

APPENDIX B: AMENDMENTS TO THE KITSAP COUNTY ZONING CODE

Title 17 ZONING

Chapter 17.321

LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (LAMIRD)

Chapter 17.321 D. KEYPORT RURAL VILLAGE

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17.321D.010 Purpose.

The purpose of this chapter is to set forth the regulations, procedures and special development objectives that apply to the Keyport rural village. The county has identified Keyport as a *limited area of more intensive rural development* (“LAMIRD”). A fundamental underpinning of this chapter is to comply with the requirements of the State Growth Management Act, while preserving and enhancing the unique historic character of the village. The intent of these regulations is to provide for visually compatible infill, development, and redevelopment of the existing commercial and residential areas in Keyport, while also containing such development within logical, permanent LAMIRD boundaries.

In the event of a conflict between the requirements of these regulations for the Keyport Rural Village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern. The Keyport Community Plan shall be considered as a reference in any resolution.

17.321D.015 Applicability.

This chapter applies to all development within the boundaries of the Keyport Limited Area of More Intense Development (LAMIRD). The Comprehensive Plan and the county zoning maps designate the permanent LAMIRD boundaries and zoning districts within the LAMIRD boundaries. In the event of a conflict between the requirements of these regulations and any other applicable statute, rule, ordinance, or regulation, the more restrictive regulation shall apply.

17.321D.020 Rural Village zones.

Within the Keyport Rural Village, three land use zones exist. The purpose of each of the three Keyport Rural Village zones is set forth below.

- A. Keyport Village Residential (KVR). This zone is intended to recognize and encourage redevelopment of the historic residential patterns within the village. Residential densities may approximate historic densities but shall not exceed 5 dwelling units per acre.
- B. Keyport Village Commercial (KVC). This zone is intended to meet many of the village needs for basic retail shopping, tourism, and local services. The zone also recognizes and reflects the historically significant commercial use of the village, as well as the types of uses present in July 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents. Residential densities may approximate historic densities of 5 dwelling units per acre with the provision for a mixed-use development density bonus based upon the historic underlying platted lots.
- C. Keyport Village Low Residential (KVLRL). This zone is intended to recognize and encourage redevelopment of the existing residential patterns in the Keyport village area west of Sunset Avenue. Residential densities may approximate historic density maximums of 2 dwelling units per acre with a provision for performance based developments to allow a maximum of 3 units per acre per the conditions of KCC 17.321D.090 B

17.321D.025 Keyport Design Guidelines.

All references to Keyport Design Guidelines shall refer to the Keyport Community Plan, Appendix G. Within the area identified as the Keyport Rural Village Limited Area of More Intense Rural Development (LAMIRD), the following conditions apply to all commercial development within Keyport Village Commercial KVC or Neighborhood Commercial NC zones for:

- 1. All new construction, including any land use permit, grading or building permit, must undergo review by the Department of Community Development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.
- 2. Any remodel of existing structures that impacts more than 20% of the perimeter walls of the structure must undergo review by the Department of Community Development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.
- 3. Any remodel of existing structures that impacts more than 50% of the building

façade along Washington Avenue must undergo review by the Department of Community Development to meet the Keyport Design Guideline requirements before any land use or building permit may be issued.

17.321D.030 Procedures.

- A. In order to ensure that all commercial development furthers the goal of maintaining and enhancing the rural character of the village, all commercial development shall comply with the Keyport development objectives of Section 17.321 D.025. The director of community development shall refer any formal proposal requiring a administrative conditional use permit or conditional use permit or PBD approval for consistency with the Keyport Design Guidelines as provided by the Keyport Community Plan, Appendix G.

17.321D.040 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.D, Rural Sub-Areas Use Table.

17.321D.050 Density.

