

1 **KITSAP COUNTY CODE TITLE 17 REGARDING ALLOWED USES BY**
2 **ZONE IN KITSAP COUNTY.**
3 **DRAFT ALLOWED USE PROVISIONS RESOURCE GUIDE**
4

5 **Chapter 17.180 URBAN RESTRICTED (UR)**

6 **17.180.030 Special provisions.**

7 ~~See Chapter 17.470, Multifamily Development – Design Criteria.~~
8 Reserved.

9 **Chapter 17.200 URBAN LOW RESIDENTIAL (UL)**

10 **17.200.030 Special provisions.**

11 ~~For multifamily development, see Chapter 17.470, Multifamily Development – Design Criteria.~~
12 All commercial or industrial development shall be located at an intersection that contains right-
13 of-way with a road classification of arterial to arterial or arterial to collector.¹

14 **Chapter 17.210 URBAN CLUSTER RESIDENTIAL (UCR)**

15 **17.210.030 Special provisions.**

16 A. All development shall comply with the standards in the Kitsap County storm water
17 management ordinance, Title 12, and the Kitsap County critical areas ordinance, Title 19, as
18 they now exist or are later amended, as well as all SEPA mitigation requirements.

19 ~~B. For multifamily development, see Chapter 17.470, Multifamily Development – Design~~
20 ~~Criteria.~~

21 C.B. All commercial or industrial development shall be located at an intersection that
22 contains right-of-way with a roadway classification of arterial to arterial or arterial to
23 collector.²

24 **Chapter 17.220 URBAN MEDIUM RESIDENTIAL (UM)**

25 **17.220.030 Special provisions.**

26 ~~For multifamily development, see Chapter 17.470, Multifamily Development – Design Criteria.~~
27 Reserved.

28 **Chapter 17.230 URBAN HIGH RESIDENTIAL (UH)**

29 **17.230.030 Special provisions.**

30 ~~A. For multifamily development, see Chapter 17.470, Multifamily Development – Design~~
31 ~~Criteria.~~

32 For recreational open space provisions, see Section 17.450.040(C).

¹ 17.410.050 A.28 'Footnote 28'

² 17.410.050 A.28 'Footnote 28' and 17.410.050 A.37 'Footnote 37'

1 **Chapter 17.240 COMMERCIAL (C)**

2 **17.240.030 Special provisions.**

3 ~~Reserved.~~

4 Unless the permit application is a Type III quasi-judicial action, when a component of
5 development located ~~within a commercial or industrial~~ in the C zone involves the conversion of
6 previously undeveloped land, land developed with a residential use, or land developed with a
7 less intensive use which abuts a residential zone, it shall be treated as a Type II administrative
8 decision.³

9 **Chapter 17.250 REGIONAL CENTER (RC)**

10 **17.250.030 Special provisions.**

11 ~~Reserved.~~

12 Unless the permit application is a Type III quasi-judicial action, when a component of
13 development located ~~within a commercial or industrial~~ in the RC zone involves the conversion
14 of previously undeveloped land, land developed with a residential use, or land developed with a
15 less intensive use which abuts a residential zone, it shall be treated as a Type II administrative
16 decision.⁴

17 **Chapter 17.260 URBAN VILLAGE CENTER (UVC)**

18 **17.260.030 Special provisions.**

19 ~~Reserved.~~

20 Unless the permit application is a Type III quasi-judicial action, when a component of
21 development located ~~within a commercial or industrial~~ in the UVC zone involves the conversion
22 of previously undeveloped land, land developed with a residential use, or land developed with a
23 less intensive use which abuts a residential zone, it shall be treated as a Type II administrative
24 decision.⁵

25 **Chapter 17.270 NEIGHBORHOOD COMMERCIAL (NC)**

26 **17.270.030 Special provisions.**

27 ~~Reserved.~~

28 Unless the permit application is a Type III quasi-judicial action, when a component of
29 development located ~~within a commercial or industrial~~ in the NC zone involves the conversion
30 of previously undeveloped land, land developed with a residential use, or land developed with a
31 less intensive use which abuts a residential zone, it shall be treated as a Type II administrative
32 decision.⁶

33

³ 17.410.050 A.57 'Footnote 57'

⁴ 17.410.050 A.57 'Footnote 57'

⁵ 17.410.050 A.57 'Footnote 57'

⁶ 17.410.050 A.57 'Footnote 57'

Chapter 17.280 LOW INTENSITY COMMERCIAL (LIC)

17.280.030 Special provisions.

- A. Unless the permit application is a Type III quasi-judicial action, when a component of development located ~~within a commercial or industrial~~ in the LIC zone involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type II administrative decision.⁷
- B. Mixed use development patterns will be focused west of SR 3, while commercial development will be focused in areas east of SR 3 along Sinclair Inlet, both areas having smaller impervious footprints interspersed by trails, parks, and habitat.
- C. Additional requirements for development within the LIC zone may be included in Chapter 17.400.

Chapter 17.290 RURAL COMMERCIAL (RCO)

17.290.030 Special provisions.

~~Reserved.~~

When a component of development is located ~~within the rural commercial or rural industrial zone~~ in the RCO zone and involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type III hearing examiner decision.⁸

Chapter 17.300 BUSINESS CENTER (BC)

17.300.030 Special provisions.

- A. Site Landscaping and Design Plan. As a component of permit and/or land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan based on conformance with Chapter 17.420, any design standards associated with this zone and/or design standards associated with a particular subarea, whichever is most restrictive. In addition to these requirements, the following shall apply:
 - 1. All required landscaping shall be installed prior to occupancy.
 - 2. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen screening buffer which attains a mature height of at least eleven feet, or other screening measure as approved by the director.
 - 3. Required setback areas adjacent to streets and those abutting a residential zone shall be continuously maintained in plantings, with such live ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.
 - 4. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the director.

⁷ 17.410.050 A.57 'Footnote 57'

⁸ 17.410.050 A.64 'Footnote 64'

- 1 5. All mechanical, heating, and ventilating equipment shall be visually screened whether
2 on grade or building mounted.
- 3 6. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
4 necessary to protect property of the industry or business concerned; or to protect the
5 public from a dangerous condition. Fences may not be located in or adjacent to a
6 required yard adjacent to a public right-of-way.
- 7 B. Performance Standards. No land or structure shall be used or occupied within this zone
8 unless there is compliance with the following minimum performance standards:
 - 9 1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise
10 ordinance.
 - 11 2. Vibration, other than that caused by highway vehicles, trains, and aircraft, which is
12 discernible without instruments at the property line of the use concerned is prohibited.
 - 13 3. Smoke and Particulate Matter. Air emissions must meet standards approved by the
14 Puget Sound Air Pollution Control Authority.
 - 15 4. Odors. The emission of noxious gases or matter in such quantities as to be readily
16 detectable at any point beyond the property line of the use causing such odors is
17 prohibited.
 - 18 5. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be
19 conducted within an enclosed building. Exterior lighting shall be designed to shield
20 surrounding streets and land uses from nuisance and glare.
- 21 C. Administration. As a condition for the granting of a building permit and/or site plan
22 approval, at the request of the director, information sufficient to determine the degree of
23 compliance with the standards in this title shall be furnished by the applicant. Such request
24 may include continuous records of operation, for periodic checks to assure maintenance of
25 standards or for special surveys. Maximum permissible noise levels shall be in compliance
26 with the Kitsap County noise ordinance.
- 27 D. Uses permitted only if consistent with an approved master plan pursuant to Chapter
28 17.440. Where a master plan is optional and the applicant chooses not to develop one, all
29 uses shown as permitted require an administrative conditional use permit (ACUP).⁹
- 30 E. All business, service repair, processing, storage, or merchandise display on property
31 abutting or across the street from a lot in any residential zone shall be conducted wholly
32 within an enclosed building unless screened from the residential zone by a sight-obscuring
33 fence or wall.¹⁰

34 Chapter 17.320 INDUSTRIAL (IND)

35 17.320.030 Special provisions.

- 36 A. For properties with an approved master plan, all uses requiring a conditional use permit or
37 administrative conditional use permit will be considered permitted uses.¹¹

⁹ 17.410.050 A.31 'Footnote 31'

¹⁰ 17.410.050 A.42 'Footnote 42'

¹¹ 17.410.050 A.32 'Footnote 32'

- 1 B. All business, service repair, processing, storage, or merchandise display on property
2 abutting or across the street from a lot in any residential zone shall be conducted wholly
3 within an enclosed building unless screened from the residential zone by a sight-obscuring
4 fence or wall.¹²
- 5 C. In any industrial zone, an industrial park, as further described, may be permitted. An
6 industrial park is intended to provide centers or clusters of not less than twenty acres for
7 most manufacturing and industrial uses under controls which will minimize the effect of
8 such industries on nearby uses. Industrial parks are intended to encourage industrial
9 activities to occur within a park-like environment. Any use permitted outright in industrial
10 zones or by conditional use review when located in an industrial park is subject to the
11 following provisions:
- 12 1. Lot Requirements.
 - 13 a. Lot area: none.
 - 14 b. Lot width: none.
 - 15 c. Lot Depth. Minimum lot depth shall be two hundred feet.
 - 16 2. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
17 residential zone, unless berming and landscaping approved by the director is provided
18 which will effectively screen and buffer the industrial activities from the residential zone
19 which it abuts; in which case, the minimum setback shall be fifty feet.
 - 20 a. Front Yard. Minimum front yard setback shall be forty feet.
 - 21 b. Side Yard. Minimum side yard setback shall be twenty-five feet.
 - 22 c. Rear Yard. Minimum rear yard setback shall be twenty feet.
 - 23 3. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set
24 forth in Section 17.420.054, Commercial, industrial, and parks zones density and
25 dimensions table.
 - 26 a. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted
27 within required yard areas adjacent to residential zones.
 - 28 b. No yards are required at points where side or rear yards abut a railroad right-of-way
29 or spur track.
 - 30 4. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
31 necessary to protect property of the industry concerned, or to protect the public from a
32 dangerous condition with no fence being constructed in a required yard adjacent to
33 public right-of-way.
 - 34 5. Off-street parking and loading shall be provided as required by Chapter 17.490. No off-
35 street parking or loading shall be allowed within fifty feet of an adjacent residential
36 zone, unless the director finds that a buffer will exist that effectively screens the parking
37 and loading from the adjacent residential zone, in which case, no off-street parking or
38 loading shall be allowed within thirty feet of an adjacent residential zone. Off-street
39 parking or loading may be permitted within the side yard but not within a required front
40 yard area.
 - 41 6. Site Landscaping and Design Plan. As a component of land use review, development
42 within this zone shall be subject to review and approval by the director of a site

¹² 17.410.050 A.42 'Footnote 42'

- 1 landscape and design plan. In addition to the requirements of Chapter 17.500 and any
2 required design standards for the area, the following requirements shall apply:
- 3 a. All required landscaping shall be installed prior to occupancy.
 - 4 b. Required rear and side yard setback areas abutting a residential zone shall provide
5 and maintain a dense evergreen buffer which attains a mature height of at least
6 eleven feet, or other screening measure as may be prescribed by the director.
 - 7 c. Areas which are to be maintained shall be so designated on a landscape plan and
8 subject to the review and approval of the director.
 - 9 d. All mechanical, heating and ventilating equipment shall be visually screened.
- 10 7. Performance Standards. No land or structure shall be used or occupied within this zone
11 unless there is compliance with the following minimum performance standards:
- 12 a. Maximum permissible noise levels shall be in compliance with the Kitsap County
13 noise ordinance.
 - 14 b. Vibration other than that caused by highway vehicles, trains, and aircraft which is
15 discernible without instruments at the property line of the use concerned is
16 prohibited.
 - 17 c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound
18 Air Pollution Control Authority.
 - 19 d. The emission of noxious gases (odors) or matter in such quantities as to be readily
20 detectable at any point beyond the property line of the use causing such odors is
21 prohibited.
 - 22 e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall
23 be conducted within an enclosed building. Exterior lighting shall be designed to shield
24 surrounding streets and land uses from nuisance and glare.
- 25 8. Administration. As a condition for the granting of a building permit and/or site plan
26 approval, at the request of the director, information sufficient to determine the degree
27 of compliance with the standards in this title shall be furnished by the applicant. Such
28 request may include continuous records of operation, for periodic checks to assure
29 maintenance of standards or for special surveys.

30 Chapter 17.330 RURAL INDUSTRIAL (RI)

31 17.330.030 Special provisions.

- 32 A. All business, service repair, processing, storage, or merchandise display on property
33 abutting or across the street from a lot in any residential zone shall be conducted wholly
34 within an enclosed building unless screened from the residential zone by a sight-obscuring
35 fence or wall.¹³
- 36 B. In any industrial zone, an industrial park, as further described, may be permitted. An
37 industrial park is intended to provide centers or clusters of not less than twenty acres for
38 most manufacturing and industrial uses under controls which will minimize the effect of
39 such industries on nearby uses. Industrial parks are intended to encourage industrial
40 activities to occur within a park-like environment. Any use permitted outright in industrial

¹³ 17.410.050 A.42 'Footnote 42'

1 zones or by conditional use review when located in an industrial park is subject to the
2 following provisions:

3 1. Lot Requirements.

4 a. Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a
5 residential zone, unless berming and landscaping approved by the director is
6 provided which will effectively screen and buffer the industrial activities from the
7 residential zone which it abuts; in which case, the minimum setback shall be fifty
8 feet.

9 b. Front Yard. Minimum front yard setback shall be forty feet.

10 c. Side Yard. Minimum side yard setback shall be twenty-five feet.

11 d. Rear Yard. Minimum rear yard setback shall be twenty feet.

12 2. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set
13 forth in Section 17.420.054, Commercial, industrial, and parks zones density and
14 dimensions table.

15 a. No service roads, spur tracks, hard stands, or outside storage areas shall be permitted
16 within required yard areas adjacent to residential zones.

17 b. No yards are required at points where side or rear yards abut a railroad right-of-way
18 or spur track.

19 3. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is
20 necessary to protect property of the industry concerned, or to protect the public from a
21 dangerous condition with no fence being constructed in a required yard adjacent to
22 public right-of-way.

23 4. Signs shall be permitted according to the provisions of Chapter 17.510.

24 5. Off-street parking and loading shall be provided as required by Chapter 17.490. In
25 addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent
26 residential zone, unless the director finds that a buffer will exist that effectively screens
27 the parking and loading from the adjacent residential zone, in which case, no off-street
28 parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-
29 street parking or loading may be permitted within the side yard but not within a
30 required front yard area. Off-street loading shall not be permitted in a required side or
31 rear yard setback abutting a residential zone. No off-street loading may be permitted
32 within fifty feet of a public right-of-way or access easement.

33 6. Site Landscaping and Design Plan. As a component of land use review, development
34 within this zone shall be subject to review and approval by the director of a site
35 landscape and design plan. In addition to the requirements of Chapter 17.500 and any
36 required design standards for the area, the following requirements shall apply:

37 a. All required landscaping shall be installed prior to occupancy.

38 b. Required rear and side yard setback areas abutting a residential zone shall provide
39 and maintain a dense evergreen buffer which attains a mature height of at least
40 eleven feet, or other screening measure as may be prescribed by the director.

41 c. Areas which are to be maintained shall be so designated on a landscape plan, and
42 subject to the review and approval of the director.

43 d. All mechanical, heating and ventilating equipment shall be visually screened.

- 1 7. Performance Standards. No land or structure shall be used or occupied within this zone
2 unless there is compliance with the following minimum performance standards:
 - 3 a. Maximum permissible noise levels shall be in compliance with the Kitsap County
4 noise ordinance.
 - 5 b. Vibration other than that caused by highway vehicles, trains, and aircraft which is
6 discernible without instruments at the property line of the use concerned is
7 prohibited.
 - 8 c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound
9 Air Pollution Control Authority.
 - 10 d. The emission of noxious gases (odors) or matter in such quantities as to be readily
11 detectable at any point beyond the property line of the use causing such odors is
12 prohibited.
 - 13 e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall
14 be conducted within an enclosed building. Exterior lighting shall be designed to shield
15 surrounding streets and land uses from nuisance and glare.
- 16 8. Administration. As a condition for the granting of a building permit and/or site plan
17 approval, at the request of the director, information sufficient to determine the degree
18 of compliance with the standards in this title shall be furnished by the applicant. Such
19 request may include continuous records of operation, for periodic checks to assure
20 maintenance of standards or for special surveys.

