



Staff Report and Administrative Decision

Report Date: February 7, 2017

Application Submittal Date: December 14, 2016 **Application Complete Date:** December 20, 2016

To: Dorrie & Timothy Strader, dorriestrader@comcast.net
Interested Parties and Parties of Record

RE: Permit Number: 16 05510
Project Name: Kitsap Realty
Type of Application: Home Business

Decision Summary:

Request approved, subject to conditions

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

The written appeal shall be made on, or attached to, an appeal form found on DCD's website:
<http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

Project Request:

The applicant has applied for a moderate home business permit to operate a real estate office in an 822 square foot detached structure. The home business hours will be by appointment only, seven days a week, with the majority of client meetings being conducted off-site. No more than five employees including the applicant are proposed, with two to three of those employees working on-site.

Project Location:

202 NW Thompson Road
Poulsbo, WA 98370
North Kitsap County
Commissioner District #1

Assessor's Account #:

032601-4-043-2003

Applicant/Owner of Record:

Timothy J & Dorrie D Strader
202 NW THOMPSON RD
POULSBO, WA 98370

SEPA (State Environmental Policy Act):

Pursuant to Washington Administrative Code (WAC) 197-11-800(2), this proposal is SEPA exempt.

Physical Characteristics:

The subject property is a 9.18 acre rectangular property located off of NW Thompson Road in North Kitsap County. The developed area is relatively flat, sloping slightly south to north with the north half of the property being encumbered by wetlands. The southern portion of the property is developed with a single family residence which was completed in 2014 and a detached office building currently under construction (permit # 16 02204).

Comprehensive Plan Designation and Zoning:

The Comprehensive Plan designation is Rural. The zoning is Rural Residential (RR).

Base/Maximum Density: Not Applicable

- Minimum Lot Area - 5 acres for newly created lots (this is an existing lot)
- Minimum Lot Width - 140 feet
- Minimum Lot Depth - 140 feet
- Maximum Height - 35 feet

Standard Zoning Code Setbacks

- Front - 50 feet
- Side - 5 feet for accessory structures
- Rear - 5 feet for accessory structures

Surrounding Land Use and Zoning:

The surrounding properties to the west of Highway 3 are located within unincorporated Kitsap County and are predominately zoned Rural Residential (RR). The properties immediately east are located within the Poulsbo Urban Transition Area and include Light Industrial (LI) zoning. Further east the properties transition to Rural Protection (RP) zoning. Properties to the south are located within the city limits of Poulsbo. Properties in the vicinity are undeveloped, developed with a single family residences or industrial uses. Snyder Park ball field, a Kitsap County park, is located east of Highway 3.



Public Utilities and Services:

Water: Private two-party well
Power: Puget Sound Energy
Sewer: Private septic
Police: Kitsap County Sheriff
Fire: Kitsap County Fire District 18
Schools: North Kitsap School District 400

Access:

Access to the site is off of NW Thompson Road, a maintained, paved county road.

Policies and Regulations Applicable to the Subject Proposal:

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

Kitsap County Comprehensive Plan
Adopted June 30, 2016

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

Economic Development Goals and Policies:

Economic Development Goal 1 – Promote a healthy and diverse economy that provides for a strong and divers tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business in Kitsap County.

Economic Development Policy 3

Provide a diverse mix and appropriate range of commercial, industrial and business land uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.

Land Use Goals and Policies:

Land Use Goal 14 – Foster rural businesses and business opportunities on designated commercial and industrial lands in the rural area, while balancing protection of rural character.

Land Use Policy 59

Allow or conditionally allow home-based cottage-type business and industries in the rural areas that do not negatively affect rural level of service or rural character.

The County's development regulations are contained within the Kitsap County Code (KCC). The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

- Title 12 Storm Water Drainage
- Title 13 Water and Sewers
- Title 14 Buildings and Construction
- Title 17 Zoning
- Chapter 20.04 Transportation Facilities Concurrency Ordinance
- Chapter 21.04 Land Use and Development Procedures

Documents Consulted in the Analysis:

Applicant submittals:

<u>Document</u>	<u>Dated or date stamped</u>
Health District Building Clearance	December 14, 2016
Home Business Application	December 14, 2016
Site Plan	December 14, 2016
Final Health District Approval	January 18, 2017

Staff communication:

<u>Document</u>	<u>Dated or date stamped</u>
None received to date	

Public comments:

None received to date.

