

Ordinance No. ____ - 2022

**ORDINANCE AMENDING KITSAP COUNTY CODE TITLE 17 (ZONING) RELATED
TO USE TABLES AND ASSOCIATED AMENDMENTS**

BE IT ORDAINED:

**Section 1: General Findings. The Kitsap County Board of Commissioners (Board) makes
the following findings:**

1. Kitsap County is subject to the requirements of the Washington State Growth Management Act (GMA), Chapter 36.70A RCW.
2. The GMA, RCW 36.70A.130(5), mandates that Kitsap County’s Comprehensive Plan and development regulations be reviewed and, if needed, revised at least every 8-years. The most recent Kitsap County 8-year update concluded with the adoption of the 2016 Kitsap County Comprehensive Plan on June 27, 2016 by Ordinance 534-2016.
3. The GMA, RCW 36.70A.130(1), also mandates that Kitsap County’s Comprehensive Plan and development regulations be subject to continuing review and evaluation. Since the last update (Ordinance 534-2016), the Kitsap County Comprehensive Plan has been amended on December 10, 2018 by Ordinance 565-2018 and on April 27, 2020 by Ordinance 587-2020.
4. RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law.
5. After review of Kitsap County Code, the Department of Community Development (DCD) identified code amendments that align with Kitsap County Comprehensive Plan policies, including land use, economic development, human services, and parks.
6. Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making amendments development regulations. In addition to public participation requirements, development regulations must be consistent with the community vision statements, goals, objectives, and the policy directives of the Comprehensive Plan; preserve the integrity of the Comprehensive Plan and assure its systematic execution; be supported by capital facility plan; be consistent with the Growth Management Act, the County-wide Planning Policies and other applicable provisions of the Comprehensive Plan; reflect current local circumstances; and bear a substantial relationship to the public general health, safety, morals or welfare.
7. There has been public participation in the review of the proposed amendments, as required by the GMA, and as consistent with the State Environmental Policy Act (SEPA), chapter 43.21C RCW, and Kitsap County Code. The County separated its development regulation update process into five phases: Scoping, Development, Analysis, Consideration, and Implementation. The County conducted outreach and accepted comments throughout the first four phases prior to adoption.
8. Public outreach regarding the proposed amendments was conducted through:
 - a. Outreach surveys;
 - b. A dedicated and up-to-date project web page (i.e., online open house) with project materials and public comment opportunities;
 - c. Legal notices published in the official newspaper of record for Kitsap County;

- 1 d. Announcements posted to subscribers of www.nextdoor.com in Kitsap County;
- 2 e. Electronic announcements and notifications to:
 - 3 i. Subscribers of relevant lists in the Kitsap County Electronic Notification System;
 - 4 ii. Relevant Kitsap County advisory groups; and
 - 5 iii. Relevant local, state, and federal agencies;
- 6 f. Notification letters to federally recognized tribes with usual and accustomed areas in
- 7 Kitsap County and relevant tribal organizations;
- 8 g. Stakeholder workshops; and
- 9 h. Meetings with various interested parties.

10 **Section 2: General Procedural Findings. The Kitsap County Board of Commissioners**
11 **(Board) makes the following procedural findings:**

- 12 1. On May 13, 2019, DCD presented the Board with a recommendation to develop
- 13 alternatives to the zoning use tables in Title 17, Zoning, of Kitsap County Code to ease
- 14 usability and clarity and to reduce barriers to development with reduced permitting
- 15 review. The Commissioners approved funding for this project.
- 16 2. In June and July 2019, during the scoping phase, DCD distributed two surveys to guide
- 17 the development of proposed changes. The first survey focused on recent DCD customers
- 18 to understand their experience navigating the County’s development regulations. The
- 19 second survey focused county-wide to understand what stakeholders would like to see
- 20 built across Kitsap County. DCD also met with stakeholders to introduce the process and
- 21 obtain initial feedback.
- 22 3. In July, August, and September 2019, during the development phase, the Planning
- 23 Commission held four regularly scheduled work study sessions to assist DCD in
- 24 preparing an initial discussion draft that included:
 - 25 a. definitions and development standards for new and existing land uses; and
 - 26 b. the reorganization and clarification of existing footnotes and development standards.
- 27 4. In August and September 2019, during regularly scheduled and properly noticed
- 28 meetings, DCD updated the Board on activities taken and status of the project.
- 29 5. On October 14, 2019, during a regularly scheduled and properly noticed meeting, DCD
- 30 reviewed the public participation and outreach plan for the proposed amendments with
- 31 the Board.
- 32 6. In December 2019, DCD engaged the community in publicly noticed workshops to refine
- 33 the initial proposed amendments developed by DCD.
- 34 7. On December 18, 2019, during a regularly scheduled and properly noticed meeting, DCD
- 35 briefed the Board of County Commissioners on the general feedback received during the
- 36 stakeholder workshops. Feedback of these workshops indicated appreciation for early and
- 37 meaningful involvement in the code update process.
- 38 8. On January 22, 2020, during a regularly scheduled and properly noticed meeting, DCD
- 39 updated the Board on activities taken and status of the project.
- 40 9. During January through April, DCD developed a preliminary draft of the proposed
- 41 amendments and formulated an initial department recommendation.
- 42 10. On March 3, 2020, during a regularly scheduled and properly noticed meeting, the
- 43 Planning Commission reviewed preliminary feedback from the public outreach efforts
- 44 and developed a strategy for reviewing and discussing the proposed amendments.

- 1 11. On April 21, 2020, during a regularly scheduled and properly noticed meeting, the
2 Planning Commission discussed modifications to the project schedule due to COVID-19
3 and allowed additional time for public review.
- 4 12. On DATE, YEAR, during a regularly scheduled and properly noticed meeting, DCD
5 updated the Board on activities taken and status of the project.
- 6 13. On DATE, YEAR, during a regularly scheduled and properly noticed meeting, the
7 Planning Commission held a work study session and reviewed the Department’s
8 Resource Guide for Changes to the Use Table that included the proposed amendments
9 detailing what could be allowed to be built in each zone and the level of permit review
10 that could be required.
- 11 14. On DATE, YEAR, during a regularly scheduled and properly noticed meeting, the
12 Planning Commission held a work study session and reviewed the Department’s
13 Resource Guide to the Definitions detailing new and modified definitions to supplement
14 changes to the Use Table. Due to COVID-19 considerations, this meeting was recorded
15 and is available on the project website.
- 16 15. On DATE, YEAR, Kitsap County issued a Notice of Public Hearing for the Planning
17 Commission in the legal publication of record regarding the content of the proposed
18 amendments. This notice starts the official public comment period.
- 19 16. On DATE, YEAR, during a regularly scheduled and properly noticed meeting, the
20 Planning Commission held a work study session and reviewed the Department’s
21 Resource Guide for development requirements/standards detailing clarifications to old
22 uses and new provisions for new uses. A recording of this meeting is available on the
23 project website.
- 24 17. On DATE, YEAR, following timely and effective public notification, the Planning
25 Commission held a public hearing to accept comments from interested parties.
- 26 18. On DATE, YEAR, during a regularly scheduled and properly noticed meeting, the
27 Planning Commission considered the proposed amendments, the testimony presented,
28 and the record, and made recommendations via approved motions during deliberations.
- 29 19. On DATE, YEAR, the Planning Commission approved findings of fact, conclusions, and
30 recommendations regarding the proposed amendments during a regularly scheduled and
31 properly noticed meeting and forwarded them to the Department of Community
32 Development and the Kitsap County Board of Commissioners for consideration.
- 33 20. On DATE, YEAR, Kitsap County issued a Notice of Public Hearing in the legal
34 publication of record regarding the content of the proposed ordinance before the Board of
35 County Commissioners.
- 36 21. On DATE, YEAR, a 60-day Notice of Intent to Adopt was sent to the Washington State
37 Department of Commerce as required by RCW 36.70A.106.
- 38 22. On DATE, YEAR, a 60-day notice was provided to local military installations as
39 required by RCW 36.70A.530.
- 40 23. From DATE, YEAR, to DATE, YEAR, following timely and effective public notice, the
41 Department of Community Development held a public comment period on the proposed
42 ordinance, as well as the staff reports and State Environmental Policy Act (SEPA)
43 determinations identified below.
- 44 24. On DATE, YEAR, during regularly scheduled and properly noticed meetings, the Kitsap
45 County Board of Commissioners conducted public briefings with the Department of
46 Community Development to review and discuss the proposed ordinance.

- 1 25. On DATE, YEAR, following timely and effective legal notice, the Kitsap County Board
2 of Commissioners held a public hearing to consider written and oral testimony on the
3 proposed ordinance.
4 26. On DATE, YEAR, during regularly scheduled and properly noticed meetings, the Kitsap
5 County Board of Commissioners considered the proposed ordinance, the findings and
6 recommendations of the Planning Commission, the Department recommendations and
7 analysis in the staff reports, the testimony provided, and the record.

8 **Section 3: General Substantive Findings. The Kitsap County Board of Commissioners**
9 **makes the following substantive findings:**

- 10 1. The proposed code amendments were developed with multiple opportunities for public
11 participation and comment as required by the GMA and the State Environmental Policy
12 Act (SEPA), chapter 43.21C RCW.
13 2. The proposed code amendments were developed according to, and are compliant with, the
14 requirements of GMA, chapter 36.70A RCW, the County-wide Planning Policies, the
15 Kitsap County Comprehensive Plan, Kitsap County Code, and other applicable laws and
16 policies.
17 3. The proposed code amendments are consistent with the Kitsap County Comprehensive
18 Plan by:
19 a. Better aligning allowed uses with the adopted purpose for each zone;
20 b. Removing barriers to development in Urban Growth Areas and Limited Areas of More
21 Intense Rural development; and
22 c. Regulating new categorical uses in rural areas consistent with the Kitsap County
23 Comprehensive Plan goals and policies.
24 4. The proposed code amendments promote the public interest and welfare of the citizens of
25 Kitsap County.

26 **NEW SECTION. Section 4: A new section is added to Chapter 17.110 Kitsap County Code,**
27 **“Definitions,” as follows:**

28
29 **17.110.017 Accessory dwelling unit, attached.**

30 “Accessory dwelling unit, attached” means separate living quarters contained within, or
31 directly connected by a minimum of four feet to the habitable space of, the primary
32 residence. Alternate configurations shall not be allowed as an accessory dwelling unit,
33 attached.

34 **Section 5: Kitsap County Code Section 17.110.020, “Accessory dwelling unit,” last**
35 **amended by Ordinance 534-2016 is amended as follows:**

36
37 **17.110.020 Accessory dwelling unit, detached.**

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

41 **Section 6: Kitsap County Code Section 17.110.025, “Accessory living quarters,” last**
42 **amended by Ordinance 534-2016 is repealed.**

1 **NEW SECTION. Section 7:** A new section is added to Chapter 17.110 Kitsap County Code,
2 “Definitions,” as follows:

3
4 **17.110.043 Adult entertainment.**

5 “Adult entertainment” means any enterprise whose primary emphasis is any activity defined
6 in chapter 10.52 KCC.

7 **Section 8:** Kitsap County Code Section 17.110.045, “Adult family home,” last amended by
8 Ordinance 534-2016 is amended as follows:

9
10 **17.110.045 Adult family home.**

11 “Adult family home” means a dwelling licensed pursuant to Chapter 70.128 RCW in which a
12 person or persons provide personal care, special care, and room and board to a number of
13 persons consistent with the state definition.

14 **Section 9:** Kitsap County Code Section 17.110.050, “Reserved,” last amended by Ordinance
15 534-2016 is amended as follows:

16
17 **17.110.050 Reserved Aggregate extraction sites.**

18 “Aggregate extraction sites” means a use involving on-site extraction of surface or
19 subsurface mineral resources. Typical uses are quarries, borrow pits, sand and gravel
20 operation, mining, and soil mining. Extraction may require drilling or blasting prior to the
21 processing or rock crushing.

22 **NEW SECTION. Section 10:** A new section is added to Chapter 17.110 Kitsap County
23 Code, “Definitions,” as follows:

24
25 **17.110.053 Airport.**

26 “Airport” means any area of land designated, set aside, used, or intended for the takeoff and
27 landing of aircrafts. Airports may include support services and accessory uses such as
28 runways, taxiways, aircraft fuel storage and pumping facilities, aircraft hangars and tie-down
29 areas, air traffic control facilities, informational facilities and devices, terminal buildings, and
30 aviation instruction facilities.

31 **NEW SECTION. Section 11:** A new section is added to Chapter 17.110 Kitsap County
32 Code, “Definitions,” as follows:

33
34 **17.110.086 Aquarium, arboretum, botanical garden, zoo.**

35 “Aquarium, arboreta, botanical garden, zoo” means an establishment that preserves and
36 exhibits live plant and animal displays for viewing by the public.

37 **NEW SECTION. Section 12:** A new section is added to Chapter 17.110 Kitsap County
38 Code, “Definitions,” as follows:

39
40 **17.110.089 Assisted or independent living facility.**

41 “Assisted or independent living facility” means a facility, other than a clinic, that provides
42 room, board, and/or care to dependent children, the elderly, and the physically or mentally

1 handicapped. Services in these establishments include, but are not limited to, assistance with
2 dressing, grooming, and bathing. Assisted and independent facilities may have a central or
3 private kitchen, dining, recreational, and other facilities, with separate bedrooms or living
4 quarters.

5 **Section 13: Kitsap County Code Section 17.110.090, “Automobile repair,” last amended by**
6 **Ordinance 534-2016 is repealed.**

7 **NEW SECTION. Section 14: A new section is added to Chapter 17.110 Kitsap County**
8 **Code, “Definitions,” as follows:**

9
10 **17.110.091 Auction house.**

11 “Auction house” means a structure or enclosure where goods or livestock are sold by auction.

12 **NEW SECTION. Section 15: A new section is added to Chapter 17.110 Kitsap County**
13 **Code, “Definitions,” as follows:**

14
15 **17.110.092 Automobile, recreational vehicle or boat rentals.**

16 “Automobile, recreational vehicle or boat rentals” means a facility that rents or leases
17 automobiles, light trucks, vans, recreational vehicles, or boats, including incidental parking
18 and servicing of vehicles for rent or lease. This definition includes ride-share facilities such
19 as Zipcar.

20 **NEW SECTION. Section 16: A new section is added to Chapter 17.110 Kitsap County**
21 **Code, “Definitions,” as follows:**

22
23 **17.110.094 Automobile or recreational vehicle repair.**

24 “Automobile or recreational vehicle repair” means a facility used for the replacement of
25 parts, motor service, rebuilding or reconditioning of engines, painting, upholstering,
26 detailing, or cleaning motor vehicles, recreational vehicles or trailers.

27 **NEW SECTION. Section 17: A new section is added to Chapter 17.110 Kitsap County**
28 **Code, “Definitions,” as follows:**

29
30 **17.110.096 Automobile, recreational vehicle, or boat sales.**

31 “Automobile, recreational vehicle or boat sales” means a facility that sells or leases
32 automobiles, light trucks, vans, recreational vehicles, or boats, including incidental parking
33 and servicing of vehicles for sale or lease.

34 **Section 18: Kitsap County Code Section 17.110.095, “Automobile service station,” last**
35 **amended by Ordinance 534-2016 is repealed.**

36 **Section 19: Kitsap County Code Section 17.110.112, “Boarding house” last amended by**
37 **Ordinance 541-2017 is amended as follows:**

38
39 **17.110.112 Boarding house.**

1 “Boarding house” means a building arranged or used for lodging for compensation, ~~with or~~
2 ~~without meals~~, with any number of guest rooms and not occupied as a single-family unit. The
3 owner of the property is typically not on site in a boarding house.

4 **NEW SECTION. Section 20: A new section is added to Chapter 17.110 Kitsap County**
5 **Code, “Definitions,” as follows:**

6
7 **17.110.147 Campground.**

8 “Campground” means a tract of land under single ownership or unified control developed
9 with individual sites for rent and containing roads and utilities to accommodate recreational
10 vehicles or tents for vacation or other similar transient, short-stay purposes.

11 **NEW SECTION. Section 21: A new section is added to Chapter 17.110 Kitsap County**
12 **Code, “Definitions,” as follows:**

13
14 **17.110.149 Car washes.**

15 “Car washes” means the use of a site for washing and cleaning of passenger vehicles,
16 recreational vehicles, or other light duty equipment.

17 **Section 22: Kitsap County Code Section 17.110.150, “Caretaker’s dwelling,” last amended**
18 **by Ordinance 534-2016 is amended as follows.**

19
20 **17.110.150 Caretaker’s dwelling**

21 “Caretaker’s dwelling” means a single-family residence accessory to a commercial, ~~or~~
22 industrial, or park use intended for the purposes of providing supervision, maintenance, or
23 security of the property.

24 **Section 23: Kitsap County Code Section 17.110.160, “Clinic,” last amended by Ordinance**
25 **534-2016 is repealed.**

26 **NEW SECTION. Section 24: A new section is added to Chapter 17.110 Kitsap County**
27 **Code, “Definitions,” as follows:**

28
29 **17.110.161 Case management.**

30 See Section 17.505.020 A, Case management.

31 **NEW SECTION. Section 25: A new section is added to Chapter 17.110 Kitsap County**
32 **Code, “Definitions,” as follows:**

33
34 **17.110.163 Cemeteries.**

35 “Cemeteries” means land and associated buildings and structures used for burial or funerary
36 uses. This includes columbaria and mausoleums.

37 **NEW SECTION. Section 26: A new section is added to Chapter 17.110 Kitsap County**
38 **Code, “Definitions,” as follows:**

39
40 **17.110.164 Clinic.**

1 “Clinic” means a building or portion of a building containing offices for providing
2 nonemergency chiropractic, medical, dental, vision, or psychiatric services not involving
3 overnight housing of patients.

4 **Section 27: Kitsap County Code Section 17.110.165, “Club” last amended by Ordinance**
5 **534-2016 is amended as follows:**

6 **17.110.165 Club.**

7 “Club” means a place where an association of persons or 501 C3 non-profits organized for
8 some common purpose to meet. This definition may include a clubhouse.

9 **NEW SECTION. Section 28: A new section is added to Chapter 17.110 Kitsap County**
10 **Code, “Definitions,” as follows:**

11 **17.110.166 Clubhouse.**

12 "Clubhouse" means the structure or premises occupied by a club and its staff. This definition
13 excludes places of worship and groups organized primarily for commercial business
14 purposes.

15 **NEW SECTION. Section 29: A new section is added to Chapter 17.110 Kitsap County**
16 **Code, “Definitions,” as follows:**

17
18 **17.110.167 College.**

19 “College” means a higher education college or university primarily engaged in teaching and
20 research, and usually comprised of multiple educational buildings within a campus setting.

21 **Section 30: Kitsap County Code Section 17.110.171 “Comprehensive plan,” last amended**
22 **by Ordinance 534-2016 is repealed.**

23 **NEW SECTION. Section 31: A new section is added to Chapter 17.110 Kitsap County**
24 **Code, “Definitions,” as follows:**

25
26 **17.110.172 Composting.**

27 “Composting” means any commercial operation involving the processing of waste in a
28 controlled environment to produce a stable product by microbiologically degrading organic
29 matter under aerobic conditions and is for use on property other than that on which the
30 composting is performed.

31 **NEW SECTION. Section 32: A new section is added to Chapter 17.110 Kitsap County**
32 **Code, “Definitions,” as follows:**

33
34 **17.110. 173 Comprehensive plan.**

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

39 **Section 33: Kitsap County Code Section 17.110.177, “Conference Center,” last amended**
40 **by Ordinance 534-2016 is amended as follows:**

1
2 **17.110.177 Conference center.**

3 “Conference center” means a building or group of buildings ~~with overnight accommodations~~
4 ~~and meeting space~~, primarily intended for conferences, meetings, and retreats that may
5 provide overnight accommodations. Conference centers may include facilities such as dining
6 and banquet rooms, recreation rooms and other amenities.

7 **Section 34: Kitsap County Code Section 17.110.195, “Contractor’s storage yard,” last**
8 **amended by Ordinance 534-2016 is amended as follows:**

9
10 **17.110.195 Contractor’s storage yard.**

11 “Contractor’s storage yard” means a place where heavy equipment, vehicles, construction
12 equipment or any material ~~commonly-used in for the erection of any structure~~development,
13 grading, grubbing, construction, landscaping or related activities is stored ~~or accumulated~~.
14 Sites that involve current construction of projects with active permits involving the materials
15 on site shall not be considered a contractor’s storage yard.

16 **Section 35: Kitsap County Code Section 17.110.200, “Day-care center,” last amended by**
17 **Ordinance 550-2018 is amended as follows:**

18 **17.110.200 Day-care center.**

19 “Day-care center” means a ~~primary dwelling in which seven or more individuals, or a~~
20 ~~building other than a primary dwelling in which any number of individuals, are cared for~~
21 ~~during some portion of a twenty-four-hour period~~ facility other than a private residence in
22 which any number of children are cared for during some portion of a twenty-four-hour
23 period.

24 **Section 36: Kitsap County Code Section 17.110.205, “Day-care center family,” last**
25 **amended by Ordinance 534-2016 is amended as follows:**

26
27 **17.110.205 Day-care center, familyhome based.**

28 “Day-care center familyhome-based” means an ~~owner- or manager-occupied primary~~
29 ~~dwelling and premises in and on which not more than six individuals are cared for during~~
30 ~~some portion of a twenty-four-hour period~~ a private residence in which not more than six
31 children are cared for during some portion of a twenty-four-hour period.

32 **NEW SECTION. Section 37: A new section is added to Chapter 17.110 Kitsap County**
33 **Code, “Definitions,” as follows:**

34
35 **17.110.226 Dispatch facility.**

36 “Dispatch facility” means a privately-owned facility for the storage, dispatch, and
37 maintenance of vehicles such as ambulances, taxis, or shuttles. A dispatch facility does not
38 include storage for ride-share or rental vehicles.

39 **Section 38: Kitsap County Code Section 17.110.228, “Drinking establishments,” last**
40 **amended by Ordinance 570-2019 is amended as follows:**

41
42 **17.110.228 ~~Drinking establishments~~ Dormitory.**

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

7 “Dormitory” means a college or university building that provides boarding school, college, or
8 university students with sleeping quarters, common bathrooms, common rooms, and may
9 include a dining area and cafeteria.

10 **NEW SECTION. Section 39:** A new section is added to Chapter 17.110 Kitsap County
11 Code, “Definitions,” as follows:

12
13 **17.110.229 Drinking establishments.**

14 “Drinking establishments” means a business primarily engaged in the retail sale of alcoholic
15 beverages for consumption on the premises, including night clubs, bars, and taverns. It shall
16 not mean premises primarily engaged in the retail sale of food for consumption on the
17 premises, where the sale of alcoholic beverages is clearly accessory and incidental (e.g.,
18 comprises less than twenty percent of the gross receipts).

19 **Section 40:** Kitsap County Code Section 17.110.240, “Dwelling, single-family attached,”
20 last amended by Ordinance 534-2016 is repealed.

21 **Section 41:** Kitsap County Code Section 17.110.242, “Dwelling, single-family detached,”
22 last amended by Ordinance 534-2016 is repealed.

23 **Section 42:** Kitsap County Code Section 17.110.245, “Dwelling, duplex,” last amended by
24 Ordinance 534-2016 is amended as follows:

25
26 **17.110.245 Dwelling, dDuplex.**

27 “~~Dwelling, d~~Duplex,” means a building on a single lot containing two dwelling units and
28 designed for occupancy by not more than two families. ~~A duplex may not be considered a~~
29 ~~primary residence for the purposes of constructing an accessory dwelling unit or accessory~~
30 ~~living quarters.~~

31 **Section 43:** Kitsap County Code Section 17.110.250, “Dwelling, multiple-family,” last
32 amended by Ordinance 534-2016 is repealed.

33 **Section 44:** Kitsap County Code Section 17.110.255, “Dwelling unit,” last amended by
34 Ordinance 534-2016 is amended as follows:

35
36 **17.110.255 Dwelling unit.**

37 “Dwelling unit” means a single unit providing complete, independent living facilities for one
38 or more persons, including permanent provisions for living, sleeping, eating, cooking and
39 sanitation. A recreational vehicle is not considered a dwelling unit outside of an approved
40 RV park.

1 **NEW SECTION. Section 45: A new section is added to Chapter 17.110 Kitsap County**
2 **Code, “Definitions,” as follows:**

3
4 **17.110.256 Electric vehicle charging station.**

5 “Electric vehicle charging station” means a battery charging station with equipment that
6 transfers electric energy (by conductive or inductive means) to a battery or other energy
7 storage device in an electric vehicle.

8 **NEW SECTION. Section 46: A new section is added to Chapter 17.110 Kitsap County**
9 **Code, “Definitions,” as follows:**

10
11 **17.110.261 Entertainment facility, indoor.**

12 “Entertainment facility, indoor” means an indoor facility designed and equipped for the
13 conduct of leisure-time activities and which is entirely enclosed within a building or
14 structure. Examples include, but are not limited to, movie/performance theaters, museums,
15 art galleries, and cultural exhibits. This definition excludes adult entertainment uses.

16 **NEW SECTION. Section 47: A new section is added to Chapter 17.110 Kitsap County**
17 **Code, “Definitions,” as follows:**

18
19 **17.110.262 Entertainment facility, outdoor.**

20 “Equipment facility, outdoor” means an open or partially enclosed facility designed and
21 equipped for the conduct of leisure-time activities, such as an outdoor movie/performance
22 theater. This definition excludes adult entertainment uses.

23 **NEW SECTION. Section 48: A new section is added to Chapter 17.110 Kitsap County**
24 **Code, “Definitions,” as follows:**

25
26 **17.110.263 Equipment sales, rentals and repair, heavy.**

27 “Equipment sales, rentals and repair, heavy” means an establishment providing the sales,
28 rentals, and repair of construction and heavy equipment and similar goods and equipment.
29 The use includes storage and incidental maintenance but does not include an automobile
30 rental facility.

31 **NEW SECTION. Section 49: A new section is added to Chapter 17.110 Kitsap County**
32 **Code, “Definitions,” as follows:**

33
34 **17.110.264 Equipment sales, rentals and repair, light.**

35 “Equipment sales, rentals and repair, light” means an establishment providing the sales,
36 rentals, and repair of tools, lawn and garden equipment, household equipment, party supplies,
37 and similar goods and equipment. The use includes storage and incidental maintenance but
38 does not include an automobile rental facility.

39 **NEW SECTION. Section 50: A new section is added to Chapter 17.110 Kitsap County**
40 **Code, “Definitions,” as follows:**

41
42 **17.110.266 Equipment sales, rentals and repair, recreational.**

1 “Equipment sales, rentals and repair, recreational” means an establishment providing the
2 sales, rental, or repair of recreational equipment. The use includes associated storage and
3 incidental maintenance. Examples include, but are not limited to, kayaks, rafts, paddleboards,
4 bikes, electric bikes and scooters, and ATV’s.

5 **NEW SECTION. Section 51: A new section is added to Chapter 17.110 Kitsap County**
6 **Code, “Definitions,” as follows:**

7
8 **17.110.267 Espresso stands.**

9 “Espresso stands” means a retail food business in a freestanding building that sells coffee or
10 other beverages and premade baked goods from a drive-through or walk-up window for
11 consumption off the premises and that provides no indoor or outdoor seating.

12 **Section 52: Kitsap County Code Section 17.110.265, “Exotic animal,” last amended by**
13 **Ordinance 534-2016 is repealed.**

14 **NEW SECTION. Section 53: A new section is added to Chapter 17.110 Kitsap County**
15 **Code, “Definitions,” as follows:**

16
17 **17.110.268 Exotic animal.**

18 “Exotic animal” means:

- 19
20 A. Any species of animal whose venom is commonly known to be capable of inflicting
21 serious physical harm or death to human beings, livestock, dogs or cats.
22 B. Nonhuman primates including prosimians.
23 C. All members of the Ursidae family (e.g., bears).
24 D. Nondomesticated members of the Felidae family (e.g., cats).
25 E. Nondomesticated members of the Canidae family (e.g., dogs) and their hybrids,
26 including wolves, coyotes and foxes.
27 F. All members of the crocodylian order (e.g., alligators, crocodiles, caiman and gavials).
28 G. All members of the Melinae, Mellivorinae and Taxideinae subfamilies (e.g., badgers).

29 **NEW SECTION. Section 54: A new section is added to Chapter 17.110 Kitsap County**
30 **Code, “Definitions,” as follows:**

31
32 **17.110.269 Event facility**

33 “Event facility” means a facility or site where private or public events, such as weddings,
34 musical performances, parties, reunions, fairs, markets, bazaars, retreats, or conferences, are
35 conducted in exchange for compensation and that are not part of a larger venue, such as a
36 hotel, resort, or conference center.

37 **Section 55: Kitsap County Code Section 17.110.270, “Family,” last amended by Ordinance**
38 **534-2016 is amended as follows:**

39
40 **17.110.270 Family.**

1 “Family” means two or more persons customarily living together as a single housekeeping
2 unit and using common cooking facilities, as distinguished from a group occupying a hotel,
3 club, boarding or lodging house, or other group ~~living of unrelated individuals.~~

4 **NEW SECTION. Section 56: A new section is added to Chapter 17.110 Kitsap County**
5 **Code, “Definitions,” as follows:**

6
7 **17.110.271 Family living.**

8 “Family living” means the residential occupancy of a structure by a family. Each dwelling
9 unit includes kitchen and bathroom facilities. Family living includes the following dwelling
10 types:

- 11 A. Manufactured home, mobile home, tiny home;
- 12 B. Single family detached (includes manufactured homes);
- 13 C. Single family attached, condominium or townhome;
- 14 D. Multiple family; or
- 15 E. Group home.

16 **Section 57: Kitsap County Code Section 17.110.272, “Fitness center,” last amended by**
17 **Ordinance 541-2017 is repealed.**

18 **NEW SECTION. Section 58: A new section is added to Chapter 17.110 Kitsap County**
19 **Code, “Definitions,” as follows:**

20
21 **17.110.278 Fitness center.**

22 “Fitness center” means a place of business with equipment and facilities for exercising and
23 improving physical fitness. Examples include health clubs, boxing gyms and micro-gyms.

24 **NEW SECTION. Section 59: A new section is added to Chapter 17.110 Kitsap County**
25 **Code, “Definitions,” as follows:**

26
27 **17.110.279 Food and beverage production.**

28 “Food and beverage production” means an establishment that transforms animal and plant
29 products for intermediate or final consumption; or they manufacture beverages. These
30 products are typically sold to wholesalers or retailers. Beverage manufacturing includes the
31 manufacture of nonalcoholic beverages and alcoholic beverages.

32 **NEW SECTION. Section 60: A new section is added to Chapter 17.110 Kitsap County**
33 **Code, “Definitions,” as follows:**

34
35 **17.110.291 Fuel distributors.**

36 “Fuel distributors” means a facility for the storage of fuels or other volatile products and for
37 their distribution to retail sales facilities or other bulk purchasers, regardless of ownership.

38 **NEW SECTION. Section 61: A new section is added to Chapter 17.110 Kitsap County**
39 **Code, “Definitions,” as follows:**

40
41 **17.110.292 Fuel or charging station, with convenience store.**

1 “Fuel or charging station, with convenience store” means a facility that provides gasoline
2 and/or diesel fuel, electric vehicle charging stations to retail consumers with a facility that
3 sells convenience goods as a secondary activity.

4 **NEW SECTION. Section 62: A new section is added to Chapter 17.110 Kitsap County**
5 **Code, “Definitions,” as follows:**

6
7 **17.110.293 Fuel or charging station, without convenience store.**

8 “Fuel or charging station, without convenience store” means a facility that provides gasoline
9 and/or electric charging stations to retail consumers.

10 **NEW SECTION. Section 63: A new section is added to Chapter 17.110 Kitsap County**
11 **Code, “Definitions,” as follows:**

12
13 **17.110.294 Funeral home.**

14 “Funeral home” means a building or part thereof used for human funeral services. Such
15 building may contain space and facilities for (a) embalming and the performance of other
16 services used in the preparation of the dead for burial; (b) the performance of autopsies and
17 related surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral
18 supplies; (d) storage of funeral vehicles; and (e) facilities for cremation.

19 **Section 64: Kitsap County Code Section 17.110.301, “General merchandise stores,” last**
20 **amended by Ordinance 534-2016 is amended as follows:**

21
22 **Section 17.110.301 General retail merchandise stores**

23 “General retail merchandise stores” means stores that sell a wide variety of grocery and
24 nongrocery items, including, but not limited to: fresh foods; packaged foods for preparation
25 and consumption in the home; household supplies; consumer electronics; hardware; auto
26 parts and accessories; pet supplies; apparel; arts and crafts; and sporting goods.

27 **Section 65: Kitsap County Code Section 17.110.302, “General office and management**
28 **services,” last amended by Ordinance 534-2016 is amended as follows:**

29
30 **17.110.302 General office and management services.**

31 “General office and management services” means the offices of real estate agencies;,
32 advertising agencies;,
33 mailing services and postal substations;,
34 employment agencies;,
35 insurance agencies;,
36 management and consulting firms;,
37 accountants;,
38 attorneys;,
39 security brokers;,
40 architects;,
41 surveyors;,
42 tax preparation services;,
43 computer software development;,
44 engineering and construction firms with no outdoor storage; financial, banking, mortgage and
45 title institutions; and other similar business services. This term also includes the
46 administrative offices for businesses whose primary activity may be a nonoffice use
47 conducted elsewhere. ~~This definition excludes engineering and construction firms and~~
48 financial, banking, mortgage and title institutions.

