



Administrative Staff Report

Report Date: July 18, 2018

Application Complete Date: March 15, 2018 Application Submittal Date: March 12, 2018

Project Name: Nikki Lee Salon

Type of Application: Home Business

Permit Number: 18-01126

Applicant/Owner Email: nikkileesalon@gmail.com

Background

The Department of Community Development has reviewed the applicant's Moderate Home Business application to establish a hair salon business out of an existing detached shop building. The business will be by appointment only; hours of operation are Tuesday through Friday from 10:00 AM to 6:00 PM. The maximum number of customers per day is 6. The business owner and sole proprietor, Nicole Miller, lives in the single-family residence (SFR) located on the subject parcel. The salon will occupy 403 square feet of the 1,800-square foot shop building. According to the Assessor's records, the 2.27-acre parcel is developed with a 1,902-square foot finished first floor and 228 square foot unfinished attic above SFR and a 720-square foot attached garage. The SFR was built in 1972 and the general-purpose building as classified by the Assessor or shop was built in 2017. The property is zoned Rural Residential (RR) and located at 24190 Port Gamble Road NE in Poulsbo. The property is served by an on-site well and septic system.

Project Request

The applicant is requesting a Moderate Home Business for a hair salon. The business will include incidental sales of associated products such as shampoo, conditioner, hairspray and other styling products.

Project Location

24190 Port Gamble Road NE
 Poulsbo, WA 98370
 Commissioner District 1

Assessor's Account #

322702-3-010-2007

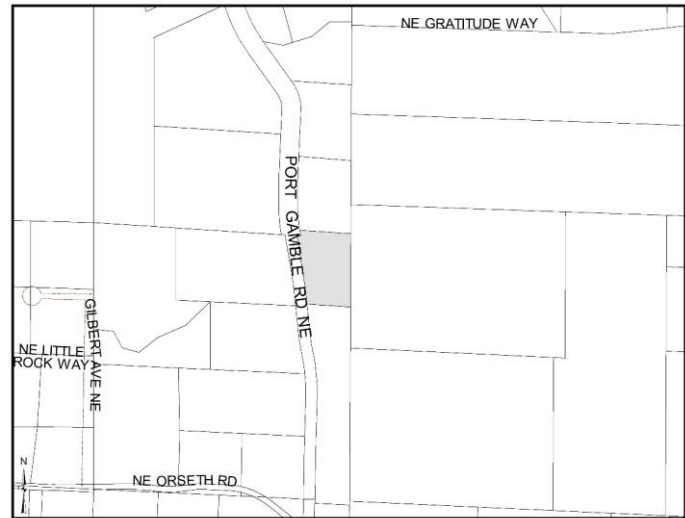
Applicant/Owner of Record

Anthony & Nicole Miller
 24190 Port Gamble Road NE
 Poulsbo, WA 98370

SEPA (State Environmental Policy Act)

Pursuant to WAC 197-11-800(2), this proposal is SEPA exempt.

VICINITY MAP



Physical Characteristics

The 2.27-acre nearly rectangular parcel is developed with an approximately 2,000 square foot detached single-family residence and 720-square foot attached garage, and an 1,800 square foot detached shop. The property is relatively flat in the area of development with slopes on the north end of the property. The parcel generally slopes from the northeast downward toward the southwest. There is typical residential landscaping on the south two-thirds of the property. The northern third is forested with a mix of coniferous and deciduous trees.

Comprehensive Plan Designation and Zoning

	Standard	Proposed
Comp Plan: Rural Residential (RR)		
Zone: Rural Residential (RR)		
Minimum Density	Not Applicable (NA)	NA
Maximum Density	NA	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	140 feet	NA
Minimum Lot Depth	140 feet	NA
Maximum Height	35 feet	NA
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes: None for the proposed home business.

Staff Comment: This is a legal tax parcel; Lot A of Short Plat 1763. No changes are proposed to the existing lot. The lot was created prior to the minimum lot size requirement identified above. The lot complies with the minimum lot width and depth. No applicable zoning footnotes apply.

Standard Setback for Zoning District

	Standard	Proposed
Front (West, Port Gamble Road)	50 feet	Existing shop/proposed salon 93 feet, no change
Side (North)	20-feet, 5 feet for accessory structures	Over 340 feet, no change
Side (South)	20-feet, 5 feet for accessory structures	18 feet, no change
Rear(East)	20-feet, 5 feet for accessory structures	77 feet, no change

Applicable footnotes: 17.420.060(A)(29) One-hundred-foot setback required for single-family buildings abutting FRL or RW zones.

