

Kitsap County Phase II Code Development Public Comments Matrix

This document is intended to recognize and respond to written comment letters and stakeholder comments received during the Planning Commission and Board of County Commissioner process on Phase II Code Development. On August 15, 2007, Kitsap County released the first draft of code amendments to Titles 17 (Zoning) and 18 (SEPA-Environment). Kitsap County solicited comments from stakeholders, county departments, Planning Commission, and the Board of County Commissioner's up to December 2007. The intent of the first draft was to solicit opinions on the pros and cons of the proposed revisions. Based upon these comments, Kitsap County made revisions and released a second draft of proposed amendments to Titles 17 and 18 on May 17, 2008. The second draft is intended to be the foundational document to move forward with formal public participation process outlined in Title 21 (Land Use Procedures). Comment letters were received from government agencies, as well as interest groups and local citizens. Noted below is a brief summary table identifying main comments received by July 28, 2008, the applicable code section and staff comments. **This table should not replace the use of the actual comments in their entirety.**

No	Code Section	Commenter	Comments	Staff Comments
1	Miscellaneous Code Sections	Dave Pederson	Several clarifications/corrections to existing and proposed language.	Revised by the Planning Commission Recommendation.
2	Miscellaneous Code Sections Appropriate Decision Authority	David Horovitz	Too many areas of the code establish the Department director, staff, hearings examiner or County Commissioner's as the decision authority. Should state final decision authority.	The appropriate decision authority is defined in Title 21 (Land Use Procedures), which classifies a specific permit type and land use approval procedure. As this is a larger focus of this year, staff recommends deferral to the Phase III (2008-2009) Code Development process. This process will be under the leadership of the Department of Community Development and is intended to review Title 21 in depth.
3	Section 17.381.040 Zoning use tables. Section 17.381.060.B.3 Accessory Dwelling Units.	Suquamish Tribe	Detached Accessory Dwelling Units (ADUs) have impacts to the rural character of Kitsap County and considered sprawl in nature. No analysis has been performed to understand the potential population, land capacity or natural systems impacts. The Tribe also submitted suggestions for additional criteria for location of ADUs outside of Urban Growth Areas (UGAs).	Staff evaluated modifications to accessory dwelling units (ADUs) as part of the first draft released in August 2007. The first draft was intended solicit discussion, as well as review state law, other jurisdiction regulations and Hearings Board decisions regarding ADUs and other code items. As a result of this review, the second draft did not modify ADUs provisions. This was primarily due to past Hearings Board decisions indicted that the desired flexibility of Kitsap's ADU standards (appearance, maximum size, land use review process, etc) may have Growth Management Act implications.
4	Section 17.381.040A-E Use Tables Section 17.381.060.8 Guest House Special Conditions	Suquamish Tribe	Similar to detached ADUs, detached accessory use structures and guest houses have impacts to the rural character of Kitsap County and considered sprawl in nature. No analysis has been performed to understand the potential population, land capacity or natural systems impacts. The Tribe also submitted suggestions for additional criteria for location of these uses outside of UGAs.	Guest houses have been allowed as accessory uses to single-family dwellings in rural and urban areas since the adoption of a valid comprehensive plan in 1998. The 2006 Comprehensive Plan provided a definition of this use but did not include specific development standards (zones allowed, limitations on size, composition or location). The new limitations will limit the size, distance from primary residence, number of habitable rooms and other characteristics. Guest houses do not meet the definition of dwelling unit as they do not contain kitchen facilities and are not calculated towards density.