49 **NEW SECTION. Section 66: A new section is added to Chapter 17.110 Kitsap County**
50 **Code, “Definitions,” as follows:**

1 **17.110.304 Government/public structures.**

2 “Government/public structures” means a building or structure owned, operated, or occupied
3 by governmental agency to provide one or more governmental services to the public.

4 **NEW SECTION. Section 67: A new section is added to Chapter 17.110 Kitsap County**
5 **Code, “Definitions,” as follows:**

6
7 **17.110.316 Group home.**

8 “Group home” means a dwelling unit containing up to eight unrelated persons who are
9 mentally or physically impaired who are protected under the Fair Housing Act, along with
10 support or supervisory personnel or family members who may reside at the facility.

11 A. The term mental or physical impairment includes conditions such as blindness, hearing
12 impairment, mobility impairment, HIV infection, alcoholism, drug addiction, chronic fatigue,
13 learning disability, head injury, and mental illness.

14 B. Current users of illegal controlled substances, persons convicted for illegal manufacture
15 or distribution of a controlled substance, sex offenders, and juvenile offenders are not
16 considered mentally or physically impaired under the Fair Housing Act.

17 **NEW SECTION. Section 68: A new section is added to Chapter 17.110 Kitsap County**
18 **Code, “Definitions,” as follows:**

19
20 **17.110.318 Group living.**

21 “Group living” means the residential occupancy of a structure that does not meet the
22 definition of family living. Generally, group living facilities have a common eating area for
23 residents, and residents may receive care or training. Group living includes the following:

24 A. Assisted living facility.

25 B. Boarding house, rooming house, or lodging house.

26 C. Congregate care facility.

27 D. Convalescent, nursing or rest home.

28 E. Dormitory.

29 F. Hospice.

30 G. Monastery or convent.

31 H. Independent living facility.

32 I. Shelter, non-transitory accommodation.

33 J. Skilled nursing care facility.

34 **NEW SECTION. Section 69: A new section is added to Chapter 17.110 Kitsap County**
35 **Code, “Definitions,” as follows:**

36
37 **17.110.333 Helicopter pads.**

38 “Helicopter pads” means an area on a roof or on the ground used for the takeoff and landing
39 of helicopters for the purpose of loading or unloading passengers or cargo but not including
40 fueling service, hangers, maintenance or overhaul facilities.

41 **Section 70: Kitsap County Code Section 17.110.345, “Home business,” last amended by**
42 **Ordinance 534-2016 is amended as follows:**

1 **17.110.345 Home business.**

2 “Home business” means a commercial or industrial use (~~excluding retail~~) conducted entirely
3 within a dwelling or an accessory structure, ~~which use that~~ is clearly secondary to the ~~use of~~
4 the dwelling for residential use.

5 **NEW SECTION. Section 71: A new section is added to Chapter 17.110 Kitsap County**
6 **Code, “Definitions,” as follows:**

7
8 **17.110.361 Hotel/motel.**

9 “Hotel/motel” means a building in which lodging is provided and offered to the public for
10 compensation and which is open to transient guests. This definition excludes bed and
11 breakfast houses and vacation rentals.

12 **Section 72: Kitsap County Code Section 17.110.365, “Hotel/motel,” last amended by**
13 **Ordinance 534-2016 is repealed.**

14 **NEW SECTION. Section 73: A new section is added to Chapter 17.110 Kitsap County**
15 **Code, “Definitions,” as follows:**

16
17 **17.110.362 Immediate vicinity.**

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

20 **Section 74: Kitsap County Code Section 17.110.366, “Immediate vicinity,” last amended by**
21 **Ordinance 534-2016 is repealed.**

22 **NEW SECTION. Section 75: A new section is added to Chapter 17.110 Kitsap County**
23 **Code, “Definitions,” as follows:**

24
25 **17.110.363 Impervious surface.**

26 “Impervious surface” means a nonvegetated surface area that either prevents or retards the
27 entry of water into the soil mantle as under natural conditions prior to development or causes
28 water to run off the surface in greater quantities or at an increased rate of flow from the flow
29 present under natural conditions prior to development. Common impervious surfaces include,
30 but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas,
31 concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or
32 other surfaces that similarly impede the natural infiltration of storm water. Open, uncovered
33 retention/detention facilities shall not be considered as impervious surfaces for the purposes
34 of determining whether the thresholds for application of minimum requirements are
35 exceeded. Open, uncovered retention/detention facilities shall be considered impervious
36 surfaces for purposes of runoff modeling.

37 **Section 76: Kitsap County Code Section 17.110.367, “Impervious surface,” last amended**
38 **by Ordinance 540-2016 is repealed.**

39 **NEW SECTION. Section 77: A new section is added to Chapter 17.110 Kitsap County**
40 **Code, “Definitions,” as follows:**

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17.110.364 Indoor transitory accommodations.

See Section 17.505.040(E), Indoor transitory accommodations.

NEW SECTION. Section 78: A new section is added to Chapter 17.110 Kitsap County Code, “Definitions,” as follows:

17.110.385 Landscaping.

Landscaping” means the placement, preservation, or replacement of trees, grass, shrubs, plants, flowers, and other vegetative materials 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. Vegetation planted as part of LID BMPs shall be considered “landscaping” for purposes of this title where all landscape requirements in Title 17 are met.

Section 79: Kitsap County Code Section 17.110.390, “Landscaping,” last amended by Ordinance 540-2016 is repealed.

NEW SECTION. Section 80: A new section is added to Chapter 17.110 Kitsap County Code, “Definitions,” as follows:

17.110.388 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.

Section 81: Kitsap County Code Section 17.110.392, “Large on-site sewage system (LOSS),” last amended by Ordinance 534-2016 is repealed.

NEW SECTION. Section 82: A new section is added to Chapter 17.110 Kitsap County Code, “Definitions,” as follows:

17.110.391 Large transitory accommodations.

See Section 17.505.040(C), Large transitory accommodations.

NEW SECTION. Section 83: A new section is added to Chapter 17.110 Kitsap County Code, “Definitions,” as follows:

17.110.464 Lumber and bulky building material sales.

“Lumber and bulky building material sales” means an establishment providing the sale of building supplies, construction equipment, or home decorating fixtures and accessories. This includes lumber yards.

1 **NEW SECTION. Section 84: A new section is added to Chapter 17.110 Kitsap County**
2 **Code, “Definitions,” as follows:**

3
4 **17.110.467 Manufactured/mobile/RV/park-model/tiny home parks.**

5 “Manufactured/mobile/RV/park-model/tiny home parks” means a parcel of land which has
6 been planned and improved for the placement of manufactured homes, recreational vehicles,
7 tiny homes, and/or park models, including hook-up facilities, for permanent residential use.
8 Accessory uses often include bathing and laundry uses.

9 **NEW SECTION. Section 85: A new section is added to Chapter 17.110 Kitsap County**
10 **Code, “Definitions,” as follows:**

11
12 **17.110.472 Manufactured home, mobile home, park-model and tiny home sales.**

13 “Manufactured home, mobile home, park-model and tiny home sales” means an
14 establishment where manufactured homes, park models, and tiny homes are sold and/or
15 stored for the purpose of sale directly to the public.

16 **Section 86: Kitsap County Code Section 17.110.473, “Manufacturing and fabrication,” last**
17 **amended by Ordinance 534-2016 is amended as follows:**

18
19 **17.110.473 Manufacturing and fabrication.**

20 “Manufacturing and fabrication” means the transformation of materials or substances into
21 new products, including construction and assembling of component parts, and the blending of
22 materials such as lubricating oils, plastics, resins or liquors. This includes assembly and
23 packing operations as defined in Section 17.110.087.

24 A. Light: Light manufacturing and fabrication is characterized by the use being contained
25 within buildings, and materials or equipment used in production not being stored outside.
26 Light manufacturing and fabrication activities do not generate external emissions such as
27 smoke, odor, noise, vibrations or other nuisances outside the building. This definition may
28 include, but is not limited to, manufacture and fabrication of electronic components,
29 software, office products, furniture, glass products, and other manufacturing and fabrication
30 uses as determined by the reviewing official.

31 B. Medium: Medium manufacturing and fabrication is characterized by need for only very
32 limited areas of outdoor storage and may create minor external environmental impacts during
33 the conduct of operations, but most impacts are contained on site. This definition may
34 include, but is not limited to, manufacture and fabrication of paints, printing ink, leather
35 goods, and other manufacturing and fabrication uses as determined by the reviewing official.

36 C. Heavy: Heavy manufacturing and fabrication uses are often characterized by the need for
37 large outdoor areas in which to conduct operations, and typically results in environmental
38 impacts beyond their own sites. This definition may include, but is not limited to,
39 manufacture and fabrication of automotive vehicles and their parts, cement, brick, lime,
40 gypsum, asphalt, and other manufacturing and fabrication uses as determined by the
41 reviewing official. This definition excludes manufacture and fabrication of hazardous
42 materials.

43 D. Hazardous: Hazardous manufacturing and fabrication uses are those engaged in the
44 manufacture or fabrication of materials that are flammable, explosive, or present hazards to

1 the public health, safety, and welfare, including all substances and materials defined as
2 hazardous materials, hazardous substances, or hazardous waste.

3 **NEW SECTION. Section 87:** A new section is added to Chapter 17.110 Kitsap County
4 Code, “Definitions,” as follows:

5
6 **17.110.474 Marijuana.**

7 “Marijuana” means all parts of the plant *Cannabis*, whether growing or not, with a THC
8 concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin
9 extracted from any part of the plant; and every compound, manufacture, salt, derivative,
10 mixture, or preparation of the plant, its seeds or resin. The term does not include (1) the
11 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of
12 the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the
13 mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed
14 of the plant which is incapable of germination; or (2) hemp or industrial hemp as defined in
15 RCW 15.140.020, seeds used for licensed hemp production under chapter 15.140 RCW.
16 Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in
17 state law shall govern.

18 **Section 88:** Kitsap County Code Section 17.110.477, “Master plan,” last amended by
19 Ordinance 534-2016 is amended as follows:

20
21 **17.110.475 ~~Marina~~ Marijuana processor.**

22 ~~“Marina” means a public or private facility which for compensation provides moorage or wet~~
23 ~~or dry storage for watercraft and may offer marine related sales and services.~~
24 “Marijuana processor” means a person licensed by the state liquor and cannabis board to
25 process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused
26 products, package and label marijuana concentrates, useable marijuana, and marijuana-
27 infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana,
28 and marijuana-infused products at wholesale to marijuana retailers. Where this definition
29 conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

30 **NEW SECTION. Section 89:** A new section is added to Chapter 17.110 Kitsap County
31 Code, “Definitions,” as follows:

32
33 **17.110.476 Marijuana producer**

34 “Marijuana producer” means a person licensed by the state liquor and cannabis board to
35 produce and sell marijuana at wholesale to marijuana processors and other marijuana
36 producers. Where this definition conflicts with RCW 69.50.101, as now or hereafter
37 amended, that in state law shall govern.

38 **Section 90:** Kitsap County Code Section 17.110.477, “Master plan,” last amended by
39 Ordinance 534-2016 is amended as follows:

40
41 **17.110.477 ~~Master plan~~ Marijuana-infused products**

1 ~~“Master plan” means a large-scale development plan to guide the long-term physical~~
2 ~~development of a particular area. Such a plan shall be prepared and approved pursuant to~~
3 ~~Chapter 17.440.~~

4 “Marijuana-infused products” means products that contain marijuana or marijuana extracts
5 and are intended for human use, are derived from marijuana and have a THC concentration
6 no greater than ten percent. The term “marijuana-infused products” does not include useable
7 marijuana or marijuana concentrates. Where this definition conflicts with RCW 69.50.101, as
8 now or hereafter amended, that in state law shall govern.

9 **NEW SECTION. Section 91: A new section is added to Chapter 17.110 Kitsap County**
10 **Code, “Definitions,” as follows:**

11
12 **17.110.478 Marijuana retailer.**

13 “Marijuana retailer” means a person licensed by the state liquor and cannabis board to sell
14 marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.
15 Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in
16 state law shall govern.

17 **Section 92: Kitsap County Code Section 17.110.480, “Repealed,” last amended by**
18 **Ordinance 534-2016 is amended as follows:**

19
20 **17.110.480 Repealed-Marina.**

21 “Marina” means a public or private facility which for compensation provides water-
22 dependent wet moorage for ten or more motorized vessels, whether personal or commercial,
23 and generally including goods or services related to boating. Marinas also include wet
24 moorage facilities where boat moorage slips may be leased or rented to individuals who are
25 not a member owner of an associated residential development. Launching facilities and/or
26 dry dock storage may also be provided. Marinas may be open to the general public or
27 restricted on the basis of property ownership or membership.

28 **NEW SECTION. Section 93: A new section is added to Chapter 17.110 Kitsap County**
29 **Code, “Definitions,” as follows:**

30
31 **17.110.482 Marina support services.**

32 “Marina support services” means a use of land involved in the operation of a marina
33 including structures and activities normally integral to the operation of a marina, such as
34 servicing, fueling, pumping-out, chartering, launching, and dry-storage of boats and boating
35 equipment, and restaurants or other services serving the patrons of the marina.

36 **Section 94: Kitsap County Code Section 17.110.483, “Repealed,” last amended by**
37 **Ordinance 570-2019 is amended as follows:**

38
39 **17.110.483 (Repealed)* Master plan.**

40 “Master plan” means a large-scale development plan to guide the long-term physical
41 development of a particular area. Such a plan shall be prepared and approved pursuant to
42 Chapter 17.440.

1 **Section 95:** Kitsap County Code Section 17.110.493, “Mobile home park,” last amended by
2 Ordinance 534-2016 is repealed.

3 **Section 96:** Kitsap County Code Section 17.110.504, “Movie/performance theater,” last
4 amended by Ordinance 534-2016 is amended as follows:
5

6 **17.110.504 Movie/performance theater Multiple family .**

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

10 “Multiple-family” means a building or portion thereof containing three or more dwelling
11 units and designed for occupancy by three or more families.

12 **Section 97:** Kitsap County Code Section 17.110.530, “Nursing or rest home,” last amended
13 by Ordinance 534-2016 is repealed.

14 **NEW SECTION. Section 98:** A new section is added to Chapter 17.110 Kitsap County
15 Code, “Definitions,” as follows:
16

17 **17.110.531 Off-street parking facilities.**

18 “Off-street parking facilities” means a site or portion of a site, devoted to the off-street
19 parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

20 **NEW SECTION. Section 99:** A new section is added to Chapter 17.110 Kitsap County
21 Code, “Definitions,” as follows:
22

23 **17.110.532 Off-street parking facilities, structured.**

24 “Structured parking facilities” means a structure or portion thereof composed of one or more
25 levels or floors used exclusively for the parking or storage of motor vehicles. A parking
26 structure may be below grade, at grade, or above grade with those levels being either open or
27 enclosed.

28 **NEW SECTION. Section 100:** A new section is added to Chapter 17.110 Kitsap County
29 Code, “Definitions,” as follows:
30

31 **17.110.583 Personal services.**

32 “Personal services” means an establishment providing frequent or recurrent needed services
33 of a personal nature. Typical uses include, but are not limited to, barber shops, beauty salons
34 and spas, personal laundry and dry cleaning, massage services and pet grooming.

35 **Section 101:** Kitsap County Code Section 17.110.590, “Pet, nontraditional,” last amended
36 by Ordinance 534-2016 is amended as follows:
37

38 **17.110.590 Pet, nontraditional.**

39 “Pet, nontraditional” or “nontraditional pet” means any pet other than a dog, cat, fish,
40 agricultural livestock, or nonraptor bird.

1 **Section 102: Kitsap County Code Section 17.110.640, “Public facilities,” last amended by**
2 **Ordinance 534-2016 is amended as follows:**

3
4 **17.110.640 Public facilities.**

5 “Public facilities” means streets, roads, highways, sidewalks, street and road lighting
6 systems, traffic signals, domestic water systems, stormwater infrastructure, ~~and~~ sanitary
7 sewer systems, pump houses, waste handling facilities designated as public facilities in the
8 comprehensive solid waste management plan, ~~parks and recreational facilities, schools,~~
9 public works storage facilities and road sheds, and utilities such as power, fiberoptic, gas,
10 phone and cable television. This does not include wireless communication facilities as
11 defined in Title 17.

12 **Section 103: Kitsap County Code Section 17.110.643, “Race track, major,” last amended**
13 **by Ordinance 540-2016 is repealed.**

14 **Section 104: Kitsap County Code Section 17.110.644, “Race track, minor,” last amended**
15 **by Ordinance 540-2016 is amended as follows:**

16
17 **17.110.644 Race track, ~~minor~~.**

18 “Race track, ~~minor~~” means a public or privately owned course designed for the operating
19 and/or racing of automobiles, motorcycles, all-terrain vehicles or similar vehicles along a
20 defined route that may include straightaways, curves, jumps and/or other features.

21 **Section 105: Kitsap County Code Section 17.110.647, “Recreational facility,” last amended**
22 **by Ordinance 534-2016 is amended as follows:**

23
24 **17.110.647 Recreational facility, indoor.**

25 “Recreational facility, indoor” means a place designed and equipped for the conduct of sports
26 and leisure time activities. ~~Examples include athletic fields, batting cages, amusement parks,~~
27 ~~picnic areas, campgrounds, swimming pools, driving ranges, skating rinks and similar uses.~~
28 ~~Public recreational facilities are those owned by a government entity.~~ means a commercial
29 recreational land use conducted entirely within a building. Examples include, but are not
30 limited to amusement centers, arcades, arenas, bowling alleys, gymnasiums, pool or billiard
31 halls, skating rinks, and tennis courts.

32 **NEW SECTION. Section 106: A new section is added to Chapter 17.110 Kitsap County**
33 **Code, “Definitions,” as follows:**

34
35 **17.110.648 Recreational facility, outdoor.**

36 “Recreational facility, outdoor” means a commercial recreational land use conducted in open
37 or partially enclosed facilities. Examples include, but are not limited to amusement centers,
38 miniature golf, swimming pools, tennis courts, basketball courts, outdoor racquetball courts,
39 skateboard parks, and batting cages.

40 **NEW SECTION. Section 107: A new section is added to Chapter 17.110 Kitsap County**
41 **Code, “Definitions,” as follows:**
42

1 **17.110.651 Recreational vehicle camping park.**

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

6 **NEW SECTION. Section 108: A new section is added to Chapter 17.110 Kitsap County
7 Code, “Definitions,” as follows:**

8
9 **17.110.653 Recycling Center**

10 “Recycling center” means a facility that processes and converts waste into reusable material.

11 **NEW SECTION. Section 109: A new section is added to Chapter 17.110 Kitsap County
12 Code, “Definitions,” as follows:**

13
14 **17.110.657 Religious organization.**

15 See Section 17.505.020(F), Religious organization.

16 **NEW SECTION. Section 111: A new section is added to Chapter 17.110 Kitsap County
17 Code, “Definitions,” as follows:**

18
19 **17.110.658 Research laboratory.**

20 “Research laboratory” means a building or group of buildings used for scientific research,
21 investigation, testing, or experimentation, but not facilities for the manufacture or sale of
22 products, except as incidental to the main purpose of the laboratory.

23 **NEW SECTION. Section 112: A new section is added to Chapter 17.110 Kitsap County
24 Code, “Definitions,” as follows:**

25
26 **17.110.661 Resort.**

27 “Resort” means a group of buildings under unified ownership or control that provide
28 overnight accommodations, activities, and amenities. Examples include, but are not limited
29 to, golf, horseback riding, swimming, shuffleboard, tennis, hiking trails, restaurants, spas,
30 and meeting halls.

31 **Section 113: Kitsap County Code Section 17.110.662, “Restaurant,” last amended by
32 Ordinance 534-2016 is amended as follows:**

33
34 **17.110.662 Restaurant, with drive-thru service.**

35 ~~“Restaurant” means an establishment where food and/or beverages are served to customers
36 for compensation.~~

37 “Restaurant, with drive-thru service” means retail establishments providing food and/or
38 beverages for sale, and which are distinguished by one or more of the following:

39 A. Use of disposable food containers and utensils;

40 B. Self-service is available;

41 C. The principal business is take-out foods and beverages;

42 D. Drive-in or drive-thru service is available.

1 **Section 114: Kitsap County Code Section 17.110.663, “Restaurant, high-turnover” last**
2 **amended by Ordinance 534-2016 is amended as follows:**

3
4 **17.110.663 Restaurant, ~~high-turnover~~without drive-thru service.**

5 “~~Restaurant, High turnover~~” means retail establishments providing food and/or beverages for
6 sale, and which are distinguished by one or more of the following:

7 ~~A. Use of disposable food containers and utensils;~~

8 ~~B. Self service is available;~~

9 ~~C. The principal business is take out foods and beverages;~~

10 ~~D. Drive in or drive thru service is available.~~

11 “Restaurant, without drive-thru service” means an establishment where food and/or
12 beverages are served to customers for compensation.

13 **NEW SECTION. Section 115: A new section is added to Chapter 17.110 Kitsap County**
14 **Code, “Definitions,” as follows:**

15
16 **17.110.664 Rezone.**

17 “Rezone” means a change in the zoning classification on the Kitsap County zoning map that
18 affects one parcel or a small group of contiguous parcels, a section, or sections of Kitsap
19 County consistent with Chapter 17.450.

20 **Section 116: Kitsap County Code Section 17.110.665, “Rezone” last amended by**
21 **Ordinance 534-2016 is amended as follows:**

22
23 **17.110.665 ~~Rezone~~Rock crushing.**

24 ~~“Rezone” means a change in the zoning classification on the Kitsap County zoning map that~~
25 ~~affects one parcel or a small group of contiguous parcels, a section, or sections of Kitsap~~
26 ~~County consistent with Chapter 17.450.~~

27 “Rock crushing” means the use of explosives or machinery to fracture the rock into smaller
28 pieces suitable to be used for pavement, construction, and other uses. This processing occurs
29 after aggregate extraction.

30 **Section 117: Kitsap County Code Section 17.110.669, “Sending areas and parcels,” last**
31 **amended by Ordinance 534-2016 is amended as follows:**

32
33 **17.110.669 ~~Sending areas and parcels~~ Safe park transitory accommodations.**

34 ~~“Sending areas and parcels” means undeveloped or partially developed lot(s) or parcel(s)~~
35 ~~located within a sending area, designated on the Kitsap County zoning map or by further~~
36 ~~action of the board of county commissioners, that are appropriate to transfer development~~
37 ~~rights. See Section 17.505.040(D), Safe park transitory accommodations.~~

38 **NEW SECTION. Section 118: A new section is added to Chapter 17.110 Kitsap County**
39 **Code, “Definitions,” as follows:**

40
41 **17.110.670 School.**

42 “School” means an institution primarily engaged in teaching and learning, operated by a
43 public school district, nonprofit organization, or a private organization. Business and trade

1 schools and Montessori schools are included, as are satellite buildings of higher education
2 colleges.

3 **Section 119:** Kitsap County Code Section 17.110.671, “Setback,” last amended by
4 **Ordinance 534-2016 is amended as follows:**

5
6 **17.110.671 ~~Setback~~ Secure community transition facility.**

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

9 “Secure community transition facility” means a secure facility that provides supervision,
10 security, ensures the provision of sex offender treatment services, and are established
11 pursuant to Chapter 71.09 RCW.

12 **NEW SECTION. Section 120:** A new section is added to Chapter 17.110 Kitsap County
13 Code, “Definitions,” as follows:

14
15 **17.110.672 Sending areas and parcels.**

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

20 **NEW SECTION. Section 121:** A new section is added to Chapter 17.110 Kitsap County
21 Code, “Definitions,” as follows:

22
23 **17.110.674 Shared work/maker space.**

24 “Shared work/maker space” means a facility offering work related amenities to be used by
25 individuals or groups in exchange for compensation. Amenities include, but are not limited
26 to, meeting rooms, private offices, high speed internet, artist studios, craft spaces,
27 woodworking shops and commercial kitchens. Such facilities may also hold classes or
28 workshops available to the public. This definition also includes facilities that provide
29 organizational, mentoring or capital support intended to accelerate the successful
30 development of start-up companies, or imparts job and business skills to employees or
31 trainees. Incubated businesses make progress toward independence and relocation into
32 permanent facilities.

33 **NEW SECTION. Section 122:** A new section is added to Chapter 17.110 Kitsap County
34 Code, “Definitions,” as follows:

35
36 **17.110.676 Shelter.**

37 “Shelter” means a residential facility serving as a center to receive, provide and house
38 persons who need shelter. The shelter may allow partners, dependents, pets, and/or
39 possessions. The facility may provide on-site services.

40 **Section 123:** Kitsap County Code Section 17.110.673, “Shipping container,” last amended
41 by Ordinance 534-2016 is amended as follows:
42

1 **17.110.677 Shipping-container Setback.**

2 “Shipping container” means any repository greater than twenty-five feet in length
3 traditionally commonly used for the interstate or international transport of goods.

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

6 **NEW SECTION. Section 124: A new section is added to Chapter 17.110 Kitsap County**
7 **Code, “Definitions,” as follows:**

8
9 **17.110.677 Shipping container.**

10 “Shipping container” means any repository greater than twenty-five feet in length
11 traditionally commonly used for the interstate or international transport of goods.

12 **NEW SECTION. Section 125: A new section is added to Chapter 17.110 Kitsap County**
13 **Code, “Definitions,” as follows:**

14
15 **17.110.678 Shooting/gun facility, indoor.**

16 “Shooting/gun facility, indoor” means an indoor facility designated for the discharge of
17 firearms for individuals wishing to practice, improve upon or compete as to their shooting
18 skills. The facility may have a site with one or more shooting ranges but does not include
19 residential property.

20 **NEW SECTION. Section 126: A new section is added to Chapter 17.110 Kitsap County**
21 **Code, “Definitions,” as follows:**

22
23 **17.110.679 Shooting/gun facility, outdoor.**

24 “Shooting/gun facility, outdoor” means an outdoor facility designated for the discharge of
25 firearms for individuals wishing to practice, improve upon or compete as to their shooting
26 skills. The facility may have a site with one or more shooting ranges but does not include
27 residential property.

28 **Section 127: Kitsap County Code Section 17.110.675, “Sign,” last amended by Ordinance**
29 **534-2016 is amended as follows:**

30
31 **17.110.675 Sign Shellfish/fish hatcheries and processing facilities.**

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

36 “Shellfish/fish hatcheries and processing facilities” means uses which involve the production,
37 processing or sales of finfish, shellfish, or other aquatic or marine products within a confined
38 space and under controlled feeding, sanitation, harvesting, or processing procedures.

39 **Section 128: Kitsap County Code Section 17.110.680, “Sign permit,” last amended by**
40 **Ordinance 534-2016 is amended as follows:**

41
42 **17.110.680 Sign-permit Sign.**

1 ~~“Sign permit” means a permit which authorizes the placement or alteration of a sign on a~~
2 ~~particular parcel of property or building.~~

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

7 **NEW SECTION. Section 129: A new section is added to Chapter 17.110 Kitsap County**
8 **Code, “Definitions,” as follows:**

9
10 **17.110.681 Sign permit.**

11 “Sign permit” means a permit which authorizes the placement or alteration of a sign on a
12 particular parcel of property or building.

13 **NEW SECTION. Section 130: A new section is added to Chapter 17.110 Kitsap County**
14 **Code, “Definitions,” as follows:**

15
16 **17.110.682 Single-family attached dwelling.**

17 “Single-family attached dwelling” means a building containing two or more dwelling units,
18 each designed for occupancy by not more than one family. No unit is located over another.
19 Each unit is separated from adjacent units by one or more common vertical walls. Each unit
20 includes an adjacent dwelling-specific yard area within its ownership.

21 **Section 131: Kitsap County Code Section 17.110.683, “Site,” last amended by Ordinance**
22 **534-2016 is amended as follows:**

23
24 **~~17.110.683 Site~~ Single-family detached dwelling.**

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

27 “Single-family detached dwelling” or “detached single-family dwelling” means a single
28 dwelling unit designed for occupancy by not more than one family that is physically
29 separated from any other dwelling unit. This excludes recreational vehicles and mobile
30 homes.

31 **NEW SECTION. Section 132: A new section is added to Chapter 17.110 Kitsap County**
32 **Code, “Definitions,” as follows:**

33
34 **17.110.684 Single-family transitory accommodations.**

35 See Section 17.505.040(A), Single-family transitory accommodations.

36 **Section 133: Kitsap County Code Section 17.110.685, “Site plan,” last amended by**
37 **Ordinance 534-2016 is amended as follows:**

38
39 **~~17.110.685 Site plan~~ Site.**

40 ~~“Site plan” means a plan prepared to scale, showing accurately and with complete~~
41 ~~dimensions, all proposed and existing buildings, landscaping, open space, structures and~~

1 features on abutting properties, and parking proposed for a specific parcel of land; including
2 the specific requirements listed in the preapplication meeting summary and/or application.
3 “Site” means the spatial location of an actual or planned development. A site may contain
4 multiple lots or parcels, excluding public right-of-way.

5 **Section 134: Kitsap County Code Section 17.110.686, “Site-specific amendment,” last**
6 **amended by Ordinance 534-2016 is amended as follows:**

7
8 **17.110.686 Site-specific amendment Site plan.**

9 ~~“Site specific amendment” means an amendment to the Comprehensive Plan and/or zoning~~
10 ~~map that affects one or a small group of contiguous parcels. A site-specific amendment most~~
11 ~~frequently affects only the land use designation and/or zoning classification and not the text~~
12 ~~of the Comprehensive Plan or a development regulation.~~

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

17 **Section 135: Kitsap County Code Section 17.110.687, “Stealth technology,” last amended**
18 **by Ordinance 570-2019 is amended as follows:**

19
20 **17.110.687 Stealth technology Site-specific amendment.**

21 ~~“Stealth technology” means the camouflaging methods applied to wireless communication~~
22 ~~facilities (facilities) to render them more visually appealing and to blend the proposed facility~~
23 ~~into the existing structure or visual backdrop in such a manner to render it minimally visible~~
24 ~~to the casual observer. Such methods include, but are not limited to, architecturally screened~~
25 ~~roof mounted antennas, building mounted antennas painted to match the existing structure~~
26 ~~and facilities constructed to resemble trees, shrubs, light poles, flag poles, chimneys, church~~
27 ~~crosses, clock towers, gas station signs, statues, or rocks as appropriate to the surrounding~~
28 ~~environment.~~

29 “Site-specific amendment” means an amendment to the Comprehensive Plan and/or zoning
30 map that affects one or a small group of contiguous parcels. A site-specific amendment most
31 frequently affects only the land use designation and/or zoning classification and not the text
32 of the Comprehensive Plan or a development regulation.

33 **Section 136: Kitsap County Code Section 17.110.688, “Storage, hazardous materials,” last**
34 **amended by Ordinance 534-2016 is amended as follows:**

35
36 **17.110.688 Storage, hazardous materials Small transitory accommodations.**

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

41 See Section 17.505.040(B), Small transitory accommodations.

42 **Section 137: Kitsap County Code Section 17.110.689, “Storage, self-service,” last amended**
43 **by Ordinance 534-2016 is amended as follows:**

1
2 **17.110.689 Storage, self-service Slaughterhouse or animal processing.**

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

7 “Slaughterhouse or animal processing” means a building or facility used for the slaughtering
8 of animals and the processing and storage of animal products and waste that results from a
9 slaughtering process.

10 **Section 138: Kitsap County Code Section 17.110.690, “Storage, vehicle and equipment,”**
11 **last amended by Ordinance 534-2016 is amended as follows:**

12
13 **17.110.690 Storage, vehicles and equipment. Special care residence.**

14 “Storage, vehicles and equipment” means an indoor or outdoor area for parking or holding of
15 motor vehicles and boats or wheeled equipment for more than seventy two hours. This
16 definition excludes automotive sales and rentals, automobile or recreational vehicle repair,
17 equipment sales, rentals and repair, and wrecking yards.

18 “Special care residence” means a manufactured or mobile home used by a family member in
19 need of special, frequent and routine care and assistance by reason of advanced age or ill
20 health.

21 **Section 139: Kitsap County Code Section 17.110.691, “Storage, indoor,” last amended by**
22 **Ordinance 534-2016 is amended as follows:**

23
24 **17.110.691 Storage, indoor Stealth technology.**

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

28 “Stealth technology” means the camouflaging methods applied to wireless communication
29 facilities (facilities) to render them more visually appealing and to blend the proposed facility
30 into the existing structure or visual backdrop in such a manner to render it minimally visible
31 to the casual observer. Such methods include, but are not limited to, architecturally screened
32 roof-mounted antennas, building-mounted antennas painted to match the existing structure
33 and facilities constructed to resemble trees, shrubs, light poles, flag poles, chimneys, church
34 crosses, clock towers, gas station signs, statues, or rocks as appropriate to the surrounding
35 environment.

36 **Section 140: Kitsap County Code Section 17.110.692, “Storage, outdoor,” last amended by**
37 **Ordinance 534-2016 is amended as follows:**

38
39 **17.110.692 Storage, outdoor Storage, hazardous materials.**

40 “Storage, outdoor” means outdoor storage of products, supplies, and equipment. This
41 definition excludes hazardous materials storage, self-service storage, indoor storage, and
42 vehicle storage.