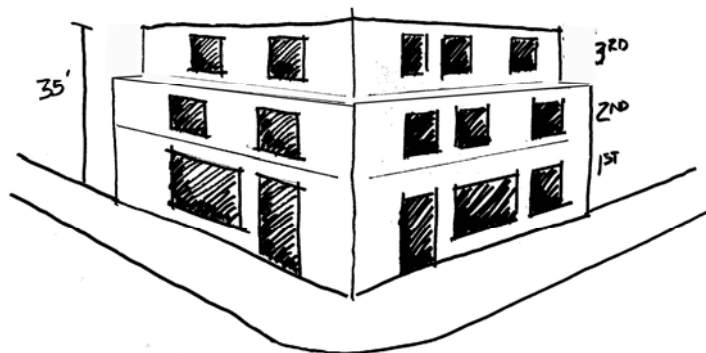
Density shall be in accordance with Chapter 17.3 82 and 17.3 82.090, Rural Sub-Areas Density and Dimensions Table.

17.32 1D.055 Lot size.

Lot sizes shall be in accordance with Chapter 17.3 82 and 17.3 82.090, Rural Sub-Areas Density and Dimensions Table.

17.321D.060 Height.

- A. No structure in the Keyport Village Commercial zone shall be constructed to have more than two stories facing Washington Avenue, provided however, additional stories may be allowed if those stories above the second story are set back a minimum of 10 additional feet from the façade line and if the building otherwise meets height limitations.
 - 1. Sub-Grade stories and basements are permitted up to 30 inches above sidewalk grade along Washington Avenue.
 - 2. All other height requirements shall be in accordance with Chapter 17.382 and 17.382.090, Rural Sub-Areas Density and Dimensions Table.



17.321D.065 Parking.

- A. Parking requirements for all uses shall be determined by the director through analysis of the proposed use and with reference to the parking requirements of Chapter 17.435. The availability of street parking may be considered by the director. The determination of the director shall be an administrative decision made concurrently with the department's decision or recommendation on a proposal.
- B. Parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from street view.
- C. All required commercial parking in the KVC zone may be provided off-site in shared or joint use parking areas, or considered with on-street parking except that provision must be made to develop or reserve on-site or on-street parking spaces for handicapped parking.
- D. All required residential parking in the KVC zone for mixed use projects must be provided on site. No offsite parking is acceptable for residential parking requirements.
- E. Shared or joint use parking lots shall be screened. The following standards may be modified upon recommendation of the director.
 - 1. From adjacent residential zones by six foot high solid wood fencing or, landscaped screen, or similar visual separation intended to soften the edges of the parking area;
 - 2. From adjacent streets by a combination of solid wood fencing, plantings, public seating, shelters, or public information kiosks. Screening and plantings shall be of a height to shield light from vehicles but shall not interfere with general visibility into the parking area for public safety purposes. The goal is to achieve visual separation and soften the edges of the parking area.
- E. Shared or joint use parking lots shall provide internal landscaping as follows:
 - 1. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in addition to the perimeter or street screening, must be provided for each stall, including one tree for every five stalls.
 - 2. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping shall be provided for each stall over fifty, including one tree for every four stalls over fifty.
 - 3. Landscaped areas shall have minimum dimensions of four feet in any direction, exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.
 - 4. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if deciduous.
 - 5. Landscaped areas shall be distributed equally throughout the parking area to create shade and break up large expanses of asphalt or other paving.

17.321D.070 Setbacks.

Setbacks shall be in accordance with Chapter 17.382 and 17.382.090, Rural Sub-Areas Density and Dimensions Table.

17.321D.075 Lot coverage.

Lot coverage shall be in accordance with Chapter 17.382 and 17.382.090, Rural Sub-Areas Density and Dimensions Table.

17.321D.080 Signs and lighting.

- A. Signs and external lighting shall be designed to reflect historic styling and comply with the town development objectives and shall be reviewed by the director or designee for architectural and site design consistency with the Keyport Design Guidelines.
- B. Internal illumination and neon lighting or signage is prohibited, except for window signs not exceeding four square feet; provided, that an applicant may request review of proposed signs by the director or his designated community committee, if one has been appointed. Following such review and on the recommendation of the committee, the director may allow internally illuminated signs or signs with neon lighting.
- C. All other requirements of Chapter 17.445, Signs, apply in the KVC zones.

17.321D.090 Special Provisions.