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5	Section 17.435.030 Number of spaces required.	Quadrant Homes	Concerned going from 2.0 to 2.5 spaces for single-family with garages no longer counted as spaces. Is this from a perceived problem or from a real problem? This flies in the face of low impact development where we are trying to reduce hard surfaces and at a time when gas prices are resulting in smaller vehicles being purchased and increased ridership on mass transit. What about counting garages in communities where RV parking is prohibited in the CC&Rs? What is the size of the space?	Accommodating parking needs has been a challenge in Kitsap's Urban Growth Areas (UGAs) for decades. Today, garages are being used more and more for storage rather than parking of vehicles. As a result of the proposed reduction of lot dimensions, modification to the parking standards will be imperative to meet the needs to accommodate the residential and guest parking demands created by more densification and intensification of UGAs. The use of Low Impact Development techniques are not prohibited by the increase in parking requirements and are still encouraged under Title 12 (Stormwater). Returned to 2.0 per single-family residence by Planning Commission Recommendation.
6	Section 17.385.027 Landscaping buffer types – When required. Throughout the code titles.	Quadrant Homes	Buffer language is confusing. Is the landscape buffer for developments within the same zoning while the screening buffer is between zones? The screening buffers purpose is stated but the landscape buffers purpose is unknown as when it would be appropriate. Would slat fencing in lieu of planting satisfy the screening requirement for ponds?	Landscaping buffers are often required between uses within the same zone where one is significantly more intense than the other. Also, they are used as building landscaping (along the front and sides of buildings) to lessen the impact of the construction. Fencing can be adequate as an element of the screening but, generally, not as the whole screening buffer.
7	Chapter 17.110 Definitions.	Quadrant Homes	17.110.290 Frontage. May conflict with setback calculations. Suggested revised language in letter. 17.110.367 Impervious Surface. What about pervious surfaces? 17.110.535 Open Space, 17.110.550 Park, and 17.110.646 Recreational amenity, active. These definitions conflict with each other. As written, it is difficult to know how to proceed on figuring out amenities. Do you even need a definition for park given the other definitions?	The frontage definition is not used when calculating setbacks. The definition "setback, front yard", is the appropriate one. There are also exceptions to these setbacks in Section 17.382.110.A.41 that allay many of the conflict issues. Pervious surface is considered anything not impervious by definition. A definition is not necessary. Sections 17.425.040.B-C provide additional specificity about the composition of these types of open space as they apply to specific land use approval types. "Park" is an allowed use in the use table (17.381) a definition is appropriate to detail its components.

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8	Chapter 17.425 Performance Based Development.	Quadrant Homes	I don't believe gross floor space is applicable to single-family detached or duplexes PBD, major amendment.	<p>Acknowledged by staff, revised by the Planning Commission Recommendation and proposed as follows:</p> <p><u>17.425.110 Revision of a performance based development</u></p> <p><u>B. Minor and major revisions are defined as follows:</u></p> <ol style="list-style-type: none"> <u>1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval; and</u> <u>2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change that includes any one of the following:</u> <ol style="list-style-type: none"> <u>a. Substantial relocation of buildings, parking or streets;</u> <u>b. A reduction in any perimeter setback;</u> <u>c. An increase in the residential density;</u> <u>d. An increase in the gross floor area of a multi-family, commercial, industrial or commercial component of a project greater than 10%;</u> <u>e. Any relocation of the common open space which makes it less accessible or reduces the area greater than 5%;</u> <u>f. Any change in the landscape buffers resulting in a reduction in width or density of planting between the development and adjoining properties;</u> <u>g. Any substantial change in the points of access;</u>
9	Chapter 17.382 Single-Family Subdivision Standards.	Quadrant Homes	No mention of when street trees are to be installed. We need this deferred to home construction.	<p>Installation and maintenance requirements for street trees are covered in 17.385.030. Should be required on main roadways but can create conflicts on smaller streets serving as direct access to homes.</p> <p>Revised by Planning Commission Recommendation 17.382.037 remove local minor roads from street tree requirement as follows:</p> <p><u>E. Landscaping requirements.</u></p> <ol style="list-style-type: none"> <u>1. A landscaped area will be provided at all entrances to the subdivision or development consistent with the landscaping standards of Chapter 17.385.</u> <u>2. Street trees consistent with Chapter 17.385 shall be provided along all streets with the road classification of principal or minor arterial, collector or local sub-collector and local minor road as determined by the Kitsap County Road Standards or of similar traffic volume. Street trees shall be located in the road right-of-way or the front yards of individual lot/unit. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits.</u>