21 **Chapter 17.360C PORT GAMBLE RURAL HISTORIC TOWN**

- 22 17.360C.030 Special provisions.
 - 23 A. All uses must comply with the town development objectives of Section 17.360C.020.¹⁴
 - 24 B. In the Rural Historic Town Commercial (RHTC) and Rural Historic Town Waterfront (RHTW)
25 zone, customer service-oriented uses over five thousand square feet are prohibited.¹⁵
 - 26 C. Procedures. In order to ensure that all development furthers the goal of maintaining and
27 enhancing the historic nature of the town, all development shall comply with the town
28 development objectives of Section 17.360C.020. The director of community development
29 shall refer any formal proposal requiring a conditional use permit or PBD approval for
30 review by the architectural and site design committee or consultant as provided by the
31 Comprehensive Plan.
 - 32 D. Any proposal for large-scale development or redevelopment, as determined by the director,
33 shall require preparation of a town master plan. Examples of large-scale development
34 include subdivisions creating five or more lots, residential development of five or more
35 homes, or new commercial development greater than five thousand square feet. A town
36 master plan that lays out the preferred development scenario and phasing for each of the
37 three zones may be approved by the board of county commissioners using the performance
38 based development process of Chapter 17.450. (The TDOs and specific requirements of this
39 chapter for density, height, parking, and other development standards shall replace the PBD

¹⁴ 17.410.050 A.25 'Footnote 25'

¹⁵ 17.410.050 A.38 'Footnote 38'

1 standards and requirements of Section 17.450.040.) Detailed project-level environmental
2 analysis, including analysis of site-specific alternatives, shall be required as part of a master
3 plan review.

4 E. Infrastructure Capacity Required. In all zones, no development shall be allowed unless
5 adequate infrastructure, including but not limited to sewer and water service, is available.
6 Allowed densities shall be restricted to reflect the capacity of the sewer and water systems.

7 F. Parking.

8 1. Parking requirements for all uses shall be determined by the director through analysis of
9 the proposed use and with reference to the parking requirements of Chapter 17.490.

10 The availability of street parking may be considered by the director. The determination
11 of the director shall be an administrative decision made concurrently with the
12 department's decision or recommendation on a proposal.

13 2. Parking associated with an individual use shall, to the greatest extent feasible, be
14 located behind structures or otherwise fully screened from street view.

15 3. All required parking in the RHTC and RHTW zones may be provided off-site in shared or
16 joint use parking areas, except that provision must be made to develop or reserve on-
17 site or on-street parking spaces for handicapped parking.

18 4. Shared or joint use parking lots shall be screened. The following standards may be
19 modified upon recommendation of the consultant or architectural and site design
20 review committee:

21 a. From adjacent residential zones by six-foot-high solid wood fencing or by a three-
22 foot-high earthen berm planted densely with native evergreen shrubs and
23 groundcover to form a visual separation and soften the edges of the parking area;

24 b. From adjacent streets by a combination of solid wood fencing, plantings, public
25 seating, shelters, or public information kiosks. Screening and plantings shall be of a
26 height to shield light from vehicles but shall not interfere with general visibility into
27 the parking area for public safety purposes. The goal is to achieve visual separation
28 and soften the edges of the parking area;

29 c. From adjacent commercial properties by a four-foot-wide perimeter landscape area,
30 planted to achieve visual separation and soften the edges of the parking area.

31 5. Shared or joint use parking lots shall provide internal landscaping as follows:

32 a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in
33 addition to the perimeter or street screening, must be provided for each stall,
34 including one tree for every five stalls.

35 b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping
36 shall be provided for each stall over fifty, including one tree for every four stalls over
37 fifty.

38 c. Landscaped areas shall have minimum dimensions of four feet in any direction,
39 exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.

40 d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if
41 deciduous.

42 e. Landscaped areas shall be distributed equally throughout the parking area to create
43 shade and break up large expanses of asphalt or other paving.

44 G. Signs and Lighting.

- 1 1. Signs and external lighting shall be designed to reflect historic styling and comply with
2 the town development objectives and shall be reviewed by an architectural and site
3 design review committee.
- 4 2. Internal illumination and neon lighting or signage is prohibited, except for window signs
5 not exceeding four square feet; provided, that an applicant may request review of
6 proposed signs by an architectural and site design review committee, if one has been
7 appointed. Following such review and on the recommendation of the committee, the
8 director may allow internally illuminated signs or signs with neon lighting.
- 9 3. All other requirements of Chapter 17.510, Sign Code, apply in the RHT zones.
- 10 H. Public and Private Road Standards. All public roadways shall meet the road standards
11 pursuant to Chapter 11.22. Private roadways shall be developed with a primary focus on a
12 walkable community providing for multimodal transportation elements, accessibility and
13 the historic character of the RHT.
- 14 I. Noise. Noise limitations within the RHT shall be pursuant to Chapter 10.28 except as
15 follows:
 - 16 1. Class A Environmental Designation for Noise Abatement (EDNA) areas within the
17 boundary of the RHT shall be allowed to receive fifty-seven dBA from Class B EDNAs and
18 sixty dBA from Class C EDNAs from 7:00 a.m. to 11:00 p.m. on Sunday through Thursday
19 and from 7:00 a.m. to midnight on Fridays and Saturdays. The allowed decibels from
20 Class B and C EDNAs from 11:01 p.m. to 6:59 a.m. on Sunday through Friday and 12:01
21 a.m. to 6:59 a.m. on Saturday and Sunday shall be forty-seven dBA and fifty dBA,
22 respectively.
 - 23 2. For each property within the RHT designated as a Class A EDNA, a notice to title shall be
24 recorded prior to occupancy of such property after approval of the town master plan.
- 25 J. Reserve Tracts.
 - 26 3. As part of a town master plan, land within the RHTR may be designed as reserve tracts.
27 Over the course of construction of the town as approved within a town master plan,
28 these tracts may be used for residential uses transferred from other areas of the RHT.
29 However, at no time may the use of these tracts cause the overall RHT to exceed a total
30 of two hundred ninety-five dwelling units.
 - 31 4. After construction of all residential elements of the town master plan, the reserve tracts
32 may be converted to rural use tracts and developed with all nonresidential uses allowed
33 in the rural residential zone as limited by applicable footnotes in Section 17.410.050.
34 Other than forestry, parks and open space or primary agricultural uses, all uses shall
35 require a conditional use permit. The owner must provide documentation that full build-
36 out of the residential element has occurred and such to be reviewed and approved by
37 the director. Such conversion will be a Type 2 decision.

Chapter 17.360E RURAL EMPLOYMENT CENTER (REC) AND 12 TREES EMPLOYMENT CENTER (TTEC)

17.360E.030 Special provisions.

- A. Landscaping. It is recognized that buffers have value in providing a consistent screening between uses, intensities and zones which may otherwise conflict. Buffers shall only be

- 1 required along the exterior boundary of the rural employment center and 12 Trees center
- 2 zones.
- 3 1. For new development where existing approved screening buffers abut the subject lot,
- 4 the director shall apply an appropriate screening buffer width of no less than twenty-
- 5 five feet and no greater than fifty feet, depending on the proposed project or site
- 6 impacts, such as traffic generation, light, noise, glare, odor, dust, and visual impact,
- 7 adjacent to residential development. To the extent feasible, the director shall maintain
- 8 consistent buffer widths throughout the development.
- 9 2. For new development where there are not existing approved screening buffers abutting
- 10 the subject lot, the director shall apply an appropriate screening buffer width of no less
- 11 than twenty-five feet and no greater than fifty feet, depending on the proposed project
- 12 or site impacts, such as traffic, light, noise, glare, odor, dust, and visual impact, adjacent
- 13 to residential development.
- 14 3. All legally created existing businesses, upon the date of adoption, within the REC and
- 15 TTEC boundaries, are exempt from complying with the above.
- 16 B. Signs. Signs for development within the REC may not exceed ten feet in height.
- 17 C. Temporary Permits. Temporary permits within the REC and TTEC are subject to the
- 18 provisions of Section 17.105.090, Temporary permits.

1 **Add a new Chapter 17.415, 'Special Provisions for Allowed Uses'.**

2 **17.415.005 Purpose.**

3 This chapter establishes special provisions for allowed uses identified in Sections 17.410.042
 4 through 17.410.048. In addition to other standards and requirements imposed by this title and
 5 other requirements in the Kitsap County Code, all uses shall comply with the provisions stated
 6 herein. Should a conflict arise between the requirements of this Chapter and other
 7 requirements of the Kitsap County Code, the most restrictive shall apply.

8
 9 **17.415.--- General requirements.**

10 A. In all zones, all permit applications and approvals shall comply with:

11 1. Chapter 17.100 'General Provisions'.

12 2. Chapter 17.420 'Density, Dimensions, and Design'.

13 3. Chapter 17.430 'Land Use Review'.

14 4. Chapter 17.490 'Off-Street Parking and Loading'.

15 5. Chapter 17.500 'Landscaping'.

16 6. Chapter 17.510 'Sign Code'.

17 7. Chapter 10.28 'Noise'.

18 4.8. Pets and Exotic Animals. Pets, nontraditional pets and exotic animals are subject to
 19 the following conditions:

20 a. Pets which are kept inside of a primary structure as household pets in aquariums,
 21 terrariums, cages or similar containers shall not be limited in number by this section.
 22 Other pets, excluding cats, which are kept indoors shall be limited to five;

23 b. Pets which are kept outside of the primary structure shall be limited to three per
 24 household on lots less than twenty thousand square feet in area, only one of which
 25 may be a nontraditional pet; five per household on lots of twenty thousand to thirty-
 26 five thousand square feet, only two of which may be nontraditional pets; with an
 27 additional two pets per acre of site area over thirty-five thousand square feet up to a
 28 limit of twenty; and

29 c. No feeding area or structure used to house, confine or feed pets shall be located
 30 closer than the minimum yard setbacks for the zone in which they are located. No
 31 feeding area or structure used to house, confine or feed nontraditional pets or exotic
 32 animals shall be located closer than fifty feet from any residence on adjacent
 33 property.

34 5.9. Storage of junk motor vehicles on any property outside of a legally constructed
 35 building (minimum of three sides and a roof) is prohibited, except where the storage of
 36 up to six junk motor vehicles meets one of the following two conditions:

37 a. Any junk motor vehicle(s) stored outdoors must be completely screened by a sight-
 38 obscuring fence or natural vegetation to the satisfaction of the director (a covering
 39 such as a tarp over the vehicle(s) will not constitute an acceptable visual barrier). For
 40 the purposes of this section, "screened" means not visible from any portion or
 41 elevation of any neighboring or adjacent public or private property, easement or
 42 right-of-way; or

- 1 b. Any junk motor vehicle(s) stored outdoors must be stored more than two hundred
2 fifty feet away from all property lines.
- 3 c. Environmental Mitigation Agreement. The owner of any such junk motor vehicle(s)
4 must successfully enter into an environmental mitigation agreement with the
5 department of community development (the “department”) regarding the property
6 where such vehicle(s) will be located or stored.
- 7 i. An environmental mitigation agreement between a property owner and the
8 department is required before the outdoor storage of up to six screened junk
9 motor vehicles will be approved. A property owner may enter into such
10 agreement with the department for a one-time fee of \$10.00 per vehicle, the
11 proceeds of which shall be used to assist with clean-up costs associated with the
12 administration of Chapter 9.56.
- 13 ii. In order to mitigate any potential environmental impact from the storage of
14 these junk motor vehicles, the property owner must agree to institute one of the
15 following two preventative measures:
- 16 (a) Each junk motor vehicle must be drained of all oil and other fluids
17 including, but not limited to, engine crankcase oil, transmission fluid, brake
18 fluid and radiator coolant or antifreeze prior to placing the vehicle on site;
19 or
- 20 (b) Drip pans or pads must be placed and maintained underneath the radiator,
21 engine block, transmission and differentials of each junk motor vehicle to
22 collect residual fluids.
- 23 (c) Either preventative measure shall require that the owner of such vehicle(s)
24 clean up and properly dispose of any visible contamination resulting from
25 the storage of junk motor vehicles. The agreement will require the
26 property owner to select one of the two preventative measures and to
27 allow for an initial inspection of the property by the department to assure
28 that the preventative measure has been implemented to the satisfaction of
29 the department. By entering into the agreement, the property owner
30 further agrees to allow the department entry onto the property on an
31 annual basis for reinspection to assure compliance with the approved
32 agreement. If a property is found to be in compliance with the terms of the
33 agreement for two consecutive inspections, the department may waive the
34 annual inspection requirement. A property owner found to be in violation
35 of the agreement may be issued a civil infraction pursuant to this section
36 and could later be deemed a nuisance in accordance with Chapter 9.56.¹⁶
- 37
- 38 B. In urban zones, all new residential subdivisions, single-family or multifamily developments
39 are required to provide an urban level of sanitary sewer service for all proposed dwelling
40 units unless exemptions identified in Section 17.460.020 allow for the implementation of a
41 dry sewer.¹⁷

¹⁶ 17.410.060 B.6 ‘Special provisions - footnote 6’

¹⁷ 17.410.050 A.48 ‘Footnote 48’

1 **17.415.--- Accessory dwelling unit, attached.**

- 2 A. In the Rural Historic Town Waterfront (RHTW) zone, notification to the Port
3 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
4 of complete application. Written proof of notification is required.¹⁸
- 5 B. In order to encourage the provision of affordable housing, ~~accessory living quarters an~~
6 accessory dwelling unit, attached ~~(formerly known as accessory living quarters)~~ shall:¹⁹
- 7 1. ~~Accessory living quarters shall~~ be located within an owner-occupied primary residence.
 - 8 2. ~~Accessory living quarters are be~~ limited in size to no greater than fifty percent of the
9 habitable area of the primary residence. Dimensions are determined by interior
10 measurements.
 - 11 3. ~~The accessory living quarters are be~~ subject to applicable health district standards for
12 water and sewage disposal.
 - 13 4. ~~Only one accessory living quarters shall be allowed per lot; Accessory living quarters are~~
14 ~~to~~ provide additional off-street parking with no additional street-side entrance; ~~and~~
 - 15 5. ~~Accessory living quarters~~ not be allowed where a detached accessory dwelling unit
16 exists.
- 17 C. Only one ~~accessory living quarters~~ accessory dwelling unit, attached shall be allowed per lot.
- 18 D. Existing Unpermitted Accessory Living Quarters-Accessory Dwelling Units, Attached. Existing
19 unpermitted ~~accessory living quarters~~ accessory dwelling units, attached may be approved
20 under the provisions of subsection 17.415.XXX(C).

21 **17.415.--- Accessory dwelling unit, caretaker.**

22 In the Rural Historic Town Waterfront (RHTW) zone notification to the Port Gamble/S’Klallam
23 and Suquamish Tribes is required by the applicant prior to determination of complete
24 application. Written proof of notification is required.²⁰

25 **17.415.--- Accessory dwelling unit, detached.**

- 26 A. In the Rural Historic Town Waterfront (RHTW) zone notification to the Port
27 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
28 of complete application. Written proof of notification is required.²¹
- 29 B. In order to encourage the provision of affordable and independent housing for a variety of
30 households, an accessory dwelling unit, detached (ADU, detached) ~~may be located in~~
31 residential zones, shall subject to the following criteria:
- 32 1. An ADU, detached shall be allowed as a permitted use in those areas contained within
33 an urban growth boundary;
 - 34 2. An ADU, detached shall be subject to a conditional use permit in those areas outside an
35 urban growth boundary;
 - 36 3. Only one ADU, detached shall be allowed per lot;
 - 37 4. Owner of the property must reside in either the primary residence or the ADU,
38 detached;

¹⁸ 17.410.050 A.108 ‘Footnote 108’.

¹⁹ 17.410.060 B.4 ‘Special provisions - Footnote B.4’

²⁰ 17.410.050 A.108 ‘Footnote 108’

²¹ 17.410.050 A.108 ‘Footnote 108’

- 1 5. The ADU, detached shall not exceed fifty percent of the square footage of the habitable
2 area of primary residence or nine hundred square feet, whichever is smaller.
3 Dimensions are determined by ~~exterior~~ interior measurements;
- 4 6. The ADU, detached shall be located within one hundred fifty feet of the primary
5 residence or shall be the conversion of an existing detached structure (e.g., garage);
- 6 7. The ADU, detached shall be designed to maintain the appearance of the primary
7 residence;
- 8 8. All setback requirements for the zone in which the ADU, detached is located shall apply;
- 9 9. The ADU, detached shall meet the applicable health district standards for water and
10 sewage disposal;
- 11 10. No mobile homes or recreational vehicles shall be allowed as an ADU, detached;
- 12 11. An ADU, detached shall use the same side-street entrance as the primary residence and
13 shall provide additional off-street parking; and
- 14 12. An ADU, detached is not permitted on the same lot where an ~~accessory living quarters~~
15 accessory dwelling unit, attached exists.
- 16 C. Existing, Unpermitted Accessory Dwelling Units, Attached or Detached.
 - 17 1. Applicability. The provisions of this subsection shall only apply to property and property
18 owners who can establish all of the following criteria:
 - 19 a. The parcel is within the unincorporated area of Kitsap County;
 - 20 b. An accessory dwelling unit (ADU), attached or detached ~~as defined in Section~~
21 17.110.020, or similar dwelling previously defined as an accessory living quarters
22 (ALQ) or an accessory rental unit (ARU) is located on the parcel;
 - 23 c. The accessory dwelling has not received any prior review and/or approval by Kitsap
24 County;
 - 25 d. The property owner did not construct or cause to have the accessory dwelling
26 constructed;
 - 27 e. The property owner did not own the property when the accessory dwelling was
28 constructed;
 - 29 f. The property owner exercised due diligence when purchasing the property with the
30 existing accessory dwelling to discover whether or not the accessory dwelling was
31 approved when purchasing the property. Due diligence is presumed to have occurred
32 if the property owner can document the following conditions:
 - 33 i. That county tax records or parcel records contain no inquiry or other notice that
34 the ADU was unpermitted; and
 - 35 ii. That the current owner requested and obtained a title report with no
36 exceptions, restrictions, enforcement actions, permitting or similar issues
37 pertinent to the ADU; and
 - 38 iii. That the prior owner's property and improvement disclosures at the time of sale
39 did not indicate any permitting, compliance or similar issues pertinent to the
40 ADU; and
 - 41 iv. That any third party involved in the sale or inspection of the ADU did not disclose
42 any permitting, compliance or other issues pertinent to the ADU;
 - 43 g. The parcel has a history of property tax assessment and a history of continuous tax
44 payments on the principal and the accessory dwelling;

1 h. Acceptable documentation for subsections ~~(B)(3)(m)(i)(a) through (g)~~ (C)(1)(a)
2 through (g) of this section may include but is not limited to current or previous
3 county assessment records, real estate disclosure forms, listing agreements, records
4 of sale, title reports and aerial photography establishing compliance with the
5 required conditions.

