped areas shall have minimum dimensions of four feet in any direction, exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.
 - d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if deciduous.
 - e. Landscaped areas shall be distributed equally throughout the parking area to create shade and break up large expanses of asphalt or other paving.

D. **Signs and Lighting.**

1. Signs and external lighting shall be designed to reflect historic styling and comply with the town development objectives and shall be reviewed by an architectural and site design review committee.
2. Internal illumination and neon lighting or signage is prohibited, except for window signs not exceeding four square feet; provided, that an applicant may request review of proposed signs by an architectural and site design review committee, if one has been appointed. Following such review and on the recommendation of the committee, the director may allow internally illuminated signs or signs with neon lighting.
3. All other requirements of Chapter 17.450, Signs, apply in the RHT zones.

Chapter 17.360 D SUQUAMISH RURAL VILLAGE

(Formerly Chapter 17.321 A)

Sections:

17.360D.010 Purpose.

17.360D.020 Uses permitted and design standards.

17.360D.030 Special provisions.

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17.360D.010 Purpose.

In 2000, the Suquamish Limited Area of More Intense Rural Development, or LAMIRD, was established in the Kitsap County Comprehensive Plan and includes Suquamish Village Commercial (SVC), Suquamish Village Low Residential (SVLR), Suquamish Village Residential (SVR). These amendments within the LAMIRD designation provided an opportunity to help reconcile the county's historical land use pattern within the parameters of the Growth Management Act (GMA). The purpose of this section is to reflect the rural character of the Suquamish areas as prescribed by the Suquamish Rural Village Sub-Area Plan.

In the event of a conflict between the requirements of these regulations for the Suquamish Rural Village Sub-Area Plan and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern.

17.360D.020 Uses permitted and design standards.

A. Uses Permitted: Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

B. Design Standards: Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.

1. Density

2. Lot dimensions

3. Lot coverage standards

4. Height regulations

5. Setbacks

C. 17.430 Off-Street Parking

D. 17.440 Landscaping

E. 17.450 Signs

F. 17.500 Master Planning

G. 17.510 Performance Based Development

H. 17.520 Transfer of Development Rights

I. 17.550 Interpretations and Exceptions

17.360D.030 Special provisions.

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

- A. All new construction, including any site development activity permit (SDAP), grading or building permit requiring access to a county right-of-way, must undergo appropriate review by the department of public works to meet current right-of-way use requirements before any site work may begin.
- B. No right-of-way may be opened or improved without the approval of the director of the department of public works or his designee (director).
- C. No grading of more than twenty-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.
- D. Drainage review is required prior to issuance of any SDAP or building permit. When the issuance of a grading or building permit will result in an increase in the total amount of impervious surface that currently exists on a lot:
 1. The director will review each SDAP and building permit application to determine whether special drainage requirements are necessary to prevent newly installed impervious surfaces from creating a drainage problem or exacerbating an existing drainage problem. In making this determination, the director may consult the citizen complaint databases, perform an on-site inspection, review the condition of the receiving downstream drainage system, review the Kitsap County soil survey, and consult with the surface and storm water management program to determine if the Suquamish Drainage Study, currently underway, has identified drainage problems or corrections that are located in the vicinity of the application. The director will conduct his review in accordance with the "Downstream Analysis" section of Chapter 2 of the county's Storm Water Design Manual;
 2. If, in the opinion of the director, the proposal will not create a drainage problem or exacerbate an existing drainage problem, the applicant will be required to meet the minimum drainage and

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erosion control requirements of the Storm Water Management Ordinance (Chapters 12.04 through 12.32 of this code);

3. If, in the opinion of the director, the proposal will create or exacerbate an existing drainage problem then, before the director can recommend approval of the application, the applicant may be required to:
 - a. Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;
 - b. Provide on-site storm water management BMPs to reduce or eliminate surface water discharge; and/or
 - c. Improve or contribute to the improvement of the downstream drainage system.

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Chapter 17.360 E RURAL EMPLOYMENT CENTER (REC) AND 12 TREES EMPLOYMENT CENTER (TTEC) (Formerly Chapter 17.376)

Sections:

17.360E.010 Purpose.

17.360E.020 Uses permitted and design standards.

17.360E.030 Special provisions.

17.360E.010 Purpose.

The Rural Employment Center (REC) and 12 Trees Employment Center (TTEC) zones provide for isolated areas of industrial and commercial type uses in the rural areas of Kitsap County. The REC and TTEC are not required to principally serve the existing and projected rural population, but rather to promote the rural economy by providing and creating jobs close to home. This zone encompasses a Type III Limited Area of More Intensive Rural Development, and shall protect Kitsap County's rural character, by containing and limiting rural development. Development within this zone must not conflict with surrounding uses, and must assure visual compatibility with the surrounding area. The methods for achieving such purpose are by providing for buffers and limiting the size and height to be appropriate for the rural areas.

17.360E.020 Uses permitted and design standards.

- A. Uses Permitted: Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).
- B. Design Standards: Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.
 - 1. Density
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- H. 17.520 Transfer of Development Rights
- I. 17.550 Interpretations and Exceptions

17.360E.030 Special provisions.

- A. **Landscaping.** It is recognized that buffers have value in providing a consistent screening between uses, intensities and zones which may otherwise conflict. Buffers shall only be required along the exterior boundary of the Rural Employment Center and 12 Trees Center zones.
 - 1. For new development where existing approved screening buffers abut the subject lot, the director shall apply an appropriate screening buffer width of no less than twenty-five feet and no greater than fifty feet, depending on the proposed project or site impacts, such as traffic generation, light, noise, glare, odor, dust, and visual impact, adjacent to residential development. To the extent feasible, the director shall maintain consistent buffer widths throughout the development.
 - 2. For new development where there are not existing approved screening buffers abutting the subject lot, the director shall apply an appropriate screening buffer width of no less than twenty-five feet and no greater than fifty feet, depending on the proposed project or site impacts, such as traffic, light, noise, glare, odor, dust, and visual impact, adjacent to residential development.
 - 3. All legally created existing businesses, upon the date of adoption, within the REC and TTEC boundaries, are exempt from complying with the above.
- B. **Signs.** Signs for development within the REC may not exceed ten feet in height.

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- C. **Temporary permits.** Temporary permits within the REC and TTEC are subject to the provisions of 17.550.090, Temporary permits.

Chapter 17.370 MULTI-FAMILY DEVELOPMENT – DESIGN CRITERIA (Formerly Chapter 17.351)

Sections:

17.370.010 Purposes and intent.

17.370.020 Applicability – How to use the design criteria.

17.370.030 Multi-family site design – Orientation (UCR, UM and UH zones).

17.370.040 Fences and walls.

17.370.050 Recreation centers, mailboxes, site lighting, bus stops.

17.370.060 Grading and tree/vegetation retention.

17.370.070 Open space.

17.370.080 Landscape design.

17.370.010 Purposes and intent

The general purposes of these design criteria are as follows:

- A. To encourage better design and site planning.
- B. To ensure that new multi-family development is sensitive to the character of the surrounding neighborhoods.
- C. To enhance the built environment for pedestrians in higher-density areas.
- D. To provide for development of neighborhoods with attractive, well-connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops.
- E. To ensure adequate light, air, and readily accessible open space for multi-family development in order to maintain public health, safety and welfare.
- F. To ensure the compatibility of dissimilar adjoining land uses.
- G. To maintain or improve the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, loss of privacy, and similar significant impacts.
- H. To encourage creativity and flexibility in the design of multi-family developments in a manner that maximizes unique site attributes and is compatible with the character and intensity of adjoining land uses.

17.370.020 Applicability – How to use the design criteria.

A. **Applicability.**

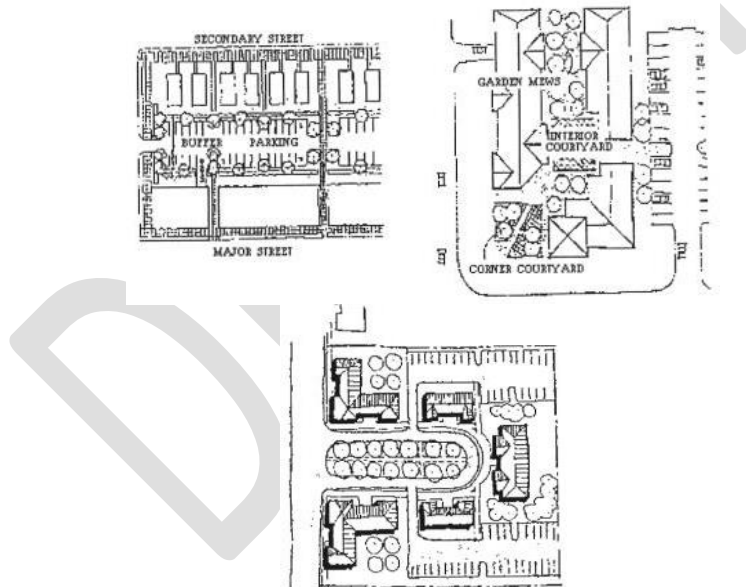
1. The “requirements sections” in the following design criteria apply to each multi-family project requiring conditional use review under Chapters [17.530](#) or [17.540](#) of this title.
2. In addition to the requirements set forth in this Chapter [17.370](#), the “requirements sections” set forth in Section [17.380.160](#) and Sections [17.380.180](#) to [17.380.240](#) shall apply to each multi-family project requiring review under subsection (A), above.

- B. **How to Use the Design Criteria.** The “requirements sections” state the design criteria that each project shall meet. These design criteria are intended to supplement the development standards of the UCR, UM and UH zones. Where the provisions of this Chapter [17.370](#) conflict with the provisions of Chapters [17.210](#) (UCR), [17.220](#) (UM), and [17.230](#) (UH), the provisions of the zoning district shall apply. The “guidelines” which follow each requirement statement are suggested ways to achieve the design intent. Each guideline is meant to indicate the preferred conditions, but other equal or better design solutions will be considered acceptable by the director or hearing examiner, so long as these solutions meet the intent of these sections. They are to be applied with an attitude of flexibility, recognizing that each development site and project will have particular characteristics that may suggest that some guidelines be emphasized and others de-emphasized. However, while alternative solutions can be proposed, none of the criteria in the requirement statements can be disregarded.

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17.370.030 Multi-family site design – Orientation (UCR, UM and UH zones).

- A. **Requirement.** Design multi-family projects to be oriented to public streets or common open spaces and to provide pedestrian and vehicular connections to existing neighborhoods.
- B. **Guidelines.** Possible ways to achieve neighborhood connections include:
1. Use a modified street grid system where most buildings in a project front on a street. Where no public streets exist, create a modified grid street system within the project.
 2. Locate parking areas behind or under building and access such parking from alley-type driveways. If driveway access from streets is necessary, minimum width driveway providing adequate fire-fighting access should be used.
 3. Provide each building with direct pedestrian access from the main street fronting the building and from the back where the parking is located.
 4. Another alternative may be to orient the buildings into U-shaped courtyards where the front door/main entry into the building is from a front courtyard. Access to the courtyard from the rear parking area should be through a well-lighted breezeway or stairway. This alternative will work where projects abut an arterial or major collector street where the quality of living could be enhanced with building facing into the courtyard. The buildings would still be located between the street and parking lot.
 5. The following illustrations depict site-planning techniques that orient multi-family projects to streets, adding value and identity to the complex, by siting parking behind the buildings:



Examples of preferred site planning that orients multi-family projects to streets, adding value and identity to the complex, by siting parking behind the buildings.

17.370.040 Fences and walls.

- A. **Requirement.** Design the site to minimize the need for fences and walls that inhibit or discourage pedestrian use of sidewalks or paths, isolate neighborhoods, or separate neighborhoods from main roads.
- B. **Guidelines.**

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1. Place pedestrian breaks and/or crossing at frequent intervals where a fence, wall or landscaped area separates a sidewalk from a building or one development from another.
2. Employ small setbacks, indentations, stepped fence heights, or other means of breaking up the wall or fence surface and height.



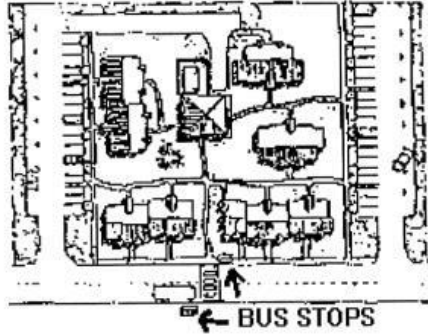
Alternative to solid, or blank-looking fence.

3. Employ different textures, color or materials (including landscape materials) to break up the wall's surface and add visual interest.
4. If fencing is required, repeat the use of building facade materials on fence columns and or/stringers.

17.370.050 Recreation centers, mailboxes, site lighting, bus stops.

- A. **Requirement.** Provide adequate lighting, screening and pedestrian access to supporting facilities such as recreation centers, mailboxes, play yards, bus stops and dumpsters. If otherwise required as a condition of project approval, locate passenger shelters in well-lit areas with access to the multi-family walkway network. Provide for shielding and directing of light to minimize impacts upon residents and abutting property owners.
- C. **Guidelines:**
 1. Recreation Centers.
 - a. Recreation centers should have adequate parking and bike racks for the guests of tenants.
 - b. The center should be directly connected by a series of walkways to all the multi-family buildings in the complex. These walkways should be barrier free, landscaped, and lighted with fixtures not to exceed fifteen feet in height. The walkways should provide visual contrast where they cross driveways or streets.
 2. Site Lighting.
 - a. Site lighting (pedestrian-scale and low level) should be provided throughout the project.
 - b. Security lighting should be provided in parking areas and play areas.
 - c. Lighting should not shine into the dwelling units in the development.
 - d. Lighting should be directed away from neighboring development.
 3. Mailboxes. If common mailboxes are used, they should be located near the project entry or near the recreational facilities. The architectural character should be similar in form, materials, and colors to the surrounding buildings. Mailboxes should be well lighted and pedestrian accessible.
 4. Bus Stops. The multi-family walkway network shall provide convenient pedestrian access to the nearest transit stop.

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17.370.060 Grading and tree/vegetation retention.

- A. **Requirement.** To the extent reasonable and practicable, multi-family projects shall be designed to minimize impacts to existing topography and vegetation.
- B. **Guidelines.**
1. Incorporate the natural grades in the overall design of the project.
 2. Incorporate existing groups of trees/vegetation to be protected and retained on the site.
 3. Minimize disturbance of open space to better facilitate storm water infiltration.
 4. Stepping the building down a hillside to match the topography can reduce the impact of the building on smaller, nearby buildings.



17.370.070 Open space.

- A. **Requirement.** Open space shall be provided in or adjacent to multi-family development for all the residents of the development.
- D. **Guidelines.**
1. Where possible, combine the open space of contiguous properties to provide for larger viable open space areas.
 2. Site permanent outdoor recreation equipment away from storm drainage facilities.
 3. Use walkways to connect the open spaces to the multi-family buildings, parking areas, and adjacent neighborhoods.
 4. Incorporate a variety of activities for all age groups in the active recreational open space.
 5. Consider drainage/retention areas that enhance the environment and open space usage.

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17.370.080 Landscape design.

A. **Requirement.** In addition to the requirements in Chapter [17.440](#) of this Zoning Code, landscaping and supporting elements (such as trellises, planters, site furniture or similar features) shall be appropriately incorporated into the project design.

E. **Guidelines.**

1. Minimize tree removal and incorporate larger caliper trees to obtain the immediate impact of more mature trees when the project is completed.
2. Provide frameworks such as trellises or arbors for plants to grow on.
3. Incorporate planter guards or low planter walls as part of the architecture.
4. Landscape the open areas created by building modulation.
5. Incorporate upper story planter boxes or roof plants.
6. Retain natural greenbelt vegetation that contributes to greenbelt preservation.
7. On streets with uniform planting of street trees and/or distinctive species, plant street trees that match the street tree spacing and/or species.
8. Use plants that require low amounts of water, including native drought-resistant species, and require low amounts of chemicals and fertilizers.

Chapter 17.380 URBAN VILLAGE COMMERCIAL DESIGN CRITERIA (Formerly Chapter 17.354)

Sections:

ARTICLE 1 – SITE DESIGN AND ORIENTATION: APPLICABLE TO ALL DEVELOPMENT IN THE UVC ZONE

17.380 .010 How to use the design criteria.

17.380 .020 Site design – Streets, trails and open space.

17.380 .030 Site design and orientation – Location and use of centers and common open spaces.

17.380 .040 Site design and orientation – Gateways and focal points.

17.380 .050 Site design and orientation – Pedestrian/sidewalk orientation.

17.380 .060 Site design and orientation – Fences and walls adjacent to pedestrian scale streets.

ARTICLE 2 – COMMERCIAL AND MIXED-USE BUILDING DESIGN, LANDSCAPING, AND SIGNS

17.380 .070 Building design – Commercial and mixed use.

17.380 .080 Building design – Creation of human scale.

17.380 .090 Building design – Building wall finishes for stand alone and corner site buildings.

17.380 .095 Building design – Commercial use with ancillary drive-through component.

17.380 .100 Landscape design for mixed-use areas.

17.380 .110 Landscape design – Screening.

17.380 .120 Landscape design – Existing trees.

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17.380 .130 Signs – Attached to the building.

17.380 .140 Signs – Freestanding.

ARTICLE 3 – MULTI-FAMILY PROJECTS IN THE UVC ZONE (INCLUDING TOWNHOUSES OF FIVE UNITS OR MORE)

17.380 .150 Multi-family – Site design – Orientation.

17.380 .160 Multi-family – Site design – Parking location and design.

17.380 .170 Multi-family – Site design – Mailboxes, site lighting, and bus stops.

17.380 .180 Multi-family – Site design – Screening.

17.380 .190 Multi-family – Building design – Neighborhood scale.

17.380 .200 Multi-family – Building design – Privacy.

17.380 .210 Multi-family – Building design – facade, footprint, and roof articulation.

17.380 .220 Multi-family – Building design – Entries.

17.380 .225 Building design – Windows.

17.380 .230 Multi-family – Building design – Materials and colors.

17.380 .240 Multi-family – Signs.

ARTICLE 4 – OTHER RESIDENTIAL DEVELOPMENT IN THE UVC ZONE: DUPLEX AND MANUFACTURED HOUSING, COTTAGE HOUSING AND SINGLE FAMILY HOUSING

17.380 .250 Duplexes and manufactured housing – Applicability.

17.380 .260 Duplex – Building design – Roof form and architectural detail.

17.380 .270 Duplexes – Building design – Entries.

17.380 .280 Duplexes – Building design – Garage design.

17.380 .290 Duplexes – Building design – Materials and colors.

ARTICLE 5 – ACCESSORY DWELLING UNITS (ADU) IN THE UVC ZONE

17.380 .300 Accessory dwelling units – Site and building design – Privacy.

17.380 .310 Accessory dwelling units – Building design – Entry features.

17.380 .320 Accessory dwelling units – Building design – Materials and colors.

ARTICLE 6 – COTTAGE HOUSING IN THE UVC ZONE

17.380 .330 Cottage housing – Site design.

ARTICLE 7 – DEFINITIONS

17.380 .340 [Reserved]

ARTICLE 1 – SITE DESIGN AND ORIENTATION: APPLICABLE TO ALL DEVELOPMENT IN THE UVC ZONE

17.380 .010 How to use the design criteria.

The “requirement sections” in the following design criteria for Kitsap County apply to each project requiring conditional use review under Chapters 17.530 or 17.540 of this title. These design criteria are intended to supplement the development standards of the Urban Village Commercial (UVC zone). Where the provisions of this Chapter 17.380 conflict with the provisions of the UVC ZONE in Chapter 17.240, the provisions of the zoning district shall apply. The “guidelines” that follow each requirement statement are suggested ways to achieve the design intent. Each guideline is meant to indicate the preferred conditions, but other equal or better design solutions will be considered acceptable by the director or hearing examiner, so long as these solutions meet the intent of these sections. Where a requirement and/or guideline is followed by the abbreviations UVC – these requirements and/or guidelines are applicable to that particular zone found in Chapter 17.240.

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17.380 .020 Site design – Streets, trails and open space.

- A. **Requirement.** Arrange the streets and trails on the site so that the central internal open space and other community facilities can be accessed from all areas of the development without using an arterial street. The street layout shall be a modified grid street pattern adapted to the topography, unique natural features, and environmental constraints of the site. The street layout shall provide direct convenient access to the Village, community focus areas, and internal open space areas, and shall showcase gateways and vistas. When making connections with adjacent neighborhoods, use traffic calming techniques where necessary. Public access shall be provided to water bodies as required by the Shoreline Management Act.
- B. **Guideline.**
1. Street layout should have a minimum of two interconnections with the existing public street system rated as an arterial or collector (UVC).
 2. The modified grid street pattern should define blocks that are two hundred fifty to three hundred fifty feet long (UVC).
 3. When a block face is longer than three hundred fifty feet, an alley should be provided with through access to another street or alley (UVC).
 4. Street layout that includes access from alleys to development is preferred (UVC).
 5. Blocks should be designed to have a maximum length of six hundred feet from street to street and should either continue through the intersection or terminate in a "T" intersection directly opposite the center of a building, an internal open space area, or a view into a peripheral open space area (UVC).

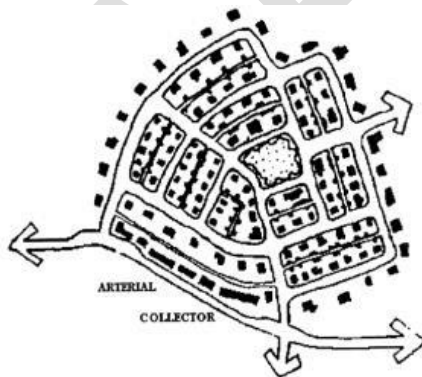


Diagram of a modified grid street pattern built around a Village. Note the connections to the surrounding street system. Each Village must have at least two peripheral attachments.

6. A majority of the streets should be curved or terminated so that no street vista is longer than one thousand two hundred feet (UVC).
7. Provide a connected system of recreation areas, trails, and natural open spaces that are linked to the Village and to natural features by streets or foot paths (UVC).
8. Provide street linkages, including pedestrian and bike facilities to adjacent developments and neighborhoods where possible (UVC).
9. Encourage pedestrian accessibility from adjacent residential neighborhoods by the use of through-block connections or other accessibility methods (UVC).
10. Where there are wildlife habitat areas on a Village-site, connect them to adjacent habitat areas to facilitate wildlife movement (UVC).

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17.380 .030 Site design and orientation – Location and use of centers and common open spaces.

- A. **Requirement.** Common open space shall be used for social, recreational, and/or natural environment preservation purposes. It shall include at least one internal open space (such as a Village Center Park) that will serve as a center around which commercial, mixed use, and some higher density housing may be located (UVC).
- B. **Guideline.**
1. An internal open space should be designed as a center park, town square, or urban park, should be an active gathering place in both day and evening, and should include places for strolling, sitting, social interaction, and recreation (UVC).
 2. All commercial development in villages and centers should be within approximately six hundred feet of an existing or planned transit stop (UVC).
 3. Surround the center park with a concentration of high-density development that may include commercial, residential, public and semi-public uses, community clubs, and community facilities (UVC).
 4. The center park should be landscaped using elements such as formal gardens, walkways, monuments, statues, gazebos, fountains, park benches, children's play equipment, small playfields and pedestrian-scale lamp posts (UVC).
 5. Internal open spaces should be landscaped with trees and shrubs that do not visually obstruct scenic vistas (UVC).
 6. A center green or plaza should have a distinct geometric shape. Streets with curbside parking may surround it, or it may abut major commercial, residential, civic, or other buildings, achieving a sense of scale and enclosure from them. While a center plaza should include trees, shrubs, and other landscape materials, it may emphasize decorative paving and other materials and surfaces appropriate to high pedestrian traffic areas (UVC).

17.380 .040 Site design and orientation – Gateways and focal points.

- A. **Requirement.** Distinct or prominent buildings shall be located at gateways within a Village at focal points, such as corner sites or landmarks, or at points of visual termination (UVC).
- B. **Guideline.**
1. Prominent, monumental buildings or structures should mark gateways, focal points, or points of visual termination. This can be accomplished by using:
 - a. Distinct massing (such as the use of recessed entries, contrasting materials and architectural features that identify a bottom, middle and top of a building);
 - b. Additional height or the appearance of enhanced height (such as with the use of roof pitches and shapes, or cornice detail); and/or
 - c. Distinct architectural embellishments or ornamentation that break up and create variety on flat facades.

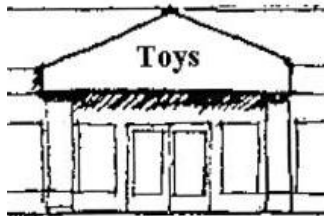


Focal points should terminate views down streets.

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Gateway buildings should mark transition areas.

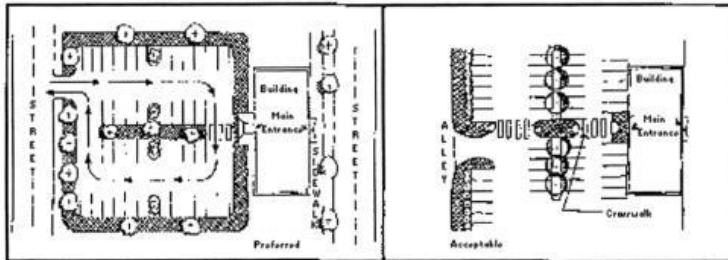


Provide a clear sense of entry upon arrival to the building.

17.380 .050 Site design and orientation – Pedestrian/sidewalk orientation.

- A. **Requirement.** Create an interesting street that is visually attractive, and easy to use for pedestrians who will live, work or shop in the area.
- B. **Guideline.**
1. Orientation.
 - a. Store fronts should face the core area, center park, and/or sidewalk of the streets on the site (UVC).
 - b. Buildings fronting on a center park, green or plaza should be at least two stories high (UVC).
 - c. Corner lots at major street entry points or Village areas should be occupied by buildings or structures designed to emphasize their prominent location (UVC).
 - d. Locate service and delivery away from the main streets where possible, using alleys or side streets where possible (UVC).
 - e. Site design should accommodate transit on transit routes:
 - i. Bordering the site, and
 - ii. Within a core area that may have transit service (UVC).
 2. Enhanced Pedestrian Access.
 - a. Direct pedestrian access should be provided from sidewalks and parking lots to building entrances, bus stops, and adjacent buildings. Where practical and consistent with the Special provisions of the zone, parking isles should be aligned perpendicular to the building, and pedestrian access should be separate from vehicular travel lanes (UVC).

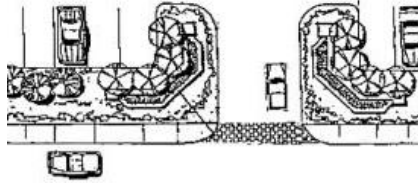
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Parking isles perpendicular to a building entrance are preferred to allow easy and safe connection to building entrances. A convenient pedestrian walkway should be provided between a sidewalk and the building entrance where a sidewalk is separated by a parking lot.

- b. Where a parking lot separates a building entrance from a sidewalk in the rights-of-way, a pedestrian walkway at least six feet in width should be provided connecting the street, the sidewalk and the building entrance. Such crossings should be clearly marked (UVC).
 - c. Define walkways with vertical plants (such as trees or shrubs) and lighting (UVC).
 - d. Street lights, utility poles, benches, trees, trash receptacles and similar streetscape fixtures should, to the greatest extent practical, be situated so that sidewalks in the rights-of-way have a passable width of at least five feet (UVC).
 - e. A walkway or shared bike/pedestrian network should be provided throughout the site that interconnects all dwelling units with other units, nonresidential uses, and common open space. Bike and pedestrian ways should be part of the street and alley network, but additional connections may be provided (UVC).
3. Enhanced Pedestrian Amenity. Walkway materials and patterns and pedestrian amenities such as benches, shelters, trash receptacles, street trees, pedestrian lighting, and drinking fountains should be coordinated to provide some uniformity of design throughout the site. Such improvements should comply with any applicable, adopted streetscape plan and should be incorporated into the Village (UVC).
 4. Possible amenities include:
 - a. Walls and planters that can be used for seating (UVC);
 - b. Seating in a variety of locations such as places that are sunny, sheltered from the rain and wind, or shaded in the summer (UVC);
 - c. Fountains or sculpture incorporated into small under-utilized areas (UVC);
 - d. Seating that allows users to observe the activities of the street or enjoy a scenic view (UVC);
 - e. Plazas and courtyards with fountains, sculpture, mobiles, flower boxes, kiosks, banners, etc. (UVC);
 - f. Street vendor stations where allowed (UVC); and bike racks (UVC).
 5. Add Character and Visual Diversity to Walkways.
 - a. Use a change in color and materials such as pavers, brick, stone, and exposed aggregate set in patterns to add interest and variety to walking surface (UVC).

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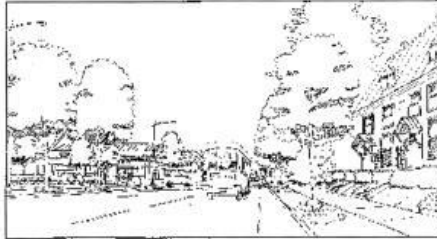


Pavers can be used to clearly identify pedestrian areas.

- b. Identify street crossings through changes in color, materials, or patterns (UVC).
 - c. Separate the pedestrian from the street by placing planters, street trees and planter strips, bollards, or similar elements at the street edge of the sidewalk (UVC).
 - d. Encourage the use of alleys by pedestrians by providing alleys with lighting, plantings, and paving materials in areas of the site where the alley is or may be used as a pedestrian link (UVC).
6. On-Site Parking.
- a. Parking shall be located on the side or behind the buildings, because the goal is to have buildings as the dominant feature on corner lots (UVC).
 - b. Off-street parking should have access from alleys or from streets at locations that do not conflict with pedestrian circulation in the center park or main street (UVC).
 - c. Minimize the apparent width of parking lots that are located adjacent to the street through landscaping and screening (UVC).
 - d. Limit parking lots to thirty percent of the street frontage of the property. Exceptions may be considered for grocery store parking lots. An exempted grocery store parking lot should not face a center park or plaza (UVC).
 - e. Maintain the building line by screening parking lots that abut the street. Hedges, fences, raised planters, and low walls combined with plantings are possible solutions, as long as they do not obscure vehicular sight lines necessary for safety. Also consider extending the facade of a building with parking located behind it (UVC).
 - f. Where parking structures or covered parking faces the street, at least sixty percent of the parking structure facing the street between two and eight feet above the sidewalk should incorporate at least one of the following treatments where pedestrian-oriented businesses are located along the facade of the structure (UVC):
 - i. Transparent windows (with clear or lightly tinted glass);
 - ii. Display windows;
 - iii. Decorative metal grille work or similar detailing that provides texture and covers parking structure openings (not including entrances and exits);
 - iv. Art or architectural treatment such as sculpture, mosaic, glass block, opaque art glass, relief art work, or similar features; or
 - g. Vehicle entries to garages should be recessed at least six feet from the primary facade plane in order to minimize their prominence.
7. Lighting. To accent structures, conserve energy and provide visibility and security with lighting, consider the following (UVC):
- a. Use lighting to accent key architectural elements or to emphasize landscape features (UVC);
 - b. Provide well-lighted pedestrian sidewalks and alleys in accordance with adopted County standards (UVC);
 - c. Locate lighting so as not to have a negative impact on adjacent properties such as shining off site into adjacent buildings (UVC); and

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- d. Decorative street lights should be placed at regular intervals throughout the development (UVC).
8. Physical Context. Conform floor elevations to sidewalk grades where possible, except for residential units where first floors may be elevated two to four feet above grade to provide privacy (UVC).



Entries to residential units with small setbacks are raised two to four feet above the sidewalk grade to provide privacy for residents.

9. Consolidation.
 - a. Consider using common wall side-by-side development with continuity of facades (as allowed by Chapter 17.420 Density, Dimensions, and Standards) (UVC).
 - b. Consolidate required parking for several businesses within one parking lot, wherever possible (UVC).
10. Buildings internal to a Village shall generally face and be located on pedestrian streets. This will allow entries, display windows, and building facades to create a continuous row of storefronts and residences.
11. Parking shall be clustered and/or located on the side or behind buildings and be designed in a way that gives pedestrians access to building entrances that are as direct as possible (UVC). Exceptions to building and parking orientation may be made for grocery stores. The orientation and facade of a building adjacent to an arterial or major collector shall be designed to enhance the adjacent neighborhood.
12. Buildings and parking lots located adjacent to an arterial or major collector on the edge of a village or center shall be designed and oriented to:
 - a. Maximize the presence and prominence of the building on village corners and at gateways; and
 - b. Minimize the presence and prominence of parking lots.
13. Where a building entry faces a parking lot, pedestrian linkages to the internal street network must be as pleasant, visible, well lit, and direct as possible (UVC).

17.380 .060 Site design and orientation – Fences and walls adjacent to pedestrian scale streets.

- A. **Requirement.** Design the site to minimize the need for fences and walls that inhibit or discourage pedestrian use of sidewalks or paths, isolate neighborhoods, or separate neighborhoods from main roads. Allow exceptions where necessary to reduce noise, provide buffers or create private yards (UVC).
- B. **Guideline.**
 1. Consider shrubs and natural landscaping, wherever possible, as an alternative to fences and walls.
 2. Where fences or walls are necessary to reduce noise, provide buffers, or create private yards, consider the following guidelines to maintain a pedestrian scale along the street (UVC):
 - a. Provide art (mosaic, mural decorative masonry pattern, sculpture, relief, etc.) over a substantial portion of the blank wall surface (UVC);

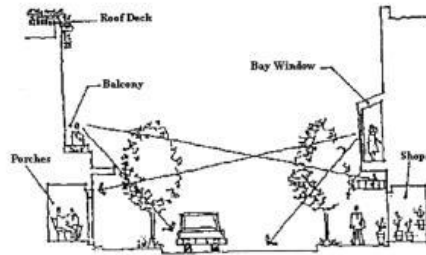
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- b. Employ small setbacks, indentations, stepped fence heights, or other means of breaking up the wall or fence surface and height (UVC);
- c. Employ different texture, colors, or materials (including landscape materials) to break up the wall's surface (UVC);
- d. Provide special lighting, a canopy, awning, horizontal trellis or other pedestrian-oriented feature that breaks up the size of the blank wall's surface and adds visual interest (UVC); and
- e. If fencing is required, repeat the use of facade building materials on fence columns and/or stringers (UVC).

ARTICLE 2 – COMMERCIAL AND MIXED-USE BUILDING DESIGN, LANDSCAPING, AND SIGNS

17.380 .070 Building design – Commercial and mixed-use.

- A. **Requirement.** Maintain interest in buildings at the street level by orienting active uses (such as retail storefront window displays or restaurants) to the street and center park where possible (UVC). Commercial and mixed-use buildings shall appear to create a 'pedestrian shopping street' with a clearly defined street edge and clearly defined entries.



An active street that is human scale and attractive to pedestrians.

The rear of these buildings shall be designed so that they are also accessible from rear lot parking where necessary, and are not obtrusive to adjacent neighbors (UVC). Buildings shall avoid long, monotonous uninterrupted walls or roof planes. Buildings shall use articulation and/or modulation on all walls that are visible to pedestrians (UVC). Buildings occupying corners shall be designed as more dramatic structures to emphasize their prominent locations (UVC).

- B. **Guideline.**
- 1. Building materials and colors may include any of the following:
 - a. Masonry, wood, stucco, concrete, stone, and tile, each broken into small modules (UVC);
 - b. Accent or trim colors are encouraged (UVC).
 - 2. Building elements should employ the following:
 - a. Vertical and horizontal relief in the facade that identifies a bottom, middle and top of the building (UVC);
 - b. A clearly defined pedestrian entry facing the street (UVC);
 - c. Window systems grouped together to form larger areas of glass separated by moldings or jambs (UVC); and
 - d. Awnings, canopies, marquees, building overhangs, or similar form of pedestrian weather protection at least four and one-half feet wide along at least eighty percent of the frontage of buildings that abut a pedestrian street (UVC).

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Align the bottom edge of awnings, canopies or marquees on a group of buildings so that the unity of the store front line is maintained with adjacent buildings.

3. Building Proportions – Size, Height and Bulk.
 - a. Use design techniques that minimize the apparent size of the building such as:
 - i. Building setbacks on upper levels (UVC);
 - ii. Curved or articulated surfaces (UVC);
 - iii. Recessed entries (UVC);
 - iv. Roof lines, pitches and shapes (UVC);
 - v. Cornices (UVC);
 - vi. Building ornamentation (UVC);
 - vii. Overhangs and soffits (UVC);
 - viii. Dormers, balconies and porches that clearly define street-facing entries to residential properties (UVC);
 - ix. Building fenestration and detailing (store front or multi-paned windows for residential units) (UVC); and
 - x. Awnings and marquees (UVC).
 - b. Buildings on corner lots may be designed with additional height and architectural embellishments such as corner towers to emphasize their location (UVC).



Corner buildings should be designed as more dramatic structures to emphasize their prominent location.

4. Exterior Wall Treatments.
 - a. Consider providing accessible views into interior activities of office and commercial buildings from the street. For example, use a high proportion of clear glass at the street level or have displays or services directly available from the street where appropriate (UVC).
 - b. In mixed-use buildings, the difference between ground floor commercial uses and entrances for upper level commercial or residential uses may be reflected by differences in facade treatment. Differentiation can be achieved through distinct but compatible exterior materials, signs, awnings and exterior lighting (UVC).

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- c. One or more of the following wall treatments are required for building faces fronting on a sidewalk that exceed thirty feet in length, and should cover or comprise at least sixty percent of the building face between two and eight feet in elevation above the sidewalk.
 - i. Clear or lightly tinted windows that are transparent when viewed from the sidewalk; (UVC);
 - ii. Ornamental and structural architectural details: mosaic, decorative masonry or tile, surface texture, relief art work, sculpture or murals (UVC);
 - iii. Climbing plants, vines, trees or other vegetation (UVC); or
 - iv. A pedestrian area located along the southern, eastern, or western exposure of a building face at a transit stop, intersection corner, or other location identified in an adopted streetscape plan may substitute for the wall treatments listed above (UVC).

17.380 .080 Building design – Creation of human scale.

- A. **Requirement.** Use design elements that result in buildings that maintain a human scale street. These design elements are also useful and should be considered when commercial buildings abut residential development (UVC).
- B. **Guideline.**
 - 1. Use rooflines to maintain a consistent and apparent scale, and reinforce or create architectural character on a street (UVC).
 - 2. Use architectural features such as cornices or other details that lower the apparent height (UVC).
 - 3. Use modulation (stepping back and stepping forward) and articulation on building facades to reduce the bulk of buildings (UVC). Articulation methods include:
 - a. Broken rooflines; and
 - b. Building elements such as balconies, chimneys, porches or other entry details, and landscaping.
 - 4. Place display windows and retail shops at the street level around the exterior of larger buildings (UVC).

17.380 .090 Building design – Building wall finishes for stand alone and corner site buildings.

- A. **Requirement.** Ensure buildings have consistent visual identity from all sides visible to the general public (UVC).
- B. **Guideline.** Continue exterior materials, architectural detailing, and color scheme around all sides of the building visible to the general public (UVC).

17.380 .095 Building design – Commercial use with ancillary drive-through component.

- A. **Requirement.** Locate the main entry to a bank, dry cleaner, coffeehouse, or other commercial use with ancillary drive-through component on a pedestrian-oriented street. Orient drive-through facilities in a way that ensures minimal disruption on the street edge. Such commercial uses with an ancillary drive-through component are prohibited from locating directly on the street that surrounds the center park or square (UVC).
- B. **Guideline.**
 - 1. Design the drive-through window so that it is clearly subordinate to the main building (UVC);
 - 2. Where the drive-through is a separate structure, use architectural details that conform to those used on the main building (UVC);
 - 3. Minimize curb cuts and the disruption of a sidewalk by:
 - a. Making the width of the lane approaching the window as narrow as possible; and
 - b. Using landscaping and planters to provide a street edge adjacent to the sidewalk (UVC).

17.380 .100 Landscape design for urban village and town centers.

- A. **Requirement.** Treat plantings and other landscape elements as enhancements to the built environment. Street trees shall be planted along at least one side of all streets (UVC).

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B. Guideline.

1. Employ any of the following planting techniques for landscape design:
 - a. Small planting areas with flowering shrubs (UVC);
 - b. Trimmed hedges, window boxes, hanging flower baskets (UVC);
 - c. Use of shrubs or vines trained to grow upright on wires or trellises (espaliers) next to blank walls with narrow planting areas (UVC);
 - d. Isolated trees installed in pavement cutouts (UVC);
 - e. Street trees should be massed at critical points such as at focal points along a curve in a roadway (UVC);
 - f. Low maintenance, low chemical dependent drought-tolerant plant materials should be used (UVC);
 - g. Repeat similar tree and shrub types to coordinate old and new phases of development and provide visual continuity (UVC);
 - h. Limit varieties of plant types, use shrubs in multiples of similar types, and avoid a haphazard mixture of textures, colors and plant types (UVC);
 - i. Include a well-landscaped surface stormwater treatment area in the landscape design where surface stormwater treatment is provided (UVC);
 - j. Retain natural greenbelt vegetation that contributes to greenbelt preservation (UVC);
 - k. The owners will provide regular maintenance to ensure that plants are kept healthy and dead or dying plant materials are replaced (UVC);
 - l. Landscape open areas created by building modulation (UVC);
 - m. Incorporate upper story planter boxes or roof plants into facades that can be seen by pedestrians (UVC); and
 - n. Emphasize entries with special planting in conjunction with decorative paving and/or lighting (UVC).

17.380 .110 Landscape design – Screening.

A. **Requirement.** Use landscaping to help define, break up and screen parking areas. Landscaping shall provide a separation between incompatible land uses or activities (such as a parking lot next to the bedrooms of a residential structure). Landscaping shall also provide a physical or visual barrier for service areas, mechanical equipment, loading docks or similar areas (UVC).

B. Guideline.

1. Canopy trees (able to spread and shade) should be added to parking areas – there should be no more than six parking spaces in a row without a landscape peninsula within the parking area having a two inch caliper tree, shrubs, and ground covers (UVC).
2. Wheel stops, curbs, or walkways should be used to protect landscaping from being run over by vehicles in the parking lot (UVC).
3. Consider screening with the use of hedges, densely planted shrubs, evergreen trees, or combinations of these (UVC).
4. Screen parking from the street with low walls or fencing that maintain building facades, but also maintain vehicular sight lines at the corners and security for customers (UVC).
5. If fencing is required, repeat the use of facade building materials on fence columns and/or stringers (UVC).
6. Berms, walls and fences are encouraged in combination with trees, shrubs and vines to screen parking lots (UVC).
7. Raised planter boxes of concrete, stone, wood, brick or other compatible materials can provide useful separation and screening (UVC).
8. Locate appropriate landscape materials near building walls or service areas where screening is needed. Large planters may be used as alternative solutions (UVC).

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9. Planters may be placed at the end of bays, on the interior or between rows of parking stalls, providing linear strips for plantings. Use of compact parking spaces as allowed provides some flexibility in design (UVC).
10. Unrelieved blank walls with narrow planting areas can be softened with espaliered shrubs or vines (UVC).



Vines, hardy shrubs and columnar trees used to landscape a narrow planting bed.

17.380 .120 Landscape design – Existing trees.

- A. **Requirement.** Healthy existing trees, that are unique due to size, species, historical association or other factors, shall be incorporated into the landscaping whenever possible and if appropriate to the site at their mature size (UVC).
- B. **Guideline.**
 1. Retain healthy mature trees where possible (UVC);
 2. Design the site to preserve unique specimens (UVC);
 3. Minimize site alteration, soil disturbance, and compaction within the drip line of existing trees (UVC);
 4. Provide a tree well or other form of protection where the surrounding grade must be raised (UVC);
 5. Fence around drip line during construction (UVC); and
 6. Incorporate the tree plan into the landscape plan (UVC).

17.380 .130 Signs – Attached to the building.

- A. **Requirement.** Provide adequate signs for businesses while maintaining the building's architectural integrity, by locating signs so that building details shall not be covered or obscured (UVC). Signs shall conform to the requirements set forth in Chapter 17.450.
- B. **Guideline.**
 1. Use sign panel shapes that accentuate the building's architectural forms (UVC);
 2. Use window signs where wall signs would detract from architectural elements of the building facade. Symbols for the business such as a pair of eyeglasses can be used to add detail that can be viewed from the sidewalk (UVC);
 3. Keep signs subordinate to the building design (UVC);

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4. Coordinate colors with the colors of the building (UVC);
5. When several businesses share the same building, use directory signs where possible and use similar sizes and types of signs (UVC); and
6. Addresses must be clearly visible from the street edge (UVC).

17.380 .140 Signs – Freestanding.

