



## Notice of Administrative Decision

Date: 04/20/2018

To: **Bubba's Country Cue, talesofrlc@msn.com**  
**Cynthia Smith and Raymond Idell**

RE: **Permit Number: 18-00271**  
**Project Name: Bubba's Country Cue**  
**Type of Application: Home Business**

**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: <https://www.kitsapgov.com/dcd/FormsandBrochures/Appeals.pdf>.

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](mailto: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.



## Staff Report

Report Date: April 13, 2018

Application Complete Date: January 23, 2018      Application Submittal Date: January 22, 2018

**To:** Raymond L. Idell, talesofrlc@msn.com

**RE: Permit Number:** 18-00271  
**Project Name:** Bubba's Country Cue  
**Type of Application:** Home Business

**Project Request:**

The applicant is requesting a Home Business Permit to operate a catering business from an 864-square foot detached accessory building on the applicant's property. Approximately 550 square feet will be used as the catering business warehouse, including the storage of catering equipment and supplies, smokers, chaffing tables, pans & racks. The kitchen area will contain approximately 250 square feet of prep and baking area with a cleaning/sanitation area for pots, pans, and serving ware.

All catering service off-site. Food is prepared and cooked on-site at the catering event venue.

No employees or proprietors other than applicant are proposed.

**Project Location:**

31999 Salsbury Hill PL NE  
Poulsbo, WA 98370

**Assessor's Account #:**

072702-2-016-2004

**Applicant/Owner of Record:**

Raymond Idell & Cynthia Smith

**SEPA (State Environmental Policy Act):**

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

**Physical Characteristics:**

The property is a 2.57-acre parcel developed with a single-family residence, and a detached 864-square foot accessory structure. All access, driveway, and parking areas are also existing. The site is heavily vegetated which provides a screening buffer from the adjacent parcels to the west and south. There are mapped moderate hazards slopes on the property.

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**Comprehensive Plan Designation and Zoning:**

The comprehensive Plan designation is Rural Residential and the Zoning designation is Rural Residential.

Base/Maximum Density: 1 dwelling unit per 5 acres  
Minimum Lot Area: 5 acres for newly created lots  
Minimum Lot Width: 140 feet  
Minimum Lot Depth: 140 feet  
Maximum Height: 35 feet

**Standard Zoning Setbacks**

Front 50 feet  
Side 20 feet  
Rear 20 feet

**Surrounding Land Use and Zoning:**

The surrounding area is zoned Rural Residential. Surrounding properties are developed with single-family residences.

**Public Utilities and Services:**

Water: Bridgeview Water  
Power: Puget Sound Energy  
Sewer: Septic  
Police: Kitsap County Sheriff  
Fire: Kitsap County Fire District 18  
Schools: North Kitsap School District 400

**Access:**

The parcel accesses from Salsbury Hill Place NE.

**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 Developments Goal 1 – Promote a healthy and diverse economy that provides for a strong and diverse tax base, encourages business formation, retention, and expansion;

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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 business 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:

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 18.04 State Environmental Policy Act (SEPA)
- 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>
Home Business Application	January 22, 2018
Approved Building Clearance	May 19, 2017
Site Plan	May 19, 2017

**Public comments:**

As of the date of this report, no public comments have been received.

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**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 businesses shall be permitted in RW, RP, RR zones and 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 use shall be incidental and secondary to the dominant residential use;

**Staff Response:**

*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;

**Staff Response:**

*Business activities are limited to food preparation and storage of catering equipment. No clients or customer come to the business. Business is conducted entirely within the accessory structure, and off site at catering events. No outside storage or outdoor activities are proposed. No outward appearance of a business is anticipated.*

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

**Staff Response:**

*The applicant, Raymond Idell, is the property owner. The applicant resides at the location, it is his primary residence.*

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

**Staff Response:**

*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.*

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

Staff Response:

*No employees are proposed, the owner is the sole proprietor.*

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

Staff Response:

*No signage is proposed for this home business.*

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

- (a) Patronage by appointment

*No customers will come to the site.*

- (b) Additional off-street parking.

*The applicant has an existing driveway that can accommodate the parking required for the single-family residence (3 spaces required) and the 1 additional space required for the home business.*

- (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 is proposed or authorized, therefore, no conditional use permit is required.*

- (e) Other reasonable conditions,

*Conditions of approval are included later in this report.*

**Lighting**

No outdoor lighting is proposed or authorized.

**Landscaping**

Kitsap County Code 17.500.100 exempts single family lots from landscaping requirements

**Environmental**

This proposal was reviewed for compliance with applicable code requirements as they relate to environmental regulation. All proposed activities will occur inside existing structures. No proposed new hard surfaces or other impacts were identified.

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**Signage**

No signs proposed for the home business. One sign of no more than four square feet is allowed, subject to a sign permit.

**Kitsap County Health District**

The Kitsap County Public Health District reviewed the home business request and proposal and the approved application with no conditions.

**Stormwater**

All hard surface areas exist and have been mitigated through previous building permits. No additional clearing or creation of hard surfaces is proposed.

**Solid Waste**

Home business will use existing solid waste disposal method associated with the existing residence.

**Fire Flow**

Class 2 type Hood is to be installed for commercial kitchen type operation (non-grease vapor). If any oil or grease is incorporated with proposed cooking, code would require a type 1 hood system.

Portable fire extinguishers shall be provided within a 30-foot travel distance of commercial-type cooking equipment.

**Traffic**

No customer or delivery traffic to the site; the only traffic increase would be for proprietor to travel to offsite catering sites.

**Access, Roads and Traffic**

The parcel takes direct access from Salsbury Hill Pl. NE.

An application for concurrency test was submitted with the project application and has been reviewed and approved by Public Works. They noted an estimated 10 additional average daily trips (ADT) in Traffic Analysis Zone (TAZ) 8. No employees or clients. Valid for 5 years.

**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 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,

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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 immediate vicinity.

**Decision:**

Based upon the above findings, the moderate home business permit Bubba's Country Cue 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.
8. No outside business storage shall be allowed.
9. All business patronage shall be by appointment only.
10. A minimum of one parking space shall be provided for the business.
11. The business shall comply with all applicable Health District requirements.
12. 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 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.
13. The decision set forth herein is based upon representations made and exhibits contained in the file. Any substantial change(s) or deviation in such plans, proposals or conditions of approval imposed shall be subject to further review and approval of the County.
14. The authorization granted herein is subject to all applicable federal, state, and local

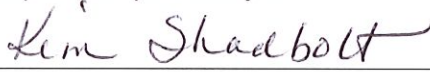


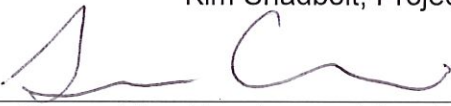
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laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approval. By accepting this approval, the applicant represents that 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.

- 15. Any violation of the conditions of approval shall be grounds to initiate revocation of the moderate home business permit.
- 16. An occupancy permit is required prior to occupancy/operation.
  - a. A Type 2 class hood is required for commercial kitchen operations w/o grease or oil. Mechanical permit required.
  - b. Portable fire extinguishers shall be provided within a 30-foot travel distance of commercial-type cooking equipment.

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](mailto: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.

  
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 Kim Shadbolt, Project Lead

  
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 Shawn Aire, Development Services and  
 Engineering Supervisor

4-13-18  
 \_\_\_\_\_  
 Date

4/13/18  
 \_\_\_\_\_  
 Date

CC: Interested Parties:  
None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD File #18-00271

Attachments:  
Site Plan

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**Site Plan:**