- 6 2. Application. Persons who meet the criteria of subsection ~~(B)(3)(m)(i)~~ (C)(1) of this
7 section desiring to gain approval of their accessory dwelling shall make application to
8 the director of the department of community development on forms provided by the
9 department, with fees to be paid at the time of application as provided in subsection
10 ~~(B)(3)(m)(v)~~ (C)(5) of this section. Such application shall be a Type II permit under
11 Chapter 21.04.
- 12 3. Approval. The director, or his designee, is authorized to approve submitted applications
13 that satisfy all of the following:
14 a. All the requirements of this section;
15 b. All the applicable zoning, health, fire safety and building construction requirements:
16 i. The applicable requirements shall be those in effect when the accessory dwelling
17 was constructed. The burden of proof of when the accessory dwelling was
18 constructed shall be upon the applicant and may consist of dated aerial
19 photography, tax assessments, surveys or similar documents.
20 ii. If the applicant cannot prove a date of construction, the applicable requirements
21 shall be those currently in effect on the date of application.
22 iii. If the applicant can only show a date range for construction, the applicable
23 requirements shall be the latest requirements of the range;
24 c. Proof of adequate potable water;
25 d. Proof of adequate sewage disposal systems for both the principal and the accessory
26 dwelling. Proof shall be shown by Kitsap County health district approval; and
27 e. Verification by Kitsap County inspection staff that the accessory dwelling is habitable.

28 Applications approved subject to these provisions shall be considered legal
29 nonconforming uses.

- 30 4. Variances.
31 a. When reviewing the application, the director is authorized to grant an administrative
32 variance to the requirements of subsection ~~(B)(3)(m)(iii)(b)~~ (C)(3)(b) of this section
33 only when unusual circumstances relating to the property cause undue hardship in
34 the application of subsection ~~(B)(3)(m)(iii)(b)~~ (C)(3)(b) of this section. The granting of
35 an administrative variance shall be in the public interest. An administrative variance
36 shall be granted at the director's sole discretion only when the applicant has proven
37 all of the following:
38 i. There are practical difficulties in applying the regulations of subsection
39 ~~(B)(3)(m)(iii)(b)~~ (C)(3)(b) of this section;
40 ii. The applicant did not create or participate in creating the practical difficulties;
41 iii. A variance meets the intent and purpose of this section;
42 iv. The variance will not be materially detrimental to the public welfare or injurious
43 to property in the vicinity or zone in which the property is located; and

- 1 v. The variance is the minimum necessary to grant relief to the applicant.
- 2 b. The director is authorized to require mitigation in connection with the administrative
- 3 variance to minimize the effect of the variance on surrounding properties.
- 4 c. In reviewing a request for an administrative variance, the director shall notify and
- 5 solicit comments from surrounding property owners of the application and the
- 6 intended variance and mitigation. The director shall consider such comments when
- 7 determining whether or not to approve the variance. The director is further
- 8 authorized to require mediation to resolve issues arising from the notification
- 9 process and the costs of such mediation shall be paid by the applicant.
- 10 d. Variance requests submitted as part of this subsection shall be considered as part of
- 11 the original application and not subject to additional procedural or fee requirements.
- 12 5. Fees. Applicants shall pay a fee established by resolution at the time of application.
- 13 Additionally, applicants shall pay notification costs, reinspection fees, additional review
- 14 and other applicable fees in accordance with Chapter 21.10. Applicants may initiate a
- 15 staff consultation in considering or preparing an application under these provisions. The
- 16 staff consultation fee established in Chapter 21.10 shall not, however, be credited
- 17 towards any subsequent application submitted under these provisions.
- 18 6. Land Use Binder. Following approval of the accessory dwelling and any administrative
- 19 variance, the applicant shall record a land use permit binder with the county auditor
- 20 using forms provided by the Kitsap County department of community development.
- 21 7. Expiration. Qualifying property owners shall have one year from the time that the
- 22 noncompliant ADU is discovered to submit an application for approval of the ADU.

23 **17.415.--- Accessory use or structure.**

- 24 A. One piece of heavy equipment may be stored in any single-family zone; provided, that it is
- 25 either enclosed within a permitted structure, or screened to the satisfaction of the director.
- 26 ²²
- 27 B. A residential accessory use or structure in the Rural Historic Town Waterfront (RHTW) zone,
- 28 notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the applicant
- 29 prior to determination of complete application. Written proof of notification is required.²³
- 30 C. Storage of shipping containers is prohibited unless allowed as part of a land use permit
- 31 and/or approval. Placement of storage containers allowed only with an approved
- 32 temporary permit subject to the provisions of Section 17.105.090(l).²⁴

33 **17.415.--- Adaptive reuse of commercial buildings.**

- 34 A. Use shall require access directly to a county right-of-way determined to be adequate by the
- 35 county engineer. Any such use shall not be materially detrimental to any adjacent (existing
- 36 or future) residential development due to excessive traffic generation, noise, light or other
- 37 circumstances. The director may increase setback, buffer and landscaping standards or
- 38 impose other conditions to address potential impacts such as traffic mitigation.

²² 17.410.050 A.18 ‘Footnote 18’

²³ 17.410.050 A.108 ‘Footnote 108’.

²⁴ 17.410.050 A.51 ‘Footnote 51’

1 B. The adaptive reuse of a legally established commercial building shall meet the following
2 criteria in order to be granted approval.²⁵

- 3 1. New traffic shall be accommodated within the existing levels of service on the
4 surrounding neighborhood streets.
- 5 2. Provision for off-street parking must be evaluated and to the greatest extent possible,
6 meet the parking demand for change of uses. The Director or Hearing Examiner may
7 reduce the number of off-street parking spaces if commute trip reduction methods are
8 employed and the adaptive reuse does not generate an increase in on-street parking
9 demand.
- 10 3. The new use does not generate noise that exceeds County standards for residential
11 zones.
- 12 4. Adequate buffers from adjacent uses are required as indicated in Section 17.500 to
13 mitigate impacts to the surrounding neighborhood.
- 14 5. Additional conditions may be applied including, but not limited to, limiting hours of
15 operations, density, restrictions for noise attenuation and other conditions deemed
16 necessary to ensure compatibility with surrounding residential uses.

17 **17.415.--- Adult Entertainment.**

18 A. The following uses are designated as adult entertainment uses:²⁶

- 19 1. Adult bookstore;
- 20 2. Adult mini-motion picture theater;
- 21 3. Adult motion picture theater;
- 22 4. Adult novelty store; and
- 23 5. Cabaret.

24 B. Restrictions on Adult Entertainment Uses. In addition to complying with the other sections
25 of this title, adult entertainment uses shall not be permitted:

- 26 1. Within one thousand feet of any other existing adult entertainment use; and/or
- 27 2. Within five hundred feet of any noncommercial zone, or any of the following
28 residentially related uses:
 - 29 a. Churches, monasteries, chapels, synagogues, convents, rectories, or church-operated
30 camps;
 - 31 b. Schools, up to and including the twelfth grade, and their adjunct play areas;
 - 32 c. Public playgrounds, public swimming pools, public parks and public libraries;
 - 33 d. Licensed day care centers for more than twelve children;
 - 34 e. Existing residential use within a commercial zone.
 - 35 f. For the purposes of this section, spacing distances shall be measured as follows:
 - 36 g. From all property lines of any adult entertainment use;
 - 37 h. From the outward boundary line of all residential zoning districts;
 - 38 i. From all property lines of any residentially related use.

39 C. Signage for Adult Entertainment Uses.

- 40 1. In addition to special provisions relating to signage in this title, it shall be unlawful for
41 the owner or operator of any adult entertainment use establishment or any other

²⁵ Reflects City of Port Orchard standards with revisions to make the language specific for Kitsap County.

²⁶ 17.410.060 B.5 'Special provisions – Footnote B.5 – Adult entertainment'.

- 1 person to erect, construct, or maintain any sign for the adult entertainment use
2 establishment other than one primary sign and one secondary sign, as provided herein.
- 3 2. Primary signs shall have no more than two display surfaces. Each such display surface
4 shall:
- 5 a. Be a flat plane, rectangular in shape;
6 b. Not exceed seventy-five square feet in area; and
7 c. Not exceed ten feet in height or ten feet in length.
- 8 3. Primary and secondary signs shall contain no photographs, silhouettes, drawings or
9 pictorial representations of any manner, and may contain only:
- 10 a. The name of the regulated establishment; and/or
11 b. One or more of the following phrases:
12 (d) “Adult bookstore,”
13 (e) “Adult movie theater,”
14 (f) “Adult cabaret,”
15 (g) “Adult novelties,”
16 (h) “Adult entertainment.”
- 17 4. Primary signs for adult movie theaters may contain the additional phrase, “Movie Titles
18 Posted on Premises.”
- 19 a. Each letter forming a word on a primary or secondary sign shall be of a solid color,
20 and each such letter shall be the same print-type, size and color. The background
21 behind such lettering on the display surface of a primary sign shall be of a uniform
22 and solid color.
- 23 b. Secondary signs shall have only one display surface. Such display surface shall:
24 (i) Be a flat plane, rectangular in shape;
25 (j) Not exceed twenty square feet in area;
26 (k) Not exceed five feet in height and four feet in width; and
27 (l) Be affixed or attached to any wall or door of the establishment.

28 **17.415.--- Adult family home.**

29 Reserved.

30 **17.415.--- Aggregate extractions sites.**

- 31 A. Must comply with the Chapter 17.170 Mineral Resource Overlay.
- 32 B. In the Business Center (BC) zone, aggregate production and processing ~~only. A~~ allowed only
33 if directly connected to an approved surface mining permit approved by the Washington
34 State Department of Natural Resources (DNR).²⁷
- 35 C. In the Forest Resource Land (FRL) zone, aggregate extraction sites shall be no greater than
36 two acres for the purpose of construction and maintenance of a timber management road
37 system, provided the total parcel is at least twenty acres. ²⁸

38 **17.415.--- Agricultural use, primary.**

²⁷ 17.410.050 A.52 ‘Footnote 52’

²⁸ 17.410.050 A.4 ‘Footnote 4’.

1 Agricultural use, primary shall be allowed in the zones identified in Section 17.410.042 through
2 17.410.048, subject to permit approval and shall comply with Chapter 17.455 'Agriculture
3 Code'.

4 **17.415.--- Airport.**

5 A. All heliports for the purpose of medical emergency facilities may be permitted in certain
6 zones subject to a conditional use permit.²⁹

7 ~~B.~~ All private landing strips, runways, and heliports shall be so designed and oriented that
8 the incidences of aircraft passing directly over dwellings during their landing or taking off
9 patterns are minimized. They shall be located so that traffic shall not constitute a nuisance
10 to neighboring uses. The proponents shall show that adequate controls or measures will be
11 taken to prevent offensive noise, vibrations, dust, or bright lights.³⁰

12 ~~C.~~ In the Rural Industrial (RI) zone uses necessary for airport operation such as runways,
13 hangars, fuel storage facilities, control towers shall be limited to modifications or
14 expansions of existing airports.³¹

15 **17.415.--- Arboreta, botanical gardens**

16 Reserved.

17 **17.415.--- Auction house.**

18 A. An auction house and all items to be auctioned shall be fully enclosed within a structure.³²

19 ~~B.~~ In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC)
20 zones, an auction house shall be subject to the following permit review:

- 21 1. 0 – ~~4,000~~3,999 square feet = P
- 22 2. ~~4,001~~4,000 – 10,000 square feet = ACUP
- 23 3. 10,001 – 15,000 square feet = C
- 24 4. 15,001 square feet and above = X³³

25 **17.415.--- Automobile, recreational vehicle or boat rentals.**

26 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
27 located in Section 17.700 Appendix C3).³⁴

28 B. Use must take access from state route in the Gorst urban growth area. Auto uses with
29 underground storage tanks (such as gas stations) shall not be located in the Gorst Creek
30 floodplain.³⁵

31 C. In the Urban Village Center (UVC) or Neighborhood Commercial (NC) zones, no more than
32 six rental vehicles shall be kept on site at any given time.³⁶

33 D. In the Urban Village Center (UVC) zone, recreational vehicle rentals are prohibited.

²⁹ 17.410.050 A.13 'Footnote 13'

³⁰ 17.410.050 A.13 'Footnote 13'

³¹ 17.410.050 A.74 'Footnote 74'.

³² 17.410.050 A.55 'Footnote 55'.

³³ 17.410.050 A.76 'Footnote 76'.

³⁴ 17.410.050 A.61 'Footnote 61'

³⁵ 17.410.050 A.83 'Footnote 83'.

³⁶ 17.410.050 A.56 'Footnote 56'.

1 **17.415.--- Automobile, recreational vehicle or boat repair.**

2 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
3 located in Section 17.700 Appendix C3).³⁷

4 B. Use must take access from state route in the Gorst urban growth area. Auto uses with
5 underground storage tanks (such as gas stations) shall not be located in the Gorst Creek
6 floodplain.³⁸

7 C. In the Industrial (I) zone automobile or recreational vehicle repair shall be located and
8 designed to serve adjacent area.³⁹

9 D. In the Neighborhood Commercial (NC) zone automobile or recreational vehicle repair shall
10 not exceed 4,000 square feet of gross floor area.⁴⁰

11 E. In the Rural Employment Center (REC) zone, automobile or recreational vehicle repair shall
12 be subject to the following permit review:

13 1. 0 – ~~4,000~~3,999 square feet = P

14 2. 4,00~~0~~1 – ~~10,000~~9,999 square feet = ACUP

15 3. 10,00~~0~~1 – 15,000 square feet = C

16 4. 15,001 square feet and above = X⁴¹

17 **17.415.--- Automobile, mobile home, recreational vehicle, or boat sales.**

18 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
19 located in Section 17.700 Appendix C3).⁴²

20 B. Use must take access from state route in the Gorst urban growth area. Auto uses with
21 underground storage tanks (such as gas stations) shall not be located in the Gorst Creek
22 floodplain.⁴³

23 C. In the Industrial (I) or Business Center (BC) zone automobile, recreational vehicle, or boat
24 sales shall be accessory and shall not occupy more than twenty-five percent of the project
25 area.⁴⁴

26 **17.415.--- Aquaculture practices.**

27 Reserved.

28 **17.415.--- Bed and breakfast house.**

29 Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
30 shoreline and State Highways 3 and 16.⁴⁵

31 **17.455.--- Boat Yard.**

³⁷ 17.410.050 A.61 'Footnote 61'

³⁸ 17.410.050 A.83 'Footnote 83'.

³⁹ 17.410.050 A.33 'Footnote 33'.

⁴⁰ 17.410.050 A.54 'Footnote 54'.

⁴¹ 17.410.050 A.76 'Footnote 76'.

⁴² 17.410.050 A.61 'Footnote 61'

⁴³ 17.410.050 A.83 'Footnote 83'.

⁴⁴ 17.410.050 A.35 'Footnote 35'.

⁴⁵ 17.410.050 A.79 'Footnote 79'.