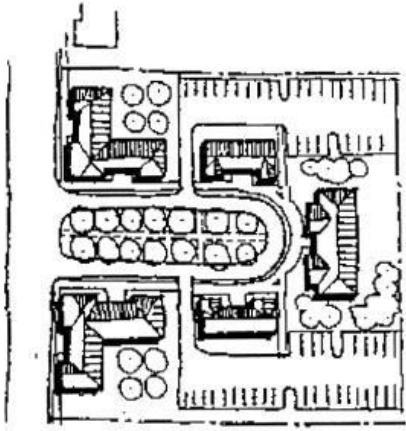
- A. **Requirement.** Provide adequate signage for businesses when building mounted signs cannot be used because they will obscure the architectural details of the building (UVC). Signs shall conform to the requirements set forth in Chapter 17.450.
- B. **Guideline.**
 1. A key design feature should be a compact building pattern with buildings located close to and behind the sidewalks and street trees separating the sidewalk from moving vehicles. In an effort to reduce the number of view obstructions in Village and Town Centers, signs should be attached to the building. However, where buildings are set back from the sidewalk and/or property line, freestanding signs would be an appropriate second choice using the following guidelines:
 - a. Freestanding signs should be limited in size and height. The maximum height should be four feet above grade (UVC);
 - b. For visual clarity, the lettering style and colors should be limited to two lettering styles and three colors (UVC); and
 - c. Incorporate signs in planters or as screening walls (UVC).

ARTICLE 3 – MULTI-FAMILY PROJECTS IN THE UVC ZONE (INCLUDING TOWNHOUSES OF FIVE UNITS OR MORE)

17.380 .150 Multi-family – Site design – Orientation.

- A. **Requirement.** Design multi-family projects to be oriented towards the core area or center park/plaza in the Village (UVC).
- B. **Guideline.**
 1. Use a modified street grid system with buildings fronting on a street (UVC).
 - a. Parking areas should be located behind or under buildings and accessed from alley-type driveways. If driveway access from streets is necessary, minimum-width driveways meeting the fire access standards should be used (UVC);
 - b. Each building should have direct pedestrian access from the street fronting the building and from the back where the parking is located (UVC).
 2. Another alternative may be to orient the buildings into U-shaped courtyards where the front door/main entry into the building is from a front courtyard. Access to the courtyard from the rear parking area should be through a well-lighted breezeway or stairway. This alternative will work where projects abut an arterial or major collector street where the quality of living could be enhanced with buildings facing into the courtyard. The buildings would still be located between the street and the parking lot (UVC).

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17.380 .160 Multi-family – Site design – Parking location and design.

A. **Requirement.** Minimize the impact of driveways and parking lots on pedestrians and neighboring properties by designing and locating parking lots, carports, and garages in a way that creates few interruptions on the street, sidewalk or building facade (UVC).

B. **Guideline.**

1. Locate surface parking at rear or side of lot (UVC);
2. Break large parking lots into small ones, and share with adjacent property owners where possible (UVC);
3. Minimize the number and width of driveways and curb cuts (UVC);
4. Share driveways with adjacent property owners (UVC);
5. Locate parking in areas that are less visible from the street (UVC);
6. Locate driveways so they are visually less dominant (UVC);
7. Berm and landscape parking lots when they are visible from the street (UVC);
8. Screen parking lots abutting single-family residences with landscaping and/or fencing (UVC); and
9. Limit parking lots on street frontages to thirty percent of the street frontage (UVC).

17.380 .170 Multi-family – Site design – Mailboxes, site lighting, and bus stops.

A. **Requirement.** Provide adequate lighting and pedestrian access to mailboxes, and bus stops (UVC).

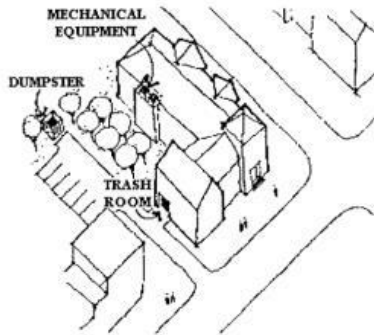
B. **Guideline.**

1. Mail Boxes. If common mailboxes are used, they should be located near the project entry or any recreational facilities, as approved by the U.S. Postal Service. The architectural character should be similar in form, materials, and colors to the surrounding buildings. Mailboxes should be well lit and pedestrian-accessible (UVC).
2. Site Lighting.
 - a. Site lighting (pedestrian-scale, low-level lighting) should be provided throughout, and located at the walkways (UVC);
 - b. Security lighting should be provided in the parking areas, play areas and bus stops (UVC);
 - c. Lighting should not shine into the dwelling units on the site (UVC); and
 - d. Lighting should be directed away from neighboring development (UVC).

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17.380 .180 Multi-family – Site design – Screening.

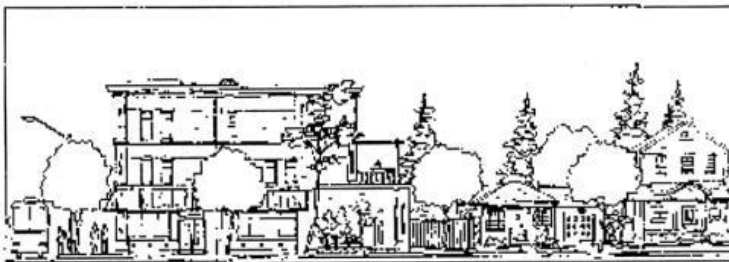
- A. **Requirement.** Provide adequate screening for support facility needs associated with multi-family developments (UVC).
- B. **Guideline.** Support areas should be located adjacent to parking areas and should be fully screened with a minimum six-foot high fence. The screening material should match the main buildings, and the perimeters planted with shrubs and ornamental trees (UVC).



Service elements located away from the street edge and not generally visible from the sidewalk.

17.380 .190 Multi-family – Building design – Neighborhood scale.

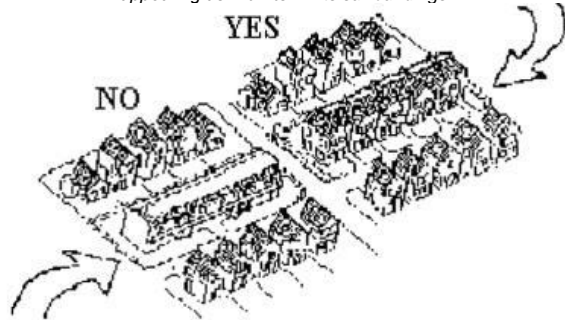
- A. **Requirement.** Architectural scale of those portions of a multi-family building facing a neighborhood with a different scale shall use design techniques that minimize the contrast in scale (UVC). [See illustration below.]
- B. **Guideline.**
1. Use house-size building elements when locating a multi-family project adjacent to a single-family neighborhood by employing any of the following techniques:
 - a. Place one- and two-story units adjacent to existing one-story houses, and two- and three-story units adjacent to existing two-story houses (UVC);
 - b. Use wall plane articulation/modulation to break a multi-family building into house size building elements, especially where there is a building height transition (UVC);
 - c. Design the exterior of multi-family buildings to appear as a single building, such as a large single-family detached dwelling (UVC).



This higher density multi-family building "steps back" to conform to the abutting lower density property. This use of modulation helps the multi-family building fit into the neighborhood.

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Preferred: This is a multifamily building which has been built on an identical site, but whose design has taken clues from the neighborhood. This building covers roughly the same lot area and provides for the same number of units while appearing as if it "fits" in its surroundings.



To be avoided: This multifamily building has been built on a site surrounded by single-family development. The building bears no resemblance to the existing surrounding buildings and looks out of place.

17.380 .200 Multi-family – Building design – Privacy.

- A. **Requirement.** Orient buildings to provide privacy, to the extent practical, both within the multi-family project and for the neighborhood (UVC).
- B. **Guideline.**
1. Locate windows so that residents from one unit cannot look directly into another unit (UVC);
 2. Locate parking lots so that they do not impose on the ground floor units' privacy. If this is not feasible, locate buildings so that adequate landscaping can be planted to provide privacy (UVC).

17.380 .210 Multi-family – Building design – facade, footprint, and roof articulation.

- A. **Requirement.** Avoid the barracks-like quality of flat walls and roofs by separations, changes in plane and height, and the inclusion of elements such as balconies, porches, arcades, dormers, and cross gables (UVC).
- B. **Guideline.**
1. Buildings should be divided and given human scale by using articulation and/or modulation at least every thirty feet. Ways to do this include the following:
 - a. Facade modulation – stepping back or extending forward a portion of the facade at least six feet (measured perpendicular to the front facade), for each interval (UVC);
 - b. Articulating each interval with architectural elements like porches, balconies, bay windows and/or covered entries (UVC);
 - c. Articulating the roofline by stepping the roof and by emphasizing dormers, chimneys, gables (UVC); and
 - d. Providing a ground or wall mounted light fixture, a trellis, a tree, or other site feature within each interval (UVC).
 2. Reduce the apparent size of multi-family buildings by using:
 - a. Roof design that employs:
 - i. Gable, gambrel or hipped roof;
 - ii. Broken or articulated roof line;
 - iii. Prominent cornice or fascia that emphasizes the top of the building; or
 - iv. Other roof elements that emphasizes a building's concept and enables it to fit in with neighboring structures with prominent roofs (UVC);

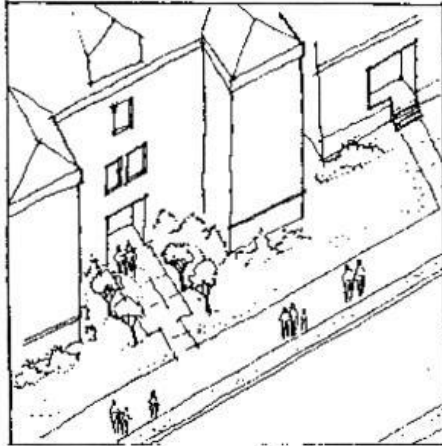
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- b. Using architectural details that are well proportioned to achieve human scale such as:
 - i. Entry details like covered porches and recesses;
 - ii. Occupiable spaces like bay windows and balconies;
 - iii. Window details like vertically proportioned window openings that are recessed into the face of the building and broken up with smaller panes of glass;
 - iv. Roof details like brackets, chimneys, roof overhangs of at least sixteen inches (measured horizontally), or roof cornice elements at least twelve inches in width (measured vertically);
 - v. Windows that are trimmed to create relief in the facade by being detailed to appear to recede into the building face (UVC).
3. Where parking structures or covered parking faces the street, at least sixty percent of the parking facade facing the street between two and eight feet above the sidewalk should incorporate at least one of the following treatments where pedestrian-oriented businesses are located along the facade of the structure (UVC):
 - a. Transparent windows (with clear or lightly tinted glass);
 - b. Display windows;
 - c. Decorative metal grille work (or similar detailing) that provides texture and covers parking structure openings (not including entrances and exits); or
 - d. Art or architectural treatment such as sculpture, mosaic, glass block, opaque art glass, relief art work, or similar features.
4. Vehicle entries to garages should be recessed at least six feet from the primary facade plane in order to minimize their prominence (UVC).

17.380 .220 Multi-family – Building design – Entries.

- A. **Requirement.** Provide clearly defined building or courtyard entries that are well lighted, easily accessible, and satisfy the Washington State Barrier Free Regulations (UVC).
- B. **Guideline.** The entrances should be plainly visible from the fronting street and walkway. The use of distinctive architectural elements and materials to denote prominent entrances will be encouraged. The entries should include a transition space from the sidewalks such as steps, a terrace, or a landscaped area (UVC). Dark, hidden corridors or stairways and long entry balconies are discouraged (UVC). Avoid the use of exterior stairways when porches and front doors can be used as a primary building entry. If exterior stairways are used, they should fit with the architectural massing and form of the multi-family structure. Thin-looking, open metal, prefabricated stairs are discouraged (UVC).

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Clear entries to the sidewalk encourage pedestrian circulation.

17.380 .225 Building design – Windows.

- A. **Requirement.** Provide relief, detail, and variation on the facade by employing well-proportioned openings (as defined in Guideline (B)(1), below) that are designed to create shade and shadow detail.
- B. **Guideline.** Provide horizontal and vertical variation in windows. Bay and projecting windows are encouraged.
1. Use vertically proportioned windows that generally have a height one and one-half times their width;
 2. Use multiple-paned windows;
 3. Build windows either recessed or protruding (such as bay windows);
 4. Use significant trim (drip cap, sill, trim); and
 5. Provide ground floor windows that have a greater vertical height than upper story windows.

17.380 .230 Multi-family – Building design – Materials and colors.

- A. **Requirement.** Use exterior building materials that have texture or pattern and lend themselves to a high level of quality and detailing.
- B. **Guideline.**
1. The selection and use of exterior materials and colors are key ingredients in determining how a building will look. Some materials, by their nature, can give a sense of permanence or provide texture or human scale that enables new buildings to fit better in their surroundings (UVC). Use exterior materials that are durable, easily maintainable and are attractive even when viewed up close.
 2. Preferred materials in Kitsap County include:
 - a. Clear/painted horizontal or lap siding;
 - b. Shingles;
 - c. Brick;
 - d. Stone;
 - e. Stucco;
 - f. Stucco-like exterior insulation finish systems, used in small modules; and
 - g. Ceramic or terra cotta tile.

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3. Bright or intense colors should be reserved for accent or trim. Colors should be chosen to visually reduce the size of buildings that are larger than others in the neighborhood. Changes in wall colors should differentiate the ground floor from the upper floors.
4. Changes in materials on larger buildings should be coordinated with articulation and modulation within the building's architecture. Changes in the building materials can also be used to differentiate the ground floor from upper floors of the building and should vary from building to building in multi-building projects (UVC).

17.380 .240 Multi-family – Signs.

- A. **Requirement.** Minimize the amount of signage needed to identify the multi-family development (UVC). Signs shall conform to Chapter 17.450, Sign Code.
- B. **Guideline.**
 1. Multi-family projects should have a sign at the main entry from the street to identify the project. The sign should also include the street address (UVC).
 2. Internal directional signs showing the building locations and building numbers are encouraged (UVC, ~~NV, COSC, NC, UC~~).
 3. Each building will have clearly displayed street numbers, building numbers, and building name, if applicable. Choose materials for the signs that are used in the architectural details of the buildings (UVC).

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Zones do not exist

ARTICLE 4 – OTHER RESIDENTIAL DEVELOPMENT IN THE UVC ZONE: DUPLEX AND MANUFACTURED HOUSING, COTTAGE HOUSING AND SINGLE FAMILY HOUSING

17.380 .250 Duplexes and manufactured housing – Applicability.

Sections 17.380 .250 through 17.380 .290 of this chapter apply to duplexes and manufactured housing within the UVC ZONE.

17.380 .260 Duplex – Building design – Roof form and architectural detail.

- A. **Requirement.** Design residences to reinforce the architectural character of the Village (UVC).
- B. **Guideline.**
 1. Create architectural character in the village or centers through the use of the following:
 - a. Roof design. Pitched or articulated roof line, or other roof elements such as eyebrow roof forms or dormers that emphasize building form and help it to fit in with neighboring structures with prominent roofs (UVC).
 - b. Architectural details that are well proportioned to achieve human scale such as:
 - i. Entry details like porches and recesses;
 - ii. Occupiable spaces like bay windows and balconies;
 - iii. Window details like vertically proportioned window openings which are recessed into the face of the building and broken up with smaller panes of glass;
 - iv. Roof details like brackets, chimneys, roof overhangs of at least sixteen inches (measured horizontally);
 - v. Windows that create relief in the facade by being detailed to appear to recede into the building face (UVC).

17.380 .270 Duplexes – Building design – Entries.

- A. **Requirement.** Provide clearly defined building entries or entry courtyards that are well lighted and easily accessible (UVC).
- B. **Guideline.**
 1. The entries should include a transition space from the sidewalks such as steps, a covered porch, a terrace, or a landscaped area (UVC).

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2. Entries should include, at a minimum, eave overhangs extending at least sixteen inches (measured horizontally) and covered porches (UVC).
3. Avoid the use of exterior stairways when porches and front doors can be used as a primary building entry. If exterior stairways are used, they should fit with the architectural massing and form of the multi-family structure. Thin looking, open metal, prefabricated stairs and railings are discouraged (UVC).

17.380 .280 Duplexes – Building design – Garage design.

- A. **Requirement.** Design garages and carports in a way that does not dominate the dwelling's front facade. If an alley exists, the garage or carport shall be located off the alley. Otherwise, garages and carports shall be located behind the residence with or without a partial view from the street, or stepped back from the facade of the building, or located below sidewalk grade (UVC).
- B. **Guideline.**
 1. The entrance to a residence should be plainly visible from the fronting street and the walkway and should not be dominated by a garage or carport (UVC).
 2. Driveways should be as narrow as possible and shared where possible to minimize disruption of the sidewalk and planting strip by curb cuts. The use of wheel tracks or a grass/concrete porous pavement system is encouraged (UVC).
 3. Garage sidewalls that face the street (e.g., as a result of garages being aligned at an angle or perpendicular with the house) should appear to contain habitable space. This can be accomplished by incorporating windows and other design elements into the garage wall that are in character with the remainder of the dwelling (UVC).

17.380 .290 Duplexes – Building design – Materials and colors.

- A. **Requirement.** To use building materials on exteriors that are durable, easy to maintain, are of human scale and that are attractive even when viewed up close. These include materials that have texture, pattern, or lend themselves to a high level of quality and detailing (UVC).
- B. **Guideline.**
 1. Preferred materials that could be used in a Village include (UVC):
 - a. Clear/painted/stained horizontal lap siding
 - b. Shingles
 - c. Brick
 - d. Stone
 - e. Stucco
 - f. Stucco-like exterior insulation finish systems, used in small modules
 - g. Ceramic or terra cotta tile
 2. Preferred roofing materials include: composition or wood shake shingles, standing seam non-glare metal, or tile (UVC).
 3. In multi-building projects materials and colors should be varied from structure to structure to provide variety and interest to the streetscape. Bright or intense colors should be reserved for accent or trim. Colors should be chosen to visually reduce the size of buildings that are larger than others in the neighborhood (UVC).

ARTICLE 5 – ACCESSORY DWELLING UNITS (ADU) IN THE UVC ZONE

17.380 .300 Accessory dwelling units – Site and building design – Privacy.

- A. **Requirement.** To the extent practical, maintain privacy of adjoining residences, and the primary residence (UVC).
- B. **Guideline.** Use a combination of landscape screening, fencing and window and door placement so that ADU residents cannot look directly into the windows, porches and decks of adjoining residences (UVC).

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17.380 .310 Accessory dwelling units – Building design – Entry features.

- A. **Requirement.** Provide a clearly defined building entry, which is well lighted, easily accessible and integral to the building structure (UVC).
- B. **Guideline.**
1. Entries should be plainly visible from the fronting street sidewalk (UVC);
 2. If the entry cannot be seen from the fronting street sidewalk, a well-defined walkway (e.g., constructed of contrasting materials or lined with a pattern of shrubbery) should be used to “lead” the visitor to the entry of the ADU (UVC);
 3. Where an ADU is added within an existing primary residence, entry may be off an existing foyer (UVC);
 4. Where there is a separate entry, an identifying feature, such as a portico, porch, stoop and/or eave overhang or a similar entry structure shall be constructed that is designed to be integral to the structure (UVC);
 5. Walkways, entry porches, or stairways that are dark or hidden are to be avoided (UVC);
 6. Where an exterior stairway to the main entrance to the ADU is needed or a porch, portico, or eave overhang constructed, it should be constructed of wood, or the most common material used in the construction of the primary residence. Thin looking, open metal, prefabricated stairs are discouraged (UVC).

17.380 .320 Accessory dwelling units – Building design – Materials and colors.

- A. **Requirement.** Ensure that ADUs conform to the design theme of the Village, and contribute to the livability of the neighborhood (UVC).
- B. **Guideline.**
1. Use a roof form and roof pitch, and window and door form and arrangement that looks like the primary residence (UVC);
 2. Use the same exterior materials (roof, siding, and trim) and a color that matches the primary residence (UVC);
 3. In general, the roof ridge of the primary residence should be higher than the ADU. An obvious exception is when the ADU is built onto the second story of an existing unit (UVC).

ARTICLE 6 – COTTAGE HOUSING IN THE UVC ZONE

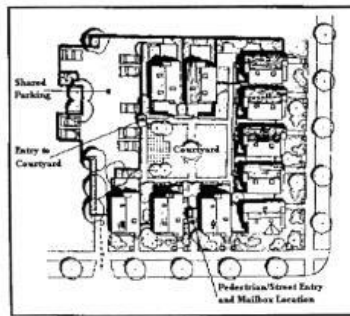
17.380 .330 Cottage housing – Site design.

- A. **Requirement.** Design cottage housing to use shared off street parking, orienting the cottages to the street edge and to the shared interior courtyard (UVC).
- B. **Guideline.**
1. Entryways should be oriented to the public street, with secondary entries oriented to the shared courtyard (UVC);
 2. Parking should be shared and accessed off an alley or secondary street wherever possible (UVC);
 3. The width of the driveway curb cut entry to the parking areas should be minimized to prevent as much pedestrian/sidewalk disruption as possible (UVC);
 4. Provide pedestrian connections from the interior courtyard to the shared parking area and to the street and sidewalk (UVC).

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Cottage Housing



Cottage Housing

ARTICLE 7 – DEFINITIONS

17.380 .340 [Reserved]

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Chapter 17.390 POULSBO URBAN TRANSITION AREA

(Formerly Chapter 17.318)

Sections:

17.390.010 Purpose.

17.390.020 City Zoning Ordinance adopted.

17.390.030 City of Poulsbo Zoning Ordinance – Exceptions and additional requirements.

17.390.040 Resolutions of conflicts between City of Poulsbo Zoning Code and Kitsap County Code.

17.390.010 Purpose.

The purpose of this chapter is to recognize the adoption of the Poulsbo Sub-Area Plan and designation of the Poulsbo Urban Growth Area (UGA), and to provide for development within the UGA that is consistent with the City of Poulsbo's existing development standards, thereby allowing for a smooth transition of the UGA into the city's corporate limits through future annexations.

17.390.020 City Zoning Ordinance adopted.

Except as specified elsewhere in this chapter, the City of Poulsbo Zoning Ordinance, adopted on February 9, 2003, and effective March 3, 2003, is adopted and incorporated herein by reference, as now or hereafter amended, for the sole purpose of regulating development within the Poulsbo Urban Transition Area, as depicted on Kitsap County's Comprehensive Plan Land Use Map.

17.390.030 City of Poulsbo Zoning Ordinance – Exceptions and additional requirements.

- A. Within the Poulsbo Urban Transition Area, all sections of the City of Poulsbo Zoning Ordinance shall control; except for the following provisions:
1. Chapter I – General Provisions;
 2. Chapter VII – Zoning Review and Approval;
 3. Chapter VIII.A – Director Authority;
 4. Chapter VIII.J – Housing Authority Development Permits;
 5. Chapter X.C – Comprehensive Plan Amendments;
 6. Chapter IX – Non-Conforming Structures and Uses;
 7. Chapter X.A – Variances;
 8. Chapter X.B – Zoning Changes, Amendments and Alterations;
 9. Chapter X.E – Appeals; and
 10. Chapter XI – Zoning Enforcement, Penalties and Other Conditions;
- B. The minimum lot size is seven thousand five hundred square feet unless included in a planned unit development as provided in the City of Poulsbo Zoning Ordinance; and
- C. Application fees are determined as provided by Kitsap County Code Chapter 21.06.

17.390.040 Resolutions of conflicts between City of Poulsbo Zoning Code and Kitsap County Code.

If it is not clear from Kitsap County Code Section 17.390.030 whether the City of Poulsbo Zoning Ordinance or Kitsap County Code applies, then the following general rules shall be applied:

- A. The requirements for the city's zoning districts, and other substantive requirements of the city's zoning ordinance, apply instead of the substantive requirements in this title; and
- B. The procedural requirements for reviewing and processing development permits and for appeals of decisions on such permits, as well as any other procedural requirements of this title, and the procedural requirements of Kitsap County Code Chapter 21.04, apply instead of the procedural requirements of the city's zoning ordinance.

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Chapter 17.400 GORST SUBAREA

(Formerly Chapter 17.378)

Sections:

17.400.010 Purpose.

17.400.020 Uses.

17.400.030 Height regulation.

17.400.040 Standards and requirements.

17.400.050 Signs.

17.400.060 Off-street parking and loading.

17.400.070 Landscaping.

17.400.080 Special provisions.

17.400.010 Purpose.

This chapter implements the Gorst Subarea Plan, and is intended to support Gorst as a community offering homes, jobs, and recreation in an environmentally sustainable setting. Standards are intended to apply to all zones that are included in the Gorst urban growth area.

17.400.020 Uses.

Uses shall be allowed in accordance with Chapter 17.410.

17.400.030 Height regulation.

For commercial zones, height requirements shall be in accordance with Chapter 17.420.

17.400.040 Standards and requirements.

- A. For commercial zones, lot requirements shall be in accordance with Chapter 17.420.
- B. New development or redevelopment in the LIC zone shall remove existing impervious area at a rate of 1.25:1 within two hundred feet of the Sinclair Inlet shoreline. If stormwater incentives are provided consistent with Section 17.400.080 this shall not apply. For the purposes of this section, "new development or redevelopment" refers to proposals that result in two thousand square feet, or greater, of new, replaced, or new plus replaced hard surface area, or land disturbing activity of seven thousand square feet or greater.
- C. All development within the Gorst UGA must be consistent with the Gorst Subarea Plan Design Guidelines as adopted in the Gorst Subarea Plan.
- D. Stormwater.
 1. Inclusion of Low Impact Development (LID) and Feasibility Determination. All development in Gorst shall be consistent with Kitsap County Code Title 12 (Storm Water Drainage) and incorporate LID to the maximum extent feasible.
 - a. Site Evaluation – Dispersion. A site evaluation shall assess the feasibility for dispersion, including topography, sensitive slopes and required setbacks. Where dispersion is feasible for all or part of the site, this method shall be used. In areas where dispersion is not feasible, infiltration shall be used if feasible.
 - b. Site Evaluation – Infiltration. The evaluation shall assess the feasibility of infiltration, including a soils reconnaissance and pilot infiltration test (PIT) for any outwash soils identified where infiltration may be possible. Where infiltration is feasible for all or part of the site, it shall be implemented.
 - c. Where Full Infiltration Is Not Feasible. In areas where full infiltration is not feasible, LID BMPs per subsection (D)(3)(b) of this section shall be used for all water quality treatment and partial flow control. Projects shall meet water quality treatment needs with LID best management practices (BMPs) if feasible.
 - d. Site Soils. Site soils in landscaped areas shall be amended pursuant to manuals described in subsection (D)(2)(a) of this section.

Commented [DG68]: Removed Zones:
References to mixed use zone and highway tourist commercial zone removed.

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- e. Limit Impervious Surfaces. Impervious surfaces shall be limited to the greatest extent feasible and shall comply with the provisions of the Gorst Subarea Plan.
2. LID Design.
 - a. Design of LID facilities such as bioretention, pervious pavements, and others shall be in accordance with the design criteria in Kitsap County Code Title 12 (Storm Water Drainage). Further guidance can be found in the Puget Sound Partnership's Low Impact Development Technical Manual for Puget Sound ("the LID Manual") and the Stormwater Management Manual for Western Washington ("the Stormwater Manual"), except as provided in this subsection.
 - b. Conceptual Bioretention Facility Design. Preference shall be given to facility designs that fully infiltrate all stormwater on site. Refer to Kitsap County Code Title 12 (Storm Water Drainage) for the most current diagrammatic drawings.
3. LID Implementation Standards.
 - a. Projects shall implement a comprehensive stormwater management plan for the project that manages all rainfall on site, incorporates soil amendments in landscaped areas, utilizes permeable pavement for all pedestrian areas and uses feasible LID techniques, consistent with subsection (D)(2) of this section.
 - b. Projects shall implement a stormwater management plan that uses LID BMPs for all required water quality treatment from pollution generating surfaces (PGS), e.g., bioretention and pervious pavement.
 - c. All existing storm drains or inlets shall be clearly labeled to indicate the drain or inlet leads to a stream or groundwater and that dumping in the drain or inlet is prohibited. No additional storm drains shall be installed that lead to streams or to Sinclair Inlet, nor shall new drain systems that connect directly to existing drains that flow to a stream or Sinclair Inlet be allowed.
 - d. If additional impervious area is required for development in the low intensity waterfront designation, removal or infiltration capacity of stormwater shall be required at one hundred twenty-five percent of projected runoff based on the one-hundred-year storm event.

17.400.050 Signs.

Signs shall be permitted according to the provisions of Chapter 17.450.

17.400.060 Off-street parking and loading.

- A. Off-street parking shall be provided according to the provisions of Chapter 17.430.
- B. Multifamily, Commercial, and Mixed Use Development – Parking Location. On-site parking shall be to the rear or to the side of buildings on the site and shall not occupy more than fifty percent of the site frontage facing the arterial street frontage(s). The site frontage includes all of the area between the right-of-way and front building wall; this applies to the entire length of the property, regardless of building width. Corner lots have two site frontages as they are positioned on two street frontages.
- C. Multifamily, Commercial, and Mixed Use Development – Parking Location. All efforts shall be taken to avoid placing parking on street corners. Parking located between the building frontage and street corners shall be fully screened. Screening shall consist of the following:
 1. A four-foot-tall decorative wall within the front yard landscaping area that fully screens the parking areas. The wall shall be located such that it blocks views of the parking from the right-of-way. For long spans of frontage (one hundred feet or more), the wall shall include modular articulation to add architectural variety.
 2. Shrubs or other alternative materials may be substituted for the wall, provided it is demonstrated that the shrubs/alternative will provide equal to or better visual screening than the wall. Shrubs shall be a minimum of three feet tall at time of installation and shall be additional to the landscaping required in Chapter 17.440.
 3. Openings may be required within a wall section in order to provide a sidewalk from the right-of-way to the building entry. The entry shall be the minimum necessary to accommodate a sidewalk

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that is a minimum of five feet in width, clearly marked, and distinguished from driving surfaces by using decorative paving, stamped/stained concrete, or raised walkways with alternative materials (such as brick, cobblestone, decorative pavers). Paint striping does not meet this requirement.

4. Access to parking may be from adjacent nonprincipal arterial streets, or from driveways off of the principal arterial.
5. Driveways providing access to parking area shall be well-defined, highly visible entryways.

17.400.070 Landscaping.

- A. For landscaping provisions, see Chapter [17.440](#).
- B. Nonhazardous vegetation clearing outside of critical area buffers or shoreline buffers shall be limited to the minimum necessary to accommodate a development that is consistent with the applicable zone. Design and location of the structure or development shall minimize native vegetation removal. Development or uses that require vegetation clearing shall be designed to avoid the following in the order indicated below, with 1 being the most desirable vegetation to retain: 1) native coniferous trees; 2) native deciduous trees; 3) other native vegetation; 4) nonnative trees; and 5) other nonnative vegetation.

17.400.080 Special provisions.

- A. For Special provisions, see Chapter [17.520](#).
- B. Incentives.
 1. The incentive measures in this chapter apply to all zones and land uses within the Gorst urban growth area with the exception of industrial zones. Incentives are intended to encourage sustainable development and provide flexibility through voluntary incentives, consistent with the policy direction contained in Chapter 4 of the Gorst Subarea Plan. These incentives are to acknowledge the existing built environment and through redevelopment minimize activities that contribute to stormwater issues and/or provide greater protection of the Sinclair Inlet shoreline and Gorst Creek.
 2. Relationship with Other Standards. Nothing in this section relieves the applicant from compliance with any other standard set forth in Title [17](#), or from compliance with any other provision of the Kitsap County Code, unless specifically exempted in this chapter.
 3. Table 17.400.080(B) describes the public benefit and the resulting development incentive earned. Using the incentives, an applicant can earn density, height, or impervious surface coverage above the base standard allowed in the zone. In no case shall the maximum density, height, or impervious surface coverage exceed the maximum allowed by the zone. More than one public benefit and corresponding incentive may be earned up to one hundred percent of the bonus. Table 17.400.080(C) summarizes the minimum, base, and maximum densities, heights, and impervious surface coverages for reference. The full text of the applicable zone should be consulted in addition to the table; in cases of conflict the zone-specific language shall control.

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Table 17.400.080(B) – Public Benefit and Incentives

Public Benefit Description	Development Incentive Select one or more bonus item
Stormwater	
Project provides a clustered residential project with LID street per Chapter 10.	100% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Project uses permeable surfacing or detention/infiltration methods to reduce overland flow in excess of the 100-year storm requirement, in 75% of circulation, parking and loading areas, except where potential contamination, a specific industrial activity, or other site-specific constraints preclude its use. Contamination sources include vehicle fuel stations, storage of industrial chemicals, oils and grease, and other hazardous substances, dust and dirt storage, etc.	25% excess of 100-year storm infiltrated onsite: 50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus 50% excess of 100-year storm infiltrated onsite: 100% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus
Project locates bioretention cells in publicly visible areas, includes a planting plan by a licensed landscape architect, provides a plant maintenance warranty for one year. Bioretention cells treat a minimum of 10,000 sq. ft. of Pollution Generating Impervious Surfaces (PGIS).	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Net reduction of existing impervious area by 25% and revegetation with native vegetation.	100% Density Bonus 100% Height Bonus
Habitat	
Provide a landscape plan that demonstrates that at least 20% of the significant trees on the buildable area of the site are retained outside of buffers.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Provide multilayered landscaping including native trees, native shrubs and native groundcover on at least 30% of the site.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Site plan includes a minimum 35-foot habitat corridor (not otherwise required by critical area or shoreline or management overlay regulations) vegetated with native trees, shrubs and groundcover that connect critical areas or permanently preserved natural areas within or adjacent to and across the project site. Site design shall ensure that lighting from adjacent development does not intrude on corridor. The corridor shall be protected with a native growth protection easement or maintained to exclude nonnative invasive species, such as blackberry and Japanese knotweed (See Noxious Weed list for Kitsap County).	100% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus

DRAFT REGULATIONS

Table 17.400.080(B) – Public Benefit and Incentives

Public Benefit Description	Development Incentive Select one or more bonus item
Access Improvements	
Site design for new development is configured in such a way as to allow future businesses and site occupants shared access to roads within or contiguous to the development site.	100% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus
Shared access driveway is provided and designed to serve two or more development sites (one may be a future site), a joint tenant building is provided on a site, or the project is located within a multi-tenant commercial center.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Shared parking is provided that serves two or more tenants. No additional parking outside of the shared lot(s) may be provided. Shared parking lots shall be located within a 1,200 foot radius of the front door of the building. Number of parking stalls is no more than 50% greater than minimum requirement in Bremerton Municipal Code Chapter 20.48.	50% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus
Shared or consolidated loading areas are provided in a central service court or other location that is screened from public view.	25% Density Bonus 25% Height Bonus 25% Impervious Surface Coverage Bonus

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Table 17.400.080(C) – Summary of Development Standards Eligible for Bonus by Zone

Height, Bulk, and Impervious Surface Standards	Low Intensity Commercial	Urban Restricted
Density, Minimum, in units per net acre	0	1
Density, Base, in units per gross acre	20	5
25% of bonus	22.5	6.25
50% of bonus	25	7.5
100% of bonus	30	10
Density, Maximum, in units per gross acre, subject to incentives	30	10
Height, Base, in feet	25	35
25% of bonus	30	NA
50% of bonus	35	NA
100% of bonus	45	NA
Height, Maximum, in feet, subject to incentives	45	NA
Impervious Surface Coverage, Standard Maximum, in percent of lot area	35	45
25% of bonus	38.75	47.5
50% of bonus	42.5	50
100% of bonus	50	55
Impervious Surface Coverage, Maximum, in percent of lot area, subject to incentives	50	55

Commented [DG69]: Remove Zone:
Mixed Use zone removed. Locations where mixed use zoning changed are not included in this table.

C. Design Guidelines. The Design Guidelines outlined in Chapter 10 of the Gorst Subarea Plan are hereby adopted by reference.

DRAFT REGULATIONS

Chapter 17.410 ALLOWED USES

(Formerly Chapter 17.381)

Sections:

17.410.010 Categories of uses established.

17.410.020 Establishment of zoning use tables.

17.410.030 Interpretation of tables.

17.410.040 Zoning use tables.

17.410.050 Footnotes for zoning use tables.

17.410.060 Provisions applying to special uses.

17.410.010 Categories of uses established.

This chapter establishes permitted, conditional, and prohibited uses, by zone, for all properties within Kitsap County. All uses in a given zone are one of four types:

- A. Permitted Use. Land uses allowed outright within a zone and subject to provisions within Kitsap County Code.
- B. Administrative Conditional Use. Land uses which may be permitted within a zoning designation following review by the director to establish conditions mitigating impacts of the use and to ensure compatibility with other uses in the designation.
- C. Hearing Examiner Conditional Use. Land uses with special characteristics that may not generally be appropriate within a zoning designation, but may be permitted subject to review by the hearing examiner to establish conditions to protect public health, safety and welfare.
- D. Prohibited Use. Land uses specifically enumerated as prohibited within a zone.

17.410.020 Establishment of zoning use tables.

The tables in Section 17.410.040 establish allowed uses in the various zoning designations and whether the use is allowed as "Permitted," "Administrative Conditional Use," or "Hearing Examiner Conditional Use." Uses with approval processes that will be determined at a future date are identified as "Reserved." The zone is located at the top of the table and the specific use is located on the far-left of the vertical column of these tables.

17.410.030 Interpretation of tables.

- A. Legend. The following letters have the following meanings when they appear in the box at the intersection of the column and the row:

P	Permitted Use
ACUP	Administrative Conditional Use Permit
C	Hearing Examiner Conditional Use Permit
PBD	Performance Based Development
--	Prohibited Use
R	Reserved

Commented [DG70]: Formatting:
Changed from an "X" to "--" for visual flow in the use table

- B. Additional Use-Related Conditions. The small numbers (subscript) in a cell indicate additional requirements or detailed information for uses in specific zones. Those additional requirements can be found in the table footnotes in Section 17.410.050. All applicable requirements shall govern a use whether specifically identified in this chapter or not.
- C. Unclassified Uses. Except as provided in Section 17.100.050, Allowed uses, if a use is not listed in the use column, the use is prohibited in that designation.

DRAFT REGULATIONS

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).
- B. Commercial, Industrial, and Parks Zones.
 - 1. Urban Village Center (UVC).
 - 2. Neighborhood Commercial (NC).
 - 3. Commercial (C).
 - 4. Regional Center (RC).
 - 5. Low Intensity Commercial (LIC).
 - 6. Rural Commercial
 - 7. Business Park (BP).
 - 8. Business Center (BC).
 - 9. Industrial (IND).
 - 10. Rural Industrial (RI).
 - 11. Parks (P).
- C. Limited Areas of More Intensive Rural Development (LAMIRD).
 - 1. Keyport Village Commercial (KVC).
 - 2. Keyport Village Low Residential (KVLR).
 - 3. Keyport Village Residential (KVR).
 - 4. Manchester Village Commercial (MVC).
 - 5. Manchester Village Low Residential (MVLRL).
 - 6. Manchester Village Residential (MVR).
 - 7. Port Gamble Rural Historic Town Commercial (RHTC).
 - 8. Port Gamble Rural Historic Town Residential (RHTR).
 - 9. Port Gamble Rural Historic Town Waterfront (RHTW).
 - 10. Suquamish Village Commercial (SVC).
 - 11. Suquamish Village Low Residential (SVLRL).
 - 12. Suquamish Village Residential (SVR).
 - 13. Rural Employment Center (REC).
 - 14. Twelve Trees Employment Center (TTEC).

Commented [DG71]: Changes To Section:

Added Color and re-formatted to match comp plan designations and zoning map legends.

Remove Zones:

(URS) Urban Reserve
(SLH) Senior Living Homestead
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Add Zones:

(C) Commercial
(RC) Regional Center

Re-Name Zone:

From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Categories Removed:

Mixed Use Development

Categories Added:

Non-Motorized Recreational Rentals
General retail merchandise stores – 10,000 to 15,000 s.f.

DRAFT REGULATIONS

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											
Accessory dwelling units (1)	P (96) €	P (96) €	P (96) €	--	--	P	P	P	P	P	--
Accessory living quarters (1)	P	P	P	--	--	P	P	P	P	P	--
Accessory use or structure (1) (17) (18) (51)	P	P	P	P	P	P	P	P	P	P	P
Adult family home	ACUP P (41)	ACUP P (41)	ACUP P (41)	--	--	ACUP P (41)	--	ACUP P (41)	P (41)	ACUP P (41)	ACUP P (41)
Bed and breakfast house	ACUP C (34)	ACUP C (34)	ACUP C (34)	--	--	ACUP C (34)	ACUP C (34)	ACUP C (34)	P	ACUP C (34)	--
Caretaker's dwelling	--	--	--	--	--	--	--	--	--	ACUP	--
Convalescent home or congregate care facility	--	--	--	--	--	--	--	C	ACUP	C	ACUP
Cottage housing developments	--	--	--	--	--	ACUP	ACUP	ACUP	P	ACUP	--

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG73]: REASONABLE MEASURE:
 Use Table Footnote #96 An accessory dwelling unit is only allowed if the parcel on which it is located is twice the size of the minimum parcel size for the zone.

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Dwelling, duplex	P (3)	P (3)	P (3)	P (3)	--	P (3)	P	P (3)	P	P	--
Dwelling, existing	P	P	P	P	P	P	P	P	P	P	P
Dwelling, multifamily	--	--	--	--	--	C -- (80)	C	C	ACUP	P	P
Dwelling, single-family attached	C	C	--	C	--	P	P	P	P	P	ACUP
Dwelling, single-family detached	P (43)	P (43)	P (43)	C (43)	--	P (43)	P (43)	P (43)	P (43)	P (43)	ACUP (43)
Guest house (1)	P	P	P	--	--	P	P	P	P	P	--
Home business (1) (52)	ACUP	ACUP	ACUP	C (23)	--	P	P	P	P	ACUP	ACUP
Hotel/motel (1) (52)	--	--	--	--	--	--	--	--	--	--	ACUP
Manufactured homes	P (43)	P (43)	--	C (43)	--	P (43)	P (43)	P (43)	P (43)	P (43)	-- (43)

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG74]: Add Footnote:
 Reason: Footnote 43 allows for temporary placement of manufactured or mobile homes for special care circumstances.

Commented [DG75]: Remove Category:
 Reason: Manufactured home permissibility would be identical to stick built housing and does not warrant a separate categorical use.

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Mobile homes	P (43)	P	P	P (43)	P	C (24) (43)	C (24) (43)	C (24) (43)	C (43)	C (24) (43)	-- (43)
Residential care facility	--	--	--	--	--	ACUP	ACUP	ACUP	P	P	P
COMMERCIAL/BUSINESS USES											
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P
Adult entertainment (1)	--	--	--	--	--	--	--	--	--	--	--
Ambulance service	--	--	--	--	--	--	--	--	--	--	--
Auction house	--	--	--	--	--	--	--	--	--	--	--
Auto parts and accessory stores	--	--	--	--	--	--	--	--	--	--	--
Automobile rentals	--	--	--	--	--	--	--	--	--	--	--
Automobile repair and car washes	--	--	--	--	--	--	--	--	--	--	--
Automobile service station (6)	--	--	--	--	--	--	--	--	--	--	--
Automobile, recreational vehicle or boat sales	--	--	--	--	--	--	--	--	--	--	--

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

DRAFT REGULATIONS

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)
Non-motorized recreation rentals (95)	--	--	--	--	--	--	--	--	ACUP	ACUP	ACUP
Boat/marine supply stores	--	--	--	--	--	--	--	--	--	--	--
Brew pubs	--	--	--	--	--	--	--	--	--	--	--
Clinic, medical	--	--	--	--	--	--	--	--	--	--	ACUP (37)
Conference center	--	--	--	--	--	--	--	P	--	--	--
Custom art and craft stores	--	--	--	--	--	--	--	--	--	--	--
Day-care center (14)	C	C	--	--	--	C	C	C	C	ACUP	ACUP (37)
Day-care center, family (14)	P	P	--	--	--	P	C	P	P	ACUP	ACUP (37)
Drinking establishments	--	--	--	--	--	--	--	--	--	--	--
Engineering and construction offices	--	--	--	--	--	--	--	--	--	--	--
Espresso stands (58)	--	--	--	--	--	--	--	--	--	--	P (37)

Commented [DG72]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
(URS) Urban Reserve
(SLH) Senior Living Homestead

Re-Name Zone:
From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Commented [DG76]: Add Category:
Permissibility to reflect zone intent

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Equipment rentals	--	--	--	--	--	--	--	--	--	--	--
Farm and garden equipment and sales	--	--	--	--	--	--	--	--	--	--	--
Financial, banking, mortgage and title institutions	--	--	--	--	--	--	--	--	--	--	--
General office and management services – less than 4,000 s.f.	--	--	--	--	--	--	--	--	C (28)	--	ACUP (37)
General office and management services – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	ACUP (37)
General office and management services – 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	ACUP (37)
General retail merchandise stores – less than 4,000 s.f.	--	--	--	--	--	--	--	--	C (28)	--	ACUP (37)
General retail merchandise stores – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	--

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

DRAFT REGULATIONS

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)
General retail merchandise stores – 10,000 to 15,000 s.f.	--	--	--	--	--	--	--	--	--	--	--
General retail merchandise stores – 15,001 to 24,999 s.f.	--	--	--	--	--	--	--	--	--	--	--
General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--
Kennels or pet day-cares (1)	C (12)	C (12)	--	--	--	--	--	--	--	--	--
Kennels, hobby	P	P	P	--	--	P (80)	P	P	P	P	--
Laundromats and laundry services	--	--	--	--	--	--	--	--	C (28)	--	ACUP (37)
Lumber and bulky building material sales	--	--	--	--	--	--	--	--	--	--	--
Mobile home sales	--	--	--	--	--	--	--	--	--	--	--
Nursery, retail	C	C	--	--	--	--	--	--	--	--	--
Nursery, wholesale	P	P	P	--	--	--	--	--	--	--	--

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG77]: Add Category:
 Permissibility exactly matches category:
 General retail merchandise stores – 15,001 to 24,999 s.f.

