

APPENDIX B: AMDENDMENTS TO ZONING CODE

MANCHESTER RURAL VILLAGE

Sections:

17.321C.010	Purpose.
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17.321C.010 Purpose.

The May 7, 1998 Comprehensive Plan stated that the county could use AMIRD's to reconcile historical land development patterns, and Manchester was identified as a candidate for this designation. As result of a public planning effort, the Manchester Community Plan was developed, setting specialized goals and policies for the Manchester Village. This subchapter establishes development regulations to implement these goals and policies. In the event of a conflict between the requirements of these regulations for the Manchester Rural Village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern. (Ord. 267 (2002) § 3 (part), 2002)

17.321C.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and Table 17.381.040(D), Rural Sub-Areas Use Table. (Ord. 367 (2006) § 31, 2006: Ord. 267 (2002) § 3 (part), 2002)

17.321C.040 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and Table 17.382.090, Rural Sub-Areas Density and Dimensions Table. (Ord. 367 (2006) § 33, 2006: Ord. 267 (2002) § 3 (part), 2002)

17.321C.050 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and Table 17.382.090, Rural Sub-Areas Density and Dimensions Table.
(Ord. 367 (2006) § 35, 2006: Ord. 267 (2002) § 3 (part), 2002)

17.321C.060 Off-street parking requirements.

The off-street parking requirements for commercial uses within the Manchester Village are identical to those found in Chapter 17.435 of this code, except as follows:

A.Retail stores generating little automobile traffic, such as appliance, furniture, hardware or repair stores -- one (1) parking space per 450 square feet of gross floor area;

B.Retail and personal service establishments generating heavy automobile traffic, such as department, drug and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops -- one (1) parking space per 225 square feet of gross floor area;

C.Drive-in and fast food restaurants -- one (1) parking space per 125 square feet of gross floor area with a minimum of five, provided, drive-in window holding and stacking area shall not be considered parking places;

D.Restaurants, Drinking Establishments.

1.If under 4,000 square feet of gross floor area -- one (1) parking space per 300 square feet of gross floor area;

2.If 4,000 or more square feet of gross floor area -- sixteen (16) parking spaces, plus one (1) parking space per each additional 150 square feet of gross floor area over 4,000 square feet;

E.Medical and dental office or clinic -- one (1) parking space per 300 square feet of gross floor area;

F.Bank, professional office (except medical or dental) -- one (1) parking space per 500 square feet of gross floor area.

(Ord. 367 (2006) § 36, 2006: Ord. 267 (2002) § 3 (part), 2002)

17.321C.080 Impervious surface limits.

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

(Ord. 367 (2006) § 37, 2006: Ord. 267 (2002) § 3 (part), 2002)

17.321C.100 Access prohibition.

Commercial properties are prohibited from using private residential roadways for vehicular or pedestrian access through commercial properties is prohibited.

(Ord. 267 (2002) § 3 (part), 2002)

17.321C.110 Sewer connections.

All new development within two hundred feet of existing sewer lines must be connected to sewer to develop. Additions or remodels to existing structures involving an increase in sewage flow beyond the existing capacity of the septic system constitute new development.
(Ord. 267 (2002) § 3 (part), 2002)

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Chapter 17.381 ALLOWED USES

Chapter 17.381.040 D. Rural Sub-Areas.

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

	MANCHESTER RURAL VILLAGE ZONING		
Use	MVR	MVLR	MVR
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	X	X	X
Automobile service and repair and car washes	X	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	X	X	X
Clinic, Medical	ACUP	X	X
Conference Center	X	X	X
Custom art and craft stores	ACUP	X	X
Day-care center (14)	C	C	C
Day-care center, family (14)	C	C	C
Drinking establishments	C	X	X
Engineering and construction firms	ACUP	X	X
Espresso stands	ACUP	X	X
Farm and garden equipment and sales	X	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