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10	Section 17.445.095 Master sign district.	Quadrant Homes	Is a sign permit required for a community monument in addition to the building permit?	<p>A permit is required specifically for monument signage.</p> <p>To better describe the signage limitations of the master sign district, Section 17.445.095 should be revised as follows:</p> <p><u>17.445.095 Master sign district</u> <u>B. In addition to the other standards prescribed in this chapter, a master sign district may include one (1) monument sign per main access not to exceed one (1) per roadway and/or two (2) in total. To include this additional signage the district must meet the following criteria:</u></p> <ol style="list-style-type: none"> 1. <u>Each monument sign may not exceed 200 square feet per face and may not have more than two faces;</u> 2. <u>No one business may comprise more than 50 square feet of each sign face;</u> 3. <u>Each face must include aesthetic features (masonry, tile or other components) which includes no individual business advertising and constitutes a minimum of 20% of the total square footage of the face;</u> 4. <u>No additional monument signs may be allowed within the master sign district regardless of additional existing or proposed accesses.</u> 5. <u>Such a monument sign(s) shall not be calculated toward the total square footage limitations prescribed by 17.445.050.</u> 6. <u>Such a monument sign(s) shall not be limited by the height requirements of Section 17.445.050.H, but shall not exceed twenty-five (25) feet in height.</u>
11	Section 17.110.655 Definition Recreational Vehicle Camping Grounds. Section 17.381.040A-E Use Tables	David Pedersen	Believes camping is not considered a recreational activity. This definition will rezone rural zoned properties for use of RV camping grounds. RV Camping grounds should be prohibited in the Rural Residential zone. If allowed as a conditional use permit, they should be located on lots no less than 15 acres.	Nationally, camping has been commonly considered a recreational use and often associated with large regional parks and recreational facilities (ball fields, swimming pools, riding trails and other facilities). These camping grounds are intended to provide lodging for users of these parks and recreational facilities on a short-term basis. To that end, proposed amendments to Kitsap County Code 17.110.655 and 17.381.040A-E Use Tables, propose RV camping grounds to be a Hearings Examiner Conditional Use permit. KCC 17.381.050, footnote #46 also requires the facility must be an accessory use to a public or private recreational facility as defined by KCC 17.110.647. From staff review, a minimum size for the recreational facility may be appropriate.
12	Section 17.305.010 Rural Residential Purpose Section 17.310.010 Rural Protection Purpose.	David Pedersen	Suggests replacing the word “consistency” with “protects” in zoning classification purpose statements.	Comments noted.