43 “Storage, hazardous materials” means the storage of materials produced on site or brought
44 from another site that are flammable, explosive, or present hazards to the public health,

1 safety, and welfare, including all substances and materials defined as hazardous materials,
2 hazardous substances, or hazardous waste.

3 **Section 141: Kitsap County Code Section 17.110.693, “Storage container,” last amended**
4 **by Ordinance 534-2016 is repealed:**

5 **NEW SECTION. Section 142: A new section is added to Chapter 17.110 Kitsap County**
6 **Code, “Definitions,” as follows:**

7
8 **17.110.694 Storage, vehicles and equipment.**
9 “Storage, vehicles and equipment” means an indoor or outdoor area for parking or holding of
10 motor vehicles and boats or wheeled equipment for more than seventy-two hours. This
11 definition excludes automotive sales and rentals, automobile or recreational vehicle repair,
12 equipment sales, rentals and repair, and wrecking yards.

13 **Section 143: Kitsap County Code Section 17.110.695, “Street,” last amended by Ordinance**
14 **540-2016 is amended as follows:**

15
16 **17.110.695 Street Storage, indoor.**
17 ~~“Street” means all roads, streets, highways, roadways, freeways, easements, and public~~
18 ~~rights of way used for or designed for vehicular access or use including private roads serving~~
19 ~~or intended to serve five or more lots. Streets may also include provisions for public utilities,~~
20 ~~pedestrian walkways, cut and fill slopes, vegetation, and storm drainage facilities.~~
21 “Storage, indoor” means a building or group of buildings consisting of self-contained units
22 leased to individuals, organizations, or businesses for self storage of personal property of
23 goods and/or materials. The definition excludes hazardous materials storage, outdoor storage,
24 and vehicle storage.

25 **NEW SECTION. Section 144: A new section is added to Chapter 17.110 Kitsap County**
26 **Code, “Definitions,” as follows:**

27
28 **17.110.696 Storage, outdoor.**
29 “Storage, outdoor” means outdoor storage of products, supplies, and equipment. This
30 definition excludes hazardous materials storage, self-service storage, wrecking yards, and
31 vehicle storage.

32 **Section 145: Kitsap County Code Section 17.110.697, “Streetscape,” last amended by**
33 **Ordinance 587-2020 is amended as follows:**

34
35 **17.110.697 Streetscape Storage container.**
36 ~~“Streetscape” means the visual and functional supporting elements of a roadway design that~~
37 ~~provide aesthetic interest and comfort to the pedestrian. Street amenities serve to define the~~
38 ~~public space of a sidewalk as well as the adjacent roadway corridor. Pedestrian amenities~~
39 ~~include pedestrian-oriented plazas, furniture, lighting, and art.~~
40 “Storage container” means any repository twenty-five feet or less in length commonly used
41 for the transit and short-term storage of residential belongings.

1 **NEW SECTION. Section 146: A new section is added to Chapter 17.110 Kitsap County**
2 **Code, “Definitions,” as follows:**

3
4 **17.110.698 Street.**

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

9 **NEW SECTION. Section 147: A new section is added to Chapter 17.110 Kitsap County**
10 **Code, “Definitions,” as follows:**

11
12 **17.110.699 Streetscape.**

13 “Streetscape” means the visual and functional supporting elements of a roadway design that
14 provide aesthetic interest and comfort to the pedestrian. Street amenities serve to define the
15 public space of a sidewalk as well as the adjacent roadway corridor. Pedestrian amenities
16 include pedestrian-oriented plazas, furniture, lighting, and art.

17 **Section 148: Kitsap County Code Section 17.110.706, “Subarea plan,” last amended by**
18 **Ordinance 534-2016 is amended as follows:**

19
20 **17.110.706 Subarea plan Stump grinding and firewood cutting.**

21 “Subarea plan” means a detailed, local land use plan which is a subcomponent of the Kitsap
22 County Comprehensive Plan. A subarea plan contains specific policies, guidelines, and
23 criteria for a specific geographic area of Kitsap County. “Stump grinding and firewood
24 cutting” means any commercial operation that cuts, saws, chops, or grinds wood.
25

26 **Section 149: Kitsap County Code Section 17.110.707, “(Repealed)*,” last amended by**
27 **Ordinance 570-2019 is amended as follows:**

28
29 **17.110.707 (Repealed)* Subarea plan**

30 “Subarea plan” means a detailed, local land use plan which is a subcomponent of the Kitsap
31 County Comprehensive Plan. A subarea plan contains specific policies, guidelines, and
32 criteria for a specific geographic area of Kitsap County.

33 **NEW SECTION. Section 150: A new section is added to Chapter 17.110 Kitsap County**
34 **Code, “Definitions,” as follows:**

35
36 **17.110.709 Temporary offices and model homes.**

37 “Temporary offices and model homes” means a structure designed to serve as a temporary
38 office for supervision on a construction site, a temporary on-site real estate office, temporary
39 business office in advance of a permanent facility construction, or a dwelling unit
40 temporarily used for display purposes as an example for dwelling units available for sale or
41 rental in a particular subdivision or residential development.

1 **Section 151:** Kitsap County Code Section 17.110.720, “Temporary use,” last amended by
2 Ordinance 534-2016 is repealed.

3 **NEW SECTION. Section 152:** A new section is added to Chapter 17.110 Kitsap County
4 Code, “Definitions,” as follows:

5
6 **17.110.717 Temporary use.**
7 “Temporary use” means a use which may occur on a lot on a seasonal basis or for a
8 prescribed period of time which usually would not exceed one year’s duration.

9 **NEW SECTION. Section 153:** A new section is added to Chapter 17.110 Kitsap County
10 Code, “Definitions,” as follows:

11
12 **17.110.718 Top soil production.**
13 “Top soil production” means any commercial operation involving the production and sale of
14 top soil in any form for use on property other than that on which the operation is located.

15 **NEW SECTION. Section 154:** A new section is added to Chapter 17.110 Kitsap County
16 Code, “Definitions,” as follows:

17
18 **17.110.726 Transitory accommodations.**
19 “Transitory accommodations” means shelters, as defined in Chapter 17.505, that are not
20 permanently attached to the ground, may easily be erected and dismantled or moved, and are
21 intended for temporary occupancy. Transitory accommodations also include all other
22 facilities specifically identified in chapter 17.505 ‘Transitory Accommodations’.

23 **NEW SECTION. Section 155:** A new section is added to Chapter 17.110 Kitsap County
24 Code, “Definitions,” as follows:

25
26 **17.110.727 Transportation terminals, marine.**
27 “Transportation terminals, marine” means a building, structure, or area that primarily
28 supports ancillary facilities for water-borne transportation (e.g. commuter ferries, water
29 taxies, hovercraft) or short-term excursions (e.g. charter boats, mini-cruises, sight-seeing,
30 gambling, dining, and entertainment on the water) including but not limited to: passenger
31 terminals and berthing areas, storage, employee or passenger parking, administrative
32 functions, ship servicing area, layover berths, fueling stations, and other boat or passenger
33 services.

34 **Section 156:** Kitsap County Code Section 17.110.728, “Urban level of sanitary sewer
35 service” last amended by Ordinance 534-2016 is amended as follows:

36
37 **17.110.728 ~~Urban level of sanitary sewer service~~ Transportation terminals, non-**
38 **marine.**
39 “~~Urban level of sanitary sewer service~~” means those forms of wastewater service provision
40 ~~within urban growth areas that serve urban levels of development, including, but not limited~~
41 ~~to, connections to public sewer systems, membrane biofiltration reactor systems, large on-site~~

1 ~~septic systems (LOSS), community sewage disposal systems, and existing properly~~
2 ~~functioning on-site septic systems.~~

3 “Transportation terminals, non-marine” means a building, structure, or area designed for
4 persons changing transportation modes. This definition excludes marine transportation
5 terminals.

6 **NEW SECTION. Section 157: A new section is added to Chapter 17.110 Kitsap County**
7 **Code, “Definitions,” as follows:**

8
9 **17.110.729 Transshipment facilities.**

10 “Transshipment facilities” means a facility designed to transfer cargo from one ship or other
11 form of transport to another. Examples include, but are not limited to: docks, wharves,
12 marine rails, cranes, and barge facilities.

13 **NEW SECTION. Section 158: A new section is added to Chapter 17.110 Kitsap County**
14 **Code, “Definitions,” as follows:**

15
16 **17.110.734 Urban level of sanitary sewer service.**

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

22 **Section 159: Kitsap County Code Section 17.110.730, “Use,” last amended by Ordinance**
23 **534-2016 is repealed.**

24 **NEW SECTION. Section 160: A new section is added to Chapter 17.110 Kitsap County**
25 **Code, “Definitions,” as follows:**

26
27 **17.110.736 Use.**

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

30 **NEW SECTION. Section 161: A new section is added to Chapter 17.110 Kitsap County**
31 **Code, “Definitions,” as follows:**

32
33 **17.110.737 Useable marijuana**

34 “Useable marijuana” means dried marijuana flowers; it does not include marijuana-infused
35 products or marijuana concentrates. Where this definition conflicts with RCW 69.50.101, as
36 now or hereafter amended, that in state law shall govern.

37 **NEW SECTION. Section 162: A new section is added to Chapter 17.110 Kitsap County**
38 **Code, “Definitions,” as follows:**

39
40 **17.110.742 Vocational school.**

1 “Vocational school” means an institution providing instruction and training in a specific
2 service, such as art, dance, driving, and music, or a specific trade, such as business, real
3 estate, travel, auto machinery repair, welding, and skill center.

4 **NEW SECTION. Section 163: A new section is added to Chapter 17.110 Kitsap County
5 Code, “Definitions,” as follows:**

6
7 **17.110.743 Warehousing and distribution.**

8 “Warehousing and distribution” means a facility where goods are received and/or stored for
9 delivery to other firms or the final customer.

10 **NEW SECTION. Section 164: A new section is added to Chapter 17.110 Kitsap County
11 Code, “Definitions,” as follows:**

12
13 **17.110.762 Wetland mitigation bank.**

14 “Wetland mitigation bank” means a site where wetlands are restored, created, enhanced or
15 preserved exclusively for the purpose of compensatory mitigation in advance of authorized
16 impacts to similar resources.

17 **Section 165: Kitsap County Code Section 17.130.020, “Uses permitted and design
18 standards” for the Rural Residential zone, last amended by Ordinance 534-2016 is
19 amended as follows:**

20 **17.130.020 Uses permitted and design standards.**

21 A. Uses Permitted. Section 17.410.042, Rural, resource, and urban residential zones use table.,
22 shall determine the allowed uses and permits required for parcels in the Rural Residential zone
23 except for parcels located within the boundary of the Port Gamble Redevelopment Plan approved
24 pursuant to Section 17.360C.030. These parcels shall refer to Appendix F to determine allowed
25 uses, permits required, and definitions; all other chapters of Kitsap County Code or an approved
26 development agreement not included in Appendix F shall still apply.

27 B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density
28 and dimensions table.

29 1. Density;

30 2. Lot dimensions;

31 3. Lot coverage standards;

32 4. Height regulations;

33 5. Setbacks.

34 C. Chapter 17.105, Interpretations and Exceptions.

35 D. Chapter 17.440, Master Planning.

36 E. Chapter 17.450, Performance Based Development.

37 F. Chapter 17.490, Off-Street Parking and Loading.

38 G. Chapter 17.500, Landscaping.

39 H. Chapter 17.510, Sign Code.

40 I. Chapter 17.580, Transfer of Development Rights.

41 **Section 166: Kitsap County Code Section 17.150.020, “Uses permitted and design
42 standards” for the Rural Wooded zone, last amended by Ordinance 534-2016 is amended
43 as follows:**

- 1 **17.150.020 Uses permitted and design standards.**
2 A. Uses Permitted. Section 17.410.042, Rural, resource, and urban residential zones use table,
3 shall determine the allowed uses and permits required for parcels in the Rural Wooded zone
4 except for parcels located within the boundary of the Port Gamble Redevelopment Plan approved
5 pursuant to Section 17.360C.030. These parcels shall refer to Appendix F to determine allowed
6 uses, permits required, and definitions; all other chapters of Kitsap County Code or an approved
7 development agreement not included in Appendix F shall still apply.
8 B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density
9 and dimensions table.
10 1. Density;
11 2. Lot dimensions;
12 3. Lot coverage standards;
13 4. Height regulations;
14 5. Setbacks.
15 C. Chapter 17.105, Interpretations and Exceptions.
16 D. Chapter 17.440, Master Planning.
17 E. Chapter 17.450, Performance Based Development.
18 F. Chapter 17.490, Off-Street Parking and Loading.
19 G. Chapter 17.500, Landscaping.
20 H. Chapter 17.510, Sign Code.
21 I. Chapter 17.580, Transfer of Development Rights.

22 **Section 167: Kitsap County Code Section 17.180.030, “Special provisions” for the Urban**
23 **Restricted zone, last amended by Ordinance 534-2016 is amended as follows:**

24 **17.180.030 Special provisions.**
25 ~~See Chapter 17.470, Multifamily Development—Design Criteria.~~
26 Reserved.

27 **Section 168: Kitsap County Code Section 17.200.030, “Special provisions” for the Urban**
28 **Low Residential zone, last amended by Ordinance 534-2016 is amended as follows:**

29 **17.200.030 Special provisions.**
30 ~~For multifamily development, see Chapter 17.470, Multifamily Development—Design Criteria.~~
31 All commercial or industrial development shall be located at an intersection that contains right-
32 of-way with a road classification of arterial to arterial or arterial to collector.

33 **Section 169: Kitsap County Code Section 17.210.030, “Special provisions” for the Urban**
34 **Cluster Residential zone, last amended by Ordinance 534-2016 is amended as follows:**

35 **17.210.030 Special provisions.**
36 A. All development shall comply with the standards in the Kitsap County storm water
37 management ordinance, Title 12, and the Kitsap County critical areas ordinance, Title 19, as they
38 now exist or are later amended, as well as all SEPA mitigation requirements.
39 B. ~~For multifamily development, see Chapter 17.470, Multifamily Development—Design~~
40 ~~Criteria.~~ All commercial or industrial development shall be located at an intersection that contains
41 right-of-way with a roadway classification of arterial to arterial or arterial to collector.

1 **Section 170:** Kitsap County Code Section 17.220.030, “Special provisions” for the Urban
2 **Medium Residential zone, last amended by Ordinance 534-2016 is amended as follows:**

3 **17.220.030 Special provisions.**

4 ~~For multifamily development, see Chapter 17.470, Multifamily Development—Design Criteria.~~
5 Reserved.

6 **Section 171:** Kitsap County Code Section 17.230.030, “Special provisions” for the Urban
7 **High Residential zone, last amended by Ordinance 534-2016 is amended as follows:**

8 **17.230.030 Special provisions.**

9 ~~A. For multifamily development, see Chapter 17.470, Multifamily Development—Design~~
10 ~~Criteria.~~

11 For recreational open space provisions, see Section 17.450.040(C).

12 **Section 172:** Kitsap County Code Section 17.300.030, “Special provisions” for the Business
13 **Center zone, last amended by Ordinance 534-2016, is amended as follows:**

14 **17.300.030 Special provisions.**

15 A. Site Landscaping and Design Plan. As a component of permit and/or land use review,
16 development within this zone shall be subject to review and approval by the director of a site
17 landscape and design plan based on conformance with Chapter 17.420, any design standards
18 associated with this zone and/or design standards associated with a particular subarea, whichever
19 is most restrictive. In addition to these requirements, the following shall apply:

- 20 1. All required landscaping shall be installed prior to occupancy.
- 21 2. Required rear and side yard setback areas abutting a residential zone shall provide and
22 maintain a dense evergreen screening buffer which attains a mature height of at least
23 eleven feet, or other screening measure as approved by the director.
- 24 3. Required setback areas adjacent to streets and those abutting a residential zone shall be
25 continuously maintained in plantings, with such live ground cover and trees or shrubs
26 established and maintained in a manner providing a park-like character to the property.
- 27 4. Areas which are to be maintained in their natural setting shall be so designated on a
28 landscape plan, and subject to the review and approval of the director.
- 29 5. All mechanical, heating, and ventilating equipment shall be visually screened whether on
30 grade or building mounted.
- 31 6. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
32 necessary to protect property of the industry or business concerned; or to protect the
33 public from a dangerous condition. Fences may not be located in or adjacent to a required
34 yard adjacent to a public right-of-way.

35 B. Performance Standards. No land or structure shall be used or occupied within this zone unless
36 there is compliance with the following minimum performance standards:

- 37 1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise
38 ordinance.
- 39 2. Vibration, other than that caused by highway vehicles, trains, and aircraft, which is
40 discernible without instruments at the property line of the use concerned is prohibited.
- 41 3. Smoke and Particulate Matter. Air emissions must meet standards approved by the Puget
42 Sound Air Pollution Control Authority.

- 1 4. Odors. The emission of noxious gases or matter in such quantities as to be readily
2 detectable at any point beyond the property line of the use causing such odors is
3 prohibited.
4 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be
5 conducted within an enclosed building. Exterior lighting shall be designed to shield
6 surrounding streets and land uses from nuisance and glare.

7 C. Administration. As a condition for the granting of a building permit and/or site plan approval,
8 at the request of the director, information sufficient to determine the degree of compliance with
9 the standards in this title shall be furnished by the applicant. Such request may include
10 continuous records of operation, for periodic checks to assure maintenance of standards or for
11 special surveys. Maximum permissible noise levels shall be in compliance with the Kitsap
12 County noise ordinance.

13 D. Uses marked as permitted in Section 17.410.044 are permitted only if consistent with an
14 approved master plan pursuant to Chapter 17.440. Where a master plan is optional and the
15 applicant chooses not to develop one, all uses shown as permitted require an administrative
16 conditional use permit (ACUP).

17 E. All business, service repair, processing, storage, or merchandise display on property abutting
18 or across the street from a lot in any residential zone shall be conducted wholly within an
19 enclosed building unless screened from the residential zone by a sight-obscuring fence or wall.

20 **Section 173: Kitsap County Code Section 17.320.030, “Special provisions” for the**
21 **Industrial zone, last amended by Ordinance 534-2016 is amended as follows:**

22 **17.320.030 Special provisions.**

23 A. For properties with an approved master plan, all uses requiring a conditional use permit
24 (CUP) or administrative conditional use permit (ACUP) will be considered permitted uses.

25 B. All business, service repair, processing, storage, or merchandise display on property abutting
26 or across the street from a lot in any residential zone shall be conducted wholly within an
27 enclosed building unless screened from the residential zone by a sight-obscuring fence or wall.

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

34 A1. Lot Requirements.

35 1a. Lot area: none.

36 2b. Lot width: none.

37 3c. Lot Depth. Minimum lot depth shall be two hundred feet.

38 B2. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
39 residential zone, unless berming and landscaping approved by the director is provided
40 which will effectively screen and buffer the industrial activities from the residential zone
41 which it abuts; in which case, the minimum setback shall be fifty feet.

42 4a. Front Yard. Minimum front yard setback shall be forty feet.

43 2b. Side Yard. Minimum side yard setback shall be twenty-five feet.

44 3c. Rear Yard. Minimum rear yard setback shall be twenty feet.

- 1 ~~€~~3. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions
2 set forth in Section 17.420.054, Commercial, industrial, and parks zones density and
3 dimensions table.
- 4 ~~1~~a. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted
5 within required yard areas adjacent to residential zones.
- 6 ~~2~~b. No yards are required at points where side or rear yards abut a railroad right-of-way or
7 spur track.
- 8 ~~D~~4. Fences, walls and hedges will be allowed inside of a boundary planting screen where it
9 is necessary to protect property of the industry concerned, or to protect the public from a
10 dangerous condition with no fence being constructed in a required yard adjacent to public
11 right-of-way.
- 12 ~~E~~5. Off-street parking and loading shall be provided as required by Chapter 17.490. No off-
13 street parking or loading shall be allowed within fifty feet of an adjacent residential zone,
14 unless the director finds that a buffer will exist that effectively screens the parking and
15 loading from the adjacent residential zone, in which case, no off-street parking or loading
16 shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or
17 loading may be permitted within the side yard but not within a required front yard area.
- 18 ~~F~~6. Site Landscaping and Design Plan. As a component of land use review, development
19 within this zone shall be subject to review and approval by the director of a site landscape
20 and design plan. In addition to the requirements of Chapter 17.500 and any required
21 design standards for the area, the following requirements shall apply:
- 22 ~~1~~a. All required landscaping shall be installed prior to occupancy.
- 23 ~~2~~b. Required rear and side yard setback areas abutting a residential zone shall provide and
24 maintain a dense evergreen buffer which attains a mature height of at least eleven feet,
25 or other screening measure as may be prescribed by the director.
- 26 ~~3~~c. Areas which are to be maintained shall be so designated on a landscape plan and
27 subject to the review and approval of the director.
- 28 ~~4~~d. All mechanical, heating and ventilating equipment shall be visually screened.
- 29 ~~G~~7. Performance Standards. No land or structure shall be used or occupied within this zone
30 unless there is compliance with the following minimum performance standards:
- 31 ~~1~~a. Maximum permissible noise levels shall be in compliance with the Kitsap County
32 noise ordinance.
- 33 ~~2~~b. Vibration other than that caused by highway vehicles, trains, and aircraft which is
34 discernible without instruments at the property line of the use concerned is prohibited.
- 35 ~~3~~c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound
36 Air Pollution Control Authority.
- 37 ~~4~~d. The emission of noxious gases (odors) or matter in such quantities as to be readily
38 detectable at any point beyond the property line of the use causing such odors is
39 prohibited.
- 40 ~~5~~e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall
41 be conducted within an enclosed building. Exterior lighting shall be designed to shield
42 surrounding streets and land uses from nuisance and glare.
- 43 ~~H~~8. Administration. As a condition for the granting of a building permit and/or site plan
44 approval, at the request of the director, information sufficient to determine the degree of
45 compliance with the standards in this title shall be furnished by the applicant. Such

1 request may include continuous records of operation, for periodic checks to assure
2 maintenance of standards or for special surveys.

3 **Section 174: Kitsap County Code Section 17.330.030, “Special provisions” for the Rural**
4 **Industrial zone, last amended by Ordinance 534-2016, is amended as follows:**

5 **17.330.030 Special provisions.**

6 A. All business, service repair, processing, storage, or merchandise display on property abutting
7 or across the street from a lot in any residential zone shall be conducted wholly within an
8 enclosed building unless screened from the residential zone by a sight-obscuring fence or wall.

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

15 ~~A. Lot Requirements.~~

- 16 1. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
17 residential zone, unless berming and landscaping approved by the director is provided
18 which will effectively screen and buffer the industrial activities from the residential zone
19 which it abuts; in which case, the minimum setback shall be fifty feet.
 - 20 a. Front Yard. Minimum front yard setback shall be forty feet.
 - 21 b. Side Yard. Minimum side yard setback shall be twenty-five feet.
 - 22 c. Rear Yard. Minimum rear yard setback shall be twenty feet.
- 23 2. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set
24 forth in Section 17.420.054, Commercial, industrial, and parks zones density and
25 dimensions table.
 - 26 a. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted
27 within required yard areas adjacent to residential zones.
 - 28 b. No yards are required at points where side or rear yards abut a railroad right-of-way or
29 spur track.
- 30 3. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
31 necessary to protect property of the industry concerned, or to protect the public from a
32 dangerous condition with no fence being constructed in a required yard adjacent to public
33 right-of-way.
- 34 4. Signs shall be permitted according to the provisions of Chapter 17.510.
- 35 5. Off-street parking and loading shall be provided as required by Chapter 17.490. In
36 addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent
37 residential zone, unless the director finds that a buffer will exist that effectively screens
38 the parking and loading from the adjacent residential zone, in which case, no off-street
39 parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-
40 street parking or loading may be permitted within the side yard but not within a required
41 front yard area. Off-street loading shall not be permitted in a required side or rear yard
42 setback abutting a residential zone. No off-street loading may be permitted within fifty
43 feet of a public right-of-way or access easement.
- 44 6. Site Landscaping and Design Plan. As a component of land use review, development
45 within this zone shall be subject to review and approval by the director of a site landscape

1 and design plan. In addition to the requirements of Chapter 17.500 and any required
2 design standards for the area, the following requirements shall apply:

- 3 a. All required landscaping shall be installed prior to occupancy.
- 4 b. Required rear and side yard setback areas abutting a residential zone shall provide and
5 maintain a dense evergreen buffer which attains a mature height of at least eleven feet,
6 or other screening measure as may be prescribed by the director.
- 7 c. Areas which are to be maintained shall be so designated on a landscape plan, and
8 subject to the review and approval of the director.
- 9 d. All mechanical, heating and ventilating equipment shall be visually screened.
- 10 7. Performance Standards. No land or structure shall be used or occupied within this zone
11 unless there is compliance with the following minimum performance standards:
 - 12 a. Maximum permissible noise levels shall be in compliance with the Kitsap County
13 noise ordinance.
 - 14 b. Vibration other than that caused by highway vehicles, trains, and aircraft which is
15 discernible without instruments at the property line of the use concerned is prohibited.
 - 16 c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound
17 Air Pollution Control Authority.
 - 18 d. The emission of noxious gases (odors) or matter in such quantities as to be readily
19 detectable at any point beyond the property line of the use causing such odors is
20 prohibited.
 - 21 e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall
22 be conducted within an enclosed building. Exterior lighting shall be designed to shield
23 surrounding streets and land uses from nuisance and glare.
- 24 8. Administration. As a condition for the granting of a building permit and/or site plan
25 approval, at the request of the director, information sufficient to determine the degree of
26 compliance with the standards in this title shall be furnished by the applicant. Such
27 request may include continuous records of operation, for periodic checks to assure
28 maintenance of standards or for special surveys.

29 **Section 175: Kitsap County Code Section 17.360C.025, “Uses permitted and design
30 standards” for the Port Gamble Rural Historic Town, last amended by Ordinance 586-
31 2020, is amended as follows:**

32 **17.360C.025 Uses permitted and design standards.**

33 A. Uses Permitted. Section 17.410.046, Limited areas of more intensive rural development
34 (LAMIRD) zones use table-, except for parcels located within the boundary of the Port Gamble
35 Redevelopment Plan approved pursuant to Section 17.360C.030 shall refer to Appendix F to
36 determine allowed uses, permits required, and definitions. All development of these uses must
37 be consistent with town development standards pursuant to Section 17.360C.020. All other
38 chapters of Kitsap County Code or an approved development agreement not included in
39 Appendix F shall still apply.

40 B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density
41 and dimensions table.

- 42 1. Density;
- 43 2. Lot dimensions;
- 44 3. Lot coverage standards;
- 45 4. Height regulations;

- 1 5. Setbacks.
- 2 C. Chapter 17.105, Interpretations and Exceptions.
- 3 D. Chapter 17.440, Master Planning.
- 4 E. Chapter 17.450, Performance Based Development.
- 5 F. Chapter 17.490, Off-Street Parking and Loading.
- 6 G. Chapter 17.500, Landscaping.
- 7 H. Chapter 17.510, Sign Code.
- 8 I. Chapter 17.580, Transfer of Development Rights.

9 **Section 176: Kitsap County Code Section 17.410.030 “Interpretation of tables”, last**
10 **amended by Ordinance 534-2016 is amended as follows:**

11
12 **17.410.030 Interpretation of tables.**

13 A. Legend. The following letters and symbols have the following meanings when they appear in
14 the box at the intersection of the column and the row:
15

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

16
17 B. Permit review requirements. Multiple letters or symbols in a cell, or a small number
18 (subscript) in a cell, indicate a different level of permit review may be required for uses in
19 specific zones. Those additional requirements can be found in Chapter 17.415 or in the special
20 provisions of a zone chapter. All applicable requirements shall govern a use whether specifically
21 identified in this chapter or not.

22 ~~B-C.~~ Additional Use-Related Conditions. The small numbers (subscript) in a cell indicate
23 additional requirements or detailed information for uses in specific zones. Those additional
24 requirements can be found in the table footnotes in Section 17.410.050. Additional requirements
25 for each use can also be found in Chapter 17.415 or in the special provisions section of the zone
26 chapter for which the use is proposed. All applicable requirements shall govern a use whether
27 specifically identified in this chapter or not.

28 ~~C-D.~~ Unclassified Uses. Except as provided in Section 17.100.040, Allowed uses, if a use is
29 not listed in the use column, the use is prohibited in that designation.

Section 177: Kitsap County Code Section 17.410.042, “Rural, resource, urban residential zones use table,” last amended by Ordinance 586-2020 is repealed and replaced as follows:

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
RESIDENTIAL USES														
100	Accessory dwelling unit, attached	P	P	P	--	--	P	P	P	P	P	--	17.110.017 Accessory dwelling unit, attached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
102	Accessory dwelling unit, detached	C	C	C	--	--	P	P	P	P	P	--	17.110.020 Accessory dwelling unit, detached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
104	Caretaker dwelling	--	--	--	--	P	--	--	--	--	--	--	17.110.150 Caretaker dwelling.	17.415.100 Caretaker.
106	Guest house	P	P	P	--	--	P	P	P	P	P	--	17.110.317 Guest house.	17.415.260 Guest house.
Dwelling, family living														
108	Cottage housing development	--	--	--	--	--	ACUP	ACUP	P	P	P	P	17.110.196 Cottage housing development.	17.415.135 Cottage housing development.
110	Duplex	P	P	P	P	--	P	P	P	P	P	P	17.110.245 Duplex.	17.415.160 Duplex.
112	Manufactured/mobile/RV /park- model/tiny home park	C	C	C	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.467 Manufactured/mobile/RV/park-model/tiny home park.	17.415.305 Manufactured/mobile/RV/park-model/tiny home park.
114	Mobile home	P	P	P	P	P	P	P	P	P	P	--	17.110.490 Mobile home.	17.415.360 Mobile home.
116	Multiple family	--	--	--	--	--	-- ACUP	ACUP	P	P	P	P	17.110.250 Multiple-family.	17.415.365 Multiple family.
118	Single-family attached	C	C	--	C	--	P	P	P	P	P	P	17.110.682 Single-family attached.	17.415.495 Single-family attached dwelling.
120	Single-family detached (includes manufactured homes)	P	P	P	C	--	P	P	P	P	P	P	17.110.683 Dwelling, single-family detached. 17.110.470 Manufactured home.	17.415.500 Single-family detached dwelling (includes manufactured homes).

