

Ordinance No. 415-2008

**ORDINANCE AMENDING PORTIONS OF KITSAP COUNTY CODE TITLE 17
(ZONING) RELATING TO PHASE II CODE DEVELOPMENT**

BE IT ORDAINED:

Section 1. General Findings. The Kitsap County Board of Commissioners makes the following findings:

1. On May 7, 1998, the Board of County Commissioners (Board) adopted the 1998 Kitsap County Comprehensive Plan. Adoption of the 1998 plan satisfied the requirements set forth in the Growth Management Act (GMA). The Comprehensive Plan has been subsequently amended during the period of 2000 through 2007.
2. The Kitsap County Code Chapter 21.08 provides guidance on the process and procedures for amending Kitsap County's development code.
3. In 2006, through the ten year update to its comprehensive plan and development regulations, Kitsap County made substantial revisions to its development code (Phase I revisions).
4. On January 9 and 23, 2007, February 13, 2007, March 27, 2007, April 24, 2007, June 12 and 28, 2007, July 10 and 24, 2007, the Kitsap County Planning Commission (Planning Commission) held work-study sessions to discuss the schedule, scope and issues pertaining to further amendments to Kitsap County's development code (Phase II revisions).
5. Over the course of 2006-2008, an ad-hoc stakeholders group, made up of developers, community advisory council members, land use attorneys and citizens met to discuss proposed revisions to and provide comment on various titles to Kitsap County's development code.
6. On August 15, 2007, Kitsap County released a First Draft for the Phase II Code Development process. The First Draft contained proposed amendments to Titles 16 (Subdivision), 17 (Zoning), and 18 (SEPA-Environment) of the Kitsap County Code (KCC). This draft was distributed to the Board, Planning Commission, stakeholders and county departments, as well as posted on the County's project web page. The intent of the First Draft was to solicit preliminary comments and discussion. The deadline for preliminary comments was December 1, 2007.
7. On May 16, 2008, Kitsap County released Second Draft amendments for the Phase II Code Development process. Amendments included revisions to Title 17 (Zoning) and 18 (SEPA-Environment). These documents were posted on the project web page and distributed to the Board, Planning Commission, stakeholders, local tribes and agencies.
8. On May 17, 2008, Kitsap County issued a Determination of Non-Significance (DNS) and adoption of existing environmental documents in the legal publication of record in regards to the Phase II Code Development amendments. The comment and appeal period closed on June 2, 2008. No comments or appeals were submitted.

9. On May 17, 2008, Kitsap County issued the Notice of Application and Notice of Planning Commission Public Hearing in the legal publication of record in regards to the Phase II Code Development amendments. A 60-day public and agency comment period was also established and ends July 17, 2008.
10. On May 17, 2008, Kitsap County submitted a 60-day notice of intent to adopt to the Washington State Department of Community, Trade and Economic Development (CTED). A letter of acknowledgment of receipt was received on May 19, 2008.
11. On May 27, 2008, following timely and effective public notice, the Planning Commission held a work-study session to review and discuss components of the Second Draft amendments for the Phase II Code Development process.
12. On June 3, 2008, Kitsap County Special Projects issued a staff report on the proposed amendments consistent with the schedule identified in Kitsap County Code Title 21, Type IV Legislative Procedures.
13. On June 10, 2007, the Kitsap County Special Projects presented an Errata Matrix for the Second Draft amendments and posted on its project web page.
14. On June 10, 2008, following timely and effective public notice, the Planning Commission held a public hearing to consider testimony on the Second Draft Phase II Code Development amendments. The Planning Commission closed its written record on June 17, 2008.
15. On June 24, 2008, the Planning Commission, following timely and effective notice, deliberated on the Second Draft amendments contained in Titles 17 (Zoning) and 18 (SEPA-Environment).
16. On July 8, 2008, the Planning Commission, following timely and effective notice, approved their Findings of Fact and recommendation on the Second Draft amendments.
17. On July 14, 2008, the Board, following timely and effective notice, held a public hearing to consider testimony on the Second Draft amendments contained in Titles 17 (Zoning) and 18 (SEPA-Environment) and Planning Commission recommendations.
18. On August 4, 2008, September 29, 2008 and September 30, 2008, the Board, following timely and effective notice, deliberated on the Second Draft amendments contained in Titles 17 (Zoning) and 18 (SEPA-Environment) and the Planning Commission recommendations.
19. The opportunities provided for citizen participation used in the preparation of the Phase II Code Development amendments are consistent with the requirements of the GMA and the State Environmental Policy Act.
20. The Board has considered the following criteria consistent with Kitsap County Code Sections 21.08.160 and 21.08.170, and makes the following findings:
 - a) Circumstances in Kitsap County have substantially changed since the adoption of the 1998 Comprehensive Plan and/or subsequent amendments;

- b) New information is available that was not considered in the adoption of the 1998 Comprehensive Plan and/or subsequent amendments;
- c) The proposed amendments are consistent with or support other plan elements and/or development regulations;
- d) The proposed amendments reflect the goals, objectives and policies of the Comprehensive Plan;
- e) The proposed amendments are consistent with the Countywide Planning Policies; and
- f) The proposed amendments are compliant with the requirements of the Growth Management Act.

Section 2. Kitsap County Code Table of Contents for Title 17 is amended as follows:

**Title 17
ZONING**

Chapters:

- 17.100 General Provisions.
- 17.110 Definitions.
- 17.200 Establishment of Zones and Maps.
- 17.300 Forest Resource Lands (FRL).
- 17.301 Rural Wooded (RW)
- 17.305 Rural Protection Zone (RP).
- 17.310 Rural Residential Zone (RR).
- 17.315 Urban Reserve Zone (URS).
- 17.321 Limited Areas of More Intensive Rural Development (LAMIRD).
 - 17.321A Suquamish Rural Village.
 - 17.321B Port Gamble Rural Historic Town.
 - 17.321C Manchester Rural Village.
- 17.325 Urban Restricted Zone (UR).
- 17.330 Urban Low Residential Zone (UL).
- 17.335 Urban Cluster Residential Zone (UCR).
- 17.340 Urban Medium Residential Zone (UM).
- 17.350 Urban High Residential Zones (UH).
- 17.351 Multi-Family Development - Design Criteria.
- 17.352 Mixed Use Zone (MU).
- 17.353 Urban Center Zones.
- 17.354 Urban Center Zones - Design Criteria.
- 17.355 Commercial Zones.
- 17.360 Business Park Zone (BP).
- 17.365 Business Center Zone (BC).
- 17.370 Industrial Zone (IND).
- 17.375 Airport Zone (A).
- 17.377 Parks Zone (P).
- 17.380 Mineral Resource Overlay (MR).
- 17.381 Allowed Uses.
- 17.382 Density, Dimensions and Design.
- 17.385 Landscaping.