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13	Section 17.381.040 Zoning use tables. Section 17.381.060.B.3 Accessory Dwelling Units.	William Palmer/Kitsap Alliance of Property Owners	No provisions for ADUs in the Manchester, Port Gamble, or Suquamish Limited Areas of More Intensive Rural Developments (LAMIRDs)? Why is it necessary for an ADU in rural areas to be classified for a Conditional Use permit and limited to 900 square feet?	These areas have undergone significant community planning processes to identify appropriate uses to be located within the LAMIRD boundaries. Amendments through this process are not appropriate without better engaging the community stakeholders. Additionally, staff evaluated modifications to Accessory Dwelling Units (ADUs) as part of the first draft released in August 2007. The first draft was intended solicit discussion, as well as review state law, other jurisdiction regulations and Hearings Board decisions regarding ADUs and other code items. As a result of this review, the second draft did not modify ADUs.
14	Chapter 17.381 Permitted/Conditional Uses for Kennels.	William Palmer/Kitsap Alliance of Property Owners	Provisions are unworkable due to lack of no definition and evaluation criteria.	General comments noted. Due to the complexity, staff recommends deferral of revisions to the Phase III (2008-2009) Code Development process.
15	Chapter 17.381 Permitted/Conditional Uses.	William Palmer/Kitsap Alliance of Property Owners	Too many uses require an Administrative or Conditional Use permits. Should allow more permitted uses. Also purpose statement of other code requirements is vague and needs to be clarified.	Recommend deferral to the Phase III (2008-2009) Code Development process, under the direction of the Department of Community Development. This review is intended to evaluate the appropriate land use review process for uses listed in Chapter 17.381. Comments noted on revised language regarding other applicable code requirements.
16	Section 17.382.035 Mixed Use development standards. Section 17.381.040.B Commercial and Mixed Use Zones.	David Horovitz	Mixed-use standards are overly restrictive and section needs to be clarified. Mixed-use development and offices should also be permitted in the mixed-use zone, instead of requiring an administrative conditional use permit.	The use of the Administrative Conditional Use Permit (ACUP) in the Mixed-Use zone versus other commercial zones is intended to better coordinate the mix of uses in the entire zone designated mixed-use, not just a project-area assessment. Without land use review before Site Development Activity Permit (SDAP) or building permit, alterations based upon this zone-wide assessment can be overly burdensome on an applicant in the form of additional cost of design revisions or use modifications.
17	Chapter 17.110 Definitions.	David Horovitz	Requests clarification on numerous definitions. See letter.	Due to complexity, staff recommends deferral of revisions to the Phase III (2008-2009) Code Development process under the leadership of the Department of Community Development.
18	Section 17.381.060.7 Model Homes	David Horovitz	No more than 25% of the approved lots should be allowed to be occupied with model homes.	Comments noted.
19	Chapter 17.382 Single-Family Subdivision Standards.	David Horovitz	Rolled curb should be allowed. Trails and bicycle paths can be located on 5% grade or more.	Currently, plats utilizing rolled curbs are experiencing challenges with residents and guests parking on them and requiring pedestrian to utilize the street, essentially the opposite intent of a sidewalk. Upon additional legal review, at this time staff recommends removal of the active recreational requirement for straight-plats from this section.

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20	Chapter 17.382 Single-Family Subdivision Standards.	Sean Palmer	Proposed revisions would not allow creative urban subdivision design that incorporates all the amenities jurisdictions want.	The proposed revisions to the single-family subdivision standards and lot dimensions for the Urban Low, Urban Cluster and Urban Medium zones provide the flexibility to achieve the suggested development pattern, except rear and side yards. In 17.382.060 for UR, UL and UM zones, include allowances for alley's in the front yard setbacks and reduce the setback for garages to 10 feet. Repeat for side and rear yard setbacks in these zones.
21	Chapter 17.382 Single-Family Subdivision Standards.	Kitsap County Home Builders Association	Should added alley setback in front yard. Should also look at Supreme Court Decision regarding requiring active recreational and open space as part of subdivision requirements.	Corrections regarding alley setback are noted in the June 10, 2008 Errata Matrix and suggest inclusion prior to approval. Upon further legal review, at this time staff recommends removal of the active recreational requirement for straight plats from this section.
22	Chapter 17.425 Performance Based Development.	Kitsap County Home Builders Association	Should also look at Supreme Court Decision regarding requiring active recreational and open space as part of PBD requirements.	A PBD is a voluntary program and not required for subdivision under code, and as such, the Supreme Court decision is not applicable. The open space and other amenities will be required if deviation from zone standards is desired by the applicant. The size and amount of open space and recreational amenities will be deferred to individual project review. The Park Impact Fee is intended and supports regional parks, not neighborhood parks or development-specific amenities.
23	Chapter 17.110 Definitions.	Kitsap County Home Builders Association	17.110.690 Storage, vehicle and equipment definition does not allow for RV parking.	Acknowledged by staff, revised by the Planning Commission Recommendation and proposed as follows: Revise to allow "Storage, vehicle and equipment" as a conditional use in the UR, UL and UM zones with a Footnote 40 attached to each. Revise Footnote 40 as follows: 17.381.050 Footnotes for zoning use table. A. Where noted on the preceding use tables, the following additional restrictions apply: 40. Self -storage facilities must be enclosed and accessory to the predominant residential use of the property, sized consistently for the number of lots/units being served and may serve only the residents of the single-family plat or multi-family project.
24	Chapter 17.382 Single-Family Subdivision Standards.	Jeff Coombe	Do not approve with active recreational, parking, sidewalks and street tree requirements.	With the reduction of lot sizes, dimensions and setbacks for certain urban zones, the need for neighborhood recreational, parking, pedestrian-friendly facilities increases. See also discussion from Home Builders Association comments (#21 and #22) for additional discussion.
25	Chapter 17.425 Performance Based Development.	Jeff Coombe	Do not approve with active recreational and open space requirements.	A PBD is a voluntary program and not required to use under code, and as such the Supreme Court decision is not applicable. The open space and other amenities will be required if deviation from zone standards is desired by the applicant. The size and amount of open space and recreational amenities will be deferred to individual project review. The Park Impact Fee is intended and supports regional parks, not neighborhood parks or recreational amenities.