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
Dwelling, group living														
122	Adult family home	P	P	P	--	--	P	P	P	P	P	P	17.110.045 Adult family home.	17.415.030 Adult family home.
124	Group Living (1 to 6 rooms)	--	--	--	--	--	P	P	P	P	P	P	17.110.318 Group living	17.415.250 Group Living (1 to 6 rooms)
126	Group Living (7 or more rooms)	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.318 Group living.	17.415.255 Group Living (7 or more rooms)
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations
Other Residential Uses														
130	Bed and breakfast house, 1-4 rooms	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.
132	Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests	C	C	C	--	--	C	C	C	C	C	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.
134	Home business, incidental	P	P	P	P	--	P	P	P	P	P	P	17.110.345 Home business.	17.415.275 Home business.
136	Home business, minor	P	P	P	P	--	P	P	P	P	P	P	17.110.345 Home business.	17.415.275 Home business.
138	Home business, moderate	ACUP	ACUP	ACUP	ACUP	--	P	P	P	P	P	P	17.110.345 Home business.	17.415.275 Home business.
140	Vacation rentals, 1-4 rooms	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.
142	Vacation rentals, 5 or more rooms	C	C	C	--	--	C	C	C	C	C	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.
COMMERCIAL USES														
Hotels or Hospitality														
200	Adult entertainment	--	--	--	--	--	--	--	--	--	--	--	17.110.043 Adult entertainment.	17.415.025 Adult Entertainment.
202	Conference center	--	--	--	--	--	--	--	--	--	--	--	17.110.177 Conference center.	17.415.125 Conference center.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
204	Drinking establishments	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.229 Drinking establishments.	17.415.155 Drinking establishments.
206	Espresso stands	--	--	--	--	--	--	--	--	--	--	P	17.110.267 Espresso stands.	17.415.190 Espresso stands.
208	Event facility	C	C	--	--	--	--	--	--	--	--	--	17.110.269 Event facility	17.415.185 Event facility.
210	Hotel/motel	--	--	--	--	--	--	--	--	--	--	--	17.110.361 Hotel/motel.	17.415.285 Hotel/motel.
212	Resort	--	--	--	--	--	--	--	--	--	--	--	17.110.661 Resort.	17.415.440 Resort.
214	Restaurants, with drive-thru service	--	--	--	--	--	--	--	--	--	C	C	17.110.662 Restaurant, with drive-thru service.	17.415.445 Restaurant, with drive-through service.
216	Restaurants, without drive-thru service	--	--	--	--	--	--	--	C	C	ACUP	ACUP	17.110.663 Restaurant, without drive-thru service.	17.415.450 Restaurants, without drive-through service.
Retail														
218	Auction house	--	--	--	--	--	--	--	--	--	--	--	17.110.091 Auction house.	17.415.055 Auction house.
220	Automobile, mobile home, recreational vehicle, or boat sales	--	--	--	--	--	--	--	--	--	--	--	17.110.096 Automobile, recreational vehicle or boat sales.	17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.
222	Automobile, recreational vehicle or boat rentals	--	--	--	--	--	--	--	--	--	--	--	17.110.650 Recreational vehicle.	17.415.065 Automobile, recreational vehicle or boat rentals.
224	Equipment sales, rentals and repair, heavy	--	--	--	--	--	--	--	--	--	--	--	17.110.263 Equipment sales, rentals and repair, heavy.	17.415.175 Equipment sales, rentals and repair, heavy.
226	Equipment sales, rentals and repair, light	--	--	--	--	--	--	--	--	--	--	--	17.110.264 Equipment sales, rentals and repair, light.	17.415.180 Equipment sales, rentals and repair, light.
228	Equipment sales, rentals and repair, recreational	--	--	--	--	--	--	--	--	ACUP	ACUP	ACUP	17.110.266 Equipment sales, rentals and repair, recreational	17.415.185 Equipment sales, rentals and repair, recreational.
230	Fuel or charging station, with convenience store	--	--	--	--	--	--	--	--	--	--	--	17.110.292 Fuel or charging station, with convenience store.	17.415.220 Fuel or charging stations.
232	Fuel or charging station, without convenience store	--	--	--	--	--	--	--	--	--	--	--	17.110.293 Fuel or charging station, without convenience store.	17.415.220 Fuel or charging stations.
234	General retail merchandise stores – less than 4,000 s.f.	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
236	General retail merchandise stores – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	C	ACUP	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
238	General retail merchandise stores – 10,000 to 15,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
240	General retail merchandise stores – 15,001 to 24,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
242	General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
244	Lumber and bulky building material sales	--	--	--	--	--	--	--	--	--	--	--	17.110.464 Lumber and bulky building material sales.	17.415.300 Lumber and bulky building material sales.
246	Marijuana retailer	--	--	--	--	--	--	--	--	--	--	--	17.110.478 Marijuana retailer.	17.415.345 Marijuana retailer
248	Nursery, retail	C	C	--	--	--	--	--	--	--	--	--	17.110.520 Nursery, retail.	17.415.370 Nursery, retail.
250	Nursery, wholesale	P	P	P	--	P	--	--	--	--	--	--	17.110.525 Nursery, wholesale.	17.415.375 Nursery, wholesale
Offices and Services														
254	Automobile or recreational vehicle repair	--	--	--	--	--	--	--	--	--	--	--	17.110.094 Automobile or recreational vehicle repair.	17.415.070 Automobile or recreational vehicle repair.
256	Car washes	--	--	--	--	--	--	--	--	--	--	--	17.110.149 Car washes.	17.415.095 Car washes.
258	Clinic	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.164 Clinic.	17.415.110 Clinic.
260	Day-care center	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.200 Day-care center.	17.415.140 Day-care center.
262	Day-care center, home-based	P	P	--	--	--	P	P	P	P	P	P	17.110.205 Day-care center, home based.	17.415.145 Day-care center, home based.
264	Dispatch facility	--	--	--	--	--	--	--	--	--	--	--	17.110.226 Dispatch facility.	17.415.150 Dispatch facility.
266	Fitness center	--	--	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	17.110.278 Fitness center.	17.415.200 Fitness center.
268	General office and management services – less than 4,000 s.f.	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.302 General office and management services.	17.415.230 General office and management services.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
270	General office and management services – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	C	ACUP	17.110.302 General office and management services.	17.415.230 General office and management services.
272	General office and management services – 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	ACUP	17.110.302 General office and management services.	17.415.230 General office and management services.
274	Kennels or pet day-cares	C	C	--	--	--	--	--	--	--	--	--	17.110.375 Kennel.	17.415.290 Kennels or pet day-cares.
276	Kennels, hobby	P	P	P	--	--	-- P	P	P	P	P	--	17.110.380 Kennel, hobby.	17.415.295 Kennels, hobby.
278	Off-street parking facilities	--	--	--	--	--	--	--	--	--	--	--	17.110.531 Off-street parking facilities.	17.415.380 Off-street parking facilities.
280	Off-street parking facilities, structured	--	--	--	--	--	--	--	--	--	--	--	17.110.532 Off-street parking facilities, structured.	17.415.385 Off-street parking facilities, structured.
282	Personal services	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.583 Personal services.	17.415.390 Personal services.
284	Research laboratory, less than 4,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.658 Research laboratory.	17.415.425 Research laboratory, less than 4,000 s.f.
286	Research laboratory, 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110. 658 Research laboratory.	17.415.430 Research laboratory, 4,000 to 9,999 s.f.
288	Research laboratory, 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110. 658 Research laboratory.	17.415.435 Research laboratory, 10,000 s.f. or greater.
290	Tourism facilities, including outfitter and guide facilities	--	--	--	--	--	--	--	--	--	--	--		17.415.540 Tourism facilities, including outfitter and guide facilities.
292	Tourism facilities, including seaplane and tour boat terminals	--	--	--	--	--	--	--	--	--	--	--		17.415.545 Tourism facilities, including seaplane and tour boat terminals.
294	Veterinary clinics/animal hospitals/wildlife shelters	C	C	--	--	--	--	--	--	--	ACUP	ACUP	17.110.740 Veterinary clinic. 17.110.763 Wildlife shelter.	17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.
Other Commercial Uses														
296	Shared work/maker space	--	--	--	--	--	C	C	C	C	C	C	17.110.674 Shared work/maker space.	17.415.475 Shared work/maker space.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
RECREATIONAL/ CULTURAL USES														
300	Arboreta, botanical garden	--	--	--	--	--	C	C	--	--	--	--	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.050 Arboreta, botanical gardens
302	Campground	C	C	C	--	--	C	C	C	C	--	--	17.110.147 Campground.	17.415.090 Campground
304	Club	ACUP	C	--	--	--	C	C	C	C	ACUP	ACUP	17.110.165 Club.	17.415.115 Club.
306	Entertainment facility, indoor	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.261 Entertainment facility, indoor.	17.415.165 Entertainment facility, indoor.
308	Entertainment facility, outdoor	--	--	--	--	--	--	--	--	--	--	C	17.110.262 Entertainment facility, outdoor.	17.415.170 Entertainment facility, outdoor.
310	Golf courses	C	C	--	--	--	C	C	C	C	--	--	17.110.303 Golf course.	17.415.240 Golf courses.
312	Marinas	--	--	--	--	--	C	C	C	C	C	C	17.110.480 Marina.	17.415.350 Marinas.
314	Marina support services	--	--	--	--	--	--	--	--	--	--	--	17.110.482 Marina support services.	17.415.355 Marina support services.
316	Parks and open space	P	P	P	P	--	P	P	P	P	P	P	17.110.535 Open space.	
318	Race track	--	--	C	C	--	--	--	--	--	--	--	17.110.644 Race track.	17.415.405 Race track
320	Recreational facilities, indoor	C	C	C	--	--	C	C	ACUP	ACUP	ACUP	ACUP	17.110.647 Recreational facility, indoor.	17.415.410 Recreational facilities, indoor.
322	Recreational facilities, outdoor	ACUP	ACUP	C	--	--	C	C	C	C	C	C	17.110.648 Recreational facility, outdoor.	17.415.415 Recreational facilities, outdoor.
324	Shooting/gun facility, indoor	C	C	C	--	--	--	--	--	--	--	--	17.110.678 Shooting/gun facility, indoor.	17.415.485 Shooting/gun facility, indoor.
326	Shooting/gun facility, outdoor	C	C	C	--	--	--	--	--	--	--	--	17.110.679 Shooting/gun facility, outdoor.	17.415.490 Shooting/gun facility, outdoor.
328	Zoo, aquarium	--	--	--	--	--	--	--	--	--	--	--	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.595 Zoo, aquarium
INSTITUTIONAL USES														

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
400	Government/public structures	ACUP	ACUP	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.304 Government/public structures.	17.415.245 Government/public structures.
402	High-risk secured facility	--	--	--	--	--	--	--	--	--	--	--	17.110.335 High-risk secured facility.	17.415.270 High-risk secured facilities.
404	Hospital	--	--	--	--	--	--	--	--	--	--	C	17.110.360 Hospital.	17.415.280 Hospital.
406	Places of worship	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.600 Places of worship.	17.415.395 Places of worship.
408	Public facilities (greater than 300 square feet).	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.640 Public facilities.	17.415.400 Public facilities.
409	Public facilities (300 square feet or less).	P	P	P	P	P	P	P	P	P	P	P	17.110.640 Public facilities.	17.415.400 Public facilities.
410	School, elementary and middle school/junior high	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, elementary and middle school/junior high.	17.415.460 School, elementary, middle school, or junior high.
412	School, high school	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, high school.	17.415.465 School, high school.
414	School, college/vocational – less than 8,000 s.f.	C	--	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, college/vocational school	17.415.120 College/vocational school.
416	School, college/vocational school – 8,000 s.f. or greater	C	--	--	--	--	--	--	--	--	--	--	17.110.670 School, college/vocational school.	17.415.120 College/vocational school.
418	Secure community transition facility	--	--	--	--	--	--	--	--	--	--	--	17.110.671 Secure community transition facility.	17.415.470 Secure community transition facility.
420	Transportation terminals, marine	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.727 Transportation terminals, marine.	17.415.555 Transportation terminals, marine
422	Transportation terminals, non-marine	--	--	--	--	--	--	--	C	C	ACUP	ACUP	17.110.728 Transportation terminals, non-marine.	17.415.560 Transportation terminals, non-marine
424	Wireless communications facilities	P	P	P	P	P	P	P	P	P	P	P	17.110.770 Wireless communication facility.	17.415.585 Wireless communications facilities
INDUSTRIAL USES														
500	Airports	--	--	--	--	--	--	--	--	--	--	--	17.110.053 Airport.	17.415.045 Airport.
502	Boat yard	--	--	--	--	--	--	--	--	--	--	--	17.110.120 Boat yard.	17.455.085 Boat Yard

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
504	Cemeteries	C	C	C	--	--	C	C	C	C	C	C	17.110.163 Cemeteries.	17.415.105 Cemeteries.
506	Contractor's storage yard	C	C	--	--	ACUP	--	--	--	--	--	--	17.110.195 Contractor's storage yard.	17.415.130 Contractor's storage yard.
508	Food and beverage production, less than 4,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.279 Food and beverage production.	17.415.205 Food and beverage production.
510	Food and beverage production, 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110. 279 Food and beverage production.	17.415.205 Food and beverage production.
512	Food and beverage production, 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110. 279 Food and beverage production.	17.415.205 Food and beverage production.
514	Fuel distributors	--	--	--	--	--	--	--	--	--	--	--	17.110.291 Fuel distributors.	17.415.215 Fuel distributors.
516	Funeral homes	C	C	C	--	--	C	C	C	C	C	C	17.110.294 Funeral home.	17.415.225 Funeral homes.
518	Helicopter pads	--	--	--	--	--	--	--	--	--	--	--	17.110.333 Helicopter pads.	17.415.265 Helicopter pads.
520	Manufactured home, mobile home, park model, tiny home - sales	--	--	--	--	--	--	--	--	--	--	--	17.110.472 Manufactured home, mobile home, park models, tiny homes sales.	17.415.310 Manufactured home, mobile home, park models, tiny homes sales
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	--	--	--	17.110.473 Manufacturing and fabrication.	17.415.315 Manufacturing and fabrication, hazardous
524	Manufacturing and fabrication, heavy	--	--	--	--	--	--	--	--	--	--	--	17.110.473 Manufacturing and fabrication.	17.415.320 Manufacturing and fabrication, heavy.
526	Manufacturing and fabrication, light	--	--	--	--	--	--	--	--	--	--	--	17.110.473 Manufacturing and fabrication.	17.415.325 Manufacturing and fabrication, light.
528	Manufacturing and fabrication, medium	--	--	--	--	--	--	--	--	--	--	--	17.110.473 Manufacturing and fabrication.	17.415.330 Manufacturing and fabrication, medium.
530	Marijuana processor	--	--	--	--	--	--	--	--	--	--	--	17.110.475 Marijuana processor.	17.415.335 Marijuana processor.
532	Marijuana producer, Tier 1	--	--	--	--	--	--	--	--	--	--	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.
534	Marijuana producer, Tier 2	--	--	--	--	--	--	--	--	--	--	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
536	Marijuana producer, Tier 3	--	--	--	--	--	--	--	--	--	--	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.
538	Recycling centers	--	--	--	--	--	--	--	--	--	--	--	17.110.653 Recycling Center	17.415.420 Recycling center.
540	Rock crushing	--	--	C	C	C	--	--	--	--	--	--	17.110.665 Rock crushing.	17.415.455 Rock crushing.
542	Slaughterhouse or animal processing	--	--	--	--	--	--	--	--	--	--	--	17.110.689 Slaughterhouse or animal processing.	17.415.505 Slaughterhouse or animal processing.
544	Storage, hazardous materials	--	--	--	--	--	--	--	--	--	--	--	17.110.692 Storage, hazardous materials.	17.415.515 Storage, hazardous materials.
546	Storage, indoor	--	--	--	--	--	--	--	C	C	C	C	17.110.695 Storage, indoor.	17.415.520 Storage, indoor.
548	Storage, outdoor	--	--	--	--	--	--	--	C	C	C	C	17.110.696 Storage, outdoor.	17.415.525 Storage, outdoor.
550	Top soil production, stump grinding, firewood cutting, and composting	C	C	--	--	ACUP	--	--	--	--	--	--	17.110.718 Top soil production.	17.415.535 Top soil production, stump grinding, firewood cutting, and composting.
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	P	--	--	--	--	--	--	17.110.729 Transshipment facilities.	17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
554	Warehousing and distribution	--	--	--	--	--	--	--	--	--	--	--	17.110.743 Warehousing and distribution.	17.415.580 Warehousing and distribution.
556	Wrecking yards and junk yards	--	--	--	--	--	--	--	--	--	--	--	17.110.783 Wrecking yard.	17.415.590 Wrecking yards and junk yards.
RESOURCE														
600	Aggregate extractions sites	C	C	C	P	C	--	--	--	--	--	--	17.110.050 Aggregate extractions sites.	17.415.035 Aggregate extractions sites.
602	Agricultural use, primary	P	P	P	P	P	P	P	--	--	--	--	17.455.030 Definitions	17.415.040 Agricultural use, primary.
604	Aquaculture practices	C	C	C	--	--	C	C	C	C	C	C	17.110.085 Aquaculture practices.	17.415.075 Aquaculture practices.
606	Forestry	P	P	P	P	P	-- P	P	P	--	P	P	17.110.280 Forestry.	17.415.210 Forestry.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential		
Zoning Classification (1)(3)(4)→		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230	Definition ↓	Categorical Use Standards ↓
608	Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	--	--	--	17.110.675 Shellfish/fish hatcheries and processing facilities.	17.415.480 Shellfish/fish hatcheries and processing facilities.
ACCESSORY USES														
700	Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	17.110.030 Accessory use or structure.	17.415.020 Accessory use or structure.
TEMPORARY USES														
800	Special care units residence	P	P	P	P	--	P	P	P	P	P	P	17.110.690 Special care residence.	17.415.510 Special care residence.
802	Temporary offices and model homes	ACUP	ACUP	--	--	--	P	P	P	P	P	P	17.110.709 Temporary offices and model homes.	17.415.530 Temporary offices and model homes.
804	Transitory accommodations, single family residence	P	P	P	P	P	P	P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P	P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations

Section 178: Kitsap County Code Section 17.410.044., “Commercial, industrial, parks, and public facility zones use table,” last amended by Ordinance 587-2020 repealed and replaced as follows:

Comprehensive Plan Land Use Designation	Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
	C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →	17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓													
RESIDENTIAL USES													
100 Accessory dwelling unit, attached	P	P	P	P	P	--	--	--	--	--	--	17.110.017 Accessory dwelling unit, attached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
102 Accessory dwelling unit, detached	P	P	P	P	P	--	--	--	--	--	--	17.110.020 Accessory dwelling unit, detached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
104 Caretaker dwelling	P	P	P	ACUP	P	P	P	P	P	P	P	17.110.150 Caretaker dwelling.	17.415.100 Caretaker.
106 Guest house	P	P	P	P	P	--	--	--	--	--	--	17.110.317 Guest house.	17.415.260 Guest house.
Dwelling, family living													
108 Cottage housing development	ACUP	ACUP	-- ACUP	ACUP	ACUP	--	--	--	--	--	--	17.110.196 Cottage housing development.	17.415.135 Cottage housing development.
110 Duplex	P	P	-- P	P	P	--	--	--	--	--	--	17.110.245 Duplex.	17.415.160 Duplex.
112 Manufactured/mobile/RV/park-model/tiny home park	C	--	--	--	C	--	--	--	--	--	ACUP	17.110.467 Manufactured/mobile/RV/park-model/tiny home park.	17.415.305 Manufactured/mobile/RV/park-model/tiny home park.
114 Mobile home	--	--	--	--	--	--	--	--	--	--	--	17.110.490 Mobile home.	17.415.360 Mobile home.
116 Multiple family	P	P	-- P	ACUP	P	--	--	--	--	--	--	17.110.250 Multiple-family.	17.415.365 Multiple family.
118 Single-family attached	P	P	-- P	P	P	--	--	--	--	--	--	17.110.682 Single-family attached.	17.415.495 Single-family attached dwelling.

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓
120	Single-family detached (includes manufactured homes)	P	P	P	P	P	--	--	--	--	--	--	17.110.683 Dwelling, single-family detached. 17.110.470 Manufactured home.	17.415.500 Single-family detached dwelling (includes manufactured homes).
Dwelling, group living														
122	Adult family home	P	P	P	P	P	P	P	P	P	P	--	17.110.045 Adult family home.	17.415.030 Adult family home.
124	Group Living (1 to 6 rooms)	P	P	P	ACUP P	P	P	--	--	--	--	ACUP	17.110.318 Group living	17.415.250 Group Living (1 to 6 rooms)
126	Group Living (7 or more rooms)	ACUP	ACUP	ACUP	ACUP P	ACUP	ACUP	--	--	--	--	ACUP	17.110.318 Group living.	17.415.255 Group Living (7 or more rooms)
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations
Other Residential Uses														
130	Bed and breakfast house, 1-4 rooms	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.
132	Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests	--	--	ACUP	C	C	C	--	--	--	--	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.
134	Home business, incidental	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345 Home business.	17.415.275 Home business.
136	Home business, minor	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345 Home business.	17.415.275 Home business.
138	Home business, moderate	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345 Home business.	17.415.275 Home business.
140	Vacation rentals, 1-4 rooms	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.
142	Vacation rentals, 5 or more rooms	--	--	ACUP	C	C	C	--	--	--	--	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.
COMMERCIAL USES														

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →	C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P			
Categorical Use (1)(3)(4)(5) ↓	17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓	
Hotels or Hospitality														
200	Adult entertainment	C	C	--	--	--	--	C	--	C	--	--	17.110.043 Adult entertainment.	17.415.025 Adult Entertainment.
202	Conference center	P	P	P	P	--	--	--	--	--	--	ACUP	17.110.177 Conference center.	17.415.125 Conference center.
204	Drinking establishments	P	P	P	ACUP	P	ACUP	--	--	--	--	--	17.110.229 Drinking establishments.	17.415.155 Drinking establishments.
206	Espresso stands	P	P	P	P	P	ACUP	P	P	P	ACUP	--	17.110.267 Espresso stands.	17.415.190 Espresso stands.
208	Event facility	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	ACUP	17.110.269 Event facility	17.415.185 Event facility.
210	Hotel/motel	P	P	ACUP	ACUP	C	--	--	--	--	--	--	17.110.361 Hotel/motel.	17.415.285 Hotel/motel.
212	Resort	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	--	ACUP	17.110.661 Resort.	17.415.440 Resort.
214	Restaurants, with drive-thru service	P	P	C	ACUP	C	--	P	P	P	--	--	17.110.662 Restaurant, with drive-thru service.	17.415.445 Restaurant, with drive-through service.
216	Restaurants, without drive-thru service	P	P	P	P	P	P	P	P	P	--	--	17.110.663 Restaurant, without drive-thru service.	17.415.450 Restaurants, without drive-through service.
Retail														
218	Auction house	P	P	P	ACUP	--	C	P	P	P	C	--	17.110.091 Auction house.	17.415.055 Auction house.
220	Automobile, recreational vehicle, or boat sales	P	P	P	--	--	--	ACUP	--	ACUP	--	--	17.110.096 Automobile, recreational vehicle or boat sales.	17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.
222	Automobile, recreational vehicle or boat rentals	P	P	P	-- P	P	--	--	--	--	--	--	17.110.650 Recreational vehicle.	17.415.065 Automobile, recreational vehicle or boat rentals.
224	Equipment sales, rentals and repair, heavy	--	--	--	-- ACUP	--	C	ACUP	ACUP	P	ACUP	--	17.110.263 Equipment sales, rentals and repair, heavy.	17.415.175 Equipment sales, rentals and repair, heavy.
226	Equipment sales, rentals and repair, light	P	P	--	ACUP	--	ACUP	P	P	P	ACUP	--	17.110.264 Equipment sales, rentals and repair, light.	17.415.180 Equipment sales, rentals and repair, light.
228	Equipment sales, rentals and repair, recreational	P	P	P	ACUP P	P	P	--	--	--	--	P	17.110.266 Equipment sales, rentals and repair, recreational	17.415.185 Equipment sales, rentals and repair, recreational.
230	Fuel or charging station, with convenience store	P	ACUP	P	--	ACUP	C	C	C	P	C	--	17.110.292 Fuel or charging station, with convenience store.	17.415.220 Fuel or charging stations.

Comprehensive Plan Land Use Designation	Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓	
	C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P			
	17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340			
232	Fuel or charging station, without convenience store	P	P	P	--	P	ACUP	ACUP	ACUP	P	C	--	17.110.293 Fuel or charging station, without convenience store.	17.415.220 Fuel or charging stations.
234	General retail merchandise stores – less than 4,000 s.f.	P	P	P	P	P	ACUP	P	P	ACUP	--	P	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
236	General retail merchandise stores – 4,000 to 9,999 s.f.	P	P	P	ACUP	ACUP	C	--	--	--	--	ACUP	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
238	General retail merchandise stores – 10,000 to 15,000 s.f.	P	P	--	C	--	--	--	--	--	--	C	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
240	General retail merchandise stores – 15,001 to 24,999 s.f.	P	P	--	C	--	--	--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
242	General retail merchandise stores – 25,000 s.f. or greater	ACUP	ACUP	--	--	--	--	--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.
244	Lumber and bulky building material sales	P	P	ACUP	--	--	C	P	P	P	ACUP	--	17.110.464 Lumber and bulky building material sales.	17.415.300 Lumber and bulky building material sales.
246	Marijuana retailer	P	P	P	--	P	--	--	--	--	--	--	17.110.478 Marijuana retailer.	17.415.345 Marijuana retailer
248	Nursery, retail	P	P	P	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.520 Nursery, retail.	17.415.370 Nursery, retail.
250	Nursery, wholesale	P	P	P	--	ACUP	P	--	--	--	P	--	17.110.525 Nursery, wholesale.	17.415.375 Nursery, wholesale
Offices and Services														
254	Automobile or recreational vehicle repair	P	P	P	--	P	P	P	P	P	P	--	17.110.094 Automobile or recreational vehicle repair.	17.415.070 Automobile or recreational vehicle repair.
256	Car washes	P	P	P	--	P	--	P	P	P	--	--	17.110.149 Car washes.	17.415.095 Car washes.
258	Clinic	P	P	P	ACUP	ACUP	ACUP	P	ACUP	C	--	--	17.110.164 Clinic.	17.415.110 Clinic.
260	Day-care center	P	P	P	P	P	ACUP	ACUP	ACUP	P	--	ACUP	17.110.200 Day-care center.	17.415.140 Day-care center.
262	Day-care center, home-based	P	P	P	ACUP	P	--	ACUP	ACUP	--	--	--	17.110.205 Day-care center, home based.	17.415.145 Day-care center, home based.
264	Dispatch facility	P	P	P	C	C	--	P	ACUP	ACUP	--	--	17.110.226 Dispatch facility.	17.415.150 Dispatch facility.
266	Fitness center	P	P	P	C	P	P	P	--	P	P	--	17.110.278 Fitness center.	17.415.200 Fitness center.

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		<u>17.240</u>	<u>17.250</u>	<u>17.280</u>	<u>17.260</u>	<u>17.270</u>	<u>17.290</u>	<u>17.300</u>	<u>17.310</u>	<u>17.330</u>	<u>17.330</u>	<u>17.340</u>	Definition ↓	Categorical Use Standards ↓
268	General office and management services – less than 4,000 s.f.	P	P	P	P	P	P	P	P	P	P	P	17.110.302 General office and management services.	17.415.230 General office and management services.
270	General office and management services – 4,000 to 9,999 s.f.	P	P	P	ACUP	ACUP	C	P	P	--	--	ACUP	17.110.302 General office and management services.	17.415.230 General office and management services.
272	General office and management services – 10,000 s.f. or greater	P	P	P	ACUP	--	--	P	P	--	--	--	17.110.302 General office and management services.	17.415.230 General office and management services.
274	Kennels or pet day-cares	C	C	C	C	C	C	P	ACUP	ACUP	C	--	17.110.375 Kennel.	17.415.290 Kennels or pet day-cares.
276	Kennels, hobby	--	--	--	P	P	--	--	--	--	--	--	17.110.380 Kennel, hobby.	17.415.295 Kennels, hobby.
278	Off-street parking facilities	P	P	--	ACUP	ACUP	--	--	--	--	--	P	17.110.531 Off-street parking facilities.	17.415.380 Off-street parking facilities.
280	Off-street parking facilities, structured	P	P	--	ACUP	P	--	--	--	C	--	ACUP	17.110.532 Off-street parking facilities, structured.	17.415.385 Off-street parking facilities, structured.
282	Personal services	P	P	P	P	P	ACUP	--	--	--	--	--	17.110.583 Personal services.	17.415.390 Personal services.
284	Research laboratory, less than 4,000 s.f.	P	P	P	ACUP	P	P	P	P	P	P	--	17.110.658 Research laboratory.	17.415.425 Research laboratory, less than 4,000 s.f.
286	Research laboratory, 4,000 to 9,999 s.f.	P	P	ACUP	ACUP	ACUP	ACUP	P	P	P	P	--	17.110. 658 Research laboratory.	17.415.430 Research laboratory, 4,000 to 9,999 s.f.
288	Research laboratory, 10,000 s.f. or greater	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	P	P	ACUP	--	17.110. 658 Research laboratory.	17.415.435 Research laboratory, 10,000 s.f. or greater.
290	Tourism facilities, including outfitter and guide facilities	P	P	P	P	P	ACUP	P	P	ACUP	--	--		17.415.540 Tourism facilities, including outfitter and guide facilities.
292	Tourism facilities, including seaplane and tour boat terminals	ACUP	ACUP	--	C	--	C	--	--	--	--	--		17.415.545 Tourism facilities, including seaplane and tour boat terminals.

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓
294	Veterinary clinics/animal hospitals/wildlife shelters	P	P	P	ACUP	ACUP	P	P	P	P	--	--	17.110.740 Veterinary clinic. 17.110.763 Wildlife shelter.	17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.
Other Commercial Uses														
296	Shared work/maker space	P	P	P	P	P	P	P	P	P	P	--	17.110.674 Shared work/maker space.	17.415.475 Shared work/maker space.
RECREATIONAL/ CULTURAL USES														
300	Arboreta, botanical garden	P	P	ACUP	P	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.050 Arboreta, botanical gardens
302	Campground	C	--	--	--	C	--	--	--	--	--	ACUP	17.110.147 Campground.	17.415.090 Campground
304	Club	P	P	P	ACUP	P	P	ACUP	--	ACUP	--	ACUP	17.110.165 Club.	17.415.115 Club.
306	Entertainment facility, indoor	P	P	P	P	P	ACUP	P	P	--	--	P	17.110.261 Entertainment facility, indoor.	17.415.165 Entertainment facility, indoor.
308	Entertainment facility, outdoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.262 Entertainment facility, outdoor.	17.415.170 Entertainment facility, outdoor.
310	Golf courses	--	--	--	--	--	--	--	--	--	--	ACUP	17.110.303 Golf course.	17.415.240 Golf courses.
312	Marinas	ACUP	ACUP	C	C	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.480 Marina.	17.415.350 Marinas.
314	Marina support services	P	P	P	P	P	P	P	P	P	P	P	17.110.482 Marina support services.	17.415.355 Marina support services.
316	Parks and open space	P	P	P	P	P	P	P	P	P	P	P	17.110.535 Open space.	
318	Race track	--	--	--	--	--	--	--	--	C	--	C	17.110.644 Race track.	17.415.405 Race track
320	Recreational facilities, indoor	P	P	P	ACUP	P	ACUP	P	P	--	--	P	17.110.647 Recreational facility, indoor.	17.415.410 Recreational facilities, indoor.
322	Recreational facilities, outdoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.648 Recreational facility, outdoor.	17.415.415 Recreational facilities, outdoor.
324	Shooting/gun facility, indoor	ACUP	ACUP	--	--	--	C	ACUP	ACUP	ACUP	C	--	17.110.678 Shooting/gun facility, indoor.	17.415.485 Shooting/gun facility, indoor.

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓
326	Shooting/gun facility, outdoor	--	--	--	--	--	C	--	--	C	C	--	17.110.679 Shooting/gun facility, outdoor.	17.415.490 Shooting/gun facility, outdoor.
328	Zoo, aquarium	C	C	C	P	--	--	--	--	--	--	C	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.595 Zoo, aquarium
INSTITUTIONAL USES														
400	Government/public structures	P	P	P	ACUP	P	P	P	P	P	C	P	17.110.304 Government/public structures.	17.415.245 Government/public structures.
402	High-risk secured facility	C	C	--	--	--	--	C	C	C	--	--	17.110.335 High-risk secured facility.	17.415.270 High-risk secured facilities.
404	Hospital	P	ACUP	--	C	--	--	C	C	C	--	--	17.110.360 Hospital.	17.415.280 Hospital.
406	Places of worship	P	ACUP	P	C	C	ACUP	C	C	C	--	--	17.110.600 Places of worship.	17.415.395 Places of worship.
408	Public facilities (greater than 300 square feet).	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	17.110.640 Public facilities.	17.415.400 Public facilities.
409	Public facilities (300 square feet or less).	P	P	P	P	P	P	P	P	P	P	P	17.110.640 Public facilities.	17.415.400 Public facilities.
410	School, elementary and middle school/junior high	P	P	P	C	P	P	P	P	P	P	--	17.110.670 School, elementary and middle school/junior high.	17.415.460 School, elementary, middle school, or junior high.
412	School, high school	ACUP	ACUP	ACUP	C	ACUP	ACUP	P	P	P	P	--	17.110.670 School, high school.	17.415.465 School, high school.
414	School, college/vocational – less than 8,000 s.f.	ACUP	ACUP	ACUP	C	ACUP	ACUP	P	P	P	P	--	17.110.670 School, college/vocational school	17.415.120 College/vocational school.
416	School, college/vocational school – 8,000 s.f. or greater	C	C	C	C	C	C	ACUP	ACUP	ACUP	ACUP	--	17.110.670 School, college/vocational school.	17.415.120 College/vocational school.
418	Secure community transition facility	--	--	--	--	--	--	--	--	C	--	--	17.110.671 Secure community transition facility.	17.415.470 Secure community transition facility.
420	Transportation terminals, marine	C	C	C	C	C	C	ACUP	--	ACUP	C	C	17.110.727 Transportation terminals, marine.	17.415.555 Transportation terminals, marine
422	Transportation terminals, non-marine	ACUP	ACUP	C	C	C	--	P	--	ACUP	--	C	17.110.728 Transportation terminals, non-marine.	17.415.560 Transportation terminals, non-marine

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓
424	Wireless communications facilities	P	P	P	P	P	P	P	P	P	P	P	17.110.770 Wireless communication facility.	17.415.585 Wireless communications facilities
INDUSTRIAL USES														
500	Airports	--	--	--	--	--	--	--	--	C	C	--	17.110.053 Airport.	17.415.045 Airport.
502	Boat yard	ACUP	ACUP	--	--	--	--	P	ACUP	ACUP	C	--	17.110.120 Boat yard.	17.455.085 Boat Yard
504	Cemeteries	ACUP	ACUP	--	--	C	C	ACUP	--	ACUP	C	--	17.110.163 Cemeteries.	17.415.105 Cemeteries.
506	Contractor's storage yard	--	--	--	--	--	--	P	--	P	ACUP	--	17.110.195 Contractor's storage yard.	17.415.130 Contractor's storage yard.
508	Food and beverage production, less than 4,000 s.f.	ACUP	ACUP	--	C	--	C	P	P	P	P	--	17.110.279 Food and beverage production.	17.415.205 Food and beverage production.
510	Food and beverage production, 4,000 to 9,999 s.f.	ACUP	ACUP	--	C	--	C	P	P	P	P	--	17.110. 279 Food and beverage production.	17.415.205 Food and beverage production.
512	Food and beverage production, 10,000 s.f. or greater	C	C	--	C	--	C	C	C	C	C	--	17.110. 279 Food and beverage production.	17.415.205 Food and beverage production.
514	Fuel distributors	--	--	--	--	--	--	C	--	C	C	--	17.110.291 Fuel distributors.	17.415.215 Fuel distributors.
516	Funeral homes	ACUP	ACUP	C	C	C	C	ACUP	--	ACUP	C	--	17.110.294 Funeral home.	17.415.225 Funeral homes.
518	Helicopter pads	C	C	C	C	--	--	C	C	C	C	--	17.110.333 Helicopter pads.	17.415.265 Helicopter pads.
520	Manufactured home, mobile home, park model, tiny home - sales	--	--	--	--	--	--	--	--	ACUP	C	--	17.110.472 Manufactured home, mobile home, park models, tiny homes sales.	17.415.310 Manufactured home, mobile home, park models, tiny homes sales
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	C	--	--	17.110.473 Manufacturing and fabrication.	17.415.315 Manufacturing and fabrication, hazardous
524	Manufacturing and fabrication, heavy	--	--	--	--	--	--	C	C	ACUP	C	--	17.110.473 Manufacturing and fabrication.	17.415.320 Manufacturing and fabrication, heavy.
526	Manufacturing and fabrication, light	--	--	--	C	--	--	P	P	P	ACUP	--	17.110.473 Manufacturing and fabrication.	17.415.325 Manufacturing and fabrication, light.
528	Manufacturing and fabrication, medium	--	--	--	--	--	--	ACUP	ACUP	P	C	--	17.110.473 Manufacturing and fabrication.	17.415.330 Manufacturing and fabrication, medium.