	MANCHESTER RURAL VILLAGE ZONING		
Use	MVC	MVLR	MVR
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.	X	X	X
General retail merchandise stores - 25,000 s.f. or greater	X	X	X
Kennels or Pet Day-Cares (1)	X	C	C
Kennels, hobby	X	P	P
Laundromats and laundry services	C	X	X
Lumber and bulky building material sales	X	X	X
Mobile home sales	X	X	X
Nursery, retail	ACUP	C	C
Nursery, wholesale	ACUP	C	C
Off-street private parking facilities	ACUP	X	X
Personal services - skin care, massage, manicures, hairdresser/barber	ACUP	X	X
Pet shop - retail and grooming	ACUP	X	X
Research Laboratory	X	X	X
Restaurants	ACUP	X	X
Restaurants, Drive-In	X	X	X
Restaurants, High-turnover	C	X	X
Temporary offices and model homes	X	ACUP	ACUP
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	X	X
Transportation terminals	X	X	X
Veterinary clinics/Animal hospitals	ACUP	X	X

	MANCHESTER RURAL VILLAGE ZONING		
Use	MVC	MVLR	MVR
RECREATIONAL / CULTURAL USES			
Accessory use or structure (1) (17)	ACUP	P	P
Amusement centers	C (11)	X	X
Carnival or Circus	C (11)	X	X
Club, Civic or Social (12)	ACUP	X	X
Golf courses	X	C	C
Marinas	ACUP	X	X
Movie Theaters, indoor	C	X	X
Movie Theaters, outdoor	C	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	C	C	C
Recreational facilities, public	C	C	C
Recreational vehicle camping parks	X	X	X
INSTITUTIONAL USES			
Accessory use or structure (1) (17)	ACUP	P	P
Government/Public structures	ACUP	C	C
Hospital	X	X	X
Places of worship (12)	ACUP	C	C
Private or Public Schools (20)	ACUP	C	C
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots(16)	ACUP	C	C

	MANCHESTER RURAL VILLAGE ZONING		
Use	MVC	MVLR	MVR
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	X	X	X
Cemeteries, mortuaries, and crematoriums (10)	X	C	C
Cold storage facilities	X	X	X
Contractor's storage yard (21)	X	C	C
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	X	X	X
Storage, vehicle and equipment (1)	X	X (18)	X (18)
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

MANCHESTER RURAL VILLAGE ZONING			
	MVC	MVLR	MVR
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	C	C
Forestry	X	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	X	P (2)	P (2)

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Chapter 17.382 DENSITY, DIMENSIONS, AND DESIGN

Chapter 17.382.090 Rural Sub-Areas Density & Dimensions Table.

TABLE	Manchester Sub-Area		
Standard	MVC	MVLRL	MVR
Minimum Density (du/acre)	5	NA	NA
Base / Maximum density (du/acre)	24 (15)	2 (15)	4 (15)
Minimum lot size (39)	NA	21,780 s.f. 10,890 with clustering (12)	10,890 s.f. (12)
Maximum lot size (39)	NA	NA	NA
Minimum Lot width (feet)	NA	60 (12)	60 (12)
Minimum Lot depth (feet)	NA	60 (12)	60 (12)
Maximum height (feet) (40)	35 (13)	35 (14)	35 (14)
Maximum Impervious Surface Coverage	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres (16)	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres. (16)	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres. (16)
Maximum Lot Coverage	NA	NA	NA
Setbacks Generally (34)(38)			
Front (feet) (41)(42)(43)	NA	20	20
Side (feet) (42)(43)	N/A	5	5
Rear (feet) (42)(43)	N/A	5	5

17.382.110 Footnotes for tables.

A. Where noted on the preceding tables, the following additional provisions apply:

1. Except for those buildings directly associated with timber production and harvest.

3. Properties within the urban restricted (UR) zone may subdivide at densities below the minimum required for the zone under the following circumstances:

- a. The reduced density provides a greater protection for critical areas or environmentally sensitive areas; and
- b. The intent of the short subdivision or subdivision is to keep the property in the ownership of the immediate family members.