17.400	Land Use Review.
<u>17.405</u>	<u>Pre-Application Review.</u>
17.415	Master Planning.
17.420	Conditional Use Permit– Administrative (ACUP)
17.421	Conditional Use Permit – Hearing Examiner (C).
17.425	Performance Based Development (PBD).
17.428	Master Planning Requirements for the South Kitsap UGA <u>ULID #6/McCormick Woods Sub-Area.</u>
17.430	Transfer of Development Rights (TDR).
17.435	Off-Street Parking and Loading Special.
17.445	Signs.
17.450	View Blockage Requirements.
17.455	Interpretations and Exceptions.
17.460	Nonconforming Uses and Structures.
17.470	Wireless Communication Facilities.
17.500	Variances.
17.510	Changes to Zones, Rezones, Amendments, Alterations.
<u>17.520</u>	<u>Appeals.</u>
17.525	Revocation of Permits or Variances.
17.530	Enforcement.
17.640	(Repealed).

Section 3. Kitsap County Code section 17.100.010, adopted by Ordinance 216-1998, is amended as follows:

17.100.010 Title.

The ordinance codified in this Title may be cited as either the “Kitsap County Zoning Ordinance” or “Title 17, Kitsap County Code.”*

Section 4. Kitsap County Code section 17.100.020, adopted by Ordinance 216-1998, is amended as follows:

17.100.020 Purpose and scope.

The text and zoning maps constitute the Zoning Ordinance. The Zoning Ordinance classifies, designates, and regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial, and public land uses for the unincorporated area of Kitsap County. Further, it is the purpose of ~~the ordinance this Title codified in this title~~ to provide for predictable, judicious, efficient, timely, and reasonable administration respecting due process set forth in this title and other applicable laws; and to protect and promote the public health, safety and general welfare.

In fulfilling these purposes, this Title is intended to benefit the public as a whole and not any specific person or class of persons. Although through the implementation, administration and enforcement of this Title, benefits and detriments will be enjoyed or suffered by specific individuals, such is merely a byproduct of the overall benefit to the whole community. Therefore, unintentional breaches of the obligations of administration and enforcement imposed upon the county hereby shall not be enforceable in tort.

Applicants Applications for permits and approvals are subject to the provisions of this title and all other ordinances and laws, ~~which~~ Such ordinances and laws include, but are not limited to the following:

- A. KCC Title 6 (Business Licenses and Regulations)
- B. KCC Title 9 (Health, Safety & Sanitation);
- C. KCC Title 11 (Roads, Highways & Bridges)
- D. KCC Title 12 (Stormwater Drainage);
- E. KCC Title 13 (Water & Sewer);
- F. KCC Title 14 (Buildings & Construction);
- G. KCC Title 15 (Flood Hazard Areas)
- H. KCC Title 16 (Land Division & Development);
- I. KCC Title 18 (Environment & SEPA);
- J. KCC Title 19 (Critical Areas);
- K. KCC Title 20 (Transportation & Concurrency);
- L. KCC Title 21 (Land Use Procedures);
- M. KCC Title 22 (Shoreline Management Master Program);
- N. RCW 36.70A Growth Management Act & 36.70B Local Project Review;
- O. Kitsap Countywide Planning Policies;
- P. Kitsap County Comprehensive Plan and Sub-Area Plans;
- Q. Kitsap County Buildable Lands Report;
- R. Kitsap County Greenways, Bicycle & Mosquito Fleet Trail Plan;
- S. Kitsap County Parks, Recreation & Open Space Plan;
- T. Kitsap County Comprehensive Solid Waste Plan;
- U. RCW 43.21 State Environmental Policy Act; and
- V. RCW 58.17 Plats-Subdivisions-Dedications.

- ~~A. The Kitsap County Building Code, Chapter 14.04 of this code, adopted pursuant to the authority of RCW 19.27, 43.22, and portions of RCW 36.70A, 84.56, and 70.77. The Kitsap County Building Code regulates construction, alteration, demolition, abatement of hazards, use and occupancies of building and structures; and essential elements of buildings or systems serving buildings such as plumbing, heating and air conditioning, fire alarm, and suppression; and site development such as grading of a site; and location of a building on the site;~~
- ~~B. Chapters 16.04 through 16.44 of this code and Chapter 58.17 RCW, which concern subdivisions;~~
- ~~C. Chapter 16.48 of this code, which concerns short-plats;~~
- ~~D. Chapter 6.16 of this code, which concerns mobile home parks;~~
- ~~E. Chapter 43.21C RCW, the State Environmental Policy Act;~~
- ~~F. Chapter 90.58 RCW, the Shoreline Management Act, and the Kitsap County Shoreline Management Master Program, Title 22 of this code;~~
- ~~G. Bremerton-Kitsap County health district ordinances and regulations regarding sewage disposal and other health matters;~~
- ~~H. Chapter 10.28 of this code, which concerns noise;~~
- ~~I. Chapter 17.450 of this title, which concerns view blockage requirements;~~
- ~~J. Title 19 of this code, the Kitsap County Critical Areas Ordinance;~~
- ~~K. Chapter 47.42 RCW, the Highway Advertising Control Act — Scenic Vistas Act;~~
- ~~L. RCW 18.27.100, Contractor's License;~~
- ~~M. RCW 36.70A and RCW 36.70B, the Growth Management Act;~~
- ~~N. Chapter 20.08 of this code and RCW 70.94.521 — 551, Commute Trip Reduction;~~
- ~~O. Kitsap County Code, as amended;~~