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		<u>17.240</u>	<u>17.250</u>	<u>17.280</u>	<u>17.260</u>	<u>17.270</u>	<u>17.290</u>	<u>17.300</u>	<u>17.310</u>	<u>17.330</u>	<u>17.330</u>	<u>17.340</u>		
Categorical Use (1)(3)(4)(5) ↓														
530	Marijuana processor	--	--	--	--	--	--	P	P	P	--	--	17.110.475 Marijuana processor.	17.415.335 Marijuana processor.
532	Marijuana producer, Tier 1	--	--	--	--	--	--	--	P	P	P	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.
534	Marijuana producer, Tier 2	--	--	--	--	--	--	P	P	P	P	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.
536	Marijuana producer, Tier 3	--	--	--	--	--	--	P	--	P	--	--	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.
538	Recycling centers	--	--	--	--	--	C	--	--	ACUP	C	--	17.110.653 Recycling Center	17.415.420 Recycling center.
540	Rock crushing	--	--	--	--	--	--	--	--	C	C	--	17.110.665 Rock crushing.	17.415.455 Rock crushing.
542	Slaughterhouse or animal processing	--	--	--	--	--	C	ACUP	ACUP	C	C	--	17.110.689 Slaughterhouse or animal processing.	17.415.505 Slaughterhouse or animal processing.
544	Storage, hazardous materials	--	--	--	--	--	--	C	C	C	C	--	17.110.692 Storage, hazardous materials.	17.415.515 Storage, hazardous materials.
546	Storage, indoor	ACUP	ACUP	ACUP	ACUP	ACUP	C	P	P	P	ACUP	--	17.110.695 Storage, indoor.	17.415.520 Storage, indoor.
548	Storage, outdoor	--	--	--	--	C	C	ACUP	ACUP	P	P	--	17.110.696 Storage, outdoor.	17.415.525 Storage, outdoor.
550	Top soil production, stump grinding, firewood cutting, and composting	--	--	--	--	--	C	--	--	ACUP	ACUP	C	17.110.718 Top soil production.	17.415.535 Top soil production, stump grinding, firewood cutting, and composting.
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--	P	C	C	C	--	17.110.729 Transshipment facilities.	17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
554	Warehousing and distribution	--	--	--	--	--	--	P	P	P	ACUP	--	17.110.743 Warehousing and distribution.	17.415.580 Warehousing and distribution.
556	Wrecking yards and junk yards	--	--	--	--	--	--	--	--	ACUP	ACUP	--	17.110.783 Wrecking yard.	17.415.590 Wrecking yards and junk yards.
RESOURCE														

Comprehensive Plan Land Use Designation		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities		
Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.330	17.330	17.340	Definition ↓	Categorical Use Standards ↓
600	Aggregate extractions sites	--	--	--	--	--	C	P	--	C	C	--	17.110.050 Aggregate extractions sites.	17.415.035 Aggregate extractions sites.
602	Agricultural use, primary	--	--	--	--	--	--	P	P	P	P	P	17.455.030 Definitions	17.415.040 Agricultural use, primary.
604	Aquaculture practices	C	C	C	C	C	C	P	--	C	C	P	17.110.085 Aquaculture practices.	17.415.075 Aquaculture practices.
606	Forestry	P	P	P	--	P	P	P	P	P	P	P	17.110.280 Forestry.	17.415.210 Forestry.
608	Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	C	C	P	17.110.675 Shellfish/fish hatcheries and processing facilities.	17.415.480 Shellfish/fish hatcheries and processing facilities.
ACCESSORY USES														
700	Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	17.110.030 Accessory use or structure.	17.415.020 Accessory use or structure.
TEMPORARY USES														
800	Special care units residence	P	P	P	P	P	--	--	--	--	--	--	17.110.690 Special care residence.	17.415.510 Special care residence.
802	Temporary offices and model homes	--	--	--	--	--	--	--	--	--	--	P	17.110.709 Temporary offices and model homes.	17.415.530 Temporary offices and model homes.
804	Transitory accommodations, single family residence	P	P	P	P	P	P	P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P	P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations

Section 179: Kitsap County Code Section 17.410.046., “Limited areas of more intensive rural development (LAMIRD) zones use table.,” last amended by Ordinance 587-2020 repealed and replaced as follows:

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓			
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D		REC 17.360 E	TTEC 17.360 E					
Zoning Classification (1)(3)(4) →	Categorical Use (1)(3)(4) ↓	KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR						
RESIDENTIAL USES																			
100	Accessory dwelling unit, attached	ACUP	P	P	ACUP	P	P	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	C	P	P	--	--	17.110.017 Accessory dwelling unit, attached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.		
102	Accessory dwelling unit, detached	ACUP	P	P	ACUP	ACUP	ACUP				C	ACUP	ACUP	--	--	--	--	17.110.020 Accessory dwelling unit, detached.	17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area. 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
104	Caretaker dwelling	ACUP	--	--	--	--	--				--	--	--	P	P	P	P	17.110.150 Caretaker dwelling.	17.415.100 Caretaker.
106	Guest house	--	--	--	--	P	P				C	P	P	--	--	--	--	17.110.317 Guest house.	17.415.260 Guest house.
Dwelling, family living																			
108	Cottage housing development	ACUP	P	P	C	ACUP	ACUP	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	--	ACUP	ACUP	--	--	17.110.196 Cottage housing development.	17.415.135 Cottage housing development.		
110	Duplex	ACUP	P	P	--	P	P				--	P	P	--	--	--	--	17.110.245 Duplex.	17.415.160 Duplex.
112	Manufactured/mobile/RV/park-model/tiny home park	--	C	C	--	C	C				--	C	C	--	--	--	--	17.110.467 Manufactured/mobile/RV/park-model/tiny home park.	17.415.305 Manufactured/mobile/RV/park-model/tiny home park.
114	Mobile home	C	C	C	--	--	--				--	--	--	--	--	--	--	17.110.490 Mobile home.	17.415.360 Mobile home.
116	Multiple family	ACUP	ACUP	ACUP	--	ACUP	ACUP				C	ACUP	ACUP	--	--	--	--	17.110.250 Multiple-family.	17.415.365 Multiple family.
118	Single-family attached	C	P	P	--	P	P	C	P	P	--	--	--	--	17.110.682 Single-family attached.	17.415.495 Single-family attached dwelling.			

120	Single-family detached (includes manufactured homes)	C	P	P	P	P	P				C	P	P	--	--	17.110.683 Dwelling, single-family detached. 17.110.470 Manufactured home.	17.415.500 Single-family detached dwelling (includes manufactured homes).	
Dwelling, group living																		
122	Adult family home	P	P	P	P	P	P	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	P	P	P	--	--	17.110.045 Adult family home.	17.415.030 Adult family home.	
124	Group Living (1 to 6 rooms)	ACUP	ACUP	ACUP	ACUP	C	C				ACUP	C	C	--	--	17.110.318 Group living	17.415.250 Group Living (1 to 6 rooms)	
126	Group Living (7 or more rooms)	C	C	C	C	ACUP	ACUP				C	ACUP	ACUP	--	--	17.110.318 Group living.	17.415.255 Group Living (7 or more rooms)	
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations	
Other Residential Uses																		
130	Bed and breakfast house, 1-4 rooms	ACUP	P	P	--	ACUP	ACUP	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	ACUP	ACUP	ACUP	--	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.	
132	Bed and breakfast house, 5 or more rooms or serves meals to non-overnight guests	C	C	C	--	C	C				C	C	C	--	--	17.110.105 Bed and breakfast house.	17.415.080 Bed and breakfast house.	
134	Home business, incidental	P	P	P	--	P	P				--	P	P	--	--	17.110.345 Home business.	17.415.275 Home business.	
136	Home business, minor	P	P	P	--	P	P				--	P	P	--	--	17.110.345 Home business.	17.415.275 Home business.	
138	Home business, moderate	ACUP	ACUP	ACUP	--	ACUP	ACUP				--	ACUP	ACUP	--	--	17.110.345 Home business.	17.415.275 Home business.	
140	Vacation rentals, 1-4 rooms	ACUP	ACUP	ACUP	--	ACUP	ACUP				ACUP	ACUP	ACUP	--	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.	
142	Vacation rentals, 5 or more rooms	C	C	C	--	C	C				C	C	C	--	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.	
COMMERCIAL USES																		
Hotels or Hospitality																		
200	Adult entertainment	--	--	--	--	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	--	--	--	--	--	17.110.043 Adult entertainment.	17.415.025 Adult Entertainment.	

202	Conference center	ACUP	--	--	ACUP	--	--				ACUP	--	--	--	--	17.110.177 Conference center.	17.415.125 Conference center.	
204	Drinking establishments	ACUP	--	--	ACUP	--	--				ACUP	--	--	P	P	17.110.229 Drinking establishments.	17.415.155 Drinking establishments.	
206	Espresso stands	ACUP	--	--	P	--	--				C	--	--	P	P	17.110.267 Espresso stands.	17.415.190 Espresso stands.	
208	Event facility	C	--	--	C	--	--				C	--	--	--	--	17.110.269 Event facility	17.415.185 Event facility.	
210	Hotel/motel	ACUP	--	--	ACUP	--	--				ACUP	--	--	--	--	17.110.361 Hotel/motel.	17.415.285 Hotel/motel.	
212	Resort	C	--	--	--	--	--				--	--	--	--	--	17.110.661 Resort.	17.415.440 Resort.	
214	Restaurants, with drive-thru service	C	--	--	ACUP	--	--				C	--	--	P	--	17.110.662 Restaurant, with drive-thru service.	17.415.445 Restaurant, with drive-through service.	
216	Restaurants, without drive-thru service	P	--	--	P	--	--				P	--	--	P	P	17.110.663 Restaurant, without drive-thru service.	17.415.450 Restaurants, without drive-through service.	
Retail																		
218	Auction house	--	--	--	--	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	--	--	--	P	P	17.110.091 Auction house.	17.415.055 Auction house.	
220	Automobile, recreational vehicle, or boat sales	C	--	--	--	--	--				--	--	--	--	--	17.110.096 Automobile, recreational vehicle or boat sales.	17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.	
222	Automobile, recreational vehicle or boat rentals	C	--	--	--	--	--				--	--	--	--	--	17.110.650 Recreational vehicle.	17.415.065 Automobile, recreational vehicle or boat rentals.	
224	Equipment sales, rentals and repair, heavy	C	--	--	C	--	--				C	--	--	P	ACUP	17.110.263 Equipment sales, rentals and repair, heavy.	17.415.175 Equipment sales, rentals and repair, heavy.	
226	Equipment sales, rentals and repair, light	ACUP	--	--	ACUP	--	--				ACUP	--	--	P	P	17.110.264 Equipment sales, rentals and repair, light.	17.415.180 Equipment sales, rentals and repair, light.	
228	Equipment sales, rentals and repair, recreational	ACUP	--	--	ACUP	--	--				ACUP	--	--	P	P	17.110.266 Equipment sales, rentals and repair, recreational	17.415.185 Equipment sales, rentals and repair, recreational.	
230	Fuel or charging station, with convenience store	C	--	--	C	--	--				ACUP	--	--	ACUP	--	17.110.292 Fuel or charging station, with convenience store.	17.415.220 Fuel or charging stations.	
232	Fuel or charging station, without convenience store	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	--	17.110.293 Fuel or charging station, without convenience store.	17.415.220 Fuel or charging stations.	
234	General retail merchandise stores – less than 4,000 s.f.	P	--	--	P	--	--				P	--	--	P	P	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.	
236	General retail merchandise stores – 4,000 to 9,999 s.f.	P	--	--	P	--	--				P	--	--	ACUP	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.	

238	General retail merchandise stores – 10,000 to 15,000 s.f.	C	--	--	C	--	--				C	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.	
240	General retail merchandise stores – 15,001 to 24,999 s.f.	C	--	--	C	--	--				C	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.	
242	General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--				--	--	--	--	--	17.110.301 General retail merchandise stores.	17.415.235 General retail merchandise stores.	
244	Lumber and bulky building material sales	--	--	--	--	--	--				ACUP	--	--	P	--	17.110.464 Lumber and bulky building material sales.	17.415.300 Lumber and bulky building material sales.	
246	Marijuana retailer	--	--	--	--	--	--				--	--	--	P	--	17.110.478 Marijuana retailer.	17.415.345 Marijuana retailer.	
248	Nursery, retail	P	--	--	P	--	--				P	--	--	P	--	17.110.520 Nursery, retail.	17.415.370 Nursery, retail.	
250	Nursery, wholesale	ACUP	C	C	--	C	C				ACUP	C	C	P	P	17.110.525 Nursery, wholesale.	17.415.375 Nursery, wholesale.	
Offices and Services																		
254	Automobile or recreational vehicle repair	ACUP	--	--	ACUP	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	ACUP	--	--	ACUP	ACUP	17.110.094 Automobile or recreational vehicle repair.	17.415.070 Automobile or recreational vehicle repair.	
256	Car washes	P	--	--	P	--	--				P	--	--	ACUP	P	17.110.149 Car washes.	17.415.095 Car washes.	
258	Clinic	P	--	--	P	--	--				ACUP	--	--	C	P	17.110.164 Clinic.	17.415.110 Clinic.	
260	Day-care center	P	C	C	P	C	C				P	C	C	P	P	17.110.200 Day-care center.	17.415.140 Day-care center.	
262	Day-care center, home-based	P	P	P	ACUP	P	P				P	P	P	--	--	17.110.205 Day-care center, home based.	17.415.145 Day-care center, home based.	
264	Dispatch facility	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.226 Dispatch facility.	17.415.150 Dispatch facility.	
266	Fitness center	P	--	--	P	--	--				P	--	--	P	P	17.110.278 Fitness center.	17.415.200 Fitness center.	
268	General office and management services – less than 4,000 s.f.	P	--	--	P	--	--				P	--	--	P	P	17.110.302 General office and management services.	17.415.230 General office and management services.	
270	General office and management services – 4,000 to 9,999 s.f.	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	P	17.110.302 General office and management services.	17.415.230 General office and management services.	
272	General office and management services – 10,000 s.f. or greater	C	--	--	C	--	--				C	--	--	C	P	17.110.302 General office and management services.	17.415.230 General office and management services.	
274	Kennels or pet day-cares	ACUP	--	--	ACUP	C	C				ACUP	--	--	P	P	17.110.375 Kennel.	17.415.290 Kennels or pet day-cares.	
276	Kennels, hobby	ACUP	ACUP	ACUP	--	P	P				ACUP	P	P	--	--	17.110.380 Kennel, hobby.	17.415.295 Kennels, hobby.	

278	Off-street parking facilities	C	--	--	C	--	--				C	--	--	--	--	17.110.531 Off-street parking facilities.	17.415.380 Off-street parking facilities.	
280	Off-street parking facilities, structured	ACUP	--	--	ACUP	--	--				ACUP	--	--	--	--	17.110.532 Off-street parking facilities, structured.	17.415.385 Off-street parking facilities, structured.	
282	Personal services	P	--	--	P	--	--				P	--	--	--	--	17.110.583 Personal services.	17.415.390 Personal services.	
284	Research laboratory, less than 4,000 s.f.	P	--	--	P	--	--				--	--	--	P	P	17.110.658 Research laboratory.	17.415.425 Research laboratory, less than 4,000 s.f.	
286	Research laboratory, 4,000 to 9,999 s.f.	ACUP	--	--	ACUP	--	--				--	--	--	ACUP	ACUP	17.110. 658 Research laboratory.	17.415.430 Research laboratory, 4,000 to 9,999 s.f.	
288	Research laboratory, 10,000 s.f. or greater	C	--	--	--	--	--				--	--	--	--	--	17.110. 658 Research laboratory.	17.415.435 Research laboratory, 10,000 s.f. or greater.	
290	Tourism facilities, including outfitter and guide facilities	C	--	--	P	--	--				C	--	--	ACUP	P		17.415.540 Tourism facilities, including outfitter and guide facilities.	
292	Tourism facilities, including seaplane and tour boat terminals	C	--	--	--	--	--				C	--	--	--	--		17.415.545 Tourism facilities, including seaplane and tour boat terminals.	
294	Veterinary clinics/animal hospitals/wildlife shelters	ACUP	--	--	ACUP	--	--				ACUP	C	C	ACUP	ACUP	17.110.740 Veterinary clinic. 17.110.763 Wildlife shelter.	17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.	
Other Commercial Uses																		
296	Shared work/maker space	P	--	--	P	--	--				P	--	--	P	P	17.110.674 Shared work/maker space.	17.415.475 Shared work/maker space.	
RECREATIONAL/ CULTURAL USES																		
300	Arboreta, botanical garden	ACUP	--	--	ACUP	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	ACUP	--	--	--	--	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.050 Arboreta, botanical gardens	
302	Campground	--	--	--	--	--	--				--	--	--	--	--	17.110.147 Campground.	17.415.090 Campground	
304	Club	P	ACUP	ACUP	P	ACUP	ACUP				P	ACUP	ACUP	--	--	17.110.165 Club.	17.415.115 Club.	
306	Entertainment facility, indoor	P	--	--	P	--	--				P	--	--	--	--	17.110.261 Entertainment facility, indoor.	17.415.165 Entertainment facility, indoor.	
308	Entertainment facility, outdoor	ACUP	--	--	ACUP	--	--				--	--	--	P	--	17.110.262 Entertainment facility, outdoor.	17.415.170 Entertainment facility, outdoor.	
310	Golf courses	--	--	--	--	--	--				--	--	--	--	--	17.110.303 Golf course.	17.415.240 Golf courses.	
312	Marinas	C	--	--	C	--	--				C	C	C	ACUP	ACUP	17.110.480 Marina.	17.415.350 Marinas.	

314	Marina support services	ACUP	--	--	ACUP	--	--				ACUP	ACUP	ACUP	P	P	17.110.482 Marina support services.	17.415.355 Marina support services.			
316	Parks and open space	P	P	P	P	P	P				P	P	P	P	P	17.110.535 Open space.				
318	Race track	--	--	--	--	--	--				--	--	--	--	--	17.110.644 Race track.	17.415.405 Race track			
320	Recreational facilities, indoor	ACUP	C	C	ACUP	C	C				ACUP	C	C	--	--	17.110.647 Recreational facility, indoor.	17.415.410 Recreational facilities, indoor.			
322	Recreational facilities, outdoor	C	C	C	C	C	C				C	C	C	--	--	17.110.648 Recreational facility, outdoor.	17.415.415 Recreational facilities, outdoor.			
324	Shooting/gun facility, indoor	--	--	--	--	--	--				--	--	--	--	--	17.110.678 Shooting/gun facility, indoor.	17.415.485 Shooting/gun facility, indoor.			
326	Shooting/gun facility, outdoor	--	--	--	--	--	--				--	--	--	--	--	17.110.679 Shooting/gun facility, outdoor.	17.415.490 Shooting/gun facility, outdoor.			
328	Zoo, aquarium	ACUP	--	--	--	--	--				--	--	--	--	--	17.110.086 Aquarium, arboretum, botanical garden, zoo.	17.415.595 Zoo, aquarium			
INSTITUTIONAL USES																				
400	Government/public structures	P	C	C	P	C	C	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	P	C	C	P	P	17.110.304 Government/public structures.	17.415.245 Government/public structures.			
402	High-risk secured facility	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.335 High-risk secured facility.	17.415.270 High-risk secured facilities.
404	Hospital	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.360 Hospital.	17.415.280 Hospital.
406	Places of worship	ACUP	C	C	ACUP	C	C				ACUP	C	C	--	--	17.110.600 Places of worship.	17.415.395 Places of worship.			
408	Public facilities (greater than 300 square feet).	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.640 Public facilities.	17.415.400 Public facilities.			
409	Public facilities (300 square feet or less).	P	P	P	P	P	P				P	P	P	P	P	17.110.640 Public facilities.	17.415.400 Public facilities.			
410	School, elementary and middle school/junior high	ACUP	C	C	ACUP	C	C				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, elementary and middle school/junior high.	17.415.460 School, elementary, middle school, or junior high.			
412	School, high school	ACUP	--	--	ACUP	--	--				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, high school.	17.415.465 School, high school.			
414	School, college/vocational – less than 8,000 s.f.	ACUP	--	--	ACUP	--	--				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670 School, college/vocational school	17.415.120 College/vocational school.			
416	School, college/vocational school – 8,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110.670 School, college/vocational school.	17.415.120 College/vocational school.						

418	Secure community transition facility	--	--	--	--	--	--				--	--	--	--	--	17.110.671 Secure community transition facility.	17.415.470 Secure community transition facility.			
420	Transportation terminals, marine	C	--	--	C	--	--				C	--	--	C	C	17.110.727 Transportation terminals, marine.	17.415.555 Transportation terminals, marine			
422	Transportation terminals, non-marine	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	ACUP	17.110.728 Transportation terminals, non-marine.	17.415.560 Transportation terminals, non-marine			
424	Wireless communications facilities	P	P	P	P	P	P				P	P	P	P	P	17.110.770 Wireless communication facility.	17.415.585 Wireless communications facilities			
INDUSTRIAL USES																				
500	Airports	--	--	--	--	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	--	--	--	C	C	17.110.053 Airport.	17.415.045 Airport.			
502	Boat yard	ACUP	--	--	--	--	--				--	--	--	--	--	P	P	17.110.120 Boat yard.	17.455.085 Boat Yard	
504	Cemeteries	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.163 Cemeteries.	17.415.105 Cemeteries.
506	Contractor's storage yard	C	--	--	--	--	C				C	--	--	--	--	P	--	17.110.195 Contractor's storage yard.	17.415.130 Contractor's storage yard.	
508	Food and beverage production, less than 4,000 s.f.	--	--	--	--	--	--				--	--	--	--	--	P	P	17.110.279 Food and beverage production.	17.415.205 Food and beverage production.	
510	Food and beverage production, 4,000 to 9,999 s.f.	--	--	--	--	--	--				--	--	--	--	--	ACUP	ACUP	17.110.279 Food and beverage production.	17.415.205 Food and beverage production.	
512	Food and beverage production, 10,000 s.f. or greater	--	--	--	--	--	--				--	--	--	--	--	C	C	17.110.279 Food and beverage production.	17.415.205 Food and beverage production.	
514	Fuel distributors	--	--	--	--	--	--				--	--	--	--	--	P	ACUP	17.110.291 Fuel distributors.	17.415.215 Fuel distributors.	
516	Funeral homes	C	--	--	C	C	C				C	--	--	--	--	--	--	17.110.294 Funeral home.	17.415.225 Funeral homes.	
518	Helicopter pads	--	--	--	--	--	--				--	--	--	--	--	C	C	17.110.333 Helicopter pads.	17.415.265 Helicopter pads.	
520	Manufactured home, mobile home, park model, tiny home - sales	--	--	--	--	--	--				--	--	--	--	--	--	--	17.110.472 Manufactured home, mobile home, park models, tiny homes sales.	17.415.310 Manufactured home, mobile home, park models, tiny homes sales	
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--				--	--	--	--	--	C	C	17.110.473 Manufacturing and fabrication.	17.415.315 Manufacturing and fabrication, hazardous	
524	Manufacturing and fabrication, heavy	--	--	--	--	--	--				--	--	--	--	--	C	C	17.110.473 Manufacturing and fabrication.	17.415.320 Manufacturing and fabrication, heavy.	

526	Manufacturing and fabrication, light	--	--	--	--	--	--				--	--	--	P	P	17.110.473 Manufacturing and fabrication.	17.415.325 Manufacturing and fabrication, light.	
528	Manufacturing and fabrication, medium	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.473 Manufacturing and fabrication.	17.415.330 Manufacturing and fabrication, medium.	
530	Marijuana processor	--	--	--	--	--	--				--	--	--	P	P	17.110.475 Marijuana processor.	17.415.335 Marijuana processor.	
532	Marijuana producer, Tier 1	--	--	--	--	--	--				--	--	--	P	P	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.	
534	Marijuana producer, Tier 2	--	--	--	--	--	--				--	--	--	P	P	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.	
536	Marijuana producer, Tier 3	--	--	--	--	--	--				--	--	--	P	P	17.110.476 Marijuana producer.	17.415.340 Marijuana producer.	
538	Recycling centers	--	--	--	--	--	--				--	--	--	ACUP	--	17.110.653 Recycling Center	17.415.420 Recycling center.	
540	Rock crushing	--	--	--	--	--	--				--	--	--	C	C	17.110.665 Rock crushing.	17.415.455 Rock crushing.	
542	Slaughterhouse or animal processing	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.689 Slaughterhouse or animal processing.	17.415.505 Slaughterhouse or animal processing.	
544	Storage, hazardous materials	--	--	--	--	--	--				--	--	--	C	P	17.110.692 Storage, hazardous materials.	17.415.515 Storage, hazardous materials.	
546	Storage, indoor	C	--	--	--	C	--				C	--	--	P	P	17.110.695 Storage, indoor.	17.415.520 Storage, indoor.	
548	Storage, outdoor	--	--	--	--	--	--				--	--	--	P	--	17.110.696 Storage, outdoor.	17.415.525 Storage, outdoor.	
550	Top soil production, stump grinding, firewood cutting, and composting	--	--	--	--	--	--				--	--	--	P	--	17.110.718 Top soil production.	17.415.535 Top soil production, stump grinding, firewood cutting, and composting.	
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--				--	--	--	C	C	17.110.729 Transshipment facilities.	17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.	
554	Warehousing and distribution	--	--	--	--	--	--				--	--	--	P	P	17.110.743 Warehousing and distribution.	17.415.580 Warehousing and distribution.	
556	Wrecking yards and junk yards	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.783 Wrecking yard.	17.415.590 Wrecking yards and junk yards.	
RESOURCE																		
600	Aggregate extractions sites	--	--	--	--	--	--	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	--	--	--	C	C	17.110.050 Aggregate extractions sites.	17.415.035 Aggregate extractions sites.	

602	Agricultural use, primary	--	P	P	--	P	P				--	P	P	P	P	17.455.030 Definitions	17.415.040 Agricultural use, primary.	
604	Aquaculture practices	--	ACUP	ACUP	--	ACUP	ACUP				--	ACUP	ACUP	ACUP	--	17.110.085 Aquaculture practices.	17.415.075 Aquaculture practices.	
606	Forestry	--	--	--	--	--	--				--	--	--	--	--	17.110.280 Forestry.	17.415.210 Forestry.	
608	Shellfish/fish hatcheries and processing facilities	C	--	--	--	--	--				--	--	--	C	--	17.110.675 Shellfish/fish hatcheries and processing facilities.	17.415.480 Shellfish/fish hatcheries and processing facilities.	
ACCESSORY USES																		
700	Accessory use or structure	P	P	P	P	P	P	See section 17.700 Appendix F	See section 17.700 Appendix F	See section 17.700 Appendix F	P	P	P	P	P	17.110.030 Accessory use or structure.	17.415.020 Accessory use or structure.	
TEMPORARY USES																		
800	Special care units residence	P	P	P	--	P	P				P	P	P	--	--	17.110.690 Special care residence.	17.415.510 Special care residence.	
802	Temporary offices and model homes	C	--	--	--	ACUP	ACUP				--	--	--	ACUP	ACUP	17.110.709 Temporary offices and model homes.	17.415.530 Temporary offices and model homes.	
804	Transitory accommodations, single family residence	P	P	P	P	P	P				P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations	
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P				P	P	P	P	P	17.110.726 Transitory accommodations.	17.415.550 Transitory accommodations	

Section 180: Kitsap County Code Section 17.410.050 “Footnotes for zoning use tables”, last amended by Ordinance 587-2020 is amended as follows:

Where noted on the preceding use tables, the following additional restrictions apply:

1. The use is subject to special provisions in Chapter 17.415 ‘Special provisions’ that may change to the level of permit review indicated above. All applicable requirements shall govern a use whether specifically identified in this chapter or not. ~~Where applicable subject to Section 17.410.060, Provisions applying to special uses.~~
2. Parcels located within the boundary of the Port Gamble Redevelopment Plan approved pursuant to Section 17.360C.030 shall refer to Appendix F to determine allowed uses, permits required, and definitions. All development of these uses must be consistent with town development standards pursuant to Section 17.360C.020. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply. ~~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. Pets and Exotic Animals. The keeping of pets, nontraditional pets and exotic animals is 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 section. 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. 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 nontraditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.
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. 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:
 - a. 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
 - b. Any junk motor vehicle(s) stored outdoors must be stored more than two hundred fifty feet away from all property lines.

c. 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 section and could later be deemed a nuisance in accordance with Chapter 9.56.

~~5. Provided public facilities do not inhibit forest practices.~~

~~In urban zones, all new residential subdivisions, single-family or multifamily developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units unless exemptions identified in Section 17.460.020 allow for the implementation of a dry sewer.~~

~~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. — Reserved.
8. — A veterinary clinic, animal hospital or wildlife shelter shall not be located within fifty feet of a lot line in the rural protection (RP) or rural residential (RR) zones except within the boundary of a town master plan approved pursuant to Section 17.360C.030. 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 a Type I administrative review in all industrial zones and any commercial zones, except neighborhood commercial (NC), Keyport village commercial (KVC), or Manchester village commercial (MVC) 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, MRO, 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 except when included within the boundary of a town master plan approved pursuant to Section 17.360C.030 and be able to provide access without causing traffic congestion on local residential 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. — 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 are 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. — Reserved.

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 17.530.~~
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 contractors' 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 17.360C.020.~~
26. ~~Single family detached dwellings shall only be allowed when the existing parcel size as of August 31, 2016, would only allow the development of one dwelling unit.~~
27. ~~Subject to the temporary permit provisions of Chapter 17.105.~~
28. ~~Allowed only within a commercial center limited in size and scale (e.g., an intersection or corner development).~~
29. ~~Reserved.~~

- ~~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 in Chapter 17.700, Appendix C1.~~
- ~~31. Uses permitted only if consistent with an approved master plan pursuant to Chapter 17.440. 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, 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 or vacation rentals 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. The overall project shall include a residential component. A mixed use project shall be required to meet the minimum density for the zone in which it is located.~~
- ~~38. Customer service oriented uses over five thousand square feet are prohibited.~~
- ~~39. Reserved.~~
- ~~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 multifamily 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 17.430.~~
- 45. ~~Reserved.~~
- 46. ~~Allowed only as an accessory use to a park or recreational facility greater than twenty acres in size except when included within the boundaries of a town master plan approved pursuant to Section 17.360C.030. If included within a town master plan boundary, the use shall not include more than sixty spaces per five acres. All use of recreational vehicles must be transient in nature.~~
- 47. ~~As a 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 multifamily developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units unless exemptions identified in Section 17.460.020 allow for the implementation of a dry sewer.~~
- 49. ~~Mixed use development is prohibited outside of urban growth areas.~~
- 50. ~~The Manchester Design Standards sets forth policies and regulations for properties within the Manchester village commercial (MVC) zone. All developments within the MVC zone must be consistent with the standards found in Chapter 17.700, Appendix C4.~~
- 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 17.105.090(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. Additional rental car inventory shall be kept at an off site location consistent with the Kitsap County Code.~~
- 57. ~~Unless the permit application is a Type III quasi judicial action, when a component of development located within a commercial or industrial zone involves the conversion of~~

~~previously undeveloped land, land developed with a residential use, or land developed with a less intensive use 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 (i.e., eight and one-half feet in width and sixty 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 17.490, 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. Reserved.~~
- ~~60. All development in Illahee shall be consistent with the Illahee Community Plan.~~
- ~~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. Reserved.~~
- ~~64. When a component of development is located within the rural commercial or rural industrial zone and involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type III 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. Reserved.~~
- ~~78. Reserved.~~
- ~~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.~~
- ~~84. Use prohibited on the Central Kitsap Community Campus. (See the Silverdale Design Standards.)~~
- ~~85. Use requires an administrative conditional use permit (ACUP) or hearing 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 five thousand 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 five thousand square feet. Zoos and aquariums are prohibited.~~
- ~~95. Allowed on all port district owned property.~~
- ~~96. Reserved.~~

- ~~97. Cottage housing is an allowed use in conjunction with congregate care facilities and shall be reviewed under the congregate care facility permit review process.~~
- ~~98. Number of individual boarding rooms may not exceed the maximum density for the zone or six boarding rooms, whichever is greater.~~
- ~~99. The number of individual boarding rooms must meet the minimum density for the zone or equal six boarding rooms, whichever is greater.~~
- ~~100. Allowed only as micro gyms less than five thousand square feet in size. All other fitness centers are prohibited.~~
- ~~101. Transitory accommodations allowed only pursuant to Chapter 17.505.~~
- ~~102. Boarding houses must have health district approval prior to occupancy.~~
- ~~103. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030.~~
- ~~104. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030 on parcels of five acres or larger with all uses set back one hundred feet from all parcels not included within the boundary.~~
- ~~105. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where uses are limited to the manufacture of agricultural products.~~
- ~~106. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where such uses are secondary to a primary agricultural or recreational use of the property and shall not exceed fifty total seats and/or five thousand square feet of gross floor area.~~
- ~~107. Drive in and drive through service is prohibited.~~
- ~~108. Notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination of complete application. Written proof of notification is required.~~

Section 181: Kitsap County Code Section 17.410.060 “Provisions applying to special uses”, last amended by Ordinance 574-2019 is repealed.