Analysis:

Land Use and Zoning

A Home Business within the Rural Residential (RR) zone requires an administrative conditional use permit as specified in KCC Table 17.410.040 (A) Rural, Resource and Urban Residential Zones, subject to footnotes 1 and 52. Footnote 1 indicates a home business is subject to compliance with Section 17.410.060 provisions applying to special uses. Footnote 52 refers to aggregate extraction facilities and is not applicable. KCC 21.04.100 includes a specialized permit for home businesses. This request was processed as a home business permit in accordance with KCC Title 21.

Moderate Home Business Standards

Moderate home businesses are required to meet the provisions in KCC 17.410.060.(B)(1)(c) – Moderate home business shall be permitted in RW, RP, and RR zones subject to approval by the director. Criteria from KCC 17.410.060(B)(1)(c) are listed below (*italics*), with a discussion of the individual standard immediately following:

- i. Business uses shall be incidental and secondary to the dominant residential use;*

The nature and extent of the expected business activity will be relatively minimal. Therefore, the business use is expected to be incidental and secondary to the 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;

Business activities are limited to client meetings by appointment only and clerical/office work by employees. No outdoor storage or outdoor activities are proposed. No outside appearance of a business is anticipated.

iii. *The residence shall be occupied by the owner of the business;*

The owner of the business, Dorrie Strader, resides in the single family residence located on the subject property. Dorrie and Timothy Strader are the taxpayers of record.

iv. *The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;*

Based on the project proposal this business is not expected to adversely impact neighboring residents or keep them from enjoying the peaceful occupancy of their homes. All business activities will take place indoors and all parking is on-site.

v. *No more than five employees (or independent contractors) are allowed;*

No more than five employees are proposed or authorized.

vi. *Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;*

A sign permit (16 05513) has been issued for this home business.

vii. *In order to ensure compatibility with the dominant residential purpose, the director may require:*

(a) *Patronage by appointment.*

Patronage is by appointment only.

(b) *Additional off-street parking.*

KCC 17.190.030 requires 1 space per every 300 square feet of professional office space ($822/300 = 2.74$ rounded to 3). The applicant has proposed 4 parking spaces.

(c) *Screening of outside storage.*

No outside storage is proposed or authorized.

(d) *A conditional use permit (required for engine or vehicle repair or servicing).*

No engine or vehicle repair or servicing is proposed or authorized, therefore, no conditional use permit is required.

(e) *Other reasonable conditions.*

Sixteen (16) conditions of approval are included later in this report.

Setbacks

The home business will be conducted entirely within an accessory structure. The setbacks for the accessory structure were determined during building permit approval. The structure and associated off-street parking comply with the required setbacks for the zone which are noted earlier in this report.

Access, Roads and Traffic

No comments or conditions received.

Kitsap County Health District

The Kitsap County Health District reviewed the home business application and noted that the home business application was consistent with a building clearance they approved on August 8, 2016. No additional comments or conditions were received.

Findings:

1. The Director has review authority for this home business permit application under KCC 21.04.100
2. The proposal is consistent with the Comprehensive Plan.
3. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provision of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. 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.

Decision:

Based upon the above findings, the moderate home business permit request for Kitsap Realty is **approved**, subject to the following conditions:

1. The home business permit is not transferable to any individual, future property owner or location.
2. The business shall be incidental and secondary to the dominant residential use.
3. 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.

4. The residence shall be occupied by the owner of the business.
5. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes.
6. No more than five employees (including proprietors and/or independent contractors) are allowed.
7. Signage is limited to one non-illuminated sign not to exceed four square feet subject to a sign permit approved by the director.
8. No outside business storage shall be allowed.
9. All business patronage shall be by appointment only.
10. Hours of operation are 9:00 AM to 6:00 PM, 7 days a week, by appointment only.
11. A minimum of three parking spaces shall be provided for the business.
12. The business shall comply with all applicable Health District requirements.
13. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
14. The decision set forth herein is based upon representations made and exhibits contained in the file. Any substantial change(s) or deviation(s) in such plans, proposals or conditions of approval imposed shall be subject to further review and approval of the County.
15. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
16. Any violation of the conditions of approval shall be grounds to initiate revocation of this moderate home business permit.

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

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.



Holly Roberts, Staff Planner

2/7/2017
Date

 *For*

Scott Diener, Development Services and Engineering Manager

2/7/17
Date

CC: Interested Parties: None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Holly Roberts
DCD File 16 05510
DCD Building Permit File 16 02204