- A. Within the area identified as the Keyport Rural Village, the following conditions apply to all existing, newly created and or reconfigured lots.
 - 1. All new construction, including any site development activity permit (SDAP), grading or building permit requiring access to a county right-of-way, must undergo appropriate review by the department of public works to meet current right-of-way use requirements before any site work may begin.
 - 2. No grading of more than seventy-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.
 - 3. Drainage review is required prior to issuance of any SDAP or building permit. When the issuance of a grading or building permit will result in an increase in the total amount of impervious surface that currently exists on a lot:
 - a. The director will review each SDAP and building permit application to determine whether special drainage requirements are necessary to prevent newly installed impervious surfaces from creating a drainage problem or exacerbating an existing drainage problem. In making this determination, the director may consult the citizen complaint data bases, perform an on-site inspection, review the condition of the receiving downstream drainage system, review the Kitsap County soil survey, and consult with the surface and storm water management program to determine if there have been identified drainage problems or corrections that are located in the vicinity of the application. The director will conduct his review in accordance with the “Downstream Analysis” section of Chapter 2 of the county’s *Storm Water Design Manual*;
 - b. If, in the opinion of the director, the proposal will not create a drainage problem or exacerbate an existing drainage problem, the applicant, will be required to meet the minimum drainage and erosion control requirements of the Storm Water Management Ordinance (Chapters 12.04 – 12.32 of this code);
 - c. If, in the opinion of the director, the proposal will create or exacerbate an existing drainage problem then, before the director can recommend approval of the application, the applicant may be required to:
 - (1) Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;
 - (2) Provide on-site storm water management BMP’s to reduce or eliminate surface water discharge; and/or

(3) Improve or contribute to the improvement of the downstream drainage system

B. Within the Keyport Village Low Residential Zone, the following conditions apply to all newly created and/or reconfigured lots that request or result in a density of three units per acres.

1. Three units per acre may only be requested through a performance based development (KCC 17.425) and the use of lot clustering, common open space (KCC 17.425.040B)

a. Within the Keyport LAMIRD, Recreational Open Space (KCC 17.425.040 C) is modified as follows. All residential PBD's in Keyport Village Low Residential shall provide a developed recreational area that meets the following requirements:

1. A contiguous area that is five percent of the lot area, (excluding critical areas). Said area shall be:
 - a. Developed as an open grass field (manicured to a condition that allows mowing by mechanical means) or a natural area (not inside critical areas, or their buffers), that contains a pathway and benches;
 - b. Owned in common and/or available for use by all residents of Keyport; and
 - c. A provision implemented by the covenants for perpetual maintenance.

2. A developed active recreation facility or facilities commensurate 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 area with water service; or similar amenity (bocce ball, volleyball, horseshoes, putting green, rock climbing wall, etc.) Facilities shall be provided as follows:

- a. 1 facility per every 3 lots, partial calculations above (0.49) are rounded up to include an additional facility.
- b. All facilities shall be located adjacent to a public right of way or provided pedestrian easement access to the nearest public right of way and shall include directional signage and signage identifying the ability for public use.
- c. Land shown in the final development plan as common open space, and its landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 1. An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a change in use in a way inconsistent with the final development plan unless the final development plan is

first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;

2. A private non-profit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.

17.321D.100 Variance.

Variations may be authorized according to the provisions of Chapter 17.500

Chapter 17.381 ALLOWED USES
Chapter 17.381.040 D. Rural Sub-Areas.

	KEYPORT RURAL VILLAGE ZONING		
Use	KVC	KVLRL (2 DU/Acre)	KVR (5 DU/Acre)
RESIDENTIAL USES			
Accessory dwelling units (1)	ACUP	P	P
Accessory living quarters (1)	ACUP	P	P
Accessory use or structure (1) (17) (18)	ACUP	P	P
Adult Family Home	ACUP	CUP	CUP
Bed and breakfast house	ACUP (34)	P (34)	P (34)
Caretaker's dwelling	ACUP	X	X
Convalescent home or congregate care facility	ACUP	CUP	CUP
Cottage housing developments	CUP	ACUP	ACUP
Dwelling, duplex	CUP	ACUP (3)	ACUP (3)
Dwelling, existing	P	P	P
Dwelling, multi-family	CUP	CUP	CUP
Dwelling, single-family - attached	CUP (26)	P	P
Dwelling, single-family - detached	CUP (26)	P	P
Home business (1)	ACUP	ACUP	ACUP
Hotel/Motel	ACUP	X	X
Manufactured homes	CUP (43)	ACUP (43)	ACUP (43)
Mixed use development (44)	ACUP	X	X
Mobile homes	CUP (43)	CUP (43)	CUP (43)
Residential care facility	ACUP	ACUP	ACUP