NEW SECTION. Section 182: A new chapter ‘17.415 Allowed Use Standards’ is added to Title 17 Kitsap County Code, “Zoning,” as follows:

**Chapter 17.415
Allowed Use Standards**

Sections:

- 17.415.005 Purpose.
- 17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area.
- 17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.
- 17.415.020 Accessory use or structure.
- 17.415.025 Adult entertainment.
- 17.415.030 Adult family home.
- 17.415.035 Aggregate extractions sites.
- 17.415.040 Agricultural use, primary.
- 17.415.045 Airport.
- 17.415.050 Arboreta, botanical gardens.

17.415.055	Auction house.
17.415.060	Automobile, mobile home, recreational vehicle, or boat sales.
17.415.065	Automobile, recreational vehicle or boat rentals.
17.415.070	Automobile or recreational vehicle repair.
17.415.075	Aquaculture practices.
17.415.080	Bed and breakfast house.
17.455.085	Boat Yard.
17.415.090	Campground.
17.415.095	Car washes.
17.415.100	Caretaker dwelling.
17.415.105	Cemeteries.
17.415.110	Clinic.
17.415.115	Club.
17.415.120	College/vocational school.
17.415.125	Conference center.
17.415.130	Contractor's storage yard.
17.415.135	Cottage housing development.
17.415.140	Day-care center.
17.415.145	Day-care center, home based.
17.415.150	Dispatch facility.
17.415.155	Drinking establishments.
17.415.160	Duplex.
17.415.165	Entertainment facility, indoor.
17.415.170	Entertainment facility, outdoor.
17.415.175	Equipment sales, rentals and repair, heavy.
17.415.180	Equipment sales, rentals and repair, light.
17.415.185	Equipment sales, rentals and repair, recreational.
17.415.190	Espresso stands.
17.415.195	Event facility.
17.415.200	Fitness center.
17.415.205	Food and beverage production.
17.415.210	Forestry.
17.415.215	Fuel distributors.
17.415.220	Fuel or charging stations.
17.415.225	Funeral homes.
17.415.230	General office and management services.
17.415.235	General retail merchandise stores.
17.415.240	Golf courses.
17.415.245	Government/public structures.
17.415.250	Group Living (1 to 6 rooms).
17.415.255	Group Living (7 or more rooms).
17.415.260	Guest house.
17.415.265	Helicopter pads.
17.415.270	High-risk secured facilities.
17.415.275	Home business.
17.415.280	Hospital.

17.415.285	Hotel/motel.
17.415.290	Kennels, hobby.
17.415.295	Kennels or pet day-cares.
17.415.300	Lumber and bulky building material sales.
17.415.305	Manufactured/mobile/RV/park-model/tiny home park.
17.415.310	Manufactured home, mobile home, park models, tiny homes sales.
17.415.315	Manufacturing and fabrication, hazardous.
17.415.320	Manufacturing and fabrication, heavy.
17.415.325	Manufacturing and fabrication, light.
17.415.330	Manufacturing and fabrication, medium.
17.415.335	Marijuana processor.
17.415.340	Marijuana producer.
17.415.345	Marijuana retailer.
17.415.350	Marinas.
17.415.355	Marina support services.
17.415.360	Mobile home.
17.415.365	Multiple family.
17.415.370	Nursery, retail.
17.415.375	Nursery, wholesale.
17.415.380	Off-street parking facilities.
17.415.385	Off-street parking facilities, structured.
17.415.390	Personal services.
17.415.395	Places of worship.
17.415.400	Public facilities and electric power and natural gas utility facilities, and substations.
17.415.405	Race track.
17.415.410	Recreational facilities, indoor.
17.415.415	Recreational facilities, outdoor.
17.415.420	Recycling center.
17.415.425	Research laboratory, less than 4,000 s.f.
17.415.430	Research laboratory, 4,000 to 9,999 s.f.
17.415.435	Research laboratory, 10,000 s.f. or greater.
17.415.440	Resort.
17.415.445	Restaurant, with drive-through service.
17.415.450	Restaurants, without drive-through service.
17.415.455	Rock crushing.
17.415.460	School, elementary, middle school, or junior high.
17.415.465	School, high school.
17.415.470	Secure community transition facility.
17.415.475	Shared work/maker space.
17.415.480	Shellfish/fish hatcheries and processing facilities.
17.415.485	Shooting/gun facility, indoor.
17.415.490	Shooting/gun facility, outdoor.
17.415.495	Single-family attached dwelling.
17.415.500	Single-family detached dwelling (includes manufactured homes).
17.415.505	Slaughterhouse or animal processing.

- 17.415.510 Special care residence.
- 17.415.515 Storage, hazardous materials.
- 17.415.520 Storage, indoor.
- 17.415.525 Storage, outdoor.
- 17.415.530 Temporary offices and model homes.
- 17.415.535 Top soil production, stump grinding, firewood cutting, and composting.
- 17.415.540 Tourism facilities, including outfitter and guide facilities.
- 17.415.545 Tourism facilities, including seaplane and tour boat terminals.
- 17.415.550 Transitory accommodations.
- 17.415.555 Transportation terminals, marine.
- 17.415.560 Transportation terminals, non-marine.
- 17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
- 17.415.570 Vacation Rentals.
- 17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.
- 17.415.580 Warehousing and distribution.
- 17.415.585 Wireless communications facilities.
- 17.415.590 Wrecking yards and junk yards.
- 17.415.595 Zoo, aquarium.

17.415.005 Purpose.

This chapter establishes special provisions for allowed uses identified in Sections 17.410.042 through 17.410.048. In addition to other standards and requirements imposed by this title and other requirements in the Kitsap County Code, all uses shall comply with the provisions stated herein. Should a conflict arise between the requirements of this Chapter and other requirements of the Kitsap County Code, the most restrictive shall apply.

17.415.010 Accessory Dwelling Unit (ADU) located in an Urban Growth Area.

To encourage the provision of affordable housing, an Accessory Dwelling Unit (ADU) located in an Urban Growth Area (UGA) shall meet the following criteria:

- A. Number. The number of ADU's, attached or detached, shall not exceed two per lot.
- B. Location. An ADU shall be located to not preclude future subdivision of the lot to meet minimum density for the zone.
- C. Access. Access to the lot shall use the same entrance as the primary residence unless Kitsap County Code allows for multiple access points to the lot for a single family dwelling.
- D. Water. The ADU shall comply with regulations that govern water provisions.
- E. Sewage. The ADU shall provide an urban level of sanitary sewer service.
- F. Design standards. Unless otherwise noted in this section, an ADU shall meet the design standards of the underlying zone and design districts.
- G. Size. Dimensions are determined by interior measurements. An ADU shall not exceed 900 sf or 60 % of the habitable area of the primary dwelling, whichever is smaller.
- H. Parking. The site shall comply with Chapter 17.490 'Off-street parking and loading'.
 - 1. A single ADU on a lot is not required to provide the additional off-street parking space specified in Chapter 17.490 'Off-street parking and loading' if one of the following criteria is met:
 - a. the primary dwelling unit meets all parking requirements;
 - b. on-street parking is available; or
 - c. the ADU is within a quarter mile of a transit stop.

2. The second ADU shall provide one (1) off-street parking space in addition to that which is required for the primary dwelling unit.

I. Additional Standards. An ADU shall provide urban services and comply with the provisions of Kitsap County Code, including but not limited to, setbacks, height, and lot coverage.

J. Existing, unpermitted ADU's shall acquire a permit through the provisions of this chapter and chapter 17.410 'Allowed uses'.

17.415.015 Accessory Dwelling Unit (ADU) located outside an Urban Growth Area.

A. In order to encourage the provision of affordable housing an Accessory Dwelling Unit (ADU), attached, located outside an Urban Growth Area (UGA) may be located in residential zones, subject to the following criteria:

1. ADU, attached shall be located within an owner-occupied primary residence;
2. ADU, attached are limited in size to no greater than fifty percent of the habitable area of the primary residence;
3. The ADU, attached are subject to applicable health district standards for water and sewage disposal;
4. Only one ADU, attached shall be allowed per lot;
5. ADU, attached are to provide additional off-street parking with no additional street-side entrance; and
6. ADU, attached are not allowed where an accessory dwelling unit exists.
7. Existing Unpermitted ADU, attached. Existing unpermitted ADU, attached may be approved under the provisions of subsection (B)(11) of this section.

B. In order to encourage the provision of affordable housing an Accessory Dwelling Unit (ADU), detached located outside an Urban Growth Area shall meet the following criteria:

1. Only one ADU shall be allowed per lot;
2. Owner of the property must reside in either the primary residence or the ADU;
3. 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. Dimensions are determined by interior measurements;
4. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (e.g., garage);
5. The ADU shall be designed to maintain the appearance of the primary residence;
6. All setback requirements for the zone in which the ADU is located shall apply;
7. The ADU shall meet the applicable health district standards for water and sewage disposal;
8. No mobile homes or recreational vehicles shall be allowed as an ADU;
9. An ADU shall use the same side-street entrance as the primary residence and shall provide additional off-street parking; and
10. An ADU is not permitted on the same lot where an Accessory Dwelling Unit, Attached (ADU-A) exists.
11. Existing, Unpermitted Accessory Dwelling Units, Attached or Detached, located outside an Urban Growth Area.
 - a. Applicability. The provisions of this subsection shall only apply to property and property owners who can establish all of the following criteria:
 - i. The parcel is within the unincorporated area of Kitsap County;

- ii. An accessory dwelling unit (ADU), attached or detached, or similar dwelling previously defined as an accessory living quarters (ALQ) or an accessory rental unit (ARU) is located on the parcel;
 - iii. The accessory dwelling has not received any prior review and/or approval by Kitsap County;
 - iv. The property owner did not construct or cause to have the accessory dwelling constructed;
 - v. The property owner did not own the property when the accessory dwelling was constructed;
 - vi. 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:
 - (a) That county tax records or parcel records contain no inquiry or other notice that the ADU was unpermitted; and
 - (b) 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
 - (c) 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
 - (d) 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;
 - vii. The parcel has a history of property tax assessment and a history of continuous tax payments on the principal and the accessory dwelling;
 - viii. Acceptable documentation for subsections (B)(11)(a)(i) of this section may include but is 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.
- b. Application. Persons who meet the criteria of subsection (B)(11)(a) 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)(11)(e) of this section. Such application shall be a Type II permit under Chapter 21.04.
- c. Approval. The director, or his designee, is authorized to approve submitted applications that satisfy all of the following criteria. When approved, the use shall be considered a legal nonconforming use.
- i. All the requirements of this section;
 - ii. All the applicable zoning, health, fire safety and building construction requirements:
 - (a) 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.

- (b) If the applicant cannot prove a date of construction, the applicable requirements shall be those currently in effect on the date of application.
- (c) If the applicant can only show a date range for construction, the applicable requirements shall be the latest requirements of the range;
- iii. Proof of adequate potable water;
- iv. 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
- v. Verification by Kitsap County inspection staff that the accessory dwelling is habitable.
- d. Variances.
 - i. When reviewing the application, the director is authorized to grant an administrative variance to the requirements of subsection (B)(11)(c)(ii) of this section only when unusual circumstances relating to the property cause undue hardship in the application of subsection (B)(11)(c)(ii) 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:
 - (a) There are practical difficulties in applying the regulations of subsection (B)(11)(c)(ii) of this section;
 - (b) The applicant did not create or participate in creating the practical difficulties;
 - (c) A variance meets the intent and purpose of this section;
 - (d) 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
 - (e) The variance is the minimum necessary to grant relief to the applicant.
 - ii. The director is authorized to require mitigation in connection with the administrative variance to minimize the effect of the variance on surrounding properties.
 - iii. 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.
 - iv. 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.
- e. 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 21.10. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.10 shall not, however, be credited towards any subsequent application submitted under these provisions.
- f. 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 the Kitsap County department of community development.
- g. 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.

17.415.020 Accessory use or structure.

- A. One piece of heavy equipment may be stored in any single-family zone; provided, that it is either enclosed within a permitted structure, or screened to the satisfaction of the director.
- B. Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.105.090(I).

17.415.025 Adult entertainment.

- A. The following uses are designated as adult entertainment uses:
 - 1. Adult bookstore;
 - 2. Adult mini-motion picture theater;
 - 3. Adult motion picture theater;
 - 4. Adult novelty store; and
 - 5. Cabaret.
- B. Restrictions on Adult Entertainment Uses. In addition to complying with the other sections of this title, adult entertainment uses shall not be permitted:
 - 1. Within one thousand feet of any other existing adult entertainment use; and/or
 - 2. 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.
 - f. For the purposes of this section, spacing distances shall be measured as follows:
 - g. From all property lines of any adult entertainment use;
 - h. From the outward boundary line of all residential zoning districts;
 - i. From all property lines of any residentially related use.
- C. Signage for Adult Entertainment Uses.
 - 1. In addition to special provisions relating to signage in this title, 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.
 - 2. 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.
 - 3. 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.”
- 4. 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.

17.415.030 Adult family home.

Reserved.

17.415.035 Aggregate extractions sites.

- A. Must comply with the Chapter 17.170 Mineral Resource Overlay.
- B. In the Business Center (BC) zone, aggregate production and processing allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).
- C. In the Forest Resource Land (FRL) zone, aggregate extraction sites shall be 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.

17.415.040 Agricultural use, primary.

Must comply with Chapter 17.455 ‘Agriculture Code’.

17.415.045 Airport.

- A. All heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit.
- B. 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 are 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.
- C. In the Rural Industrial (RI) zone, uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers shall be limited to modifications or expansions of existing airports.

17.415.050 Arboreta, botanical gardens.

Reserved.

17.415.055 Auction house.

- A. An auction house and all items to be auctioned shall be fully enclosed within a structure.
- B. In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC) zones, an auction house shall be subject to the following permit review:
 - 1. 0 – 3,999 square feet = P
 - 2. 4,000 – 10,000 square feet = ACUP
 - 3. 10,001 – 15,000 square feet = C

4. 15,001 square feet and above = X

17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.
- C. In the Industrial (I) or Business Center (BC) zone, automobile, recreational vehicle, or boat sales shall be accessory and shall not occupy more than twenty-five percent of the project area.

17.415.065 Automobile, recreational vehicle or boat rentals.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.
- C. In the Urban Village Center (UVC) or Neighborhood Commercial (NC) zones, no more than six rental vehicles shall be kept on site at any given time.
- D. In the Urban Village Center (UVC) zone, recreational vehicle rentals are prohibited.

17.415.070 Automobile or recreational vehicle repair.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.
- C. In the Industrial (I) zone, automobile or recreational vehicle repair shall be located and designed to serve adjacent area.
- D. In the Neighborhood Commercial (NC) zone, automobile or recreational vehicle repair shall not exceed 4,000 square feet of gross floor area.
- E. In the Rural Employment Center (REC) zone, automobile or recreational vehicle repair shall be subject to the following permit review:
1. 0 – 3,999 square feet = P
 2. 4,000 – 9,999 square feet = ACUP
 3. 10,000 – 15,000 square feet = C
 4. 15,001 square feet and above = X

17.415.075 Aquaculture practices.

Reserved.

17.415.080 Bed and breakfast house.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.455.085 Boat Yard.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.090 Campground.

Campgrounds shall be recreational and transient and shall not allow:

A. Camping for more than thirty days within a forty-day time period. Campers must vacate the overnight park facilities for ten consecutive nights between allowed stays. The time period shall begin on the date for which the first night's fee is paid. The campground operator shall keep a log of all members of the camping party and ensure that the allowed number of days stay is not exceeded. Kitsap County may request to view the log to confirm that the campground is recreational and transient.

B. The designation of the campground as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

17.415.095 Car washes.

A. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

B. In the Neighborhood Commercial (NC) zone, car washes shall not exceed 4,000 square feet of gross floor area.

C. In the Rural Employment Center (REC) zone, car washes shall be subject to the following permit review:

1. 0 – 3,999 square feet = P
2. 4,000 – 10,000 square feet = ACUP
3. 10,001 – 15,000 square feet = C
4. 15,001 square feet and above = X

17.415.100 Caretaker dwelling.

Reserved.

17.415.105 Cemeteries.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. Use shall have its principal access on a county roadway. Ingress and egress shall be designed to minimize traffic congestion. The use 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.

17.415.110 Clinic.

Reserved.

17.415.115 Club.

All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, 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 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.

17.415.120 College/vocational school.

Site plans for public college/vocational 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.

17.415.125 Conference center.

Reserved.

17.415.130 Contractor's storage yard.

In Rural Residential (RR) and Rural Protection (RP) zones:

A. A contractor's storage yard 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.

B. In the Rural Wooded (RW), Forest Resource Lands (FRL) or Parks (P) zones, all buildings and activities shall be set back a minimum of fifty feet 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 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.

C. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.135 Cottage housing development.

Cottage housing is an allowed use in conjunction with Group Living (1 to 6 rooms or 7+ rooms) facilities and shall be reviewed under the Group Living (1 to 6 rooms or 7+ rooms) permit review process.

17.415.140 Day-care center.

A. In the Business Center (BC), Business Park (BP), or Industrial (I) zone, a day-care center shall be located and designed to serve adjacent area.

B. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone, a day-care center shall not exceed 4,000 square feet of gross floor area.

C. In those zones that prohibit residential uses, day-care centers:

1. shall have a minimum site area of ten thousand square feet.
2. shall provide and 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.
3. shall provide adequate off-street parking and loading space shall be provided.

D. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.145 Day-care center, home based.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

- B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
- C. In the Business Center (BC) or Business Park (BP) zone, a day-care center, home based shall be located and designed to serve adjacent area.
- D. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone, a day-care center, home based shall not exceed 4,000 square feet of gross floor area.
- E. In those zones that prohibit residential uses, day-care centers, home based are only allowed in existing residential structures.

17.415.150 Dispatch facility.

Reserved.

17.415.155 Drinking establishments.

In the Business Center (BC) or Business Park (BP) zone, drinking establishments shall be located and designed to serve adjacent area.

17.415.160 Duplex.

Reserved.

17.415.165 Entertainment facility, indoor.

In the Manchester Village Commercial (MVC) zone, any combination of structures shall not exceed five thousand square feet.

17.415.170 Entertainment facility, outdoor.

In the Manchester Village Commercial (MVC) zone, any combination of structures shall not exceed five thousand square feet.

17.415.175 Equipment sales, rentals and repair, heavy.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. In the Rural Industrial (RI) zone, equipment sales, rentals and repair, heavy must limit the inventory to heavy construction, farming, or forestry equipment.

17.415.180 Equipment sales, rentals and repair, light.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.185 Equipment sales, rentals and repair, recreational.

Nonmotorized recreational equipment rentals shall be permitted on all port district owned property regardless of the allowances of the zone.

17.415.190 Espresso stands.

A. Espresso stands are subject to the following conditions:

1. Must be accessory to an immediate primary use.
2. Drive aisles/stacking lanes shall be designed to accommodate a minimum of three vehicles per service window/door (i.e., eight and one-half feet in width and sixty 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.
3. Subject to provisions set forth in Chapter 17.490, 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.

4. All structures must be permanently secured to the ground.

5. Restroom facilities must be available for employees. Portable or temporary restroom facilities shall not be used to meet this requirement.

B. In the Business Center (BC), Business Park (BP), or Industrial (I) zone, espresso stands shall be located and designed to serve adjacent area.

C. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.195 Event facility.

In Rural Residential and Rural Protection zones, an event facility shall comply with the following standards:

A. Number of event participants. An event participant includes, but is not limited to, participants, attendees, guests, officials, on-site staff, vendors and other service providers involved in the set-up, operation, and take-down of an event. The event facility shall limit the number of event participants to:

1. 200 persons per outdoor event. For open events such as fairs, markets or bazaars, participant volume shall be limited to 200 persons maximum on-site at any one time. The Director or hearing examiner may increase or decrease the number of persons to reduce the potential impact to neighbors. Considerations shall include site size, access and parking, hours of operation, proximity to neighbors and screening, noise, or other site-specific circumstances.

2. Maximum building occupancy for indoor only events. Maximum building occupancy is established through a building occupancy permit with the Department of Community Development.

B. Number and frequency of events. The event facility shall:

1. Not exceed one event per day; each day shall be considered its own event, regardless if the event occurs over multiple days.

2. Leave ten consecutive days of each month free of events, which must begin with the same Friday each month (eg, first Friday). The applicant must submit the preferred schedule as part of the permit application.

3. The director or hearing examiner may increase or decrease the number and frequency of events to reduce the potential impact to neighbors.

C. Hours of operation. The event facility shall limit all event activities to occur between the hours of operation specified below. All noise, music, amplified sound, and sound-related equipment shall be turned off or stop at the end time specified. All participants shall be off the property no later than 1 hour after the last time specified. The director or hearing examiner may increase or decrease the hours of operation allowed per outdoor event based on site size or conditions implemented to reduce the potential impact to neighbors. Event facility hours of operation:

Monday through Saturday: 8:00 am to 9:00 pm

Sunday: 8:00 am to 8:00 pm

D. Access, parking, and traffic. The event facility shall:

1. access directly from a Kitsap County maintained right-of-way.

2. provide and implement a parking plan for the site. This plan must:

- a. detail the types of events to occur and recommend minimum and maximum parking areas for the facility.
 - b. require striping of unmarked parking areas prior to each scheduled event. Temporary striping is acceptable.
 - c. clearly prohibit parking on any public rights-of-way.
3. provide and implement a traffic management plan. This plan must include:
 - a. an application for Concurrency Test as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code.
 - b. the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Title 11 of Kitsap County Code.
- E. Landscaping and fencing. The event facility shall include a site obscuring fence, wall or landscape buffer:
1. around the perimeter of the entire parcel; or
 2. around the proposed use area that accommodates outdoor events.
 3. A facility may use supplemental plantings within an existing vegetation to accomplish a landscape buffer. Irrigation must be provided meeting the standards set forth in County codes.
 4. Landscaping shall be installed and maintained in conformance with the requirements of chapter 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
- F. For certain event activities, such as those using amplified sound, a noise analysis may be required consistent with Chapter 18.04 KCC . If required, the applicant will prepare a noise level assessment, which may result in noise mitigation or attenuation requirements consistent with the Chapter 10.28 KCC.

17.415.200 Fitness center.

Fitness centers shall not exceed 5,000 square feet in size in the following zones:

- A. Rural Commercial
- B. Business Center
- C. Industrial
- D. Rural Industrial
- E. Rural Employment Center
- F. Twelve Tree Employment Center

17.415.205 Food and beverage production.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.210 Forestry.

Use prohibited in the Gorst urban growth area when located in the Urban Restricted zoning designation.

17.415.215 Fuel distributors.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.220 Fuel or charging stations.

- A. When abutting the Suquamish Village Residential (SVR) zone or Suquamish Village Low Residential (SVLR) zone, this use requires a conditional use permit.
- B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- C. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.
- D. Fueling or charging stations, with or without convenient store shall locate on a parcel at least ten thousand square feet in size.
- E. Pump islands shall be located a minimum of twenty feet from a property line. However, a canopy or roof structure over a pump island may encroach up to ten feet within this distance. Additionally, the cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands.
- F. The maximum number of points of ingress/egress to any one street shall be two.
- G. There shall be a minimum distance of thirty feet between curb cuts along a street frontage.
- H. The width of a driveway may not exceed forty feet at the sidewalk intersection.
- I. A sight-obscuring fence or wall, not less than five feet nor more than six feet in height, shall be provided between the service station and abutting property in any residential zone.
- J. All lighting shall be of such illumination, direction, and color as not to create a nuisance in adjoining property or a traffic hazard. Under canopy lighting shall be recessed.
- K. When a convenience store, restaurant, or other commercial use is located in conjunction with the service or gas station, a pedestrian walkway from the primary sidewalk and pumping area shall be provided. The walkway shall be clearly delineated and may be painted.
- L. Sale of merchandise shall be conducted within a building, except for items used for the maintenance and servicing of automotive vehicles.
- M. No automotive repairs other than incidental minor repairs or battery or tire changing shall be allowed.
- N. The station shall not directly abut a residential zone.
- O. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard.

17.415.225 Funeral homes.

Use shall have its principal access on a county roadway. Ingress and egress shall be designed to minimize traffic congestion. The use 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.

17.415.230 General office and management services.

- A. In the Business Park (BP) zone or Industrial (I) zone, engineering and construction offices and financial, banking, mortgage and title institutions must be located and designed to serve adjacent area.
- B. In the Industrial (I) zone, general office and management services that are less than 4,000 square feet must be located and designed to serve adjacent area.
- C. In the Neighborhood Commercial (NC) zone, engineering and construction offices must not exceed 4,000 square feet of gross floor area.
- D. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone, financial, banking, mortgage and title institutions and laundromats and laundry services must not exceed 4,000 square feet of gross floor area.

- E. In the Rural Industrial (RI) zone, use must be accessory to an immediate primary use.
- F. In the Manchester Village Commercial (MVC) zone, equipment storage located externally is not allowed for engineering and construction offices.

17.415.235 General retail merchandise stores.

- A. 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 located in Section 17.700 Appendix C3). Additional square footage may be allowed for projects greater than twenty-five acres in size.
- B. In the Low Intensity Commercial (LIC) zone, auto parts and accessory and boat/marine supply stores must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.
- C. In the Business Center (BC) zone, Business Park (BP) zone, or Industrial (I) zone, general retail merchandise stores that are less than 4,000 square feet must be located and designed to serve adjacent area.
- D. In the Regional Center (RC) zone, pet shops must not exceed 4,000 square feet of gross floor area.
- E. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone, custom art and craft stores shall not exceed 4,000 square feet of gross floor area.
- F. In the Rural Commercial (RCO) zone, custom art and craft stores are limited to studio type and size only.

17.415.240 Golf courses.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. Use prohibited in the Gorst urban growth area when located in the Urban Restricted zoning designation.
- C. In the Rural Wooded (RW), Forest Resource Lands (FRL) or Parks (P) zones, all buildings and activities shall be set back a minimum of fifty feet 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 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.

17.415.245 Government/public structures.

Reserved.

17.415.250 Group Living (1 to 6 rooms).

- A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
- B. Boarding houses shall meet the minimum density and shall not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Each room shall be considered a dwelling unit when calculating the required minimum or maximum density.
- C. Boarding houses must have health district approval prior to occupancy.
- D. In the Urban Village Center (UVC) zone, a boarding house shall be permitted outright.

17.415.255 Group Living (7 or more rooms).

- A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
- B. Boarding houses shall meet the minimum density and shall not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Each room shall be considered a dwelling unit when calculating the required minimum or maximum density.

17.415.260 Guest house.

- 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;
- 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, detached;
- 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.

17.415.265 Helicopter pads.

- A. Heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit.
- B. 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 are 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.
- C. In the Rural Industrial (RI) zone, uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers shall be limited to modifications or expansions of existing airports.

17.415.270 High-risk secured facilities.

- A. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-risk secured facility. The project applicant shall cover all meeting costs.
- B. The county shall mail community notification to the school district and all landowners within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to the required neighborhood meeting. The project applicant shall cover all community notification costs.
- C. A high-risk secured facility shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of a risk potential activity or facility in existence at the time a facility is established.

1. “Within the line of sight” means that it is possible to reasonably visually distinguish and recognize individuals.
 2. “Risk potential activities and facilities” means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: public and private schools, school bus stops, licensed day-care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and other specific uses identified during a neighborhood hearing. For the purpose of this section, “school bus stops” does not include bus stops established primarily for public transit.
- D. A high-risk secured facility shall not be located in a community protection zone as defined in RCW 9.94A.030(6). Distance shall be measured from all property lines of a high-risk secured facility from all property lines of the facilities and grounds of a public or private school.
 - E. A high-risk secured facility shall meet the applicable health district standards for water and sewage disposal to account for staff and residents.
 - F. Principal access to the site shall be from a county-maintained right-of-way.
 - G. A high-risk secured facility shall be equipped with an automatic fire sprinkler system, installed in accordance with applicable building and fire codes.
 - H. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the fire protection system to automatically release any facility security locks and allow safe egress from the structure in the event of fire or other emergency.
 - I. A high-risk secured facility shall be equipped with a backup power system and an automatic transfer switch sufficient to energize and maintain the function of safety, security, and surveillance systems in the event of a power outage.

17.415.275 Home business.

- A. Commercial or industrial uses otherwise prohibited in the zone may be allowed as a component of a home business subject to the requirements in this section.
- B. In the Forest Resource Lands (FRL) zone, home businesses must be associated with timber production and/or harvest.
- C. Incidental home businesses shall be allowed subject to the following standards and have no permit required.
 1. Business uses shall be secondary to the dominant residential use;
 2. 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;
 3. The business shall be conducted entirely within the residence;
 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 clients or customers shall visit or meet for an appointment at the residence;
 7. No employees or independent contractors are allowed to work in the residence other than family members who reside in the residential dwelling;
 8. No activities that create noise, increase risk of fire, or in any way threaten the safety and tranquility of neighboring residents are permitted;

9. No more than two pick-ups and/or deliveries for business activities or purposes per day are allowed, not including normal U.S. mail;
10. The business shall not occupy more than twenty-five percent of the gross floor area of the residence; and
11. No signs to advertise the business/occupation shall be allowed on the premises (except attached to mailbox not to exceed one square foot).

D. Minor home businesses shall be allowed subject to the following standards. Said approval is not transferable to any individual, future property owner or location.

1. Business uses shall be secondary to the dominant residential use;
2. 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;
3. The residence shall be occupied by the owner of the business;
4. The business shall occupy no more than thirty percent of the gross floor area of the residence;
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 two employees, including proprietors (or independent contractors), are allowed;
7. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;
8. No outside storage shall be allowed; and
9. 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.

E. Moderate home businesses shall be allowed subject to the following standards. Said approval is not transferable to any individual, future property owner or location.

1. Business uses shall be secondary to the dominant residential use;
2. 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;
3. The residence shall be occupied by the owner of the business;
4. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
5. No more than five employees (or independent contractors) are allowed;
6. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; and
7. 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. Other reasonable conditions.

17.415.280 Hospital.

Reserved.

17.415.285 Hotel/motel.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.290 Kennels, hobby.

Use prohibited in the Gorst urban growth area when located in the Urban Restricted zoning designation.

17.415.295 Kennels or pet day-cares.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.300 Lumber and bulky building material sales.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. 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.

17.415.305 Manufactured/mobile/RV/park-model/tiny home park.

Manufactured home/mobile/RV park/park-model/tiny home parks must meet the following requirements:

A. Utilities. The use, individual units, or individual sites shall be completely and adequately served by utilities for potable water and sanitation approved by the Health District.

B. Building lot coverage. The maximum building lot coverage is sixty percent, including accessory buildings.

C. Accessory buildings. Buildings and structures accessory to a home shall be allowed. An accessory roof or awning may be attached to a home and shall be considered a part thereof. Automobile parking spaces may be covered with a carport.

D. Access. All drives within the park shall be constructed in accordance with Title 12. Drives, sidewalks and paths shall be provided consistent with county road standards and residential subdivision standards outlined in Title 16.

E. Setbacks. There shall be at least a ten-foot setback between homes, and between any building(s) within the park. There shall be at least a ten-foot setback between any designated parking space and any building.

F. Screening. There shall be sight-obscuring fencing, or landscaping or natural vegetated buffers at least eight feet wide on all sides of the park. Such screening shall contain openings suitable to provide direct pedestrian access to adjoining streets and trails.

G. Recreational Areas/Open Space. At least five hundred square feet for each home space shall be made available in a centralized location or locations for recreational uses.

H. Binding site plan. A complete and detailed binding site plan shall be submitted in support of the permit. The binding site plan shall show the locations and dimensions of all contemplated buildings, structures, spaces, driveways, parking, and roads and recreational areas. The Director may require additional information as necessary to determine whether all the above conditions and other applicable provisions of this code are met.

17.415.310 Manufactured home, mobile home, park models, tiny homes sales.

Reserved.

17.415.315 Manufacturing and fabrication, hazardous.

Reserved.

17.415.320 Manufacturing and fabrication, heavy.

Reserved.

17.415.325 Manufacturing and fabrication, light.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.330 Manufacturing and fabrication, medium.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. In the Business Center (BC) zone, aggregate production and processing allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).

