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MEMORANDUM

To: Board of County Commissioners
Kitsap County Planning Commission
Department of Community Development
Code Development Stakeholders

From: Eric Baker, Special Projects Manager

RE: Code Development – 2007 Proposed Code Amendments – First Draft

Attached please find the first draft of proposed 2007 Code Amendments prepared for Titles 16 (Subdivision), Title 17 (Zoning) and Title 18 (Environment). These documents include:

- 2007 Code Amendment Summary Table
- Title 16 (Subdivision) – First Draft
- Title 17 (Zoning) – First Draft
- Title 18 (Environment) – First Draft

These amendments primarily focus on a list of topics directed for inclusion by the Board for adoption in 2007. These topics generally include:

- Single-Family Subdivision Standards/Platting
- Performance-Based Development (PBD) Standards
- Accessory Dwelling Units
- Mixed-Use Zone Regulations
- Master Planning
- Consolidated Use Table Modifications
- Regional Commercial Sign District
- Miscellaneous Amendments (landscaping, race tracks, condominiums, etc.)
- Other amendments to improve clarity, consistency and functionality of the code

These amendments do not include the full revision to these titles proposed by the Board. Additional code amendments will be conducted by the Department of Community Development in 2008 to improve consistency with the Department's revised structure and permit processing currently in development.

Comments on these documents will be accepted through September 14, 2007 and revisions made as appropriate. All comments should be submitted to Angie Silva in hard copy or via e-mail at asilva@co.kitsap.wa.us.

If you have any questions regarding these documents or the process for their adoption, please contact me at (360) 337-4495 or via e-mail at ebaker@co.kitsap.wa.us.

KITSAP COUNTY CODE DEVELOPMENT 2007 Amendment Summary Table

Consistent with a revised 2007 scope of work and schedule, Kitsap County is pursuing the following list of code amendments for Title 16 (Subdivision), Title 17 (Zoning), Title 18 (Environment) and Title 21 (Land Use Procedures) for review and adoption by December 2007/January 2008. Due to the size of the overall amended titles, this table acts as a guide to the major amendments and includes the topic of the amendment, a brief discussion of the proposed amendment and the section(s) the amendment can be found.

The titles do contain other changes for clarity, consistency and functionality that can be found by reviewing the documents individually.

Regulation	Discussion	Section No.'s
Single-Family Subdivision/Platting Standards		
Density Calculations	Establishes definitions for minimum and maximum density and net developable acreage.	Section 17.110.212 Density, maximum. Section 17.110.213 Density, minimum. Section 17.110.506 Net developable acreage.
Minimum Lot Sizes	Reduces required lot sizes in the Urban Low (UL), Urban Cluster (UCR) and Urban Medium (UM) zones for single-family subdivision/development to encourage higher densities.	Section 17.382.060 Urban Residential Density and Dimensions Table.
Minimum Lot Dimensions	Reduces required lot dimensions in the Urban Low (UL), Urban Cluster (UCR) and Urban Medium (UM) zones for single-family subdivision/development to encourage higher densities.	Section 17.382.060 Urban Residential Density and Dimensions Table.

Regulation	Discussion	Section No.'s
Building Setbacks	Allows the reduction of front yard setbacks for the habitable areas (living rooms, bedrooms, etc.) of single-family development. Garages/carports must remain setback a minimum of 20 feet to provide driveway parking.	Section 17.382.060 Urban Residential Density and Dimensions Table.
Active/Passive Recreation Requirements	Establishes active recreation requirements for all single-family subdivision/development more than 30 lots/units. Also, established standards for the size, number and location of these amenities within the subdivision/development.	Section 17.382.037 Single-family subdivision/development standards
Parking	Increases required parking for single-family and multi-family residential development by .5 spaces to meet the existing and future needs of their residents.	Section 17.382.037 Single-family subdivision/development standards
Sidewalk Requirements	Establishes sidewalk requirements for single-family subdivision/development. Sidewalk standards are based on the traffic volume of the roadway and the road designation.	Section 17.382.037 Single-family subdivision/development standards
Landscaping	Establishes landscaping requirements for subdivision/development entrances and regulations for street trees.	Section 17.382.037 Single-family subdivision/development standards
Performance-Based Development (PBD) Standards		
Density Calculations	Included maximum density in the purpose statement of the PBD.	Section 17.425.010 Purpose.
Minimum Lot Sizes and Dimensions	Provided flexibility in lot sizes and dimensions to be based upon the site-specific conditions of the property and the proposed development's density and intensity	No minimums established.