DRAFT REGULATIONS

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)
Off-street private parking facilities	--	--	--	--	--	--	--	--	--	--	--
Personal services – skin care, massage, manicures, hairdresser/barber	--	--	--	--	--	--	--	--	C	--	ACUP (37)
Pet shop – retail and grooming	--	--	--	--	--	--	--	--	--	--	ACUP (37)
Research laboratory	--	--	--	--	--	--	--	--	--	--	--
Restaurants	--	--	--	--	--	--	--	--	C (28)	--	ACUP (37)
Restaurants, high-turnover	--	--	--	--	--	--	--	--	--	--	--
Recreational vehicle rental	--	--	--	--	--	--	--	--	--	--	--
Temporary offices and model homes (27)	ACUP	ACUP	--	--	--	P	P	P	P	ACUP	ACUP (37)
Tourism facilities, including outfitter and guide facilities	--	--	--	--	--	--	--	--	--	--	--

Commented [DG72]: Changes:

Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:

(URS) Urban Reserve
(SLH) Senior Living Homestead

Re-Name Zone:

From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Tourism facilities, including seaplane and tour boat terminals	--	--	--	--	--	--	--	--	--	--	--
Transportation terminals	--	--	--	--	--	--	--	--	--	--	--
Veterinary clinics/animal hospitals	C (8)	C (8)	--	--	--	--	--	--	--	--	C (9) (37)
RECREATIONAL/CULTURAL USES											
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P
Amusement centers	--	--	--	--	--	--	--	--	--	--	--
Carnival or circus	--	--	--	--	--	--	--	--	--	--	--
Club, civic or social (12)	C (12)	C (12)	--	--	C (12)	C (12)	C (12)	C	ACUP	ACUP	ACUP
Golf courses	C (12)	C (12)	--	--	--	C (80)	C	C	ACUP	C	ACUP

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

DRAFT REGULATIONS

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)
Marinas	--	--	--	--	--	C -- (80)	C	C	ACUP	C	C
Movie/Performance theaters, indoor	--	--	--	--	--	--	--	--	--	--	--
Movie/Performance theaters, outdoor	--	--	--	--	--	--	--	--	--	--	ACUP
Museum, galleries, aquarium, historic or cultural exhibits	--	--	--	--	--	--	--	--	--	--	ACUP
Parks and open space	P	P	P	P	P	P	P	P	P	P	P
Race track, major	--	--	--	--	--	--	--	--	--	--	--
Race track, minor	--	--	C (12)	C (12)	C (12)	--	--	--	--	--	--
Recreational facilities, private	C (12)	C (12)	C	--	--	C	C	C	ACUP	C	ACUP
Recreational facilities, public	ACUP	ACUP	C	--	--	P	P	P	P	P	ACUP

Commented [DG72]: Changes:

Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:

(URS) Urban Reserve
(SLH) Senior Living Homestead

Re-Name Zone:

From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Recreational vehicle camping parks	C (46)	C (46)	C (46)	--	--	C	C	C	--	--	--
Zoo	--	--	--	--	--	--	--	--	--	--	--
INSTITUTIONAL USES											
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P
Government/public structures	ACUP	ACUP	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP
Hospital	--	--	--	--	--	--	--	--	--	--	C
Places of worship (12)	C (12)	C (12)	--	--	--	C	C	C	C	C	ACUP
Private or public schools (20)	C	C	--	--	--	C	C	C	C	C	C
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	C	C	C	C (5)	C	C	C	C	ACUP	C	ACUP
INDUSTRIAL USES											

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

DRAFT REGULATIONS

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)
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P
Air pilot training schools	--	--	--	--	--	--	--	--	--	--	--
Assembly and packaging operations	--	--	--	--	--	--	--	--	--	--	--
Boat yard	--	--	--	--	--	--	--	--	--	--	--
Cemeteries, mortuaries, and crematoriums (10)	C	C	C	--	--	C	C	C	C	C	C
Cold storage facilities	--	--	--	--	--	--	--	--	--	--	--
Contractor's storage yard (21)	C (12)	C (12)	--	--	ACUP	--	--	--	--	--	--
Food production, brewery or distillery	--	--	--	--	--	--	--	--	--	--	--
Fuel distributors	--	--	--	--	--	--	--	--	--	--	--
Helicopter pads (13)	--	--	--	--	--	--	--	--	--	--	--
Manufacturing and fabrication, light	--	--	--	--	--	--	--	--	--	--	--

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

DRAFT REGULATIONS

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)
Manufacturing and fabrication, medium	--	--	--	--	--	--	--	--	--	--	--
Manufacturing and fabrication, heavy	--	--	--	--	--	--	--	--	--	--	--
Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	--	--	--
Recycling centers	--	--	--	--	--	--	--	--	--	--	--
Rock crushing	--	--	C (39)	C (39)	C ACUP (39)	--	--	--	--	--	--
Slaughterhouse or animal processing	--	--	--	--	--	--	--	--	--	--	--
Storage, hazardous materials	--	--	--	--	--	--	--	--	--	--	--
Storage, indoor	--	--	--	--	--	--	--	--	--	--	--
Storage, outdoor	--	--	--	--	--	--	--	--	--	--	--
Storage, self-service	--	--	--	--	--	C (40)	C (40)	C (40)	C (40)	C (40)	C

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG79]: Increase Permissibility:
 Mineral Resource Overlay is obtained to perform this task. It is an expected use within the overlay and existing permissibility not consistent with MRO intent.

Commented [DG78]: Remove Footnote:
 #39 only allows for rock crushing when it serves roads associated with timber harvest. Restriction is overly prohibitive if a MRO is acquired.

DRAFT REGULATIONS

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)
Storage, vehicle and equipment (1)	-- (18)	-- (18)	--	--	--	--	--	--	--	--	--
Top soil production, stump grinding	C (22)	C (22)	--	--	C	--	--	--	--	--	--
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	P	--	--	--	--	--	--
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	--	--	--	--	--	--	--	--	--	--	--
Warehousing and distribution	--	--	--	--	P	--	--	--	--	--	--
Wrecking yards and junk yards (1)	--	--	--	--	--	--	--	--	--	--	--
RESOURCE LAND USES											
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG80]: Increase Permissibility:
 Mineral Resource Overlay is obtained to perform this task. It is an expected use within the overlay and existing permissibility not consistent with MRO intent.

Commented [DG81]: Permissibility:
 Seen as accessory use for mineral resource extraction operations.

DRAFT REGULATIONS

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

Use	Rural			Resource		Urban Residential					
						Low Density				Medium Density	High Density
	RR	RP	RW	FRL	MRO	UR (19)	GB (60)	UL (19)(48)	UCR (48)	UM (30)(47) (48)	UH (19)(47) (48)
Aggregate extractions sites	C	C	C	P (4)	P	--	--	--	--	--	--
Agricultural uses (15)	P (7)	P (7)	P (7)	--	P	P (80)	P	P	--	P	P
Aquaculture practices	C	C	C	--	--	C	C	C	C	C	C
Forestry	P	P	P	P	P	P (80)	P	P	--	P	P
Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	--	--	--
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	--	P (2)	P (2)

Commented [DG72]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Remove Zones:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead

Re-Name Zone:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG82]: Add Permissibility:
 Policies support this permissibility.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
RESIDENTIAL USES												
Accessory dwelling units (1)	--	--	--	--	--	--	--	--	--	--	--	
Accessory living quarters (1)	--	--	--	--	--	--	--	--	--	--	--	
Accessory use or structure (1) (17) (51)	P	P	P	P (84)	P	P	P	P ACUP	P ACUP	P	--	
Adult family home	ACUP P (41)	--	ACUP P (41)	ACUP P (41) (84)	ACUP P (41) (79)	ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	--	
Bed and breakfast house	ACUP C (34)	ACUP C (34)	--	--	ACUP (79)	ACUP C (34)	--	--	--	--	--	
Caretaker's dwelling	ACUP	ACUP	ACUP	ACUP (84)	ACUP	P	P	P	P	P	P	
Convalescent home or congregate care facility	ACUP	C	ACUP	ACUP (84)	ACUP -- (79)	--	--	--	--	--	--	
Cottage housing developments	ACUP	--	--	--	--	--	--	--	--	--	--	

Commented [DG83]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Zones Removed:
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

Commented [DG84]: Increase Permissibility:
Accessory structure by definition is acceptable with a principle use/structure and should not require additional review.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Dwelling, duplex	ACUP	- P	--	--	--	--	--	--	--	--	--	
Dwelling, existing	P	P	P	P	P	P	P	P	P	P	--	
Dwelling, multifamily	ACUP	P T	ACUP	ACUP C (85)	P -- (79)	--	--	--	--	--	--	
Dwelling, single-family attached	P	- P	ACUP	ACUP (84)	P -- (79)	--	--	--	--	--	--	
Dwelling, single-family detached	P --	--	--	--	--	--	--	--	--	--	--	
Guest house (1)	--	--	--	--	--	--	--	--	--	--	--	
Home business (1) (53)	P	ACUP	--	--	--	ACUP	--	--	--	--	--	
Hotel/motel	ACUP	C	P	P (84)	ACUP -- (79)	--	--	--	--	--	--	
Manufactured homes	-- (43)	--	--	--	ACUP -- (79)	--	--	--	--	--	--	

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Zones Removed:
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(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

Commented [DG85]: Increase Permissibility:
Reason: Consistency with purpose language wherein residential character is referenced.

Commented [DG86]: Permissibility Reduced:
Reason: Allowing Single Family Detached residences in urban land use designations is contradictory to Comp Plan and GMA goals and policies.

Commented [DG87]: Remove Category:
Reason: Manufactured home permissibility would be identical to stick built housing and does not warrant a separate categorical use.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Mobile homes	-- (43)	--	--	--	--	--	--	--	--	--	--	
Residential care facility	ACUP	--	ACUP	ACUP (84)	ACUP -- (79)	--	--	--	--	--	--	
COMMERCIAL/BUSINESS USES												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P	
Adult entertainment (1)	--	--	C	C (84)	--	--	C	--	C	--	--	
Ambulance service	C	C	P	P (84)	P	--	P	ACUP	ACUP	--	--	
Auction house (55)	ACUP	--	P	P (84)	P	C	ACUP	ACUP	P	C	--	
Auto parts and accessory stores (65)	--	P	P	P (84)	P (83)	C	--	--	--	--	--	
Automobile rentals	P (56)	P (56)	P	P (61) (84)	P (83)	--	--	--	--	--	--	

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Zones Removed:
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Automobile repair and car washes (65)	--	ACUP (54)	P	P (84)	P (83)	C	P (61)	ACUP	P (33)	C	--	
Automobile service station (6)	--	ACUP	P	P (61) (84)	P (79) (83)	C	C (33)	C (33)	P (33)	C	--	
Automobile, recreational vehicle or boat sales	--	--	ACUP	ACUP (84)	P (83)	--	ACUP (35)	--	ACUP (35)	--	--	
Non-motorized recreation rentals (95)	P	P	P	P	P	P	P	--	--	--	P	
Boat/marine supply stores	--	--	P	P (84)	P (83)	C	--	--	--	--	--	
Brew pubs	ACUP	ACUP	P	P C (85) (87)	P	--	ACUP (33)	ACUP (33)	ACUP	--	--	
Clinic, medical	ACUP	ACUP	P	P (87)	P	--	P	ACUP	C	--	--	
Conference center	P	--	P	P C (85)	P	--	--	--	--	--	ACUP	

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Zones Removed:
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(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

Commented [DG88]: Add Permissibility:
Based upon zone intent.

Commented [DG89]: Change:
Previous drafts show as ACUP (35). Found to be inconsistent with intent of the zone.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Custom art and craft stores	P (54)	P (54)	P	P C (85) (87)	P	C	--	--	--	--	--	
Day-care center (14)	P (54)	P (54)	P	P C (85)	P -- (79)	ACUP	P (33)	P (33)	P (33)	--	ACUP -- (79)	
Day-care center, family (14)	ACUP (54)	ACUP (54)	P	P (61) (84)	P -- (79)	--	P (33) (61)	P (33)	--	--	--	
Drinking establishments	ACUP	C	C	C (87)	P	C	P (33)	C (33)	--	--	--	
Engineering and construction offices	P (54)	P (54)	P	P (84)	P	ACUP	P	P (33)	P (33)	ACUP (72)	--	
Espresso stands (58) (72)	--	P	P	P (61) (84)	P	ACUP	P (33) (61)	P (33)	P (33)	ACUP	--	
Equipment rentals	ACUP	--	P	P (61) (84)	--	ACUP	P	P	P	ACUP (73)	--	
Farm and garden equipment and sales	--	--	P	P (61) (84)	P	ACUP	--	--	--	C	--	

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 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Financial, banking, mortgage and title institutions	P (54)	P (54)	P	P C (85) (87)	P	--	P	P (33)	ACUP (33)	--	--	
General office and management services – less than 4,000 s.f.	P	P	P	P	P	ACUP	P	P	P (33)	--	--	
General office and management services – 4,000 to 9,999 s.f.	ACUP	ACUP	P	P (84)	P	C	P	P	--	--	--	
General office and management services – 10,000 s.f. or greater	ACUP	--	P	P (84)	P	--	P	P	--	--	--	
General retail merchandise stores – less than 4,000 s.f.	P	P	P	P	P	ACUP	P (33)	P (33)	ACUP (33)	--	--	
General retail merchandise stores – 4,000 to 9,999 s.f.	ACUP	ACUP	P	P (84)	P	C	--	--	--	--	--	
<u>General retail merchandise stores – 10,000 to 15,000 s.f.</u>	<u>C</u>	<u>==</u>	<u>P</u>	<u>P</u> <u>(84)</u>	<u>==</u>	<u>==</u>	<u>==</u>	<u>==</u>	<u>==</u>	<u>==</u>	<u>==</u>	
General retail merchandise stores – 15,001 to 24,999 s.f.	C	Q.F.	P	P (84)	== P	--	--	--	--	--	--	

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Zones Removed:
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

Commented [DG90]: Remove Permissibility:
Reason: Inconsistent with intent of the zone. Both NC and LIC are intended to have smaller building sizes.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
General retail merchandise stores – 25,000 s.f. or greater	--	--	ACUP (62)	ACUP (62) (84)	ACUP	--	--	--	--	--	--	
Kennels or pet day-cares (1)	--	C	C	C (61) (84)	C	C	P	ACUP	ACUP	C	--	
Kennels, hobby	P	P	--	--	--	--	--	--	--	--	--	
Laundromats and laundry services	P (54)	P (54)	P	P (84)	P	--	P (33)	P	ACUP	--	--	
Lumber and bulky building material sales	--	--	ACUP (42)	ACUP (42) (61) (84)	ACUP (42)	C	P (61)	--	P	ACUP	--	
Mobile home sales	--	--	ACUP	ACUP (61) (84)	--	--	--	--	--	--	--	
Nursery, retail	ACUP	ACUP	P	P (84)	P	ACUP	--	--	--	--	--	
Nursery, wholesale	ACUP	ACUP	P	P (61) (84)	P	P	--	--	--	P	--	
Off-street private parking facilities	ACUP	ACUP	P	P C (85)	--	--	--	--	--	--	--	

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 (RC) Regional Commercial

Zones Added:
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 (RC) Regional Center

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Personal services – skin care, massage, manicures, hairdresser/barber (66)	P (54)	P (54)	P	P (87)	P	ACUP (54)	--	--	--	--	--	
Pet shop – retail and grooming	ACUP	ACUP	P	P (84)	P	ACUP (54)	--	--	--	--	--	
Research laboratory	--	--	--	--	--	--	P	P	P	C	--	
Restaurants	P (54)	P (54)	P	P ACUP (85)	P	C	P (33)	C (33)	ACUP (33)	--	--	
Restaurants, high-turnover (33)	ACUP	C	P	P (63) (84)	P	--	P (59)	P (59)	P (59)	--	--	
Recreational vehicle rental	--	--	ACUP	ACUP (61) (84)	--	--	ACUP (61)	ACUP	ACUP	--	--	
Temporary offices and model homes (27)	--	--	--	--	--	--	--	--	--	--	--	
Tourism facilities, including outfitter and guide facilities	P	--	P	P	P	ACUP	P	P	ACUP	--	--	
Tourism facilities, including seaplane and tour boat terminals	--	--	ACUP	ACUP (84)	--	C	--	--	--	--	--	

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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Transportation terminals	C	C	ACUP	ACUP C (85)	C	--	P	--	ACUP	--	--	
Veterinary clinics/animal hospitals	ACUP	ACUP	P	P (84)	P	ACUP	P	ACUP	ACUP	--	--	
RECREATIONAL/CULTURAL USES												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P	
Amusement centers	C (11)	C	ACUP (11)	ACUP (11)	ACUP (11) -- (79)	--	--	--	C (11)	--	ACUP	
Carnival or circus	ACUP (11)	C	ACUP (11)	ACUP (11) (61) (84)	ACUP (11) -- (79)	--	--	--	ACUP (11)	--	ACUP	
Club, civic or social (12)	ACUP	ACUP	P	P ACUP (85)	P	C	ACUP	--	ACUP	--	ACUP	

Commented [DG83]: Changes:
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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Golf courses	ACUP	ACUP	ACUP	ACUP (61) (84)	--	--	--	--	--	--	ACUP	
Marinas	C	ACUP	ACUP	ACUP (61) (84)	--	C	--	--	C	C	ACUP	
Movie/Performance theaters, indoor	P	ACUP	P	P ACUP (85)	P	--	--	--	--	--	--	
Movie/Performance theaters, outdoor	ACUP	--	C	ACUP	C	C	C	ACUP	--	--	C	
Museum, galleries, aquarium, historic or cultural exhibits (67)	P	ACUP	P	P C (85)	P	C	P	ACUP	--	--	ACUP	
Parks and open space	P	P	P	P	P	P	P	P	P	P	P	
Race track, major	--	--	C	C (61) (84)	--	--	C (61)	C	C	--	C (12)	
Race track, minor	--	--	--	--	--	--	--	--	C	--	C (12)	
Recreational facilities, private	ACUP	ACUP	ACUP	ACUP	ACUP	C	P	C	C	--	ACUP	
Recreational facilities, public	ACUP	ACUP	ACUP	ACUP	P	ACUP	P	C	C	--	ACUP	

Commented [DG83]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone and category removal or addition is indicated below.

Zones Removed:
(UTC) Urban Town Center
(MU) Mixed Use
(A) Airport
(HTC) Highway Tourist Commercial
(RC) Regional Commercial

Zones Added:
(C) Commercial
(RC) Regional Center

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Recreational vehicle camping parks	--	C	C	--	--	--	--	--	--	--	ACUP	
Zoo	--	--	C	C (61) (84)	C	--	--	--	--	--	--	
INSTITUTIONAL USES												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	ACUP	ACUP	P	P	
Government/public structures	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	P	P	C	P	
Hospital	C	--	ACUP	ACUP (84)	ACUP	--	C	C	C	--	--	
Places of worship (12)	C	C	ACUP	ACUP (84)	ACUP	C	C	--	C	--	--	
Private or public schools (20)	C	C	ACUP	ACUP	ACUP	C	P	ACUP	ACUP	C	--	
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	ACUP	ACUP	ACUP	ACUP	ACUP	C	ACUP	ACUP	ACUP	C	P	
INDUSTRIAL USES												

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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Accessory use or structure (1) (17) (51)	P	P	P	P (84)	P	P	P	P	ACUP	P	--	
Air pilot training schools	P	--	P	P (84)	--	--	P	P	P	--	--	
Assembly and packaging operations	C	--	C	C (61) (84)	--	--	P	--	ACUP	C	--	
Boat yard	--	--	ACUP	ACUP (61) (84)	--	--	P (61)	ACUP	ACUP	C	--	
Cemeteries, mortuaries, and crematoriums (10)	C	C	ACUP	ACUP (61) (84)	--	C	ACUP (61)	--	ACUP	C	--	
Cold storage facilities (69)	--	--	--	--	--	C	--	ACUP	P	C	--	
Contractor's storage yard (21)	--	--	--	--	--	--	P (61)	--	P	ACUP	--	
Food production, brewery or distillery	--	--	C	C (61) (84)	--	C	ACUP	ACUP	C	C	--	
Fuel distributors	--	--	C	C (61) (84)	--	--	C (61)	--	C	C	--	

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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Helicopter pads (13)	C	--	C	C (84)	C	--	ACUP	--	ACUP	ACUP	--	
Manufacturing and fabrication, light	C	--	C	C (61) (84)	--	--	P	P	P	C	--	
Manufacturing and fabrication, medium	--	--	--	--	--	--	C (52) (61)	ACUP	P	C	--	
Manufacturing and fabrication, heavy	--	--	--	--	--	--	--	--	ACUP	--	--	
Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	C	--	--	
Recycling centers	--	--	--	--	--	C	--	--	ACUP	C	--	
Rock crushing	--	--	--	--	--	--	--	--	C	C	--	
Slaughterhouse or animal processing	--	--	--	--	--	C (70)	--	--	C	C (70)	--	
Storage, hazardous materials	--	--	--	--	--	C (75)	--	--	C	C (75)	--	
Storage, indoor	--	--	C	C (61) (84)	--	C (75)	P (61)	P	P	ACUP	--	

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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Storage, outdoor	--	--	--	--	--	C (75)	ACUP (61)	--	P	P (75) e	--	
Storage, self-service	C	C	ACUP	ACUP (61) (84)	ACUP -- (79)	C (75)	ACUP (61)	--	P	P (75) e	--	
Storage, vehicle and equipment (1)	--	--	ACUP	--	--	C	ACUP (61)	--	P	C (75)	--	
Top soil production, stump grinding	--	--	--	--	--	C	--	--	ACUP	ACUP	--	
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--	P (61)	C	C	C	--	
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	--	--	--	--	--	--	--	--	C	C (74)	--	
Warehousing and distribution (68)	--	--	--	--	--	--	P (61)	P	P	ACUP	--	

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Commented [DG91]: Increase Permissibility:
Consistent with zone intent.

DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Wrecking yards and junk yards (1)	--	--	--	--	--	--	--	--	C	C	--	
RESOURCE LAND USES												
Accessory use or structure (1) (17) (51)	P	P	P	P (84)	P	P	P	ACUP	ACUP	P	P	
Aggregate extractions sites	--	--	--	--	--	C	P	--	C	C	--	
Agricultural uses (15)	--	P	P	P (84)	P (79)	P	P	P	P	P	P (79)	
Aquaculture practices	C	C	C	C (84)	C	C	P	--	C	C	P	
Forestry	--	P	P	P (84)	P (79)	P	P	P	P	P	P (79)	
Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	C	C	--	

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DRAFT REGULATIONS

Table 17.410.040(B) Commercial, Industrial, Parks, and Public Facility Zones.

Use	Commercial						Industrial				Public Facilities	
	UVC (30) (48)(57)	NC (19)(30) (48)(57)	CO (19)(29) (30)(48) (57)	RC (19)(48) (57)(88)	LIC (48)(57)	RCO (12)(64)	BC (31)(42)	BP	IND (32)(42)	RI (12)(42)	P	(Reserved)
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	--	P (2)	P (2)	P (2) (84)	P (2)	P (2)	P (2)	P (2)	P (2)	--	P	

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 (RC) Regional Commercial

Zones Added:
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 (RC) Regional Center

Commented [DG92]: Add Permissibility:
 Support:
 Existing Comp Plan
 Chapter 3: Rural and Resource Lands
 Goals: 8 - 9
 Policies: 79-91
 County support of agriculture, community gardens, and collective agricultural ventures.

Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

Use	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
RESIDENTIAL USES														
Accessory dwelling units (1)	ACUP	P	P	--	C	C	C	C	--	C	ACUP	ACUP	--	--
Accessory living quarters (1)	ACUP	P	P	--	P	P	C	P	P	C	P	P	--	--
Accessory use or structure (1) (17) (18) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	--
Adult family home	ACUP	C	C	C ACUP P (41)	C ACUP P (41)	C ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	ACUP P (41)	--	--
Bed and breakfast house	ACUP (34)	P (34)	P (34)	= ACUP G (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	--	--
Caretaker's dwelling	ACUP	--	--	--	--	--	P	--	P	--	--	--	P	P
Convalescent home or congregate care facility	ACUP	C	C	ACUP	--	--	ACUP	C	--	--	--	--	--	--
Cottage housing developments	C	ACUP	ACUP	--	--	--	--	C	C	--	C	C	--	--

Commented [DG93]: Changes:
 Category removal or addition is indicated below.

Categories Removed:
 Mixed Use Development

Categories Added:
 Non-Motorized Recreational Rentals

Manchester Citizens Advisory Committee (MCAC) requested changes to the use table, removal of use table footnote 26, and addition of 4 use table footnotes.

Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

Use	TYPE 1 LAMIRDS											TYPE 3 LAMIRDS		
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Dwelling, duplex	C	ACUP (3)	ACUP (3)	--	P (3)	P (3)	P	P	--	--	C	C	--	--
Dwelling, existing	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, multifamily	C	C	C	--	--	--	ACUP	ACUP	--	--	--	--	--	--
Dwelling, single-family attached	C (26)	P	P	== P (26)	P	P	P	P	--	C	P	P	--	--
Dwelling, single-family detached	C (26) (43)	P (43)	P (43)	== P (26)	P (43)	P (43)	P (43)	P (43)	--	C	P (43)	P (43)	--	--
Guest house (1)	--	--	--	--	P	P	P	P	P	C	P	P	--	--
Home business (1) (52)	ACUP	ACUP	ACUP	--	ACUP	ACUP	P	P	--	--	ACUP	ACUP	--	--
Hotel/motel	ACUP	--	--	C	--	--	ACUP	--	ACUP	--	--	--	--	--
Manufactured homes	C (43)	ACUP (43)	ACUP (43)	--	P (43)	P (43)	ACUP (43)	ACUP (43)	--	--	P (43)	P (43)	--	--
Mobile homes	C (43)	C (43)	C (43)	--	--	--	--	--	--	--	--	--	--	--

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Manchester Citizens Advisory Committee (MCAC) requested changes to the use table, removal of use table footnote 26, and addition of 4 use table footnotes.

Commented [DG94]: Add Footnote:
Reason: Footnote 43 allows for temporary placement of manufactured or mobile homes for special care circumstances.

Commented [DG95]: Remove Category:
Reason: Manufactured home permissibility would be identical to stick built housing and does not warrant a separate categorical use.

Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

Use	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Residential care facility	ACUP	ACUP	ACUP	--	--	--	--	--	--	C	--	--	--	--
COMMERCIAL/BUSINESS USES														
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	P
Adult entertainment (1)	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Ambulance service	--	--	--	--	--	--	--	--	--	--	--	--	ACUP	ACUP
Auction house	--	--	--	--	--	--	--	--	--	--	--	--	P (76)	P – Indoor Only (76)
Auto parts and accessory stores	ACUP	--	--	C ACUP	--	--	--	--	--	C	--	--	P	--
Automobile rentals	C	--	--	--	--	--	--	--	--	--	--	--	--	--
Automobile repair and car washes	ACUP	--	--	--	--	--	ACUP	--	--	C	--	--	ACUP (76)	--
Automobile service station (6)	--	--	--	--	--	--	ACUP	--	--	ACUP (36)	--	--	ACUP	--
Automobile, recreational vehicle or boat sales	--	--	--	--	--	--	--	--	ACUP	--	--	--	--	--

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Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

Use	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
<u>Non-motorized recreation rental (95)</u>	P	--	--	P	--	--	P	--	P	P	--	--	--	--
Boat/marine supply stores	ACUP	--	--	ACUP P	--	--	ACUP	--	ACUP	C	--	--	P (76)	--
Brew pubs	ACUP	--	--	ACUP --	--	--	ACUP	--	ACUP	C	--	--	ACUP	--
Clinic, medical	ACUP	--	--	ACUP	--	--	ACUP	--	ACUP	C	--	--	C	P
Conference center	--	--	--	--	--	--	ACUP	--	ACUP	--	--	--	--	--
Custom art and craft stores	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	P	--	--	P (76)	--
Day-care center (14)	C	C	C	ACUP C	C	C	ACUP	C	ACUP	ACUP	C	C	P	P
Day-care center, family (14)	C	C	C	ACUP C	ACUP C	ACUP C	ACUP	C	ACUP	ACUP	C	C	--	--
Drinking establishments	C	--	--	C	--	--	C	--	C	C	--	--	-P	--
Engineering and construction offices	ACUP	--	--	P (90) ACUP	--	--	ACUP	--	ACUP	C	--	--	P (76)	P (76)

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	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Espresso stands (58)	ACUP	--	--	P ACUP	--	--	ACUP	--	--	C	--	--	P	P
Equipment rentals	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Farm and garden equipment and sales	C	--	--	--	--	--	--	--	--	C	--	--	P	--
Financial, banking, mortgage and title institutions	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	C	--	--	P (76)	P (76)
General office and management services – less than 4,000 s.f.	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	ACUP	--	--	P	P
General office and management services – 4,000 to 9,999 s.f.	ACUP	--	--	ACUP	--	--	PBD (38)	--	PBD (38)	ACUP	--	--	ACUP	P
General office and management services – 10,000 s.f. or greater	ACUP	--	--	= ACUP	--	--	--	--	--	ACUP	--	--	C	P
General retail merchandise stores – less than 4,000 s.f.	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	ACUP	--	--	P	--
General retail merchandise stores – 4,000 to 9,999 s.f.	ACUP	--	--	ACUP	--	--	PBD	--	PBD	ACUP	--	--	ACUP	--

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	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TEEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
General retail merchandise stores – 10,000 to 15,000 s.f.	C	--	--	--	--	--	--	--	--	C	--	--	--	--
General retail merchandise stores – 15,001 to 24,999 s.f.	C	--	--	--	--	--	--	--	--	--	--	--	--	--
General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Kennels or pet day-cares (1)	C	--	--	--	C	C	--	--	--	--	--	--	P	P
Kennels, hobby	C	C	C	--	P	P	--	P	--	--	P	P	--	--
Laundromats and laundry services	C	--	--	C	--	--	ACUP	--	ACUP	ACUP	--	--	--	--
Lumber and bulky building material sales	--	--	--	--	--	--	--	--	ACUP	ACUP	--	--	P	--
Mobile home sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Nursery, retail	ACUP	C	C	ACUP P (91)	C	C	ACUP	--	ACUP	ACUP	C	C	P	--

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Use	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Nursery, wholesale	ACUP	C	C	= ACUP	C	C	ACUP	--	ACUP	ACUP	C	C	P	--
Off-street private parking facilities	C	--	--	C ACUP	--	--	ACUP	--	ACUP	--	--	--	--	--
Personal services – skin care, massage, manicures, hairdresser/barber	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	ACUP	--	--	--	--
Pet shop – retail and grooming	ACUP	--	--	P ACUP	--	--	ACUP	--	--	C	--	--	P (76)	--
Research laboratory	C	--	--	--	--	--	--	--	C	--	--	--	P	P
Restaurants	ACUP	--	--	P ACUP	--	--	ACUP	--	ACUP	ACUP	--	--	P (76)	P (76)
Restaurants, high-turnover	C	--	--	ACUP (92) C	--	--	C	--	C	C	--	--	P (76)	--
Recreational vehicle rental	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Temporary offices and model homes (27)	C	--	--	--	ACUP	ACUP	--	--	ACUP	--	--	--	ACUP (76)	ACUP (76)

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Categories Added:
Non-Motorized Recreational Rentals

Manchester Citizens Advisory Committee (MCAC) requested changes to the use table, removal of use table footnote 26, and addition of 4 use table footnotes.

Table 17.410.040(C) Limited Areas of More Intensive Rural Development (LAMIRD).

Use	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TTEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Tourism facilities, including outfitter and guide facilities	C	--	--	P (93) -	--	--	--	--	C	C	--	--	ACUP (76)	P
Tourism facilities, including seaplane and tour boat terminals	C	--	--	-	--	--	--	--	C	C	--	--	--	--
Transportation terminals	--	--	--	--	--	--	--	--	C	--	--	--	ACUP	ACUP
Veterinary clinics/animal hospitals	ACUP	--	--	ACUP	--	--	ACUP	--	--	ACUP	C	C	ACUP	ACUP
RECREATIONAL/CULTURAL USES														
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	--
Amusement centers	C (11)	--	--	C (11)	--	--	-- (11)	--	--	-- (11)	--	--	--	--
Carnival or circus	C (11)	--	--	C (11)	--	--	-- (11)	--	--	-- (11)	--	--	--	--
Club, civic or social (12)	ACUP	--	--	P ACUP	ACUP	ACUP	ACUP	C	ACUP	ACUP	C	C	--	--

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 Mixed Use Development
Categories Added:
 Non-Motorized Recreational Rentals
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	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Golf courses	C	--	--	--	== C	== C	ACUP	C	ACUP	ACUP	C	C	--	--
Marinas	ACUP	--	--	ACUP	--	--	--	--	PBD	ACUP	C	C	--	--
Movie/Performance theaters, indoor	C	--	--	ACUP C	--	--	ACUP	--	--	--	--	--	--	--
Movie/Performance theaters, outdoor	C	--	--	C -	--	--	--	--	--	--	--	--	--	--
Museum, galleries, aquarium, historic or cultural exhibits	ACUP	--	--	ACUP (94)	--	--	ACUP	C	ACUP	ACUP	--	--	--	--
Parks and open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Race track, major	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Race track, minor	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Recreational facilities, private	C	C	C	C	C	C	ACUP	C	ACUP	ACUP	C	C	--	--
Recreational facilities, public	C	C	C	C	C	C	ACUP	C	ACUP	ACUP	C	C	--	--
Recreational vehicle camping parks	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Zoo	ACUP	--	--	--	--	--	--	--	--	--	--	--	--	--
INSTITUTIONAL USES														
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	--
Government/public structures	ACUP	C	C	ACUP	C	C	ACUP	C	ACUP	ACUP	C	C	C	P
Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Places of worship (12)	ACUP	C	C	ACUP	C	C	C	C	C	ACUP	C	C	--	--
Private or public schools (20)	ACUP	C	C	ACUP	C	C	ACUP	C	ACUP	ACUP	C	C	ACUP	P
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	ACUP	C	C	ACUP	C	C	PBD	--	PBD	P	C	C	ACUP	ACUP
INDUSTRIAL USES														
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	-- P	-- P	P	P	P	P	P	P	P	P
Air pilot training schools	--	--	--	--	--	--	--	--	--	--	--	--	P	P

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	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Assembly and packaging operations	--	--	--	--	--	--	PBD	--	PBD	--	--	--	ACUP	P
Boat yard	ACUP	--	--	--	--	--	ACUP	--	ACUP	--	--	--	P	P
Cemeteries, mortuaries, and crematoriums (10)	C	--	--	--	C	C	--	--	--	--	--	--	--	--
Cold storage facilities	--	--	--	--	--	--	--	--	--	--	--	--	P	P
Contractor's storage yard (21)	C	--	--	--	C	C	--	--	ACUP	--	--	--	P	--
Food production, brewery or distillery	--	--	--	--	--	--	C	--	C	--	--	--	P	P
Fuel distributors	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Helicopter pads (13)	--	--	--	--	--	--	--	--	--	--	--	--	C	C
Manufacturing and fabrication, light	--	--	--	--	--	--	PBD	--	PBD	--	--	--	P	P
Manufacturing and fabrication, medium	--	--	--	--	--	--	--	--	PBD	--	--	--	ACUP	ACUP
Manufacturing and fabrication, heavy	--	--	--	--	--	--	--	--	PBD	--	--	--	C	C

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	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	PBD	--	--	--	C	C
Recycling centers	--	--	--	--	--	--	--	--	C	--	--	--	ACUP	--
Rock crushing	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Slaughterhouse or animal processing	--	--	--	--	--	--	--	--	--	--	--	--	ACUP	--
Storage, hazardous materials	--	--	--	--	--	--	--	--	--	--	--	--	C	P
Storage, indoor	--	--	--	--	--	--	--	--	ACUP	--	--	--	P	P
Storage, outdoor	--	--	--	--	--	--	--	--	ACUP	--	--	--	P	--
Storage, self-service	C	--	--	--	--	--	--	--	--	--	--	--	P	P
Storage, vehicle and equipment (1)	--	-- (18)	--	--	-- (18)	-- (18)	--	-- (18)	ACUP (18)	--	-- (18)	-- (18)	P	P – Indoor or Covered Only
Top soil production, stump grinding	--	--	--	--	--	--	--	--	ACUP	--	--	--	P	--

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	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--	--	--	C	--	--	--	C	--
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	--	--	--	--	--	--	--	--	--	--	--	--	ACUP	--
Warehousing and distribution	--	--	--	--	--	--	--	--	--	--	--	--	P	P
Wrecking yards and junk yards (1)	--	--	--	--	--	--	--	--	--	--	--	--	C	--
RESOURCE LAND USES														
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	X
Aggregate extractions sites	--	--	--	--	--	--	--	--	--	--	--	--	P	P
Agricultural uses (15)	--	P	P	--	P	P	P	P	P	P	P	P	P	--
Aquaculture practices	--	C	C	--	C	C	--	--	--	--	--	--	C	--
Forestry	--	--	--	--	P	P	P	P	P	P	P	P	P	--

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	Keyport Rural Village			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD			REC	TEC
	KVC	KVLR	KVR	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR		
Shellfish/fish hatcheries and processing facilities	C	--	--	--	--	--	--	--	PBD	--	--	--	C	--
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	ACUP	ACUP (2)	ACUP (2)	--	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	--	--

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Manchester Citizens Advisory Committee (MCAC) requested changes to the use table, removal of use table footnote 26, and addition of 4 use table footnotes.

17.410.050 Footnotes for zoning use table.

- A. Where noted on the preceding use tables, the following additional restrictions apply:
1. Where applicable subject to Section 17.410.060, Provisions applying to special uses.
 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.
 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.
 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.
 5. Provided public facilities do not inhibit forest practices.
 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.
 7. **In rural wooded (RW), rural protection (RP), or rural residential (RR) zones:**
 - a. Animal feed yards and animal sales yards shall be located not less than two hundred feet from any property line; shall provide automobile and truck ingress and egress; and shall also provide parking and loading spaces so designed as to minimize traffic hazards and congestion. Applicants shall show that odor, dust, noise, and drainage shall not constitute a nuisance, hazard, or health problem to adjoining property or uses.
 - b. All stables and paddocks shall be located not closer than fifty feet to any property line. Odor, dust, noise, flies, or drainage shall not be permitted to create or become a nuisance to surrounding property.
 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.
 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.
 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.
 11. A circus, carnival, animal display, or amusement ride may be allowed through administrative review in all industrial zones and any commercial zones, except neighborhood commercial (NC), 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.
 12. All buildings and activities shall be set back a minimum of fifty feet in FRL, MR~~O~~, 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

Commented [DG96]: Footnote Remaining:
Reason: Agriculture code not yet adopted; therefore, footnote remains.

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.

- 13. ~~Public use airports and heliports are allowed only within the airport (A) zone established by this title.~~ 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 is 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.
- 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.
- 15. .

Commented [DG97]: Remove Reference:
Reason: Airport zone and public airports were removed

Animal Density Thresholds		
On parcels less than 5 acres, livestock management is allowed as an agricultural use provided that the number of animals shall not exceed <u>one large livestock, three small livestock, five ratites, six small animals, or twelve poultry</u> subject to the following variables:		
Density Threshold	Per 40,000 square feet	Per 20,000 square feet
Parcel Size	1 acre or less Or A parcel that is 5 acres or less if within 200 feet of a lake or year-round stream	Greater than 1 acre, but less than or equal to 5 acres
Density Bonus:	The above specifications may be exceeded by a factor of 2 if: No dwelling unit or occupied structure exists within 300 feet of the lot on which the animals are maintained.	

Commented [DG98]: Footnote Remaining:
Reason: Agriculture code not yet adopted; therefore, footnote remains.

Animal Density Thresholds table directly reflect existing footnote 17.381.050 (15)(a)(b), no content change from existing language.

~~The number of animals on a particular property shall not exceed one large livestock, three small livestock, five ratites, six small animals, or twelve poultry:~~

- ~~a.—Per forty thousand square feet of lot area for parcels one acre or smaller or for parcels five acres or smaller located within two hundred feet of a lake or year-round stream; provided, that when no dwelling unit or occupied structure exists within three hundred feet of the lot on which the animals are maintained, the above specifications may be exceeded by a factor of two;~~
 - ~~b.—Per twenty thousand square feet of area for parcels greater than one acre, but less than or equal to five acres, not located within two hundred feet of a lake or year-round stream; provided, that when no dwelling unit or occupied structure exists within three hundred feet of the lot on which the animals are maintained, the above specifications may be exceeded by a factor of two;~~
- No feeding area or structure or building used to house, confine or feed livestock, small animals, ratites, or poultry shall be located closer than one hundred feet to any residence on adjacent property located within a rural wooded (RW), rural protection (RP), or rural residential (RR) zone, or within two hundred feet of any residence on adjacent property within any other zone; provided, a pasture (greater than twenty thousand square feet) shall not be considered a feed area.

- 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 17.470.

17. Reserved.
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.
19. All development within the Silverdale Design District boundaries must be consistent with the Silverdale Design Standards.
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.
21. Outdoor contractor's 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.
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.
23. Home businesses located in the forest resource lands (FRL) must be associated with timber production and/or harvest.
24. Mobile homes are prohibited, except in approved mobile home parks.
25. All uses must comply with the town development objectives of Section 17.360 C.025.
26. ~~REPEALED. Within the MVC zone, a new single-family dwelling may be constructed only when replacing an existing single-family dwelling. All replacement single-family dwellings and accessory structures within the MVC zone must meet the height regulations, lot requirements, and impervious surface limits of the MVR zone.~~
27. Subject to the temporary permit provisions of Chapter 17.550.
28. Allowed only within a commercial center limited in size and scale (e.g., an intersection or corner development).
29. ~~REPEALED. The Bethel Road Corridor Development Plan sets forth policies and regulations for development within the highway tourist commercial zone located along the Bethel corridor in South Kitsap from SE Ives Mill Road to the Port Orchard city limits. Development within the Bethel Road corridor highway tourist commercial zone shall be conducted in a manner consistent with the policies and regulations of the Land Use Element of the Bethel Road Corridor Development Plan.~~
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.

Commented [DG99]: Remove Footnote:
Reason: request of Manchester Citizens Advisory Council.

Commented [DG100]: Remove Footnote:
Reason: Bethel Road Corridor Plan is no longer applicable in conjunction with the Comprehensive Plan Preferred Land Use Map.

- 31. Uses permitted only if consistent with an approved master plan pursuant to Chapter 17.500. 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.
- 32. For properties with an approved master plan, except as described in Section 17.500.025, all uses requiring a conditional use permit will be considered permitted uses.
- 33. Must be located and designed to serve adjacent area.
- 34. Bed and breakfast houses 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.
- 35. The use shall be accessory and shall not occupy more than twenty-five percent of the project area.
- 36. Requires a conditional use permit when abutting SVR or SVLR zone.
- 37. Permitted only within a mixed use development or office complex.
- 38. Customer service-oriented uses over five thousand square feet are prohibited.
- 39. ~~For the purpose of construction and maintenance of a timber management road system.~~
- 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 multi-family project.
- 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).
- 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.
- 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.
- 44. Certain development standards may be modified for mixed use developments, as set forth in Section 17.420.035 and Chapter 17.490.
- 45. ~~REPEALED. New or expanded commercial developments that will result in less than five thousand gross square feet of total commercial use within a development site or residential developments of fewer than four dwelling units are permitted outright outside of the Silverdale UGA.~~
- 46. Allowed only as an accessory use to a park or recreational facility greater than twenty acres in size.

Commented [DG101]: Remove Footnote:
 #39 only allows for rock crushing when it serves roads associated with timber harvest. Restriction is overly prohibitive if a MRO is acquired.

Commented [DG102]: Remove Footnote:
 Reason: Proposed removal of the Mixed Use Zone renders this footnote irrelevant.

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.
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.
49. Mixed use development is prohibited outside of urban growth areas.
50. The ~~2007~~ 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.
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 17.550.090(I).
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).
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).
54. The gross floor area shall not exceed four thousand square feet.
55. Auction house and all items to be auctioned shall be fully enclosed within a structure.
56. There shall be no more than six rental vehicles kept on site.
57. When a component of development located within a commercial zone involves the conversion of previously undeveloped land which abuts a residential zone, it shall be treated as a Type II administrative decision.
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. Each stacking lane shall be sized measuring eight and one-half feet in width and twenty 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 17.430, 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.
59. ~~Use is permitted in the South Kitsap Industrial Area only.~~
60. All development in Illahee shall be consistent with the Illahee Community Plan.

Commented [DG103]: Remove Footnote:
Reason: S

- 61. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards).
- 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.
- 63. 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.
- 64. When a component of development is located within the rural commercial or rural industrial zone and involves the conversion of previously undeveloped land which abuts a residential zone, it shall be treated as a Type III ~~administrative~~ hearing examiner decision.
- 65. No car washes allowed in RCO or RI.
- 66. Personal service businesses in the RCO are limited to four chairs and are intended for local use only.
- 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.
- 68. In the RI zone, warehousing and distribution should be focused on agricultural, food, or forestry uses only.
- 69. In the RI zone, cold storage facilities are only allowed for agricultural and food uses.
- 70. In the RCO and RI zones, slaughterhouses and animal processing may have a retail component not to exceed four thousand square feet.
- 71. In the RCO zone, custom art and craft stores are limited to studio type and size only.
- 72. Must be accessory to an immediate primary use.
- 73. Heavy construction, farming and forestry equipment only.
- 74. Allowed for existing airports only.
- 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.
- 76.