17.415.335 Marijuana processor.

A. Findings and application.

1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.

2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section 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 section.

3. This section shall apply to those marijuana processors that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.

B. Where allowed, a marijuana processor:

1. facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and Kitsap County Code.

2. 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.

C. Permits.

1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.

2. Only state-licensed marijuana processors may locate within unincorporated Kitsap County. Upon request, all processors must supply a copy of the state-issued license.

3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

D. Nonconforming uses. No use that constitutes or purports to be a marijuana processor as those terms are defined in this Title that was engaged in that activity prior to the enactment of these provisions 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.

17.415.340 Marijuana producer.

A. Findings and application.

1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.
 2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section 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 section.
 3. This section shall apply to those marijuana producers that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.
- B. Where allowed, a marijuana producer:
1. facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and this section.
 2. 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.
- C. Permits.
1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.
 2. Only state-licensed marijuana producers may locate within unincorporated Kitsap County. Upon request, all producers must supply a copy of the state-issued license.
 3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.
- D. Nonconforming uses. No use that constitutes or purports to be a marijuana producer as those terms are defined in this Title that was engaged in that activity prior to the enactment of this these provisions 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.

17.415.345 Marijuana retailer.

- A. Findings and application.
1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. . People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.
 2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section 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 section.
 3. This section shall apply to those marijuana retailers that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.
- B. Where allowed, a marijuana retailer:
1. both with and without endorsements, may be located at designated sites licensed by the state of Washington and fully conforming to state law and Kitsap County Code.

2. 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.

C. Permits.

1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.

2. Only state-licensed marijuana retailers may locate within unincorporated Kitsap County. Upon request, all retailers must supply a copy of the state-issued license.

3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

D. Nonconforming uses. No use that constitutes or purports to be a marijuana retailer as those terms are defined in Title that was engaged in that activity prior to the enactment of these provisions 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.

17.415.350 Marinas.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. Use prohibited in the Gorst urban growth area when located in the Urban Restricted zoning designation.

17.415.355 Marina support services.

Marina support services shall be accessory to a marina.

17.415.360 Mobile home.

In the Urban Restricted (UR), Greenbelt (GB), Urban Low Residential (UL), and the Urban Cluster Residential (UCR) and Urban Village Center (UVC) zones, mobile homes are prohibited, except in approved mobile home parks.

17.415.365 Multiple family.

A. All multiple family development shall comply with 17.470 ‘Multi-family development-design criteria’.

B. Use prohibited in the Gorst urban growth area when located in the Urban Restricted zoning designation.

17.415.370 Nursery, retail.

In the Manchester Village Commercial (MVC) zone, nursery, retail is permitted if less than five thousand square feet.

17.415.375 Nursery, wholesale.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.380 Off-street parking facilities.

Reserved.

17.415.385 Off-street parking facilities, structured.

Reserved.

17.415.390 Personal services.

- A. In the Business Center (BC) zone, laundromats and laundry services shall be located and designed to serve adjacent area.
- B. In the Rural Commercial (RCO) zone, personal services cannot exceed four clients and must be intended for local use.
- C. In the Urban Village (UVC), Neighborhood Commercial (NC) and Rural Commercial (RCO) zone:
 - 1. Personal services shall not exceed 4,000 square feet.
 - 2. Pet grooming shall require an Administrative Conditional Use Permit.

17.415.395 Places of worship.

In the Rural Wooded (RW), Forest Resource Lands (FRL) or Parks (P) zones, all buildings and activities shall be set back a minimum of fifty feet 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 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.

17.415.400 Public facilities.

- A. Public facilities of any size shall meet the following criteria:
 - 1. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.530.
 - 2. 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.
 - 3. In the Forest Resource Lands (FRL) zone, public facilities shall not inhibit forest practices.
 - 4. In the Mineral Resource Overlay (MRO), public facilities shall not inhibit mineral resource extraction, processing, or production.
 - 5. Water towers which exceed the height requirements of the zone in Chapter 17.420, solid waste collection, or transfer and/or handling sites in any zone shall be subject to a conditional use permit (C).
 - 6. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title.
 - 7. The public facility shall not substantially interfere with or detract from the intent of the zone district, as determined by the Director.
 - 8. The public facility shall provide a solid screening buffer to mitigate impacts on the visual character of a neighborhood as seen from rights-of-way or adjacent properties. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500.
 - 9. Noise, odor, dust and light impacts shall be mitigated from adjacent properties consistent with section [17.105.110 'Obnoxious things'](#) .
 - 10. Additional review for stormwater management may be required consistent with KCC Title 12 'Storm Water Drainage'.
- B. Public facilities 300 square feet or less shall meet the criteria in section 17.415.400 A except the setback requirements outlined in Chapter 17.420 are reduced for all structures and associated improvements to a minimum five foot setback from all property lines.

17.415.405 Race track.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

B. In the Rural Wooded (RW), Forest Resource Lands (FRL) or Parks (P) zones, all buildings and activities shall be set back a minimum of fifty feet 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 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.

17.415.410 Recreational facilities, indoor.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.415 Recreational facilities, outdoor.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.420 Recycling center.

Reserved.

17.415.425 Research laboratory, less than 4,000 s.f.

Reserved.

17.415.430 Research laboratory, 4,000 to 9,999 s.f.

Reserved.

17.415.435 Research laboratory, 10,000 s.f. or greater.

Reserved.

17.415.440 Resort.

Reserved.

17.415.445 Restaurant, with drive-through service.

A. In all urban commercial and industrial zones, restaurants with drive through service must be located and designed to serve the adjacent area.

B. In the Urban Village Commercial (UVC) and Neighborhood Commercial (NC) zones restaurants with drive through service shall not exceed 4,000 square feet of gross floor area.

C. In the Manchester Village Commercial (MVC) zone, drive-through lanes are not allowed.

D. In the Rural Employment Center (REC) zone, restaurant, with drive-through service shall be subject to the following permit review:

1. 0 – 3,999 square feet = P
2. 4,000 – 10,000 square feet = ACUP
3. 10,001 – 15,000 square feet = C
4. 15,001 square feet and above = X

17.415.450 Restaurants, without drive-through service.

A. In the Business Center (BC), Business Park (BP), or Industrial (I) zone, restaurants, without drive-through shall be located and designed to serve the adjacent area.

B. In the Urban Village Commercial (UVC) zone and Neighborhood Commercial (NC) zone, restaurants, without drive through shall not exceed 4,000 square feet of gross floor area.

C. In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC) zones, restaurants, without drive-through shall be subject to the following permit review:

1. 0 – 3,999 square feet = P
2. 4,000 – 10,000 square feet = ACUP
3. 10,001 – 15,000 square feet = C
4. 15,001 square feet and above = X

17.415.455 Rock crushing.

Reserved.

17.415.460 School, elementary, middle school, or junior high.

Site plans for public elementary, middle school, or junior high 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.

17.415.465 School, high school.

Site plans for public high 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.

17.415.470 Secure community transition facility.

All projects shall comply with state law.

17.415.475 Shared work/maker space.

Reserved.

17.415.480 Shellfish/fish hatcheries and processing facilities.

Reserved.

17.415.485 Shooting/gun facility, indoor.

Reserved.

17.415.490 Shooting/gun facility, outdoor.

Reserved.

17.415.495 Single-family attached dwelling.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.500 Single-family detached dwelling (includes manufactured homes).

Reserved.

17.415.505 Slaughterhouse or animal processing.

In the Rural Commercial (RCO) and Rural Industrial (RI) zones, a slaughterhouse or animal processing facility may include a retail component that shall not exceed four thousand square feet.

17.415.510 Special care residence.

Where a family member needs 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.

17.415.515 Storage, hazardous materials.

- A. In the Rural Commercial (RCO) or Rural Industrial (RI) zone, storage, hazardous materials shall be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. The applicant must demonstrate how the storage serves the immediate population.
- B. In the Rural Industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.

17.415.520 Storage, indoor.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
- C. In any urban residential zone, storage, indoor must shall be:
 - 1. accessory to the predominant residential use of the property.
 - 2. sized consistently for the number of lots/units being served.
 - 3. shall serve only the residents of a platted development or multifamily project.
- D. In the Rural Commercial (RCO) or Rural Industrial (RI) zone, storage, indoor must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. The applicant must demonstrate how the storage serves the immediate population.
- E. In the Rural Industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.
- F. In the Urban Village Center (UVC) zone:
 - 1. Self-service storage shall require a conditional use permit (C).
 - 2. Cold storage facilities and storage of vehicles and equipment shall be prohibited.
- G. One piece of heavy equipment may be stored in any residential zone; provided, that it is either enclosed within a permitted structure, or screened to the satisfaction of the director.

17.415.525 Storage, outdoor.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. In any urban residential zone, storage, outdoor shall:
 - 1. be allowed only in conjunction with storage, indoor.
 - 2. be accessory to a platted development or multifamily project.

2. be sized for the number of lots/units being served.
3. only serve the residents of the associated platted development or multifamily project.
4. be visually screened from adjacent properties by a sight-obscuring fence or natural vegetation buffer.

C. In the Rural Commercial (RCO) or Rural Industrial (RI) zone, storage, outdoor must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. The applicant must demonstrate how the storage serves the immediate population.

D. In the Rural Industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.

E. In the Urban Village Center (UVC) zone, self-service storage shall require a conditional use permit (C).

F. One piece of heavy equipment may be stored in any residential zone; provided, that it is either enclosed within a permitted structure or screened to the satisfaction of the director.

17.415.530 Temporary offices and model homes.

A. Temporary offices and model homes must comply with the temporary permit provisions of Chapter 17.105.

B. In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC) zones, temporary offices and model homes shall be subject to the following permit review:

1. 0 – 3,999 square feet = P
2. 4,000 – 10,000 square feet = ACUP
3. 10,001 – 15,000 square feet = C
4. 15,001 square feet and above = X

C. A model home may be constructed within a subdivision prior to final plat approval. 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:

1. The subdivision shall have received preliminary plat approval;
2. One model home may be occupied as a temporary real estate office;
3. A model home may not be occupied as a dwelling unit or sold until the approved final plat is recorded;
4. The number of model home permits that may be issued for any approved preliminary plat or division thereof shall not exceed six;
5. 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;
6. Lots used for model homes must be clear of restrictions or easements that may be subject to line changes before recording;
7. 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;
8. 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;

9. 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
10. Final plat restoration bonds must be posted prior to occupancy of a model home.

17.415.535 Top soil production, stump grinding, firewood cutting, and composting.

In the Rural Residential (RR) or the Rural Protection (RP) zones, top soil production, stump grinding, firewood cutting, and composting shall meet the following requirements:

- A. The site 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 use must mitigate noise, odor, dust and light impacts from the project; and
- F. The use must meet all other requirements of this title.

17.415.540 Tourism facilities, including outfitter and guide facilities.

A. In the Manchester Village Commercial (MVC) zone, terminals or facilities for motorized equipment are prohibited.

B. In the Rural Employment Center (REC) zone, tourism facilities, including outfitter and guide facilities shall be subject to the following permit review:

1. 0 – 3,999 square feet = P
2. 4,000 – 10,000 square feet = ACUP
3. 10,001 – 15,000 square feet = C
4. 15,001 square feet and above = X

17.415.545 Tourism facilities, including seaplane and tour boat terminals.

Reserved.

17.415.550 Transitory accommodations.

Use shall comply with Chapter 17.505.

17.415.555 Transportation terminals, marine.

Reserved.

17.415.560 Transportation terminals, non-marine.

Reserved.

17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.570 Vacation Rentals.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.

Reserved.

17.415.580 Warehousing and distribution.

- A. In the Rural Industrial (RI) zone, warehousing and distribution shall be focused on agricultural, food, or forestry uses only.
- B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).

17.415.585 Wireless communications facilities.

Uses shall comply with Chapter 17.510.

17.415.590 Wrecking yards and junk yards.

Reserved.

17.415.595 Zoo, aquarium.

- A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).
- B. In the Rural Commercial (RCO) zone, an aquarium is prohibited.

Section 183: Kitsap County Code Section 17.470.020, “Applicability – How to use design criteria”, last amended by Ordinance 587-2020 is amended as follows:

17.470.020 Applicability – How to use the design criteria.

A. Applicability.

1. The “requirements sections” in the following design criteria apply to each multifamily project ~~requiring conditional use review under Chapter 17.540 or 17.550.~~
2. In addition to the requirements set forth in this chapter, the “requirements sections” set forth in Sections 17.480.160 and 17.480.180 to 17.480.240 shall apply to each multifamily project ~~requiring review under subsection (A) of this section.~~

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 conflict with the provisions of Chapters 17.210 (UCR), 17.220 (UM), and 17.230 (UH),~~ The provisions of the zoning district shall apply if in conflict with this chapter. 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.

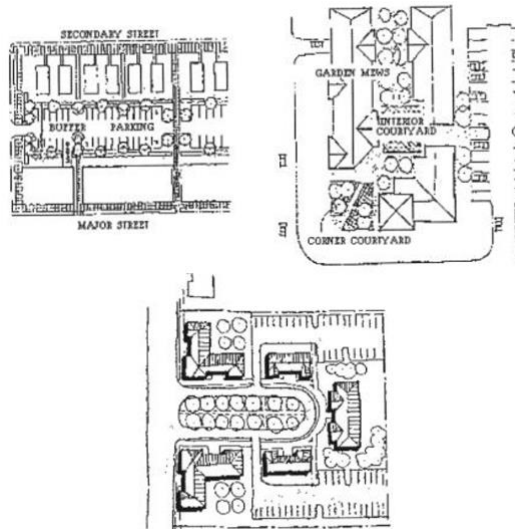
C. Parcels located within the boundary of the Port Gamble Redevelopment Plan approved pursuant to Section 17.360C.030 shall refer to Appendix F to determine allowed uses, permits required, and definitions. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

Section 184: Kitsap County Code Section 17.470.030, “Multifamily site design – Orientation (UCR, UM, and UH zones)”, last amended by Ordinance 534-2016 is amended as follows:

17.470.030 Multifamily site design – Orientation (UCR, UM and UH zones).

A. Requirement. Design multifamily 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 firefighting 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 multifamily projects to streets, adding value and identity to the complex, by siting parking behind the buildings:



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

Section 185: Kitsap County Code Section 17.520 “Marijuana Regulations” last amended by Ordinance 535-2016 is repealed.

NEW SECTION. Section 186. A new section is added to Chapter 17.700 “Appendices” as follows:

Appendix F – Allowed uses and additional regulations for parcels located within the boundary of the Port Gamble Redevelopment Plan approved pursuant to Section 17.360C.030.

Kitsap County Code Section 17.700 ‘Appendix F’, only applies to parcels located inside the boundaries of the Port Gamble Redevelopment Plan area. This Appendix intends to maintain consistency with Ordinance 586-2020 adopted by the Board of County Commissioners on April 27, 2020 that applies to Port Gamble Rural Historic Town and adjacent rural areas regarding revised definitions, allowed uses, allowed use footnotes, and development standards. Development shall comply with all other chapters in Kitsap County Code Title 17 ‘Zoning’ that are not referenced in this appendix.

Please follow the steps below to use this appendix:

1. Confirm that the parcel is located within the Port Gamble Master Plan area as shown on [map of Port Gamble Master Plan area] and the zoning designation.
2. Refer to Appendix F to determine which uses are allowed on the parcel and how the uses are defined. Chapters included in Appendix F shall replace the chapters in Title 17 ‘Zoning’.
3. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

Chapters:

- F.17.110** Definitions
- F.17.410** Allowed Uses
- F.17.470** Multifamily Development – Design Criteria
- F.17.520** Marijuana Regulations

**Chapter F.17.110
DEFINITIONS**

Sections:

- F.17.110.005 Generally.
- F.17.110.010 Abutting.
- F.17.110.015 Access.
- F.17.110.020 Accessory dwelling unit.
- F.17.110.025 Accessory living quarters.
- F.17.110.030 Accessory use or structure.
- F.17.110.035 Adjacent.
- F.17.110.040 Adjoining.
- F.17.110.045 Adult family home.
- F.17.110.050 Reserved.
- F.17.110.055 Alley.
- F.17.110.057 (Repealed)
- F.17.110.060 Animal.
- F.17.110.065 Animal, small.

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F.17.110.073	Antenna.
F.17.110.075	Amusement center.
F.17.110.085	Aquaculture practices.
F.17.110.087	Assembly and packaging operations.
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F.17.110.095	Automobile service station.
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F.17.110.125	Breezeway.
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F.17.110.132	Buffer, landscaping.
F.17.110.133	Buffer, screening.
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F.17.110.137	Building coverage.
F.17.110.140	Building height.
F.17.110.145	Building line.
F.17.110.150	Caretaker's dwelling.
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F.17.110.156	Carrier.
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F.17.110.160	Clinic.
F.17.110.165	Club.
F.17.110.168	Collocation.
F.17.110.169	Community sewage disposal systems.
F.17.110.170	Commission or planning commission.
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F.17.110.220	Development.
F.17.110.222	Development rights.
F.17.110.223	(Repealed)
F.17.110.225	Director.
F.17.110.227	Distributed antenna systems.
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F.17.110.255	Dwelling unit.
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F.17.110.412	Lot, interior.
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F.17.110.420	Lot depth.
F.17.110.430	Lot line.
F.17.110.435	Lot line, front.
F.17.110.440	Lot line, rear.
F.17.110.445	Lot line, side.
F.17.110.450	Lot of record.
F.17.110.455	Lot, through.
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F.17.110.483	(Repealed)
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F.17.110.493	Mobile home park.
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F.17.110.510	Nonconforming use, nonconforming structure or nonconforming use of structure.
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F.17.110.005 Generally.

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.

F.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.

F.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.

F.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.

F.17.110.025 Accessory living quarters.

“Accessory living quarters” means separate living quarters contained within the primary residence.

F.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.

F.17.110.035 Adjacent.

“Adjacent” means the same as “abutting.”

F.17.110.040 Adjoining.

“Adjoining” means the same as “abutting.”

F.17.110.045 Adult family home.

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

F.17.110.050 Reserved.

F.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.

F.17.110.057 (Repealed)*

* **Editor’s note:** Former Section F.17.110.057, “Alternative technology,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.060 Animal.

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

F.17.110.065 Animal, small.

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

F.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.

F.17.110.073 Antenna.

“Antenna” means an apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to commission authorization, for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds, including the transmitting device and any on-site equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with that antenna and added to a tower, structure, or building as part of the original installation of the antenna. For most services, an antenna will be mounted on or in, and is distinct from, a supporting structure such as a tower, structure or building. However, in the case of AM broadcast stations, the entire tower or group of towers constitutes the antenna for that station. For purposes of this section, the term “antenna” does not include unintentional radiators, mobile stations, or devices authorized under CFR Title 15.

F.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.

F.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.

F.17.110.087 Assembly and packaging operations.

“Assembly and packaging operations” means a facility where premanufactured 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.

F.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.

F.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.

F.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 backlighting, shall have no effect on the sign requirements, unless lighted signs are specifically prohibited in that area or zone.

F.17.110.103 Base station.

“Base station” means the equipment and nontower supporting structure at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network.

F.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.

F.17.110.107 Bioretention facilities.

“Bioretention facilities” means engineered facilities that treat storm water by passing it through a specified soil profile, and either retain or detain the treated storm water for flow attenuation. Refer to the Stormwater Management Manual for Western Washington (Ecology Manual), Chapter 7 of Volume V for bioretention BMP types and design specifications.

F.17.110.110 Board.

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

F.17.110.112 Boarding house.

“Boarding house” means a building arranged or used for lodging for compensation, with or without meals, with any number of guest rooms and not occupied as a single-family unit.

F.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.

F.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.

F.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.

F.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.

F.17.110.132 Buffer, landscaping.

“Buffer, landscaping” means a buffer treatment within or along the perimeter of a development that varies in numbers and types of vegetation and/or fencing depending on land uses. Landscaping such as trees, shrubs, ground covers, fencing, or vegetation planted as part of low impact development (LID) best management practices (BMPs) are to be provided as prescribed by Chapter F.17.500.

F.17.110.133 Buffer, screening.

“Buffer, screening” means a buffer of evergreen vegetation, vegetation planted as part of LID BMPs, or sight-obscuring fencing intended to provide functional screening between different uses, land use intensities and/or zones. Screening is to be installed or maintained as prescribed by Chapter F.17.500.

F.17.110.135 Building.

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

F.17.110.137 Building coverage.

“Building coverage” means the area of land that is covered by a building or structure that provides a hard surface. Building coverage also includes uncovered horizontal structures, such as decks, stairways, and entry bridges.

F.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.

F.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.

F.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.

F.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.

F.17.110.156 Carrier.

“Carrier” means a telecommunications company that offers telecommunication services (as defined in 47 U.S.C. §153(53)) to users of wireless devices through radio frequency signals. Synonymous terms are “mobile service provider,” “wireless service provider,” “wireless carrier” or “mobile carrier.”

F.17.110.157 Child care center.

“Child care center” means the same as “day-care center.”

F.17.110.160 Clinic.

“Clinic” means a building or portion of a building containing offices for providing nonemergency chiropractic, medical, dental, or psychiatric services not involving overnight housing of patients.

F.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.

F.17.110.168 Collocation.

“Collocation” means the use or addition of one or more wireless communications facilities on any existing structure, whether or not already used as a wireless communication facility.

F.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 multifamily dwelling but the design capacity does not exceed three thousand five hundred gallons of sewage volume per day.

F.17.110.170 Commission or planning commission.

“Commission” or “planning commission” means the Kitsap County planning commission.

F.17.110.171 Comprehensive plan.

“Comprehensive plan” means the principles, 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.

F.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 17.540 and/or 17.550). 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.

F.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.

F.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.

F.17.110.185 Contiguous.

“Contiguous” means the same as “abutting.”

F.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.

F.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.

F.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 living structures sharing any of the following: common kitchen and sanitation facilities, common area/courtyard and/or parking area.

F.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.

F.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.

F.17.110.200 Day-care center.

“Day-care center” means a primary dwelling in which seven or more 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.

F.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.

F.17.110.210 Density.

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

F.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.

F.17.110.213 Density, minimum.

“Density, minimum,” unless otherwise specified by Section 17.420.060, 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).

F.17.110.215 Department.

“Department” means the Kitsap County department of community development.

F.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.

F.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.

F.17.110.223 (Repealed)*

* Former Section 7.110.223, “Directional panel antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.225 Director.

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

F.17.110.227 Distributed antenna systems.

“Distributed antenna systems” means network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

F.17.110.228 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.

F.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.

F.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.

F.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.

F.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.

F.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.

F.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.

F.17.110.260 Employees.

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

F.17.110.265 Exotic animal.

“Exotic animal” means:

- 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. Nonhuman primates including prosimians.
- C. All members of the Ursidae family (e.g., bears).
- D. Nondomesticated members of the Felidae family (e.g., cats).
- E. Nondomesticated 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 subfamilies (e.g., badgers).

F.17.110.270 Family.

“Family” means two or more persons customarily living together as a single housekeeping 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.

F.17.110.272 Fitness center.

“Fitness center” means a place of business with equipment and facilities for exercising and improving physical fitness. Examples include health clubs, boxing gyms and micro-gyms.

F.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.

F.17.110.280 Forestry.

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

F.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.

F.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.

F.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.

F.17.110.301 General merchandise stores.

“General merchandise stores” means stores that sell a wide variety of grocery and nongrocery 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.

F.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 nonoffice use conducted elsewhere. This definition excludes engineering and construction firms and financial, banking, mortgage and title institutions.

F.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.

F.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.

F.17.110.310 Green storm water infrastructure.

“Green storm water infrastructure” (GSI) means and is also known as low impact development (LID). Refer to the definition for “low impact development,” which is the preferred term used by the county.

F.17.110.311 Green storm water solutions.

“Green storm water solutions” (GSS) means and is also known as low impact development (LID). Refer to the definition for “low impact development,” which is the preferred term used by the county.

F.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.

F.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.

F.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.

F.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.”

F.17.110.321 Hardscaping.

“Hardscaping” means the placement of nonplant elements such as fountains, patios, decks, street furniture, and ornamental concrete or stonework areas.

F.17.110.322 Hard surface.

“Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

F.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, Land Use and Development Procedures.

F.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.

F.17.110.335 High-risk secured facility.

“High-risk secured facility” means a facility that provides court-ordered housing, supervision and twenty-four-hour security, and coordinates treatment services for persons who are found by the court to be a “sexually violent predator” or pose a likelihood of serious harm to others as defined in RCW 71.05.020 and are civilly committed to a less restrictive alternative as defined in state law. Such facilities accommodate two or more persons placed by the court plus treatment and support staff. A high-risk secured facility does not include:

- A. Secure community transition facilities proposed under the authority of, and consistent with, the provisions of Chapter 71.09 RCW; or
- B. Nursing homes, assisted living facilities, or adult family homes that become licensed as enhanced services facilities as defined in RCW 70.97.060(4).

F.17.110.340 High capacity transit station area.

“High capacity transit station areas” include only those portions of urban growth areas within:

- A. One-half mile of the following public ferry terminals:
 - 1. Kingston – Washington State Ferry and Kitsap Transit Fast Ferry (see boundary in Chapter 17.700, Appendix E1).

F.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.

F.17.110.350 Home day-care.

“Home day-care” means the same as “day-care, family.”

F.17.110.355 Home owners’ association.

“Home owners’ association” means a nonprofit 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;
- 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.

F.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.

F.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.

F.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.

F.17.110.367 Impervious surface.

“Impervious surface” means a nonvegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or 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, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces that similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

F.17.110.368 Infill development.

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

F.17.110.369 Junk motor vehicle.

“Junk motor vehicle” means a motor vehicle meeting at least three of the following requirements:

- (a) Is three years old or older;
- (b) Is extensively damaged, such damage including, but not limited to, any of the following: a buildup of debris that obstructs use, broken window or windshield; missing wheels, tires, tail/headlights, or bumpers; missing or nonfunctional motor or transmission; or body damage;
- (c) Is apparently inoperable; or
- (d) Has an approximate fair market value equal only to the approximate value of the scrap in it.

“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.

F.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.

F.17.110.375 Kennel.

“Kennel” means any place or entity where five 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.

F.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 noncommercial purposes.

F.17.110.390 Landscaping.

“Landscaping” means the placement, preservation, or replacement of trees, grass, shrubs, plants, flowers, and other vegetative materials 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. Vegetation planted as part of LID BMPs shall be considered “landscaping” for purposes of this title where all landscape requirements in Title 17 are met.

F.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.

F.17.110.393 Lattice support structure.

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

F.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).

F.17.110.396 Loading space.

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

F.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.

F.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 one-one-hundred-twenty-eighth of a section, ten acres if the lot is one-sixty-fourth of a section, and twenty acres if the lot is one-thirty-second of a section.

F.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.

F.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.

F.17.110.415 Lot coverage.

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

F.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.

F.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.

F.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.

F.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.

F.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.

F.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.

F.17.110.455 Lot, through.

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

F.17.110.460 Lot width.

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

F.17.110.461 Low impact development.

“Low impact development” (LID) means a storm water and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed storm water management practices that are integrated into a project design. LID is also known as green storm water infrastructure or green storm water solutions. LID is the preferred term used by the county.

F.17.110.462 Low impact development best management practices.

“Low impact development best management practices” (LID BMPs) means distributed storm water management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimum excavation foundations, vegetated roofs, and water reuse.

F.17.110.463 (Repealed)*

* Former Section 17.110.463, “Macro antenna array,” was repealed by Ordinance 570 (2019). Subsection 23 of Ordinance 540 (2016) and § 7(5) (App. E) (part) of Ordinance 534 (2016) were formerly codified in this section.

F.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.

F.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.

F.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.

F.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.

F.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 17.440.

F.17.110.480 (Repealed)*

* Former Section 17.110.480, “Micro antenna array,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.483 (Repealed)*

* Former Section 17.110.483, “Mini antenna array,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.484 Minimum functional height.

“Minimum functional height” means the shortest height at which a proposed wireless communications facility can perform its intended function, including communications and collocation. Minimum functional height is measured vertically from the ground level to the highest point on the structure, including antennas and subsequent alterations.

F.17.110.485 Mixed use development.

“Mixed use development” means the development of a site or building with a combination of residential and nonresidential uses in a single or physically integrated group of buildings.

F.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.

F.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.

F.17.110.494 Modification.

“Modification” means any change made to an existing wireless communications facility (facility). A modification constitutes a substantial change if (1) the change to the facility meets the definition of “substantial change” herein provided; (2) the change would defeat the existing concealment elements of the facility; or (3) the change does not comply with pre-existing conditions associated with the prior approval of construction or modification of the facility.

F.17.110.503 Monopole.

“Monopole” means a wireless communications facility that consists of a single pole structure designed and erected on the ground or on top of a structure to support communications antennas and connecting appurtenances.

F.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.

F.17.110.505 Native growth protection easement.

“Native growth protection easement” means a protected corridor vegetated with native trees, shrubs and groundcover that connects critical areas or permanently preserved natural areas within or adjacent to and across the project site.

F.17.110.506 Native vegetation.

“Native vegetation” means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. The Native Plant Listing for Kitsap County may be obtained from the department of community development.

F.17.110.507 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, storm water controls, recreational facilities, public facilities, community drainfields or other area-wide sanitary sewer facilities, and open space.

F.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.

F.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.

F.17.110.512 Nonmotorized recreational rentals.

“Nonmotorized recreational rentals” means any form of transportation that provides personal or goods mobility by methods other than a motor.

F.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.

F.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.

F.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.

F.17.110.530 Nursing or rest home.

See Section 17.110.190, Convalescent, nursing or rest home.

F.17.110.535 Open space.

“Open space” shall mean land used for outdoor active or 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 hard surfaces not related to the open space uses and yards required by this title for such dwellings or hard surfaces. Open space may be used for native vegetation, drought-tolerant vegetation, and vegetated LID facilities. “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.

F.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.

F.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.

F.17.110.547 (Repealed)*

* Former Section 17.110.547, “Parabolic antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.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.

F.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.

F.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.

F.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.

F.17.110.565 Parking space, barrier free.

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

F.17.110.567 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.

F.17.110.568 Pedestrian-oriented facade.

“Pedestrian-oriented facade” means the ground floor frontage of a building design, which offers an interesting appearance to attract pedestrian interest in the locality and encourages pedestrian access.

F.17.110.569 Pedestrian-oriented space/plaza.

“Pedestrian-oriented space/plaza” means the area between a building and a public street or pedestrian path that promotes visual and pedestrian access onto the site and that provides amenities and landscaping to enhance the public’s use of the space for passive activities, such as resting, reading, picnicking, and window shopping. The area should be visible from the public right-of-way and accessible to pedestrians, including those with handicaps.

F.17.110.570 Pedestrian-friendly street.

“Pedestrian-friendly street” means any street designed for safe use by both pedestrians and vehicles. A pedestrian-friendly street includes sidewalks or walkways, landscaping, lighting, and other street amenities benefiting pedestrians.

F.17.110.571 Pedestrian walkways.

“Pedestrian walkways” means formal standardized public walkways and informal paths worked into a site’s landscape design that provide a means for pedestrians to travel through the community along street sidewalks or other public routes.

F.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.

F.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.

F.17.110.576 Permeable pavement.

“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It is a hard surface, as defined herein, and often includes an aggregate base that provides structural support and acts as a storm water reservoir.

F.17.110.577 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.

F.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.

F.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 nonagricultural purposes.

F.17.110.590 Pet, nontraditional.

“Pet, nontraditional” or “nontraditional pet” means any pet other than a dog, cat, fish or nonraptor bird.

F.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.”

F.17.110.595 Pier.

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

F.17.110.600 Places of worship.

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

F.17.110.610 Planning commission.

“Planning commission” means the Kitsap County planning commission.

F.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.

F.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.

F.17.110.625 Premises.

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

F.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.

F.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.

F.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 subarea plan, but excluding the adoption or amendment of the Plan, a subarea plan, or development regulations.

F.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.

F.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).

F.17.110.643 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.

F.17.110.644 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 straightaways, curves, jumps and/or other features.

F.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.

F.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, multi-generational play and stretching equipment, a paved sports court, children’s play equipment, exercise fitness trail, community garden or gathering area with water service or similar facility.

F.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.

F.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.

F.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.

F.17.110.656 Related equipment.

“Related equipment” means any piece of equipment related to, incidental to, or necessary for the operation of a nontower wireless communication facility (facility) or tower-based facility. By way of illustration, not limitation, related equipment includes generators.

F.17.110.660 Residential care facility.

“Residential care facility” means a facility that provides daily care, adult day health and/or primary residences for 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.

F.17.110.662 Restaurant.

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

F.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;
- D. Drive-in service is available.

F.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 17.450.

F.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).

F.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.

F.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.

F.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.

F.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.

F.17.110.673 Shipping container.

“Shipping container” means any repository greater than twenty-five feet in length traditionally commonly used for the interstate or international transport of goods.

F.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 title.

F.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.

F.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.

F.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 preapplication meeting summary and/or application.

F.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.

F.17.110.687 Stealth technology.

“Stealth technology” means the camouflaging methods applied to wireless communication facilities (facilities) to render them more visually appealing and to blend the proposed facility into the existing structure or visual backdrop in such a manner to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, light poles, flag poles, chimneys, church crosses, clock towers, gas station signs, statues, or rocks as appropriate to the surrounding environment.