6. Building replacements and remodels shall not create in excess of a total of forty percent impervious surface for lot area or more than the total existing impervious surface area, whichever is greater.

10. Uses allowed through the conditional use process shall provide minimum side setbacks of 10 feet and minimum rear setbacks of 20 feet.

11. Any newly created lot within the Suquamish Rural Village shall be subject to Chapter 16.48 of this code, Short Subdivisions, and must meet the lot requirements below:

a. Lot Requirements.

Minimum Lot Size: 21,780 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 100 feet

b. Setbacks.

Front: 20 feet

Side: 5 feet

Rear: 5 feet

12. Nonconforming Lots in Single Ownership. If a single lot of record, legally created before the adoption of the Manchester Community Plan, is less than 8,712 square feet in size or does not meet the dimensional requirements of its zone, the lot may be occupied by any use allowed within the zone subject to all other requirements of this chapter.

Nonconforming Lots in Common Ownership. Contiguous lots of record held in common ownership, each lot legally created before adoption of the Manchester Community Plan, must be combined to meet the minimum lot requirements of its zone if one or more of the lots is less than 8,712 square feet in size or does not meet the dimensional requirements of its zone and, at the time of adoption of the Manchester Community Plan (March 18, 2002), either 1) a residential structure encumbered more than one of the contiguous lots or 2) two or more of the contiguous lots were vacant. If one or more of the lots is sold or otherwise removed from common ownership after the adoption of the Manchester Community Plan, it will not be considered to meet the minimum lot requirements for non-conforming lots in single ownership. Property with two contiguous lots legally created before adoption of the Manchester Community Plan with a residential structure entirely on one lot may develop the second lot consistent with applicable zoning.

13. Residential structures within the MVC zone may not exceed 28 feet. Commercial or

mixed-use structures within the MVC zone may not exceed two stories, excluding completely underground structures used solely for parking.

14. Within the view protection overlay, the maximum height shall be 28 feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the view protection overlay zone may build as high as 35 feet under the following circumstances:

- a. There is no existing view of downtown Seattle, the Cascade Mountains, Mt. Rainier or the Puget Sound from the subject property or any adjacent property; or
- b. The owners of all adjacent properties approve the building height prior to building permit issuance; or
- c. It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.

15. Clustering residential development is encouraged in all development. When clustering development, if a property owner designates 40% of the gross acreage as naturally vegetated open space, he or she may create one additional lot for every five lots clustered. The additional lot may not reduce the naturally vegetated open space to an amount less than 40% of the gross acreage of the development.

16. All properties within the Manchester Village must also meet the requirements of the Storm Water Management Ordinance, Chapters 12.04 through 12.32 of this code. The use of pervious materials and other new technologies may be used in the construction of these areas and structures to reduce the impervious surface calculation.

17. A greater height may be allowed as set forth below and in accordance with the procedures in Title 21 of this code. Such approval must be consistent with the recommendations of the fire marshal/fire district and compatible with surrounding uses and zones. Such approval shall result in a decrease in building coverage, an increase in public amenities, and/or a more creative or efficient use of land. The maximum building height approved by the director shall not exceed:

- a. In the UM, NC, and P zones: 45 feet.
- b. In the UH, HTC, and RC zones: 65 feet.
- c. In the BP, BC, and IND zones: 50 feet.
- d. In the Mixed Use zone:
 - i. Within Silverdale, the maximum height shall be consistent with the design guidelines;
 - ii. Along the Highway 303 corridor, the maximum height shall be 65 feet;
 - iii. Along Perry and National Avenues, the maximum height shall be 45 feet.

18. Density based on net acreage of the property(s) after the removal of critical areas.

20. The minimum lot width within the ULID #6 Sub-Area shall be 40 feet.

21. 20 feet when abutting a residential zone.

26. No service road, spur track, or hard stand shall be permitted within required yard areas that abuts a residential zone.