Staff Comment: The subject property abuts the Rural Wooded (RW) zone along the entire east property line. The single-family residence (SFR) was built in 1972 prior to the existence of footnote 29 cited above, which requires a 100-foot setback from a property line abutting the RW zone to the SFR. The SFR is approximately 95 feet from the east property line. The 30-foot by 60-foot shop building, classified as an accessory structure and a single-family building, was built in 2017 under Building Permit 17-01620. At the time of review, County staff only specified a minimum 5-foot setback from the east property line, which is the standard for an accessory building but not when the property is adjacent to the RW zone. The building was built 77 feet from the east property line. The building permit was finalized on 10.10.2017. Therefore, the shop building/proposed salon building is considered legal non-conforming to the required 100-foot setback from the rear or east property line that abuts the RW zone.

Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence (SFR)	Rural Residential (RR)
South	SFR and detached garage	Rural Residential (RR)
East	Designated Forest Land	Rural Wooded (RW)
West	SFR	Rural Residential (RR)

Public Utilities and Services

	Provider
Water	On-site well
Power	Puget Sound Energy

Sewer	On-site septic system
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

Access

Access to the site is direct from Port Gamble Road NE, a paved county-maintained road classified as rural local access.

Site Design

The only proposed change to the site is to add 2 parking spaces for customers. The salon will be located in an existing building.

Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act (GMA) of the State of Washington, Revised Code of Washington (RCW) 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016.

The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Goal 14

Foster rural business and business opportunities on designated commercial and industrial lands in the rural area, while balancing protection of rural character.

Land Use Policy 59

Allow or conditionally allow home-based cottage-type businesses and industries in the rural areas that do not negatively affect rural level of service or rural character.

Economic Development Goal 1

Promote a healthy and divers economy that provides for a strong and diverse tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business to the County.

Economic Development Policy 3

Provide a diverse mix and appropriate range of commercial, industrial and business and uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.

The County's development regulations are contained within the Kitsap County Code (KCC). The following development regulations are most relevant to this application:

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

Documents Consulted in the Analysis

Applicant submittals

<u>Document</u>	<u>Dated or date stamped</u>
Building Elevation	March 12, 2018
Commercial Building Clearance	March 12, 2018
Floor Plan	March 12, 2018
Site Plan	March 12, 2018
Supplemental Application Home Business	March 12, 2018

Public Outreach and Comments

No public comments received on this project.

Analysis

Planning/Zoning

The project proposal is for a Moderate Home Business to operate a hair salon. The business will be operated by the property owner and sole proprietor, Nicole Miller. She will provide a variety of services such as hair cutting, styling and coloring. The business will also have incidental sales of related items such as shampoo, conditioner, hairspray and other styling products. The business will operate by appointment only, Tuesday through Friday, from 10:00 AM to 6:00 PM. The maximum number of customers per day is 6.

A Home Business is defined under Kitsap County Code (KCC) 17.110.345; "Home business" means a commercial or industrial use (excluding retail) conducted within a dwelling, which use is clearly secondary to the use of the dwelling for residential purposes. In addition, KCC 17.410.060(B)(1)(c) Moderate home business provides other standards and requirements:

c. Moderate home business, as defined below, shall be permitted in RW, RP, and RR zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location. Criteria from 17.410.060(B)(1)(c) are listed below, with a discussion of the individual standard immediately following:

i. Business uses shall be incidental and secondary to the dominant residential use;

Staff comment: The nature and extent of expected business activity for 4 days of the week, up to 8 hours each day and serving a maximum of 6 customers per day, will be relatively low to moderate. Therefore, the business use is expected to be incidental and secondary to the residential use.

ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business;

Staff comment: The business will be located in an existing detached shop building; all business activity will take place within the building. Customer traffic will be relatively low and occur only around appointment times. Based on the proposed business use, this business is expected to maintain the residential character of the shop/salon building and have a relatively low appearance of a business.

iii. The residence shall be occupied by the owner of the business;

Staff comment: The residence is occupied by the property owners Anthony and Nicole Miller. Nicole Miller is the owner and sole proprietor of the business, Nikki Lee Salon.

iv. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;

Staff comment: Based on the project proposal and all business activity occurring within an existing shop building, existing vegetation and location of adjacent homes, this business is not expected to adversely impact neighboring residents or keep them from enjoying the peaceful occupancy of their homes.

v. No more than five employees (or independent contractors), are allowed;

Staff comment: There is only one employee, the owner and sole proprietor, Nicole Miller. No additional employees are proposed.

vi. Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; and

Staff comment: No signage has been proposed. If signage is desired in the future it shall comply with the non-illumination and size requirements above and obtain a sign permit prior to its installation.

vii. In order to assure compatibility with the dominant residential purpose, the director may require:

- (a) Patronage by appointment.
- (b) Additional off-street parking.
- (c) Screening of outside storage.
- (d) A conditional use permit (required for engine or vehicle repair or servicing).
- (e) Other reasonable conditions.

Staff comment: Patronage shall be by appointment only. The business owner has shown 2 parking spaces for the business adjacent to the shop/salon building and this is determined to be sufficient for the proposed business. No outside storage is proposed and none will be allowed without additional review and approval by the Director of Community Development. All conditions are outlined at the end of this report.

Off-Street Parking

The business will occupy 403 square feet; 2 parking spaces are required and shown on the site plan. Parking for the existing residence and proposed business are outlined in the table below.

Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-family	3 parking spaces per unit	3 spaces	3 spaces
Retail stores generating relatively little automobile traffic	1 parking space per 400 feet gross floor area	2 spaces	2 spaces

Landscaping

The subject property is thickly vegetated on the north end of the property. There is a significant stand of trees located on the parcel to the south and the residence on that property is located on the south end such that there is no visibility of the shop building.

The property to the east is undeveloped, heavily treed, and is in designated forest land; therefore, there is no impact. The property to the west has significant trees along the east property line that block any view of the shop building; therefore, there is no visual impact to that property. The scale and proposed activities do not warrant planting of additional screening vegetation on the subject property.

Development Engineering/Stormwater

The 2 additional parking spaces for the business falls below the threshold requiring any stormwater mitigation.

Environmental

The County's Geographic Information System (GIS) does not identify any critical areas such as streams, wetlands or geological hazards. However, it shows the entire site is located within a Category II Critical Aquifer Recharge Area (CARA). As such, the Kitsap Public Health District has approved the application for salon operation and requires a separate holding tank for the salon-related wastes to be directed. There are no other critical area ordinance (CAO)-related concerns and no other mitigation is required for this scale of operation.

Access, Traffic and Roads

Access to the site is direct from Port Gamble Road NE, a paved county-maintained road classified as rural local access. Traffic is expected to be minimal to low based on the proposed business activity and maximum daily 6 appointments/customers.

Fire Safety

Fire Division staff noted the structure appears to be within 150 feet of the main road; approved as proposed with no fire marshal requirements.

Solid Waste

Any solid waste generated by the home business will be picked up with the residential solid waste.

Water/Sewer

The property is served by an existing on-site well and on-site septic system. The Health District reviewed the proposal. A commercial building clearance was approved by Kitsap Public Health District on 03.13.2018. The Health District is requiring a new holding tank for salon waste as indicated below.

Kitsap Public Health District

The Kitsap Public Health District is requiring a new holding tank for salon waste to be installed and approved prior to initiation of any business activity.

Review Authority

The Department of Community Development Director has review authority for this Moderate Home Business Permit application under KCC, Sections 17.410.060(B)(1)(c) and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny a Moderate Home Business Permit.

Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Decision

Based upon the analysis above and the decision criteria found in KCC 17.410.060(B)(1)(c), the Department of Community Development **approves** the Moderated Home Business Permit request for Nikki Lee Salon, subject to the following 18 conditions:

Planning/Zoning

1. Building Permit 18-01131 for the Nikki Lee Salon shall be finalized prior to conducting any business activity.
2. The Moderate Home Business Permit for Nikki Lee Salon is not transferable to any individual, future property owner or location.
3. The Nikki Lee Salon uses shall be incidental and secondary to the dominant residential use.
4. The residential character of the building shall be maintained, and the business shall be conducted in such a manner as to moderate any outside appearance of a business.