- ~~P. Chapter 16.56 of this code, regarding binding site plans;~~
- ~~Q. Chapters 9.16 and 9.48 of this code, concerning the regulation of solid waste;~~
- ~~R. Sections 10.24.080 – 10.24.100 of this code, regarding no-shooting areas;~~
- ~~S. Title 12 of this code, regarding standards relating to storm water management as adopted;~~
- ~~T. Ordinance No. 215-1998, the Comprehensive Plan;~~
- ~~U. Chapter 20.04 of this code, the Transportation Facilities Concurrency Ordinance; and~~
- ~~V. Title 21 of this code, the Land Use and Development Procedures Ordinance.~~

Section 5. Kitsap County Code section 17.100.030, adopted by Ordinance 216-1998, is amended as follows:

17.100.030 Compliance.

No building or other structure shall be constructed, improved, altered, enlarged, or moved; nor shall any use or occupancy of premises within the county be commenced or changed; nor shall any condition of or upon real property be caused or maintained, after the effective date of this title, except in conformity with conditions prescribed for each of the several zones established hereunder. It shall be unlawful for any person, firm, or corporation to erect, construct, establish, move into, alter, enlarge, use or cause to be used, any buildings, structures, improvements, or use of premises contrary to the provisions of this Ttitle, provided, however, conditions of approval as referred to in the changes to zones, amendments and alterations section, and the existing uses referred to in the interpretations and exceptions section, shall be allowed to continue in the manner and extent provided for therein. Where this Ttitle imposes greater restrictions than those imposed or required by other rules, regulations, or ordinances, the provisions of this Ttitle shall control.

Section 6. Kitsap County Code section 17.100.040, adopted by Ordinance 216-1998, is amended as follows:

17.100.040 Allowed uses. ~~Permitted uses.~~

When a use is not specifically listed in this Ttitle, it shall be understood that the use may be allowed permitted if it is determined by the director that the use is similar to other uses listed. It is further recognized that every conceivable use cannot be identified. In anticipation that new uses will evolve over time, this section establishes the director's authority to compare a proposed use and measure it against those listed in this title for determining similarity. In determining "similarity", as well as when considering all other uses, the director shall make all of the following findings:

- A. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the Kitsap County Comprehensive Plan;
- B. The proposed use shall meet the stated purpose and general intent of the Comprehensive Plan Land Use designation and zoning classification zone in which the use is proposed to be located;
- C. The proposed use shall not adversely impact the public health, safety and general welfare of the residents of the county; and
- D. The proposed use shall share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the land use zone in which it is to be located.

If determined similar, the unspecified use shall meet all of the Code requirements and follow the approval process prescribed for the listed use.

Section 7. Kitsap County Code section 17.100.050, adopted by Ordinance 216-1998, is amended as follows:

17.100.050 Conflict with other regulations.

Where conflicts occur between the provisions of this Title and other applicable code provisions ~~the building and fire codes~~, or other regulations from other jurisdictions with authority, the more restrictive shall apply.

Section 8. Kitsap County Code section 17.100.060, adopted by Ordinance 216-1998, is amended as follows:

17.100.060 Relationship to procedures ordinance.

To the extent that there is a conflict regarding the requirements of this Title ~~e-Zoning Ordinance and Title 21 (Land Use Procedures)~~, Title 21 shall control, and ~~the Kitsap County Procedures Ordinance (Title 21 of this code)~~, ~~the Procedures Ordinance shall apply~~.

Section 9. Kitsap County Code section 17.100.070, adopted by Ordinance 216-1998, is amended as follows:

17.100.070 Interpretation.

This Title shall be liberally interpreted and construed to secure the public health, safety, and welfare and the rule of strict construction shall have no application.

Section 10. Kitsap County Code section 17.100.080, adopted by Ordinance 216-1998, is amended as follows:

17.100.080 Severability.

If any section, subsection, clause or phrase of this Title or amendment thereto, or its application to any person or circumstance, is held by a court of competent jurisdiction to be invalid, the remainder or application to other persons or circumstances shall not be affected.

Section 11. Kitsap County Code Section 17.110.005, last amended by Ordinance 367-2006, is amended as follows:

17.110.005 Generally.

Except as provided in Section 17.450.010, for the purpose of this Title, certain terms, phrases, words and their derivatives shall be construed as specified in this section and elsewhere in this title where specific definitions are provided. Terms, phrases and words used in the singular include the plural and the plural the singular. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. The word "shall" is mandatory. The word "may" is discretionary. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context with which they are used. ~~Webster's Third New International Dictionary of the English Language, unabridged, 1993 edition, The most current version of the English Webster's Dictionary shall be considered as providing ordinary accepted meanings.~~

Section 12. Kitsap County Code section 17.110.015, last amended by Ordinance 367-2006, is amended as follows:

17.110.015 Access.

"Access" means the place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use, as required by this Title.

Section 13. Kitsap County Code section 17.110.045, last amended by Ordinance 367-2006, is amended as follows:

17.110.045 Adult family home.

"Adult family home" means a dwelling licensed pursuant to RCW 70.128 in which a person or persons provide personal care, special care, and room and board, ~~to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.~~

Section 14. Kitsap County Code section 17.110.055, last amended by Ordinance 367-2006, is amended as follows:

17.110.055 Alley.

"Alley" means a private or public right-of-way having a typical width of at least ten (10) feet, but generally no more than twenty (20) feet, which affords only secondary means of access to abutting properties. a public right-of-way not over thirty feet wide which generally affords a secondary means of access to abutting lots. ~~Alleys are not intended for general traffic circulation. general public use.~~

Section 15. Kitsap County Code section 17.110.075, adopted by Ordinance 367-2006, is amended as follows:

17.110.075 Amusement center.

“Amusement center” means a commercially operated facility having one or more forms of entertainment such as a bowling alley, indoor golf driving range, merry-go-round, roller coaster, batting cages, electronic and/or video games, or miniature golf course.

Section 16. Kitsap County Code section 17.110.100, is adopted as follows:

17.110.100 Awning.

“Awning” or canopy means a temporary or movable shelter (awning), or a fixed rigid shelter (canopy) supported entirely by the exterior wall of the building and generally extending over a pedestrian walkway. When used in conjunction with signs only that portion of the awning or canopy that is actually used as a sign shall be included in sign area calculations. Lighting of the awning or canopy, whether directly, indirectly, or by back-lighting, shall have no effect on the sign requirements, unless lighted signs are specifically prohibited in that area or zone.