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26	Chapter 17.382 Single-Family Subdivision Standards.	Doug Skrobut	Lot requirements for the Urban Medium and Urban Cluster Residential zones remove flexibility. Should allow deviation through a master plan.	<p>As the UCR zone has been designated in areas other than the ULID #6/McCormick UGA (which are not required to complete a master plan), minimum lot sizes and depths are necessary to ensure plats are meeting the core requirements for urban amenities.</p> <p>McCormick's approved master plans and their lot sizes less than the new minimum provide vesting. The Code change would not affect these approved plans.</p>
27	Section 17.382.080 Airport and Industrial Density Dimensions Table.	Doug Skrobut	Seven acres a minimum lot size for uses in the Business Park zone will be difficult to achieve.	<p>To improve the clarity between the minimum project size and minimum lot size, staff recommends including the following footnote to the Business Park minimum lot size cell of the Density and Dimension table</p> <p><u>17.382.110.A.49</u> <u>Establishes the minimum project size for land use application e.g. master plan, PBD. Subsequent subdivision through platting or binding site plan is not required to meet this minimum.</u></p>

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28	Chapter 17.425 Performance Based Development.	Harrison Hospital	Suggestion inclusion of Performance Based Development (PBD) standards for commercial and institutional standards.	<p>Acknowledged by staff, revised by the Planning Commission Recommendation and proposed as follows:</p> <p><u>17.425.045 Standards and requirements – commercial, industrial and institutional.</u></p> <p><u>A. Access, Parking and Circulation</u></p> <ol style="list-style-type: none"> <u>1. General: The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.</u> <u>2. Streets: Provide adequate road access; connected road network; safe pedestrian access; emergency vehicle access;</u> <u>3. Parking: The number of vehicular parking spaces shall be provided in accordance with Section 17.435.030. Vehicular parking may be provided either on-street or off-street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specific in the parking and loading requirements; and</u> <u>4. Pedestrian Circulation: Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.</u> <p><u>B. Common open space.</u></p> <ol style="list-style-type: none"> <u>1. Common open space shall be for public use and may include active or passive recreational uses such as trails or pathways, tot lots, plazas, patios or other amenities;</u> <u>2. Common open space shall be located in a manner suitable for the uses proposed;</u> <u>3. Each project shall contain a minimum of fifteen percent (15%) common open space based upon the gross acreage of the site; and</u> <u>4. No area shall be calculated as common open space if less than 500 square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD.</u> <p><u>C. Site design.</u></p> <ol style="list-style-type: none"> <u>1. The project design shall provide a more efficient use of land within the urban areas;</u> <u>2. Amenities intended for public use shall be coordinated with regional trail, park or other facility plans;</u> <u>3. Design shall provide innovations to decrease building footprint and other site disturbances; and</u> <u>4. Design shall include architectural features and other aesthetics to address site impacts.</u> <p><u>D. Structure Height</u></p> <ol style="list-style-type: none"> <u>1. The project shall include the use of topography and other site characteristics to minimize the impacts a proposed increase in height; and</u> <u>2. The increase in height shall minimize site disturbance necessary to accommodate the proposed use.</u>