Regulation	Discussion	Section No.'s
Open Space Requirements	Revises open space requirements to improve clarity regarding common and recreational open space percentages and locations.	Section 17.425.040.B and 17.425.040.C Standards and requirements.
Active/Passive Recreation Requirements	Establishes active recreation requirements for all single-family subdivision/development more than 20 lots/units. Also, established standards for the size, number and location of these amenities within the subdivision/development.	Section 17.425.040.C.2 Standards and requirements.
Accessory Dwelling Units (ADUs)		
Required Land Use Process	No changes proposed for ADU land use review. ADUs in the rural areas still require a Conditional Use Permit through the Hearing Examiner while ADUs within urban areas are permitted outright (no hearing or additional land use process).	Section 17.381.040 Zoning use tables.
Maximum Size	Increases allowed ADU size from 900 square feet to 1,200 square feet.	Section 17.381.060.B.3.c Accessory dwelling units.
Distance from Primary Structure	No changes regarding maximum distance from primary residence (150 feet).	Section 17.381.060.B.3.d Accessory dwelling units.
Appearance	Modified to allow rural ADUs to have the appearance of either the primary residence or a common rural structure (barn, arena, etc.).	Section 17.381.060.B.3.e Accessory dwelling units.
Miscellaneous Criteria	ADUs may have separate street access if restricted by topography or other site-specific feature.	Section 17.381.060.B.3.i Accessory dwelling units.

Regulation	Discussion	Section No.'s
Mixed-Use Zone Regulations		
Mixed-Use Zone versus Mixed Use Development	Improves distinction between mixed use development (commercial and residential in same development allowed in multiple zones) and the mixed use zone (commercial and residential in the same project encouraged but all commercial or all medium/high density residential also allowed).	Section 17.352.010 Purpose
Required Commercial and Residential Components	Removed erroneous requirement for all development in the mixed use zone to have both a commercial and residential component (encouraged but not required).	Section 17.382.035 Mixed use development standards. Section 17.382.070 Commercial and Mixed Use Density and Dimensions Table.
Allowed Housing Types	Allowance for single-family, attached housing, meeting a minimum of 10 dwelling units an acre, in the Mixed Use zone.	Section 17.381.040.B Commercial and Mixed Use Zones
Master Planning		
Flexibility in Altering Zone Boundaries within Master Plan Area	Includes a land use component to the Section 17.415 which would allow the modification of zone boundaries (except Urban Restricted) within the master plan area as long as the acreage totals stayed the same.	Section 17.415.034 Modification of zone boundaries within master plan area.
Required Land Use Process (SKIA v. McCormick)	Broadens the Section 17.415 to apply countywide rather than just to properties within the SKIA UGA. Master plans within the McCormick Urban Village must still follow a separate process outlined in Section 17.428.	Section 17.415.030 Master plan – When required

Regulation	Discussion	Section No.'s
Decision Criteria	Establishes decision criteria for the approval or denial of a master plan under 17.415. Amendment intended to improve predictability for the applicant and public.	Section 17.415.765 Decision criteria for master plan approval.
Consolidated Use Table Modifications		
Suquamish CAC Request	Modifies a series of commercial and residential uses within the Suquamish Rural Village consistent with the recommendations of the Suquamish Citizens Advisory Committee.	Section 17.381.040.D Limited Areas of More Intensive Rural Development (LAMIRD)
Expansion of Conditional Uses	Attached a footnote regarding minimum buffering and mitigation of other impacts to multiple uses (kennel, places of worship) in the rural and resource zones.	Section 17.381.040.E Parks, Rural and Resource Zones.
Land Use Review Requirements	Modifies the land use review required for several uses such as adult family home, family day care center,	Section 17.381.040 Zoning use tables.
Master Sign District – Regional Commercial		
Size of District	To facilitate coordinated signage in large commercial developments, property owners may form master sign districts a minimum of 20 net acres in size.	Section 17.445.095 Master sign district.
Allowed Signage	A master sign district may include up to two monuments signs of up to 150 square feet per face. No additional monument signs are allowed regardless of additional existing access points.	Section 17.445.095 Master sign district.
Limitations on Other Allowed Signage	The master sign district shall meet all other sign regulations and any signage above and beyond that allowed by current code must be removed as redevelopment occurs.	Section 17.445.095 Master sign district.