Section 17. Kitsap County Code section 17.110.103, last amended by Ordinance 367-2006, is deleted as follows:

17.110.103 — Barrier buffer.

~~“Barrier buffer” means a landscape buffer intended to provide screening between different uses and shall consist of:~~

~~A. Two offset rows of evergreen trees planted ten feet on center and ground cover; or~~

~~B. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.~~

Section 18. Kitsap County Code section 17.110.105, last amended by Ordinance 367-2006, is amended as follows:

17.110.105 Bed and breakfast house.

“Bed and breakfast house” means a dwelling or separate structure which is used by the owner or primary resident to provide overnight guest lodging for compensation including not more than ten guest rooms and which usually provides a morning meal as part of the room rate structure.

Section 19. Kitsap County Code section 17.110.110, last amended by Ordinance 367-2006, is amended as follows:

17.110.110 Board.

“Board” means the Kitsap County board of county commissioners or their assigns.

Section 20. Kitsap County Code section 17.110.130, last amended by Ordinance 367-2006, is amended as follows:

17.110.130 Buffer, buffering.

“Buffer” or “buffering” means space, either landscaped or in a natural state intended and dedicated by easement or condition of approval to separate uses that may or may not conflict with each other and to reduce visual, noise, odors and other impacts.

Section 21. Kitsap County Code section 17.110.132, is adopted as follows:

17.110.132 Buffer, landscaping.

"Buffer, landscaping" means a buffer treatment within or along the perimeter of a development which varies in numbers and types of vegetation and/or fencing depending on land uses. Trees, shrubs, ground covers and/or fencing are to be provided as prescribed by Chapter 17.385.

Section 22. Kitsap County Code section 17.110.133, is adopted as follows:

17.110.133 Buffer, screening.

"Buffer, screening" means a buffer of evergreen vegetation and/or site-obscuring fencing intended to provide functional screening between different uses, land use intensities and/or zones installed or maintained as prescribed by Chapter 17.385.

Section 23. Kitsap County Code section 17.110.171, is adopted as follows:

17.110.171 Comprehensive plan.

"Comprehensive plan" means the principals, objectives, and policies to guide growth and development, as required under RCW 36.70A. The Kitsap County Comprehensive Plan coordinates, provides policy direction for county programs and services, and establishes urban/rural boundaries.

Section 24. Kitsap County Code section 17.110.196, last amended by Ordinance 367-2006 is amended as follows:

17.110.196 Cottage housing development.

"Cottage housing development" means a tract of land under single ownership or unified control developed with four or more ~~Four or more small~~, detached dwelling units sharing a commonly owned courtyard/common area and parking area. Cottage housing development may or may not be condominiums.

Section 25. Kitsap County Code section 17.110.197, is adopted as follows:

17.110.197 County engineer

"County engineer" means the Director of the Department of Public Works or a duly authorized designee as defined in RCW 36.75.010.

Section 26. Kitsap County Code section 17.110.197, last amended by Ordinance 367-2006 is amended as follows:

17.110.199~~197~~ Custom art and craft stores.

"Custom art and craft stores" shall mean a business in which finished, personal or household items are produced and/or sold. Examples include, but are not limited to: pottery and candle making; leather work; jewelry making; creation of sculpture or other artwork.

Section 27. Kitsap County Code section 17.110.200, last amended by Ordinance 367-2006 is amended as follows:

17.110.200 Day-care center.

"Day-care center" means a primary dwelling in which more than ~~seven~~ twelve individuals or a building other than a primary dwelling in which any number of individuals are cared for during some portion of a twenty-four-hour period.

Section 28. Kitsap County Code section 17.110.205, last amended by Ordinance 367-2006 is amended as follows:

17.110.205 Day-care center, family.

"Day-care center, family" means an owner- or manager-occupied primary dwelling and premise in and on which not more than ~~six~~ twelve individuals are cared for during some portion of a twenty-four-hour period.

Section 29. Kitsap County Code section 17.110.212 is adopted as follows:

17.110.212. Density, maximum.

"Density, maximum" means the largest number of dwelling units that shall be developed on a property(s) within a specific zone based upon the gross acreage of the property(s). In circumstances involving state or federal bald eagle habitat regulations, the calculation of maximum density may be affected.

Section 30. Kitsap County Code section 17.110.213 is adopted as follows:

17.110.213 Density, minimum.

"Density, minimum", unless otherwise specified by Section 17.382.110, means the fewest number of dwelling units that shall be developed on a property(s) within a specific zone based upon the net developable acreage of the property(s).

Section 31. Kitsap County Code section 17.110.220, last amended by Ordinance 367-2006 is amended as follows:

17.110.220 Development.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations and other land disturbing activities.

Section 32. Kitsap County Code section 17.110.226, last amended by Ordinance 367-2006 is amended as follows:

17.110.226 Drinking establishments.

"Drinking establishments" ~~shall~~ means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including night clubs, bars, and taverns. It shall not mean premises primarily engaged in the retail sale of food for consumption on the premises, where the sale of alcoholic beverages is clearly accessory and incidental (e.g., comprises less than twenty percent of the gross receipts). This definition excludes brew pubs.

Section 33. Kitsap County Code section 17.110.230, last amended by Ordinance 367-2006 is amended as follows:

~~17.110.230 Drive-in restaurants.~~

~~“Drive-in restaurants” means those restaurants with facilities that provide for the purchase of take-out foods and beverages without leaving a vehicle.~~

Section 34. Kitsap County Code section 17.110.290, last amended by Ordinance 367-2006 is amended as follows:

17.110.290 Frontage.

“Frontage” means the actual length of the front property line abutting a street or alley (if no street frontage), or length of the property line of a flag lot that most closely parallels the street in which it receives access. ~~that portion of a parcel of property which abuts a dedicated public street as defined in Section 17.110.690.~~

Section 35. Kitsap County Code section 17.110.301, last amended by Ordinance 367-2006 is amended as follows:

17.110.301 General merchandise stores.

“General merchandise stores” shall mean stores that sell a wide variety of grocery and non-grocery items, including, but not limited to: fresh foods; packaged foods for preparation and consumption in the home; household supplies; consumer electronics; hardware; apparel; and sporting goods.