F.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.

F.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.

F.17.110.690 Storage, vehicles and equipment.

“Storage, vehicles 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.

F.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.

F.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.

F.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.

F.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, vegetation, and storm drainage facilities.

F.17.110.697 Streetscape.

“Streetscape” means the visual and functional supporting elements of a roadway design that provide aesthetic interest and comfort to the pedestrian. Street amenities serve to define the public space of a sidewalk as well as the adjacent roadway corridor. Pedestrian amenities include pedestrian-oriented plazas, furniture, lighting, and art.

F.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 17.570.

F.17.110.705 Structure.

“Structure” means that which is built or constructed.

F.17.110.706 Subarea plan.

“Subarea plan” means a detailed, local land use plan which is a subcomponent of the Kitsap County Comprehensive Plan. A subarea plan contains specific policies, guidelines, and criteria for a specific geographic area of Kitsap County.

F.17.110.707 (Repealed)*

* Former Section 17.110.707, “Support structure,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.708 Substantially change.

“Substantially change” or “substantial change” means a modification to an existing wireless communications facility (facility) that changes the physical dimensions of the tower or base station in any of the following ways:

A. Height.

1. For tower-based facilities outside the public right-of-way (ROW), the modification increases the height of the tower by more than ten percent, or by the height of one additional

antenna array with separation from the nearest existing antenna, not to exceed twenty feet, whichever is greater.

2. For tower-based facilities within the ROW and any base station, the modification increases the height of the facility by more than ten percent or ten feet, whichever is greater.

3. Changes in height shall be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on rooftops. In all other circumstances, changes in height shall be measured from the original height of the facility plus any modification approved prior to the passage of the federal Spectrum Act (February 22, 2012).

B. Width.

1. For tower-based facilities outside the ROW, the modification adds an appurtenance to the body of the tower that protrudes from the edge of the tower by more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.

2. For tower-based facilities within the ROW and any base station, the appurtenance protrudes from the edge of the structure by more than six feet.

C. Equipment Cabinets.

1. For any facility or base station outside the ROW, the modification involves installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four cabinets.

2. For any facility or base station within the ROW, the modification involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or involves the installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure.

D. Excavation.

1. For any facility or base station, the modification entails any excavation or deployment outside the current site. As used herein, for tower-based facilities outside the ROW, “site” shall mean the boundaries of the leased area including utility easements; for all other facilities, “site” shall mean that area adjacent to the structure and within which related equipment already exists.

E. Stealth Technology.

1. For any facility or base station, the modification would defeat any concealment element.

F. Prior Conditions of Approval.

1. Except as set forth above, the modification does not comply with conditions of approval for the initial construction or any prior modification.

F.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.

F.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.

F.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.

F.17.110.721 Tower.

“Tower” means any structure built for the sole or primary purpose of supporting one or more antennas and related equipment, including but not limited to self-supporting lattice towers, guy towers and monopoles. This does not include small wireless facilities as defined in Section 17.110.770(A).

F.17.110.724 Tower, guy-wired.

“Tower, guy-wired” means a tower supported by a tensioned cable designed to add stability to a free-standing structure.

F.17.110.725 Tract.

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

F.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.

F.17.110.730 Use.

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

F.17.110.738 Vacation rental.

“Vacation rental” means a dwelling unit used by any person or group of persons, other than the owner, which is occupied through payment to the owner for a period of less than thirty calendar days, counting portions of days as full days.

F.17.110.739 Vegetation-based low impact development best management practices.

“Vegetation-based low impact development best management practices” (LID BMPs) means distributed storm water management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and

transpiration. Vegetation-based LID BMPs are a subset of LID BMPs and include, but are not limited to, bioretention, rain gardens, and vegetated roofs.

F.17.110.740 Veterinary clinic.

“Veterinary clinic” means the same as “animal hospital.”

F.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 nonwater 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.

F.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.

F.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).

F.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.

F.17.110.763 Wildlife shelter.

“Wildlife shelter” means a place where nondomesticated animals are given medical or surgical treatment and are cared for during the time of such treatment and until they are ready for release back into the wild. A wildlife shelter generally includes a combination of structures and outdoor enclosures.

F.17.110.764 Wireless.

“Wireless” means transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, broadband personal communication service, microwave, satellite, or radio signals.

F.17.110.765 (Repealed)*

* Former Section 17.110.765, “Wireless communication antenna array,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.17.110.770 Wireless communication facility.

“Wireless communication facility” means the antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other related equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.

A. A “small wireless facility” means a facility that meets each of the following conditions:

1. The facility:
 - a. Is mounted on a structure fifty feet or less in height, with the height including any antennas; or
 - b. Is mounted on a structure no more than ten percent taller than other adjacent structures; or
 - c. Does not extend an existing structure on which it is to be located to a height of more than fifty feet or by more than ten percent, whichever is greater;
2. Each antenna associated with the facility, excluding associated antenna equipment, is no more than three cubic feet in volume; and
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight cubic feet in volume; and
4. The facility is not required to be registered with the FCC under 47 CFR Part 17; and
5. The facility does not result in human exposure to radio frequency radiation in excess of the applicable FCC safety standards in 47 CFR 1.1307(b).

B. A “nontower wireless facility” means a facility that is not a small wireless facility and does not involve, as part of the initial installation or construction, a wireless support structure. The term includes antennas, data collection units, and related equipment, but shall not include any wireless support structure. Except as allowed for small wireless facilities, the need to construct a wireless support structure will transform the nontower facility into a tower-based facility.

C. A “tower-based wireless facility” means a facility installed or constructed with a tower as defined in Section 17.110.721. Unless a DAS hub facility meets the definition of a small wireless facility, the DAS hub shall be considered a tower-based facility.

F.17.110.775 Wireless communication support structure.

“Wireless communication support structure” means a freestanding structure, such as a tower-based wireless communication facility, or any other support structure that could (or does) support the placement or installation of a facility.

F.17.110.780 (Repealed)

* Former Section 17.110.780, “Whip antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

F.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.

F.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.

F.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.

F.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.

F.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.

F.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.

Chapter F.17.410

ALLOWED USES

Sections:

- F.17.410.010 Categories of uses established.
- F.17.410.020 Establishment of zoning use tables.
- F.17.410.030 Interpretation of tables.
- F.17.410.040 Zoning use tables.
- F.17.410.042 Rural, resource, and urban residential zones use table.
- F.17.410.044 Commercial, industrial, parks, and public facility zones use table.
- F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.
- F.17.410.050 Footnotes for zoning use tables.
- F.17.410.060 Provisions applying to special uses.

F.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.

F.17.410.020 Establishment of zoning use tables.

The tables in Sections F.17.410.042 through F.17.410.046 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.

F.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

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 F.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 F.17.100.040, Allowed uses, if a use is not listed in the use column, the use is prohibited in that designation.

F.17.410.040 Zoning use tables.

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

A. Section F.17.410.042, Rural, Resource, and Urban Residential Zones Use Table.

1. Rural residential (RR).
3. Rural wooded (RW).

C. Section F.17.410.046, Limited Areas of More Intensive Rural Development (LAMIRD) Zones Use Table.

7. Port Gamble rural historic town commercial (RHTC).
8. Port Gamble rural historic town residential (RHTR).
9. Port Gamble rural historic town waterfront (RHTW).

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR	RW
Categorical Use		(101)	(101)
RESIDENTIAL USES			
100	Accessory dwelling units (1)	C	C
102	Accessory living quarters (1)	P	P
104	Accessory use or structure (1)(18)(51)	P	P
106	Adult family home	ACUP P (41)	ACUP P (41)
108	Bed and breakfast house or vacation rental	ACUP C (34)	ACUP C (34)
109	Boarding house (102)	--	--
110	Caretaker's dwelling	--	--
112	Convalescent home or congregate care facility (97)	--	--
114	Cottage housing developments	--	--
116	Dwelling, duplex	P (3)	P (3)
118	Dwelling, existing	P	P
120	Dwelling, multifamily	--	--
122	Dwelling, single-family attached	C	--
124	Dwelling, single-family detached (includes manufactured homes)	P (43)	P (43)
126	Guest house (1)	P	P
128	Home business (1)(53)	ACUP	ACUP
130	Hotel/motel (1)(52)	--	--
132	Mobile homes	P (43)	P
134	Residential care facility	--	--
COMMERCIAL/BUSINESS USES			
200	Accessory use or structure (1)(51)	P	P
202	Adult entertainment (1)	--	--
204	Ambulance service	--	--

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR	RW
Categorical Use		(101)	(101)
206	Auction house	--	--
208	Auto parts and accessory stores	--	--
210	Automobile rentals	--	--
212	Automobile repair and car washes	--	--
214	Automobile service station (6)	--	--
216	Automobile, recreational vehicle or boat sales	--	--
218	Nonmotorized recreation rentals (95)	--	--
220	Boat/marine supply stores	--	--
222	Brew pubs	C (103)(106)	C (103)(106)
224	Clinic, medical	--	--
226	Conference center	C (12)(104)	C (12)(104)
228	Custom art and craft stores	--	--
230	Day-care center (14)	C	--
232	Day-care center, family (14)	P	--
234	Drinking establishments	--	--
236	Engineering and construction offices	--	--
238	Espresso stands (58)	--	--
240	Equipment rentals	--	--
242	Farm and garden equipment and sales	--	--
244	Financial, banking, mortgage and title institutions	--	--
245	Fitness center	--	--
246	General office and management services – less than 4,000 s.f.	--	--
248	General office and management services – 4,000 to 9,999 s.f.	--	--
250	General office and management services – 10,000 s.f. or greater	--	--
252	General retail merchandise stores – less than 4,000 s.f.	--	--
254	General retail merchandise stores – 4,000 to 9,999 s.f.	--	--

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR	RW
Categorical Use		(101)	(101)
256	General retail merchandise stores – 10,000 to 15,000 s.f.	--	--
258	General retail merchandise stores – 15,001 to 24,999 s.f.	--	--
260	General retail merchandise stores – 25,000 s.f. or greater	--	--
262	Kennels or pet day-cares (1)	C (12)	C (12)
264	Kennels, hobby	P	P
266	Laundromats and laundry services	--	--
268	Lumber and bulky building material sales	--	--
270	Mobile home sales	--	--
272	Nursery, retail	C	--
274	Nursery, wholesale	P	P
276	Off-street private parking facilities	--	--
278	Personal services – skin care, massage, manicures, hairdresser/barber	--	--
280	Pet shop – retail and grooming	--	--
282	Research laboratory	--	--
284	Restaurants	C (12) (103)(106)	C (12) (103)(106)
286	Restaurants, high-turnover	--	--
288	Recreational vehicle rental	--	--
290	Temporary offices and model homes (27)	ACUP	--
292	Tourism facilities, including outfitter and guide facilities	C (12) (104)	C (12) (104)
294	Tourism facilities, including seaplane and tour boat terminals	--	--
296	Transportation terminals	--	--
298	Veterinary clinics/animal hospitals/wildlife shelters	C (8) PBD (8)(12) (103)	-- PBD (8)(12) (103)
RECREATIONAL/CULTURAL USES			

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR (101)	RW (101)
Categorical Use			
300	Accessory use or structure (1)(51)	P	P
302	Amusement centers	--	--
304	Carnival or circus	--	--
306	Club, civic or social (12)	C (12)	--
308	Golf courses	C (12)	--
310	Marinas	--	--
312	Movie/performance theaters, indoor	--	--
314	Movie/performance theaters, outdoor	--	--
316	Museum, galleries, aquarium, historic or cultural exhibits	--	--
318	Parks and open space	P	P
320	Race track, major	--	--
322	Race track, minor	--	C (12)
324	Recreational facilities, private	C (12)	C
326	Recreational facilities, public	ACUP	C
328	Recreational vehicle camping parks	C (12)(46) (104)	C (12)(46) (104)
330	Zoo	--	--
INSTITUTIONAL USES			
400	Accessory use or structure (1)(51)	P	P
402	Government/public structures	ACUP	--
404	Hospital	--	--
406	Places of worship (12)	C (12)	--
408	Private or public schools (20)	C	--
410	Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	C	C
INDUSTRIAL USES			
500	Accessory use or structure (1)(51)	P	P
502	Air pilot training schools	--	--

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR	RW
Categorical Use		(101)	(101)
504	Assembly and packaging operations	--	--
506	Boat yard	--	--
508	Cemeteries, mortuaries, and crematoriums (10)	C	C
510	Cold storage facilities	--	--
512	Contractor’s storage yard (21)	C (12)	--
514	Food production, brewery or distillery	-- C (12) (104)	-- C (12) (104)
516	Fuel distributors	--	--
518	Helicopter pads (13)	--	--
520	Manufacturing and fabrication, light	-- C (12) (104)(105)	-- C (12) (104)(105)
522	Manufacturing and fabrication, medium	--	--
524	Manufacturing and fabrication, heavy	--	--
526	Manufacturing and fabrication, hazardous	--	--
528	Recycling centers	--	--
530	Rock crushing	--	C
532	Slaughterhouse or animal processing	--	--
534	Storage, hazardous materials	--	--
536	Storage, indoor	--	--
538	Storage, outdoor	--	--
540	Storage, self-service	--	--
542	Storage, vehicle and equipment (1)	-- (18)	--
544	Top soil production, stump grinding	C (22)	--
546	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--
548	Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	--	--

F.17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Wooded
Zoning Classification		RR	RW
Categorical Use		(101)	(101)
550	Warehousing and distribution	--	--
552	Wrecking yards and junk yards (1)	--	--
RESOURCE LAND USES			
600	Accessory use or structure (1)(51)	P	P
602	Aggregate extractions sites	C	C
606	Aquaculture practices	C	C
608	Forestry	P	P
610	Shellfish/fish hatcheries and processing facilities	--	--

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
RESIDENTIAL USES				
100	Accessory dwelling units (1)	C	C	--
102	Accessory living quarters (1)	C	P	P (108)
104	Accessory use or structure (1)(18)(51)	P	P	P (108)
106	Adult family home	ACUP P (41)	ACUP P (41)	ACUP P (41)
108	Bed and breakfast house or vacation rental	ACUP C (34)	ACUP C (34)	ACUP C (34)
109	Boarding house (102)	ACUP (98)	ACUP (98)	--
110	Caretaker's dwelling	P	--	P (108)
112	Convalescent home or congregate care facility (97)	ACUP	ACUP	--
114	Cottage housing developments	--	ACUP	ACUP
116	Dwelling, duplex	P	P	--
118	Dwelling, existing	P	P	P
120	Dwelling, multifamily	ACUP	ACUP	--
122	Dwelling, single-family attached	P	P	P (108)
124	Dwelling, single-family detached (includes manufactured homes)	P (43)	P (43)	P (108)
126	Guest house (1)	P	P	P (108)
128	Home business (1)(53)	P	P	P
130	Hotel/motel	ACUP	--	ACUP
132	Mobile homes	--	--	--

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
134	Residential care facility	--	--	--
COMMERCIAL/BUSINESS USES				
200	Accessory use or structure (1)(51)	P	P	P
202	Adult entertainment (1)	--	--	--
204	Ambulance service	--	--	--
206	Auction house	--	--	--
208	Auto parts and accessory stores	P (108)	--	--
210	Automobile rentals	--	--	--
212	Automobile repair and car washes	ACUP	--	--
214	Automobile service station (6)	ACUP	--	--
216	Automobile, recreational vehicle or boat sales	--	--	--
218	Nonmotorized recreation rental (95)	P	--	P
220	Boat/marine supply stores	P (108)	--	P (108)
222	Brew pubs	ACUP	--	ACUP
224	Clinic, medical	ACUP	--	ACUP
226	Conference center	ACUP	--	ACUP
228	Custom art and craft stores	P (108)	--	P (108)
230	Day-care center (14)	ACUP	C	--
232	Day-care center, family (14)	ACUP	C	--
234	Drinking establishments	C	--	C
236	Engineering and construction offices	--	--	--
238	Espresso stands (58)	P (108)	--	P (108)
240	Equipment rentals	--	--	--
242	Farm and garden equipment and sales	--	--	--
244	Financial, banking, mortgage and title institutions	P (108)	--	--
245	Fitness center	P (108)	--	ACUP

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
246	General office and management services – less than 4,000 s.f.	P (108)	--	P (108)
248	General office and management services – 4,000 to 9,999 s.f.	P (38) (103) (108)	--	P (38) (103) (108)
250	General office and management services – 10,000 s.f. or greater	--	--	--
252	General retail merchandise stores – less than 4,000 s.f.	P (108)	--	P (108)
254	General retail merchandise stores – 4,000 to 9,999 s.f.	P (103) (108)	--	--
256	General retail merchandise stores – 10,000 to 15,000 s.f.	--	--	--
258	General retail merchandise stores – 15,001 to 24,999 s.f.	--	--	--
260	General retail merchandise stores – 25,000 s.f. or greater	--	--	--
262	Kennels or pet day-cares (1)	--	--	--
264	Kennels, hobby	--	P	--
266	Laundromats and laundry services	P (108)	--	--
268	Lumber and bulky building material sales	--	--	--
270	Mobile home sales	--	--	--
272	Nursery, retail	P (108)	--	--
274	Nursery, wholesale	ACUP	--	--
276	Off-street private parking facilities	ACUP	--	ACUP
278	Personal services – skin care, massage, manicures, hairdresser/barber	P (108)	--	P (108)
280	Pet shop – retail and grooming	P (108)	--	--
282	Research laboratory	ACUP	--	ACUP
284	Restaurants	P (108)	--	P (108)
286	Restaurants, high-turnover	P (108)	--	ACUP (107)

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
288	Recreational vehicle rental	--	--	--
290	Temporary offices and model homes (27)	P (108)	P (108)	P (108)
292	Tourism facilities, including outfitter and guide facilities	P (108)	--	ACUP
294	Tourism facilities, including seaplane and tour boat terminals	--	--	C
296	Transportation terminals	--	--	C
298	Veterinary clinics/animal hospitals/wildlife shelters	ACUP	PBD (103)	--
RECREATIONAL/CULTURAL USES				
300	Accessory use or structure (1)(51)	P	P	P
302	Amusement centers	P (11) (108)	--	--
304	Carnival or circus	P (11) (108)	--	--
306	Club, civic or social (12)	ACUP	C	ACUP
308	Golf courses	--	--	--
310	Marinas	--	--	PBD
312	Movie/performance theaters, indoor	P (108)	--	--
314	Movie/performance theaters, outdoor	ACUP	--	--
316	Museum, galleries, aquarium, historic or cultural exhibits	P (108)	C	P (108)
318	Parks and open space	P	P	P
320	Race track, major	--	--	--
322	Race track, minor	--	--	--
324	Recreational facilities, private	ACUP	C	ACUP
326	Recreational facilities, public	ACUP	C	ACUP
328	Recreational vehicle camping parks	--	--	--
330	Zoo	--	--	--

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
INSTITUTIONAL USES				
400	Accessory use or structure (1)(51)	P	P	P
402	Government/public structures	ACUP	ACUP	ACUP
404	Hospital	--	--	--
406	Places of worship (12)	ACUP	ACUP	ACUP
408	Private or public schools (20)	ACUP	ACUP	ACUP
410	Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	C	C	C
INDUSTRIAL USES				
500	Accessory use or structure (1)(51)	P	P	P
502	Air pilot training schools	--	--	--
504	Assembly and packaging operations	--	--	--
506	Boat yard	--	--	--
508	Cemeteries, mortuaries, and crematoriums (10)	--	--	--
510	Cold storage facilities	--	--	--
512	Contractor’s storage yard (21)	--	--	--
514	Food production, brewery or distillery	ACUP	--	ACUP
516	Fuel distributors	--	--	--
518	Helicopter pads (13)	--	--	--
520	Manufacturing and fabrication, light	ACUP	--	ACUP
522	Manufacturing and fabrication, medium	--	--	--
524	Manufacturing and fabrication, heavy	--	--	--
526	Manufacturing and fabrication, hazardous	--	--	--
528	Recycling centers	--	--	--
530	Rock crushing	--	--	--

F.17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS		
Zoning Classification		Rural Historic LAMIRD		
Categorical Use		RHTC (25) (101)	RHTR (25) (101)	RHTW (25) (101)
532	Slaughterhouse or animal processing	--	--	--
534	Storage, hazardous materials	--	--	--
536	Storage, indoor	--	--	--
538	Storage, outdoor	--	--	--
540	Storage, self-service	--	--	--
542	Storage, vehicle and equipment (1)	--	--	--
544	Top soil production, stump grinding	--	--	--
546	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	C
548	Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	--	--	--
550	Warehousing and distribution	--	--	--
552	Wrecking yards and junk yards (1)	--	--	--
RESOURCE LAND USES				
600	Accessory use or structure (1)(51)	P	P	P
602	Aggregate extractions sites	--	--	--
606	Aquaculture practices	--	--	C
608	Forestry	P	P	P
610	Shellfish/fish hatcheries and processing facilities	--	--	C

F.17.410.050 Footnotes for zoning use tables.

A. Where noted on the preceding use tables, the following additional restrictions apply:

1. Where applicable subject to Section F.17.410.060, Provisions applying to special uses.
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.
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.
8. A veterinary clinic, animal hospital or wildlife shelter shall not be located within fifty feet of a lot line in the rural protection (RP) or rural residential (RR) zones except within the boundary of a town master plan approved pursuant to Section 17.360C.030. In addition, the applicant may be required to provide additional measures to prevent or mitigate offensive noise, odor, light and other impacts.
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 a Type I administrative review in all industrial zones and any commercial zones, except neighborhood commercial (NC), Keyport village commercial (KVC), or Manchester village commercial (MVC) 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, MRO, 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 except when included within the boundary of a town master plan approved pursuant to Section 17.360C.030 and be able to provide access without causing traffic congestion on local residential 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. 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 are 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.

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 17.530.

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.

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 contractors' 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.
- 25. All uses must comply with the town development objectives of Section 17.360C.020.
- 27. Subject to the temporary permit provisions of Chapter 17.105.
- 34. Bed and breakfast houses or vacation rentals 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.
- 38. Customer service oriented uses over five thousand square feet are prohibited.
- 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).
- 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.
- 46. Allowed only as an accessory use to a park or recreational facility greater than twenty acres in size except when included within the boundaries of a town master plan approved pursuant to Section 17.360C.030. If included within a town master plan boundary, the use shall not include more than sixty spaces per five acres. All use of recreational vehicles must be transient in nature.

50. The Manchester Design Standards sets forth policies and regulations for properties within the Manchester village commercial (MVC) zone. All developments within the MVC zone must be consistent with the standards found in Chapter 17.700, Appendix C4.
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 17.105.090(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 F17.410.060(B).
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 (i.e., eight and one-half feet in width and sixty 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 17.490, 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.
95. Allowed on all port district owned property.
97. Cottage housing is an allowed use in conjunction with congregate care facilities and shall be reviewed under the congregate care facility permit review process.
98. Number of individual boarding rooms may not exceed the maximum density for the zone or six boarding rooms, whichever is greater.
101. Transitory accommodations allowed only pursuant to Chapter 17.505.
102. Boarding houses must have health district approval prior to occupancy.
103. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030.

104. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030 on parcels of five acres or larger with all uses set back one hundred feet from all parcels not included within the boundary.

105. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where uses are limited to the manufacture of agricultural products.

106. Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where such uses are secondary to a primary agricultural or recreational use of the property and shall not exceed fifty total seats and/or five thousand square feet of gross floor area.

107. Drive-in and drive-through service is prohibited.

108. Notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the applicant prior to determination of complete application. Written proof of notification is required.

F.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 businesses, 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;
 - 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 businesses, 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 businesses, as defined below, shall be permitted in RW, RP, and RR 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.
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 section. 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. 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 nontraditional 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. Dimensions are determined by exterior measurements;
- 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 (e.g., 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 F.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;

- (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)(i)(a) through (g) of this section may include but is 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)(i) 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)(v) 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 21.10. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.10 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 the 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 this title, 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 this title, 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 section 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 houses may be located in those zones specified in Sections F.17.410.042 through F.17.410.046 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.
9. High-Risk Secured Facility. A high-risk secured facility shall comply with the following conditions:
- a. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-risk secured facility. The project applicant shall cover all meeting costs.
 - b. The county shall mail community notification to the school district and all landowners within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to the required neighborhood meeting. The project applicant shall cover all community notification costs.
 - c. A high-risk secured facility shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of a risk potential activity or facility in existence at the time a facility is established.
 - i. “Within the line of sight” means that it is possible to reasonably visually distinguish and recognize individuals.
 - ii. “Risk potential activities and facilities” means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: public and private schools, school bus stops, licensed day-care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and other specific uses identified during a neighborhood hearing. For the purpose of this section, “school bus stops” does not include bus stops established primarily for public transit.
 - d. A high-risk secured facility shall not be located in a community protection zone as defined in RCW 9.94A.030(6).

- i. Distance shall be measured from all property lines of a high-risk secured facility from all property lines of the facilities and grounds of a public or private school.
- e. A high-risk secured facility shall meet the applicable health district standards for water and sewage disposal to account for staff and residents.
- f. Principal access to the site shall be from a county-maintained right-of-way.
- g. A high-risk secured facility shall be equipped with an automatic fire sprinkler system, installed in accordance with applicable building and fire codes.
- h. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the fire protection system to automatically release any facility security locks and allow safe egress from the structure in the event of fire or other emergency.
- i. A high-risk secured facility shall be equipped with a backup power system and an automatic transfer switch sufficient to energize and maintain the function of safety, security, and surveillance systems in the event of a power outage.

Chapter F.17.470
MULTIFAMILY DEVELOPMENT – DESIGN CRITERIA

Sections:

- F.17.470.010 Purposes and intent.
- F.17.470.020 Applicability – How to use the design criteria.
- F.17.470.030 Multifamily site design – Orientation (UCR, UM and UH zones).
- F.17.470.040 Fences and walls.
- F.17.470.050 Recreation centers, mailboxes, site lighting, bus stops.
- F.17.470.060 Grading and tree/vegetation retention.
- F.17.470.070 Open space.
- F.17.470.080 Landscape design.
- F.17.470.090 Multifamily – Site design – Parking location and design.
- F.17.470.100 Multifamily – Site design – Screening.
- F.17.470.110 Multifamily – Signs.

F.17.470.010 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 multifamily 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 multifamily 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 multifamily developments in a manner that maximizes unique site attributes and is compatible with the character and intensity of adjoining land uses.

F.17.470.020 Applicability – How to use the design criteria.

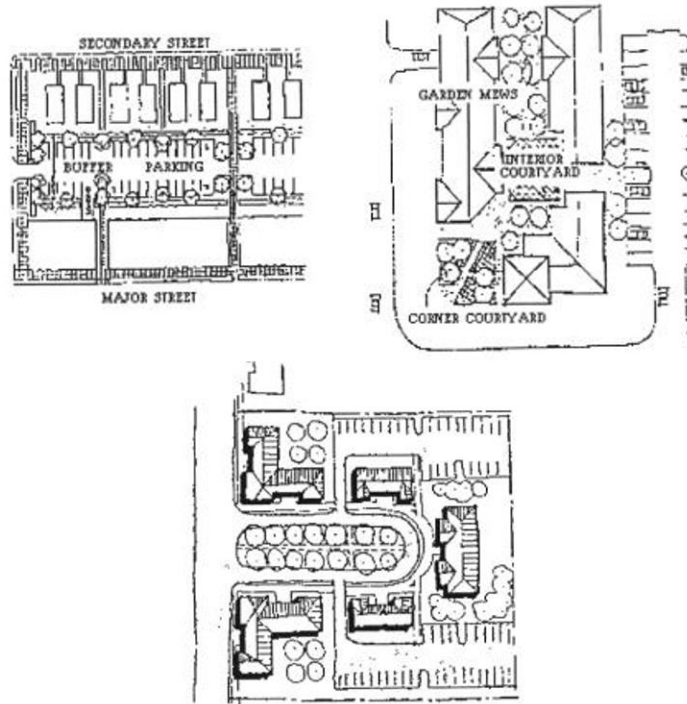
- A. **Applicability.** The “requirements sections” in the following design criteria apply to each multifamily project requiring conditional use review under Chapter 17.540 or 17.550.
- B. **How to Use the Design Criteria.** The “requirements sections” state the design criteria that each project shall meet. These design criteria are intended to supplement the development standards of the UCR, UM and UH zones. Where the provisions of this chapter 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.

F.17.470.030 Multifamily site design – Orientation (UCR, UM and UH zones).

- A. **Requirement.** Design multifamily 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 firefighting 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 multifamily projects to streets, adding value and identity to the complex, by siting parking behind the buildings:



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

F.17.470.040 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.

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.

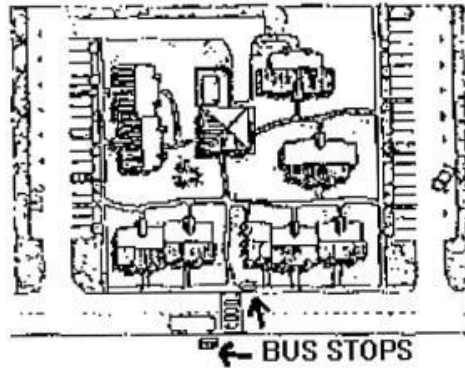
F.17.470.050 Recreation centers, mailboxes, site lighting, bus stops.

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 multifamily walkway network. Provide for shielding and directing of light to minimize impacts upon residents and abutting property owners.

B. 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 multifamily 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 multifamily walkway network shall provide convenient pedestrian access to the nearest transit stop.



F.17.470.060 Grading and tree/vegetation retention.

A. Requirement. To the extent reasonable and practicable, multifamily 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.



F.17.470.070 Open space.

A. Requirement. Open space shall be provided in or adjacent to multifamily development for all the residents of the development.

B. 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 multifamily 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.



F.17.470.080 Landscape design.

A. Requirement. In addition to the requirements in Chapter 17.500, landscaping and supporting elements (such as trellises, planters, site furniture or similar features) shall be appropriately incorporated into the project design.

B. 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.
9. Incorporate vegetation-based LID BMPs.

F.17.470.090 Multifamily – 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).

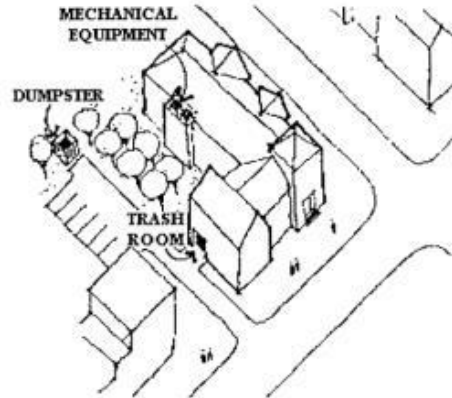
B. Guideline.

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).

F.17.470.100 Multifamily – Site design – Screening.

A. Requirement. Provide adequate screening for support facility needs associated with multifamily 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.

F.17.470.110 Multifamily – Signs.

A. Requirement. Minimize the amount of signage needed to identify the multifamily development (UVC). Signs shall conform to Chapter 17.510, Sign Code.

B. Guideline.

1. Multifamily 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, NC).
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).

Chapter F.17.520

MARIJUANA REGULATIONS

Sections:

- F.17.520.010 Findings and application.
- F.17.520.020 Definitions.
- F.17.520.030 Location.
- F.17.520.040 Permits.
- F.17.520.050 Public nuisance.
- F.17.520.060 Nonconforming uses.

F.17.520.010 Findings and application.

A. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 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 and Cannabis Board under Chapter 314-55 WAC.

F.17.520.020 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” 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” means a person licensed by the State Liquor and Cannabis Board to process marijuana into useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

C. “Marijuana producer” means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

D. “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” means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

F. “Useable marijuana” means dried marijuana flowers; it does not include marijuana-infused products.

F.17.520.030 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, both with and without endorsements, 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 commercial (C), regional center (RC), low intensity commercial (LIC), neighborhood commercial (NC) and rural employment center (REC) zones.

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.

F.17.520.040 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.

F.17.520.050 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.

F.17.520.060 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.

1 **Section 187: Adoption.**

2 **NOW THEREFORE, BE IT FURTHER ORDAINED** that the Kitsap County Board of
3 Commissioners, based on the above findings, _____ the amendments herein.

4 **Section 188: Severability.**

5 If any provision of this ordinance or its application to any person or circumstance is held invalid
6 or unconstitutional, the remainder of the ordinance or its application to other persons or
7 circumstances shall not be affected.

8 **Section 189: Scrivener’s Error.**

9 Should any amendment to Kitsap County Code that was passed by the Board during its
10 deliberations on this Ordinance be inadvertently left out upon publication, the explicit action of
11 the Board as discussed and passed shall prevail upon subsequent review and verification by the
12 Board.

13 **Section 190: Effective Date.**

14 This Ordinance shall take effect immediately.
15

1 ADOPTED this _____ day of _____, 2022.

2 **BOARD OF COUNTY COMMISSIONERS**
3 **KITSAP COUNTY, WASHINGTON**

4 _____
5 **ROBERT GELDER, Chair**

6 _____
7 **CHARLOTTE GARRIDO, Commissioner**

8 _____
9 **EDWARD E. WOLFE, Commissioner**

10
11
12
13 ATTEST:

14 _____
15 Dana Daniels, Clerk of the Board

16 APPROVED AS TO FORM:

17 _____
18 Lisa J. Nickel, Deputy Prosecuting Attorney
19

20