	KEYPORT RURAL VILLAGE ZONING		
Use	KVC	KVLR (2 DU/Acre)	KVR (5 DU/Acre)
COMMERCIAL / BUSINESS USES			
Accessory use or structure (1) (17)	ACUP	P	P
Adult entertainment (1)	X	X	X
Ambulance service	X	X	X
Auction house	X	X	X
Auto parts and accessory stores	ACUP	X	X
Automobile and equipment rentals	CUP	X	X
Automobile service and repair and car washes	ACUP	X	X
Automobile service station (6)	X	X	X
Automobile, recreational vehicle or boat sales	X	X	X
Boat/marine supply stores	ACUP	X	X
Brew pubs	ACUP	X	X
Clinic, Medical	ACUP	X	X
Conference Center	X	X	X
Custom art and craft stores	ACUP	X	X
Day-care center (14)	CUP	CUP	CUP
Day-care center, family (14)	CUP	CUP	CUP
Drinking establishments	CUP	X	X
Engineering and construction firms	ACUP	X	X
Espresso stands	ACUP	X	X
Farm and garden equipment and sales	CUP	X	X
Financial, banking, mortgage and title institutions	ACUP	X	X
General office and management services – less than 2,000 s.f.	ACUP	X	X
General office and management services – 2,000 to 4,999 s.f.	ACUP	X	X
General office and management services – 5,000 to 9,999 s.f.	ACUP	X	X
General office and management services – 10,000 s.f. or greater	CUP	X	X

	KEYPORT RURAL VILLAGE ZONING		
Use	KVC	KVLR (2 DU/Acre)	KVR (5 DU/Acre)
COMMERCIAL / BUSINESS USES			
General retail merchandise stores – less than 5,000 s.f.	ACUP	X	X
General retail merchandise stores – 5,000 to 9,999 s.f.	ACUP	X	X
General retail merchandise stores – 10,000 to 24,999 s.f.	CUP	X	X
General retail merchandise stores – 25,000 s.f. or greater	X	X	X
Kennels or Pet Day-Cares (1)	CUP	X	X
Kennels, hobby	CUP	CUP	CUP
Laundromats and laundry services	CUP	X	X
Lumber and bulky building material sales	X	X	X
Mobile home sales	X	X	X
Nursery, retail	ACUP	CUP	CUP
Nursery, wholesale	ACUP	CUP	CUP
Off-street private parking facilities	CUP	X	X
Personal services – skin care, massage, manicures, hairdresser/barber	ACUP	X	X
Pet shop - retail and grooming	ACUP	X	X
Research Laboratory	CUP	X	X
Restaurants	ACUP	X	X
Restaurants, Drive-In	CUP	X	X
Restaurants, High-turnover	CUP	X	X
Temporary offices and model homes	CUP	X	X
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	CUP	X	X
Transportation terminals	X	X	X
Veterinary clinics/Animal hospitals	ACUP	X	X