Section 36. Kitsap County Code section 17.110.315, last amended by Ordinance 367-2006 is amended as follows:

17.110.315 Gross floor area.

“Gross floor area” means the sum of horizontal areas of floors of a building when measured from the exterior faces of exterior walls or, if appropriate, from the center line of dividing walls. Gross floor area generally excludes vent shafts, covered walkways, porches, and similar areas. ~~However, provided, gross floor area shall include decks, or porches when covered by a roof or portion of the floor above.~~

Section 37. Kitsap County Code section 17.110.317, adopted by Ordinance 367-2006 is amended as follows:

17.110.317 Guest house.

“Guest house” means living quarters in an accessory building for the use of the occupant, ~~or~~ persons employed on the premises, or for temporary use by guests of the occupant. Such quarters have no kitchen facilities and are not otherwise used as a separate dwelling unit.

Section 38. Kitsap County Code section 17.110.319, is adopted as follows:

17.110.319 Habitable area.

“Habitable area” means the entire area of a dwelling unit or living quarters used for living, sleeping, eating and/or cooking. Storage areas and garages are excluded from calculations of habitable area.

Section 39. Kitsap County Code section 17.110.340, last amended by Ordinance 367-2006 is deleted as follows:

17.110.340 — High turnover restaurants.

"High turnover restaurants" means retail establishments providing food or beverages for sale, and which are distinguished by one or more of the following:

- A. ~~(a) Food containers and utensils are disposable~~
- B. ~~(b) Restaurants are self-service; or~~
- C. ~~(c) Take-out foods and beverages are advertised as the principal business; or~~
- D. ~~The purchase of take-out foods and beverages without leaving a vehicle.~~

Section 40. Kitsap County Code section 17.110.345, last amended by Ordinance 367-2006 is amended as follows:

17.110.345 Home business.

"Home business" means a commercial or industrial use (excluding retail) conducted within a dwelling, which use is clearly secondary to the use of the dwelling for residential purposes.

Section 41. Kitsap County Code section 17.110.366 is adopted as follows:

17.110.366 Immediate vicinity.

"Immediate vicinity" means an area to include all lots, parcels, tracts, roadways or other property(s) within a 400-foot radius of a subject property.

Section 42. Kitsap County Code section 17.110.368 is adopted as follows:

17.110.368 Infill development.

"Infill development" means the construction of housing or other uses on vacant or underutilized properties bordered on a minimum of two sides by existing development which is consistent with the current density and zoning of the area.

Section 43. Kitsap County Code section 17.110.396 is adopted as follows:

17.110.396 Loading space.

"Loading space" means a space for temporary parking of a vehicle while loading and unloading cargo or passengers.

Section 44. Kitsap County Code section 17.110.400, last amended by Ordinance 367-2006 is amended as follows:

17.110.400 Lot.

"Lot" means platted or unplatted parcel of land which meets ~~has~~ the minimum area, setbacks, and widths ~~and open space~~ required by this title for occupancy by a principal use and meets the access requirements of this title.

Section 45. Kitsap County Code section 17.110.405, last amended by Ordinance 367-2006 is amended as follows:

17.110.405 Lot area.

"Lot area" means the horizontal area within the boundary lines of a lot excluding public and private streets, tidelands, shorelands and the panhandle of a flag lot if the panhandle is less than thirty feet in width. Areas consisting of only these exceptions are not considered lots. "Lot area" ~~means the computed area contained within the lot lines; said area to be exclusive of~~

~~public or private street or alley rights-of-way, tidelands, storm water detention-retention facilities, and the panhandle of a flag lot if the panhandle is less than thirty feet in width, except, lots in rural designations may compute to the centerline of public or private street or alley rights-of-way.~~ Further, rural lots shall be considered five acres if the lot is 1/128 of a section, ten acres if the lot is 1/64 of a section, and twenty acres if the lot is 1/32 of a section.

Section 46. Kitsap County Code section 17.110.412 is adopted as follows:

17.110.412 Lot, interior.

“Lot, interior” or “interior lot” means a lot or parcel of land other than a corner lot which does not abut a public street.

Section 47. Kitsap County Code section 17.110.425, last amended by Ordinance 367-2006 is deleted as follows:

~~**17.110.425 — Lot, interior.**~~

~~“Lot, interior” or “interior lot” means a lot or parcel of land other than a corner lot where access is off a minor easement or the lot does not abut a street.~~

Section 48. Kitsap County Code section 17.110.440, last amended by Ordinance 367-2006 is amended as follows:

17.110.440 Lot line, rear.

“Lot line, rear” or “rear lot line” means that boundary of a lot which is most distant from the front lot line; or ~~that boundary which adjoins~~ the ordinary high water mark line on waterfront property.

Section 49. Kitsap County Code section 17.110.470, last amended by Ordinance 367-2006 is amended as follows:

17.110.470 Manufactured home.

“Manufactured home” means a single-family dwelling residence constructed after June 15, 1976, and built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act. A manufactured home is built on a permanent chassis.

Section 50. Kitsap County Code section 17.110.475, last amended by Ordinance 367-2006 is amended as follows:

17.110.475 Marina.

“Marina” means a public or private facility which for compensation provides moorage or wet or dry storage for watercraft and may offer marine-related sales and services.

Section 51. Kitsap County Code section 17.110.477, last amended by Ordinance 367-2006 is amended as follows:

17.110.477 Master plan.

“Master Plan” means a large-scale development plan ~~comprehensive plan~~ to guide the long-term physical development of a particular area. ~~—a Such a plan which has been shall be~~ prepared and approved pursuant to Chapter 17.415 or 17.428 of this ~~title~~.

Section 52. Kitsap County Code section 17.110.490, last amended by Ordinance 367-2006 is amended as follows:

17.110.490 Mobile home.

"Mobile home" means a factory-built single-family dwelling constructed prior to June 15, 1976, to standards other than the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act. single-family residence transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designated to be used as a permanent dwelling and constructed before June 15, 1976.