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29	Chapter 17.425 Performance Based Development.	Harrison Hospital	Suggestion inclusion of Performance Based Development (PBD) standards for commercial and institutional standards.	<p>Acknowledged by staff, revised by the Planning Commission Recommendation and proposed as follows:</p> <p><u>17.425.110 Revision of a performance based development</u></p> <p><u>B. Minor and major revisions are defined as follows:</u></p> <p>1. <u>A “minor” revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval; and</u></p> <p>2. <u>A “major” revision means any expansion of the lot area covered by the permit or approval, or any proposed change that includes any one of the following:</u></p> <p><u>h. Substantial relocation of buildings, parking or streets;</u></p> <p><u>i. A reduction in any perimeter setback;</u></p> <p><u>j. An increase in the residential density;</u></p> <p><u>k. An increase in the gross floor area of the project greater than 10%;</u></p> <p><u>l. Any relocation of the common open space which makes it less accessible or reduces the area greater than 5%;</u></p> <p><u>m. Any change in the landscape buffers resulting in a reduction in width or density of planting between the development and adjoining properties;</u></p> <p><u>n. Any substantial change in the points of access;</u></p> <p><u>o. Any increase in structure height; or</u></p> <p><u>p. An alteration in dwelling unit separation e.g. attached to detached dwelling units.</u></p>
30	Section 17.110.367 Impervious Surface	--	Impervious surface definition should be amended.	The definition in Title 17 is consistent with Title 12 (Stormwater Drainage) and should remain consistent to avoid conflicts.

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31	<p>Section 17.382.037 Performance Based Development</p>	--	The 5% grade may not be appropriate for specific types of active recreation amenities such as a skate park.	<p>Acknowledged by staff, revised by the Planning Commission Recommendation and proposed as follows:</p> <p>17.425.40 Standards and requirements</p> <p>2. A developed active recreation amenity(s) facility or facilities commensurate consistent with the number of units/lots contained within the PBD. A “facility” shall be: a paved “sport court”; children’s play area; exercise fitness trail; community garden or gathering area with water service; or similar amenity. <u>Amenities</u> shall be provided as follows:</p> <p>a. Developments of 0 to 1912-lots/units are not required to have <u>such an amenity a facility.</u> except for the contiguous area required above;</p> <p>b. <u>For developments with greater than 19 lots/units, one amenity shall be provided for every twenty lots/units within the development. Required amenities shall be sized to accommodate 390 square feet per lot/unit.</u> 13 to 49 lots/units shall provide one facility;</p> <p>c. <u>50 to 79 lots/units shall provide two facilities, and there shall be an additional facility required for each additional 30 lots/units;</u></p> <p>c. <u>Amenities shall be centrally located within the development in clearly visible areas on property suitable for such development. Amenities may be located in other areas of the development if directly linked with a regional trail system or other public park facility.</u></p> <p>d. <u>Based upon topographical or site design characteristics of the subject property(s), amenities may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD.</u></p> <p>d. Facilities <u>Amenities</u> may be located within, and be calculated towards, the recreational open space area if contiguous; contiguous recreational area;</p> <p>e. An athletic field with a minimum size of 120 yards long and 60 yards wide or swimming pool shall count as two amenities facilities;</p> <p>f. An equestrian development or similar “theme community” may be provided in lieu of other amenities facilities;</p> <p>g. Owned in common and available for use by all residents of the PBD; and</p> <p>h. <u>The active recreational amenity(s) shall be located on five percent (5%) grade or less, except if a greater grade is necessary for the activities common to the amenity e.g. skate park, trails; and</u></p> <p>i. <u>Written provisions or agreement for perpetual maintenance by the homeowners’ association or a public agency willing to assume ownership and maintenance.</u></p>