0 – 4,000 square feet = P

4,001 – 10,000 square feet = ACUP

10,001 – 15,000 square feet = C

15,001 square feet and above = X

- 77. ~~Repealed. All dwelling units must be included within a senior living development and consistent with the residency requirements of Section 17.332.080(A).~~
- 78. ~~Repealed. Allowed only in concentrated commercial/mixed use areas designated at the time of performance-based development approval for a senior living development. The use shall be sized and located consistent with the needs of the proposed senior living development.~~
- 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.
- 80. Use prohibited within the Gorst urban growth area.
- 81. Use permitted outright in the Gorst urban growth area.
- 82. Use requires a conditional use permit in the Gorst urban growth area.
- 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.

Commented [DG104]: Correction:
Reason: Language consistency

Commented [DG105]: Remove Footnote:
Reason: Proposed removal of the Senior Living Homestead Zone renders this footnote irrelevant.

Commented [DG106]: Remove Footnote:
Reason: Proposed removal of the Senior Living Homestead Zone renders this footnote irrelevant.

Commented [DG107]: Footnote 51 from dimensions table moved to this location. Redundancy removed.

- 84. Use prohibited on the Central Kitsap Community Campus. (See the Silverdale Design Standards.)
- 85. Use requires an administrative conditional use permit (ACUP) or hearings examiner conditional use permit (C) if located on the Central Kitsap Community Campus. (See Silverdale Design Standards.)
- 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.)
- 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.)
- 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.
- 89. Reserved.
- 90. Equipment storage located externally is not allowed.
- 91. Permitted in the Manchester Village Commercial zone if less than 5,000 square feet.
- 92. Drive through lanes are not allowed.
- 93. Terminals or facilities for motorized equipment are not allowed.
- 94. Any combination of structures shall not exceed 5,000 square feet. Zoos and aquariums are prohibited.
- 95. Allowed on all port district owned property.
- 96. An accessory dwelling unit (ADU) is only allowed if the parcel on which it is located is twice the size of the minimum parcel size for the zone.

Commented [DG108]: Add Footnote:
Reason: 90-94 Per request of Manchester Citizens Advisory Council

Commented [DG109]: Add Footnote:
Reason: For new use category 'Non-motorized recreational rentals'.

Commented [DG110]: REASONABLE MEASURE:
Applies to Rural Residential, Rural Protection, and Rural Wooded Zones.

17.410.060 Provisions applying to special uses.

- A. In addition to other standards and requirements imposed by this title, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
- B. Uses with additional restrictions. Businesses associated with a Mineral Resource Overlay (MRO) designation shall not be subject to these restrictions.
 - 1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:
 - a. Incidental home business, as defined below, shall be permitted in all residential zones and have no permit required.
 - 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;

Commented [DG111]: Increase Permissibility:
Mineral Resource Overlay is obtained to perform this task. It is an expected use within the overlay and existing permissibility not consistent with MRO intent.

- 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).
- b. Minor home business, 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.
- 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:
 - (a) Patronage by appointment.
 - (b) Additional off-street parking.
 - (c) Other reasonable conditions.
- c. Moderate home business, as defined below, shall be permitted in RW, RP, ~~and RR and URS~~ zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.
- 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:
 - (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.

Commented [DG112]: Remove Reference:
Reason: Removal of Urban Reserve Zone

2. Pets and Exotic Animals. Pets, nontraditional pets and exotic animals are subject to the following conditions:
- 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 title. 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. The keeping or possession of exotic animals is subject to state and federal laws and, other than in a primary structure as described in subsection (B)(3) of this section, shall require approval of the director. Possession of any dangerous animal or potentially dangerous animal is prohibited in all zones except as provided in Section 7.14.010(9); and~~
 - c. ~~dc.~~ 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 non-traditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.
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:
- 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;
 - 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 (i.e., 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.
 - i. Applicability. The provisions of this subsection shall only apply to property and property owners who can establish all of the following criteria:
 - (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;

Commented [DG113]: Revise Language:
Maintain consistency with Title 7 'Animals'

- (e) The property owner did not own the property when the accessory dwelling was constructed;
 - (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:
 - (i) That county tax records or parcel records contain no inquiry or other notice that the ADU was unpermitted; and
 - (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
 - (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
 - (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.
 - (g) The parcel has a history of property tax assessment and a history of continuous tax payments on the principal and the accessory dwelling.
 - (h) Acceptable documentation for subsections (B)(3)(m)(1)(i) through (vii) of this section may include but are 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.
- ii. Application. Persons who meet the criteria of subsection (B)(3)(m)(1) 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)(5) of this section. Such application shall be a Type II permit under Chapter 21.04.
- iii. Approval. The director, or his designee, is authorized to approve submitted applications that satisfy all of the following:
- (a) All the requirements of this section;
 - (b) All the applicable zoning, health, fire safety and building construction requirements:
 - (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.
 - (ii) If the applicant cannot prove a date of construction, the applicable requirements shall be those currently in effect on the date of application.
 - (iii) If the applicant can only show a date range for construction, the applicable requirements shall be the latest requirements of the range;
 - (c) Proof of adequate potable water;
 - (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
 - (e) Verification by Kitsap County inspection staff that the accessory dwelling is habitable.
- Applications approved subject to these provisions shall be considered legal nonconforming uses.
- iv. Variances.
- (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:

- (i) There are practical difficulties in applying the regulations of subsection (B)(3)(m)(iii)(b) of this section;
 - (ii) The applicant did not create or participate in creating the practical difficulties;
 - (iii) A variance meets the intent and purpose of this section;
 - (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
 - (v) The variance is the minimum necessary to grant relief to the applicant.
- (b) The director is authorized to require mitigation in connection with the administrative variance to minimize the effect of the variance on surrounding properties.
 - (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.
 - (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.
- 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 21.06. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.06 shall not, however, be credited towards any subsequent application submitted under these provisions.
 - 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 Kitsap County department of community development.
 - 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.
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:
 - 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.
 5. Adult Entertainment.
 - a. The following uses are designated as adult entertainment uses:
 - 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 the Zoning Ordinance, adult entertainment uses shall not be permitted:
 - 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:
 - (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:
 - (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.
 - i. In addition to Special provisions relating to signage in the Zoning Ordinance, 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:
 - (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:
 - (a) The name of the regulated establishment; and/or
 - (b) One or more of the following phrases:
 - (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."
 - (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.
 - (b) Secondary signs shall have only one display surface. Such display surface shall:
 - (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.
6. Storage of Junk Motor Vehicles.
- 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:
- 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.
- 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.
- 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:
- (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 title and could later be deemed a nuisance in accordance with Chapter 9.56.
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:
- 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.
8. Guest Houses. Guest house may be located in those zones specified in Section [17.410.040](#) subject to the following conditions:
- 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.

Chapter 17.420 DENSITY, DIMENSIONS, AND DESIGN	(Formerly Chapter 17.382)
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Sections:

17.420.010 Standards established.

17.420.020 Measurement methods.

17.420.030 Design standards.

17.420.035 Additional mixed use development standards.

17.420.037 Single-family subdivision/development standards.

17.420.040 Interpretation of tables.

17.420.050 Tables.

17.420.060 Footnotes for tables.

17.420.010 Standards established.

The following sections and tables contain density, dimension standards, and other limitations for the various zones. Additional development requirements not found in these sections and tables may also apply.

17.420.020 Measurement methods.

A. Density. Except as provided in Section 17.420.110(A)(18), density shall be calculated as follows:

In all zones where a maximum or base density is identified, maximum or base density is calculated on gross acreage of the site. In all zones where a minimum density is required, density is calculated on net developable acreage. If a calculation results in a partial dwelling unit, the partial dwelling unit shall be rounded to the nearest whole number. Less than .5 shall be rounded down. Greater than or equal to .5 shall be rounded up.

- B. Setbacks. Setbacks shall be measured perpendicularly from a property line to the nearest vertical wall or other element of a building or structure, not including driveways, patios, pools, sidewalks, landscaping elements or other similar improvements built at or below grade.
- C. Height. Except as provided for in Section 17.420.110(A)(14), height shall be measured from a reference datum to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:
1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten feet above lowest grade.
 2. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection (C)(1) of this section is more than ten feet above lowest grade.
 3. The height of a stepped or terraced building is the maximum height of any segment of the building.
- D. Lot Area. Lot area for lots in urban areas shall be calculated by adding the area contained within the lot lines, exclusive of public or private streets or rights-of-way, tidelands, storm water detention-retention facilities, and the panhandle of a flag lot if the panhandle is less than thirty feet in width. Lots in rural areas may compute to the centerline of public or private streets or rights-of-way. Further, rural lots shall be considered five acres if the lot is 1/128 of a section, ten acres if the lot is 1/64 of a section, and twenty acres if the lot is 1/32 of a section.
- E. Lot Width and Depth. Lot width shall be measured as the average horizontal distance between the side lot lines. Lot depth shall be measured as the horizontal distance between the midpoint of the front and opposite (usually the rear) lot line. In the case of a corner lot, lot depth shall be the length of its longest front lot line.
- F. Lot Coverage and Impervious Surface. Lot coverage shall be calculated by dividing the area of land covered by buildings into the total lot area. Impervious surface coverage shall be calculated by dividing the area of land covered by buildings, structures, and all other impervious surfaces (such as sidewalks, driveways, and patios) into the total lot area.

Commented [DG114]: Change:
Previous drafts show changes to the density calculation method. The change is no longer proposed as part of the comprehensive plan code update.

17.420.030 Design standards.

- A. In addition to other standards and requirements imposed by this title, all uses except single-family detached dwellings, duplexes and uses located in the RW, FRL, or MR zones shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
- B. Landscaping, Building Height, Buffering and Screening.
1. The development must comply with Chapter 17.440 of this title regarding landscaping standards.
 2. The director may require increased landscaping, screening and setbacks to minimize conflicts and improve compatibility with adjacent uses.
 3. The director may reduce landscaping, screening, and setback requirements:
 - a. Where the nature of established development on adjacent parcels partially or fully provides the screening and buffering which otherwise would be required;
 - b. Where the density of the proposed development is less than that permitted by the zone; or
 - c. Where topographical or other site conditions provide natural screening and buffering.
 4. A reduction in landscaping/screening requirements may be approved by the director in conjunction with a joint landscape screening proposal submitted by adjacent landowners for their combined boundaries or for an integrated project located within two or more zones.
- C. Exterior Lighting. In all zones, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.
- D. Screening of Equipment, Storage, and Refuse Areas.
1. All roof-mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from any abutting lot, or any public street or right-of-way as feasible. This shall be accomplished through the use of parapet roof extensions, or screened in a manner which is architecturally integrated with the main structures;
 2. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction;
 3. Every parcel with a structure shall have a trash receptacle on the premises. The trash receptacle shall comply with adopted public works standards and be of sufficient size to accommodate the trash generated. All receptacles shall be screened on three sides with fencing and/or landscaping as determined appropriate by the director;
- E. Access and Circulation.
1. Pedestrian access shall be accommodated on-site from the public right-of-way, and throughout the site to minimize potential conflicts between pedestrian and vehicular circulation. Pedestrian paths must correspond with state and local codes for barrier-free access. Projects should also integrate walkways into the site plan leading to transit stops within one thousand two hundred feet of the site and incorporate transit stops within the site plan design as appropriate;
 2. Developments shall be limited to one ingress/egress per three hundred lineal feet along a public arterial. Small parcels that provide less than two hundred fifty feet of road frontage shall be limited to one parking lot entrance lane and one exit lane. Access points may be required at greater intervals as directed by the director of public works as demonstrated through a traffic analysis. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographical relief, or existing development that precludes the ability to share access. Developments shall attempt to minimize vehicular movement conflicts with public roadways by use of connected frontage lanes.
- F. Off-Street Parking. The development must comply with the off-street parking requirements prescribed by Chapter 17.430 of this title.

- G. Solid Waste. The development must comply with the guidelines set forth in the Kitsap County Comprehensive Solid Waste Plan.

17.420.035 Additional mixed use development standards.

- A. Total gross floor area devoted to residential uses in any mixed use development project shall not exceed eighty percent of the proposed gross floor area.
- B. Total gross floor area dedicated to commercial uses in any mixed use development shall not exceed fifty percent of the proposed gross floor area.
- C. If the mixed use development is phased, the development's commercial uses shall be constructed concurrent with or subsequent to the residential uses.
- D. Development standards for mixed use development may be modified or waived, as set forth in Chapter 17.490 and Title 21 of this code, provided the applicant can demonstrate that the modification or waiver request will result in a project that:
1. Fosters a development pattern focused on the public street;
 2. Provides for community spaces such as plazas, atriums or pocket parks;
 3. Provides for a compatible mix of multi-family housing and commercial businesses and services;
 4. Better meets the intent of the Comprehensive Plan;
 5. Provides for compatibility with surrounding uses and zones; and
 6. The commercial and residential components are constructed concurrently.
- E. The following development standards may be modified or waived consistent with the criteria outlined in subsection (D) of this section:
1. Screening requirements in Title 17, provided the modification or waiver complies with the provisions of Section 17.420.030(B);
 2. Landscaping requirements in Title 17, provided the modification or waiver complies with the provisions of Section 17.420.030(B);
 3. Parking layout, access and dimensional standards in Chapter 17.430, provided the modification or waiver results in a design that provides safe and efficient pedestrian and vehicular circulation;
 4. Minimum parking requirements in Chapter 17.430, provided the applicant demonstrates with a traffic and parking impact analysis that any adverse parking impacts resulting from the granting of the modification or waiver request are adequately mitigated;
 5. Lot coverage limitations in Chapter 17.420; provided, that this shall not apply in the Gorst UGA, which instead is subject to Section 17.400 .080;
 6. Setback requirements in Chapter 17.420;
 7. Residential open space requirements in Title 17; and
 8. Height and density restrictions in this chapter, provided the modification or waiver is consistent with the recommendations of the fire marshal/fire district and results in a decrease in building coverage, an increase in public amenities, and/or a more creative or efficient use of land. The maximum height approved shall not exceed the heights listed in Section 17.420.110(A)(17). In the Gorst UGA, maximum height may only be earned through the incentives in Section 17.400 .080.
- F. The criteria and provisions of this section supersede other variance, modification or waiver criteria and provisions contained in this title.

Commented [DG115]: REASONABLE MEASURE:
Incentivizes increased height and densities within the Silverdale Regional Growth Center.

17.420.037 Single-family subdivision/development standards.

In addition to the provisions set forth elsewhere in this code, all single-family subdivisions, condominiums or residential developments of ten or more lots/units within urban growth areas must meet the following development standards:

- A. Sidewalk Requirements.
1. Sidewalks shall be required on both sides of all public or private streets meeting the criteria for classification as a principal or minor arterial, collector, local sub-collector or local minor roads as

described by the Kitsap County Road Standards. Sidewalk design shall be developed consistent with the requirements of the Kitsap County Road Standards.

2. Sidewalks shall be required on a minimum of one side of all public or private streets meeting the criteria for classification as local road, cul-de-sac or very low volume local road as designated by the Kitsap County Road Standards or of similar traffic volume. Sidewalk design shall be developed consistent with the requirements of the Kitsap County Road Standards. The director may require sidewalks on both sides based upon site-specific conditions.
 3. Rolled-curb sidewalks are prohibited, except where the sidewalk is separated from the street by a bioswale, other water quality treatment facility or landscaping berm.
- B. Public Street and Street Connectivity Requirements. Dedicating or deeding property for right-of-way or a portion thereof to the county for public streets within, or along the boundaries of all single-family subdivisions or developments, shall be required as a condition of application approval where the county demonstrates all of the following:
1. Facts support that such dedication is reasonably necessary as a result of the impact created by the proposed development;
 2. Such dedication will result in mitigation of the impact in the reasonably foreseeable future;
 3. Connectivity to existing public right-of-way is feasible; and
 4. One or more of the following circumstances are met:
 - a. A county transportation plan indicates the necessity of a new or additional right-of-way or portion thereof for street purposes;
 - b. The dedication is necessary to provide additions of right-of-way to existing county right-of-way to meet county road standards;
 - c. The dedication is necessary to extend or to complete the existing or future neighborhood street pattern;
 - d. The dedication is necessary to comply with county road standards and Kitsap County transportation plans;
 - e. The dedication is necessary to provide a public transportation system that supports future development of abutting property consistent with the Kitsap County Comprehensive Plan or Kitsap County Zoning Code.
- C. Utility Connectivity Requirements. Dedication of easements for future public utility extensions to abutting or contiguous properties shall be required as a condition of application approval in cases where the county demonstrates the following:
1. Vacant or underutilized land abuts the proposed subdivision or development;
 2. The location is reasonable based upon the design needs for future utility infrastructure;
 3. The dedication may further the extension of utility infrastructure with the urban growth area; and
 4. The dedication furthers the goals and policies of the Comprehensive Plan.
- D. Landscaping Requirements.
1. A landscaped area will be provided at all entrances to the subdivision or development consistent with the landscaping standards of Chapter [17.440](#).
 2. Street trees consistent with Chapter [17.440](#) shall be provided along all streets with the road classification of principal or minor arterial, collector, or local sub-collector as determined by the Kitsap County Road Standards or of similar traffic volume. Street trees shall be located in the road right-of-way or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits.
- E. Off-Street Parking.
1. Projects shall provide off-street parking consistent with the requirements of Chapter [17.430](#).
 2. All fractional parking spaces shall be rounded up to the nearest whole number.
 3. If the development includes set-aside parking areas, each area shall not include more than ten spaces each and shall be in locations throughout the development.

17.420.040 Interpretation of tables.

Development standards are listed down the left side of the tables and the zones are listed at the top. The table cells contain the minimum (Min) and, in some cases, maximum (Max) dimensional requirements of the zone. The small numbers (subscript) in a cell indicate additional requirements or detailed information. Those additional requirements can be found in the table footnotes in Section [17.420.110](#). A cell, marked with NA, indicates there are no specific requirements.

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).
- B. **Commercial, Industrial, and Parks Zones.**
1. Urban Village Center (UVC).
 2. Neighborhood Commercial (NC).
 3. Commercial (C).
 4. Regional Center (RC).
 5. Low Intensity Commercial (LIC).
 6. Rural Commercial
 7. Business Park (BP).
 8. Business Center (BC).
 9. Industrial (IND).
 10. Rural Industrial (RI).
 11. Parks (P).
- C. **Limited Areas of More Intensive Rural Development (LAMIRD).**
1. Keyport Village Commercial (KVC).
 2. Keyport Village Low Residential (KVLR).
 3. Keyport Village Residential (KVR).
 4. Manchester Village Commercial (MVC).
 5. Manchester Village Low Residential (MVLR).
 6. Manchester Village Residential (MVR).
 7. Port Gamble Rural Historic Town Commercial (RHTC).
 8. Port Gamble Rural Historic Town Residential (RHTR).
 9. Port Gamble Rural Historic Town Waterfront (RHTW).
 10. Suquamish Village Commercial (SVC).
 11. Suquamish Village Low Residential (SVLR).
 12. Suquamish Village Residential (SVR).
 13. Rural Employment Center (REC).
 14. Twelve Trees Employment Center (TTEC).

Commented [DG116]: Changes:

Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:

(URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:

(C) Commercial
 (RC) Regional Center

Name Change:

From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

D. [Silverdale](#) Regional Center and Design District Density and Dimension Table.

1. Old Town
2. Bucklin Hill Center
3. Clear Creek Village
4. Kitsap Mall Center
5. West Hill
6. Northeast Business
7. Waterfront

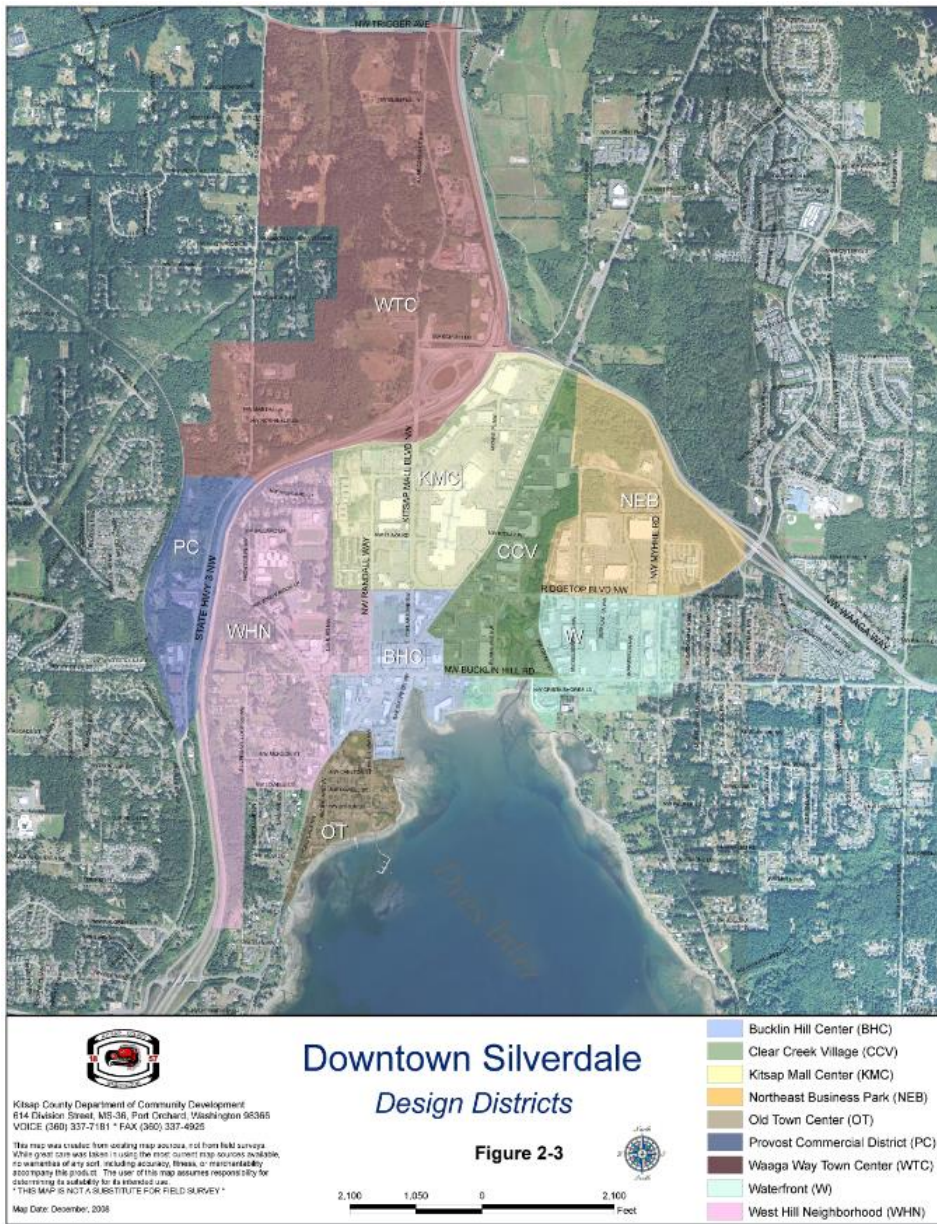


Table 17.420.050(A) Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

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) 40 (53)	4 (18)	9 (19)	9 (19)	18 (19)	30
Min. lot size (39)	5 acres	10 acres	20 acres (35)	40 acres	20 acres (30)	5,800 sf	5,800 sf	3,600 sf 2,400 s.f.	2,400 sf	None for multi-family; 2,400 s.f. for single-family	None
Max. lot size (39)	NA	NA	NA	NA	NA	NA	NA	9,000 sf	9000 sf	NA	NA
Min Lot width (feet)	140	140	140	140	60 (31)	60	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

Commented [DG117]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
(URS) Urban Reserve
(SLH) Senior Living Homestead

Name Change:
From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Commented [DG118]: Add Footnote:
55 redirects based upon Silverdale Regional Center designation.

Commented [DG119]: Density Allowance Reduced:
Correction necessary to maintain expected density in the zone. (E. Baker)

Commented [DG120]: REASONABLE MEASURE:
MINIMUM LOT SIZE
2,400 sf is the equivalent of an Urban Medium Density, not Urban Low.
Gross Acreage Calculations (1 acre)
2,400 sf results in 18.15 du/acre
3,600 sf results in 12.1 du/acre
4,800 sf results in 9.08 du/acre

Commented [DG121]: REASONABLE MEASURE:
MAXIMUM LOT SIZE
A max lot size is necessary to insure that large lots are not underdeveloped in the future.
5 du/ac = 43560 sf / 5 lots = 8,712 sf
10 du/ac = 43560 sf / 10 lots = 4,356 sf
19 du/ac = 43560 sf / 10 lots = 2,293 sf

Commented [DG122]: Change:
Increased to 60 ft.
60' x 60' = 3,600 sf

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)
Max. height (feet) (40)	35 (2)	35 (2)	35 (2)	35 (1)	NA	35	35 (50)	35	35	35 (17)	35 (17)
Max. impervious surface coverage	NA	NA	NA	NA	NA	50% 55% (53)	40%	NA	NA	85%	85%
Max. lot coverage	NA	NA	NA	NA	NA	50% 55%	40%	NA	NA	85%	85%
Setbacks (34) (38)											
Min. front (feet) (41)(42) (43)(45)	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

Commented [DG117]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
(URS) Urban Reserve
(SLH) Senior Living Homestead

Name Change:
From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Commented [DG118]: Add Footnote:
55 redirects based upon Silverdale Regional Center designation.

Commented [DG123]: Existing Definitions:
17.110.367 Impervious surface.
"Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads with compacted subgrade, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces.

17.110.415 Lot coverage.
"Lot coverage" means that percentage of the total lot area covered by buildings. ---Change name to building

17.420.020 (F) summarizes these definitions

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)
Side (feet) (42)(43) (45)(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	5 10 15 (54)	5 10 (29)	10 5 If on an alley, 40-20 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	5 If on an alley, 40 20 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (28) (29)	10 5 If on an alley, 40 20 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	10 (29)

Commented [DG117]: Changes:
Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
(URS) Urban Reserve
(SLH) Senior Living Homestead

Name Change:
From: (IGZ) Illahee Greenbelt Zone
To: (GB) Greenbelt

Commented [DG118]: Add Footnote:
55 redirects based upon Silverdale Regional Center designation.

Commented [DG125]: Greater setback for 3 or more story structure? Confirm with other code requirements (UVC) Consistency with Urban High. Provides relief from multistory structure next to property line.

Commented [DG124]: Helps to establish a back yard in close proximity to neighbors.

Commented [DG126]: Increase rear setback to 20 feet where parking perpendicular to the alley/road may occur.

Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.

Standard	Commercial						Industrial				Public Facilities	
	UVC (5)	NC (5)(33)	CO (5)(25) (33)	RC (5)(25)(33)	LIC (51)	RCO (12)(64)	BC	BP	IND (5)(36)	RI	P	--
Min. density (du/acre)	10 (19)	10 (44)	10 (44)	See Table 17.420.050 D	10	None	NA	NA	NA	NA	NA	
Max. density (du/acre)	18 (19)	30	30		20 base 30 max (53)	None	NA	NA	NA	NA	NA	
Min. lot size (39)	NA	NA	NA		NA	NA	NA	7 acres (49)	NA	NA	NA	
Max. lot size (39)	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	
Min Lot width (feet)	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	
Min Lot depth (feet)	NA	NA	NA		NA	NA	NA	NA	NA	200	NA	
Max. height (feet) (40)	45	35 (17)	35 (17)		25 base, 45 max (53)	35	35 (17)	35 (17)	35 (17)	35	35 (17)	

Commented [DG127]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Commented [DG128]: If an urban area and allows residential, 5 du/ac should be minimum density.

Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.

Standard	Commercial						Industrial				Public Facilities	
	UVC (5)	NC (5)(33)	CO (5)(25) (33)	RC (5)(25)(33)	LIC (51)	RCO (12)(64)	BC	BP	IND (5)(36)	RI	P	--
Max. impervious surface coverage	85%	85%	85%		35% base, 50% max (53)	85%	NA	50%	NA	85%	NA	
Max. lot coverage	Total gross floor area devoted to nonresidential use in any one structure shall not exceed 25,000 square feet. Total gross floor area devoted to residential use in any project shall not exceed 2/3 of the total proposed gross floor area. (24)	NA	NA	See Table 17.420.050 <u>D</u>	35%	None	60% building coverage or as determined by master plan process	NA	60% lot coverage	NA	NA	
Setbacks (34) (38)												
Min. front (feet) (29) (41) (42) (43) (46) (48)	None	20	20	See Table 17.420.050 <u>D</u>	None	20 (26)	20 (23) (26)	20 (23) (26)	20 (27)	20 (26)	20, 0 (54)	

Commented [DG127]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Table 17.420.050(B) Commercial, Industrial, and Parks Zones Density and Dimensions Table.

Standard	Commercial						Industrial				Public Facilities	
	UVC (5)	NC (5)(33)	CO (5)(25) (33)	RC (5)(25)(33)	LIC (51)	RCO (12)(64)	BC	BP	IND (5)(36)	RI	P	--
Max. front (feet) (41) (42) (43) (48)	NA	NA	NA		10 (52)	NA						
Side (feet) (29) (42) (43) (48)	None	10 (21)	10 (21)		0	20, 50 when abutting residential (26)	20 (23) (26)	20 (23) (26)	None (27)	20, 50 when abutting residential (26)	10	
Rear (feet) (29) (42) (43) (48)	None	10 (21)	10 (21)		15	20, 50 when abutting residential (26)	20 (23) (26)	20 (23) (26)	None (27)	20, 50 when abutting residential (26)	10, 0 (54)	

Commented [DG127]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.

Standard	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Min. density (du/acre)	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Max. density (du/acre)	5	2 (45)	5	5 (15)	2 (15)	4 (15)	2.5	2.5 (7)	2.5	NA	2	2	NA	NA
Min. lot size (39)	NA	12,500 s.f.	4,000 s.f.	NA	21,780 s.f. 10,890 with clustering (12)	10,890 s.f. (12)	None	3,500 s.f. (7)	NA	NA (11)	4,500 s.f. (4) (11)	4,000 s.f. (4) (11)	NA	NA
Max. lot size (39)	NA	NA	NA	NA	NA	NA	None	7,500 s.f. (7)	NA	NA (11)	NA (11)	NA (11)	NA	NA
Min Lot. width (feet)	30	80	40	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	50 (4) (11)	40 (4) (11)	NA	NA
Min Lot. depth (feet)	NA	80	80	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	90 (4) (11)	75 (4) (11)	NA	NA

Commented [DG129]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Name Change:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.

Standard	TYPE 1 LAMIRDS												TYPE 3 LAMIRDS	
	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Max. height (feet) (40)	35	35	35	28 (13)	35 (14)	35 (14)	35 (8)	30	35 (22)	35	30, Max of 2 habitable floors	30, Max of 2 habitable floors	35	35
Max. impervious surface coverage	NA	50% for residential properties less than or equal to 0.50 acres 40% for residential properties greater than or equal to 0.51 acres	50% for residential properties less than or equal to 0.50 acres 40% for residential properties greater than or equal to 0.51 acres	50% for residential properties less than or equal to 0.50 acres 40% for residential properties greater than or equal to 0.51 acres (16)	50% for residential properties less than or equal to 0.50 acres 40% for residential properties greater than or equal to 0.51 acres (16)	50% for residential properties less than or equal to 0.50 acres 40% for residential properties greater than or equal to 0.51 acres (16)	NA	NA	NA	40% (6)	40% (6)	40% (6)	85%	85%

Commented [DG129]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Name Change:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.

Standard	TYPE 1 LAMIRDS											TYPE 3 LAMIRDS		
	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Max. lot coverage	NA	NA	NA	NA	NA	NA	50%	50% or 2,000 s.f., which-ever is greater	50%	NA	NA	NA	NA	NA
Setbacks (34) (38)														
Min. front (feet) (41) (42) (43) (48)	NA	10, 20 for garage	10, 5 for porch, 20 feet for garage (46)	NA	20	20	None	20 (9)	None	10 (11)	20 (11)	20 (11)	20	20
<u>Max. front (feet)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Side (feet) (42) (43) (48)	NA	5	5	NA	5	5	Per Title 14	5 (10)	Per Title 14	0 (11) (21)	5 (11)	5 (11)	10 (21)	10 (21)

Commented [DG129]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Name Change:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Table 17.420.050(C) Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table.

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	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Rear (feet) (42) (43) (48)	NA	15 5	15 5	NA	5	5	Per Title 14	5 (10)	Per Title 14	10 (11) (21)	5 (11)	5 (11)	10 (21)	10 (21)

Commented [DG129]: Changes:
 Added Color and re-organized to match comp plan designations and use table order. Zone removal or addition is indicated below.

Zones Removed:
 (URS) Urban Reserve
 (SLH) Senior Living Homestead
 (UTC) Urban Town Center
 (MU) Mixed Use
 (A) Airport
 (HTC) Highway Tourist Commercial
 (RC) Regional Commercial

Zones Added:
 (C) Commercial
 (RC) Regional Center

Name Change:
 From: (IGZ) Illahee Greenbelt Zone
 To: (GB) Greenbelt

Commented [DG130]: Correction:
 Per community request the setback reduction to 5 feet is attached to the usability of alley access.

Table 17.420.050D Silverdale Regional Center and Design District Density and Dimension Table.

Standard	Old Town	Bucklin Hill Center	Clear Creek Village	Kitsap Mall Center	West Hill	Northeast Business	Waterfront
Min. density (du/acre)	10	10	10	10	UH: 19 RC: 10	10	10
Max. density (du/acre) (56)	30/60	30/60	30/60	30/60	UH: 30/60 RC: 30/60	30/60	30/60
Min. height (feet)	n/a	35' fronting Silverdale Way	35' fronting Silverdale Way	35' fronting Silverdale Way	35' fronting Silverdale Way		n/a
Max. height (feet) (33) (40) (56)	35/45 ft	35/65 55ft / 85 ft	35/65 ft 55ft / 85 ft	35/65 ft 55ft / 85 ft	UH: 35/65 ft 55ft / 85ft RC: 35/65 ft 55ft / 85ft	35/65 65ft / 125ft	35/65 ft 55ft / 85ft
Max. impervious surface coverage	85%	85%	85%	85%	UH: 85% RC: NA	85%	85%
Max. lot coverage	NA	NA	NA	NA	NA	NA	NA

Commented [DG131]: Zone Change: Mixed Use zone (10-30 du/ac) is removed and replaced with Urban High(19-30 du/ac) in the preferred land use alternative.

Commented [DG132]: Add Footnote: (56) Height and density may be increased if a project qualifies as mixed use development and meets modification or waiver request criteria as identified in 17.420.035 'Additional mixed use development standards'.

Commented [DG133]: Add Regulation: Establishing minimum height maintains consistency with the visions found in the Silverdale Design Standards.

Commented [DG134]: REASONABLE MEASURE: Silverdale Centers Plan and incentives allowing for increased density and increased building height.

Assumptions:
 15 ft Ground Floor Max Height and
 10 ft subsequent floor Max Height
 45 ft (4 stories)
 55 ft (5 stories)
 65 ft (6 stories)
 75 ft (7 stories)
 85 ft (8 stories)
 95 ft (9 stories)
 105 ft (10 stories)
 115 ft (11 stories)
 125 ft (12 stories)

Harrison Hospital approved height 180 ft

Setbacks (34) (38)							
Min. front (feet)	20	20 ft	20 ft	20 ft	UH: 20 ft RC: 20 ft	20 ft	20 ft
Max. front (feet) (29)(41)(42) (43)(45)	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Side (feet) (29)(42)(43) (45)(48)	10 ft	10 ft	10 ft	10 ft	UH: 5 ft RC: 10 ft	10 ft	10 ft
Rear (feet) (29)(42)(43) (48)	10 ft	10 ft	10 ft	10 ft	UH: 5 ft RC: 10 ft	10 ft	10 ft

17.420.060 Footnotes for tables.

- A. Where noted on the preceding tables, the following additional provisions apply:
1. Except for those buildings directly associated with timber production and harvest.
 2. Except for silos and other uninhabited agricultural buildings.
 3. Properties within the urban restricted (UR) zone and Greenbelt (GB) may subdivide at densities below the minimum required for the zone under the following circumstances:
 - a. The reduced density provides a greater protection for critical areas or environmentally sensitive areas; and
 - b. The intent of the short subdivision or subdivision is to keep the property in the ownership of the immediate family members.
 4. If a single lot of record, legally created as of April 19, 1999, is smaller in total square footage than that required under this chapter, or if the dimensions of the lot are less than required, said lot may be occupied by any reasonable use allowed within the zone subject to all other requirements of this chapter. If there are contiguous lots of record held in common ownership, each of the lots legally created as of April 19, 1999, and one or more of the lots is smaller in total square footage than required by this chapter, or the dimensions of one or more of them are less than required, said lots shall be combined to meet the minimum lot requirements for size and dimensions.
 5. The Design Standards for the Community of Kingston sets 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.
 6. Building replacements and remodels shall not create in excess of a total of forty percent impervious surface for lot area or more than the total existing impervious surface area, whichever is greater.
 7. Excess area from acreage used to support proposed densities but not devoted to residential lots and public improvements such as streets and alleys shall be permanently dedicated and reserved for community open space, park land, and similar uses. For developments proposing densities no greater than one dwelling unit per five acres, the minimum and maximum lot sizes shall not apply, except that existing dwelling units shall be allocated lot area between three thousand five hundred and seven thousand five hundred square feet. New proposals may then proceed using the five-acre lot requirements of Section 17.130.030 for the rural residential (RR) zone.
 8. Hotels may be developed with four above-ground floors and up to a height not exceeding fifty feet with approval of the fire marshal and relevant fire district.
 9. May be reduced to ten feet for residential uses through the administrative conditional use or PBD process.
 10. Uses allowed through the conditional use process shall provide minimum side setbacks of ten feet and minimum rear setbacks of twenty feet.
 11. Any newly created lot within the Suquamish Rural Village shall be subject to Chapter 16.48 of this code, Short Subdivisions, and must meet the lot requirements below:
 - a. Lot Requirements.
 - i. Minimum lot size: twenty-one thousand seven hundred eighty square feet.
 - ii. Minimum lot width: one hundred feet.
 - iii. Minimum lot depth: one hundred feet.
 - b. Setbacks.
 - i. Front: twenty feet.
 - ii. Side: five feet.
 - iii. Rear: five feet.
 12. Nonconforming Lots.

- a. Nonconforming Lots in Single Ownership. If a single lot of record, legally created before the adoption of the Manchester Community Plan, is less than eight thousand seven hundred twelve square feet in size or does not meet the dimensional requirements of its zone, the lot may be occupied by any use allowed within the zone subject to all other requirements of this chapter.
- b. Nonconforming Lots in Common Ownership. Contiguous lots of record held in common ownership, each lot legally created before adoption of the Manchester Community Plan, must be combined to meet the minimum lot requirements of its zone if one or more of the lots are less than eight thousand seven hundred twelve square feet in size or does not meet the dimensional requirements of its zone and, at the time of adoption of the Manchester Community Plan (March 18, 2002), either (i) a residential structure encumbered more than one of the contiguous lots or (ii) two or more of the contiguous lots were vacant. If one or more of the lots is sold or otherwise removed from common ownership after the adoption of the Manchester Community Plan, it will not be considered to meet the minimum lot requirements for non-conforming lots in single ownership. Property with two contiguous lots legally created before adoption of the Manchester Community Plan with a residential structure entirely on one lot may develop the second lot consistent with applicable zoning.
13. Residential structures within the MVC zone may not exceed twenty-eight feet.
14. Within the view protection overlay, the maximum height ~~for buildings and new vegetation~~ shall be twenty-eight feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. ~~Kitsap County will not enforce vegetation height standards.~~ Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the view protection overlay zone may build ~~or have new vegetation~~ as high as thirty-five feet under the following circumstances:
- There is no existing view of downtown Seattle, the Cascade Mountains, Mt. Rainier or the Puget Sound from the subject property or any adjacent property; or
 - The owners of all adjacent properties approve the building height prior to building permit issuance; or
 - It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.
15. Clustering residential development is encouraged in all development. When clustering development, if a property owner designates forty percent of the gross acreage as naturally vegetated open space, he or she may create one additional lot for every five lots clustered. The additional lot may not reduce the naturally vegetated open space to an amount less than forty percent of the gross acreage of the development.
16. All properties within the Manchester Village must also meet the requirements of the Storm Water Management Ordinance, Chapters 12.04 through 12.32 of this code. The use of pervious materials and other new technologies may be used in the construction of these areas and structures to reduce the impervious surface calculation.
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:
- In the UM, NC, and P zones: forty-five feet.
 - In the UH and ~~HTC~~ zones: sixty-five feet.
 - ~~In the BP, BC, and IND zones: fifty feet.~~
- ~~e.d. 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.~~
- ~~In the mixed use zone:~~
 - ~~Within Silverdale, the maximum height shall be forty-five feet;~~
 - ~~Along the Highway 303 corridor, the maximum height shall be sixty-five feet;~~

Commented [DG135]: Revise Footnote:
Reason: Include vegetation height limitations for Manchester in code.

Commented [DG136]: Remove Reference:
Mixed use zone being removed.

- iii. ~~Along Perry and National Avenues, the maximum height shall be forty five feet;~~
 iv. ~~Within Gorst, the maximum height shall be sixty five feet when public benefits are provided and incentives earned per Section 17.400.17.400.080.~~
18. ~~Repeal. The minimum and maximum densities within the range are based upon the net acreage of the property(s) after the removal of critical areas. In determining a development proposal's actual density within the range, the features of the subject parcel including on-site or adjacent wetlands, streams or steep slopes shall be considered first.~~
 19. ~~Repealed. The maximum number of residential units permitted in the South Kitsap UGA/ULID #6 Sub-Area Plan is four thousand one hundred seventy-two until such time as a further population allocation is made to the sub-area. All residential development within the sub-area is subject to this density limitation. To ensure that the density limit for the sub-area is not exceeded, the director shall use the county's land information system (LIS) to monitor the number of dwelling units remaining and available for development within the sub-area.~~
 20. ~~Repealed. The minimum lot width within the ULID #6 Sub-Area shall be forty feet.~~
 21. Twenty feet when abutting a residential zone.
 22. Maximum height shall be thirty feet when located within the two-hundred-foot shoreline area.
 23. The minimum site setback shall be seventy-five feet for any yard abutting a residential zone, unless, based upon a site-specific determination, berming and landscaping approved by the director is provided that will effectively screen and buffer the business park activities from the residential zone that it abuts; in which case, the minimum site setback may be reduced to less than seventy-five feet but no less than twenty-five feet. In all other cases, minimum site setbacks shall be twenty feet.
 24. An individual structure intended for future mixed commercial and residential uses may initially be used exclusively for residential use if designed and constructed for eventual conversion to mixed commercial and residential-use once the Urban Village Center ~~or Urban Town Center~~ matures.
 25. ~~Repealed. The Bethel Road Corridor Development Plan sets forth policies and regulations for development within the Highway Tourist Commercial Zone located along the Bethel Corridor in South Kitsap from SE Ives Mill Road to the Port Orchard City limits. Development within the Bethel Road Corridor Highway Tourist Commercial Zone shall be conducted in a manner consistent with the policies and regulations of the Land Use Element of the Bethel Road Corridor Development Plan.~~
 26. No service road, spur track, or hard stand shall be permitted within required yard areas that abut a residential zone.
 27. As approved by the director, wherever an industrial zone abuts a residential zone, a fifty-foot screening buffer area shall be provided. This screening buffer is intended to reduce impacts to abutting residential uses such as noise, light, odors, dust and structure bulk. No structures, open storage, or parking shall be allowed within this area. The director shall only approve screening buffers that improve the compatibility between the proposed use and the residential zone. The director may reduce this buffer to a minimum of twenty-five-foot width only when based upon a site-specific determination that topography, berming or other screening features will effectively screen industrial activities from the residential zone. Conversely, based upon a similar site-specific determination, the director may increase the buffer width from fifty feet to ensure adequate buffering and compatibility between uses.
 28. Unless part of an approved zero-lot line development.
 29. One-hundred-foot setback required for single-family buildings abutting FRL or RW zones.
 30. No minimum lot size if property is used only for extraction.
 31. Three hundred thirty feet if activity includes any uses in Section 17.380.020.
 32. Existing lots developed with existing single-family residences are permitted to be maintained, renovated and structurally altered. Additions to existing residential structures in order to provide commercial uses are also permitted regardless of density.

Commented [DG137]: Remove Footnote:
Reason: Inconsistent with methodologies of CPP's 4/11/16

Commented [DG138]: Remove Footnote:
Master Planning Requirements ULID #6/McCormick Woods and Bremerton National Airport

Commented [DG139]: Remove Footnote:
Master Planning Requirements ULID #6/McCormick Woods and Bremerton National Airport

Commented [DG140]: Remove Footnote:
Reason: Bethel Road Corridor Plan is no longer applicable in conjunction with the Comprehensive Plan Preferred Land Use Map.