1 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
2 located in Section 17.700 Appendix C3).⁴⁶

3 **17.415.--- Carnival or circus.**

4 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
5 located in Section 17.700 Appendix C3).⁴⁷

6 B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
7 shoreline and State Highways 3 and 16.⁴⁸

8 C. In the Rural Historic Town Commercial (RHTC) zone, notification to the Port
9 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
10 of complete application. Written proof of notification is required.⁴⁹

11 D. A circus, carnival, animal display, or amusement ride may be allowed through a Type I
12 administrative review in all industrial zones and any commercial zones, except
13 neighborhood commercial (NC), Keyport village commercial (KVC), or Manchester village
14 commercial (MVC) for a term not to exceed ninety days, with a written approval of the
15 director. The director may condition such approval as appropriate to the site. The director’s
16 decision may be appealed to the hearing examiner.⁵⁰

17 **17.415.--- Car washes.**

18 A. Use must take access from state route in the Gorst urban growth area. Auto uses with
19 underground storage tanks (such as gas stations) shall not be located in the Gorst Creek
20 floodplain.⁵¹

21 **B.** In the Neighborhood Commercial (NC) car washes shall not exceed 4,000 square feet of
22 gross floor area.⁵²

23 **B.C.** In the Rural Employment Center (REC) zone, car washes shall be subject to the following
24 permit review:

- 25 1. 0 – ~~4,000~~ 3,999 square feet = P
26 2. 4,0010 – 10,000 square feet = ACUP
27 3. 10,001 – 15,000 square feet = C
28 4. 15,001 square feet and above = X ⁵³

29 **17.415.--- Campground.**

30 **A. Campgrounds shall be recreational and transient and shall not allow:**

- 31 **1. Camping for more than thirty days within a forty-day time period. Campers must vacate**
32 **the overnight park facilities for ten consecutive nights between allowed stays. The time**
33 **period shall begin on the date for which the first night's fee is paid. The campground**

⁴⁶ 17.410.050 A.61 ‘Footnote 61’

⁴⁷ 17.410.050 A.61 ‘Footnote 61’

⁴⁸ 17.410.050 A.79 ‘Footnote 79’.

⁴⁹ 17.410.050 A.108 ‘Footnote 108’.

⁵⁰ 17.410.050 A.11 ‘Footnote 11’.

⁵¹ 17.410.050 A.83 ‘Footnote 83’.

⁵² 17.410.050 A.54 ‘Footnote 54’.

⁵³ 17.410.050 A.76 ‘Footnote 76’.

1 operator shall keep a log of all members of the camping party and ensure that the
2 allowed number of days stay is not exceeded.

3 2. The designation of the campground as a permanent or temporary address on official
4 documents or applications submitted to public or private agencies or institutions.

5 ~~C.B.~~ In the Rural Residential (RR) zone, Rural Protection (RP), and Rural Wooded (RW) zones,
6 a campground is allowed only as an accessory use to a park or recreational facility greater
7 than twenty acres in size except when included within the boundaries of a town master plan
8 approved pursuant to Section 17.360C.030. If included within a town master plan boundary,
9 the use shall not include more than sixty spaces per five acres. All use of recreational
10 vehicles must be transient in nature.⁵⁴

11 **17.415.--- Cemeteries.**

12 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
13 located in Section 17.700 Appendix C3).⁵⁵

14 ~~B. A cemetery, crematorium, mausoleum, or columbarium Use~~ shall have its principal access
15 on a county roadway. ~~with ingress~~ ingress and egress ~~so shall be~~ designed as to minimize
16 traffic congestion. ~~and~~ The use shall provide required off-street parking spaces. No
17 mortuary or crematorium in conjunction with a cemetery is permitted within two hundred
18 feet of a lot in a residential zone.⁵⁶

19 **17.415.--- Clinic.**

20 Reserved.

21 **17.415.--- Club.**⁵⁷

22 In the Rural Residential (RR), Rural Protection, Rural Commercial (RCO), or Park (P) zone ~~All~~
23 buildings and activities shall be set back a minimum of fifty feet
24 ~~in FRL, MRO, RW, RP, RR, RCO, RI or parks zones~~ and thirty-five feet in all other zones from a
25 side or rear lot line. All such uses shall access directly to a county right-of-way determined to be
26 adequate by the county engineer except when included within the boundary of a town master
27 plan approved pursuant to Section 17.360C.030 and be able to provide access without causing
28 traffic congestion on local residential streets. Any such use shall not be materially detrimental
29 to any adjacent (existing or future) residential development due to excessive traffic generation,
30 noise, light or other circumstances. The director may increase setback, buffer and landscaping
31 standards or impose other conditions to address potential impacts.

32 **17.415. --- College/vocational school.**

33 Site plans for public college/vocational schools shall include an area identified and set aside for
34 the future placement of a minimum of four portable classroom units. The area set aside may
35 not be counted towards meeting required landscaping or parking requirements.⁵⁸

36 **17.415.--- Conference center.**

⁵⁴ 17.410.050 A.46 'Footnote 46'.

⁵⁵ 17.410.050 A.61 'Footnote 61'

⁵⁶ 17.410.050 A.10 'Footnote 10'

⁵⁷ 17.410.050 A.12 'Footnote 12'

⁵⁸ 17.410.050 A.20 'Footnote 20'

1 In the Rural Residential (RR) or Rural Wooded (RW) zones a conference center is allowed only
2 within the boundary of a town master plan approved pursuant to Section 17.360C.030 and
3 subject to the following conditions:

4 A. The use shall be located on parcels of five acres or larger with all uses set back one hundred
5 feet from all parcels not included within the boundary.⁵⁹

6 B. ~~All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP, RR,~~
7 ~~RCO, RI or parks zones and thirty five feet in all other zones from a side or rear lot line.~~ All
8 such uses shall access directly to a county right-of-way determined to be adequate by the
9 county engineer except when included within the boundary of a town master plan
10 approved pursuant to Section 17.360C.030 and be able to provide access without causing
11 traffic congestion on local residential streets. Any such use shall not be materially
12 detrimental to any adjacent (existing or future) residential development due to excessive
13 traffic generation, noise, light or other circumstances. The director may increase setback,
14 buffer and landscaping standards or impose other conditions to address potential impacts.⁶⁰

15 **17.415.--- Contractor’s storage yard.**

16 A. In Rural Residential (RR) and Rural Protection (RP) zones:

17 1. A contractor’s storage yard accessory to a primary residence shall be limited to not
18 more than ten heavy equipment vehicles or heavy construction equipment. The use
19 shall be contained outside of required setbacks within a contained yard or storage
20 building. The storage yard and/or building shall be screened from adjacent properties
21 with a screening buffer a minimum of twenty-five feet in width and capable of providing
22 functional screening of the use. Minimum lot size shall be one hundred thousand square
23 feet.⁶¹

24 2. All buildings and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP,~~
25 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones~~ from a side or rear lot
26 line. All such uses shall access directly to a county right-of-way determined to be
27 adequate by the county engineer except when included within the boundary of a town
28 master plan approved pursuant to Section 17.360C.030 and be able to provide access
29 without causing traffic congestion on local residential streets. Any such use shall not be
30 materially detrimental to any adjacent (existing or future) residential development due
31 to excessive traffic generation, noise, light or other circumstances. The director may
32 increase setback, buffer and landscaping standards or impose other conditions to
33 address potential impacts.⁶²

34 B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
35 located in Section 17.700 Appendix C3).⁶³

36 **17.415.--- Cottage housing development.**

⁵⁹ 17.410.050 A.104 ‘Footnote 104’.

⁶⁰ 17.410.050 A.12 ‘Footnote 12’.

⁶¹ 17.410.050 A.21 ‘Footnote 21’

⁶² 17.410.050 A 12 ‘Footnote 12’

⁶³ 17.410.050 A.61 ‘Footnote 61’

1 Cottage housing is an allowed use in conjunction with ~~congregate care~~ Group Living (1 to 6
2 rooms or 7+ rooms) facilities and shall be reviewed under the ~~congregate care facility~~ Group
3 Living (1 to 6 rooms or 7+ rooms) permit review process.⁶⁴

4 **17.415.--- Day-care center.**

- 5 A. In the Business Center (BC), Business Park (BP), or Industrial (I) zone a day-care center shall
6 be located and designed to serve adjacent area.⁶⁵
- 7 B. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone a day-
8 care center shall not exceed 4,000 square feet of gross floor area.⁶⁶
- 9 C. In those zones that prohibit residential uses, day-care centers:⁶⁷
- 10 1. are only allowed in existing residential structures.
- 11 2. shall have a minimum site area of ten thousand square feet.
- 12 3. shall provide and maintain outdoor play areas with a minimum area of seventy-five
13 square feet per child of total capacity. A sight-obscuring fence of at least four feet in
14 height shall be provided, separating the play area from abutting lots.
- 15 4. shall provide adequate off-street parking and loading space shall be provided.
- 16 D. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
17 shoreline and State Highways 3 and 16.⁶⁸

18 **17.415.--- Day-care center, home based.**

- 19 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
20 located in Section 17.700 Appendix C3).⁶⁹
- 21 B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
22 shoreline and State Highways 3 and 16.⁷⁰
- 23 C. In the Business Center (BC) or Business Park (BP) zone a day-care center, home based shall
24 be located and designed to serve adjacent area.⁷¹
- 25 D. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone a day-
26 care center, home based shall not exceed 4,000 square feet of gross floor area.⁷²
- 27 E. In those zones that prohibit residential uses, day-care centers, home based:⁷³
- 28 1. are only allowed in existing residential structures.
- 29 2. shall have a minimum site area of ten thousand square feet.
- 30 3. shall provide and maintain outdoor play areas with a minimum area of seventy-five
31 square feet per child of total capacity. A sight-obscuring fence of at least four feet in
32 height shall be provided, separating the play area from abutting lots.

⁶⁴ 17.410.050 A.97 'Footnote 97'

⁶⁵ 17.410.050 A.33 'Footnote 33'.

⁶⁶ 17.410.050 A.54 'Footnote 54'.

⁶⁷ 17.410.050 A.14 'Footnote 14'.

⁶⁸ 17.410.050 A.79 'Footnote 79'.

⁶⁹ 17.410.050 A.61 'Footnote 61'

⁷⁰ 17.410.050 A.79 'Footnote 79'.

⁷¹ 17.410.050 A.33 'Footnote 33'.

⁷² 17.410.050 A.54 'Footnote 54'.

⁷³ 17.410.050 A.14 'Footnote 14'.

1 ~~6.4.~~ Day-care center, home based shall provide adequate off-street parking and loading
2 space shall be provided.

3 **17.415.--- Dispatch facility.**

4 Reserved.

5 **17.415.--- Drinking establishments.**

- 6 A. In the Business Center (BC) or Business Park (BP) zone drinking establishments shall be
7 located and designed to serve adjacent area.⁷⁴
- 8 B. In the Rural Residential (RR) or Rural Wooded (RW) zones brew pubs are allowed only
9 within the boundary of a town master plan approved pursuant to Section 17.360C.030⁷⁵,
10 and where such uses are secondary to a primary agricultural or recreational use of the
11 property and shall not exceed fifty total seats and/or five thousand square feet of gross
12 floor area.⁷⁶
- 13 C. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
14 zones, brew pubs shall be allowed and require an administrative conditional use permit
15 (ACUP).

16 **17.415.--- Duplex.**

17 Reserved.

18 **17.415.--- Entertainment facility, indoor.**

- 19 A. In the Manchester Village Commercial (MVC) zone, any combination of structures shall not
20 exceed five thousand square feet. ~~Zoos and aquariums are prohibited.~~⁷⁷
- 21 B. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
22 zones, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the
23 applicant prior to determination of complete application. Written proof of notification is
24 required.⁷⁸
- 25 C. In the Rural Historic Town Residential (RHTR) or Rural Historic Town Waterfront (RHTW)
26 zones, a museum, galleries, and historic or cultural exhibits shall be allowed and require a
27 Conditional Use Permit (C).
- 28 D. In the Rural Historic Town Waterfront (RHTW) zone, museums, galleries, and historic or
29 cultural exhibits shall be allowed and permitted (P).

30 **17.415.--- Entertainment facility, outdoor.**

- 31 A. In the Manchester Village Commercial (MVC) zone, any combination of structures shall not
32 exceed five thousand square feet.⁷⁹
- 33 B. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
34 zones, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the

⁷⁴ 17.410.050 A.33 'Footnote 33'.

⁷⁵ 17.410.050 A.103 'Footnote 103'.

⁷⁶ 17.410.050 A.106 'Footnote 106'.

⁷⁷ 17.410.050 A.94 'Footnote 94'.

⁷⁸ 17.410.050 A.108 'Footnote 108'.

⁷⁹ 17.410.050 A.94 'Footnote 94'.

1 applicant prior to determination of complete application. Written proof of notification is
2 required.⁸⁰

3 **17.415.--- Equipment sales, rentals and repair, heavy.**

4 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
5 located in Section 17.700 Appendix C3).⁸¹

6 B. In the Rural Industrial (RI) zone equipment sales, rentals and repair, heavy must limit the
7 inventory to heavy construction, farming, or forestry equipment.⁸²

8 **17.415.--- Equipment sales, rentals and repair, light.**

9 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
10 located in Section 17.700 Appendix C3).⁸³

11 **17.415.--- Equipment sales, rentals and repair, nonmotorized.**

12 Nonmotorized recreational equipment rentals shall be ~~allowed~~ permitted on all port district
13 owned property regardless of the allowances of the zone.⁸⁴

14 **17.415.--- Espresso stands.**

15 A. Espresso stands are subject to the following conditions:

- 16 1. Must be accessory to an immediate primary use.⁸⁵
- 17 2. Drive aisles/stacking lanes shall be designed to accommodate a minimum of three
18 vehicles per service window/door (i.e., eight and one-half feet in width and sixty feet in
19 length) with direct access to the service window. The drive aisles/stacking lanes shall be
20 designed to prevent any vehicles from interfering with public or private roadways,
21 pedestrian circulation, traffic circulation, parking areas or other required development
22 amenities.
- 23 3. Subject to provisions set forth in Chapter 17.490, drive aisles and parking areas must
24 also be paved in urban growth areas and include, at minimum, hard compacted surfaces
25 in rural areas. Such surfaces must be addressed with required drainage facilities. A joint
26 parking agreement shall be required if parking cannot be accommodated on site.
- 27 4. All structures must be permanently secured to the ground.
- 28 5. Restroom facilities must be available for employees. Portable or temporary restroom
29 facilities shall not be used to meet this requirement.⁸⁶

30 B. In the Business Center (BC), Business Park (BP), or Industrial (I) zone espresso stands shall
31 be located and designed to serve adjacent area.⁸⁷

32 C. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
33 located in Section 17.700 Appendix C3).⁸⁸

⁸⁰ 17.410.050 A.108 'Footnote 108'.

⁸¹ 17.410.050 A.61 'Footnote 61'

⁸² 17.410.050 A.73 'Footnote 73'

⁸³ 17.410.050 A.61 'Footnote 61'

⁸⁴ 17.410.050 A.95 'Footnote 95'

⁸⁵ 17.410.050 A.72 'Footnote 72'

⁸⁶ 17.410.050 A.58 'Footnote 58'

⁸⁷ 17.410.050 A.33 'Footnote 33'.

⁸⁸ 17.410.050 A.61 'Footnote 61'

1 D. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
2 zones, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the
3 applicant prior to determination of complete application. Written proof of notification is
4 required.⁸⁹

5 **17.415.--- Event facility.**

6 In rural zones, an event facility shall comply with the following standards:

7 A. Number of event participants. An event participant includes, but is not limited to,
8 participants, attendees, guests, officials, on-site staff, vendors and other service providers
9 involved in the set-up, operation, and take-down of an event. The event facility shall limit
10 the number of event participants to:

11 1. 200 persons per outdoor event. The Director or hearing examiner may increase or
12 decrease the number of persons to reduce the potential impact to neighbors.
13 Considerations shall include site size, access and parking, hours of operation, proximity
14 to neighbors, noise, or other site specific circumstances.

15 2. Maximum building occupancy for indoor only events. Maximum building occupancy is
16 established through a building occupancy permit with the Department of Community
17 Development.

18 B. Number of events. The event facility shall:

19 1. Not exceed one event per day.

20 2. Leave one weekend of each month free of events. The applicant must submit the
21 preferred weekend (e.g., first, second, third, fourth, or last) as part of the permit
22 application.

23 C. Hours of operation. The event facility shall limit all event activities to occur between the
24 hours of operation specified below. All noise, music, amplified sound, and sound-related
25 equipment shall be turned off or stop at the end time specified. All participants shall be off
26 the property no later than 1 hour after the last time specified. The director or hearing
27 examiner may increase or decrease the hours of operation allowed per outdoor event
28 based on site size or conditions implemented to reduce the potential impact to neighbors.

29 Event facility hours of operation:

30 Monday through Thursday: 7:30 am to 9:00 pm

31 Friday and Saturday: 8:00 am to 10:00 pm

32 Sunday: 8:00 am to 8:00 pm

33 D. Access, parking, and traffic. The event facility shall:

34 1. access directly from a Kitsap County maintained right-of-way.

35 2. provide and implement a parking plan for the site. This plan must:

36 a. detail the types of events to occur and recommend minimum and maximum parking
37 areas for the facility.

38 b. require striping of unmarked parking areas prior to each scheduled event.

39 Temporary striping is acceptable.

40 c. clearly prohibit parking on any public rights-of-way.