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32	Section 17.360.010 Section 17.365.010 Section 17.370.010 Business Park, Business Center and Industrial, Purpose Statements	Kitsap Citizens for Responsible Planning	Reinstate deleted language for the purpose of the Business Park and Business Center Zones. Delete a statement in the Industrial zone purpose statement for permitted uses are intended to encourage business retention, creation and development of primary wage employment.	The deleted language for the Business Park and Business Center zones are consistent with the Comprehensive Plan intent and current applicable of the zones. For example, the deleted language for the Business Center zone required sub-basin watershed master planning. The master planning by sub-basins, per other county code is only applicable to the South Kitsap Industrial Area, and not in other areas Business Center is designated (Silverdale). The retention of Industrial Zone purpose language is consistent with Comprehensive Plan intent of the zoning classification.
33	Section 17.381.040A-E Use Tables Section 17.381.060.8 Guest House Special Conditions	Kitsap Citizens for Responsible Planning	Prohibit guest houses from rural areas. A guest house is an accessory dwelling unit without a kitchen and will be used as the same.	See response to comment # 4.
34	Section 17.381.040 Zoning use tables. Section 17.381.060.B.3 Accessory Dwelling Units.	William Palmer/Kitsap Alliance of Property Owners	No provisions for ADUs in the Manchester, Port Gamble, or Suquamish Limited Areas of More Intensive Rural Developments (LAMIRDs)? Why is it necessary for an ADU in rural areas to be classified for a Conditional Use permit and limited to 900 square feet?	See response to comment # 13.
35	Chapter 17.381 Permitted/Conditional Uses for Kennels.	William Palmer/Kitsap Alliance of Property Owners	Provisions are unworkable due to lack of no definition and evaluation criteria.	See response to comment # 14.
36	Chapter 17.381 Permitted/Conditional Uses.	William Palmer/Kitsap Alliance of Property Owners	Too many uses require an Administrative or Conditional Use permits. Should allow more permitted uses. Also purpose statement of other code requirements is vague and needs to be clarified.	See response to comment # 15.
37	Chapter 17.382 Single-Family Subdivision Standards.	Doug Skrobut	Lot requirements for the Urban Medium and Urban Cluster Residential zones remove flexibility. Should allow deviation through a master plan.	As the UCR zone has been designated in areas other than the ULID #6/McCormick UGA (which are not required to complete a master plan), minimum lot sizes and depths are necessary to ensure plats are meeting the core requirements for urban amenities. McCormick's approved master plans and their lot sizes less than the new minimum provide vesting. The Code change would not affect these approved plans.

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38	Section 17.382.080 Airport and Industrial Density Dimensions Table.	Doug Skrobut	Seven acres as a minimum lot size for uses in the Business Park zone will be difficult to achieve and is inconsistent with the purpose statement. A one-acre project minimum would be workable.	To improve the clarity between the minimum project size and minimum lot size, staff recommends including the following footnote to the Business Park minimum lot size cell of the Density and Dimension table <u>17.382.110.A.49</u> <u>Establishes the minimum project size for land use application e.g. master plan, PBD. Subsequent subdivision through platting or binding site plan is not required to meet this minimum.</u>
39	Chapter 17.415.010 Master Planning	Kitsap County Home Builders Association	Clarify what standard bulk regulations can be modified through the use of a Master Plan.	Revise Chapter 17.415.010 Master Planning Purpose Statement as follows: The master plan is intended to provide means for planning and assessing sites for <u>a wide range of activities such residential, commercial and industrial. Such plans are to be based on a larger area to provide a more comprehensive view of the proposed uses and their impacts on surrounding properties. Projects are encouraged to use innovative development techniques to maximize open space and trail systems, enhance environmental protection and minimize impervious surface and stormwater runoff. as those that require processing, fabrication, storage, research and development, business support services, and wholesale trade. Generally, these activities require reasonable accessibility to major transportation corridors including highways, rail, airports or shipping. Development of master plans will occur based on a master planning process is also intended to assure ensure the availability of adequate capital facilities and infrastructure to support these such uses and to assure the adequate protection of environmental resources located in these areas. or near properties required to master plan or that choose to master plan.</u> <u>Standard regulations that may be modified through the use of a Master Plan include:</u> <u>1) Lot size</u> <u>2) Lot width and depth</u> <u>3) Structure height</u> <u>4) Setbacks (Front, Side and Rear Yards)</u> <u>5) Parking.</u> <u>Minimum and maximum densities authorized by the zone shall not be subject to modification through the use of a Master Plan.</u>
40	General	Kitsap County Home Builders Association	Law of mathematics. Too much regulation, equals costly housing and expensive litigation.	General comments noted.
41	General	Kitsap County Home Builders Association	Unclear and inconsistent response about the scope and schedule of Phase III. A lot of Phase II amendments were deferred to Phase III and need to establish process for stakeholder involvement.	General comments noted.