Regulation	Discussion	Section No.'s
Race Tracks		
Definitions	Includes definitions of Race Track, Major and Race Track, Minor.	Section 17.110.642 Race track, major. Section 17.110.643 Race track, minor.
Zones Allowed	Includes provisions for where such tracks are allowed.	Section 17.381.040 Zoning use tables.
Miscellaneous Amendments		
Definitions	Includes definitions such as awning, comprehensive plan, habitable area, infill development, interior lot, permitted use, private airfield or helipad, porch and sub-area plan.	Chapter 17.110 Definitions.
Director's Interpretations	Establishes a process for the Director to formally interpret code with or without a request from the public. These interpretations would be binding, but would require presentation annually to the Board for their review.	Section 17.455.010 Director authority to interpret code provisions and issue administrative decisions.
Condominium Regulations	Includes a definition of condominium and development standards for single-family, attached and detached projects.	Chapter 16.54 Condominiums Section 17.110.176 Condominium Section 17.382.037 Single-family subdivision/development standards
Landscaping Buffers	Consolidates the many forms of required buffers into two categories based upon their purpose; landscaping or screening.	Section 17.385.027 Buffer types – When required. Throughout the code titles
Permitted Use – Design Review	Improves the clarity regarding permitted uses and their requirement to meet landscaping and parking standards of Title 17.	Section 17.382.030.B Design standards.

Regulation	Discussion	Section No.'s
Third-Party Review	Allows the director to employ third-party review of a development's impacts when the impact is more technical than expertise currently on staff (significant noise, vibration, etc.)	Section 17.420.035 Third-party review. Section 17.421.025 Third-party review. Section 17.425.045 Third-party review.
Manchester Vegetation Restrictions	Restores restrictions on new row vegetation approved by the Manchester Community Plan but erroneously removed by the 10-Year Update.	Section 17.321C.030 Vegetation restrictions
Shipping/Storage Container Restrictions	Allows the use of storage containers on residential lots for the storage of household items as a temporary use for a limited number of days. Prohibits the use of shipping containers unless approved through an Administrative or hearing examiner Conditional Use Permit.	Section 17.455.090.I Temporary permits. Section 17.381.040 Zoning use tables. Section 17.381.090.A.50 Footnotes for zoning use table.
Model Homes	Allows model homes to be constructed in preliminarily approved subdivisions prior to final subdivision and recording.	Section 17.381.060.B.7 Model homes
Purpose Statements – Specific Zones	Revises purpose statements for several zones to improve consistency with the Comprehensive Plan.	Sections 17.300.010, 17.305.010, 17.310.010, 17.315.010, 17.321A.010, 17.321B.010, 17.321C.010, 17.325.010, 17.330.010, 17.335.010, 17.360.010, 17.365.010, 17.370.010 and 17.380.010.
Poulsbo Urban Transition Area – Poulsbo Zoning Code	Resolves the longstanding issue of County Code not referencing the most recent Poulsbo Zoning Code and the continued allowance of pre-planning within the Poulsbo UGA.	Chapter 17.318 Poulsbo Urban Transition Area

Regulation	Discussion	Section No.'s
Handicapped Parking	Includes requirements for handicapped parking consistent with the American's with Disabilities Act (ADA).	Section 17.435.060 Handicapped parking.
Clarity, Consistency and Accuracy Changes	Modified code language to improve code language. Examples include changing "zoning ordinance" to "Title 17", "code" to "title", "rural sub-area" to "LAMIRD" and similar amendments.	Throughout the code titles.
Criteria for Rezones	Clarifies criteria for rezone application outside of a comprehensive plan amendment process, as long as the proposal is consistent with comprehensive plan and level of programmatic-level of environmental analysis.	Chapter 17.510 Changes to Zones, Rezones, Amendments, Alternations
Amendments to Title 18 (Environment)	Modified code language consistent with Prosecutor comments to improve consistency with state RCW and Prosecutor comments.	Section 18.04.060 Transfer of lead agency status to state agency Section 18.04.120.C Mitigated DNS Section 18.04.130.B Preparation of EIS Section 18.16.030 Definitions