41 3. provide and implement a traffic management plan. This plan must include:

⁸⁹ 17.410.050 A.108 'Footnote 108'.

- a. an application for Concurrency Test as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code.
- b. the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Title 11 of Kitsap County Code.

E. Landscaping and fencing. The event facility shall include a site obscuring fence, wall or landscape buffer:

1. around the perimeter of the entire parcel; or
2. around the proposed use area that accommodates outdoor events.
3. A facility may use supplemental plantings within an existing vegetation to accomplish a landscape buffer. Irrigation must be provided meeting the standards set forth in County codes.
4. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.

17.415.--- Farmer's market.

Use shall comply with Section 17.105.090 'Temporary permits'.

17.415.--- Fireworks sales.

A. Firework sales shall comply with Chapter 10.48 'Fireworks'.

~~E.B.~~ Retail sales of fireworks shall occur:⁹⁰

1. from temporary structures.
2. where commercial or industrial activities are legally authorized.

17.415.--- Fitness center.

A. Fitness centers shall not exceed 5,000 square feet in size in the following zones:⁹¹

1. Regional Center
2. Business Center
3. Industrial
4. Rural Industrial
5. Rural Employment Center
6. Twelve Tree Employment Center

A. In the Rural Historic Town Commercial (RHTC) zone, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the applicant prior to determination of complete application. Written proof of notification is required.⁹²

17.415.--- Food and beverage production.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Section 17.700 Appendix C3).⁹³

⁹⁰ Allowed by zone via 10.48.014 3.b

⁹¹ 17.410.050 A.100 'Footnote 100'

⁹² 17.410.050 A.108 'Footnote 108'.

⁹³ 17.410.050 A.61 'Footnote 61'

- 1 B. In the Rural Residential (RR) and Rural Wooded (RW) zones:
2 1. All buildings and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP,~~
3 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones~~ from a side or rear lot
4 line. All such uses shall access directly to a county right-of-way determined to be
5 adequate by the county engineer except when included within the boundary of a town
6 master plan approved pursuant to Section 17.360C.030 and be able to provide access
7 without causing traffic congestion on local residential streets. Any such use shall not be
8 materially detrimental to any adjacent (existing or future) residential development due
9 to excessive traffic generation, noise, light or other circumstances. The director may
10 increase setback, buffer and landscaping standards or impose other conditions to
11 address potential impacts.⁹⁴
12 2. Food and beverage production is allowed only within the boundary of a town master
13 plan approved pursuant to Section 17.360C.030 on parcels of five acres or larger with all
14 uses set back one hundred feet from all parcels not included within the boundary.⁹⁵

15 **17.415.--- Food truck.**

16 Use shall comply with Section 17.105.090 ‘Temporary permits’.

17 **17.415.--- Forestry.**

18 Use prohibited in the Gorst urban growth area.⁹⁶

19 **17.415.--- Fuel or charging stations.**⁹⁷

20 A. When abutting the Suquamish Village Residential (SVR) zone or Suquamish Village Low
21 Residential (SVLR) zone this use requires a conditional use permit.⁹⁸

22 B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
23 located in Section 17.700 Appendix C3).⁹⁹

24 C. Use must take access from state route in the Gorst urban growth area. Auto uses with
25 underground storage tanks (such as gas stations) shall not be located in the Gorst Creek
26 floodplain.¹⁰⁰

27 D. Fueling or charging stations, with or without convenient store shall locate on a parcel at
28 least ten thousand square feet in size.

29 E. Pump islands shall be located a minimum of twenty feet from a property line. However, a
30 canopy or roof structure over a pump island may encroach up to ten feet within this
31 distance. Additionally, the cashier location shall provide direct visual access to the pump
32 islands and the vehicles parked adjacent to the islands.

33 F. The maximum number of points of ingress/egress to any one street shall be two.

34 G. There shall be a minimum distance of thirty feet between curb cuts along a street frontage.

35 H. The width of a driveway may not exceed forty feet at the sidewalk intersection.

⁹⁴ 17.410.050 A 12 ‘Footnote 12’

⁹⁵ 17.410.050 A 104 ‘Footnote 104’

⁹⁶ 17.410.050 A.80 ‘Footnote 80’.

⁹⁷ Reflects City of Poulsbo requirements.

⁹⁸ 17.410.050 A.36 ‘Footnote 36’.

⁹⁹ 17.410.050 A.61 ‘Footnote 61’

¹⁰⁰ 17.410.050 A.83 ‘Footnote 83’.

1 I. A sight-obscuring fence or wall, not less than five feet nor more than six feet in height, shall
2 be provided between the service station and abutting property in any residential zone.

3 J. All lighting shall be of such illumination, direction, and color as not to create a nuisance in
4 adjoining property or a traffic hazard. Under canopy lighting shall be recessed.

5 ~~D.K.~~ When a convenience store, restaurant, or other commercial use is located in
6 conjunction with the service or gas station, a pedestrian walkway from the primary sidewalk
7 and pumping area shall be provided. The walkway shall be clearly delineated and may be
8 painted.

9 ~~E.L.~~ Sale of merchandise shall be conducted within a building, except for items used for the
10 maintenance and servicing of automotive vehicles.

11 ~~F.M.~~ No automotive repairs other than incidental minor repairs or battery or tire changing
12 shall be allowed.

13 ~~G.N.~~ The station shall not directly abut a residential zone.

14 ~~H.O.~~ All lighting shall be of such illumination, direction, and color as not to create a nuisance
15 on adjoining property or a traffic hazard.

16 **17.415.--- Fuel distributors.**

17 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
18 located in Section 17.700 Appendix C3).¹⁰¹

19 **17.415.--- Funeral homes.**

20 ~~A cemetery, crematorium, mausoleum, or columbarium~~ Use shall have its principal access on a
21 county roadway. ~~with ingress~~ Ingress and egress ~~so shall be~~ designed ~~as~~ to minimize traffic
22 congestion, ~~and~~ The use shall provide required off-street parking spaces. No mortuary or
23 crematorium in conjunction with a cemetery is permitted within two hundred feet of a lot in a
24 residential zone.¹⁰²

25 **17.415.--- Garage sales.**¹⁰³

26 Periodic, noncommercial sales of personal and household goods, and professional estate sales,
27 at residential dwellings shall be allowed as an accessory use, provided such sale events conform
28 to the following conditions:

29 A. A maximum of four events per residential address per calendar year.

30 B. A maximum of four consecutive days per event.

31 C. Limited to the hours of 8:00 a.m. to 6:00 p.m.

32 D. Goods shall not be placed in the public right-of-way.

33 E. It shall be the responsibility of the resident and/or operator of the sale to ensure traffic is
34 not obstructed.

35 F. All goods, tables, canopies, tarps, and associated paraphernalia shall be removed from
36 public view between sale events.

37 G. Goods shall be limited to the personal or household property of the estate, the residents of
38 the sale location, and/or the participants in the sale. There shall be no sale of goods or

¹⁰¹ 17.410.050 A.61 'Footnote 61'

¹⁰² 17.410.050 A.10 'Footnote 10'

¹⁰³ Reflects City of Port Orchard requirements.

1 products purchased or produced for resale or otherwise sold by the sale participants in a
2 commercial enterprise.

3 **17.415.--- General office and management services.**

- 4 A. In the Business Park (BP) zone or Industrial (I) zone engineering and construction offices and
5 financial, banking, mortgage and title institutions must be located and designed to serve
6 adjacent area.¹⁰⁴
- 7 B. In the Industrial (I) zone general office and management services that are less than 4,000
8 square feet must be located and designed to serve adjacent area.¹⁰⁵
- 9 C. In the Neighborhood Commercial (NC) engineering and construction offices must not
10 exceed 4,000 square feet of gross floor area. ¹⁰⁶
- 11 D. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone
12 financial, banking, mortgage and title institutions and laundromats and laundry services
13 must not exceed 4,000 square feet of gross floor area.
- 14 E. In the Rural Industrial (RI) zone must be accessory to an immediate primary use.
- 15 F. In the Manchester Village Commercial (MVC) zone equipment storage located externally is
16 not allowed for engineering and construction offices.¹⁰⁷
- 17 G. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
18 zones, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the
19 applicant prior to determination of complete application. Written proof of notification is
20 required.
- 21 H. In the Rural Historic Town Commercial (RHTC) zone engineering offices of any size are
22 prohibited.
- 23 I. Rural Historic Town Residential (RHTR) or Rural Historic Town Waterfront (RHTW) zones,
24 financial, banking, mortgage and title institutions are prohibited.

25 **17.415.--- General retail merchandise stores.**

- 26 A. General retail merchandise stores greater than one hundred twenty-five thousand square
27 feet in size are prohibited in the Waaga Way Town Center area (see the Silverdale Design
28 Standards located in Section 17.700 Appendix C3). Additional square footage may be
29 allowed for projects greater than twenty-five acres in size.¹⁰⁸
- 30 B. In the Low Intensity Commercial (LIC) zone, auto parts and accessory and boat/marine
31 supply stores must take access from state route in the Gorst urban growth area. Auto uses
32 with underground storage tanks (such as gas stations) shall not be located in the Gorst
33 Creek floodplain.¹⁰⁹

¹⁰⁴ 17.410.050 A.33 'Footnote 33'.

¹⁰⁵ 17.410.050 A.33 'Footnote 33'.

¹⁰⁶ 17.410.050 A.54 'Footnote 54'.

¹⁰⁷ 17.410.050 A.90 'Footnote 90'

¹⁰⁸ 17.410.050 A.62 'Footnote 62'

¹⁰⁹ 17.410.050 A.83 'Footnote 83'

- 1 C. In the Business Center (BC) zone, Business Park (BP) zone, or Industrial (I) zone general retail
2 merchandise stores that are less than 4,000 square feet must be located and designed to
3 serve adjacent area.¹¹⁰
- 4 D. In the Regional Center (RC) zone, pet shops must not exceed 4,000 square feet of gross floor
5 area.¹¹¹
- 6 E. In the Rural Historic Town Waterfront (RHTW) zone and only within the boundary of a town
7 master plan approved pursuant to Section 17.360C.030:
- 8 1. Notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the
9 applicant prior to determination of complete application. Written proof of notification is
10 required.
- 11 2. boat/marine supply or custom art and craft stores of any size shall be permitted (P).
12 ~~2.3.~~ auto parts and accessory stores or pet shop – retail of any size shall be prohibited.
- 13 F. In the Rural Historic Town Commercial (RHTC) zone and only within the boundary of a town
14 master plan approved pursuant to Section 17.360C.030:
- 15 1. Notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the
16 applicant prior to determination of complete application. Written proof of notification is
17 required.
- 18 2. General retail merchandise store – 4,000 to 9,999 sf. shall be permitted (P).
19 3. The following uses of any size shall be permitted (P):
20 a. auto parts and accessory stores;
21 b. boat/marine supply;
22 c. pet shop – retail; or
23 d. custom art and craft stores.
- 24 E. In the Urban Village Commercial (UVC) zone or Neighborhood Commercial (NC) zone
25 custom art and craft stores shall not exceed 4,000 square feet of gross floor area.¹¹²
- 26 F. In the Rural Commercial (RCO) zone custom art and craft stores are limited to studio type
27 and size only.¹¹³

28 **17.415.--- Golf courses.**

- 29 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
30 located in Section 17.700 Appendix C3).¹¹⁴
- 31 B. Use prohibited in the Gorst urban growth area.¹¹⁵
- 32 C. In the Rural Residential (RR) and Rural Protection (RP) zones all buildings and activities shall
33 be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP, RR, RCO, RI or parks zones and~~
34 ~~thirty five feet in all other zones~~ from a side or rear lot line. All such uses shall access
35 directly to a county right-of-way determined to be adequate by the county engineer except
36 when included within the boundary of a town master plan approved pursuant to Section

¹¹⁰ 17.410.050 A.33 ‘Footnote 33’.

¹¹¹ 17.410.050 A.54 ‘Footnote 54’.

¹¹² 17.410.050 A.54 ‘Footnote 54’.

¹¹³ 17.410.050 A.71 ‘Footnote 71’

¹¹⁴ 17.410.050 A.61 ‘Footnote 61’

¹¹⁵ 17.410.050 A.80 ‘Footnote 80’.

1 17.360C.030 and be able to provide access without causing traffic congestion on local
2 residential streets. Any such use shall not be materially detrimental to any adjacent (existing
3 or future) residential development due to excessive traffic generation, noise, light or other
4 circumstances. The director may increase setback, buffer and landscaping standards or
5 impose other conditions to address potential impacts.¹¹⁶

6 **17.415.--- Government/public structures.**

7 Reserved.

8 **17.415.--- Group Living (1 to 6 rooms)**

- 9 A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
10 shoreline and State Highways 3 and 16. ¹¹⁷
- 11 B. Boarding houses shall meet the minimum density and shall not exceed the maximum
12 density for the zone or six boarding rooms, whichever is greater. Each room shall be
13 considered a dwelling unit when calculating the required minimum or maximum density. ¹¹⁸
- 14 C. Boarding houses must have health district approval prior to occupancy. ¹¹⁹
- 15 D. In the Urban Village Center (UVC) zone a boarding house shall be permitted outright.
- 16 E. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Residential (RHTR)
17 zone:
- 18 1. A boarding house shall be allowed and require an Administrative Conditional Use Permit
19 (ACUP).
- 20 2. A convalescent home or congregate care facility shall be allowed and require an
21 Administrative Conditional Use Permit (ACUP).
- 22 3. An assisted living facility shall be prohibited.

23 **17.415.--- Group Living (7 or more rooms)**

- 24 A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
25 shoreline and State Highways 3 and 16. ¹²⁰
- 26 B. In the Rural Historic Town Commercial (RHTC) zone:
- 27 4. A convalescent home or congregate care facility shall be allowed and require an
28 Administrative Conditional Use Permit (ACUP).
- 29 5. An assisted living facility shall be prohibited.
- 30 C. In the Rural Historic Town Residential (RHTR) zone:
- 31 6. A convalescent home or congregate care facility shall be allowed and require a
32 Conditional Use Permit (C).
- 33 7. An assisted living facility shall be prohibited.

34 **17.415.--- Helicopter pads.**

¹¹⁶ 17.410.050 A 12 'Footnote 12'

¹¹⁷ 17.410.050 A 79 'Footnote 79'

¹¹⁸ 17.410.050 A.98 'Footnote 98' and 17.410.050 A.99 'Footnote 99'

¹¹⁹ 17.410.050 A.101 'Footnote 102'

¹²⁰ 17.410.050 A 79 'Footnote 79'

- 1 A. Heliports for the purpose of medical emergency facilities may be permitted in certain zones
2 subject to a conditional use permit.¹²¹
- 3 B. All private landing strips, runways, and heliports shall be so designed and oriented that the
4 incidences of aircraft passing directly over dwellings during their landing or taking off
5 patterns are minimized. They shall be located so that traffic shall not constitute a nuisance
6 to neighboring uses. The proponents shall show that adequate controls or measures will be
7 taken to prevent offensive noise, vibrations, dust, or bright lights.¹²²
- 8 C. In the Rural Industrial (RI) zone uses necessary for airport operation such as runways,
9 hangars, fuel storage facilities, control towers shall be limited to modifications or
10 expansions of existing airports.¹²³

11 **17.415.--- High-risk secured facilities.**¹²⁴

- 12 A. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-
13 risk secured facility. The project applicant shall cover all meeting costs.
- 14 B. The county shall mail community notification to the school district and all landowners
15 within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to
16 the required neighborhood meeting. The project applicant shall cover all community
17 notification costs.
- 18 C. A high-risk secured facility shall not be located adjacent to, immediately across the street or
19 parking lot from, or within the line of sight of a risk potential activity or facility in existence
20 at the time a facility is established.
 - 21 1. “Within the line of sight” means that it is possible to reasonably visually distinguish and
22 recognize individuals.
 - 23 2. “Risk potential activities and facilities” means an activity or facility that provides a
24 higher incidence of risk to the public from persons conditionally released from the
25 special commitment center. Risk potential activities and facilities include: public and
26 private schools, school bus stops, licensed day care and licensed preschool facilities,
27 domestic violence shelters, public parks, publicly dedicated trails, sports fields,
28 playgrounds, recreational and community centers, churches, synagogues, temples,
29 mosques, public libraries, public and private youth camps, and other specific uses
30 identified during a neighborhood hearing. For the purpose of this section, “school bus
31 stops” does not include bus stops established primarily for public transit.
- 32 D. A high-risk secured facility shall not be located in a community protection zone as defined in
33 RCW 9.94A.030(6).
 - 34 1. Distance shall be measured from all property lines of a high-risk secured facility from all
35 property lines of the facilities and grounds of a public or private school.
- 36 E. A high-risk secured facility shall meet the applicable health district standards for water and
37 sewage disposal to account for staff and residents.
- 38 F. Principal access to the site shall be from a county-maintained right-of-way.