- 33. ~~Except for the height and density requirements reflected in Table 17.420.050D Regional Center and Design District Density and Dimension Table, All~~ development within the Silverdale Design District boundaries must be consistent with the Silverdale Design Standards.
- 34. Development abutting a street for which a standard has been established by the Kitsap County Arterial Plan shall provide a special setback from the centerline of said street or a distance adequate to accommodate one-half of the right-of-way standard established by the arterial plans for the street. The building setback required by the underlying zone shall be in addition to the special setback and shall be measured from the edge of the special setback line. The special setback area shall be treated as additional required yard area and reserved for future street widening purposes.
- 35. ~~Repealed. Maximum density, smaller lot sizes and reduced setbacks may be allowed based upon the designation of a portion of the development acreage as "permanent open space" through the Rural Wooded Incentive Program per Section 17.301.080.~~
- 36. For standards applicable to master planned industrial developments and approved industrial parks, see Sections 17.320.090 and 17.330.090.
- 37. ~~When an airport zone abuts a residential zone, there shall be a minimum of five hundred feet from the end of any runway and the residential zone.~~ Adjacent to airports, the director may impose height restrictions and/or other land use controls, as deemed essential to prevent the establishment of air space obstructions in air approaches to protect the public health, safety and welfare consistent with Federal Aviation Regulations (FAR) Part 77.
- 38. Cornices, canopies, eaves, belt courses, sills or other similar architectural features, or fireplaces may extend up to twenty-four inches into any required yard area. ~~For setbacks along shorelines, see Chapter 17.450.~~
- 39. ~~Unless otherwise stated in this title, if a lot of record which was legally created as of May 10, 1999, is smaller in total square footage than that required within the zone, or if the dimensions of the lot are less than that required within the zone, said lot may be occupied by any use allowed within that zone subject to all other requirements of the zone. Unless specifically stated within this title, where two or more contiguous lots which are nonconforming to the lot size or dimensions of the zone and are held in common ownership, said lots shall be considered separate legal nonconforming lots and each may be occupied by any use permitted within the zone subject to all other requirements of the zone. If a lot of record was lawfully occupied by two or more single-family residences (excluding accessory dwellings) as of May 10, 1999, the owner of such a lot may apply for a short plat approval in order to permit the segregated sale of such residences, even though some or all of the resulting new lots will have lot areas or dimensions less than required for the zone in which they are located. All Special provisions of the Short Subdivisions Ordinance (Chapter 16.48 of this code) shall apply to the application. Unless otherwise stated in this title, if a lot of record which was legally created after July 1, 1974, is smaller in total square footage than that required within the zone, or if the dimensions of the lot are less than that required within the zone (substandard lot), said lot may be occupied by any use allowed within that zone subject to all other requirements of the zone. For substandard lots that were created prior to July 1, 1974 that do not meet the minimum dimensions required for the zone, they may be considered for development permits if they meet one or more of the following exceptions: (a) a lot upon which there is, or was, a legally placed residence; or (b) there have been specific development investments in the lot prior to the enactment of this ordinance, including, an approved water or sewer connection, participation in a local improvement district, or (c) a vested development permit. An owner of contiguous substandard lots may choose to aggregate (combine) the lots in order to meet these requirements.~~
- 40. Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet from every lot line; chimneys, spires on places of worship, belfries, cupolas, domes, smokestacks, flagpoles, grain elevators, cooling towers, solar energy systems, monuments, fire house towers, masts, aerials, elevator shafts, and other similar projections, and outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater. The proponent seeking exception to the height limitation shall certify that the object being considered under this provision

Commented [DG141]: Clarification:
As a result of REASONABLE MEASURES, new proposed height and density allowances are greater than those reflected in the Silverdale Design Standards.

Commented [DG142]: Remove Footnote:
Section 17.301.080 was repealed in 2008 and is no longer applicable.

Commented [DG143]: Chapter 17.450 was repealed in 2014

Commented [DG144]:
REASONABLE MEASURE:
Recognition of Legacy Lots

will not shade an existing solar energy system which, by the determination of the director, contributes substantially to the space or water-heating requirements of a building.

41. The following exceptions apply to front yard requirements for dwellings:
- If there are dwellings on both abutting lots with front yards less than the required depth for the zone, the front yard for the lot need not exceed the average front yard of the abutting dwellings.
 - If there is a dwelling on one abutting lot with a front yard less than the required depth for the zone, the front yard need not exceed a depth of half-way between the depth of the front yard on the abutting lot and the required front yard depth.
 - If a modification to the front-yard requirement is necessary in order to site dwellings in a manner that maximizes solar access, the director may modify the requirement.
 - On lots with multiple front yards, the front yard setback(s) in which the lot does not receive access may be modified by the director. Based upon topography, critical areas or other site constraints, the director may reduce these front yard setbacks to a minimum of twenty feet for properties requiring fifty feet and ~~five-ten~~ feet for properties requiring twenty feet. The director may not modify front yard setbacks from county arterials or collectors. Such reductions shall not have an adverse impact to surrounding properties.
42. The following exceptions apply to historic lots:
- Building setback lines that do not meet the requirements of this title but were legally established prior to the adoption of this title shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel; providing, that no structure or portion of such addition may further project beyond the established building line.
 - Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.
43. Any structure otherwise permitted under this section may be placed on a lot or parcel within a required yard area if the director finds that such a location is necessary because existing sewer systems or roadways make compliance with the yard-area requirements of this title impossible without substantial changes to the site.
44. Outside of the Silverdale Sub-Area, densities required only with mixed use development.
45. Density in the KVLR zone may be increased to three units per acre through a performance-based development (PBD) process pursuant to the regulations cited in Section 17.360 A.090(B).
46. Front porch must meet following requirements to qualify for five-foot front setback:
- Porch shall be forty percent open on each of two sides; no enclosed porches.
 - Minimum porch dimensions shall be four feet by six feet, or twenty-four square feet.
 - Porches shall not be less than four feet in width.
47. The 2007 Manchester Community Plan, Appendix A – Manchester Design Standards sets forth policies and regulations for properties within the Manchester Village commercial district (MVC). All developments within the MVC district must be consistent with these standards.
48. Cornices, canopies, eaves, belt courses, sills, bay windows, fireplaces or other similar cantilevered features may extend up to twenty-four inches into any required yard area. In no case shall a habitable area be considered for encroachment into a required yard through any land use process. Additionally, fire escapes, open-uncovered porches, balconies, landing places or outside stairways may extend up to twenty-four inches into any required side or rear yards, and shall not extend more than six feet into any required front yard. This is not to be construed as prohibiting open porches or stoops not exceeding eighteen inches in height, and not closer than twenty-four inches to any lot line.
49. Minimum project size applies to the initial land use application for the property such as master plan, PBD or other mechanism. Subsequent subdivision through platting or binding site plan

Commented [DG145]: Correction:

Reason: Dwellings applies to the entire footnote.

Commented [DG146]: Correction:

Reason: Permit staff indicating that public roadways require 10 ft for expansion. If parking is allowed in the front yard setback, the minimum setback shall be 20 ft.

consistent with scope and conditions of the land use approval is not required to meet this minimum size.

50. New or remodeled structures within the Illahee View Protection Overlay Zone may not exceed twenty-eight feet. Kitsap County will not enforce vegetation height standards.

51. ~~Repealed. 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.~~

52. No motor vehicle parking allowed within the front yard setback. See also Section 17.400.060 regarding conditions under which maximum setbacks may increase, as well as parking location standards.

53. Within the Gorst urban growth area, ~~density~~, impervious surface coverage, and height may be increased to the maximum listed in the density and dimensions table through compliance with the incentive program described in Section 17.400.080(B).

54. Standard listed applicable to Gorst UGA only.

55. Parcels located within the Silverdale Regional Center shall refer to the design standards identified in Table 17.420.090 Silverdale Regional Center and Design District Density and Dimension Table.

56. Height and density may be increased through Chapter 17.510 Performance Based Development or if a project qualifies as mixed use development and meets modification or waiver request criteria as identified in 17.420.035 'Additional mixed use development standards'.

Commented [DG147]: Moved:
Moved language to Use Table footnotes.

Commented [DG148]: Add Footnote:
Reason: Urban High Residential has an increased density allowance proposed within Silverdale Regional Center.

Commented [DG149]: Add Footnote:
REASONABLE MEASURE allows increased height and density within the Silverdale Regional Center

Chapter 17.430 OFF-STREET PARKING AND LOADING (Formerly Chapter 17.435)

Sections:

17.430.010 Off-street parking requirements.**17.430.020 General provisions.****17.430.030 Number of spaces required.****17.430.040 Off-street parking lot design.****17.430.050 Off-street loading.****17.430.060 Handicapped parking.****17.430.010 Off-street parking requirements.**

The following requirements shall be used as guidelines and may be increased or decreased by the department depending on the specific need or use, while taking into consideration trip demand reduction programs and the availability of public transit. Off-street parking spaces shall be provided and maintained as set forth in this section for all uses in all zones. Any fractional parking space shall be rounded up to the nearest whole number. Such off-street parking spaces shall be provided at the time:

- A. A building is hereafter erected or enlarged;
- B. The use of a building existing on the effective date of this title is changed and/or the building enlarged, parking spaces shall be provided in proportion to the increase only, provided the increase is less than fifty percent. If the increase exceeds fifty percent, parking shall be provided for the entire structure in accordance with the requirements of this section.

17.430.020 General provisions.

- A. More Than One Use on One or More Parcels. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the director finds that a portion of the floor area, not less than a contiguous one hundred square feet in a retail store will be used exclusively for storage of merchandise which is not being displayed for sale, he may deduct such space in computing parking requirements, but the owners shall not thereafter use the space for any other purpose without furnishing additional off-street parking as required by Section 17.430.030.
- B. Joint Use of Facilities. The off-street parking requirements of two or more uses, structures, or parcels of land may be satisfied by the same parking or loading space used jointly, if approved by the director, to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their operations and parking needs do not overlap in point of time. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.
- C. Location of Parking Facilities. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located on the same parcel or on another parcel not farther than three hundred feet from the building or use they are intended to serve, measured in a straight line from the building. The burden of proving the existence of such off-premises parking arrangements rests upon the person who has the responsibility of providing parking.
- D. Use of Parking Facilities. Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for the storage of vehicles or materials, or for the parking of trucks used in conducting the business or use.
- E. Parking in Required Front, Side, Rear Yards or Setbacks. Unless otherwise provided, required parking and loading spaces shall not be located in a required yard or setback, except for development of single-family dwellings or duplexes.
- F. Development and Maintenance Standards for Off-Street Parking Areas. Every parcel of land hereafter used as a public or private parking area, including commercial parking lots, shall be developed as follows:
 1. An off-street parking area for more than five vehicles shall be effectively screened by a sight-obscuring fence, hedge, or planting, on each side which adjoins property situated in an urban low residential (UL) zone, or the premises of any school or like institution;

2. Any lighting used to illuminate the off-street parking areas that exceeds one foot candle at the property line shall be so arranged that it will not project light rays directly upon any adjoining property in any zone;
3. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley;
4. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use, and so drained as to avoid flow of water across sidewalks;
5. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents;
6. Access aisles shall be of sufficient width for all vehicular turning and maneuvering;
7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, to provide maximum safety of traffic ingress and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street, other than an alley;
8. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points twenty feet from their intersection;
9. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, pedestrian walkway, or a street; and
10. When the parking standards require ten or more parking spaces, up to twenty-five percent of these may be compact car spaces, as identified in Section [17.430.040](#).

17.430.030 Number of spaces required.

Off-street parking spaces shall be provided as follows:

Land Use	Minimum Parking Spaces Required
Residential	
Single-Family (attached or detached)	2 per unit + 0.5 per unit on street or set aside; 1 additional space for accessory dwelling units or accessory living quarters. Garages are not calculated towards this requirement.
Multi-Family (Condos/Townhouses/Apartments)	1.5 per unit + 0.5 per unit on street or set aside
Senior Housing	0.5 per unit; 1 per duty employee

Land Use	Minimum Parking Spaces Required
Institutional/Educational/Other	
Bed and Breakfast	1 per sleeping unit
Motels and Hotels	1 per bedroom; and spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.
Club/Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.
Hospitals and Institutions	1 per bed; 1 per 2 employees; 1 per 2 guests
Places of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium
Library and Gallery	1 per 250 gross square feet
Preschool-Kindergarten	1 per 3 children
Elementary/Middle or Junior High School	1 per employee; 2 per classroom
High School	1 per employee and teacher; 1 per 10 students
Colleges, Technical School	1 per 3 seats in classroom; 1 per employee and teacher
Stadium, Arena, Theater	1 per 4 seats or 8 feet of bench length in the main auditorium
Bowling Alley	6 per alley
Dance Hall, Skating Rink	1 per 20 gross square feet
Self Storage	1 per 3,000 gross square feet
Espresso Stands	1 employee parking space per 75 square feet

Land Use	Minimum Parking Spaces Required
Commercial/Retail/Office	
Restaurants/Bars/Taverns	If under 5,000 square feet of gross floor area – 1 per 200 square feet of gross floor area; If 5,000 or more square feet of gross floor area – 20 plus 1 per each additional 200 square feet of gross floor
Retail stores generating relatively little automobile traffic (e.g., appliance, furniture, hardware and repair stores)	1 per 400 square feet of gross floor area
Retail and personal service establishments generating heavy automobile traffic (e.g., department, drug, and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops)	1 per 200 square feet of gross floor area
Drive-In and Fast Food Restaurants	1 per 80 square feet of gross floor area
Professional Office	1 per 300 square feet of gross floor area
Shops and stores for sales, service or repair of automobile, machinery and plumbing, heating, electrical and building supplies	1 per 600 square feet of gross floor area
Mortuaries, Funeral Homes, Crematories	1 per 75 square feet of assembly area
Medical and Dental Office or Clinic	1 per 200 square feet of gross floor area
Medical and Dental Office or Clinic	1 per 200 square feet of gross floor area
Bank, Financial Institutions	1 per 400 square feet of gross floor area
Industrial	
Marinas and Moorage Facilities	1 per 4 moorage slips

Land Use	Minimum Parking Spaces Required
Warehouse, Storage, and Wholesale Facilities	1 per 2 employees; 1 per company vehicle parked on site at night (if applicable); 1 per 300 square feet of office space
Manufacturing, Research, Testing, Processing and Assembly Facilities	1 per 1,000 square feet
Winery/Brewery	1 per 800 square feet of gross floor area

A. Relaxation of Required Spaces.

- The director may authorize a variance to the amount of required off-street parking if a project proponent demonstrates that, due to the unusual nature of the proposed use, it is reasonable that the off-street parking required by this section exceeds any likely need.

B. Other Uses.

- Other uses not specifically listed above shall furnish parking as required by the director. The director shall use the above list as a guide for determining requirements for said other uses.
- Storage of junk motor vehicles is subject to the provisions of Section 17.550.090(I).

17.430.040 Off-street parking lot design.

Parking spaces shall be a minimum of nine feet in width and twenty feet in length, provided, there shall be six feet between parallel parking spaces for maneuvering and, provided further, where ten or more spaces are required twenty-five percent may be eight feet in width and eighteen feet in length if designated for compact cars.

17.430.050 Off-street loading.

- When Required. Off-street loading and unloading spaces are required for all commercial and multi-family uses having a gross floor area of over four thousand square feet to which or from which deliveries or pickups are made by trucks or truck-trailer combinations over thirty-five feet in length more frequently than monthly.
- Design Requirements. Loading and unloading spaces shall be minimum forty-five feet in length, ten feet in width and provide for clearance of fifteen feet. Adequate access shall be provided to each space. No area required for off-street parking may be used as a loading or unloading space.
- Number of Spaces Required. The following number of off-street loading and unloading spaces is required:

Gross Floor Area	Required Number of Spaces
4,000 – 9,999	1
10,000 – 24,999	2
25,000 – 99,999	3
100,000 – 200 000	4
Additional 50,000	1

(Ord. 415 (2008) § 209, 2008: Ord. 216 (1998) § 4 (part), 1998)

17.430.060 Handicapped parking.

Off-street parking and access for physically disabled persons shall be provided in accordance with the regulations of the Americans with Disabilities Act (ADA) and Title 14 of this code.

Chapter 17.440 LANDSCAPING**(Formerly Chapter 17.385)**

Sections:

17.440.010 Purpose.**17.440.020 Landscape plans.****17.440.025 Landscaping requirements.****17.440.027 Buffer types – When required.****17.440.030 Installation and maintenance.****17.440.040 Drought-tolerant landscaping.****17.440.050 (Repealed)****17.440.060 Building facade plantings.****17.440.070 Slope plantings.****17.440.080 Community themes.****17.440.010 Purpose.**

This section shall establish landscaping standards for all development subject to the requirements for permitted, conditional use or performance based development. Single-family plats shall be exempt, except that landscaping required as a condition of plat approval shall be installed to specifications contained herein.

17.440.020 Landscape plans.

Landscape plans required for an application shall be prepared as set forth in this section.

- A. Landscape plans are to be neatly and accurately drawn, at a scale that will enable ready identification and recognition of information presented.
- B. The landscape plan shall show how all disturbed areas are to be replanted (where landscaping is required) including the location and variety of all trees, shrubs and ground cover.
- C. The plan shall be accompanied by a plant schedule (list of plant materials used) which depicts the botanical name, common name, size at installation and spacing between individual plants shown on the plan.
- D. All plans shall include the following notations:
 1. Plant quantities to be determined by required spacing.
 2. All planting beds are to receive ground cover throughout except as noted.
- E. The landscape plan shall depict areas to be retained in natural vegetation and marked with the words “Native Growth Protection Easement, Existing Native Vegetation to Remain” and refer to the following notation, which is to be included on the landscape and site plans, or in the case of subdivisions, the final plat document.
- F. The “Native Growth Protection Easement Note” is intended to protect a sensitive area or provide and preserve a vegetated buffer by means of restricting activities which affect the vegetation existing in that area. The statement, “Existing Native Vegetation to Remain” is intended to differentiate between native vegetation and naturalized, non-native vegetation which naturally occurs through reseeding. Native vegetation is that which has existed in the region and was not introduced to the area by people. Examples include; Douglas fir, Salal and Alder. Naturalized vegetation is a species that was introduced to the area and has spread to the extent that it occurs and propagates itself without being directly planted by people. Examples include: Scotch Broom, Himalaya Blackberry and Purple Loosetrife.

17.440.025 Landscaping requirements.

In all cases where landscaping is required, a minimum of fifteen percent of the total site area shall be landscaped to the standards set forth in Chapter 17.440.

17.440.027 Buffer types – When required.

The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. These types shall include:

A. Landscaping Buffer.

1. Required along existing or planned roads within urban growth areas. The planting area shall encompass the required front setback area and consist of:
 - a. Evergreen and/or deciduous trees;
 - b. Evergreen shrubs planted to screen parking areas, in an amount and configuration to screen parked cars;
 - c. Ground covers as required;
 - d. Bioswales and other drainage features are allowed, only when in a configuration that preserves the integrity of the roadside planting; and
 - e. Retention of natural vegetation, where feasible.
2. Required along the perimeters of multi-family residential (ten dwelling units an acre or more), commercial, and industrial/business center development which abut like zones or uses. Installation shall vary in numbers and types of vegetation and structures depending on the proposed use and surrounding zones. Trees, shrubs, ground covers and/or fencing are to be provided as required.

B. Screening Buffer.

1. Required along the perimeters of multi-family residential (ten dwelling units an acre or more), commercial, and industrial/business center development abutting different uses and/or zones. The buffer shall provide sight-obscuring screening between different uses or zones and shall consist of:
 - a. Two offset rows of evergreen trees planted ten feet on center and ground cover; or
 - b. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.
2. Required for residential subdivisions or commercial development abutting a rural zone, a buffer of twenty-five to fifty feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after evaluating the effects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.
3. Required around the perimeter of storm drainage facilities to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:
 - a. A row of large shrubs and ground cover;
 - b. A row of evergreen trees planted ten feet on center and ground cover; and/or
 - c. An evergreen vegetation buffer sufficient to provide screening.
4. Retention of screening vegetation, where feasible.
5. Other vegetation types and/or configurations that meet the intent of this screening buffer may be approved by the director.

17.440.030 Installation and maintenance.

Installation and maintenance of landscaping of developments shall be in accordance with the American Nursery Landscaping Association standards.

A. Plant materials shall be nursery stock or the equivalent quality and installed to industry standards or better.

B. Landscape plant materials shall be staked to current industry standards or better. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.

C. Minimum Sizes at Installation.

1. Two-inch caliper street trees and other deciduous trees;

2. Eight feet minimum height multi-stemmed trees (e.g., Vine Maple);
 3. Six feet minimum height coniferous trees;
 4. Eighteen to twenty-four inches height for large and medium shrubs (over six feet at maturity);
 5. Twelve to eighteen inches minimum height for small shrubs (three to six feet at maturity); and
 6. Drought-tolerant landscape areas shall be subject to the size requirements in Section 17.440.040.
- D. Maximum spacing:
1. Street trees and other deciduous trees shall be spaced appropriate to their pattern, generally twenty-five to thirty feet on center for large trees.
 2. Coniferous trees shall be spaced fifteen feet apart, unless they are within a screening buffer, where the maximum spacing shall be ten feet on center.
 3. Large shrubs shall be spaced five feet on center.
 4. Medium shrubs shall be spaced four feet on center.
 5. Small shrubs shall be spaced three feet on center.
- E. Ground covers (bark and mulch shall not be considered as ground cover) are required in all planting areas, unless the entire bed is planted with shrubs that branch out so that they cover the surface of the ground. Spacing shall be as follows:
1. One-gallon pots, twenty-four inches on center;
 2. Four-inch pots, eighteen inches on center;
 3. Two-and-one-quarter-inch pots, twelve inches on center; and
 4. Grass and sod areas to be one hundred percent.
- F. Vegetation removal in native growth protection easements is limited to the following cases:
1. Hand removal of naturalized species. No machinery is to be used, except for hand-held implements which do not disturb the native vegetation or soil;
 2. Falling of trees which may present a danger to life or property. Removal of said trees is to be done only with written approval from the county. To solicit said approval, a letter and photograph or detailed plot plan of the area, with all trees to be removed marked on the photo or plan, shall be submitted to the department of community development; and
 3. Other activities expressly allowed as a condition of approval.
- G. Slopes in landscape areas shall not exceed 3:1 unless specifically approved by the director. Erosion control netting or alternative procedure may be required for slopes exceeding 3:1.
- H. Automatic irrigation systems shall be required for all landscape areas except for those designed and approved as drought-tolerant plantings. In unique circumstances alternative methods of irrigation may be approved if specifically proposed as part of the landscape plan.
- I. All planting beds shall receive topsoil or soil amendments as needed to maintain the plants in a thriving condition.
- J. All planting beds shall receive a minimum of two inches of bark mulch, or approved substitute.
- K. Landscaping required under the provisions of this title shall be maintained in a healthy growing condition.
- L. Landscaping lost due to violations of this title or unforeseen natural events shall be replaced immediately with vegetation that is sufficient in size and spacing as required by this title.
- M. All landscaping required by this title shall be installed prior to the issuance of any final certificate of occupancy permit, unless specifically approved by the director and installation is bonded (or other method), for a period not to exceed six months, in an amount equal to one hundred fifty percent of the cost of material and labor.
- N. Wetland mitigation plantings are not considered to be a part of the landscaping requirements.

17.440.040 Drought-tolerant landscaping.

Drought-tolerant landscaping (xeriscaping) is encouraged as a means of reducing the amount of water use. Xeriscaping reduces maintenance costs by reducing the amount of water used and by avoiding long-term maintenance of an irrigation system. Xeriscaping is especially encouraged on large sites and in those parts of a site separated from public streets and walkways. Drought-tolerant landscaping shall be installed and maintained as set forth in this section.

- A. There shall be provisions made for irrigation in the first two years following planting. This may include a temporary sprinkler system, or an approved means of manual irrigation. Manual irrigation methods shall be detailed in a written plan, included as a note on the landscape plan and accompanied by a maintenance bond in an amount determined by the director.
- B. Minimum sizes at installation:
1. One-and-one-half-inch caliper deciduous trees;
 2. Four-foot minimum height multi-stem trees;
 3. Four-foot minimum height coniferous trees;
 4. Twelve inches minimum height for medium and large shrubs; and
 5. One-gallon pot size for small shrubs.
- C. Ground cover is required as in Section 17.440.030(E).
- D. All plants selected shall be species generally accepted as drought-tolerant in the industry as drought-tolerant varieties.*

* **Editor's Note:** The list of drought-tolerant plants for landscaping may be obtained from the department of community development.

17.440.050 (Repealed)*

* **Editor's Note:** Former Section 17.440.050, "Landscape-buffer types," was repealed by § 164 of Ord. 415 (2008). Section 4 (part) of Ord. 216 (1998) was formerly codified in this section.

17.440.060 Building facade plantings.

Building facade plantings are intended to provide visual relief for buildings and shall be required adjacent to all building walls except those adjacent to service areas or unless specifically exempted by the director. Building facade plantings shall be provided over two thirds (or greater) of the horizontal distance of the wall and consist of:

- A. A minimum four-foot-wide planting area containing shrubs and ground cover; and
- B. Trees within the planting area, or within tree gates set into a walkway, when determined necessary.

17.440.070 Slope plantings.

Slope plantings are intended to re-vegetate slopes (which do not require planting as any other required buffer) and shall consist of a mixture of plantings and seedling trees planted at an average spacing of ten feet on center. This shall not reduce the need for hydro-seeding required for erosion control or other purposes.

17.440.080 Community themes.

Certain areas may have preferred planting schemes due to a community plan or other adopted design theme. Required landscape areas shall utilize plant materials and design concepts consistent with the local plan.

**Chapter 17.445
(Repealed)***

* **Editor's Note:** Former Chapter 17.445, "Signs," was repealed by § 1 of Ord. 517 (2014). Section 4 (part) of Ord. 216 (1998), § 10 of Ord. 281 (2002), §§ 211 and 212 of Ord. 415 (2008) and § 8 (Appx. B (part)) of Ord. 467 were formerly codified in this chapter.

Chapter 17.450 SIGN CODE**(Formerly Chapter 17.446)**

Sections:

17.450.010 Purpose.**17.450.020 Definitions.****17.450.030 Permitting.****17.450.040 Prohibited signs.****17.450.050 Exempt signs.****17.450.060 Conditionally exempt signs.****17.450.070 Regulations for permanent signs.****17.450.080 Regulations for electronic signs.****17.450.090 Master sign plan.****17.450.100 Sign detail sheets.****17.450.110 Sign maintenance.****17.450.120 Nonconforming signs.****17.450.130 Contractor license.****17.450.140 Variances.****17.450.150 Violations.****17.450.010 Purpose.**

This chapter establishes sign regulations and a clear enforcement strategy, which support and complement land use objectives set forth in the Kitsap County Comprehensive Plan, because unregulated signs may constitute a public nuisance for the health, safety, convenience, aesthetics, and welfare of Kitsap County residents. The sign code shall be updated periodically as necessary to maintain consistency with the Kitsap County Comprehensive Plan and respective sub-area plans. Signs are necessary for public service and facilitate competitive commerce and industry. These sign standards and regulations establish a predictable review process for the use of signs that support the business community, community organizations, and public entities while also promoting the visual quality of Kitsap County and which may be promoted in community plans. The standards also promote safety and protect the general public from damage or injury caused by, or partially attributed to, the distractions, hazards, and obstructions which result from improperly designed or located signs. The following standards should not regulate the content on a sign; rather, the standards should apply to the design and location of a sign.

17.450.020 Definitions.

"A-frame sign" means a two-panel sign made of wood, cardboard, plastic, or other lightweight and rigid material capable to stand on its own support(s) and is portable and movable. Also known as a sandwich board.

"Abandoned sign" means a sign whose (A) message does not correspond with the current building use; or (B) a sign which does not promote a commercial product or event and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding three hundred sixty-five days.

"Advertising wind sign" means a single- or double-sided sign or device which flutters, waves, sparkles, or otherwise moves from the pressure of air movement in or around the sign used to promote a product or business.

"Animation" means a visual effect using seamless action, motion, light, or color changes through electrical or mechanical means.

"Banner sign" means a sign made from fabric, vinyl, plastic, or other lightweight and flexible materials tied or fastened to a stationary object.

"Billboard" means a large, outdoor, permanent, commercial, off-premises structure advertising products or services, typically found in high traffic areas such as alongside busy roads. Billboards present large advertisements to passing pedestrians and drivers.

"Channel sign" means the use of bent metal or plastic to fashion channels in the shape of letters or symbols and covered with a translucent plastic face, often a colored acrylic with lighting behind it.

"Construction sign" means signs denoting a building which is under construction, structural alterations, or repair, which announce the character of the building enterprise or the purpose for which the building is intended, including names of architects, engineers, contractors, developers, financiers, and others.

"Contrast" means the difference or degree of difference in the appearance of adjacent surfaces, such as light and dark areas, different colors, or typefaces, and graphics appearing on various backgrounds.

"Copy area" means that area which displays the primary copy and secondary copy on a sign.

"County" means Kitsap County, a political subdivision of the state of Washington.

"Department" means the Kitsap County department of community development.

"Development sign" means a construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a residential or commercial development which may also designate the future occupant or use of the development.

"Directional sign" means signs designed to provide direction to pedestrian and vehicular traffic.

"Electronic sign" means a static sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

"Event sign" means a sign posted to advertise a specific occurrence.

"Externally illuminated sign" means a sign illuminated by reflection of a light source aimed at its surface.

"Flashing" means a visual effect used on an electronic message center to allow one message to disappear while it is simultaneously being replaced by another.

"Freestanding sign" means a sign that is not attached to a building.

"Halo lighting effects" means channel signs that project light behind them, causing the light to reflect off of the signs' mounting surface creating a silhouette of the letter and/or symbol.

"Human sign" means a sign carried, held, or supported by a person.

"Inflatable sign (continuous inflation)" means a sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

"Inflatable sign (noncontinuous inflation)" means a sign that is inflated once, typically with a mixture of gases, which may be of various shapes and sizes and held in place by a cord, rope, cable or similar method.

"Internally illuminated sign" means a sign that has the light source enclosed within it so the source is not visible to the eye.

LAMIRD. "Limited areas of more intense rural development" are formally recognized areas within Kitsap County wherein land use intensity is greater than allowed by county zoning regulations. The two types of LAMIRDs existing in Kitsap County are:

A. Type I (Keyport, Manchester, Port Gamble, Suquamish): The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial, industrial, residential, or mixed use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type I LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of the area with respect to building size, scale, use, or intensity. Type I LAMIRDs must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type I LAMIRDs also must be bounded by a "logical outer boundary" that mirrors the limits of the preexisting development.

B. Type III (12 Trees and Rural Employment Centers): includes intensification of or new development of lots for isolated cottage industries and isolated small-scale businesses. Residential development is prohibited. Type III LAMIRDs need not principally serve the rural population, but should provide job opportunities for rural residents. Expansion or new development must conform with the rural character of the area as defined by the local government. Public services and public facilities must be limited to those that are the minimum necessary to serve the industry or business.

"Legal nonconforming sign" means a sign that was permitted, legally erected, and is maintained but does not conform to the current sign code.

"Legibility" means the physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.

"Navigational sign" means water-based wayfinding signs as identified by the United States adopted aids to navigation (U.S. ATONS).

"Name plate" means a sign used to identify and display the name of a person, product, or place.

"Off-premises sign" means an outdoor sign whose message directs attention to something that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located.

"On-premises sign" means a sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial activity sold, offered, or conducted on the same property where the sign is located.

"Organization" means an entity, including a natural person, which owns, operates, or maintains the sign.

"Permanent sign" means a sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

"Political sign" means a sign providing information relating to a local, state, or national election, initiative, or referendum.

"Primary street frontage" means the lot line where the main visual entrance to the property is located.

"Public right-of-way (ROW)" means all property in which the county has any form of real property interest, and which is held for public road, shoulder, and sidewalk purposes, regardless of whether or not any road exists thereon or whether or not it is used, improved, or maintained for public travel.

"Public safety sign" means a sign that is necessary to reduce or eliminate the risk of imminent personal or property damage.

"Reader board" means a sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

"Real estate sign" means a sign advertising the real property upon which the sign is located for rent, for lease, or for sale and providing the name and location of the owner or his agent.

"Rotating sign" means a sign wherein the faces or portions of a sign face mechanically revolve around a central axis.

"Scrolling" means a mode of message transition on an electronic message display where the message appears to move vertically across the display surface.

"Sign" means any device, structure, fixture, painting, visual image or logos associated with the business using words, graphics, symbols, numbers, or letters designed and used for the purpose of communicating a message or attracting attention.

"Signage" means an organization's signs collectively used to communicate information or attract attention.

"Storefront facade" means the side of a building facing the street. The storefront width is measured from the walls of the structure, within which houses an organization. The height is measured from the finished grade to the top of storefront vertical wall. See Figure 1b, Attached Sign Total Area Example.

"Structural alteration" means modification of a sign, sign structure or awning that affects size, shape, height, or sign location; changes in structural materials; or replacement of electrical components with other than comparable materials. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a nonelectrified sign would all be structural alterations. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.

"Temporary sign" means any sign intended to remain in use for a short period of time which is not permanently installed.

"Traffic control sign" means any control device that is intended to communicate specific information to road users through a word, symbol, and/or arrow legend.

"Unconventional sign" means statues, structural forms, or other items related to business attraction which are not identified in this code.

"Warning sign" means a sign that indicates a particular hazard, obstacle, or condition that may not be readily apparent.

17.450.030 Permitting.

Prior to installation of a new permanent on-premises or off-premises sign or modification of an existing sign that deviates from its originally permitted appearance or structure, an applicant shall obtain a permit from the Kitsap County department of community development, unless the sign is identified as exempt (see Section 17.450.050) or conditionally exempt (see Section 17.450.060).

- A. Permit Application. A permit application is required for the placement or modification of a sign unless otherwise exempted herein. The document must include all information necessary to determine whether a sign meets all criteria to acquire a permit. Freestanding signs shall require a dimensioned site plan as part of the submittal document; see Figure 1a, Dimensioned Site Plan Example. A licensed professional entity is recommended, but is not required, to prepare the dimensioned site plan.
- B. Fees. All applications for permits or requests for actions by the county shall be accompanied by a filing fee in an amount established by county resolution.
- C. Permit Expiration. If the permitted sign is not constructed to completion prior to the three hundred sixty-fifth day from the day of the original permit, the permit shall expire and a new permit application is required.
- D. Permit Placard. A permit placard issued by the department shall be issued to the applicant. The permit placard must be attached to the sign or available upon inspection.
- E. Internal Consistency. In the event of conflict with other sign requirements that may be applicable (state or federal), the more restrictive shall apply.
- F. Sign Revision. Should a conflict arise between the prior conditions of land use approval and the code herein, a sign permit application shall be reviewed in accordance with the appropriate land use procedures under Title 21.
- G. A permit is not needed when changing the text or image on a sign, where the sign's structural size or shape is not changing, repainting, maintenance, and repair of existing signs or sign structures; provided, no structural change is made. Off-premises repairs are allowed if the sign is returned to its preresidential location in its originally permitted state.

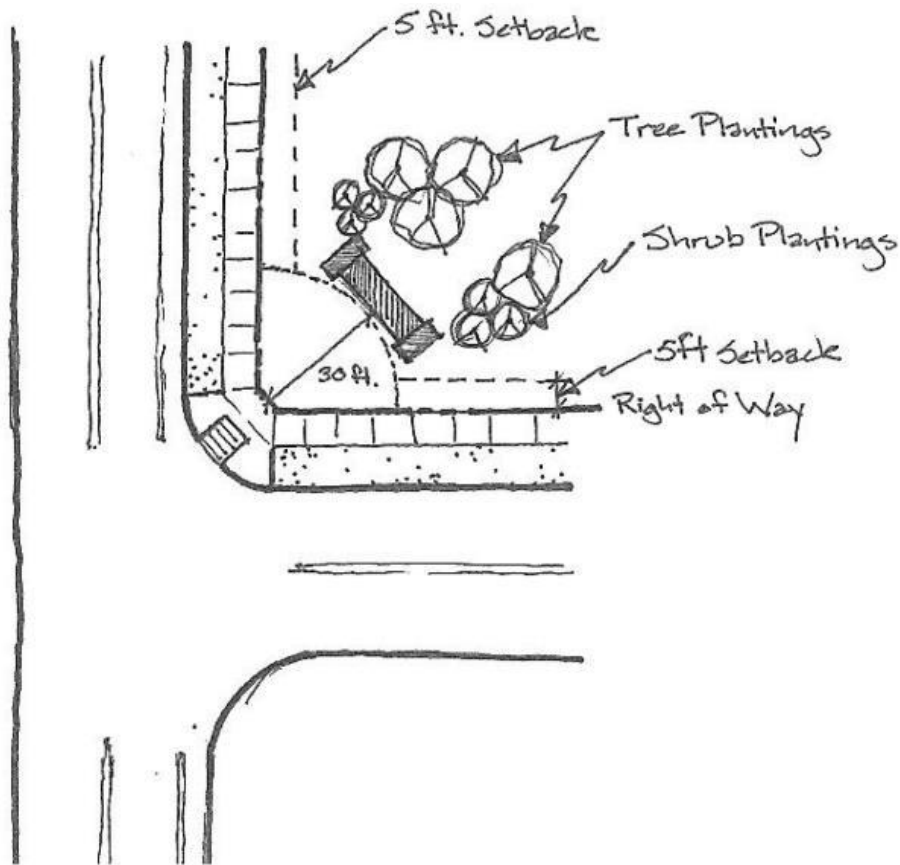


Figure 1a: Dimensioned Site Plan Example

17.450.040 Prohibited signs.

Unless otherwise exempt or conditionally exempt under this chapter, the following signs shall be prohibited:

- A. Off-premises signs unless specifically allowed pursuant to Section 17.450.050, Exempt signs, or 17.450.060, Conditionally exempt signs.
- B. Signs or sign structures which resemble or conflict with, or are attached to, a utility pole or traffic control sign, unless otherwise authorized by the director in Section 17.450.060(K), Military Appreciation Signage Program.
- C. Signs or sign structures which create a safety hazard by obstructing the line of sight of pedestrians or vehicular traffic, or which obstruct a clear view of official signs or signals as determined by Kitsap County.
- D. Signs or sign structures, located in traffic roundabouts, islands, or medians.
- E. Signs or sign structures located within thirty feet from intersecting Kitsap County right-of-way lines; see Figure 1a, Dimensioned Site Plan Example.

- F. Signs or sign structures which obstruct access to drives, doors, walks, windows, fire escapes or fire escape routes.
- G. Signs, temporary or otherwise, affixed to a tree.
- H. Signs placed on public property, including Kitsap County right-of-way, except when authorized by the appropriate public agency or specifically authorized in this sign code.
- I. Electronic signs outside urban growth areas except traffic control signs and public safety signs as identified in Section 17.450.080, Regulations for electronic signs.
- J. Abandoned or unmaintained signs.
- K. Stationary or mobile billboards.
- L. Signs with animation, flashing, or fluttering lights.
- M. Rotating signs.
- N. Audible signs, except as mandated or encouraged by the Americans with Disabilities Act.
- O. Banner or continuous inflatable or noncontinuous inflatable signs not associated with a special event.
- P. Signs placed on a vehicle or trailer to purposefully gain additional signage which would otherwise not be allowed. This does not prohibit the identification of a business or its products on a vehicle or trailer included in the operations of the business.
- Q. In the Kingston urban growth area, (1) except for halo lighted signs, internally illuminated signs in the Old Town/Waterfront or Village Green districts as defined in the Kingston sub-area plan and (2) mounted or freestanding reader board signs.
- R. In a limited area of more intense rural development (LAMIRD), (1) internally illuminated signs, (2) neon signs or (3) electronic signs.
- S. Electronic signs in the Old Town district, Silverdale, as defined in the Silverdale sub-area design standards.

17.450.050 Exempt signs.

A sign or modification to an existing sign shall be exempt from review under this sign code and may be constructed without a permit:

- A. Historic site markers or plaques, gravestones, and address numbers.
- B. Signs required by law, including but not limited to:
 - 1. Official or legal notices issued and posted by any public agency or court; or
 - 2. Traffic directional or warning signs.
- C. Seasonal or holiday decorations that do not function as signage.
- D. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed four square feet in surface area.
- E. Religious symbols as recognized by the Department of Veterans Affairs National Cemetery Administration affairs religious symbol list.
- F. On-premises directional signs less than four square feet.
- G. Garage sale, estate sale, or other temporary signs for similar events less than four square feet.
- H. Legal informational signs less than four square feet (e.g., no trespassing or no fireworks).
- I. Residence identification signs (e.g., 1234 Road Name: The Smiths).
- J. Information signs erected and maintained by the state, county or any city.
- K. On-premises window or door signs indicating business hours of operation or when a business is open or closed. These signs may be static electronic signs regardless of where the business is located. The size cannot exceed four square feet.

17.450.060 Conditionally exempt signs.

A temporary sign shall be conditionally exempt from this sign code and may be constructed, without permits, if consistent with the size, height, duration, maximum number limitations, and other criteria listed below. Unless expressly stated, conditionally exempt signs are not allowed to be lighted, conflict with or impede views of permanent signs or signals, or be located in Kitsap County right-of-way or publicly owned property pursuant to Section 17.450.040, Prohibited signs.

- A. A-Frame Sign or Temporary Sign. Only one A-frame sign, advertising wind sign, or temporary sign, not associated with a special event, is allowed per organization and shall only be displayed during business hours, an on-premises sign, and not impede vehicular, bicycle, or pedestrian circulation.
 1. An A-frame sign shall have two faces and not exceed three feet in height or width, or exceed a total of six square feet per sign face.
 2. Advertising wind signs shall be no more than eight feet tall and not exceed a total of sixteen square feet per sign face.
- B. Special Event A-Frame, Banner, Double Post, Inflatable, or Wall Sign:
 1. All special event signs shall be placed no more than fourteen days prior to the event occurrence, and removed five days after the event has occurred. Multiple events of the same type (e.g., farmers market every Saturday between March 1st and August 31st). Four A-frame signs are allowed per special event in addition to a banner, double post, inflatable, or wall sign and shall be allowed within the Kitsap County right-of-way, sizing to be consistent with subsection (A) of this section. A-frame signs in the ROW:
 - a. An A-frame sign shall not impede public vehicular, bicycle, or pedestrian circulation.
 - b. Attachments, including balloons, shall not be placed on signs.
 - c. Symbols and directional arrows shall be used as the first order of preference in sign design to minimize wording and enhance safety and legibility.
 - d. Wire or metal stakes shall not be utilized to secure signs within the county right-of-way. Where anchoring is utilized to stabilize signs within the Kitsap County right-of-way, sandbags shall be used.
 2. Banner or wall signs shall be no more than one hundred square feet.
 3. Inflatable signs flown more than twenty feet in elevation measured from finished grade shall be required to obtain a sign permit.
 4. Special event double-pole signs shall be no greater than thirty-two square feet and must not exceed eight feet in height as measured from the finished grade.
- C. Arm Sign. Permanent and temporary arm signs; provided, that the sign conforms to the sign detail sheet (Section 17.450.100(A), Arm Sign).
- D. Window Sign. Permanent and temporary window signs; provided, that the sign conforms to the sign detail sheet (Section 17.450.100(I), Window Sign).
- E. Flag. Provided the flag is attached to a permanent flagpole or side of a building. A permit may be required to erect a flagpole pursuant to 2009 International Building Code Section 1609.1.1, Determination of Wind Loads, and Section 105, Permits.
- F. Political Sign.
 1. A political sign is allowed in Kitsap County right-of-way; provided, that a sign:
 - a. Using metal faces, metal supports, metal frames, or wire frames is prohibited;
 - b. Is limited to a size no greater than four square feet and may not extend higher than forty inches measured from the point in which it is placed in the ground to the top of the sign; and
 - c. Shall be removed ten days after an election. After primary elections, political campaign signs endorsing or opposing a successful candidate or ballot measure may remain up to ten days after the succeeding general election.
 2. Political campaign sign(s) are allowed on private property and may express a property owner's endorsement of a political candidate or ballot issue, provided:
 - a. Political campaign signs are limited to a maximum size of thirty-two square feet; and

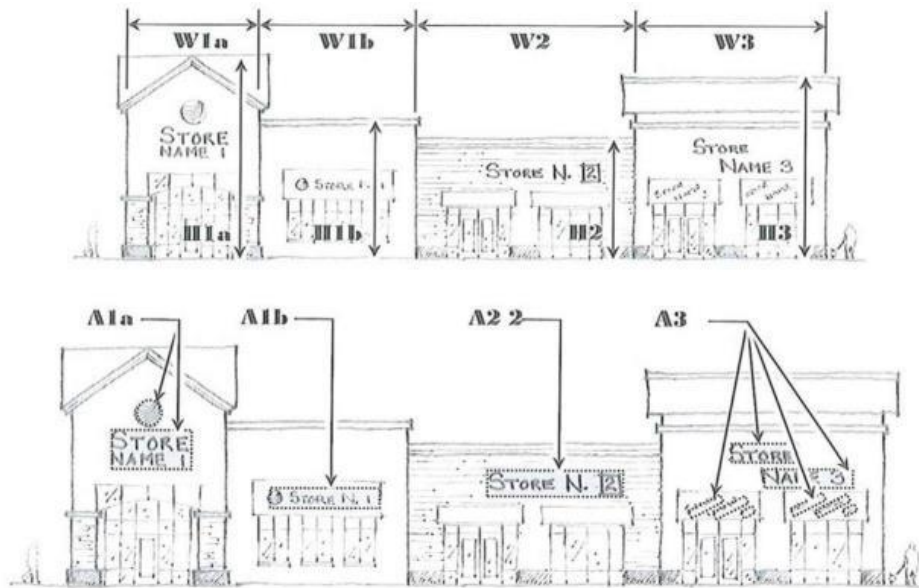
- b. Political campaign signs on private property must be removed within ten days after an election. After primary elections, political campaign signs endorsing or opposing a successful candidate or ballot measure may remain up to ten days after the succeeding general election.
- G. On-Premises Directional Signs. Exit, entrance, or other on-site traffic directional signs are permitted. The maximum height of any directional sign shall be thirty-six inches, and the maximum area shall be nine square feet. No text shall be larger than the directional language text.
- H. Community Sign Placed by Kitsap County. A community sign is exempt; provided, that the community and Kitsap County enter a written agreement wherein the community assumes ownership and responsibility for any and all installation, maintenance, repairs, and content of the sign, and conforms to sign policies developed for the particular community sign.
- I. Human Sign. A human sign shall not obstruct public bicycle lanes or public sidewalks.
- J. Roadside Memorial Sign. Provided that it meets Kitsap County Public Works Roads and Traffic Roadside Memorial Policy 300.5.
- K. Military Appreciation Signage Program. A sign may be placed on Kitsap County owned property provided the sign(s) placement is approved by the director. This includes, but is not exclusive to, banners attached to utility poles.
- L. Agricultural and Farm Stand Signage Program.
 - 1. Up to four off-premises A-frame signs shall be allowed within the Kitsap County right-of-way, sizing to be consistent with subsection (A) of this section, with the seller's name and contact info on back. A-frame signs in the ROW:
 - a. An A-frame sign shall not impede public vehicular, bicycle, or pedestrian circulation.
 - b. Attachments, including balloons, shall not be placed on signs.
 - c. Signs shall maintain a two-hundred-foot setback when approaching an intersection or a yellow and black county warning sign.
 - d. Symbols and directional arrows shall be used as the first order of preference in sign design to minimize wording and enhance safety and legibility.
 - e. Wire or metal stakes shall not be utilized to secure signs within the county right-of-way. Where anchoring is utilized to stabilize signs within the Kitsap County right-of-way, sandbags shall be used.
 - 2. A farm stand sign is exempt provided the sign does not exceed six square feet.
 - 3. A farm identification sign may be a permanent arm sign located on the premises, on or adjacent to an easement road leading to the farm, as allowed with written consent from all easement owners. The arm sign shall conform to sign detail sheet, arm sign, requirements.
- M. Real Estate Signage Program.
 - 1. All real estate signs must have the real estate broker name and phone number on any and all types of real estate signs. The name and phone number are not required to be visible to the public. All real estate signs shall be removed within ten days of the date of closing.
 - 2. For a single-family residential property, one unlighted on-site arm sign is allowed per street frontage in addition to directional signs located on easement(s) leading to the property for sale and one attached special event banner sign located on the subject property.
 - 3. On-site development "for sale" shall be limited to one sign per development entrance. The sign shall not exceed thirty-two square feet in area, and shall not exceed eight feet in height. A sign permit is required and shall be issued for a three-year period. The permit is renewable annually for up to a maximum of five years.
 - 4. On-site "for rent" shall be limited to one sign per development entrance. The sign shall not exceed twelve square feet in area, and shall not exceed eight feet in height.
 - 5. Open House Events. A maximum of four off-premises arrow signs, A-frame signs, or combination thereof may be used to promote open house events, per property for sale or subdivision. Such signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and may be located on the right-of-way outside of vehicular and bicycle lanes and sidewalks.