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42	Section 17.382.037 Performance Based Development	Kitsap County Home Builders Association	Remove open space and active recreational amenities as part of PBD requirements. It should be determined by the market.	See response to comment # 22.
43	Chapter 17.382 Single-Family Subdivision Standards.	Kitsap County Home Builders Association	Clarify proper vernacular for minor local road and remove duplication of word for sidewalk requirements.	Revise Section 17.382.037.1 as follows: <u>Sidewalks shall be required on both sides of all public or private streets meeting the criteria for classification as a principal or minor arterial, collector, local sub-collector and local roads minor as described by the Kitsap County Road Standards. Sidewalk design shall be developed consistent with the requirements of the Kitsap County Road Standards.</u>
44	Chapter 17.382 Single-Family Subdivision Standards.	Judith Krigsman	Retain active recreational amenities for straight plats.	In regards to active recreational amenities for straight plats, the Washington state Supreme Court rulings in <i>Isla Verde International Holdings v. City of Camas</i> and <i>Trimen Development v. King County</i> , identified that our current record to justify active recreational requirements for standard subdivisions would likely be successfully challenged. The County must be able to show a strong basis for the required set aside that is reasonably necessary as a direct result of the proposed development or plat. To that end, recreational amenities are still required for Performance Based Development (PBD), a voluntary program or required at the time of project application with specific amenity size that is tailored to the project. As for population, countywide, we are expecting 100,000 new residents. In an effort to plan and coordinate the development of capital improvements, each urban growth area, including cities have a respective (intermediate) population target. The Kitsap County Comprehensive Plan has sized and planned in each urban growth area for our respective share of the new growth over a twenty-year planning horizon. The proposed code amendments do not dictate growth over a 5-year period, but rather provide additional mechanisms and incentives to achieve the growth policies outlined in the Comprehensive Plan, as well as include attractive urban amenities to protect the health, safety and welfare of the residents in urban areas.
45	Section 17.110.655 Definition Recreational Vehicle Camping Grounds. Section 17.381.040A-E Use Tables	David Pedersen	Camping allows for ambiguous interpretation of a recreational activity. This definition will rezone rural zoned properties for use of RV camping grounds. RV Camping grounds should be prohibited in the Rural Residential zone. If allowed as a conditional use permit, they should be located on lots no less than 15 acres.	The Planning Commission did not recommend minimum project size for RV camping. Additionally, see response to comment # 11. From staff review, a minimum size for the recreational facility that the RV campground is accessory to may be appropriate.

No	Code Section	Commenter	Comments	Staff Comments
46	Section 17.305.010 Rural Residential Purpose Section 17.310.010 Rural Protection Purpose.	David Pedersen	Suggests replacing the word “consistency” with “protects” in zoning classification purpose statements.	Comments noted.
47	General	Mike Gustavson	More time is needed to review and contemplate the ramifications of Phase II amendments. This process was not given a proper review by the Planning Commission. Additionally, there is no recommendation from the stakeholders who were tasked to work on the review.	<p>The Stakeholders were an ad-hoc committee that did not have appointed members, but rather provided ability for all parties to come to the table to discuss code issues and examples. No formal recommendation was part of their formation or deliverables.</p> <p>In June 2007, the Kitsap County Board of Commissioner’s approved the larger code update process to be spilt into separate Phases with Special Projects tackling the immediate and emerging issues and the Department of Community Development focusing on the larger and comprehensive update consistent with their evolving permitting processes.</p>
48	General	Vivian Henderson	Concerned about process and should listen to concerns outlined by the Homebuilders Association.	See response to comments # 40-43, & 47.