5. The residence shall be occupied by the owner of the business, Nicole Miller.
6. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes.
7. The business is limited to one (1) employee, the owner and proprietor, Nicole Miller.
8. Signage is limited to one (1) non-illuminated sign not to exceed four (4) square feet subject to a sign permit approved by the director.
9. No outside business storage is allowed.
10. All business patronage shall be by appointment only.
11. Business hours are limited to those proposed by the applicant; hours of operation are Tuesday through Friday, 10:00 AM to 6:00 PM.
12. The maximum number of appointments/customers per day shall be limited to 6.
13. Three (3) exterior parking spaces shall be provided for the residential use and two (2) exterior parking spaces shall be provided for the business.
14. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
15. The decision set forth herein is based upon representations made and exhibits contained in the project application 18-01126. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
16. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities

permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

17. Any violation of the conditions of approval shall be grounds to initiate revocation of this Moderate Home Business Permit.

Kitsap Public Health District

18. No business occupancy shall occur prior to the new holding tank for salon waste being installed, inspected and approved by the Kitsap Public Health District.

Report prepared by:



Meg Sands, Planner / Project Lead

18 July 2018

Date

Report approved by:



Shawn Alire, Supervisor
Development Services and Engineering

07/18/2018

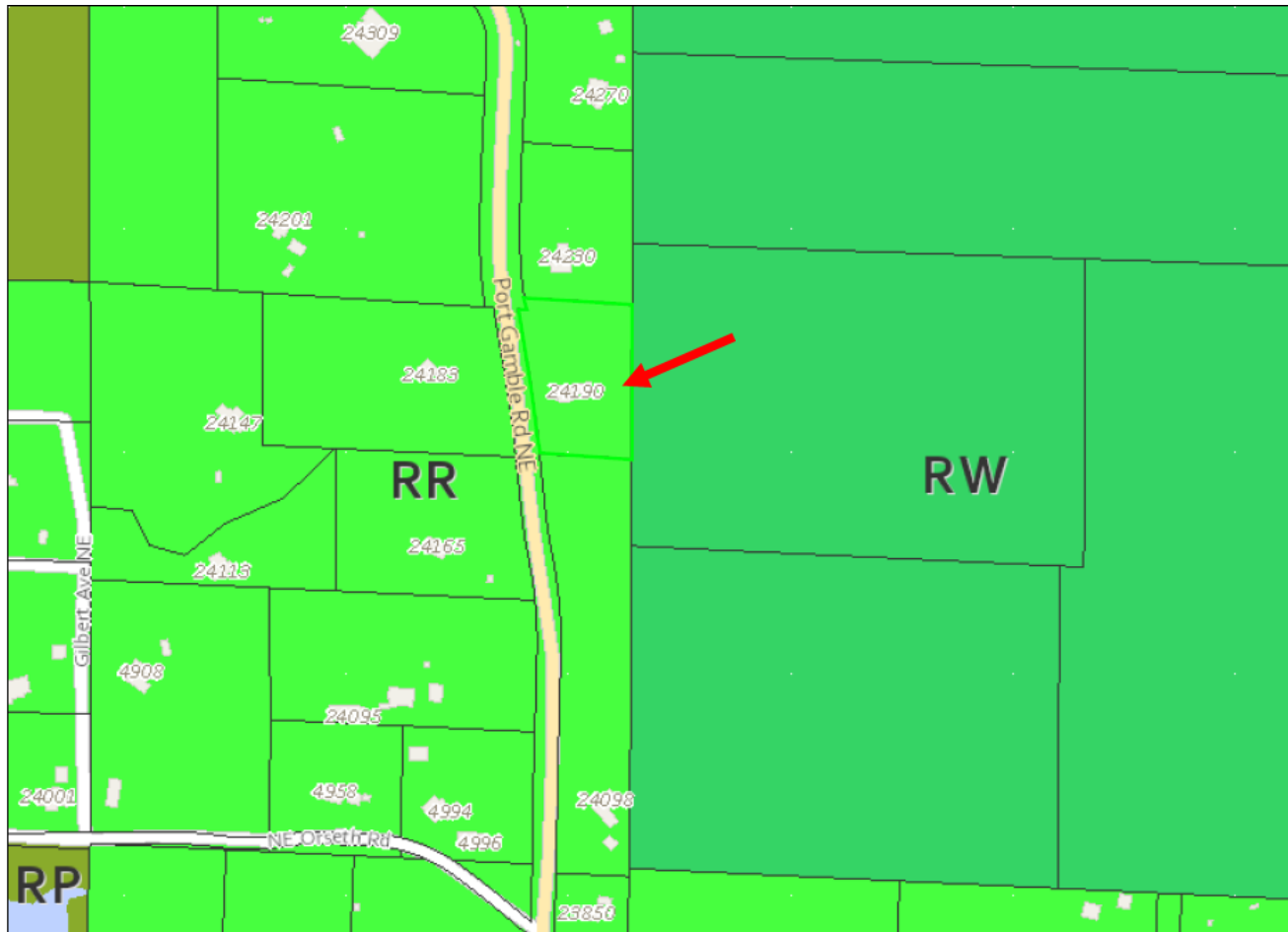
Date

CC: Interested Parties: None identified to date
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26