6. Off-premises signs advertising subdivisions shall require a three-year sign permit. The permit may be renewed for up to five years. The sign shall be no more than twelve square feet. A letter of consent from the property owner shall be required as part of sign permit approval.

17.450.070 Regulations for permanent signs.

- A. Sign Types. For the purposes of this sign code there are two types of permanent signs: freestanding and attached. See sign type detail specification sheets, Section 17.450.100, for individual sign type requirements.
- B. Quantity. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional two hundred feet of street frontage over one hundred feet of street frontage. There is no limit to the number of attached building signs, provided the maximum aggregated sign area coverage is not exceeded.
- C. Master Sign Plan. A master sign plan shall be required or allowed pursuant to Section 17.450.090.
- D. Attached Signage Total Area. Attached signs (1) may have an aggregated area that shall not exceed two square feet for each one lineal foot of building facade width except when Section 17.450.100(H), Wall Sign, indicates otherwise, and (2) shall not exceed one hundred square feet in area, except it may exceed the maximum if the total sign area is less than ten percent of the total storefront area and except when Section 17.450.100(H), Wall Sign, indicates otherwise. Attached signs shall have a maximum aggregated area of one hundred square feet for all building signs attached to a single building (see Figure 1b, Attached Sign Total Area Example).
- E. Sign Illumination. The artificial illumination of signs shall be designed to minimize negative impacts on surrounding properties.
 1. Provided an organization is not open for business, signs located within residential areas in urban growth areas and signs located outside urban growth areas (UGA) or Type III limited areas of more intense rural development (LAMIRDs) including schools, churches, government, and quasi-government shall not be illuminated after 10:00 p.m. Signs shall include downcast lighting and not be illuminated before 6:00 a.m.
 2. External light sources shall be shielded and direct illumination towards the sign only.
 3. Light sources shall utilize energy-efficient fixtures wherever feasible.
 4. Pursuant to Section 17.550.110, lighting is to be directed away from adjoining properties. Not more than one foot candle of illumination may leave the property boundaries.
- F. Relationship to Buildings. Signs shall be designed to incorporate the overall architectural style and at least one of the predominant visual elements of the organization's building or buildings, including, but not exclusive to, the type of construction materials, color, or geometric forms.
- G. Landscaping. Freestanding sign applications shall include landscaping in the dimensioned site plan; see Figure 1a, Dimensioned Site Plan Example. Landscaping shall include ground cover or shrubs which accent the sign while not blocking sign lettering or symbols used for recognition. Identification of plant species is not required in the site plan. Native, water-wise plantings are encouraged.
- H. Setbacks. Freestanding signs, excluding arm signs, shall be set back a distance of thirty feet from intersecting Kitsap County right-of-way lines pursuant to Section 17.450.040, Prohibited signs, or a distance of five feet measured from the property line, whichever is greater. The nearest sign edge measurement includes cantilevering sign edges. Signs requiring relocation as a result of public projects may be allowed within setbacks if there is no alternative and approval from the Kitsap County Public Works traffic engineer is acquired to insure that the location will not impede sight distances or the clear zone of traffic.

Commented [DG150]: Increased Permissibility:
At the request of Public Works.



W:	Width is measured from the walls of the structure.
H:	Height is measured from the finished grade to the highest point of the building's vertical wall.
A:	Attached sign area is measured pursuant to measurement calculation methods, Section 17.446.070(l)(2).
ASA:	Allowable attached sign total area for this example is 2 square feet per lineal foot of frontage; see wall sign detail sheet to determine exact square footage allowed. If the area allowed from the initial calculation is less than 10 percent of the wall area, the sign area may be increased to reach 10 percent of the wall area.
Store Name 1	
ASA1:	$(A1a + A1b) = 2 * (W1a + W1b)$ or 10 percent of the wall area = $0.10 * (W1a * H1a) + (W1b * H1b)$
Store Name 2	
ASA2:	$(A2) = 2 * (W2)$ or 10 percent of the wall area = $0.10 * (W2 * H2)$
Store Name 3	
ASA3:	$(A3) = 2 * (W3)$ or 10 percent of the wall area = $0.10 * (W3 * H3)$
Store Name 4: A large storefront with multiple businesses within it, such as a grocery store with an associated drug store and coffee store all located and operating in the same building space.	
ASA4:	$(A4) = 2 * (W1a + W1b + W2 + W3)$ or 10 percent of the wall area = $0.10 * [(W1a * H1a) + (W1b * H1b) + (W2 * H2) + (W3 * H3)]$

Figure 1b: Attached Sign Total Area Example

I. Measurement Calculations.

1. Freestanding sign height shall be measured as the largest dimension from the highest point of the sign to where the sign intersects with the finished grade; see Figure 1b, Attached Sign Total Area Example.
2. Measurement of the copy area is inclusive to all attributes in and around the sign not immediately related to the structure on which it is attached.
3. Simple geometric shapes (rectangles, triangles, circles, ovals, etc.) shall be used in combination to measure odd or complex text or graphics as seen in Figure 1c, Copy Area Calculation Method.

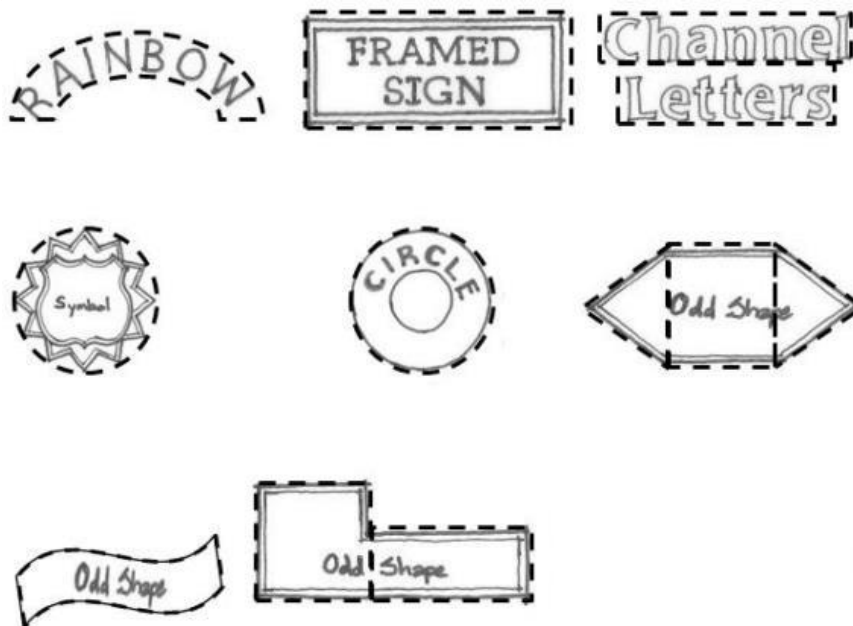


Figure 1c: Copy Area Calculation Method

Commented [DG151]: Revise Measurement Method:
 Removed ability to measure multiple elements of a single sign as separate entities.

17.450.080 Regulations for electronic signs.

Electronic signs are allowed in all commercial or industrial zones within an urban growth area (UGA). Schools, churches, or governments may have an electronic sign in any zone within a UGA. Traffic control signs or public safety signs may have an electronic sign in any zone inside or outside of a UGA. An electronic display shall not exceed fifty percent of the sign size. An electronic sign is not allowed to be part of or in its entirety a conditionally exempt sign. Notwithstanding Section 17.450.070(E), Sign Illumination, the following illumination requirements shall apply:

- A. Hold Time. The digital message or static image shall remain on the display for a minimum of eight seconds. No more than three messages shall be displayed within a one-minute timeframe.
- B. Transition Method. A transition between messages shall be executed with a minimum fade in and out time of one second.
- C. Illumination Levels. Electronic signs shall incorporate photocell/light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions. Displays shall have a brightness level of no greater than 0.3 foot candles above ambient light conditions or shall maintain accordance

with Section 17.450.070(E)(4), whichever is more restrictive. An affidavit showing compliance consent shall be required with the sign application.

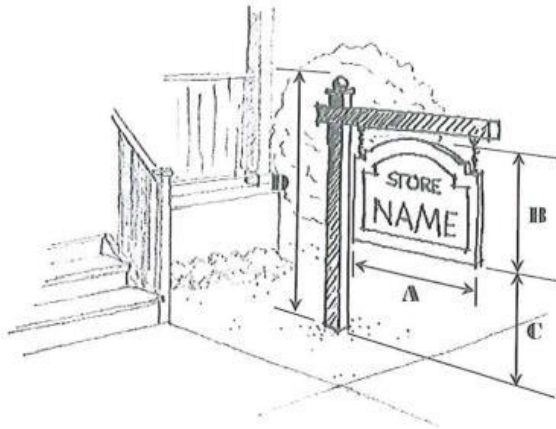
- D. Maintenance. Any permitted electronic changeable message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall be repaired or disconnected within five days by the owner or operator of the sign. Unless proven to be mechanical failure through no fault of the sign owner, electronic signs found to be in violation of the sign illumination requirements may be subject to code enforcement citations and penalties pursuant to Kitsap County Code.

17.450.090 Master sign plan.

- A. To achieve a more consistent and coordinated signage pattern, a master sign plan shall be required for all new, nonresidential developments of three or more separate tenant spaces that either (1) share the same parcel or structure or (2) use common access and parking facilities. A master sign plan may be allowed for developments of three or more separate tenant spaces that do not share the same parcel or structure.
- B. An application for master sign plan must include the following submittals:
1. Signature of all property owners within the master sign plan boundaries.
 2. A master sign plan is required to include the size, location and configuration of all proposed and/or previously approved signage.
 3. The master sign plan shall identify the number of tenants to be represented in the sign plan.
 4. The master sign plan shall include a strategy to provide signage for future tenant changes or increase in number above the original number of tenants identified in subsection (B)(3) of this section. The strategy shall identify how signage will change to maintain conformance with the sign code when the master sign plan is approved.
 5. A master sign plan must be approved through a Type II review process (ACUP) consistent with the requirements of Title 21. All signage approved through a previous performance-based development, conditional use permit, variance or other approval that allowed greater sign quantities, square footage or configurations than allowed by this chapter must be amended to conform to the current sign code regulations. Revisions to previously approved master sign plans shall be treated as a Type II review process (ACUP).
- C. For parcels under twenty acres in size:
1. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional one hundred fifty feet of street frontage over one hundred feet of street frontage. The plan shall meet the following criteria:
 - a. Signs must conform to the permitted sizes in Section 17.450.100, Sign detail sheets.
 - b. No one business may comprise more than fifty square feet of each sign face.
- D. For individual or contiguous parcels which are twenty acres or greater in size, the following limitations shall apply:
1. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional one hundred fifty feet of street frontage over one hundred feet of street frontage. Freestanding signs inside the development shall not be counted against the number of freestanding signs allowed. The plan shall meet the following criteria:
 - a. Each sign may not exceed two hundred square feet per face and may not have more than two faces.
 - b. No one business may comprise more than fifty square feet of each sign face.
 - c. A monument sign shall not be limited by the minimum or maximum height requirements of Section 17.450.100, Sign detail sheets, but shall not exceed twenty-five feet in height.
 2. Attached signage shall meet the following criteria:

- a. Signs must conform to the permitted sizes in Section 17.450.100, Sign detail sheets, except two blade signs internal to the development shall be allowed per organization, not to exceed twenty-five square feet per face.

17.450.100 Sign detail sheets.

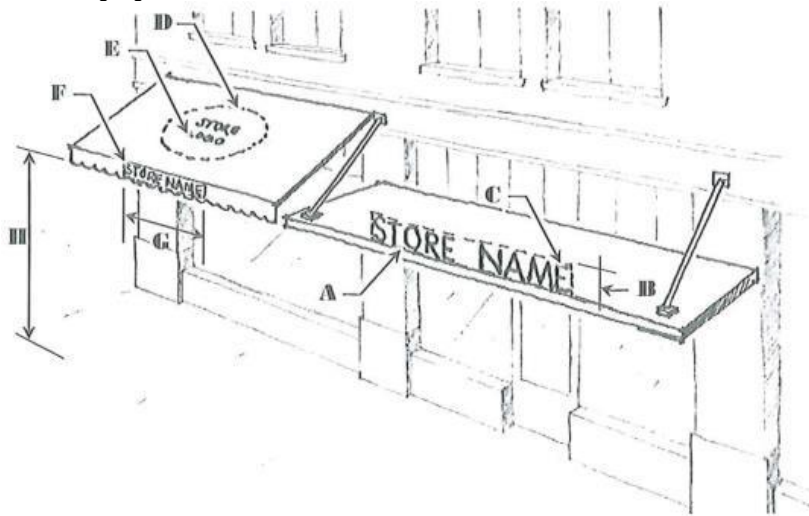


A. Arm Sign.

Arm Sign: Definition	
A sign attached to one or two freestanding post(s), with the faces of the sign generally projecting perpendicular to the public right-of-way.	
Allowed in the Following Zones	
All zones.	
Size	
Width	36 in. max. A
Height	48 in. max. B
Copy Area (B x A)	6 sf. max.

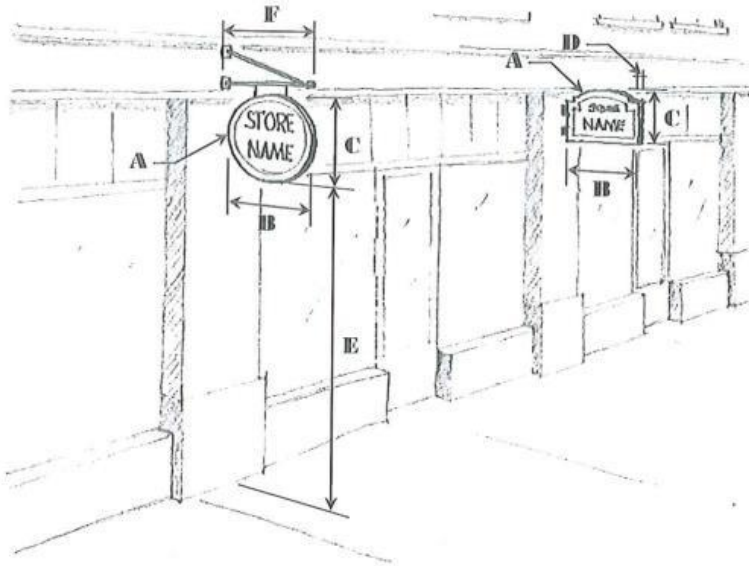
	Home businesses within urban growth area boundaries: 4 sf. max.
Location	
Clear Height	12 in. min. C
Overall Height	6.5 ft. max. D
Setback (measured from the closest edge to the property line)	3 ft. min.
Number	1 per street frontage max.
Miscellaneous	
Arm signs shall be registered with Kitsap County.	

B. Awning Sign.



Awning Sign: Definition		
A sign located on a building-mounted shade structure that provides additional functionality as shelter.		
Allowed in the Following Zones		
All zones.		
Size		
Projecting		
Sign Area:	2 sf. per linear ft. of shopfront max.	A
Letter Height:	16 in. max.	B
Letter Thickness:	6 in. max.	C

Sloping Plane		
Copy Area:	25% coverage max.	D
Valance		
Letter Height:	80% of valance height, 16 in. max.	F
Letter Width:	75% of valance width max.	G
Location		
Clear Height:	8 ft. min	H
Miscellaneous		
Vinyl or plastic awnings are discouraged in this code.		

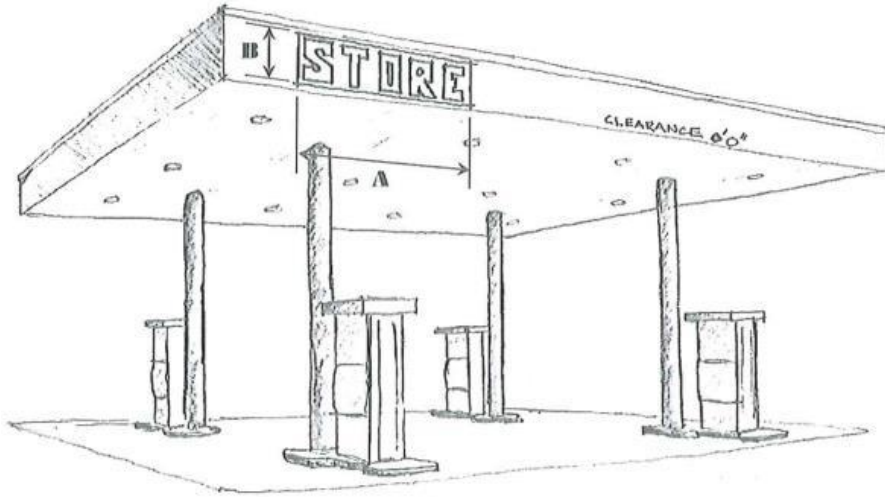


C. Blade Sign.

Blade Sign: Definition		
A building-mounted sign projecting 12 inches or more perpendicular to the building, or hung parallel to the building eave, with a maximum area of 10 square feet allowed.		
Allowable in the Following Zones		
All zones.		
Size		
Copy Area (B x C):	8 sf. max.	A
Width:	36 in. max.	B
Height:	36 in. max.	C
Thickness:	10 in. max.	D

Special and creative signs that have a three-dimensional quality may have a greater thickness subject to approval by the director.		
Location		
Clear Height:	8 ft. min.	E
Projection:	5 ft. max.	F
Number:	1 per storefront max.	
Miscellaneous		
The area of a blade sign shall be included in the collaborative storefront coverage ratio.		
All exposed edges of the sign should be finished.		

D. Canopy Sign.

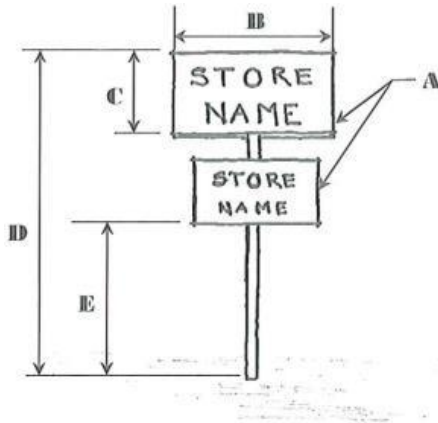


Canopy Sign: Definition		
A sign located on the edge of a freestanding canopy.		
Allowable in the Following Zones		
Commercial and industrial zones only.		
Size		
Width:	25% of canopy edge, max.	A
Height:	75% of canopy edge, max.	B
Miscellaneous		
A clearance height notification will not be calculated into the copy area.		
The sign shall not extend beyond the edge of the canopy more than 8 inches.		
Signage shall only be allowed on 3 faces of the canopy.		

E. Monument Sign.



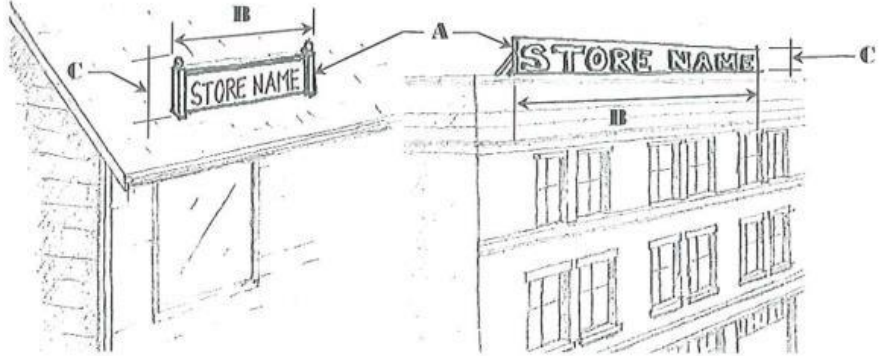
Monument Sign: Definition		
A freestanding sign, generally having a low monolithic profile such that the sign has the appearance of a solid base.		
Application		
Typically used in entrances for single or multiple commercial or industrial tenants.		
Allowable in the Following Zones		
All zones.		
Allowed Size by Zone		
Zones:	<u>BC, BP, I, RI, CO, RC, RCO, REC, TTEC,</u> <u>any zone within a Type III LAMIRDBC, BP,</u> <u>I, RI, CO, RC, RCO, REC, TTEC, any zone</u> <u>within a Type III LAMIRD</u>	<u>RR, RP, RW, FRL, NC, UR, GB, UL, UCR,</u> <u>UM, UH, UVC, Kingston CO, SVC, SVR,</u> <u>SVLR, RHTC, RHTR, RHTW, MVC,</u> <u>MVLR, MVR, KVC, KVL, KVR, RP,</u> <u>RW, FRL, NC, UR, GB, UL, UCR, UM, UH,</u> <u>UVC, Kingston HTC, SVC, SVR, SVLR,</u> <u>RHTC, RHTR, RHTW, MVC, MVLR, MVR,</u> <u>KVC, KVL, KVR</u>
Width:	B 15 ft. max.	10 ft. max.
Height:	C 12 ft. max.	8 ft. max.
Sign Area (B x C):	Per face 100 sf. max.	Per face 50 sf. max.



F. Pole Sign.

Pole Sign: Definition			
A freestanding sign supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than 1/4 the width of the sign face.			
Miscellaneous			
A pole sign shall only be used if no other feasible freestanding sign alternative exists and only when variances cannot be used. The sign cannot be used to increase visibility beyond a reasonable reach.			
Allowed Size by Zone			
Zones:		<u>BC, BP, I, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRDBC, BP, I, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRD</u>	<u>Kingston CO, SVC, RHTC, RHTW, MVC, KVC, UVC, UCR, UM, UH, NCKingston CO, SVC, RHTC, RHTW, MVC, KVC, UVC, UCR, UM, UH, NC</u>
Copy Area:	A	70% coverage max.	70% coverage max.
Width:	B	10 ft. max.	8 ft. max.
Height:	C	10 ft. max.	8 ft. max.
Sign Area (B x C):		Per face 100 sf. max.	Per face 50 sf. max.
Sign Height:	D	The lesser of roof height or 20 ft. max.	The lesser of roof height or 16 ft. max.
Clearance Height:	E	8 ft. min.	8 ft. min.

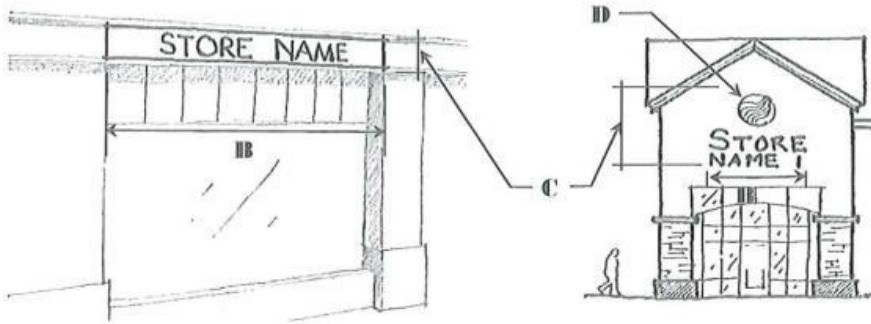
G. Roof Sign.



Roof Sign: Definition		
A building-mounted sign erected upon, against, or over the roof of the building.		
Allowable in the Following Zones		
All zones.		
Size		
Sign Area (B x C):	3 sf. per linear foot of shopfront, 100 sf. max.	A
Width:	50% of storefront width, max.	B
Height (Flat Roof):	12 in. min; 3 ft. max.	C

Height (Pitched Roof):	50% of the distance between the roofline and top of eave as measured in an elevation drawing, 5 ft. max.	C
Location		
Pitched Roof:	The sign's center point must be located at or below the midpoint of the roof as seen in an elevation drawing.	
Miscellaneous		
A roof sign shall only be used if no other feasible attached sign alternative exists and only when variances cannot be used. The sign cannot be used to increase visibility beyond a reasonable reach.		

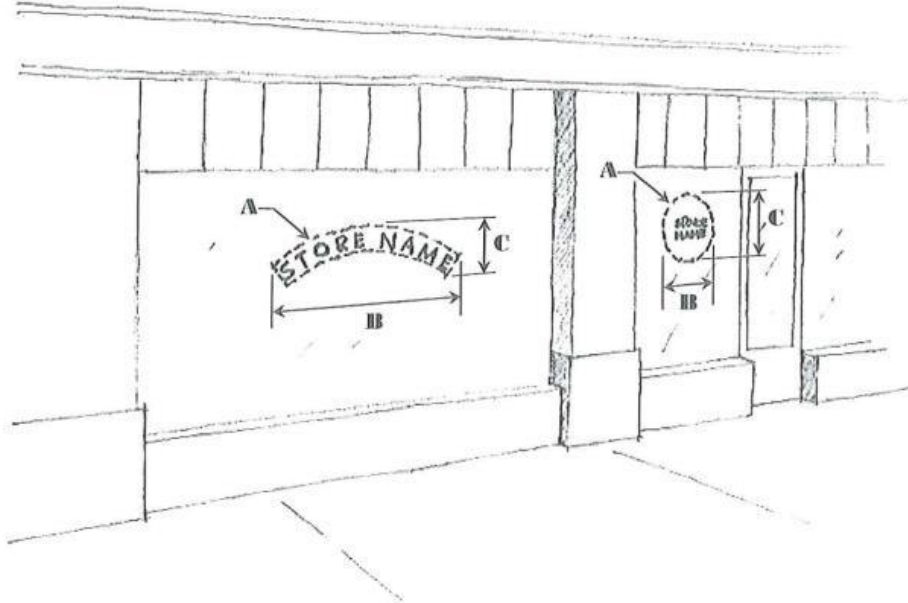
H. Wall Sign.



Wall Sign: Definition			
A building-mounted or wall-mounted sign which is either attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than 12 inches from such surface. A sign located on a freestanding wall or retaining wall not incorporated into a building's structure shall be considered a freestanding sign.			
Miscellaneous			
The copy area of a wall sign shall not extend into architectural features such as windows, eaves, cornices, and rooflines.			
Allowed Size by Zone			
Zones:	<u>BC, BP, I, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRDBC, BP, I, RI, HTCCO, RC, MU, RCO, REC, TTEC, any zone within a Type III LAMIRD</u>	<u>RR, RP, RW, FRL, NC, UR, GB, UL, UCR, UM, UH, UVC, Kingston CO, SVC, SVR, SVLR, RHTC, RHTR, RHTW, MVC, MVLR, MVR, KVC, KVL, KVR, URS, RP, RW, FRL, NC, UR, IGZGB, UL, SLH, UCR, UM, UH, UVC, Kingston HTCCO, Kingston MU, SVC, SVR, SVLR, RHTC, RHTR, RHTW, MVC, MVLR, MVR, KVC, KVL, KVR</u>	
Sign Area (B x C) + D:	A 3 sf. for each linear foot of storefront or wall facade, 200 sf. max. If the area allowed from the initial calculation is less than 10% of the wall area, the sign area may be increased not to exceed 10% of the wall area.	A 2 sf. for each linear foot of storefront or wall facade, 150 sf. max. If the area allowed from the initial calculation is less than 10% of the wall area, the sign area may be increased not to exceed 10% of the wall area.	
Width:	B 75% storefront or wall width, max.	B 75% storefront or wall width, max.	
Height:	C 8 ft. max.	C 5 ft. max.	

Graphic or Logo:	D	A sign with only a graphic or logo is subject to the maximum sizes defined by A, B, and C of the wall sign type.	
Projection from Facade:		12 in. max.	12 in. max.

I. Window Sign.



Window Sign: Definition
A sign that is painted on, attached to, or suspended directly behind a window, the glass portion of a door, or a space providing visual access to the interior of a building (i.e., open garage bays).
Allowable in the Following Zones
All zones.
Size

Sign Area (B x C), per Window:	Permanent signage, 50% max.	A
	Temporary signage, 25% max.	
Miscellaneous		
Applied plastic or vinyl cut letters are discouraged.		

17.450.110 Sign maintenance.

All signs must be maintained in a condition as originally permitted. Maintenance shall include landscaping, electrical, material blemishes, structural deficiencies, or other sign conditions changing the visual quality of the sign through neglect. Failure to maintain a sign may result in penalties and permit revocation. Violation procedures and penalty fee schedules shall be according to applicable Kitsap County Code.

17.450.120 Nonconforming signs.

Notwithstanding Chapter 17.600, Enforcement, the continued existence of lawfully established and permitted nonconforming signs shall be subject to the following:

- A. No sign previously erected in violation of any code provision, including without securing proper permit approval, shall be considered a legal nonconforming sign.
- B. Legal nonconforming signs are subject to the sign maintenance requirements of this chapter.
- C. A legal nonconforming sign must fully conform to current sign code regulations if structural alterations will occur. For purposes of this subsection, normal maintenance, repair, or content change shall not be considered a structural alteration. Installation of an electronic sign into an existing sign shall be considered a structural alteration for the purposes of this chapter.
- D. Any legal nonconforming sign which (1) does not promote a commercial product or event and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding three hundred sixty-five days; or (2) is discontinued for a period of three hundred sixty-five consecutive days, without written notice to the Kitsap County department of community development of intent to continue use, shall be deemed abandoned and shall not, thereafter, be reestablished, except in full conformance with this chapter.
- E. Any legal nonconforming sign damaged or destroyed to the extent that seventy-five percent of the sign must be repaired may not be restored, and any further signage must conform to this chapter.
- F. Government actions, strikes, material shortages, natural disasters, acts of God, and all natural phenomena whose effects could not be prevented by the exercise of reasonable care and foresight, may not be considered in calculating the length of discontinuance, damage, or destruction for purposes of this section. A report from an official investigative organization with the damage or destruction determination, including but not exclusive to insurance and/or police reports, must be provided in order to restore a sign to its most recent noncompliant state of existence.

17.450.130 Contractor license.

In accordance with Table 1b, Required Contractor License by Sign Type, a permanent sign shall not be erected, altered, relocated, constructed, or maintained by any person who does not hold a valid contractor's license. All electric signs shall be constructed according to the technical standards of a certified testing laboratory.

Table 1b. Required Contractor License by Sign Type

Sign Type	Contractor License Required
Arm	No
Awning	Yes
Blade	No
Canopy	Yes
Monument	Yes
Pole	Yes
Roof	Yes
Wall	No
Wall Mural	No
Window	No

17.450.140 Variances.

Notwithstanding Chapter 17.570, Variances, a variance will be granted as a Type II decision. Notwithstanding Section 21.04.210(C)(1)(c), requests for sign variances outside a UGA shall require notification to owners of property within one thousand feet of the subject of the variance. Variances may be granted only when all of the following conditions and facts exist:

- A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone.
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone.
- C. No other feasible signage alternative exists.
- D. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located.
- E. Variance does not allow for deviations from design requirements herein.
- F. The variance is the minimum necessary to grant relief to the applicant.
- G. The county may impose conditions on the variance, as necessary, to further the purpose of the sign code and other applicable county codes or ordinances.

17.450.150 Violations.

Notwithstanding Chapter 17.600, Enforcement, any unapproved signs that are placed in violation of this chapter on public property, including county right-of-way, or that interfere with vehicular or pedestrian traffic will be subject to removal by county staff or their agents, marked and placed in a retrieval yard for the first offense, or disposed of if the first offense mark was applied in a prior incident. Repeat violators may be charged for sign removal.

Commented [DG152]: Remove Reference:

**Chapter 17.450
(Repealed)***

* **Editor's note:** Former Ch. 17.450, "View Blockage Requirements," was repealed by § 6 of Ord. 519 (2014). Sections 1 – 4 of Res. 240-1984, § 13 of Ord. 291 (2002) and §§ 7 and 8 of Ord. 346 (2005) were formerly codified in this chapter.

Chapter 17.460 MARIJUANA REGULATIONS**(Formerly Chapter 17.465)**

Sections:

17.460.010 Findings and application.**17.460.020 Definitions.****17.460.030 Location.****17.460.040 Permits.****17.460.050 Public nuisance.****17.460.060 Nonconforming uses.****17.460.010 Findings and application.**

- A. Marijuana is illegal under federal Controlled Substances Act, 21 U.S.C. Sections 801 et seq. State and local regulations do not preempt federal law. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. Local zoning and other regulations are not a defense against a violation of federal law.
- B. This chapter is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this chapter shall be construed as an authorization to circumvent or violate state or federal law, as permission to any person or entity to violate federal law, or to supersede any legislation prohibiting the uses subject to this chapter.
- C. This chapter shall apply to those marijuana producers, processors and retailers that are licensed by the Washington State Liquor Control Board under Chapter 314-55 WAC.

17.460.020 Definitions.

For purposes of this chapter, the following definitions shall apply. Where these definitions conflict with RCW 69.50.101, as now or hereafter amended, those in state law shall govern.

- A. Marijuana. "Marijuana" means all parts of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
- B. Marijuana Processor. "Marijuana processor" means a person licensed by the state Liquor Control Board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.
- C. Marijuana Producer. "Marijuana producer" means a person licensed by the state Liquor Control Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.
- D. Marijuana-Infused Products. "Marijuana-infused products" means products that contain marijuana or marijuana extracts and are intended for human use. The term "marijuana-infused products" does not include useable marijuana.
- E. Marijuana Retailer. "Marijuana retailer" means a person licensed by the state Liquor Control Board to sell useable marijuana and marijuana-infused products in a retail outlet.
- F. Useable Marijuana. "Useable marijuana" means dried marijuana flowers; it does not include marijuana-infused products.

17.460.030 Location.

- A. Marijuana Producers. Subject to the requirements of this chapter, marijuana producers may be located as follows. Further, such facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and this chapter.
 1. Tier 1, 2, and 3 marijuana producers may be located in the urban industrial (IND), Rural Employment Center (REC), and 12 Trees Employment Center (TTEC) zones.

- 2. Tier 1 and 2 marijuana producers may be located in the business park (BP) zone.
- 3. Tier 2 and 3 marijuana producers may be located in the business center (BC) zone.
- 4. Tier 1 and 2 marijuana producers may be located in the rural industrial (RI) zone.
- B. Marijuana Processors. Subject to the requirements of this chapter, marijuana processors may be located in the business center (BC), business park (BP), urban industrial (IND), Rural Employment Center (REC), and 12 Trees Employment Center (TTEC) zones. Further, such facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and this chapter.
- C. Marijuana Retailers. Subject to the requirements of this chapter, marijuana retailers may be located as follows. Further, such facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and this chapter.
 - 1. Marijuana retailers may be located in the ~~highway/tourist commercial-Commercial (HTCO), regional-commercial~~Regional Center (RC), ~~Low Impact Commercial (LIC),~~ and Rural Employment Center (REC) zones.
 - 2.—~~Subject to securing an administrative conditional use permit (ACUP), marijuana retailers may be located in the mixed use (MU) zone.~~
- D. Marijuana Producers, Processors and Retailers. All marijuana producers, processors and retailers must be a minimum of one thousand feet away, as measured by the shortest straight line between property boundaries, from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or game arcade as defined in WAC 314-55-010.

Commented [DG153]: Add and Remove Zones:
Reason: HTC and RC are changing to a general Commercial designation (CO) or Regional Center (RC). LIC is a zone with the intent of retail space thus should allow Marijuana retail shops.

17.460.040 Permits.

- A. Kitsap County makes no representations as to the legality of the use subject to this chapter. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.
- B. Only state-licensed marijuana producers, processors and retailers may locate within unincorporated Kitsap County. Upon request, all producers, processors and retailers must supply a copy of the state-issued license.
- C. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

17.460.050 Public nuisance.

Any violation of this chapter is declared to be a public nuisance per se, and, in addition to any other remedy provided by law or equity, may be abated by the county under the applicable provisions of this code or state law.

17.460.060 Nonconforming uses.

No use that constitutes or purports to be a marijuana producer, processor or retailer as those terms are defined in this chapter that was engaged in that activity prior to the enactment of this chapter shall be deemed to have been a legally established use under Kitsap County Code and that use shall not be entitled to claim legal nonconforming status.

Chapter 17.470 WIRELESS COMMUNICATION FACILITIES (Formerly Chapter 17.470)

Sections:

- 17.470.010 Purpose.**
- 17.470.020 Exemptions.**
- 17.470.030 Application requirements.**
- 17.470.040 Wireless communication facilities – Permitted uses.**
- 17.470.050 Wireless communication facilities – Site development standards.**
- 17.470.060 Conditional use permit (CUP).**

17.470.070 Notification to Kitsap County Central Communications (CENCOM).**17.470.010 Purpose.**

In addition to the general purposes of the Kitsap County Comprehensive Plan and this title, this wireless communication facilities section is intended to:

- A. Provide for a wide range of locations and options for wireless communication providers while minimizing the visual impacts to surrounding properties associated with wireless communication facilities;
- B. Encourage creative approaches in locating wireless communication facilities which will be compatible with the surroundings;
- C. Encourage and facilitate co-location of antennas, support structures and related equipment for wireless communication providers, public service communications and emergency service communications;
- D. Provide for a process to locate and identify new site locations in a comprehensive manner which allows for substantial public participation; and
- E. Encourage the use of alternative technology.

17.470.020 Exemptions.

All of the following are exempt from the regulation of this chapter:

- A. Emergency or routine repairs, reconstruction, or routine maintenance of previously approved facilities, or replacement of transmitters, antennas, or other components of previously approved facilities which do not create a significant change in visual impact or an increase in radio frequency emission levels;
- B. Military and civilian radar, operating within the regulated frequency ranges, for the purpose of defense or aircraft safety;
- C. Amateur and citizen band transmitters and antennas;
- D. Two-way communication transmitters used on a temporary basis by "911" emergency services, including fire, police, and emergency aid or ambulance service; and
- E. Antennas located wholly within another structure, and not visible outside the host structure.

17.470.030 Application requirements.

- A. Wireless communication providers shall meet with the department to discuss the providers' plans for construction of new facilities to coordinate regional planning for the new year to identify the preferred network.
- B. Before an application for a conditional use permit is submitted, all new site locations requiring a support structure in excess of thirty-five feet in height and not implementing alternative technology must be reviewed in a manner consistent with the Kitsap County Comprehensive Plan regarding essential public facilities. This section does not apply to those applications which qualify as a co-location site where previous site approval has been granted for a support structure.
- C. The department will develop and maintain a geographic information system database that will identify the preferred network. This database will depict all existing and proposed wireless communication support structure locations. Locations will be mapped with the adopted Comprehensive Plan land use maps with all publicly owned lands identified. This database will be provided to all wireless communication facility applicants and to the public.
- D. In addition to other requirements, the applications shall include the following items at a minimum:
 1. Site and landscape plans drawn to scale;
 2. A report including a description of the tower with technical reasons for its design;
 3. Documentation establishing the structural integrity for the tower's proposed uses;
 4. The general capacity of the tower, and information necessary to assure that ANSI standards are met;
 5. A statement of intent on whether excess space on the site will be leased;
 6. Proof of ownership of the proposed site or authorization to utilize it;

7. Copies of any easements necessary;
8. An analysis of the area containing existing topographical contours; and
9. A visual study depicting where within a one-mile radius any portion of the proposed tower could be seen.

17.470.040 Wireless communication facilities – Permitted uses.

- A. Wireless Communication Support Structures.
1. Any support structure constructed greater than thirty-five feet in height shall be subject to the provisions of Section 17.470.050(B) and (C).
 2. Support structures are subject to the site development standards of Section 17.470.060. A lattice support structure shall not be permitted unless it is demonstrated that an existing communication structure or a mono-pole is not available or that the existing location does not satisfy the operational requirements of the applicant.
 3. All new wireless communication support structures greater than thirty-five feet in height which do not employ alternative technology must obtain a conditional use permit (CUP).
- B. Wireless Communication Antenna Arrays.
1. Wireless communication antenna arrays not exceeding thirty-five feet in height are permitted on existing structures in any zone. Arrays shall not add more than thirty-five feet in height to the existing building or structure to which it is attached. When antenna arrays are proposed on single-family dwellings and associated accessory structures, they shall be subject to administrative conditional use permit (ACUP) review, and are subject to the provisions of Section 17.470.050(C) and (D).
 2. Wireless communication antenna arrays exceeding thirty-five feet in height are subject to the standards for wireless communication support structures in Section 17.470.050.
 3. Mini and micro antenna arrays are allowed on existing utility poles. Furthermore, existing poles may be extended in height up to fifty percent to accommodate antennas. Ground support facilities, when existing utility poles are utilized, shall be subject to administrative conditional use permit (ACUP) review and subject to the requirements of Section 17.470.050(B).
- C. Construction of equipment shelters, cabinets, and other ancillary equipment not located on or in an existing structure shall be subject to administrative conditional use permit (ACUP) review and the site development standards of Section 17.470.050.

17.470.050 Wireless communication facilities – Site development standards.

- A. Viewscapes.
1. A support structure shall not be considered compatible with surrounding land uses if within a one mile radius it results in more than a moderate visual impact upon a significant viewscape such as mountain views, views of water bodies, and/or open expansive views such as valleys. Visual impacts and mitigation shall be determined through the State Environmental Policy Act (SEPA) process until such time as specific criteria are adopted by the department.
 2. A visual impact analysis will be required when it appears a support structure imposes more than a moderate visual impact on viewscapes. The impact analysis will be accomplished within the proposed site through: (i) the erection of a crane; (ii) a balloon (of a size not less than four feet and not to exceed six feet) in a color similar to that of the proposed structure; or (iii) similar devices used to simulate the proposed dimensions and height of the structure.
 3. Ten working days prior to the demonstration, the applicant shall notify the county and provide a courtesy informational notice to properties identified by the county as being within four hundred feet of the subject parcel upon which the visual compatibility test will be conducted. The potential impact shall be documented through submittal of maps, photographs, photo-simulation, and other appropriate methods.
- B. Landscaping and Screening.
1. In all zones equipment shelters, cabinets, and other on-the-ground ancillary equipment shall be subject to landscape screening requirements, and shall be constructed with a screening buffer.