27. Wherever an industrial zone abuts a residential zone, a fifty-foot landscaped setback area shall be provided with plantings, as approved by the director. No structures, open storage, or parking shall be allowed. The plan for landscaping may be approved only if the landscaping is designed to preserve the quality of the residential zone. The minimum lot setback shall be 50 feet for any yard abutting a residential zone unless, based upon a site-specific determination, berming and landscaping or other screening approved by the director is provided, which will effectively screen and buffer

the industrial activities from the residential zone which it abuts, in which case the minimum setback may be 25 feet. These setbacks are the minimum setbacks required and may be increased by the director to ensure adequate buffering and compatibility between uses.

34. Development abutting a street for which a standard has been established by the Kitsap County Arterial Plan shall provide a special setback from the centerline of said street or a distance adequate to accommodate one-half of the right-of-way standard established by the arterial plans for the street. The building setback required by the underlying zone shall be in addition to the special setback and shall be measured from the edge of the special setback line. The special setback area shall be treated as additional required yard area and reserved for future street widening purposes.

38. Cornices, canopies, eaves, belt courses, sills or other similar architectural features, or fireplaces may extend up to twenty-four inches into any required yard area. For setbacks along shorelines, see Chapter 17.450.

39. Unless otherwise stated in this title, if a lot of record, which was legally created as of May 10, 1999, is smaller in total square footage than that required within the zone, or if the dimensions of the lot are less than that required within the zone, said lot may be occupied by any use allowed within that zone subject to all other requirements of the zone. Unless specifically stated within this title, where two or more contiguous lots which are nonconforming to the lot size or dimensions of the zone and are held in common ownership, said lots shall be considered separate legal nonconforming lots and each may be occupied by any use permitted within the zone subject to all other requirements of the zone. If a lot of record was lawfully occupied by two or more single-family residences (excluding accessory dwellings) as of May 10, 1999, the owner of such a lot may apply for a short plat approval in order to permit the segregated sale of such residences, even though some or all of the resulting new lots will have lot areas or dimensions less than required for the zone in which they are located. All other provisions of the Short Subdivision Ordinance (Chapter 16.48 of this code) shall apply to the application.

40. Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet from every lot line; chimneys, spires on places of worship, belfries, cupolas, domes, smokestacks, flagpoles, grain elevators, cooling towers, solar energy systems, monuments, fire house towers, masts, aerials, elevator shafts, and other similar projections, and outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater. The proponent seeking exception to the height limitation shall certify that the object being considered under this provision will not shade an existing solar energy system which, by the determination of the director, contributes substantially to the space or water-heating requirements of a building.

41. The following exceptions apply to front yard requirements:

- a. If there are dwellings on both abutting lots with front yards less than the required depth for the zone, the front yard for the lot need not exceed the average front yard of the abutting dwellings.
- b. If there is a dwelling on one abutting lot with a front yard less than the required depth for the zone, the front yard need not exceed a depth of half-way between the depth of the front yard on the abutting lot and the required front yard depth.
- c. If a modification to the front-yard requirement is necessary in order to site dwellings in a manner that maximizes solar access, the director may modify the requirement.

d. On lots with multiple front yards, the front yard setback(s) in which the lot does not receive access may be modified by the director. Based upon topography, critical areas or other site constraints, the director may reduce these front yard setbacks to a minimum of twenty feet for properties requiring fifty feet and five feet for properties requiring twenty feet. The director may not modify front yard setbacks from county arterials or collectors. Such reductions shall not have an adverse impact to surrounding properties.

42. The following exceptions apply to historic lots:

a. Building setback lines that do not meet the requirements of this title but were legally established prior to the adoption of this title shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel, providing that no structure or portion of such addition may further project beyond the established building line.

b. Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.

43. Any structure otherwise permitted under this section may be placed on a lot or parcel within a required yard area, if the director finds that such a location is necessary because existing sewer systems or roadways make compliance with the yard-area requirements of this title impossible without substantial changes to the site.

44. Outside of the Silverdale Sub-Area, densities required only with mixed use development.

(Ord. 382 (2007) § 1, 2007: Ord. 381 (2007) § 4, 2007: Ord. 367 (2006) § 106 (part), 2006)