	KEYPORT RURAL VILLAGE ZONING		
Use	KVC	KVLR (2 DU/Acre)	KVR (5 DU/Acre)
RECREATIONAL / CULTURAL USES			
Accessory use or structure (1) (17)	ACUP	P	P
Amusement centers	CUP (11)	X	X
Carnival or Circus	CUP (11)	X	X
Club, Civic or Social (12)	ACUP	X	X
Golf courses	CUP	X	X
Marinas	ACUP	X	X
Movie Theaters, indoor	CUP	X	X
Movie Theaters, outdoor	CUP	X	X
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	X	X
Parks and open space	P	P	P
Race track (auto or motorcycle)	X	X	X
Recreational facilities, private	CUP	CUP	CUP
Recreational facilities, public	CUP	CUP	CUP
Recreational vehicle camping parks	X	X	X
INSTITUTIONAL USES			
Accessory use or structure (1) (17)	ACUP	P	P
Government/Public structures	ACUP	CUP	CUP
Hospital	X	X	X
Places of worship (12)	ACUP	CUP	CUP
Private or Public Schools (20)	ACUP	CUP	CUP
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and- ride lots(16)	ACUP	CUP	CUP

	KEYPORT RURAL VILLAGE ZONING		
Use	KVC	KVLR (2 DU/Acre)	KVR (5 DU/Acre)
INDUSTRIAL USES			
Accessory use or structure (1) (17)	ACUP	P	P
Air pilot training schools	X	X	X
Assembly and packaging operations	X	X	X
Boat Yard	ACUP	X	X
Cemeteries, mortuaries, and crematoriums (10)	CUP	X	X
Cold storage facilities	X	X	X
Contractor's storage yard (21)	CUP	X	X
Fuel distributors	X	X	X
Helicopter pads (13)	X	X	X
Manufacturing and fabrication, light	X	X	X
Manufacturing and fabrication, medium	X	X	X
Manufacturing and fabrication, heavy	X	X	X
Manufacturing and fabrication, hazardous	X	X	X
Recycling centers	X	X	X
Rock crushing	X	X	X
Slaughterhouse or animal processing	X	X	X
Storage, hazardous materials	X	X	X
Storage, indoor	X	X	X
Storage, outdoor	X	X	X
Storage, self-service	CUP	X	X
Storage, vehicle and equipment (1)	X	X (18)	X
Top soil production, stump grinding	X	X	X
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	X
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	X	X	X
Warehousing and distribution	X	X	X
Wrecking yards and junk yards (1)	X	X	X

	KEYPORT RURAL VILLAGE ZONING		
	KVC	KVLR (2 DU/Acre)	KVR (5 DU/Acre)
RESOURCE LAND USES			
Accessory use or structure (1) (17)	ACUP	P	P
Aggregate extractions sites	X	X	X
Agricultural uses (15)	X	P	P
Aquaculture practices	X	CUP	CUP
Forestry	X	X	X
Shellfish/fish hatcheries and processing facilities	CUP	X	X
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	ACUP	ACUP (2)	ACUP (2)

Chapter 17.382 DENSITY, DIMENSIONS, AND DESIGN

Chapter 17.382.090 Rural Sub-Areas Density & Dimensions Table.

Standard	Keyport Sub-Area		
	KVC	KVLR	KVR
Minimum Density (du/acre)	N/A	N/A	N/A
Base / Maximum density (du/acre)	5	2 (45)	5
Minimum lot size (39)	N/A	12,500 s.f.	4,000 s.f.
Maximum lot size (39)	N/A	N/A	N/A
Minimum Lot width (feet)	30	80	40
Minimum Lot depth (feet)	N/A	80	80
Maximum height (feet) (40)	35	35	35
Maximum Impervious Surface Coverage	N/A	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres.	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres.
Maximum Lot Coverage	N/A	N/A	N/A
Setbacks Generally (34)(38)			
Front (feet) (41)(42)(43)	N/A	10 20 feet for garage	10 5 feet for porch (46), 20 feet for garage
Side (feet) (42)(43)	N/A	5	5
Rear (feet) (42)(43)	N/A	15	15

17.382.110 Footnotes for tables.

45. Density in the KVLR zone may be increased to 3 units per acre through a Performance Based Development (PBD) process pursuant to the regulations cited in Kitsap County Code 17.321D.080 B.
46. Front porch must meet following requirements to qualify for 5 foot front setback:
 - a. Porch shall be 40 % open on each of two sides, no enclosed porches.
 - b. Minimum porch dimensions shall be 4 feet by 6 feet, or 24 square feet.
 - c. Porches shall not be less than 4 feet in width.