The buffer requirement shall be contained in a recorded easement. Vegetation shall not be removed without approval by the department of community development. Fencing shall be a non-obtrusive material such as a dark coated chain link to blend in with the surroundings.

2. In residential zones, or non-residential zones where the support structure site is within three hundred feet of an existing residential zone, the ground level view of support structures shall be mitigated by the retention of existing trees with sufficient height that will provide a functional screen of a substantial portion of the structure height. A screening buffer used to mitigate visual impacts upon adjacent residential properties may be required as determined by site specific conditions. Additional plantings and fencing may be used to reduce the width necessary for buffering. A monopole support structure is preferred unless it can be demonstrated that a lattice tower can be adequately screened.
 3. In non-residential zones, performance based developments (PBDs) (commercial and industrial), or interim rural forest zones, screening of support structures shall be accomplished through a landscaping buffer. A monopole structure is preferred and is exempt from buffer requirements in PBDs (commercial and industrial) and interim rural forest zones.
- C. Color and Lighting.
1. Antenna arrays located on an existing structure shall be placed and colored to blend into the architectural detail and coloring of the structure.
 2. Support structures shall be painted in a non-reflective, earth tone color that best allows them to blend into the surroundings.
 3. Flashing red, solid red, or white strobe lighting shall not be allowed on any support structure except those included in permanent 911 public safety communication facilities, including fire, police and emergency medical response services, and located at ground elevations above seven hundred feet and more than one-half mile from any residential area. Any structure subsequently determined by the FAA to require flashing red, solid red, or white strobe lighting shall be altered to avoid lighting requirements. Security lighting which is appropriately down shielded is permitted for the equipment shelters, cabinets, and/or other on-the-ground ancillary equipment in accordance with the section below.
 4. Exterior Lighting. In all zones, performance based developments and conditional uses, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.
- D. Electromagnetic Field/Radio-Frequency Radiation Standards. Installation of a wireless communication facility shall conform to standards required by the Federal Communication Commission's (FCC) regulations and the Telecommunications Act of 1996.
- E. Sharing of Support Structure and Co-Location of Facilities.
1. It is the policy of Kitsap County to minimize the number of wireless communication support structures and require co-location when appropriate. The county will pursue all reasonable strategies to promote co-location of facilities including emergency service communication facilities.
 2. No new wireless communication support structure sites may be allowed within one mile of an existing support structure, unless it can be demonstrated that the existing support structure site is not available for co-location, or it does not satisfy the operational requirements of the applicant.
 3. The applicant shall provide the following: A copy of the applicant's co-location evaluation study including:
- F. Certification that the following notice was mailed to all other wireless providers licensed to provide service within Kitsap County:

Pursuant to the requirements of the Kitsap County Zoning Ordinance Chapter 17.470,
[wireless provider] is hereby providing you with notice of our intent to apply to Kitsap County to construct a Wireless Communication Support Structure that would be located at [address, longitude and latitude]. In general, we plan to construct a support structure of [XXX] feet in height for the purpose of providing [cellular, PCS, etc.] service.

Please inform us whether you have any wireless facilities located within one mile of the proposed facility, that may be available for possible co-location opportunities. Please provide us with this information within ten business days after the date of this letter. If no response is received within that time, we shall assume you do not wish to pursue co-location at such site.

Sincerely,

 [Pre-application applicant, wireless provider]

- G. Discontinuation of Use. Any wireless communication facility that is no longer needed and its use is discontinued shall be reported immediately by the service provider to the director. Discontinued facilities shall be completely removed by the service provider or the property owner within six months from the time of discontinuance. An extension to this period may be granted by the director.

17.470.060 Conditional use permit (CUP).

Decision Criteria. The intent of the CUP procedure is to determine the conditions under which a use may be permitted. These permits are subject to specific review during which conditions may be imposed to assure compatibility of the use with other uses permitted in the surrounding area. A CUP may be granted only if the following facts and conditions exist:

- A. The need for the proposed wireless communication support structure shall be demonstrated if it is to be located in a residential zone or within three hundred feet of an existing residential zone.
- B. An evaluation of the operational needs of the provider, alternative site, alternative existing facilities upon which the proposed antenna array might be located, and co-location opportunities on existing support structures within one mile of the proposed site shall be provided by the applicant. Evidence shall demonstrate that no practical alternative is reasonably available to the applicant.
- C. The proposed support structure satisfies all of the provisions and requirements of Section 17.470.050; and
- D. The proposed support structure location has been reviewed in a manner consistent with Section 17.470.030(B).

17.470.070 Notification to Kitsap County Central Communications (CENCOM).

Notice Requirement. Following the pre-application meeting, but prior to filing an application for a wireless communication facility, the applicant shall provide CENCOM with the location and technical specifications for the proposed wireless communication facility. This requirement will provide CENCOM with the opportunity to determine whether co-location of emergency service communications facilities is feasible. The application shall include any information that has been provided by CENCOM in response to the notice.

Wireless Communication Facilities Review Process Table 17.470.100

	Permitted	Administrative CUP	Hearing Examiner CUP
Whip Antennas 20 feet or less in all zones	X ¹	X ¹	
Mini and Micro Facilities on existing building or structure	X ¹		
Macro Facility		X	

Wireless Communication Facilities Review Process Table 17.470.100

	Permitted	Administrative CUP	Hearing Examiner CUP
on existing building or structure			
Support Structure 35 feet or less		X	
Support Structure greater than 35 feet			X
Co-Location on or at existing facility at equal or less height than existing	X ¹		

1. Development shall be consistent with the design standards of Section 17.420.030.

Chapter 17.480 DEVELOPMENT REGULATIONS FOR PUBLIC SEWER SYSTEMS, COMMUNITY SEWAGE DISPOSAL SYSTEMS AND LARGE ON-SITE SEWAGE SYSTEMS (Formerly Chapter 17.383)
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Sections:

17.480.010 Applicability.

17.480.020 Public sewer connections in UGAs.

17.480.030 Community sewage disposal system or large on-site sewage disposal system located in rural areas.

17.480.010 Applicability.

This chapter applies to both urban and rural development. Additional wastewater requirements located in Kitsap County Code and other applicable local and state regulations shall also apply.

17.480.020 Public sewer connections in UGAs.

In accordance with Sections 13.12.020 and .025, Health District Ordinance 2008A-01 and WAC 246-272A-0025, 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.

17.480.030 Community sewage disposal system or large on-site sewage disposal system located in rural areas.

The provisions in this section apply to all development located outside of urban growth areas (UGAs) and limited areas of more intensive rural development (LAMIRDs).

- A. New construction of a community sewage disposal system or large on-site sewage disposal system and subsequent connection(s) to such systems for existing or new development shall be allowed only:
1. Where it is a necessary response to a documented public health or environmental hazard by the Kitsap County health district or the Kitsap County health district recommends that new development be connected to such systems; or
 2. If the system is providing service to an essential public facility; or
 3. If the system is providing service for an approved rural clustering program; or
 4. The property is zoned as a rural commercial or rural industrial site.
- B. All such connections to a community sewage disposal system or large on-site sewage disposal system shall also meet the following criteria, in addition to the criteria set forth in subsection (A) of this section:
1. Such connection does not allow for further development on the property that would not conform to current comprehensive plan land use and zoning designations; and
 2. For new development, the development shall be at a total gross density equal to or less than that permitted by the zone(s) which it occupies and meets all other zoning requirements such as setbacks, dimensions, et cetera.

Chapter 17.490 LAND USE REVIEW

(Formerly Chapter 17.400)

Sections:

17.490.010 Purpose.

17.490.020 Code compliance review.

17.490.030 Review authority.

17.490.040 Appeals.

17.490.050 Minimum application requirements.

17.490.010 Purpose.

Land use review is intended to provide for the assurance of responsible development consistent with the Comprehensive Plan and the requirements of Kitsap County Code. Land use review will ensure that project permit applications are handled in a predictable, efficient and consistent manner.

17.490.020 Code compliance review.

The department shall approve, approve with conditions, or deny permit applications based on compliance with this title and any other development condition affecting the proposal.

17.490.030 Review authority.

- A. Depending on the type of development, the proposal may be subject to various land use reviews. The type of land use review is dependent on the proposed development or use as set forth in Chapter 17.410 and this title.
- B. The proposal may also be subject to various project permit reviews as set forth in Title 21 of this code.

17.490.040 Appeals.

All appeals shall follow the procedures set forth in Title 21 of this code.

17.490.050 Minimum application requirements.

All applications shall be accompanied with fourteen copies or electronic copies (if authorized by state law) of complete site plans drawn to scale and produced in such a way as to clearly indicate compliance with all applicable requirements, and shall include the following:

- A. A vicinity map showing the location of the property and surrounding properties. A copy of the assessor's quarter section map may be used to identify the site;
- B. Dimensions and orientation of the parcel;
- C. Location of existing and proposed buildings and structures showing the intended use of each, and, if appropriate, the number of dwelling units;
- D. Drawings and dimensions of proposed buildings and structures;
- E. Location of walls and fences, indication of their height and construction materials;
- F. Existing and proposed topography at contour intervals of no more than five feet as stamped by a certified surveyor or engineer;
- G. Streets adjacent to, surrounding or intended to serve the property, curbcuts and internal pedestrian and vehicular traffic circulation routes;
- H. Existing and proposed exterior lighting;
- I. Location and size of exterior signs and outdoor advertising;
- J. Preliminary landscaping plan;
- K. Location and layout of off-street parking and loading facilities;
- L. Proposed location of utility, sewage and drainage facilities;
- M. Other architectural or engineering data which may be necessary to determine compliance with applicable regulations;
- N. Location of any critical areas and their associated buffer and/or setback requirements; and
- O. Other information as required.

**Chapter 17.405
(Repealed)***

* **Editor's Note:** Former Chapter 17.405, "Pre-Application Review," was repealed by § 5(a) of Ord. 490 (2012). Section 4 (part) of Ord. 216 (1998) was formerly codified in this chapter.

Chapter 17.500 MASTER PLANNING**(Formerly Chapter 17.415)**Commented [DG154]: Remove Reference:
SKIA or ULID

Sections:

- 17.500.010 Purpose.**
- 17.500.020 Minimum project size.**
- 17.500.030 Master plan – When required.**
- 17.500.032 Parties to master plan.**
- ~~**17.500.035 Development exempt from SKIA master plan requirements.**~~
- 17.500.040 Use of existing master plan.**
- 17.500.050 (Repealed)**
- 17.500.060 Sub-area conceptual development plan update.**
- 17.500.065 Master plan review process.**
- 17.500.070 Master plan components – General.**
- 17.500.075 Land use component of master plan.**
- 17.500.080 Storm water component of master plan.**
- 17.500.085 Storm water control standards.**
- 17.500.090 Sanitary sewer component of master plan.**
- 17.500.095 Sanitary sewer standards.**
- 17.500.100 Public water system component of master plan.**
- 17.500.105 Public water system standards.**
- 17.500.200 Transportation analysis component of master plan.**
- 17.500.205 Transportation service standards.**
- 17.500.300 Open space component of master plan.**
- 17.500.400 (Repealed)**
- 17.500.500 Environmental analysis component of master plan.**
- 17.500.505 Environmental standards.**
- 17.500.525 Environmental review.**
- 17.500.535 Economic development component of master plan.**
- 17.500.550 Third party review.**
- 17.500.600 (Repealed)**
- 17.500.625 Concurrent permit processing.**
- 17.500.650 Subdivision of areas subject to a master plan requirement.**
- 17.500.675 Decision criteria for master plan approval.**
- 17.500.700 Duration of master plan approval.**
- 17.500.750 Extensions of master plan approval.**
- 17.500.800 Amendment of master plans.**

17.500.010 Purpose.

The master plan is intended to provide means for planning and assessing sites for a wide range of activities such as residential, commercial and industrial. Such plans are to be based on a larger area to provide a more comprehensive view of the proposed uses and their impacts on surrounding properties. Projects are encouraged to use innovative development techniques to maximize open space and trail systems, enhance environmental protection and minimize impervious surface and stormwater runoff. Development of master plans is also intended to ensure the availability of adequate capital facilities and infrastructure to support these uses and to the adequate protection of environmental resources located in these areas.

17.500.020 Minimum project size.

The minimum project size for master plans is forty gross acres.

17.500.030 Master plan – When required.

The development of a master plan is optional. The director may either increase or decrease the area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new developments.

17.500.032 Parties to master plan.

The parties to the master plan must include all legal owners of the subject properties. These master plans may include the properties of non-participants in the master plan development process.

17.500.040 Use of existing master plan.

Development in zones requiring or allowing master planning may use an existing master plan under the following circumstances:

- A. The property has a previously approved master plan, which the director determines to be sufficient to permit review of the potential impacts of the development and identification of necessary mitigation measures; or
- B. An existing master plan prepared for other properties in the vicinity of a development site, which addresses some, but not all, of the substantive issues set forth in the sub-area plan may be supplemented by an addendum, which addresses only those issues not previously analyzed. Such an addendum and the initial master plan must be reviewed by the director pursuant to the procedures set forth in this chapter for review and approval of a master plan.

17.500.050 (Repealed)*

* **Editor's Note:** Former Section 17.500.050, "Third party review," was repealed by § 174 of Ord. 415 (2008). Attachment 5 § 3 (part) of Ord. 311 (2003) was formerly codified in this section.

17.500.060 Sub-area conceptual development plan update

The county may use these approved master plans as an inventory, planning and/or economic development tool to update existing sub-area plans or the Comprehensive Plan. Final approved master plans, including infrastructure and other master plan elements, must be submitted in a data format compatible with ongoing update requirements.

17.500.065 Master plan review process.

A proposed master plan shall be processed as a Type III development application under Section 21.04.080 of this code, which will include the following process:

- A. An application for master plan and a SEPA checklist shall be submitted to the department.
- B. A master plan scoping conference will be held between the department and the applicants to identify the required components of the master plan; to determine the assumptions and standards to be applied in the plan; and to identify existing information and analyses which may be used in the master plan process together with any site-specific issues of concern. The applicant will provide preliminary project information to the extent required to complete the scoping process.
- C. Within thirty days of the scoping conference, a written Master Plan Scoping Summary Notice will be mailed to the applicant. This notice will include a summary of overall scoping conclusions and a review of elements necessary for an application for a master plan and will direct the applicant to proceed with development of the master plan. The Master Plan Scoping Summary Notice will also describe the level of environmental review needed for the master plan, which may include a SEPA threshold determination. Upon receipt of the Master Plan Scoping Summary Notice, the applicant will return a signed copy to the department of community development.
- D. The applicant shall be responsible for all analysis and planning involved in the preparation of a completed master plan. Upon completion of the master plan, the applicant shall submit an application for master plan approval. Within forty-five days of such application, and in order to ensure that all master plan requirements have been addressed, the department will issue a notice, using the procedure described in Section 21.04.050 of this code, declaring the master plan application to be complete or incomplete.

- E. Upon determination that the master plan application is complete and ready for review, the department shall complete a technical review of the master plan and will act on the application in accordance with the procedures and time lines of Section 21.04.080 of this code for a Type III application. Approval of a master plan shall be subject to the appeal procedures set forth for such Type III decisions in Section 21.04.120 of this code.
- F. Following approval of a master plan, development activity pursuant to each master plan shall be reviewed and approved subject to Kitsap County site development, building, and related permits only. No additional land use permitting will be required, provided such development is consistent with the approved master plan.

17.500.070 Master plan components – General.

During the pre-application stages of the master planning process, the director of the Kitsap County department of community development shall determine the extent and adequacy of the analyses to be included in the master plan. These required elements will result in a Master Plan Scoping Summary Notice. The purpose of this approach is to allow the director and the applicant to tailor the extent of the submittals to the actual and unique circumstances of the proposed development seeking master plan approval. A master plan prepared for purposes of this section shall address the following issues to the extent required by the Master Plan Scoping Summary Notice:

- A. Land use;
- B. Storm water controls, including both quantity and water quality;
- C. Sanitary sewer service;
- D. Public water service;
- E. Public street and transportation facilities;
- F. Open space facilities;
- G. Environmental protection and resources;
- H. Other infrastructure/utility requirements, which the director determines, based on review under the State Environmental Policy Act, should be analyzed in a master plan in order to assure that such facilities are available to serve the proposed development in a timely manner and that such facilities are designed and developed in a manner which is coordinated with the infrastructure needs of other properties in the area.

17.500.075 Land use component of master plan.

Based on elements required in the approved Master Plan Scoping Summary Notice, a master plan shall include a description and site plan consistent with the underlying zone(s) and other requirements of Title 17. The submittal must include the location within the master plan area of all proposed residential densities and housing types, commercial developments and/or industrial/business center uses.

17.500.080 Storm water component of master plan.

Based on elements required in the approved Master Plan Scoping Summary Notice, a master plan shall include a storm water analysis meeting the requirements of Title 12 of this code (the Kitsap County Storm Water Management Ordinance) and the following criteria:

- A. Based on the approved Master Plan Scoping Summary Notice, the storm water analysis shall be based on an approved hydrologic model, as determined by the most recent version of the Kitsap County Storm Water Manual.
- B. The storm water analysis shall provide a comprehensive analysis of existing and proposed surface water quantity and quality conditions for all sub-basins in which any portion of the development site is located as well as upstream basins which contribute flow to any portion of the development site and downstream basins which receive flows from any portion of the development site. The director may waive the requirement for analysis in any sub-basin in which the proposed development will not create the need for storm water facilities. Downstream analysis shall extend to an acceptable receiving body of water.

- C. The storm water analysis shall assume full build-out of the sub-basins, including upstream and downstream basins, at levels of development permitted by applicable county regulations in effect at the time of master plan preparation.
- D. At a minimum, specific technical elements of the storm water analysis shall include:
1. A conceptual or preliminary plan of the proposed drainage collection and flow control systems, based upon accurate topographic mapping and geologic data.
 2. All assumptions, parameters, and input data used in the hydrologic model.
 3. Hydrologic performance data (stage, storage, discharge) for all elements of the hydrologic system, whether existing or proposed.
 4. Flow data for all existing and proposed conveyance facilities, including swales, streams, pipes, and ditches which will support the proposed system.
 5. Floodplain analysis identifying flows, velocities, and extent of flooding for the existing and proposed conditions, including backwater or tailwater analysis as appropriate.
 6. Erosion analysis of on-site and downstream open-drainage systems, identifying flows, velocities, areas of existing and future deposition and channel erosion, and characterization of sediment.
 7. Geotechnical analysis of the site and proposed improvements which addresses soils and slope stability for proposed lakes/ponds, road alignments, channel/ravine conditions, building setbacks from steep slopes, vegetation preservation and controls, existing and proposed drainage facilities, and downstream system stability.
 8. Method and conceptual design for maintaining existing flow regimes in any swales/ravines that may be altered by the development.
 9. Method, conceptual design, and location of water quality compensating facilities that may be necessary to replace naturally occurring biofiltration functions of site vegetation.
 10. Description of maintenance design features and provisions that will ensure reliable and long-term facility operation.
 11. A construction-phasing plan that will ensure storm water/erosion control during development of individual sub-basins.
 12. Mapping must be of adequate scale and detail for accurate definition and location of all system elements, both on-site and off-site, and must provide support for hydrologic model characterization.

17.500.085 Storm water control standards.

- A. Design Standards. Storm water control facilities, including both flow control and water quality systems, shall be designed in accordance with and shall meet the standards of Title 19 of this code (the Kitsap County Critical Areas Ordinance) and Title 12 of this code (the Kitsap County Storm Water Management Ordinance).
- B. Reserve Areas. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of storm water control facilities identified in the master plan to adjoining properties in the vicinity of the development.

17.500.090 Sanitary sewer service component of master plan.

Based on elements required in the approved Master Plan Scoping Summary Notice, a master plan shall include a sanitary sewer service analysis meeting the following criteria:

- A. The analysis shall include all drainage sub-basins in which any portion of the development site is located, provided the director may waive the requirement for analysis in any sub-basin in which the proposed development will not create the need for sanitary sewer service.
- B. The analysis shall identify the sanitary sewer service infrastructure needed to provide sewer service to all sub-basins affected by the proposed development, assuming full build-out of the sub-basins at levels of development permitted by the zoning in effect at the time of master plan preparation. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected sub-basins at full build-out, including transmission facilities, treatment facilities and related improvements.

- C. The sanitary sewer service analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected sub-basins at full build-out, including transmission facilities, treatment facilities and related improvements.
- D. The sanitary sewer service analysis may provide for phased implementation of the identified improvements, provided that no development subject to master planning requirements shall be approved until a commitment to provide that portion of the improvements identified by the sanitary sewer service analysis as necessary to serve the development site has been provided, including adequate provision for funding. No development subject to master plan requirements may be occupied until the sanitary sewer service facilities needed to provide service meeting applicable standards to the development site are completed and operational.
- E. No new permanent or interim on-site septic systems will be permitted in areas required to use the master planning process, except as expressly allowed by sub-area plans.

17.500.095 Sanitary sewer standards.

- A. Sanitary sewer facilities shall be designed in accordance with and shall meet the standards of Chapter 13.12 of this code, as applicable, and the standards for the design and construction of sanitary sewer systems adopted by the appropriate sewer system purveyor, the Kitsap County Comprehensive Sewer Plan, and the Washington State Departments of Health and Ecology in effect at the time the master plan is prepared.
- B. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of sanitary sewer facilities identified in the master plan to adjoining properties in the vicinity of the development.

17.500.100 Public water system component of master plan.

Based on elements required in the Master Plan Scoping Summary Notice, a master plan shall include a public water system analysis meeting the following criteria:

- A. The analysis shall include all of the development site and all additional areas, as determined by the director, which would logically be served by a water system extended to serve the development site, provided the director may waive the requirement for analysis in any portion of the proposed development site that will not create the need for public water service.
- B. The analysis shall identify the public water service infrastructure needed to provide water service to all of the proposed development, assuming full build-out of site and other areas logically served by a water system extension to the development site, based on the levels of development that are permitted by the zoning in effect at the time of master plan preparation. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected areas at full build-out, including transmission facilities, storage facilities and related improvements.
- C. The public water service analysis shall identify any feasible alternatives for providing water service in the affected areas.
- D. The public water service analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected areas at full build-out, including transmission facilities, storage facilities and related improvements.
- E. The public water service analysis may provide for phased implementation of the identified improvements, provided that no development subject to master planning requirements shall be approved until a commitment to provide that portion of the improvements identified by the public water service analysis as necessary to serve the development site has been provided, including adequate provision for funding. No development subject to master plan requirements may commence combustible construction or be occupied until the public water service facilities needed to provide service meeting applicable standards to the development site are completed and operational.

17.500.105 Public water system standards.

- A. Public water system facilities, including transmission and storage systems, shall be designed and constructed in accordance with and shall meet the standards of Chapter 13.28 of this code, as applicable, and the standards for the design and construction of public water systems adopted by the

water system purveyor, the adopted Coordinated Water System Plan, and the Washington State Departments of Health and Ecology in effect at the time the master plan is prepared.

- B. The water system or systems shall provide adequate potable water and adequate pressure to meet minimum fire flow standards as required under the applicable fire regulations and standards.
- C. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of public water facilities identified in the master plan to adjoining properties in the vicinity of the development.

17.500.200 Transportation analysis component of master plan.

Based on elements required in the approved Master Plan Scoping Summary Notice, a master plan shall include a transportation analysis meeting the following criteria:

- A. The analysis shall include all Kitsap traffic analysis zones, as defined pursuant to subsection (19) of Section 20.04.020 of this code, in which any portion of the development site is located. The director of public works may waive the requirement for analysis of any area that will not be affected by the road system needed to serve the development site. The director of public works may also require analysis of arterials located outside the affected Kitsap County traffic analysis zones if the director determines that development in the master plan area may generate the need for traffic mitigation measures on such arterials. Washington State Department of transportation shall review transportation analyses for any area, which is likely to affect traffic on state highways.
- B. The analysis shall identify a multi-modal circulation and access plan identifying transportation infrastructure improvements, including changes to existing roads, new roads, transit service and non-motorized transportation facilities which are needed to provide transportation service to all of the proposed development, assuming full build-out of site and the Kitsap County traffic analysis zones in which any portion of the development site is located, based on the levels of development permitted. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected areas at full build-out. The transportation analysis shall identify a transportation demand management plan (TDMP) for the area and identify how the TDMP coordinates with other TDMPs in the vicinity of the development, commute trips made by single occupant vehicles and vehicle miles traveled (VMT) per employee. The following listing is intended to provide a broad list of potential TDM strategies for incorporation into the TDMPs.
 - 1. Provision of preferential parking for carpools and vanpools; bicycle parking facilities; changing areas/showers for employees who walk or bike to work;
 - 2. Provision of commuter ride matching services to facilitate employee ridesharing;
 - 3. Provision of subsidies for transit fares, carpooling and/or vanpooling;
 - 4. Alternate work schedules/flex time;
 - 5. On-site amenities such as cafeterias and restaurants, ATMs and other services that would eliminate the need for additional trips;
 - 6. Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
 - 7. Implementation of other measures designed to facilitate the use of high-occupancy vehicles such as on-site day care and emergency ride home service; and
 - 8. Employers or owners of worksites may form or utilize existing transportation management associations to assist members in developing and implementing transportation demand management plans.
- C. The transportation analysis shall identify any feasible alternatives for providing transportation service in the affected areas.
- D. The transportation analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected areas at full build-out.
- E. The transportation analysis may provide for phased implementation of the identified improvements, provided that no development subject to master planning requirements shall be approved until a commitment to provide developer improvements identified by the transportation analysis. All

improvements shall meet the adopted concurrency standards of Kitsap County, as set forth in Chapter 20.04 of this code.

- F. The transportation analysis shall include appropriate trip generation analyses, trip distribution analyses, and level of service analyses. The director of public works shall require the applicant to use standard trip generation rates published by the Institute of Transportation Engineers or other documented information and surveys approved by the department. The director of public works may approve a reduction in generated vehicle trips based on additional information supplied by the applicant, including information related to commute trip reduction programs pursuant to Chapter 20.08 of this code. The calculation of vehicle trip reductions shall be based upon recognized technical information and analytical process that represent current engineering practice. The director of public works shall have final approval of such data, information and technical procedures as are used to develop trip generation analyses, trip distribution analyses, and level of service analyses.

17.500.205 Transportation service standards.

Public transportation facilities, including road, transit and non-motorized vehicle systems, shall be designed and constructed in accordance with and shall meet the level of service standards set forth in the Kitsap County Comprehensive Plan, and all applicable standards for the design and construction of roads and streets for the agency or agencies with jurisdiction over the particular transportation improvement in effect at the time the master plan is prepared.

Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of transportation facilities identified in the master plan to adjoining properties in the vicinity of the development.

17.500.300 Open space component of master plan.

Based on elements required in the Master Plan Scoping Summary Notice, a master plan shall include an open space component meeting the following criteria:

- A. The master plan shall identify an interconnected system of passive open spaces, habitat areas and recreational trails accessible to the public and coordinated with and linked to adjacent regional trails. All proposed open spaces and trails shall be based on adopted standards and shall be consistent with and coordinated with adopted county park, open space and trail plans and with the Kitsap County Critical Areas Ordinance.
- B. Master plans shall provide for the construction and long-term maintenance of identified trails and open space, based on National Park and Recreation Association guidelines for accessibility. Construction and long-term maintenance of trails and open space may be achieved through dedication of conservation easements, or other public or private means.

17.500.400 (Repealed)*

* **Editor's Note:** Former Section 17.500.400, "Economic development component of master plan," was repealed by § 179 of Ord. 415 (2008). Attachment 5 § 3 (part) of Ord. 311 (2003) was formerly codified in this section.

17.500.500 Environmental analysis component of master plan.

Based on elements required in the Master Plan Scoping Summary Notice a master plan shall include an Environmental Analysis meeting the following criteria:

- A. The master plan shall identify existing conditions on the site, including the delineation of all critical areas, as defined in Title 19 of this code (Critical Areas), which are located in whole or in part in the master planning area for the proposed development.
- B. The master plan shall, to the extent as may be otherwise required by Chapter 19.700 of this code, include the following special reports:
1. Wetland Report/Wetland Mitigation Plan;
 2. Habitat Management Plan, including wildlife corridor links and connections;
 3. Geotechnical Report/Geological Report; and

4. Hydrogeological Report which addresses aquifer recharge area protection and includes analysis of groundwater quantity and quality, hydrologic continuity and impacts to stream flow in adjacent streams.
- C. The master plan shall identify all federal and state permits and approvals required for development of the site, including but not limited to NPDES permits, HPA approvals, and approvals required pursuant to the Endangered Species Act. To the extent that mitigation plans are required for such permits, conceptual plans for such mitigation shall be identified in the master plan, recognizing that final approval authority for such mitigation plans may rest with agencies other than Kitsap County.

17.500.505 Environmental standards.

Development within a master plan area shall comply with the substantive environmental standards identified in other regulations pertinent to the specific sub-area and Title 19 of this code (Critical Areas) in effect at the time a master plan is prepared.

17.500.525 Environmental Review.

Kitsap County staff shall make a SEPA determination at the earliest possible stage in the master plan review process. If at any time during the master plan review process, an Environmental Impact Statement is determined to be required, timelines and processes shall revert to those under Title 18 of this code. If an EIS is required, the development of the master plan may be completed concurrently with development of environmental documents.

17.500.535 Economic development component of master plan.

Based on elements required in the Master Plan Scoping Summary Notice, a master plan shall include an economic development component meeting the following criteria:

- A. Master plans shall strive to create developments in which fifty percent of jobs pay the average or higher than average annual covered wage for Kitsap County as defined and published by the Washington State Division of Employment Security, "Kitsap County Profile" or comparable publication by that entity. Master plans must include a wage calculation as follows:
 1. Plans shall identify, as far as possible, the anticipated land uses for the proposed development.
 2. Plans shall identify, as far as possible, the anticipated type and number of jobs which the proposed development is intended to accommodate.
- B. Technology Infrastructure. Master plans shall contain a plan for technology infrastructure to be constructed by the developer, according to adopted county technology regulations and the following criteria:
 1. The plan shall depict the type and siting of technology infrastructure serving planned and future development in the area. The plan shall include fiber optic or other high-speed data links or conduit for fiber optic or other high-speed data links to regional technology infrastructure and to other technology infrastructure within the master planned area.
 2. The plan shall demonstrate a provision for reserve capacity and/or potential for future expansion of technological capability. Upon adoption of regional technology guidelines, goals, policies and/or standards, these shall be consulted as to the suitability of the type of infrastructure to be installed and/or accommodated in the future.
- C. Design Standards. Master plans shall adhere to any design standards adopted as a requirement of the sub-area in which the development is located. No master plan shall be approved for a sub-area requiring design standards until design standards have been developed and approved in accordance with sub-area plan policies.

17.500.550 Third party review.

The director may require a third party review from a technical expert to provide information necessary to support the review of a master plan. The expert will be chosen from a list of pre-qualified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the county and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

17.500.600 (Repealed)*

* **Editor's Note:** Former Section 17.500.600, "Master plan review process," was repealed by § 183 of Ord. 415 (2008). Attachment 5 § 3 (part) of Ord. 311 (2003) was formerly codified in this section.

17.500.625 Concurrent permit processing.

In a zone wherein some uses require a conditional use permit, the master plan process provided by this chapter may be used in lieu of those processes. Proposed development must still meet the approval criteria required by Chapter 17.540 as well as those required by this section.

17.500.650 Subdivision of areas subject to a master plan requirement

Properties subject to master planning may not be subdivided pursuant to Title 16 of this code until a master plan has been approved. Property owners subject to master planning, who desire subdivision, may subdivide under Title 16 concurrently with a master plan approval process.

17.500.675 Decision criteria for master plan approval.

An application for a master plan permit may be approved or approved with modifications if all of the following requirements are met:

- A. The master plan is consistent with the goals and policies of the Comprehensive Plan and complies with all other applicable codes and policies of the county.
- B. The master plan demonstrates superior site design by incorporating the following:
 1. Provisions for public facilities and/or amenities.
 2. Clustering of development, as applicable.
 3. Innovative site design that complies with the development and design standards of the master plan and underlying zoning code.
 4. Preservation of critical areas, resource areas and natural features.
 5. Provision for a coordinated, comprehensive, interconnected and integrated system of parks, open spaces and recreational areas.
 6. Placement of structures, circulation systems and utilities that minimizes impervious surface and the alteration of the land and also responds to physical characteristics of the property.
 7. Site design that reduces dependency on automobiles by providing for pedestrian, bicycle and transit uses.
- C. Adequate public services are available, including water, sewer, roads, including access roads, fire and storm drainage. Approval of the master plan should not reduce existing public service levels for surrounding properties below acceptable levels without mitigation measures.
- D. If development under a master plan will be phased, each phase of a proposed development must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the master plan to stand alone if no other subsequent phases are developed.
- E. The master plan sets forth the terms, conditions, covenants, and agreements regarding the intended development and terms, conditions, covenants, and agreements under which the property is bound.
- F. If no reasonable conditions or modifications can be imposed to ensure the application meets the criteria set forth above, then the application shall be denied.

17.500.700 Duration of master plan approval.

Section 21.04.110 of this code, Timelines and duration of approval, shall not apply to master plans approved under this chapter. Master plans approved pursuant to this chapter will be valid for a period of ten years from the date of approval.

17.500.750 Extensions of master plan approval.

Master plans approved under this chapter may be eligible for five-year extensions to be reviewed using the following process and criteria:

- A. A request for extension must be filed in writing with the director no later than sixty days prior to the expiration of the approval period;
- B. A request for extension will be processed as a Type II decision pursuant to Section 21.04.070 of this code;
- C. The applicant must demonstrate tangible progress toward completion of approved master planned project;
- D. The applicant must demonstrate that no significant changes in the technical components of the approved master plan are necessary to protect natural systems, or the public's health, safety and welfare; and
- E. The director may approve, approve with conditions or deny the timely request for extension.

17.500.800 Amendment of master plans.

Master plans may be amended or changed through a Type II application consistent with Section 21.04.070 of this code if the amendment meets the following criteria:

- A. The applicant must have approval of all parties to the existing master plan whose ownership portion of the master planned area would be physically changed by the proposed amendment;
- B. The amended master plan must conform to all requirements of this chapter;
- C. The applicant must demonstrate to the director that there are no significant changes in conditions, which would render approval of the amendment contrary to the public health, safety or general welfare; and
- D. The director shall approve the amendment if it conforms to the requirements of this chapter.

Chapter 17.510 PERFORMANCE BASED DEVELOPMENT	(Formerly Chapter 17.425)
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Sections:

17.510.010 Purpose.

17.510.020 Authority.

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17.510.040 Standards and requirements – Residential.

17.510.045 Standards and requirements – Commercial, industrial, and institutional.

17.510.050 Decision findings.

17.510.060 Application.

17.510.070 Public hearing and notice.

17.510.100 Effect.

17.510.110 Revision of performance based development.

17.510.120 Revocation of permit.

17.510.130 Land use permit binder required.

17.510.010 Purpose.

To allow flexibility in design and creative site planning, while providing for the orderly development of the county. A performance based development (PBD) is to allow for the use of lot clustering in order to preserve open space, encourage the creation of suitable buffers between differing types of development, facilitate the residential densities allowed by the zone, provide for increased efficiency in the layout of the streets, utilities and other public improvements and to encourage the use of low-impact development techniques and other creative designs for the development of land.

Standard regulations that may be modified through the use of a PBD include:

- A. Lot size.
- B. Lot width and depth.
- C. Structure height (only within designated urban growth areas).
- D. Setbacks (front, side and rear yards).

Minimum and maximum densities and allowed uses authorized by the zone shall not be subject to modification through the use of a PBD.

17.510.020 Authority.

The hearing examiner shall have the authority to recommend approval, approval with conditions, disapproval, or revoke performance based developments, subject to the provisions of this section. Changes in use of site area, or alteration of structures or uses classified as residential and commercial performance based developments, and existing prior to the effective date of this title, shall conform to all regulations pertaining to performance based developments. An application for PBD shall be accompanied by an application for subdivision, when applicable.

17.510.030 Uses permitted.

Uses permitted in a PBD are those allowed in the underlying zone. The hearing examiner shall hold a public hearing and render a decision as set forth in Title 21 of this code.

17.510.040 Standards and requirements – Residential

A. Access, Parking and Circulation.

1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.
2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access.
3. Parking. The number of vehicular parking spaces shall be provided in accordance with Section 17.430.030. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements.
4. Pedestrian Circulation. Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

B. Common Open Space. No open area may be accepted as common open space within a performance based development, unless it meets the following requirements:

1. The location, shape, size, and character of the common open space is suitable for the performance based development, however in no case shall the common open space be less than fifteen percent of the gross acreage of the subject property(s). No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD;
2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided;
3. Common open space may be improved for its intended use. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance. The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and
4. Land shown in the final development plan as common open space, and the landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 - a. An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a change in use in a way inconsistent with the final

development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;

- b. A public agency which agrees to maintain the common open space and any buildings, structures, or other improvements which have been placed on it; or
 - c. A private nonprofit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.
- C. Recreational Open Space. All residential PBDs within urban zones shall provide a developed recreational area that meets the following requirements:
1. A contiguous area that is a minimum of five percent of the gross acreage of the subject property(s) (excluding perimeter screening buffers, critical areas and critical area buffers). No area shall be calculated as recreational open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD. Said area shall meet the following additional requirements:
 - a. Developed as an open grass field or a natural area (not inside perimeter buffers, critical areas or their buffers);
 - b. Owned in common and/or available for use by all residents of the PBD; and
 - c. A provision made by the covenants for perpetual maintenance.
 2. A developed active recreation amenity(s) consistent with the number of units/lots contained within the PBD. Amenities shall be provided as follows:
 - a. Developments of zero to nineteen lots/units are not required to have such an amenity;
 - b. For developments with greater than nineteen lots or units, one amenity shall be provided for every twenty lots/units within the development. Required amenities shall be sized to accommodate three hundred ninety square feet per lot/unit;
 - c. Amenities shall be centrally located within the development in clearly visible areas on property suitable for such development. Amenities may be located in other areas of the development if directly linked with a regional trail system or other public park facility;
 - d. Based upon topographical or site design characteristics of the subject property(s), amenities may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD;
 - e. Amenities may be located within, and be calculated towards, the recreational open space area if contiguous;
 - f. An athletic field with a minimum size of one hundred twenty yards long and sixty yards wide or swimming pool shall count as two amenities;
 - g. An equestrian development or similar theme community may be provided in lieu of other amenities;
 - h. Owned in common and available for use by all residents of the PBD;
 - i. The active recreational amenity(s) shall be located on five percent grade or less, except if a greater grade is necessary for the activities common to the amenity, e.g., skate park, trails; and
 - j. Written provisions or agreement for perpetual maintenance by the homeowners' association or a public agency willing to assume ownership and maintenance.
 3. In rural zones, common open space shall be no less than fifty percent of the total site area. All open space, other than those areas needed for utilities or other infrastructure, shall be retained in native vegetation unless the PBD specifically provides for an alternative use. PBDs in rural zones shall be exempt from the requirements for contiguous developed recreation space as contained in

subsection (C)(1) of this section, but shall be subject to the active recreational area requirements of subsection (C)(2) of this section.

4. In order to promote creativity and innovation, these standards and criteria may be modified or substituted with other design concepts if so approved by the board of county commissioners.

17.510.045 Standards and requirements – Commercial, industrial and institutional.

A. Access, Parking and Circulation.

1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate;
2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access;
3. Parking. The number of vehicular parking spaces shall be provided in accordance with Section 17.430.030. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specific in the parking and loading requirements; and
4. Pedestrian Circulation. Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, and convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

B. Common Open Space.

1. Common open space shall be for public use and may include active or passive recreational uses such as trails or pathways, tot lots, plazas, patios or other amenities;
2. Common open space shall be located in a manner suitable for the uses proposed;
3. Each project shall contain a minimum of fifteen percent common open space based upon the gross acreage of the site; and
4. No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the users of the PBD. Covered or internal open space areas may be used.

C. Site Design.

1. The project design shall provide a more efficient use of land within the urban areas;
2. Amenities intended for public use shall be coordinated with regional trail, park or other facility plans;
3. Design shall provide innovations to decrease building footprint and other site disturbances; and
4. Design shall include architectural features and other aesthetics to address site impacts.

D. Structure Height.

1. The project shall include the use of topography and other site characteristics to minimize the impacts a proposed increase in height; and
2. The increase in height shall minimize site disturbance necessary to accommodate the proposed use.

17.510.050 Decision findings.

In recommending approval of the preliminary development plans for a performance based development, conditionally or otherwise, the hearing examiner shall first make a finding that all of the following conditions exist:

- A. The design of the PBD meets the requirements of this section, other sections of the county code and the goals and policies of the Comprehensive Plan and the site is adequate in size and character to accommodate the proposed development;
- B. The design of the PBD is compatible with neighboring conforming land uses. An assessment of compatibility shall include, but not be limited to, the consideration of association with adjacent land

- uses and the proposed project's effects on existing views, traffic, blockage of sunlight, and noise production;
- C. If the development is phased, each phase of the proposed development shall meet the requirements of this chapter;
 - D. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
 - E. The proposed and/or existing public facilities and utilities are adequate to serve the project; and
 - F. The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety or welfare of persons residing or working in a neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, or contrary to orderly development.
 - G. Innovations and/or public benefits shall be commensurate with the code modifications proposed.

17.510.060 Application.

- A. In addition to all requirements of Chapter 17.410, an application for PBD shall contain the following:
 - 1. Fourteen copies of the site plan, drawn to scale, showing the proposed layout;
 - 2. Three copies of the landscaping plan, drawn to scale, showing the location of landscaped areas;
 - 3. A written statement by the landowner or his agent setting forth the reasons why the performance based development would be in the public interest;
 - 4. Environmental checklist and, if required, environmental impact statement; and
 - 5. Other information as required in the pre-application meeting checklist and PBD application.
- B. The following information shall be submitted to the department for review of the final development plan to ensure compliance with conditions of preliminary approval. The director shall transmit his findings to the board of county commissioners who shall act on the final development plan:
 - 1. Fourteen copies of the site plan, drawn to scale with dimensions, showing all required elements including but not limited to: the proposed layout of structures, off-street parking and loading areas, landscape areas, pedestrian walkways, driveways, ornamental lighting, screening, fences and walls;
 - 2. Three copies of the landscape plan, drawn to scale and dimension, depicting all required elements of Chapter 17.440. Also, other landscape features such as screening, fences, lighting and signing shall be indicated;
 - 3. Final engineering plans including grading contours, drainage systems, critical areas, and both on-site and off-site street improvements;
 - 4. A reduced eight-and-one-half-inch by eleven-inch print of the site plan and architectural drawings;
 - 5. Fourteen copies of architectural drawings or sketches, drawn to scale, including floor plans and elevations, indicating the types of materials and colors to be used may be required by the director or hearing examiner for review of performance based developments; and
 - 6. A schedule showing the proposed time and sequence within which the applications for final approval of all sections of the performance based development are intended to be filed.
- C. Following the approval of the preliminary development plan, the applicant shall file with the department a final development plan containing the information required in subsection (B) of this section in a time frame consistent with Title 21 of this code.

If the director finds evidence of a significant deviation from the preliminary development plan, the director shall advise the applicant to submit an application for amendment of the preliminary development plan. An amendment shall be considered in the same manner as an original application.
- D. In granting any final performance based development, the board may require adequate guarantees of compliance with the final development plan. Such guarantee may be a performance bond or other form of security in an amount sufficient to ensure compliance, and may provide that such security be reduced as stages of construction are completed. Alternatively, or in addition to the security, conditions may be imposed requiring other adequate assurances that the structures and

improvements will be completed, subject to the review and approval as to form by the prosecuting attorney; or that the county may, in the event of the applicant's failure to comply, take steps necessary to ensure compliance, including performing the construction or maintenance itself, and levy a lien for all costs thereof against the property.

17.510.070 Public hearing and notice.

PBDs shall be considered by the hearing examiner. Public notice shall be given as provided for in Title 21 of this code.

17.510.100 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or other permit until such appeal has been heard and a decision rendered by the board of county commissioners.

17.510.110 Revision of performance based development.

- A. Revision of a performance based development or of conditions of permit approval is permitted as follows:
1. Minor revisions may be permitted by the department and shall be properly recorded in the official case file. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application; and
 2. Major revisions, including any requested change in permit conditions, shall be processed as a Type III application if the performance based development is in conjunction with a subdivision. All other major revisions shall be processed as a Type II application.
- B. Minor and major revisions are defined as follows:
1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval; and
 2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change that includes any one of the following:
 - a. Substantial relocation of buildings, parking or streets;
 - b. A reduction in any perimeter setback;
 - c. An increase in the residential density;
 - d. An increase in the gross floor area of a multi-family, commercial, industrial or commercial component of a project greater than ten percent;
 - e. Any relocation of the common open space which makes it less accessible or reduces the area greater than five percent;
 - f. Any change in the landscape buffers resulting in a reduction in width or density of planting between the development and adjoining properties;
 - g. Any substantial change in the points of access;
 - h. Any increase in structure height; or
 - i. An alteration in dwelling unit separation, e.g., attached or detached dwelling units.
 3. Any increase in vehicle trip generation shall be reviewed to determine whether the revision is major or minor. The traffic analysis shall be filed by the applicant at the same time as the request for revision. The traffic analysis will follow Traffic Impact Analysis guidelines as set forth in Chapter 20.04.