¹²¹ 17.410.050 A.13 ‘Footnote 13’

¹²² 17.410.050 A 13 ‘Footnote 13’

¹²³ 17.410.050 A.74 ‘Footnote 74’.

¹²⁴ 17.410.060 B.9 ‘Special provisions - footnote 9’

- 1 G. A high-risk secured facility shall be equipped with an automatic fire sprinkler system,
2 installed in accordance with applicable building and fire codes.
- 3 H. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the
4 fire protection system to automatically release any facility security locks and allow safe
5 egress from the structure in the event of fire or other emergency.
- 6 I. A high-risk secured facility shall be equipped with a backup power system and an automatic
7 transfer switch sufficient to energize and maintain the function of safety, security, and
8 surveillance systems in the event of a power outage.

9 **17.415. --- Home business.**

- 10 A. Commercial or industrial uses otherwise prohibited in the zone may be allowed as a
11 component of a home business subject to the requirements ~~of Section 17.410.060(B)~~
12 herein.¹²⁵
- 13 B. In the Forest Resource Lands (FRL) zone, home businesses must be associated with timber
14 production and/or harvest.¹²⁶
- 15 C. Incidental home businesses, ~~as defined below~~, shall be ~~permitted~~ allowed subject to the
16 following standards in all residential zones and have no permit required.¹²⁷
 - 17 1. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
 - 18 2. The residential character of the building shall be maintained and the business shall be
19 conducted in such a manner as not to give an outside appearance of a business;
 - 20 3. The business shall be conducted entirely within the residence;
 - 21 4. The residence shall be occupied by the owner of the business;
 - 22 5. The business shall not infringe upon the right of the neighboring residents to enjoy the
23 peaceful occupancy of their homes;
 - 24 6. No clients or customers shall visit or meet for an appointment at the residence;
 - 25 7. No employees or independent contractors are allowed to work in the residence other
26 than family members who reside in the residential dwelling;
 - 27 8. No activities that create noise, increase risk of fire, or in any way threaten the safety and
28 tranquility of neighboring residents are permitted;
 - 29 9. No more than two pick-ups and/or deliveries per day are allowed, not including normal
30 U.S. mail;
 - 31 10. The business shall not occupy more than twenty-five percent of the gross floor area of
32 the residence; and
 - 33 11. No signs to advertise the business/occupation shall be allowed on the premises (except
34 attached to mailbox not to exceed one square foot).
- 35 D. Minor home businesses, ~~as defined below~~, shall be ~~permitted~~ allowed in all residential
36 zones subject to approval by the director and the following standards. Said approval is not
37 transferable to any individual, future property owner or location.
 - 38 1. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
 - 39 2. The residential character of the building shall be maintained and the business shall be
40 conducted in such a manner as not to give an outside appearance of a business;

¹²⁵ 17.410.050 A.53 'Footnote 53'

¹²⁶ 17.410.050 A.23 'Footnote 23'

- 1 3. The residence shall be occupied by the owner of the business;
- 2 4. The business shall occupy no more than thirty percent of the gross floor area of the
- 3 residence;
- 4 5. The business shall not infringe upon the right of the neighboring residents to enjoy the
- 5 peaceful occupancy of their homes;
- 6 6. No more than two employees, including proprietors (or independent contractors), are
- 7 allowed;
- 8 7. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign
- 9 permit approved by the director;
- 10 8. No outside storage shall be allowed; and
- 11 9. In order to assure compatibility with the dominant residential purpose, the director may
- 12 require:
- 13 a. Patronage by appointment.
- 14 b. Additional off-street parking.
- 15 c. Other reasonable conditions.
- 16 E. Moderate home businesses ~~as defined below~~, shall be ~~permitted~~ allowed in RW, RP, and
- 17 RR zones subject to approval by the director and the following standards. Said approval is
- 18 not transferable to any individual, future property owner or location.
- 19 1. Business uses shall be ~~incidental and~~ secondary to the dominant residential use;
- 20 2. The residential character of the building shall be maintained and the business shall be
- 21 conducted in such a manner as to moderate any outside appearance of a business;
- 22 3. The residence shall be occupied by the owner of the business;
- 23 4. The business shall not infringe upon the right of the neighboring residents to enjoy the
- 24 peaceful occupancy of their homes;
- 25 5. No more than five employees (or independent contractors) are allowed;
- 26 6. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign
- 27 permit approved by the director; and
- 28 7. In order to ensure compatibility with the dominant residential purpose, the director
- 29 may require:
- 30 a. Patronage by appointment.
- 31 b. Additional off-street parking.
- 32 c. Screening of outside storage.
- 33 ~~d. A conditional use permit (required for engine or vehicle repair or servicing).~~
- 34 e-d. Other reasonable conditions.

35 **17.415. --- Hospital.**

36 Reserved.

37 **17.415. --- Hotel/motel.**

38 Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet

39 shoreline and State Highways 3 and 16.¹²⁸

40 **17.415. --- Kennels, hobby.**

¹²⁸ 17.410.050 A.79 'Footnote 79'.

1 Use prohibited in the Gorst urban growth area.¹²⁹

2 **17.415. --- Kennels or pet day-cares.**

3 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
4 located in Section 17.700 Appendix C3).¹³⁰

5 **17.415. --- Lumber and bulky building material sales.**

6 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
7 located in Section 17.700 Appendix C3).¹³¹

8 **B.** All business, service repair, processing, storage, or merchandise display on property
9 abutting or across the street from a lot in any residential zone shall be conducted wholly
10 within an enclosed building unless screened from the residential zone by a sight-obscuring
11 fence or wall.¹³²

12 **17.415.--- Manufactured/mobile/RV/park-model/tiny home parks.**¹³³

13 Manufactured home/mobile/RV park/park-model/tiny home park must meet the following
14 requirements:

15 A. In the Rural Residential (RR) or Rural Wooded (RW) zones and only within the boundary of a
16 town master plan approved pursuant to Section 17.360C.030 on parcels of five acres or
17 larger with all uses set back one hundred feet from all parcels not included within the
18 boundary, manufactured/mobile/RV/park- model/tiny home parks shall be allowed and
19 require a Conditional Use Permit (C).

20 B. Utilities. Manufactured home parks shall be completely and adequately served by public
21 utilities.

22 C. Building lot coverage. The maximum building lot coverage is sixty percent, including
23 accessory buildings.

24 D. Accessory buildings. Buildings and structures accessory to individual manufactured homes
25 shall be allowed. An accessory roof or awning may be attached to a manufactured home
26 and shall be considered a part thereof. Automobile parking spaces may be covered with a
27 carport.

28 E. Access. All drives within the park shall be hard surfaced. Sidewalks and paths shall be
29 provided consistent with county standards.

30 F. Setbacks. There shall be at least a ten foot setback between homes, any building within the
31 park.

32 G. Screening. There shall be sight-obscuring fencing, landscaping, or natural vegetated buffers
33 at least eight feet wide on all sides of the park. Such screening shall contain openings that
34 provide direct pedestrian access to adjoining streets and trails.

35 H. Recreational Areas/Open Space. At least five hundred square feet for each manufactured
36 home space shall be made available in a centralized location or locations for recreational
37 uses.

¹²⁹ 17.410.050 A.80 'Footnote 80'.

¹³⁰ 17.410.050 A.61 'Footnote 61'

¹³¹ 17.410.050 A.61 'Footnote 61'

¹³² 17.410.050 A.42 'Footnote 42'

¹³³ Consistent with City of Poulsbo Standards.

1 I. Binding site plan. A complete and detailed binding site plan shall be submitted in support of
2 the permit. The binding site plan shall show the locations and dimensions of all
3 contemplated buildings, structures, spaces, driveways and roads and recreational areas. The
4 Director may require additional information as necessary to determine whether the
5 proposed manufactured park meets all the above conditions and other applicable
6 provisions of this code.

7 **17.415. --- Manufactured home, park models, tiny homes sales.**

8 Reserved.

9 **17.415. --- Manufacturing and fabrication, light.**

- 10 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
11 located in Section 17.700 Appendix C3).¹³⁴
- 12 B. In the Rural Residential (RR) or Rural Wooded (RW) zones light manufacturing and
13 fabrication is allowed only within the boundary of a town master plan approved pursuant to
14 Section 17.360C.030 and subject to the following conditions:
- 15 1. The use shall be limited to the manufacture of agricultural products.¹³⁵
- 16 2. The use shall be located on parcels of five acres or larger with all uses set back one
17 hundred feet from all parcels not included within the boundary.¹³⁶
- 18 3. All buildings and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP,~~
19 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones~~ from a side or rear lot
20 line. All such uses shall access directly to a county right-of-way determined to be
21 adequate by the county engineer except when included within the boundary of a town
22 master plan approved pursuant to Section 17.360C.030 and be able to provide access
23 without causing traffic congestion on local residential streets. Any such use shall not be
24 materially detrimental to any adjacent (existing or future) residential development due
25 to excessive traffic generation, noise, light or other circumstances. The director may
26 increase setback, buffer and landscaping standards or impose other conditions to
27 address potential impacts.¹³⁷
- 28 C. In the Rural Historic Town Commercial (RHTC), Rural Historic Town Residential (RHTR), or
29 Rural Historic Town Waterfront (RHTW) zones, assembly and packaging operations shall be
30 prohibited.

31 **17.415. --- Manufacturing and fabrication, hazardous.**

32 Reserved.

33 **17.415. --- Manufacturing and fabrication, heavy.**

34 Reserved.

35 **17.415. --- Manufacturing and fabrication, medium.**

¹³⁴ 17.410.050 A.61 'Footnote 61'

¹³⁵ 17.410.050 A.105 'Footnote 105'.

¹³⁶ 17.410.050 A.104 'Footnote 104'.

¹³⁷ 17.410.050 A.12 'Footnote 12'.

- 1 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
- 2 located in Section 17.700 Appendix C3).¹³⁸
- 3 B. In the Business Center (BC) zone aggregate production and processing allowed only if
- 4 directly connected to an approved surface mining permit approved by the Washington State
- 5 Department of Natural Resources (DNR).¹³⁹

6 **17.415. --- Marijuana retailer**

7 A. Findings and application.

- 8 1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et
- 9 seq. State and local regulations do not preempt federal law. People and businesses
- 10 involved in the production, processing, sales, and possession of marijuana could still be
- 11 subject to prosecution under federal law. Local zoning and other regulations are not a
- 12 defense against a violation of federal law.
- 13 2. This ~~chapter-section~~ is necessary to protect the public health, safety and welfare of
- 14 Kitsap County citizens. Nothing in this ~~chapter-section~~ shall be construed as an
- 15 authorization to circumvent or violate state or federal law, as permission to any person
- 16 or entity to violate federal law, or to supersede any legislation prohibiting the uses
- 17 subject to this ~~chapter-section~~.
- 18 3. This ~~chapter-section~~ shall apply to those marijuana ~~producers, processors and~~ retailers
- 19 that are licensed by the Washington State Liquor and Cannabis Board under Chapter
- 20 314-55 WAC.

21 B. Where allowed, a marijuana retailer:

- 22 1. both with and without endorsements, may be located ~~as follows. Further, such facilities~~
- 23 ~~and uses may only be located~~ at designated sites licensed by the state of Washington
- 24 and fully conforming to state law and ~~this chapter~~ Kitsap County Code.
- 25 2. must be a minimum of one thousand feet away, as measured by the shortest straight
- 26 line between property boundaries, from any elementary or secondary school,
- 27 playground, recreation center or facility, child care center, public park, public transit
- 28 center, library or game arcade as defined in WAC 314-55-010.

29 C. Permits.

- 30 1. Kitsap County makes no representations as to the legality of the use subject to this
- 31 ~~chapter-section~~. All applicable permits (e.g., administrative conditional use permits,
- 32 building permits or tenant improvement permits) shall be required.
- 33 2. Only state-licensed marijuana ~~producers, processors and~~ retailers may locate within
- 34 unincorporated Kitsap County. Upon request, all ~~producers, processors and~~ retailers
- 35 must supply a copy of the state-issued license.
- 36 3. No permit shall be approved unless the applicant demonstrates full compliance with
- 37 Chapter 69.50 RCW and Chapter 314-55 WAC.

38 D. Nonconforming uses. No use that constitutes or purports to be a marijuana ~~producer,~~

39 ~~processor or~~ retailer as those terms are defined in ~~this chapter~~ Title that was engaged in

40 that activity prior to the enactment of ~~this chapter~~ these provisions shall be deemed to have

¹³⁸ 17.410.050 A.61 'Footnote 61'

¹³⁹ 17.410.050 A.52 'Footnote 52'

1 been a legally established use under Kitsap County Code and that use shall not be entitled
2 to claim legal nonconforming status.

3 **17.415. --- Marijuana processor.**

4 A. Findings and application.

- 5 1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et
6 seq. State and local regulations do not preempt federal law. People and businesses
7 involved in the production, processing, sales, and possession of marijuana could still be
8 subject to prosecution under federal law. Local zoning and other regulations are not a
9 defense against a violation of federal law.
- 10 2. This ~~chapter-section~~ is necessary to protect the public health, safety and welfare of
11 Kitsap County citizens. Nothing in this ~~chapter-section~~ shall be construed as an
12 authorization to circumvent or violate state or federal law, as permission to any person
13 or entity to violate federal law, or to supersede any legislation prohibiting the uses
14 subject to this ~~chapter-section~~.
- 15 3. This ~~chapter-section~~ shall apply to those marijuana ~~producers,~~ processors ~~and retailers~~
16 that are licensed by the Washington State Liquor and Cannabis Board under Chapter
17 314-55 WAC.

18 B. Where allowed, a marijuana processor:

- 19 1. facilities and uses may only be located at designated sites licensed by the state of
20 Washington and fully conforming to state law and ~~this chapter~~ Kitsap County Code.
- 21 2. must be a minimum of one thousand feet away, as measured by the shortest straight
22 line between property boundaries, from any elementary or secondary school,
23 playground, recreation center or facility, child care center, public park, public transit
24 center, library or game arcade as defined in WAC 314-55-010.

25 C. Permits.

- 26 1. Kitsap County makes no representations as to the legality of the use subject to this
27 ~~chapter-section~~. All applicable permits (e.g., administrative conditional use permits,
28 building permits or tenant improvement permits) shall be required.
- 29 2. Only state-licensed marijuana ~~producers,~~ processors ~~and retailers~~ may locate within
30 unincorporated Kitsap County. Upon request, all ~~producers,~~ processors ~~and retailers~~
31 must supply a copy of the state-issued license.
- 32 3. No permit shall be approved unless the applicant demonstrates full compliance with
33 Chapter 69.50 RCW and Chapter 314-55 WAC.

34 D. Nonconforming uses. No use that constitutes or purports to be a marijuana ~~producer,~~
35 processor ~~or retailer~~ as those terms are defined in this ~~chapter~~ Title that was engaged in
36 that activity prior to the enactment of ~~this chapter~~ these provisions shall be deemed to have
37 been a legally established use under Kitsap County Code and that use shall not be entitled
38 to claim legal nonconforming status.

39 **17.415. --- Marijuana producer.**

40 A. Findings and application.

- 41 1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et
42 seq. State and local regulations do not preempt federal law. People and businesses
43 involved in the production, processing, sales, and possession of marijuana could still be

1 subject to prosecution under federal law. Local zoning and other regulations are not a
2 defense against a violation of federal law.

- 3 2. This ~~chapter-section~~ is necessary to protect the public health, safety and welfare of
4 Kitsap County citizens. Nothing in this ~~chapter-section~~ shall be construed as an
5 authorization to circumvent or violate state or federal law, as permission to any person
6 or entity to violate federal law, or to supersede any legislation prohibiting the uses
7 subject to this ~~chapter-section~~.
8 3. This ~~chapter-section~~ shall apply to those marijuana producers, ~~processors and retailers~~
9 that are licensed by the Washington State Liquor and Cannabis Board under Chapter
10 314-55 WAC.

11 B. Where allowed, a marijuana producer:

- 12 1. facilities and uses may only be located at designated sites licensed by the state of
13 Washington and fully conforming to state law and this ~~chapter-section~~.
14 2. must be a minimum of one thousand feet away, as measured by the shortest straight
15 line between property boundaries, from any elementary or secondary school,
16 playground, recreation center or facility, child care center, public park, public transit
17 center, library or game arcade as defined in WAC 314-55-010.

18 C. Permits.

- 19 1. Kitsap County makes no representations as to the legality of the use subject to this
20 ~~chapter-section~~. All applicable permits (e.g., administrative conditional use permits,
21 building permits or tenant improvement permits) shall be required.
22 2. Only state-licensed marijuana producers, ~~processors and retailers~~ may locate within
23 unincorporated Kitsap County. Upon request, all producers, ~~processors and retailers~~
24 must supply a copy of the state-issued license.
25 3. No permit shall be approved unless the applicant demonstrates full compliance with
26 Chapter 69.50 RCW and Chapter 314-55 WAC.