Attachments

Attachment A – Zoning Plan
Attachment B – Floor Plan
Attachment C – Site Map

Attachment A
 Zoning Map

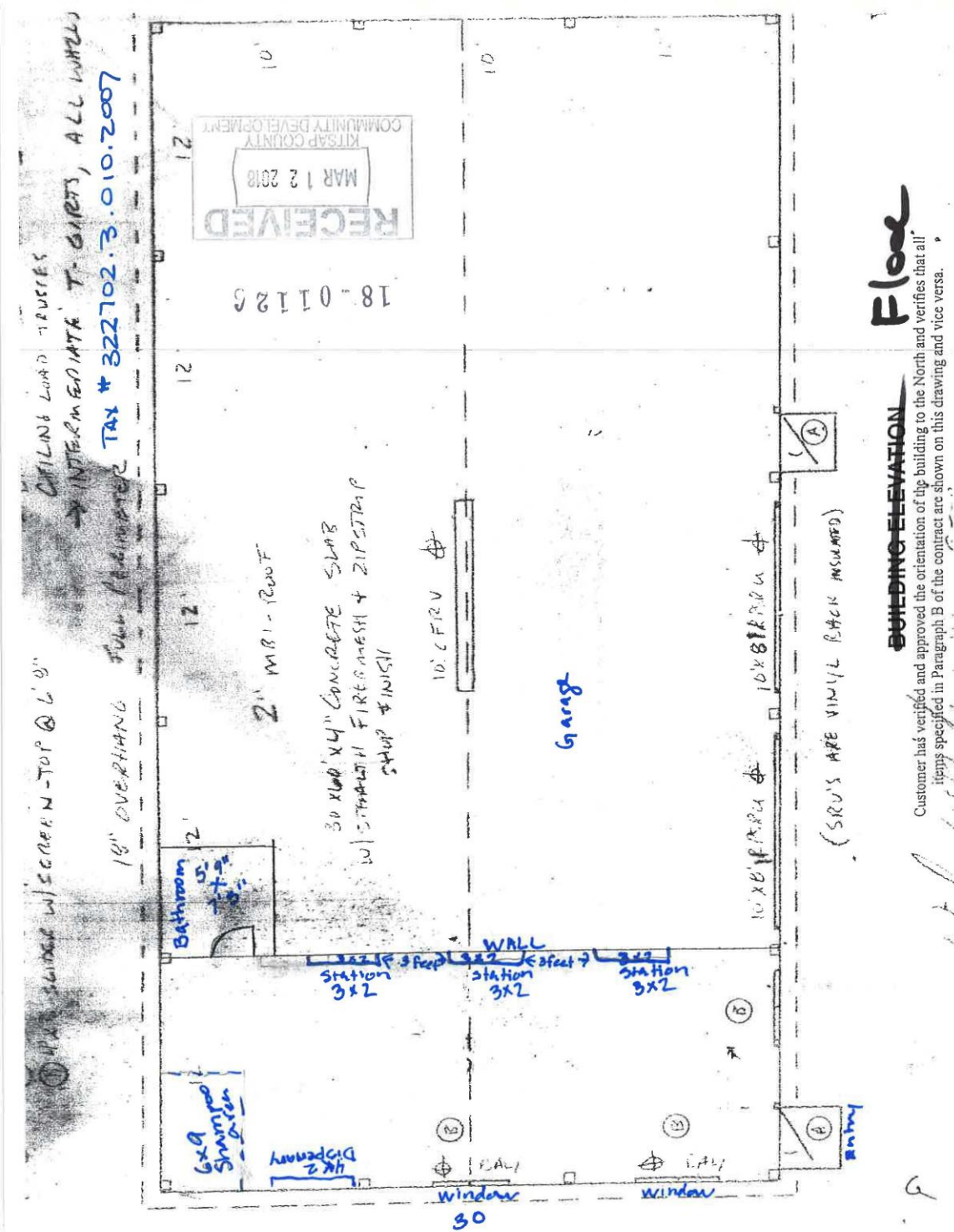


** This map is not a substitute for field survey ** Map Scale: 1 inch = 400 feet

Legend

<p>Kitsap County Zoning Designations</p> <p>RURAL</p> <p>RR - Rural Residential (1 DU/5 Ac)</p> <p>RP - Rural Protection (1 DU/10 Ac)</p> <p>RW - Rural Wooded (1 DU/20 Ac)</p> <p>FRL - Forest Resource Lands (1 DU/40 Ac)</p> <p>COMMERCIAL</p> <p>BC - Business Center</p> <p>BP - Business Park</p> <p>IND - Industrial</p>	<p>Commercial (10-30 DU/Ac)</p> <p>Regional Center (10-30 DU/Ac)</p> <p>NC - Neighborhood Commercial (10-30 DU/Ac)</p> <p>Low Intensity Commercial (10-30 DU/Ac)</p> <p>RCO - Rural Commercial</p> <p>REC - Rural Employment Center</p> <p>RI - Rural Industrial</p> <p>TTEC - Twelve Trees Employment Center</p> <p>URBAN</p>	<p>Greenbelt (1-4 DU/Ac)</p> <p>UCR - Urban Cluster Residential (5-9 DU/Ac)</p> <p>UR - Urban Restricted (1-5 DU/Ac)</p> <p>UL - Urban Low Residential (5-9 DU/Ac)</p> <p>UM - Urban Medium Residential (10-18 DU/Ac)</p> <p>UH - Urban High Residential (19-30 DU/Ac)</p> <p>UVC - Urban Village Center (up to 18 DU/Ac)</p> <p>KEYPORT VILLAGE</p>	<p>KVC - Keyport Village Commercial</p> <p>KVLR - Keyport Village Low Residential</p> <p>KVR - Keyport Village Residential</p> <p>MANCHESTER VILLAGE</p> <p>MVC - Manchester Village Commercial</p> <p>MVLR - Manchester Village Low Residential</p> <p>MVR - Manchester Village