Section 53. Kitsap County Code section 17.110.506 is adopted as follows:

17.110.506 Net developable acreage.

"Net developable area" means the site area after subtracting all rights-of-way, critical areas (including bald eagle habitat regulations) and their buffers, stormwater controls, recreational facilities, public facilities, community drainfields or other area-wide sanitary sewer facilities, and open space.

Section 54. Kitsap County Code section 17.110.508, last amended by Ordinance 367-2006 is amended as follows:

17.110.508505 Nonconforming lot.

"Nonconforming lot" means a lot ~~which~~ was lawfully created but which does not conform to the lot requirements of the zone in which it was located as established by this title or other ordinances or amendments thereto.

Section 55. Kitsap County Code section 17.110.535, last amended by Ordinance 407-2008 is amended as follows:

17.110.535 Open space.

"Open space" shall mean land used for outdoor active and passive recreational purposes or for critical area or resource land protection, including structures incidental to these open space uses, including associated critical area buffers, but excluding land occupied by dwellings or impervious surfaces not related to the open space uses and yards required by this title for such dwellings or impervious surfaces. "Open space" is further divided into the following categories:

- A. "Common open space" shall mean space that may be used by all occupants of a development complex; or, if publicly dedicated, by the general public;
- B. "Active recreational open space" shall mean space that is intended to create opportunities for recreational activity. Active recreational open space may be occupied by recreational facilities such as ball fields, playground equipment, trails (pedestrian, bicycle, equestrian or multi-modal), swimming pools, and game courts or sculptures, fountains, pools, benches or other outdoor furnishings;
- C. "Passive open space" shall mean all common open space not meeting the definition of active recreational open space, including but not limited to, critical areas and their associated buffers;
- D. "Permanent open space" means an area that is permanently reserved as open space and remains in native vegetation unless approved for forestry, passive recreational or access uses; and
- E. "Recreational open space" means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreational open space.

Examples of usable recreational space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.

Section 56. Kitsap County Code section 17.110.548 is adopted as follows:

17.110.548 Parcel

"Parcel" means platted or unplatted portions of land carrying an Assessor's tax account number. Parcels may be, but are not necessarily, legal lots.

Section 57. Kitsap County Code section 17.110.572 is adopted as follows:

17.110.572 Performance based development (PBD).

"Performance based development" (or "PBD") means a property development characterized by comprehensive planning of the total project, though it may contain a variety of individual lots and/or uses. Typically, such a project may include clustering of structures and preservation of open space with a number of flexible and customized design features specific to the natural features of the property and the uses sought to be implemented. Specific lot area, dimension and setback requirements may be reduced or deleted in order to allow flexibility and innovation in building design or placement, to facilitate allowed densities and to increase open space, critical areas protection and similar components of the project.

Section 58. Kitsap County Code section 17.110.576 is adopted as follows:

17.110.576 Permitted use.

"Permitted use" means a land use allowed outright in a certain zone without a public hearing or conditional use permit. Provided, such use is developed in accordance with the requirements of the zone and general conditions of this Title, and all applicable provisions elsewhere in the County Code.

Section 59. Kitsap County Code section 17.110.580, last amended by Ordinance 367-2006 is amended as follows:

17.110.580 Person.

"Person" means an individual, partnership, corporation, association, organization, cooperative, tribe, public or municipal corporation, or agency of the state or local governmental unit however designated.

"Person" means an individual owner (regardless of relationship or legal capacity), partnership, corporation, association, unincorporated organization, trust, or any other legal or commercial entity, including a joint venture or other such affiliated ownership.

Section 60. Kitsap County Code section 17.110.605, last amended by Ordinance 367-2006 is deleted as follows:

~~17.110.605— Performance based development (PBD).~~

~~"Performance based development" (or "PBD") means a property development characterized by comprehensive planning of the total project, though it may contain a variety of individual lots and/or uses. Typically a project may include clustering of structures and preservation of open space with a number of flexible and customized design features specific to the natural features of the property and the uses sought to be implemented. Specific lot area and setback~~

~~requirements may be reduced or deleted in order to allow flexibility and innovation in building design or placement and to allow maximization of open space, sensitive areas and other components of the project.~~

Section 61. Kitsap County Code section 17.110.615, last amended by Ordinance 367-2006, is amended as follows:

17.110.615 Porch. Planning director.

~~“Porch” means a covered attached structure providing a single entrance to a building which may be either open or enclosed up to one-third. “Planning director” means the director of the Kitsap County department of community development or a duly authorized designee.~~

Section 62. Kitsap County Code section 17.110.630, last amended by Ordinance 367-2006, is amended as follows:

17.110.630 Private airfield or helipad. Principal uses permitted outright.

~~“Private airport or heliport” means any runway, landing area or other facility designed and used by individual property owners for private aircraft for the purposes of landing and taking off, including associated facilities, such as hangars and taxiways. “Principal uses permitted outright” means those uses allowed as a matter of right within certain land use zones without requiring a public hearing, zoning permit, conditional use permit, or variance; provided, that such use is in accordance with the requirements of the particular zone and general conditions stated elsewhere in this title, and other applicable provisions of the county code.~~

Section 63. Kitsap County Code section 17.110.635, last amended by Ordinance 367-2006, is amended as follows:

17.110.635 Prohibited use.

~~“Prohibited use” means any use which is not expressly allowed and does not meet the criteria under KCC 17.100.040. specifically enumerated interpreted as allowable in that zone.~~

Section 64. Kitsap County Code section 17.110.640, last amended by Ordinance 367-2006, is amended as follows:

17.110.640 Public facilities.

~~“Public facilities” means shall include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, waste handling facilities designated as public facilities in the comprehensive solid waste management plan, parks and recreational facilities, schools, public works storage facilities and road sheds, and utilities such as power, phone and cable television.~~

Section 65. Kitsap County Code section 17.110.642 is adopted as follows:

17.110.642 Race track , major

~~“Race track, major” means a public or private facility developed for the purpose of operating and/or competitive racing of automobiles, motorcycles or similar vehicles. The facility may allow for up to 6,000 spectators and may contain an oval, drag strip, road track and/or other course. Accessory uses may include the sale of concessions and souvenirs, a recreational vehicle camping park, community events and/or vehicle safety training.~~

Section 66. Kitsap County Code section 17.110.643 is adopted as follows:

17.110.643 Race track, minor

"Race track, minor" means a public or privately-owned course designed for the operating and/or racing of automobiles, motorcycles, all-terrain vehicles or similar vehicles along defined route that may include straight-aways, curves, jumps and/or other features.