17.510.120 Revocation of permit.

Any revocation proceeding shall be conducted in accordance with Chapter 17.590.

17.510.130 Land use permit binder required.

The recipient of a PBD permit shall file a land use permit binder on a form provided by the department with the county auditor prior to initiation of any further site work; issuance of any

PRELIMINARY DRAFT

(FOR DISCUSSION ONLY)

PRELIMINARY DRAFT

development/construction permits by the county; or occupancy/use of the subject property or the building thereon for the use/activity authorized, whichever comes first. The binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the permit and as a notice to prospective purchasers of the existence of the permit.

Chapter 17.520 TRANSFER OF DEVELOPMENT RIGHTS	(Formerly Chapter 17.430)
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Sections:

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17.520.050 Sending areas - requirements.

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17.520.120 Transfer of development rights (TDR) - application of TDR certificates to receiving sites and extinguishment of TDR certificates.

17.520.130 Reinstating development rights of a sending site.

17.520.010 Purpose.

The purpose of this chapter is to create a process for certification and transfer of Transferable Development Rights (TDR) from designated sending areas to designated receiving areas. Where the applicable Comprehensive Plan policies, designated overlay zone or zoning map designation provide the option for transfer of development rights (TDRs), the rights shall be transferred consistent with the requirements of this chapter, the Kitsap County Zoning Map and other requirements of Title 17. The transfer of development rights from one property to another is allowed in order to provide the following:

- A. Flexibility and efficient use of land and building techniques;
- B. Preservation of rural character, promotion of farming areas, and provision of long-term open space opportunities;;
- C. A mechanism to work toward achieving policies outlined in the Kitsap County Countywide Planning Policies, Kitsap County Comprehensive Plan, applicable sub-area plans and development regulations.

17.520.020 Authority.

The transfer of residential development rights (“TDR”) system for Kitsap County is established. The base residential density of a sending site may be transferred and credited to a non-contiguous receiving site only when the TDR is approved in accordance with the rules and procedures in this chapter.

17.520.030 Applicability.

This chapter supplements county land use regulations and other land protection efforts by establishing a TDR process, which may be employed at a landowner’s option to certify and transfer development rights from an eligible sending site to an eligible receiving site, and which may include transfer through an open market or TDR bank. This chapter regulates the following with respect to the transfer of development rights:

- A. Establishes candidate TDR sending sites to include specific comprehensive plan land use designations, zones, qualifying farming areas, and other rural lands, and establishes eligible TDR receiving areas;
- B. Provides a method to determine the number of certified development rights that a sending site is eligible to transfer;
- C. Provides a market-based TDR implementation system based on the issuance of TDR certificates that may be freely sold or otherwise transferred;
- D. Requires the recording of conservation easements that restrict development on sending sites;

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REASONABLE MEASURE

17.520.040 General requirements.

- A. Development Rights. Residential development rights are considered as interests in real property.
- B. Transfer of Development Rights Permitted. The number of dwelling units allowed to be constructed on a sending parcel under Section 17.520.050 may be transferred to a receiving parcel. In approving a transfer of development rights, the appropriate decision-making body must find that such a transfer is consistent with the Comprehensive Plan, the existing zoning designation of the sending parcel and the proposed zoning designation of the receiving parcel. A transfer of development rights is allowed only under the provisions in this chapter.
- C. Transfer of Rights. In any transfer of rights, the sending parcel(s) may transfer all of its development rights to a receiving parcel or parcels, or sell its development rights to an individual, intermediate buyer, or entity.

17.520.050 Sending areas

- A. Designation of Sending Areas. Use of TDR sending areas must provide a public benefit i.e., the protection of that benefit by transferring residential development rights to another site is in the public interest. In addition to those areas that qualify as sending areas according to this chapter, the Kitsap County Board of County Commissioners may approve additional sending areas through a change to the Kitsap County Code or a Comprehensive Plan amendment.
- B. Rural Sending Areas. All parcels located within rural designated lands and zoned Rural Wooded, Rural Residential, Rural Protection, or Forest Resource are available to be certified as TDR sending sites.
- C. Sending Area Emphasis. While transfer of development rights from all sending sites is promoted, consistent with the Kitsap County Comprehensive Plan, specific areas or lot sizes may be emphasized as preferable sending sites. Such properties may receive additional incentives such as increased development rights to further encourage transfer. Such incentives shall be approved and further amended by Board of Commissioner resolution.
- D. Additional sending site qualifications.
 - 1. Contiguity of Sending Site Lots. If a sending site consists of more than one lot, the lots must be contiguous. For purposes of this chapter, lots separated only by a public street or right of way are considered contiguous.
 - 2. Code compliance required. If the sending site is the subject of code enforcement action by the county, the responsible party, upon whom a notice of violation has been served pursuant to KCC Chapter 2.116, must resolve the allegations of violation, which may include performance of any required abatement, restoration, or payment of civil penalties, or dismissal of charges pursuant to legal process, before development rights for the sending site may be certified or transferred by a sending site landowner. This requirement may be waived at the discretion of the director where a proposal is in the public interest, provided that any outstanding code violations do not materially affect the conservation value of the sending site and the person responsible for code compliance is making a good faith effort to resolve the violations. Waivers granted pursuant to this subsection are solely for the purpose of TDR sending site eligibility and do not constitute a waiver of any county land use regulations or affect ongoing or future code enforcement actions related to the sending site.
 - 3. Forest practices compliance required. For sending sites on which the entire lot or a portion of the lot has been cleared or graded pursuant to a Class II, III or IV special forest practices permit as defined by RCW 76.09.050 within the six years prior to application for certification or transfer of development rights, the applicant must provide an affidavit of compliance with the reforestation requirements of RCW 76.09.070, WAC 222-34-010 and any additional reforestation conditions of their forest practice permit. Sending sites that are subject to a six-year moratorium on development applications pursuant to RCW 76.09.060 shall not be qualified as TDR sending sites until the moratorium has expired or been lifted.
 - 4. Land already encumbered by a conservation easement shall not be eligible as a TDR sending site.

5. Any land below ordinary high water of any fresh or saltwater body shall not be eligible as a TDR sending site.
6. Development rights allocated to eligible sending sites may be converted to TDR certificates which may be transferred to eligible receiving sites through the TDR transfer process. After completion of the conveyance of a sending site's development rights, the property shall be maintained in a condition that is consistent with the TDR conservation easement imposed under 17.520.100.

17.520.060 Sending site calculations.

- A. Calculation for Transfer Purposes Only. The determination of the number of development rights that a sending site is eligible to transfer pursuant to this section, shall be valid for transfer purposes only, and does not entitle the sending site to building permits or other development approvals, or change the sending site property's zoning classification.
- B. Number of Certified Development Rights. The number of residential development rights that a sending site is eligible to transfer under this program shall be the larger of:
 1. The number of legal lots that comprise the sending site; or
 2. The number that is determined by applying the sending site base density dictated by the underlying zoning as established in KCC 17.420.060 to the gross area of the sending site.
- C. No Fractional TDRs. Any fractions of development rights that result from the calculations in 17.520.060.B shall not be included in the final determination of total development rights available for sale.
- D. Sending Site Area. For purposes of calculating the number of development rights that may be transferred from a sending site, the gross area of a sending site shall be determined as follows:
 1. If the sending site is comprised of one or more undivided tax parcels, the acreage shall be determined by:
 - a. Kitsap County Assessor records; or
 - b. A survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the State of Washington.
 2. If the proposed sending site includes one or more partial lots or involves a short subdivision or boundary line adjustment, then the applicant is required to provide, at the applicant's cost, a survey that has been prepared and stamped by a surveyor licensed in the State of Washington.
 3. Any portion of the sending site that is already subject to a conservation easement or other recorded encumbrance restricting development on the sending site shall be subtracted from the sending site area before applying the base density calculation under subsection 17.520.060.B.
 4. Any portion of the sending site used for residential development or reserved for future residential development shall be subtracted before applying the base density calculation under subsection 17.520.060.B.
- E. For purposes of determining the number of development rights that may be certified for transfer from a sending site, the number of existing and proposed residential dwelling units, if any, to be retained on the sending site shall be subtracted from the number of development rights eligible for transfer as determined pursuant to subsection 17.520.060.B.
- F. TDR calculation final. Upon issuance of the TDR Certificate Letter of Intent, the determination of the number of certified development rights that a sending site is eligible to transfer to a receiving site pursuant to subsection 17.520.060.B is final and shall not be revised due to subsequent rezones or other changes to the sending site.

17.520.070 Receiving areas and exchange rates.

- A. Designation of Receiving Areas. In addition to those areas that qualify as receiving areas according to the Kitsap County Comprehensive Plan, the board of county commissioners may approve additional areas as receiving areas. Additional areas may be approved through a change to the Kitsap County Code or a Comprehensive Plan amendment. The designation of additional TDR receiving areas is based on findings that the area or site is appropriate for higher residential densities, is not limited by

significant critical areas, and no significant adverse impacts to the surrounding properties would occur.

- B. Designated Receiving Areas. Receiving areas or parcels are those within an urban growth area or are proposed to be included within an urban growth area by a Comprehensive Plan amendment, site-specific application or sub-area plan.
- C. Exchange Rates. For eligible receiving sites, the transfer to and use of TDR credits on a receiving site shall occur consistent with applicable development regulations established in the program authorizing use of TDR at the receiving site.
 - 1. For receiving areas defined in 17.520.060.B above, exchange rates are established by resolution of the Board of County Commissioners.
 - 2. Required development rights are calculated on a per acre basis. All fractional acreages shall be rounded up to the higher exchange rate.
 - 3. Exchange rates shall be periodically evaluated and may be modified to ensure they reflect market conditions.

17.520.080 Transfer of development rights – When required.

Transfer of development rights are required as described below.

- A. Site-Specific Comprehensive Plan Amendments. Site-specific Comprehensive Plan amendments pursuant to Chapter 21.08 requesting a higher density or intensity designation I require a transfer of development right. Development rights purchased for a site-specific amendment may also count towards any future rezone request within the new designation. The numbers of development rights required for each amendment shall be established by resolution of the board of county commissioners.
- B. Rezones. Rezones pursuant to Chapter 17.510 requesting a higher density or intensity zone shall require a transfer of development right. Rezones may be allowed only within the same Comprehensive Plan land use designation. Any rezone request that requires a change of Comprehensive Plan land use designation will require a Comprehensive Plan amendment. The numbers of development rights required for each rezone shall be established by resolution of the board of county commissioners.
- C. Urban Growth Area Expansions. The board of county commissioners in the annual Comprehensive Plan Amendment docketing resolution may require a transfer of development right or rights as part of Comprehensive Plan or sub-area plan expansions of urban growth areas.
- D. Cities. In cooperation with Kitsap County, cities may designate additional TDR receiving areas within their jurisdictional boundaries for the purpose of receiving transferred densities pursuant to this chapter. The number of development rights that a Kitsap County unincorporated rural or natural resources land sending site is eligible to send to a Kitsap County city receiving site is determined through the application of a conversion ratio established by Kitsap County and each city.
- E. Except as provided in this chapter, development of a receiving site is subject to all use, lot coverage, setback and other requirements of the designated zone.

17.520.090 Transfer of development rights (TDR) Application Process; Letter of Intent; Issuance of TDR certificates.

- A. Application for TDR certificates. In order to obtain TDR certificates, the sending site owner(s) or authorized agent must submit an application for TDR certificates. The applicant for TDR certificates will submit on a form provided by the County, a calculation of the number of development right credits that proposed to be certified in accordance with 17.520.060, subject to review and approval by the director. The department shall use the application to determine whether the sending site meets the requirements of 17.520.050 and, if so, the number of development rights that the sending site is eligible to transfer pursuant to 17.520.060. The application shall include all of the following:
 - 1. Legal description and parcel numbers of the sending site for which TDR certificates are sought.
 - 2. The following documents, which shall be used as the basis for determining transferable development rights pursuant to 17.520.050:

- a. If the sending site consists of one or more undivided tax parcels, the applicant(s) shall provide either official records from the Kitsap County Assessor or a survey that has been prepared and stamped by a surveyor licensed in the state of Washington.
 - b. If the sending site includes portions of one or more tax parcels, the applicant(s) shall provide a survey that has been prepared and stamped by a surveyor licensed in the state of Washington.
 - c. If one or more single family dwellings or other residential, commercial, or industrial structures exist on the sending site, the applicant(s) shall submit a site map showing the location of each dwelling unit and other structures.
 - d. If the applicant(s) propose to build one or more single family dwellings, or other residential structures permitted by the sending site zoning, following the issuance of TDR certificates for the sending site, the applicant(s) shall submit a general site plan showing the number and location of proposed dwelling units, together with any proposed subdivision, short subdivision, boundary line adjustment, or tax lot segregation.
3. A title report issued no longer than 30 days prior to the date of application confirming that the ownership interest(s) in the sending site are in the name(s) of the person(s) whose signature(s) appear on the application for TDR certificates and that there are no existing conservation easements on the sending site.
 4. A declaration by the applicant(s) describing the status of ongoing code enforcement actions, if any, relating to the sending site and the steps taken by the applicant to resolve the violations.
 5. Any applicable review or other fees.
 6. If the information required by this section is inadequate or unavailable, the department may require additional documentation from the applicant or rely on information contained in the county geographic information system or other county records.
- B. Certification of TDR Letter of Intent
1. Following application for TDR certificates by the sending site owner or authorized agent, staff shall verify the development right credit calculations prior to issuing a TDR Certificate Letter of Intent.
 2. The department will issue a TDR certificate letter of intent upon verification of sending site eligibility under this Chapter. The letter shall contain a determination of the number of development rights calculated for the sending site pursuant to 17.520.050 and an agreement by the department to issue a corresponding number of TDR certificates in exchange for a sending site conservation easement granted to the County by the sending site owner pursuant to 17.520.100. The sending site owner may use the TDR Certificate Letter of Intent to market sending site development rights to potential purchasers, but the TDR Certificate Letter of Intent shall have no intrinsic value and cannot be transferred or used to obtain increased density within receiving areas. A TDR Certificate Letter of Intent shall be valid for a period of five years from the date of issuance. If a TDR Certificate Letter of Intent has not been converted to serially numbered TDR certificates within five years from the date of issuance, the landowner must reapply to the program to update the determination of eligibility and calculation of development rights for the sending site.
 3. As provided by the TDR Certificate Letter of Intent, the department shall issue serially numbered TDR certificates to the sending site owner upon acceptance and recording of a County-approved conservation easement pursuant to the requirements of this section and 17.520.100; provided, however, that the department shall have 30 days from the date the conservation easement is offered by the sending site owner in which to conduct, at its discretion, a review of the sending site permit file and/or a site inspection. If, based on such a review, the department determines that conditions on the sending site are materially different than those documented in the application and county review under this section, the department shall reject the conservation easement and the TDR certificate Letter of Intent shall be null and void. Where a TDR certificate has been determined to be null and void pursuant to this subsection, a sending site owner may reapply for TDR certificates and such reapplications shall be subject to the requirements of this section.

17.520.100 Transfer of development rights (TDR) - conservation easement.

- A. TDR conservation easement required. No TDR certificates shall be issued pursuant to subsection 17.520.090 unless a conservation easement is accepted by the director pursuant to the requirements of this section.
- B. Acceptance and recording of TDR conservation easement. Subject to the restrictions of subsection 17.520.100.B.3, the director shall accept and sign on behalf of the county a conservation easement offered by a sending site owner in exchange for TDR certificates following issuance of a TDR Certificate Letter of Intent; provided, however, that the easement meets the requirements set forth in subsection 17.520.100.C of this section. Following acceptance of a conservation easement by the director, the department shall record the easement with the county auditor and shall notify the assessor.
- C. Requirements for TDR conservation easement. The conservation easement shall be on a form approved by the prosecuting attorney and shall be reviewed and approved by the department, subject to the requirements of this section. The easement shall contain, at a minimum, all of the following:
1. A legal description of the sending site.
 2. The serial numbers of the TDR certificates to be issued by the department on the sending site that is the subject of the conservation easement.
 3. A covenant prohibiting any subdivision of the sending site except for subdivisions, if any, that were proposed in the documentation submitted to the department pursuant to subsection 17.520.090.A.2.d
 4. A covenant prohibiting all uses that impair or diminish the functions and values of the property that comprise the public benefit being conserved, which, depending on the property will include the agricultural or forest use, and may include watershed function, habitat, or open space use, and prohibiting the construction of any new residential structures in the easement area.
 5. A covenant that all provisions of the conservation easement shall run with the land and bind the sending site in perpetuity, and may be enforced by the county.
 6. A statement that nothing in the restrictions shall be construed to convey to the public a right of access or use of the property and that the owner of the property, his or her heirs, successors and assigns shall retain exclusive rights to such access or use subject to the terms of the conservation easement.
 7. Additional provisions that are reasonably necessary for the enforcement and administration of the conservation easement as determined by the director, including a covenant granting the county a right of entry, subject to reasonable advance notice, to conduct brief inspections for the sole purpose of determining compliance with the requirements of the easement.

17.520.110 Transfer of development rights (TDR) - conveyance of certified development rights.

- A. Conveyance of certified development rights authorized. Subject to the requirements of this section, TDR certificates issued pursuant to subsection 17.520.090 may be sold or otherwise conveyed and held indefinitely before certified development rights are applied to a receiving site pursuant to 17.520.080.
- B. Deed of transferable development rights required. TDR certificates issued pursuant KCC 17.520.090 shall be sold or otherwise conveyed only by means of a deed of transferable development rights meeting the requirements of this section.
- C. Recording of deed and notice of transfer. At the time a TDR certificate is conveyed, the parties shall record the deed of transferable development rights documenting the conveyance. The department shall review and approve the deed of transferable development rights, subject to the requirements of this section, prior to its recording. Costs associated with the recordation shall be paid by the seller.
- D. Contents of deed. The deed of transferable development rights required by subsection B of this section shall specify the number of certified development rights sold or otherwise conveyed and shall be on a form provided by the department and approved by the prosecuting attorney. The deed of transferable development rights must include:

1. A legal description and map of the sending site.
2. The names of the transferor and the transferee and the serial number(s) of the TDR certificates being transferred.
3. A covenant that the transferor grants and assigns to the transferee a specified number of certified development rights from the sending site.
4. Proof of ownership of the sending site by the transferor or, if the transferor is not the owner of the sending site, a declaration that the transferor has either:
 - a. Sold the sending site but retained the TDR certificates issued for the sending site pursuant to 17.520.090; or
 - b. Obtained TDR certificates previously conveyed by an original deed of transferable development rights, which shall be identified by date of execution, the names of the original transferor and transferee, and the volume and page where it was recorded with the auditor.
5. Certification of the number of certified development rights on the sending site and copies of the TDR certificates issued by the department for the sending site pursuant to 17.520.090.
6. Proof of payment to the state of any required excise taxes and payment to the county of recording fees for the transaction.
7. Proof of the execution and recordation of a conservation easement on the sending site, as required by 17.520.100.
8. The signature of the department staff member(s) who have reviewed the deed for completeness.

17.520.120 Transfer of development rights (TDR) - application of TDR certificates to receiving sites and extinguishment of TDR certificates.

- A. Application to a TDR receiving site. TDR certificates shall be considered applied to a receiving site when the agency with jurisdiction has made a final decision approving the receiving site development activity for which the TDR certificates are provided.
- B. Effect of applying TDR certificates to a receiving site. TDR certificates that have been applied to a receiving site pursuant to subsection 17.520.120.A shall be considered void by the county and may not be applied to receiving sites pursuant to this chapter; provided, however, that if a decision approving a receiving site development activity is appealed, the TDR certificates provided in connection with that approval shall not be considered void under this section unless the decision approving the development activity is affirmed following the exhaustion of all administrative and judicial appeals.
- C. TDR extinguishment document required. Upon application to a receiving site pursuant to subsection 17.520.120.A, the applicant receiving approval of a receiving site development activity shall provide a TDR extinguishment document to the department. The TDR extinguishment document shall be on a form provided by the department and shall include the serial number of each TDR certificate that has been applied to a receiving site and the legal description of the receiving site to which the certificate(s) have been applied.

17.520.130 Reinstating development rights of a sending site.

Unless otherwise prohibited by the board of county commissioners in the annual Comprehensive Plan Amendment docketing resolution, properties that have transferred their development right to an approved receiving site and have been included in an urban growth area expansion through sub-area plan or similar area-wide planning effort may have their development right(s) reinstated for development at urban densities. The reinstatement shall be automatic after review and approval of the Comprehensive Plan Amendment and associated SEPA review.

Chapter 17.530 ADMINISTRATIVE CONDITIONAL USE PERMIT	(Formerly Chapter 17.420)
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Sections:

17.530.010 Purpose and applicability.

17.530.020 Administrative conditional use permit procedure.

17.530.030 Previous use approval.**17.530.035 Third party review.****17.530.040 Decision criteria – Administrative conditional use permit.****17.530.050 Revision of administrative conditional use permit.****17.530.060 (Repealed)****17.530.070 (Repealed)****17.530.080 Transfer of ownership.****17.530.090 Land use permit binder required.****17.530.100 Effect.****17.530.010 Purpose and applicability.**

The purpose of this chapter is to set forth the procedure and decision criteria for administrative conditional use permits. An administrative conditional use permit is a mechanism by which the county may place special conditions on the use or development of property to ensure that new development is compatible with surrounding properties and achieves the intent of the Comprehensive Plan. This chapter applies to each application for an administrative conditional use and to uses formerly permitted after site plan review.

17.530.020 Administrative conditional use permit procedure.

- A. The department may approve, approve with conditions, or deny an administrative conditional use permit through a Type II process as set forth in Title 21 of this code.
- B. Applications for an administrative conditional use permit shall contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.04.045.
- C. When an application is submitted together with another project permit application, the administrative conditional use permit shall be processed as set forth in Section 21.04.035.
- D. Upon a determination of a complete application, the director shall have fourteen calendar days to notify the applicant whether the application shall be reviewed administratively or by the hearing examiner at a scheduled public hearing. A public hearing will be required when a component of development located within a commercial zone involves the conversion of previously undeveloped land which abuts a residential zone. Further, the director may refer any proposal under this section to the hearing examiner for review and decision.

17.530.030 Previous use approval.

Where, prior to December 11, 2006, approval was granted for establishing or conducting a particular use on a particular site through a site plan review process, such previous review and use approvals are by this section declared to be continued as an administrative conditional use permit.

17.530.035 Third party review.

The director may require a third party review from a technical expert to provide information necessary to support an administrative decision. The expert will be chosen from a list of prequalified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the county and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

17.530.040 Decision criteria – Administrative conditional use permits.

- A. The department may approve, approve with conditions, or deny an administrative conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
 1. The proposal is consistent with the Comprehensive Plan;
 2. The proposal complies with applicable requirements for the use set forth in this code;
 3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity; and

4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. The department may impose conditions to ensure the approval criteria are met.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the administrative conditional use permit shall be denied.

17.530.050 Revision of administrative conditional use permits.

- A. Revision of an administrative conditional use permit or of conditions of permit approval is permitted as follows:
1. Minor revisions may be permitted by the department and shall be properly recorded in the official case file. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application; and
 2. Major revisions, including any requested change in permit conditions, shall be processed as a Type II application;
- B. Minor and major revisions are defined as follows:
1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval, including increases in gross floor area of no more than ten percent; and
 2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change whereby the character of the approved development will be substantially altered. A major revision exists whenever intensity of use is substantially increased, performance standards are reduced below those set forth in the original permit, detrimental impacts on adjacent properties or public rights-of-way are created or increased, including increases in trip generation of more than ten percent, or the site plan design is substantially altered.
 3. Any increase in vehicle trip generation shall be reviewed to determine whether the revision is major or minor. The traffic analysis shall be filed by the applicant at the same time as the request for revision. The traffic analysis will follow Traffic Impact Analysis guidelines as set forth in Chapter 20.04.

17.530.060 (Repealed)*

* **Editor's Note:** Former Section 17.530.060, "Vacation of administrative conditional use permit," was repealed by § 5(b) of Ord. 490 (2012). Section 110 (part) of Ord. 367 (2006) and § 188 of Ord. 415 (2008) were formerly codified in this section.

17.530.070 (Repealed)*

* **Editor's Note:** Former Section 17.530.070, "Revocation of permit," was repealed by § 5(c) of Ord. 490 (2012). Section 110 (part) of Ord. 367 (2006) and § 189 of Ord. 415 (2008) were formerly codified in this section.

17.530.080 Transfer of ownership.

An administrative conditional use permit runs with the land and compliance with the conditions of any such permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.

17.530.090 Land use permit binder required.

The recipient of an administrative conditional use permit shall file a land use permit binder on a form provided by the department with the county auditor prior to initiation of any further site work; issuance of any development/construction permits by the county; or occupancy/use of the subject property or the building thereon for the use/activity authorized, whichever comes first. The binder shall serve both as an

acknowledgment of and agreement to abide by the terms and conditions of the permit and as a notice to prospective purchasers of the existence of the permit.

17.530.100 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or other permit until such appeal has been heard and a decision rendered by the board of county commissioners.

Chapter 17.540 HEARING EXAMINER CONDITIONAL USE PERMIT (Formerly Chapter 17.421)

Sections:

17.540.010 Purpose and applicability.**17.540.020 Hearing examiner conditional use permit procedure.****17.540.025 Third party review.****17.540.030 Decision criteria – Conditional use permit.****17.540.040 Revision of hearing examiner conditional use permits.****17.540.050 Vacation of hearing examiner conditional use permit.****17.540.060 Revocation of permit.****17.540.070 Transfer of ownership.****17.540.080 Land use permit binder required.****17.540.090 Effect.****17.540.010 Purpose and applicability.**

The purpose of this chapter is to set forth the procedure and decision criteria for conditional use permits applications. A conditional use permit is the mechanism by which the county may gather input through an open record hearing and place special conditions on the use or development of land. The provisions of this chapter apply to hearing examiner conditional use permit applications.

17.540.020 Hearing examiner conditional use permit procedure.

- A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit through a Type III process as set forth in Title 21 of this code.
- B. Applications for a hearing examiner conditional use permit shall contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.04.045.
- C. When an application is submitted together with another project permit application, the hearing examiner conditional use permit shall be processed as set forth in Section 21.04.035.

17.540.025 Third party review.

The director may require a third party review from a technical expert to provide information necessary to prepare a staff recommendation to the hearing examiner. The expert will be chosen from a list of pre-qualified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the county and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

17.540.030 Decision criteria – Conditional use permit.

- A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
 1. The proposal is consistent with the Comprehensive Plan;
 2. The proposal complies with applicable requirements of this title;
 3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
 4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. As a condition of approval, the hearing examiner may:
 1. Increase requirements in the standards, criteria, or policies established by this title;
 2. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion, landslides, or traffic;

3. Require structural features or equipment essential to serve the same purpose set forth in Chapter 17.420;
 4. Include requirements to improve compatibility with other uses permitted in the same zone protecting them from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards, and similar matters. The hearing examiner may not, in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of this title in matters for which a variance is the remedy provided;
 5. Assure that the degree of compatibility with the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses, within the general area in which the use is proposed to be located;
 6. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazard or public need;
 7. Require the posting of construction and maintenance bonds or other security sufficient to secure to the county the estimated cost of construction and/or installation and maintenance of required improvements; and
 8. Impose any requirement that will protect the public health, safety, and welfare.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the conditional use permit shall be denied.

17.540.040 Revision of hearing examiner conditional use permits.

- A. Revision of a hearing examiner conditional use permit or conditions of permit approval is permitted as follows:
1. Minor Revisions. Minor revisions may be permitted by the department. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application
 2. Major revisions, including any requested change in permit conditions, shall be processed as a Type III application.
- B. Minor and major revisions are defined as follows:
1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the prior approval, including dimensional or gross floor area increases of less than ten percent; and
 2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change whereby the character of the approved development will be substantially altered. A major revision exists whenever intensity of use is substantially increased, performance standards are reduced below those set forth in the original permit, detrimental impacts on adjacent properties or public rights-of-way are created or substantially increased, including increased trip generation of ten percent or more, or the site plan design is substantially altered, including dimensional or gross floor area increases of ten percent or more.

17.540.050 Vacation of hearing examiner conditional use permit.

- A. Any conditional use permit issued pursuant to this chapter may be vacated by the current landowner upon county approval; provided, that:
1. The use authorized by the permit does not exist and is not actively being pursued; or
 2. The use has been terminated and no violation of the terms and the conditions of the permit exists.
- B. Landowner request for vacation of a conditional use permit shall be conducted as set forth in Title 21 of this code.

17.540.060 Revocation of permit.

Any revocation proceeding shall be conducted in accordance with Chapter 17.590.

17.540.070 Transfer of ownership.

A conditional use permit runs with the land and compliance with the conditions of any such permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.

17.540.080 Land use permit binder required.

The recipient of any conditional use permit shall file a land use permit binder on a form provided by the department with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the conditional use permit and as a notice to prospective purchasers of the existence of the permit.

17.540.090 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or other permit until such appeal has been heard and a decision rendered by the board of county commissioners.

Chapter 17.550 INTERPRETATIONS AND EXCEPTIONS	(Formerly Chapter 17.455)
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Sections:

17.550.010 Director authority to issue administrative decisions.

17.550.060 (Repealed)

17.550.080 Pending long or short subdivisions.

17.550.090 Temporary permits.

17.550.100 Number of dwellings per lot.

17.550.110 Obnoxious things.

17.550.120 Existing lot aggregation for tax purposes.

17.550.010 Director authority to issue administrative decisions.*

It shall be the responsibility of the director himself/herself to interpret ambiguous and/or conflicting code and apply the provisions of this title, Kitsap County County-wide Planning Policies, Kitsap County Comprehensive Plan and applicable sub-area plans.

At the request of the applicant, in writing, the director may also authorize a variation of up to ten percent of any numerical standard, except density, when unusual circumstances cause undue hardship in the strict application of this title; provided, such a variance shall be approved only when all of the following conditions and facts exist:

- A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply to other property in the same vicinity or zone;
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;
- C. The authorization of such 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
- D. The variance is the minimum necessary to grant relief to the applicant.
- E. An approved variance shall become void in three years if a complete application has not been received. The director's response, including findings for granting the variation, shall be in writing and kept in the department files.

* **Editor's Note:** Former subsections (A), (B), (D) and (E) of this section were repealed by § 5(d) of Ord. 490 (2012).

17.550.060 (Repealed)*

* **Editor's Note:** Former Section 17.550.060, "Existing uses," was repealed by § 5(e) of Ord. 490 (2012). Section 4 (part) of Ord. 216 (1998), § 2 (part) of Ord. 234 (1999) and § 214 of Ord. 415 (2008) were formerly codified in this section.

17.550.080 Pending long or short subdivisions.

Nothing herein shall require any change in the location, plans, construction, size or designated use of any residential plat, for which preliminary official approval has been granted prior to the adoption of this title.

17.550.090 Temporary permits.

The director may approve temporary permits, with conditions to mitigate negative impacts, valid for a period of not more than one year after issuance, for temporary structures or uses which do not conform to this title.

Upon the expiration of the temporary permit, the applicant shall have thirty days within which to remove and/or discontinue such temporary use structure.

Upon approval, temporary permits may be issued for the following uses or structures:

- A. Storage of equipment and materials during the building of roads or other developments;
- B. Temporary storage of structures for the housing of tools and supplies used in conjunction with the building of roads or other developments;
- C. Temporary office structures;
- D. Temporary housing/construction living quarters for personnel such as watchmen, labor crews, engineering, and management; provided:
 1. The building permit for the primary structure must have been issued;
 2. The temporary dwelling must not be permanently placed on the site;
 3. The temporary dwelling must meet the setback requirements of the zone in which it is located; and
 4. For the purpose of constructing a single-family dwelling, temporary living quarters (for example, a recreational vehicle) may be permitted only in conjunction with a stick frame structure. This permit will remain active as long as the building permit for the single-family dwelling remains active.
- E. Use of equipment essential to and only in conjunction with the construction or building of a road, bridge, ramp, dock, and/or jetty located in proximity to the temporary site; provided, that the applicant shall provide a construction contract or other evidence of the time period required to complete the project; and provided further, that the following equipment shall be considered essential to and in conjunction with such construction projects:
 1. Portable asphaltic concrete-mixing plants.
 2. Portable concrete-batching plants.
 3. Portable rock-crushing plants.
 4. Accessory equipment essential to the use of the aforementioned plants.
- F. Temporary uses and structures otherwise permitted within the zone which will remain up to one hundred eighty days on an existing lot or parcel where compliance with an administrative conditional use permit and landscaping requirements are impractical.
- G. Temporary uses and structures not specified in any zone classification subject to applicable provisions of the Kitsap County Code; provided, that such uses and structures may not be approved by the director for a period greater than ninety days.
- H. The occupancy of a recreational vehicle (RV) for a period not to exceed three months subject to the following conditions:
 1. The subject property must be located in the Rural Wooded (RW), Rural Protection (RP), or Rural Residential (RR) zones;
 2. The RV must be occupied by the property owner or family member;
 3. The RV must be provided with approved utilities including septic or sewer (health district approval), water, and electrical power;
 4. The location of the RV must meet all setbacks required by the underlying zone;
 5. The director may impose additional conditions as appropriate to ensure that the RV use is compatible with the surrounding properties;
 6. The minimum RV size shall be two hundred square feet; and
 7. A permit will be required each time the RV is placed on a parcel. If the RV is placed on the same parcel each year the application fee will be half of the initial fee.
- I. Placement of a storage container on a property developed with single-family dwelling or properties with an active building permit for construction of a residential or commercial building is subject to the following conditions:
 1. The container must meet all applicable setbacks for the zone; and
 2. The storage container may not be placed on site for more than ninety days; however, in instances where a building permit for a single-family dwelling or commercial development is active, the

container may remain on site until thirty days after the permit expires or receives final inspection/certificate of occupancy.

17.550.100 Number of dwellings per lot.

Except as provided for elsewhere in this title, there shall be no more than one dwelling unit per lot.

17.550.110 Obnoxious things.

In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one foot candle of illumination may leave the property boundaries.

17.550.120 Existing lot aggregation for tax purposes.

For the purposes of this title, parcels which have been aggregated by the county for tax purposes shall be considered separate legally existing lots of record.

Chapter 17.560 NONCONFORMING USES, STRUCTURES AND USE OF STRUCTURES (Formerly Chapter 17.460)
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Sections:

17.560.010 Purpose.

17.560.015 Extensions.

17.560.020 Nonconforming uses of land.

17.560.030 Application for change of nonconforming uses of land.

17.560.040 Nonconforming structures.

17.560.050 Nonconforming uses of structures.

17.560.010 Purpose.

Within the zoning districts established by this title or any amendment later adopted, there may exist uses of land and/or structures that were lawful before the effective date of the applicable regulations, but which would be restricted, regulated or prohibited under the terms of this title or future amendment. Except as specifically allowed by this chapter, this chapter is intended to permit these nonconformities to continue until they are removed or discontinued.

17.560.015 Extensions.

As to time frames noted in this chapter, the director may extend time frames on a case-by-case basis where such time frames cannot be met. If the director extends the schedule and/or imposes deadlines other than are set forth in this chapter, he must make the following findings: (A) the reason for the required change is due to circumstances beyond the control of the applicant; (B) the change is the minimum necessary required to meet the conditions of this chapter; and (C) the change in time does not exceed the original time frame or deadline by more than twelve months. The decision of the director shall be considered a Type II decision and may be appealed to the hearing examiner.

17.560.020 Nonconforming uses of land.

Where a lawful use of land exists that is not allowed under current regulations, but was allowed when the use was initially established, that use may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming use.

- A. Unless specifically stated elsewhere in this title, if a nonconforming use not involving a structure has been changed to a conforming use, or if the nonconforming use ceases for a period of twenty-four months or more, said use shall be considered abandoned, and said premises shall thereafter be used only for uses permitted under the provisions in the zone in which it is located.
- B. A nonconforming use not involving a structure, or one involving a structure (other than a sign) having an assessed value of less than \$200.00, shall be discontinued within two years from the date of passage of the ordinance codified in this title.
- C. If an existing nonconforming use or portion thereof, not housed or enclosed within a structure, occupies a portion of a lot or parcel of land on the effective date hereof, the area of such use may not be expanded, nor shall the use or any part thereof, be moved to any other portion of the property not historically used or occupied for such use; provided, that this shall not apply where such increase in area is for the purpose of increasing an off-street parking or loading facility to the area used by the activity carried on in the property; and provided further, that this provision shall not be construed as permitting unenclosed commercial activities where otherwise prohibited by this title.

17.560.030 Application for change of nonconforming uses of land.

The director may grant an application for a change of use to another nonconforming use if, on the basis of the application and the evidence submitted, the director makes the following findings:

- A. That the proposed use is classified in a more restrictive category than existing or preexisting uses by the zone regulations of this title. The classifications of a nonconforming use shall be determined on the basis of the zone in which it is first permitted; provided, that a conditional use shall be a more restrictive category than a permitted use in the same category.

- B. That the proposed use will not more adversely affect the character of the zone in which it is proposed to be located than the existing or preexisting use.
- C. That the change of use will not result in the enlargement of the space occupied by a nonconforming use, except as allowed by Section 17.560.020(C).
- D. The decision of the director shall be considered a Type II decision and may be appealed to the hearing examiner.

17.560.040 Nonconforming structures.

When, before the effective date of the adoption or amendment of the applicable regulation, a lawful structure existed that would not be permitted by the regulations thereafter imposed by this title, or amendments thereof, the structure may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming structure.

- A. A structure nonconforming to the dimensional standards of this title may not be altered or enlarged in any manner unless such alteration or enlargement would bring the structure into conformity with the requirements of the zone in which it is located; provided structural change may be permitted when required to make the structure safe for occupancy or use, provided structural enlargements may be allowed in conformity with the setback requirements of the zone in which it is located, and provided structural enlargements may be allowed if they would not further violate setback requirements; and provided further, that a nonconforming mobile home may be replaced notwithstanding the setback and density provisions of this title, so long as the structure does not further encroach upon any required yard.
- B. If a nonconforming structure is destroyed by any cause, it shall be allowed to be reconstructed as a nonconforming structure up to the same size (total square footage of structure, square foot of footprint of the building and height) and appearance; provided, however, the director has the discretion to allow a different appearance if he finds that it would be more compatible with the zone in which it is located. A complete application for such reconstruction must be filed with the department within a one-year period from the date the structure was destroyed.
- C. A mobile home and/or single-family residence located on a legal nonconforming lot may be replaced if destroyed.
- D. Notwithstanding the foregoing provisions, if a nonconforming structure presents a public health, safety or welfare hazard, it may not be considered a legal nonconforming structure.

17.560.050 Nonconforming uses of structures.

When, before the effective date of the adoption or amendment of the applicable regulation, a lawful use of a structure existed that would not be permitted by the regulations thereafter imposed by this title, or amendments thereof, the use of the structure may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming use of structure.

- A. Continuation of Nonconforming Use. Any nonconforming use of a structure which was lawfully established and which has been lawfully, actively and continually maintained, may be continued subject to the limitations of this section. In all proceedings other than criminal, the owner, occupant or user shall have the burden to show that the use or structure was lawfully established.
- B. Change of Nonconforming Use. A nonconforming use may be changed to another nonconforming use so long as no structural alterations are needed to the structure in which the use is located, and provided the new use is a reduction in the nonconformity and intensity of the existing nonconforming use. Such determination shall be made by the director as a Type II decision and may be appealed to the hearing examiner.
- C. Expansion of Nonconforming Use. A nonconforming use shall not be enlarged or expanded; provided, the structure containing the nonconforming use may be structurally altered to adapt to new technologies or equipment. A nonconforming use of a structure may be extended throughout those parts of a structure which were designed or arranged to such use prior to the date when such use of the structure became nonconforming; provided, that no structural alteration, except those required by the law, are made.

- D. Destruction of Nonconforming Use of Structure. If any nonconforming use of structure is destroyed by any cause, it shall be allowed to be reconstructed as a nonconforming structure up to the same size (total square footage of structure, square foot of footprint of the building and height) and appearance; provided, however, the director has the discretion to allow a different appearance if he finds that it would be more compatible with the zone in which it is located. A complete application for such reconstruction must be filed with the department within a one-year period from the date the structure was destroyed.
- E. Discontinuance of Nonconforming Use of Structures. Any nonconforming use of structure for which the use or occupancy is discontinued for a period of twenty-four months shall not thereafter be allowed as a nonconforming use of structure.

Chapter 17.570 VARIANCES**(Formerly Chapter 17.500)**

Sections:

17.570.010 Conditions for granting a variance.**17.570.020 Application.****17.570.030 Investigation and report.****17.570.040 Public hearing and notice.****17.570.050 Action by hearing examiner.****17.570.060 Appeal.****17.570.070 Effect.****17.570.080 Expiration.****17.570.010 Conditions for granting a variance.**

The hearing examiner may permit and authorize a variance of any numerical standard, excluding housing density, from the requirements of this title only when unusual circumstances relating to the property cause undue hardship in the application of this title. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the following conditions and facts exist:

- A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone;
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;
- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located; and
- D. The variance is the minimum necessary to grant relief to the applicant.

17.570.020 Application.

A request for a variance may be initiated by a property owner or his authorized agent by filing an application with the director. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The director may request other drawings or material essential to an understanding of the proposed use and its relationship to the surrounding properties.

17.570.030 Investigation and report.

The director shall make an investigation of the application and shall prepare a report thereon. The report shall be transmitted to the applicant, representative(s) and hearing examiner in a manner consistent with Title 21 of this code prior to the public hearing. The report shall also be made available for public inspection, at the department of community development, at least five working days prior to the public hearing.

17.570.040 Public hearing and notice.

Variance applications shall be considered by the hearing examiner at public hearing as provided for in Title 21 of this code. Public notice shall be given as provided for in Title 21.

17.570.050 Action by hearing examiner.

The hearing examiner shall render a decision on the variance application as provided for in Title 21 of this code. The decision is final unless appealed.

17.570.060 Appeal.

The hearing examiner's decision on a variance may be appealed as provided for in Title 21 of this code.

17.570.070 Effect.

In any case where a variance is granted under the terms of this title, no building or other permit shall be issued until after the end of the appeal period allowed to appeal the hearing examiner's decision. An appeal of the decision shall automatically stay the issuance of a building or other permit until such appeal has been completed.

17.570.080 Expiration.

A variance shall become void three years after approval if no substantial construction or activity has taken place.

Chapter 17.580 APPEALS**(Formerly Chapter 17.520)**

Sections:

17.580.010 Procedure.**17.580.010 Procedure.**

All appeals shall follow the process outlined in Title 21, Land Use and Development Procedures.

Chapter 17.590 REVOCATION OF PERMITS OR VARIANCES**(Formerly Chapter 17.525)**

Sections:

17.590.010 Revocation for noncompliance with conditions.**17.590.020 Public hearing and public notice.****17.590.010 Revocation for noncompliance with conditions.**

Any master plan, performance based development permit, administrative conditional use permit, hearing examiner conditional use permit, or variance granted in accordance with the terms of this title, may be revoked if any of the conditions or terms of such permit or variance are violated, or if any law or ordinance is violated in connection therewith. If, after notice and hearing, a performance based development permit is revoked for a substantial violation of any of its conditions, the board of county commissioners may reconsider any zone change granted in connection with the performance based development, and restore the zoning existing prior to the permit notwithstanding improvements constructed prior to such revocations; but any such proposed change of zone shall follow the procedures otherwise specified herein for zone changes.

17.590.020 Public hearing and public notice.

The hearing examiner shall hold a public hearing on any proposed revocation after giving written notice to the permittee and to other owners of property consistent with Title 21 of this code.

Chapter 17.600 ENFORCEMENT**(Formerly Chapter 17.530)**

Sections:

17.600.010 Authorization.**17.600.020 Penalties.****17.600.030 Nuisance.****17.600.040 Permit or license in violation.****17.600.050 Written assurance of discontinuance.****17.600.010 Authorization.**

The director is authorized to enforce this title, and to designate county employees as authorized representatives of the department to investigate suspected violations of this title, and to issue orders to correct violations and notices of infraction.

17.600.020 Penalties.

The violation of any provision of this title shall constitute a Class I civil infraction. Each violation shall constitute a separate infraction for each and every day or portion thereof during which the violation is committed, continued or permitted. Infractions shall be processed in accordance with the provisions of the adopted Kitsap County Civil Enforcement Ordinance (Chapter 2.116 of this code).

17.600.030 Nuisance.

Any use, building or structure in violation of this title is unlawful, and a public nuisance. Notwithstanding any other remedy or means of enforcement of the provisions of this title, including but not limited to Kitsap County Code Chapter 9.56 pertaining to the abatement of public nuisances, the prosecuting attorney, any person residing on property abutting the property with the proscribed condition, and the owner or owners of land abutting the land with the proscribed condition may each bring an action for a mandatory injunction to abate the nuisance in accordance with the law. The costs of such a suit shall be taxed against the person found to have violated this title.

17.600.040 Permit or license in violation.

Any permit or license issued by the county which was not in conformity with provisions of the Zoning Ordinance then in effect is null and void.

17.600.050 Written assurance of discontinuance.

The director may accept a written assurance of discontinuance of any act in violation of this title from any person who has engaged in such act. Failure to comply with the assurance of discontinuance shall be a further violation of this title.