Residential</p> <p>RURAL HISTORIC TOWN</p>	<p>RHTC - Rural Historic Town Commercial</p> <p>RHTR - Rural Historic Town Residential</p> <p>RHTW - Rural Historic Town Waterfront</p> <p>SUQUAMISH VILLAGE</p> <p>SVC - Suquamish Village Commercial</p> <p>SVLR - Suquamish Village Low Residential</p> <p>SVR - Suquamish Village Residential</p> <p>OTHER</p>	<p>Park</p> <p>CITY - Incorporated City</p> <p>MIL - Military</p> <p>P - Park (Kitsap County)</p> <p>T - Tribal Land</p> <p>Lake</p> <p>Salt Water</p> <p>INDUSTRIAL</p> <p>LI - Light Industrial</p> <p>CITY OF POULSBORO</p> <p>RL - Residential Low</p>	<p>Kitsap County 1998 Zoning Designations</p> <p>RURAL</p> <p>RP - Rural Protection (1 DU/10 Ac)</p> <p>RR - Rural Residential (1 DU/5 Ac)</p> <p>Interim Rural Forest (1 DU/20 Ac)</p> <p>URS - Urban Reserve (1 DU/10 Ac)</p> <p>COMMERCIAL</p> <p>BP - Business Park</p> <p>HTC - Highway/Tour... Commercial (10-30 DU/Ac)</p>	<p>NC - Neighborhood Commercial (10-30 DU/Ac)</p> <p>RC - Regional Commercial (10-30 DU/Ac)</p> <p>RI - Rural Industrial</p> <p>URBAN</p> <p>UR - Urban Restricted (1-5 DU/Ac)</p> <p>UH - Urban High Residential (19-30 DU/Ac)</p> <p>UL - Urban Low Residential (5-9 DU/Ac)</p> <p>UM - Urban Medium Residential (10-18 DU/Ac)</p>	<p>OTHER</p> <p>Airport</p> <p>CITY - Incorporated City</p> <p>MIL - Military</p> <p>T - Tribal Land</p> <p>Lake</p> <p>INDUSTRIAL</p> <p>IND - Industrial</p>
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Attachment B
Salon Floor Plan



Attachment C Site Plan