Section 67. Kitsap County Code section 17.110.646 is adopted as follows:

17.110.646 Recreational amenity, active

A "recreational amenity, active" means an area within a development intended for use by the residents, employees or patrons of the development for leisure activities. Such facilities may include, but not limited to, a paved sports court, children's play equipment, and exercise fitness trail, community garden or gathering area with water service or similar facility.

Section 68. Kitsap County Code section 17.110.647, adopted by Ordinance 367-2006, is amended as follows:

17.110.647 Recreational facility.

"Recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities. Examples include athletic fields, batting cages, amusement parks, picnic areas, campgrounds, swimming pools, driving ranges, skating rinks and similar uses. ~~athletic fields, tennis complexes, swimming pools and other sports-related facilities.~~ Public recreational facilities are those owned by a government entity.

Section 69. Kitsap County Code section 17.110.655, last amended by Ordinance 367-2006, is amended as follows:

17.110.655 Recreational vehicle camping park.

"Recreational vehicle camping park" means a tract of land under single ownership or unified control developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tent campers for vacation or other similar transient, short-stay purposes. ~~a tract of land developed as a unit with individual sites to accommodate, on a transient basis, two or more recreational vehicles.~~

Section 70. Kitsap County Code section 17.110.660, last amended by Ordinance 367-2006, is amended as follows:

17.110.660 Residential care facility.

"Residential care facility" means a facility that is the primary residence of a person or persons who are providing personal care, room and board, and medical care ~~cares~~ for at least five, but not more than fifteen functionally disabled persons.

Section 71. Kitsap County Code section 17.110.662 is adopted as follows:

17.110.662 Restaurant

"Restaurant" means an establishment where food and/or beverages are served to customers for compensation.

Section 72. Kitsap County Code section 17.110.663 is adopted as follows:

17.110.663 Restaurant, high-turnover

"High turnover restaurants" means retail establishments providing food and/or beverages for sale, and which are distinguished by one or more of the following:

- A. Use of disposable food containers and utensils;
- B. Self-service is available;
- C. The principal business is take-out foods and beverages; or
- D. Drive-in service is available

Section 73. Kitsap County Code section 17.110.666, adopted by Ordinance 367-2006, is amended as follows:

17.110.666 Rural Character

"Rural character" means the patterns of land use and development that are consistent with the following:

- A. 1- Open space, the natural landscape, and vegetation predominate over the built environment;
- B. 2- Traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- C. 3- Visual landscapes that are traditionally found in rural areas and communities;
- D. 4- Compatible with the use of the land by wildlife and for fish and wildlife habitat;
- E. 5- Reduces the inappropriate conversion of undeveloped land into low-density development;
- F. 6- Protects natural surface water flows and ground water and surface water recharge and discharge areas; and
- G. 7- Meets the requirements of RCW 36.70A.030(15).

Section 74. Kitsap County Code section 17.110.673, last amended by Ordinance 367-2006, is amended as follows:

17.110.673 Shipping container. Separation buffer.

"Shipping container" means any repository greater than 25 feet in length traditionally commonly used for the interstate or international transport of goods.

~~"Separation buffer" means a landscape buffer treatment along perimeters of the site which varies in numbers and types of vegetation and structures depending on uses. Trees, shrubs, ground covers and/or fencing are to be provided as required.~~

Section 75. Kitsap County Code section 17.110.674, last amended by Ordinance 367-2006, is deleted as follows:

~~**17.110.674 Sheltered transit stop.**~~

~~"Sheltered transit stop" shall mean a shelter for the protection from the elements for the waiting customers of a public transportation system.~~

Section 76. Kitsap County Code section 17.110.693 is adopted as follows:

17.110.693 Storage container.

"Storage container" means any repository 25 feet or less in length commonly used for the transit and short-term storage of residential belongings.

Section 77. Kitsap County Code section 17.110.695, last amended by Ordinance 367-2006 is amended as follows:

17.110.695 Street.

“Street” means all roads, streets, highways, roadway, freeways, easements, and public rights-of-way used for or designed for vehicular access or use including private roads serving or intended to serve five or more lots. Streets may also include provisions for public utilities, pedestrian walkways, cut and fill slopes, and storm drainage facilities.

Section 78. Kitsap County Code section 17.110.706 is adopted as follows:

17.110.706 Sub-area plan.

“Sub-area plan” means a detailed, local land use plan which is a subcomponent of the Kitsap County Comprehensive Plan. A sub-area plan contains specific policies, guidelines, and criteria for a specific geographic area of Kitsap County.

Section 79. Kitsap County Code section 17.110.710, last amended by Ordinance 367-2006 is amended as follows:

17.110.710 Temporary sign.

“Temporary sign” means a sign or balloons intended for use which shall not be displayed for more than fourteen consecutive days and twice in a calendar year, which shall include, but is not limited to portable signs, banners, A-boards and pennants.

Section 80. Kitsap County Code section 17.110.725 is adopted as follows:

17.110.725 Tract.

“Tract” means land reserved for specified uses including, but not limited to, reserve development tracts, recreation, open space, critical areas, stormwater facilities, utilities and access tracts. Tracts are not considered lots.

Section 81. Kitsap County Code section 17.110.735, last amended by Ordinance 367-2006 is deleted as follows:

~~17.110.735—Use separation buffer.~~

~~See Section 17.110.673, Separation buffer~~

Section 82. Kitsap County Code section 17.110.765, last amended by Ordinance 367-2006 is amended as follows:

17.110.765 Wireless communication antenna array.

“Wireless communication antenna array” means includes one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency (RF) signals through electromagnetic energy that can be attached to a building or sign. Wireless communication antenna array examples may include the omni-directional antenna (whip), a directional antenna (panel) and/or a parabolic antenna (dish).