27 D. Nonconforming uses. No use that constitutes or purports to be a marijuana producer,
28 ~~processor or retailer~~ as those terms are defined in this ~~chapter-Title~~ that was engaged in
29 that activity prior to the enactment of this ~~chapter~~ ~~these provisions~~ shall be deemed to have
30 been a legally established use under Kitsap County Code and that use shall not be entitled
31 to claim legal nonconforming status.

32 **17.415. --- Marinas.**

- 33 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
34 located in Section 17.700 Appendix C3).¹⁴⁰
35 B. Use prohibited in the Gorst urban growth area.¹⁴¹

36 **17.415. --- Marina support services.**

37 Marina support services shall be accessory to a marina.

38 **17.415. --- Mobile home.**

¹⁴⁰ 17.410.050 A.61 'Footnote 61'

¹⁴¹ 17.410.050 A.80 'Footnote 80'.

1 In the Urban Restricted (UR), Greenbelt (GB), Urban Low Residential (ULR), and the Urban
2 Cluster Residential (UCR) and Urban Village Center (UVC) zones mobile homes are prohibited,
3 except in approved mobile home parks.¹⁴²

4 **17.415. --- Mobile vendor.**

5 Use shall comply with Section 17.105.090 ‘Temporary permits’.

6 **17.415.--- Multiple family.**

7 A. All multiple family development shall comply with 17.470 ‘Multi-family development-design
8 criteria’.

9 B. Use prohibited in the Gorst urban growth area.¹⁴³

10 **17.415. --- Nursery, retail.**

11 A. In the Rural Historic Town Commercial (RHTC) zone, notification to the Port
12 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
13 of complete application. Written proof of notification is required.¹⁴⁴

14 B. In the Manchester Village Commercial (MVC) zone, nursery, retail is permitted if less than
15 five thousand square feet. ¹⁴⁵

16 **17.415. --- Nursery, wholesale**

17 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
18 located in Section 17.700 Appendix C3).¹⁴⁶

19 **17.415. --- Off-street parking facilities.**

20 Reserved.

21 **17.415.--- Off-street parking facilities, structured.**

22 Reserved.

23 **17.415. --- Outdoor display.**

24 Reserved.

25 **17.415. --- Personal services**

26 A. In the Business Center (BC) zone laundromats and laundry services shall be located and
27 designed to serve adjacent area.

28 B. In the Rural Commercial (RCO) zone, personal services cannot exceed four ~~chairs~~ clients and
29 must be intended for local use.¹⁴⁷

30 B.C. In the Urban Village (UVC), Neighborhood Commercial (NC) and Rural Commercial (RCO)
31 zone:

32 1. Personal services shall not exceed 4,000 square feet.¹⁴⁸

33 2. Pet grooming shall require an Administrative Conditional Use Permit.

¹⁴² 17.410.050 A.24 ‘Footnote 24’

¹⁴³ 17.410.050 A.80 ‘Footnote 80’.

¹⁴⁴ 17.410.050 A.108 ‘Footnote 108’.

¹⁴⁵ 17.410.050 A.91 ‘Footnote 91’.

¹⁴⁶ 17.410.050 A.61 ‘Footnote 61’

¹⁴⁷ 17.410.050 A.66 ‘Footnote 66’

¹⁴⁸ 17.410.050 A.54 ‘Footnote 54’

1 ~~C.D.~~ In the Rural Historic Town Commercial (RHTC), Rural Historic Town Residential (RHTR),
2 or Rural Historic Town Waterfront (RHTW) zones, notification to the Port Gamble/S’Klallam
3 and Suquamish Tribes is required by the applicant prior to determination of complete
4 application. Written proof of notification is required.¹⁴⁹

5 **17.415. --- Places of worship.**

6 In the Rural Residential (RR) and Rural Protection (RP) zones all buildings and activities shall be
7 set back a minimum of fifty feet ~~in FRL, MRO, RW, RP, RR, RCO, RI or parks zones~~ and thirty-five
8 feet in all other zones from a side or rear lot line. All such uses shall access directly to a county
9 right-of-way determined to be adequate by the county engineer except when included within
10 the boundary of a town master plan approved pursuant to Section 17.360C.030 and be able to
11 provide access without causing traffic congestion on local residential streets. Any such use shall
12 not be materially detrimental to any adjacent (existing or future) residential development due
13 to excessive traffic generation, noise, light or other circumstances. The director may increase
14 setback, buffer and landscaping standards or impose other conditions to address potential
15 impacts.¹⁵⁰

16 **17.415. --- School, elementary, middle school, or junior high.**¹⁵¹

17 Site plans for public elementary, middle school, or junior high schools shall include an area
18 identified and set aside for the future placement of a minimum of four portable classroom
19 units. The area set aside may not be counted towards meeting required landscaping or parking
20 requirements.

21 **17.415. --- School, high school.**

22 Site plans for public high schools shall include an area identified and set aside for the future
23 placement of a minimum of four portable classroom units. The area set aside may not be
24 counted towards meeting required landscaping or parking requirements.¹⁵²

25 **17.415. --- Public facilities and electric power and natural gas utility facilities, and**
26 **substations.**

- 27 A. In the Forest Resource Lands (FRL) zone public facilities, electric power and natural gas
28 utility facilities, and substations shall not inhibit forest practices.¹⁵³
- 29 B. The erection, construction, alteration, or maintenance of overhead or underground utilities
30 by a public utility, municipality, governmental agency, or other approved party shall be
31 permitted in any zone; provided, that any permanent above-ground structures not located
32 within a right-of-way or easement shall be subject to the review of the director.¹⁵⁴
- 33 C. Utility transmission and distribution lines and poles may exceed the height limits otherwise
34 provided for in this title.
- 35 D. Water towers which exceed thirty-five feet in height, solid waste collection, transfer and/or
36 handling sites in any zone shall be subject to a conditional use permit (C).

¹⁴⁹ 17.410.050 A.108 ‘Footnote 108’.

¹⁵⁰ 17.410.050 A.12 ‘Footnote 12’

¹⁵¹ 17.410.050 A.20 ‘Footnote 20’

¹⁵² 17.410.050 A.20 ‘Footnote 20’

¹⁵³ 17.410.050 A.5 ‘Footnote 5’

¹⁵⁴ 17.410.050 A.16 ‘Footnote 16’

1 E. These provisions do not apply to wireless communication facilities, which are specifically
2 addressed in Chapter 17.530.

3 **17.415. --- Race track.**

4 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
5 located in Section 17.700 Appendix C3).¹⁵⁵

6 B. In the Rural Wooded (RW), Forest Resource Lands (FRL) or Parks (P) zones, ~~All~~ buildings
7 and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP, RR, RCO, RI or~~
8 ~~parks zones~~ and thirty-five feet in all other zones from a side or rear lot line. All such uses
9 shall access directly to a county right-of-way determined to be adequate by the county
10 engineer except when included within the boundary of a town master plan approved
11 pursuant to Section 17.360C.030 and be able to provide access without causing traffic
12 congestion on local residential streets. Any such use shall not be materially detrimental to
13 any adjacent (existing or future) residential development due to excessive traffic
14 generation, noise, light or other circumstances. The director may increase setback, buffer
15 and landscaping standards or impose other conditions to address potential impacts.¹⁵⁶

16 **17.415. --- Recreational facilities, indoor.**

17 A. In the Rural Historic Town Commercial (RHTC) zone:

18 1. Notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the
19 applicant prior to determination of complete application for amusement centers.
20 Written proof of notification is required.¹⁵⁷

21 2. Amusement centers shall be allowed and permitted (P).

22 B. In the Rural Historic Town Residential (RHTR) or Rural Historic Town Waterfront (RHTW)
23 zones, amusement centers shall be prohibited.

24 C. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
25 shoreline and State Highways 3 and 16.¹⁵⁸

26 **17.415. --- Recreational facilities, outdoor.**

27 A. In the Rural Historic Town Commercial (RHTC) zone, notification to the Port
28 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
29 of complete application for amusement centers. Written proof of notification is required.¹⁵⁹

30 B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
31 shoreline and State Highways 3 and 16.¹⁶⁰

32 **17.415. --- Recycling center.**

33 Reserved.

34 **17.415. --- Research laboratory, less than 4,000 s.f.**

35 Reserved.

¹⁵⁵ 17.410.050 A.61 ‘Footnote 61’

¹⁵⁶ 17.410.050 A.12 ‘Footnote 12’

¹⁵⁷ 17.410.050 A.108 ‘Footnote 108’.

¹⁵⁸ 17.410.050 A.79 ‘Footnote 79’.

¹⁵⁹ 17.410.050 A.108 ‘Footnote 108’.

¹⁶⁰ 17.410.050 A.79 ‘Footnote 79’.

1 **17.415. --- Research laboratory, 4,000 to 9,999 s.f.**

2 Reserved.

3 **17.415. --- Research laboratory, 10,000 s.f. or greater.**

4 Reserved.

5 **17.415. --- Resort.**

6 Reserved.

7 **17.415. --- Restaurants, without drive-through service.**

8 A. In the Business Center (BC), Business Park (BP), or Industrial (I) zone restaurants, without
9 drive-through shall be located and designed to serve the adjacent area.¹⁶¹

10 B. In the Urban Village Commercial (UVC) zone and Neighborhood Commercial (NC) zone
11 restaurants, without drive through shall not exceed 4,000 square feet of gross floor area.¹⁶²

12 C. In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC) zones,
13 restaurants, without drive-through shall be subject to the following permit review:

14 1. 0 – ~~4,000~~3,999 square feet = P

15 2. 4,0010 – 10,000 square feet = ACUP

16 3. 10,001 – 15,000 square feet = C

17 4. 15,001 square feet and above = X ¹⁶³

18 D. In the Rural Residential (RR) or Rural Wooded (RW) zones restaurants, without drive-
19 through service are allowed only within the boundary of a town master plan approved
20 pursuant to Section 17.360C.030 and subject to the following conditions:

21 1. The use shall be secondary to a primary agricultural or recreational use of the property
22 and shall not exceed fifty total seats and/or five thousand square feet of gross floor
23 area.¹⁶⁴

24 2. All buildings and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP,~~
25 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones~~ from a side or rear lot
26 line. All such uses shall access directly to a county right-of-way determined to be
27 adequate by the county engineer except when included within the boundary of a town
28 master plan approved pursuant to Section 17.360C.030 and be able to provide access
29 without causing traffic congestion on local residential streets. Any such use shall not be
30 materially detrimental to any adjacent (existing or future) residential development due
31 to excessive traffic generation, noise, light or other circumstances. The director may
32 increase setback, buffer and landscaping standards or impose other conditions to
33 address potential impacts.¹⁶⁵

34 E. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
35 zones, notification to the Port Gamble/S'Klallam and Suquamish Tribes is required by the

¹⁶¹ 17.410.050 A.33 'Footnote 33'.

¹⁶² 17.410.050 A.54 'Footnote 54'.

¹⁶³ 17.410.050 A.76 'Footnote 76'.

¹⁶⁴ 17.410.050 A.106 'Footnote 106'.

¹⁶⁵ 17.410.050 A.12 'Footnote 12'.

1 applicant prior to determination of complete application. Written proof of notification is
2 required.¹⁶⁶

3 **17.415. --- Restaurant, with drive-through service.**

4 A. In all urban commercial and industrial zones, restaurants with drive through service must be
5 located and designed to serve the adjacent area.¹⁶⁷

6 B. In the Urban Village Commercial (UVC) and Neighborhood Commercial (NC) zones
7 restaurants with drive through service shall not exceed 4,000 square feet of gross floor
8 area.¹⁶⁸

9 C. In the Manchester Village Commercial (MVC) zone, drive-through lanes are not allowed.¹⁶⁹

10 D. In the Rural Employment Center (REC) zone, restaurant, with drive-through service shall be
11 subject to the following permit review:

- 12 1. 0 – ~~4,000~~3,999 square feet = P
- 13 2. 4,00~~0~~1 – 10,000 square feet = ACUP
- 14 3. 10,001 – 15,000 square feet = C
- 15 4. 15,001 square feet and above = X¹⁷⁰

16 E. In the Rural Historic Town Commercial (RHTC) zone:

- 17 1. notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the
18 applicant prior to determination of complete application. Written proof of notification
19 is required.¹⁷¹

20 **17.415. --- Rock crushing.**

21 Reserved.

22 **17.415. --- Secure community transition facility.**

23 Reserved.

24 **17.415. --- Shared work/maker space.**

25 Reserved.

26 **17.415. --- Shellfish/fish hatcheries and processing facilities.**

27 Reserved.

28 **17.415. --- Shooting/gun facility, indoor.**

29 Reserved.

30 **17.415. --- Shooting/gun facility, outdoor.**

31 Reserved.

32 **17.415.--- Single-family attached dwelling.**

¹⁶⁶ 17.410.050 A.108 ‘Footnote 108’.

¹⁶⁷ 17.410.050 A.33 ‘Footnote 33’

¹⁶⁸ 17.410.050 A.54 ‘Footnote 54’.

¹⁶⁹ 17.410.050 A.92 ‘Footnote 92’.

¹⁷⁰ 17.410.050 A.76 ‘Footnote 76’.

¹⁷¹ 17.410.050 A.108 ‘Footnote 108’.

- 1 A. In the Rural Historic Town Waterfront (RHTW) zone, notification to the Port
2 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
3 of complete application. Written proof of notification is required.¹⁷²
- 4 B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
5 shoreline and State Highways 3 and 16.¹⁷³

6 **17.415.--- Single-family detached dwelling (includes manufactured homes).**

7 In the Rural Historic Town Waterfront (RHTW) zone, notification to the Port Gamble/S’Klallam
8 and Suquamish Tribes is required by the applicant prior to determination of complete
9 application. Written proof of notification is required.¹⁷⁴

10 **17.415. --- Slaughterhouse or animal processing.**

11 In the Rural Commercial (RCO) and Rural Industrial (RI) zones, a(n) slaughterhouse or animal
12 processing facility may include a retail component that shall not exceed four thousand square
13 feet.¹⁷⁵

14 **17.415.--- Special care residence.**¹⁷⁶

15 Where a family member ~~is in need of~~ needs special, frequent and routine care and assistance by
16 reason of advanced age or ill health, a manufactured home or mobile home may be placed
17 upon the same lot as a single-family dwelling for occupancy by the individual requiring or
18 providing such special care subject to the following limitations:

- 19 A. Not more than two individuals shall be the recipients of special care;
- 20 B. No rent, fee, payment or charge in lieu thereof may be made for use of the single-family
21 dwelling or manufactured/mobile home as between the recipients or providers of special
22 care;
- 23 C. The manufactured/mobile home must meet the setback requirements of the zone in which
24 it is situated;
- 25 D. A permit must be obtained from the director authorizing such special care
26 manufactured/mobile home. Such permit shall remain in effect for one year and may, upon
27 application, be extended for one-year periods, provided there has been compliance with
28 the requirements of this section;
- 29 E. The manufactured/mobile home must be removed when the need for special care ceases;
30 and
- 31 F. Placement of the manufactured/mobile home is subject to applicable health district
32 standards for water service and sewage disposal.

33 **17.415.--- Storage, hazardous materials.**

- 34 A. In the Rural Commercial (RCO) or Rural Industrial (RI) zone storage, hazardous materials
35 shall be screened from public view by a twenty-five-foot buffer in order to meet rural

¹⁷² 17.410.050 A.108 ‘Footnote 108’.

¹⁷³ 17.410.050 A.79 ‘Footnote 79’.

¹⁷⁴ 17.410.050 A.108 ‘Footnote 108’.

¹⁷⁵ 17.410.050 A.70 ‘Footnote 70’

¹⁷⁶ 17.410.050 A 43 ‘Footnote 43’

1 compatibility. The applicant must ~~also~~ demonstrate how the storage ~~would~~ serves the
2 immediate population.¹⁷⁷

- 3 B. In the Rural Industrial (RI) zone must cold storage facilities are only allowed for agricultural
4 and food uses.¹⁷⁸

5 **17.415.--- Storage, indoor.**

- 6 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
7 located in Section 17.700 Appendix C3).¹⁷⁹

- 8 B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
9 shoreline and State Highways 3 and 16.¹⁸⁰

- 10 C. In any urban residential zone, storage, indoor must be accessory to the predominant
11 residential use of the property, sized consistently for the number of lots/units being served
12 and may serve only the residents of the single-family plat or multifamily project.¹⁸¹

- 13 D. In the Rural Commercial (RCO) or Rural Industrial (RI) zone, storage, indoor must be
14 screened from public view by a twenty-five-foot buffer in order to meet rural compatibility.
15 The applicant must ~~also~~ demonstrate how the storage ~~would~~ serves the immediate
16 population.¹⁸²

- 17 E. In the Rural Industrial (RI) zone cold storage facilities are only allowed for agricultural and
18 food uses.¹⁸³

- 19 F. In the Urban Village Center (UVC) zone:

- 20 1. self-service storage shall require a conditional use permit (C).
21 2. Cold storage facilities and storage of vehicles and equipment shall be prohibited.

- 22 G. One piece of heavy equipment may be stored in any single-family zone; provided, that it is
23 either enclosed within a permitted structure, or screened to the satisfaction of the director.
24 ¹⁸⁴

25 **17.415.--- Storage, outdoor.**

- 26 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
27 located in Section 17.700 Appendix C3).¹⁸⁵

- 28 B. In any urban residential zone, storage, outdoor must be accessory to the predominant
29 residential use of the property, sized consistently for the number of lots/units being served
30 and may serve only the residents of the single-family plat or multifamily project.¹⁸⁶

- 31 C. In the Rural Commercial (RCO) or Rural Industrial (RI) zone, storage, outdoor must be
32 screened from public view by a twenty-five-foot buffer in order to meet rural compatibility.

¹⁷⁷ 17.410.050 A.75 'Footnote 75'

¹⁷⁸ 17.410.050 A.69 'Footnote 69'

¹⁷⁹ 17.410.050 A.61 'Footnote 61'

¹⁸⁰ 17.410.050 A.79 'Footnote 79'.

¹⁸¹ 17.410.050 A.40 'Footnote 40'

¹⁸² 17.410.050 A.75 'Footnote 75'

¹⁸³ 17.410.050 A.69 'Footnote 69'

¹⁸⁴ 17.410.050 A.18 'Footnote 18'

¹⁸⁵ 17.410.050 A.61 'Footnote 61'

¹⁸⁶ 17.410.050 A.40 'Footnote 40'

1 The applicant must ~~also~~ demonstrate how the storage ~~would serve~~s the immediate
2 population.¹⁸⁷

- 3 D. In the Rural Industrial (RI) zone cold storage facilities are only allowed for agricultural and
4 food uses.¹⁸⁸
- 5 E. In the Urban Village Center (UVC) zone, self-service storage shall require a conditional use
6 permit (C).
- 7 F. One piece of heavy equipment may be stored in any single-family zone; provided, that it is
8 either enclosed within a permitted structure, or screened to the satisfaction of the director.
9 ¹⁸⁹

10 **17.415.--- Temporary offices and model homes.**

- 11 A. Temporary offices and model homes must comply with the temporary permit provisions of
12 Chapter 17.105.¹⁹⁰
- 13 B. In the Rural Employment Center (REC) and Twelve Trees Employment Center (TTEC) zones,
14 temporary offices and model homes shall be subject to the following permit review:
 - 15 1. 0 – ~~4,000~~3,999 square feet = P
 - 16 2. ~~4,000~~40 – 10,000 square feet = ACUP
 - 17 3. 10,001 – 15,000 square feet = C
 - 18 4. 15,001 square feet and above = X ¹⁹¹
 - 19 5. In the Rural Historic Town Commercial (RHTC), Rural Historic Town Residential (RHTR),
20 or Rural Historic Town Waterfront (RHTW) zones, notification to the Port
21 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to
22 determination of complete application. Written proof of notification is required.¹⁹²
- 23 C. A model home may be constructed within a subdivision prior to final plat approval ~~by the~~
24 ~~board~~. The purpose of the model homes shall be to demonstrate a variety of housing
25 designs together with associated on-site improvements, e.g., landscaping, improved
26 driveway, patios. Model homes shall be subject to the following requirements:
 - 27 1. The subdivision shall have received preliminary plat approval;
 - 28 2. One model home may be occupied as a temporary real estate office;
 - 29 3. A model home may not be occupied as a dwelling unit or sold until the approved final
30 plat is recorded;
 - 31 4. The number of model home permits that may be issued for any approved preliminary
32 plat or division thereof shall not exceed six;
 - 33 5. If the lots to be used for model home purposes are in a block of two or more contiguous
34 lots, temporary uses may be incorporated onto one or more lots, including temporary
35 offices, parking, parks and playgrounds, subject to the approval of the director, and
36 subject to obtaining a temporary use permit, which shall authorize the temporary uses

¹⁸⁷ 17.410.050 A.75 ‘Footnote 75’
¹⁸⁸ 17.410.050 A.69 ‘Footnote 69’
¹⁸⁹ 17.410.050 A.18 ‘Footnote 18’
¹⁹⁰ 17.410.050 A.27 ‘Footnote 27’
¹⁹¹ 17.410.050 A.76 ‘Footnote 76’.
¹⁹² 17.410.050 A.108 ‘Footnote 108’.

- 1 for a period of one year. The director may extend the temporary use permit for up to
- 2 two additional periods of six months each;
- 3 6. Lots used for model homes must be clear of restrictions or easements that may be
- 4 subject to line changes before recording;
- 5 7. Stormwater management facilities must be in place and/or approved for recording.
- 6 Temporary erosion control must be completed prior to occupancy of a model home;
- 7 8. Roads must be constructed to final alignment and grade such that the building inspector
- 8 can determine if connecting driveways meet county standards prior to occupancy of a
- 9 model home;
- 10 9. Permanent or temporary fire flow for the final plat must be approved by the fire
- 11 marshal, constructed and operational prior to occupancy of a model home; and
- 12 10. Final plat restoration bonds must be posted prior to occupancy of a model home.¹⁹³

13 **17.415.--- Top soil production, stump grinding, firewood cutting, and composting.**

14 In the Rural Residential (RR) or the Rural Protection (RP) zones top soil production, stump

15 grinding, firewood cutting, and composting shall meet the following requirements:

- 16 A. The subject property(ies) must be one hundred thousand square feet or greater in size;
- 17 B. The use must take direct access from a county-maintained right-of-way;
- 18 C. A fifty-foot natural vegetation buffer must be maintained around the perimeter of the
- 19 property(ies) to provide adequate screening of the use from neighboring properties;
- 20 D. The subject property(ies) must be adjacent to an industrial zone or a complementary public
- 21 facility such as a sewage treatment plant or solid waste facility;
- 22 E. The proposed use must mitigate noise, odor, dust and light impacts from the project; and
- 23 F. The use must meet all other requirements of this title.¹⁹⁴

24 **17.415.--- Tourism facilities, including outfitter and guide facilities**

- 25 A. In the Manchester Village Commercial (MVC zone) terminals or facilities for motorized
- 26 equipment are prohibited.¹⁹⁵
- 27 B. In the Rural Residential (RR) or Rural Wooded (RW) zones tourism facilities, including
- 28 outfitter and guide facilities are allowed only within the boundary of a town master plan
- 29 approved pursuant to Section 17.360C.030 and subject to the following conditions:
- 30 1. The use shall be located on parcels of five acres or larger with all uses set back one
- 31 hundred feet from all parcels not included within the boundary.¹⁹⁶
- 32 2. ~~All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP,~~
- 33 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones from a side or rear lot~~
- 34 ~~line.~~ All such uses shall access directly to a county right-of-way determined to be
- 35 adequate by the county engineer except when included within the boundary of a town
- 36 master plan approved pursuant to Section 17.360C.030 and be able to provide access
- 37 without causing traffic congestion on local residential streets. Any such use shall not be
- 38 materially detrimental to any adjacent (existing or future) residential development due

¹⁹³ 17.410.060 B.7 'Special provisions - footnote 7'

¹⁹⁴ 17.410.050 A.22 'Footnote 22'

¹⁹⁵ 17.410.050 A.93 'Footnote 93'

¹⁹⁶ 17.410.050 A.104 'Footnote 104'.

1 to excessive traffic generation, noise, light or other circumstances. The director may
2 increase setback, buffer and landscaping standards or impose other conditions to
3 address potential impacts.¹⁹⁷

4 C. In the Rural Historic Town Commercial (RHTC) zone, notification to the Port
5 Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination
6 of complete application. Written proof of notification is required.¹⁹⁸

7 D. In the Rural Employment Center (REC) zone, tourism facilities, including outfitter and guide
8 facilities shall be subject to the following permit review:

- 9 1. 0 – ~~4,000~~3,999 square feet = P
- 10 2. 4,00~~10~~ – 10,000 square feet = ACUP
- 11 3. 10,001 – 15,000 square feet = C
- 12 4. 15,001 square feet and above = X ¹⁹⁹

13 **17.415.--- Tourism facilities, including seaplane and tour boat terminals**

14 Reserved.

15 **17.415.--- Transitory accommodations**

16 Transitory accommodations shall comply with Chapter 17.505.²⁰⁰

17 **17.415.--- Transportation terminals, non-marine**

18 In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Residential (RHTR) zones,
19 public commuter park and ride lots shall be allowed and require a Conditional Use Permit (C).

20 **17.415.--- Transportation terminals, marine**

21 In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Residential (RHTR) zones,
22 public ferry terminals shall be allowed and require a Conditional Use Permit (C).

23 **17.415.--- Transshipment facilities, including docks, wharves, marine rails, cranes, and barge
24 facilities**

25 Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
26 located in Section 17.700 Appendix C3).²⁰¹

27 **17.415.--- Vacation Rentals.**

28 Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet
29 shoreline and State Highways 3 and 16.²⁰²

30 **17.415.--- Veterinary clinics/animal hospitals/wildlife shelter**

31 A. In the Rural Residential (RR), or Rural Wooded (RW) zones, veterinary clinics/animal
32 hospitals/wildlife shelters are allowed:

- 33 1. only within the boundary of a town master plan approved pursuant to Section
34 17.360C.030.²⁰³

¹⁹⁷ 17.410.050 A.12 ‘Footnote 12’.

¹⁹⁸ 17.410.050 A.108 ‘Footnote 108’.

¹⁹⁹ 17.410.050 A.76 ‘Footnote 76’.

²⁰⁰ 17.410.050 A.101 ‘Footnote 101’

²⁰¹ 17.410.050 A.61 ‘Footnote 61’

²⁰² 17.410.050 A.79 ‘Footnote 79’.

²⁰³ 17.410.050 A.103 ‘Footnote 103’

- 1 2. All buildings and activities shall be set back a minimum of fifty feet ~~in FRL, MRO, RW, RP,~~
2 ~~RR, RCO, RI or parks zones and thirty five feet in all other zones~~ from a side or rear lot
3 line unless otherwise modified by this section. All such uses shall access directly to a
4 county right-of-way determined to be adequate by the county engineer except when
5 included within the boundary of a town master plan approved pursuant to Section
6 17.360C.030 and be able to provide access without causing traffic congestion on local
7 residential streets. Any such use shall not be materially detrimental to any adjacent
8 (existing or future) residential development due to excessive traffic generation, noise,
9 light or other circumstances. The director may increase setback, buffer and landscaping
10 standards or impose other conditions to address potential impacts.²⁰⁴
- 11 B. In the Rural Protection (RP), Rural Residential (RR), or Rural Wooded (RW) zones, a
12 veterinary clinic, animal hospital or wildlife shelter shall not be located within fifty feet of a
13 lot line except within the boundary of a town master plan approved pursuant to Section
14 17.360C.030. In addition, the applicant may be required to provide additional measures to
15 prevent or mitigate offensive noise, odor, light and other impacts.²⁰⁵
- 16 C. In the Urban High Residential (UH) zone, veterinary clinics and animal hospitals are allowed,
17 provided a major part of the site fronts on a street and the director finds that the proposed
18 use will not interfere with reasonable use of residences by reason of too close proximity to
19 such residential uses, or by reason of a proposed exterior too different from other
20 structures and character of the neighborhood. All activities shall be conducted inside an
21 enclosed building.²⁰⁶

22 **17.415.--- Warehousing and distribution**

- 23 A. In the Rural Industrial (RI) zone, warehousing and distribution ~~should~~ shall be focused on
24 agricultural, food, or forestry uses only.²⁰⁷
- 25 B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
26 located in Section 17.700 Appendix C3).²⁰⁸

27 **17.415.--- Wireless communications facilities**

28 Wireless communication facilities shall comply with Chapter 17.510.

29 **17.415.--- Wrecking yards and junk yards**

30 **17.415.--- Zoo, aquarium**

- 31 A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards
32 located in Section 17.700 Appendix C3).²⁰⁹
- 33 B. In the Rural Commercial (RCO) zone an aquarium is prohibited.²¹⁰
- 34 C. In the Rural Historic Town Commercial (RHTC) or Rural Historic Town Waterfront (RHTW)
35 zones, an aquarium is permitted and requires notification to the Port Gamble/S'Klallam and

²⁰⁴ 17.410.050 A.12 'Footnote 12'.

²⁰⁵ 17.410.050 A.8 'Footnote 8'.

²⁰⁶ 17.410.050 A.9 'Footnote 9'.

²⁰⁷ 17.410.050 A.68 'Footnote 68'.

²⁰⁸ 17.410.050 A.61 'Footnote 61'

²⁰⁹ 17.410.050 A.61 'Footnote 61'

²¹⁰ 17.410.050 A.67 'Footnote 67'.

1 Suquamish Tribes is required by the applicant prior to determination of complete
2 application. Written proof of notification is required.²¹¹

3 **Chapter 17.470.020 ‘Applicability – How to use design criteria’, as follows:**

4 **17.470.020 Applicability – How to use the design criteria.**

5 A. Applicability.

6 1. The “requirements sections” in the following design criteria apply to each multifamily
7 project ~~requiring conditional use review under Chapter 17.540 or 17.550.~~

8 2. In addition to the requirements set forth in this chapter, the “requirements sections” set
9 forth in Sections 17.480.160 and 17.480.180 to 17.480.240 shall apply to each
10 multifamily project ~~requiring review under subsection (A) of this section.~~

11 B. How to Use the Design Criteria. The “requirements sections” state the design criteria that
12 each project shall meet. ~~These design criteria are intended to supplement the development~~
13 ~~standards of the UCR, UM and UH zones. Where the provisions of this chapter conflict with~~
14 ~~the provisions of Chapters 17.210 (UCR), 17.220 (UM), and 17.230 (UH),~~ The provisions of
15 the zoning district shall apply if in conflict with this chapter. The “guidelines” which follow
16 each requirement statement are suggested ways to achieve the design intent. Each
17 guideline is meant to indicate the preferred conditions, but other equal or better design
18 solutions will be considered acceptable by the director or hearing examiner, so long as
19 these solutions meet the intent of these sections. They are to be applied with an attitude of
20 flexibility, recognizing that each development site and project will have particular
21 characteristics that may suggest that some guidelines be emphasized and others de-
22 emphasized. However, while alternative solutions can be proposed, none of the criteria in
23 the requirement statements can be disregarded.

24 **Chapter 17.470.020 ‘Multifamily site design – Orientation ~~(UCR, UM, and UH zones)~~’ as**
25 **follows:**

26 **17.470.030 Multifamily site design – Orientation ~~(UCR, UM and UH zones)~~.**

27 A. Requirement. Design multifamily projects to be oriented to public streets or common open
28 spaces and to provide pedestrian and vehicular connections to existing neighborhoods.

29 B. Guidelines. Possible ways to achieve neighborhood connections include:

30 1. Use a modified street grid system where most buildings in a project front on a street.
31 Where no public streets exist, create a modified grid street system within the project.

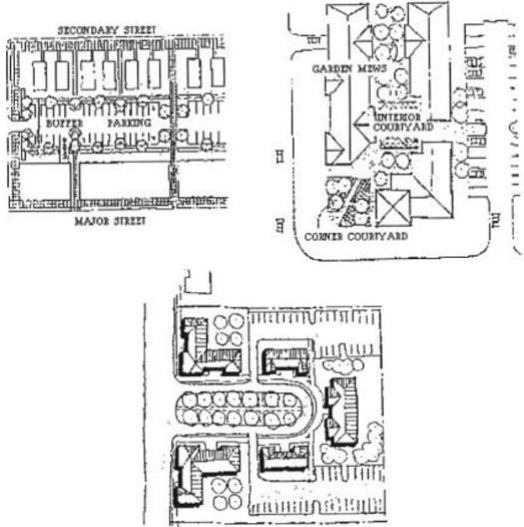
32 2. Locate parking areas behind or under building and access such parking from alley-type
33 driveways. If driveway access from streets is necessary, minimum width driveway
34 providing adequate firefighting access should be used.

35 3. Provide each building with direct pedestrian access from the main street fronting the
36 building and from the back where the parking is located.

37 4. Another alternative may be to orient the buildings into U-shaped courtyards where the
38 front door/main entry into the building is from a front courtyard. Access to the
39 courtyard from the rear parking area should be through a well-lighted breezeway or

²¹¹ 17.410.050 A.108 ‘Footnote 108’.

1 stairway. This alternative will work where projects abut an arterial or major collector
 2 street where the quality of living could be enhanced with building facing into the
 3 courtyard. The buildings would still be located between the street and parking lot.
 4 5. The following illustrations depict site-planning techniques that orient multifamily
 5 projects to streets, adding value and identity to the complex, by siting parking behind
 6 the buildings:



7
 8 Examples of preferred site planning that orients multifamily projects to streets, adding
 9 value and identity to the complex, by siting parking behind the buildings.

10 **Repeal Chapter 17.520 Marijuana Regulations**