Section 83. Kitsap County Code Chapter 17.200.010 last amended by Ordinance 384-2007, is amended as follows:

17.200.010 Classification of zones.

For the purposes of this title, the county is divided into zones classified as follows:

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Density
Forest Resource Lands	Forest Resource Lands	FRL	1 dwelling unit / 40 acres
Rural Wooded	Rural Wooded	RW	1 dwelling unit / 20 acres
Rural Protection	Rural Protection	RP	1 dwelling unit / 10 acres
Rural Residential	Rural Residential	RR	1 dwelling unit / 5 acres
Urban Reserve	Urban Reserve	URS	1 dwelling unit / 10 acres
Urban Low-Density Residential	Urban Restricted	UR	1-5 dwelling units / acre
	Urban Low Residential	UL	4-9 dwelling units / acre
	Urban Cluster Residential	UCR	4-9 dwelling units / acre
Urban Medium/High-Density Residential	Urban Medium Residential	UM	10-18 dwelling units / acre
	Urban High Residential	UH	19-30 dwelling units / acre
Urban Low Intensity Commercial/ Intensity Mixed Use and Rural Commercial ¹	Urban Village Center	UVC	Up to 18 dwelling units / acre
	Neighborhood Commercial	NC	10-30 dwelling units / acre
Urban High Intensity Commercial/ Intensity Mixed Use ¹ and Rural Commercial	Urban Town Center	UTC	Reserved
	Highway/Tourist Commercial	HTC	10-30 dwelling units / acre
	Regional Commercial	RC	10-30 dwelling units / acre
	Mixed Use	MU	10-30 dwelling units / acre
Urban and Rural Industrial ²	Business Park	BP	Not applicable
	Industrial	IND	Not applicable
	Business Center	BC	Not applicable
	Airport	A	Not applicable
Public Facilities	Parks	P	Not applicable
Mineral Resource	Mineral Resource Overlay	MR	Not applicable
Limited Area of More Intensive Rural Development (LAMIRD)	Manchester Village Commercial	MVC	10 – 24 dwelling units / acre
	Manchester Village Low Residential	MVLR	2 dwelling units / acre
	Manchester Village Residential	MVR	4 dwelling units / acre
LAMIRD	Port Gamble Rural Historic Town Commercial	RHTC	2.5 dwelling units / acre

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Density
	Port Gamble Rural Historic Town Residential	RHTC	2.5 dwelling units / acre
	Port Gamble Rural Historic Waterfront	RHTW	2.5 dwelling units / acre
LAMIRD	Suquamish Village Commercial	SVC	Not applicable
	Suquamish Village Low Residential	SVLR	2 dwelling units / acre
	Suquamish Village Residential	SVR	2 dwelling units / acre

¹ Includes commercially zoned properties located outside of the urban growth areas.

² Includes Industrial and Business Park zoned lands located outside of urban growth areas.

Section 84. Kitsap County Code Section 17.301.070, last amended by Ordinance 367-2006, is amended as follows:

17.301.070 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated, undeveloped Forest Resource Lands (FRL) ~~Rural Wooded (RW)~~ lands, shall contain the following notice:

"The subject property is within or near land in which resource activities are permitted and encouraged, including a variety of activities which may not be compatible with residential development for certain periods of limited duration. In addition to other activities, these may include noise, dust, smoke, visual impacts and odors resulting from harvesting, planting, application of fertilizers, herbicides and associated reclamation and management activities. When performed in accordance with state and federal law, these resource activities are not subject to legal action as a nuisance."

Section 85. Kitsap County Code Section 17.305.010, adopted by Ordinance 216-1998, is amended as follows:

17.305.010 Purpose.

This zone promotes low-density rural development that is consistent with rural character and protects environmental features such as significant visual, historical, natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas. This zone is intended to protect and maintain the rural residential character and environment of Kitsap County and to provide for acreage home sites. This zone is applied to areas without many public services at housing densities consistent with the physical characteristics of the area included in this zone.

Section 86. Kitsap County Code Section 17.310.010, adopted by Ordinance 216-1998, is amended as follows:

17.310.010 Purpose.

This zone promotes low-density residential development consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other

~~significant landscape features. This zone is intended to recognize rural areas which have been committed or developed for rural residential uses on smaller lots. These areas are provided with limited public services.~~

Section 87. Kitsap County Code Section 17.315.010, last amended by Ordinance 367-2006, is amended as follows:

17.315.010 Purpose.

~~This zone is intended to be located along the boundaries of existing urban growth areas (UGAs). The zone intended to allow continued rural development while discouraging land use patterns that could foreclose options for inclusion into future UGAs and their higher densities and land use intensities. The intent of the urban reserve (URS) (outside of urban growth areas) zone is to identify those areas adjacent to urban growth areas (UGA's), which may transition inside a UGA if public facilities are provided and a demonstrated need for additional future urban land exists. Residential densities will be limited to one dwelling per ten acres with a "pre-planning" requirement which would allow for the orderly transition to a higher density in the future. This zone may also apply to properties which are being considered for non-residential use.~~

Section 88. Kitsap County Code Chapter 17.318, adopted by Ordinance 273-2002, is amended as follows:

**Chapter 17.318
POULSBO URBAN
TRANSITION AREA**

Sections:

- 17.318.010 Purpose.
- 17.318.020 City Zoning Ordinance adopted – Exceptions.
- 17.318.030 City of Poulsbo Zoning Ordinance – Exceptions and Additional Requirements.
- 17.318.040 Resolutions of conflicts between City of Poulsbo Zoning Code and Kitsap County Code

17.318.010 Purpose.

The purpose of this chapter is to recognize the adoption of the Poulsbo Sub-Area Plan and designation of the Poulsbo Urban Growth Area (UGA), and to provide for development within the UGA that is consistent with the City of Poulsbo's existing development standards, thereby allowing for a smooth transition of the UGA into the city's corporate limits through future annexations.

17.318.020 City Zoning Ordinance adopted – Exceptions.

Except as specified elsewhere in this chapter, the City of Poulsbo Zoning Ordinance, adopted on February 9, 2003 and effective March 3, 2003, is adopted and incorporated herein by reference, as now or hereafter amended for the sole purpose of regulating development within the Poulsbo Urban Transition Area, as depicted on the Kitsap County's Comprehensive Plan Land Use Map.

~~A. Subject to the changes and exceptions listed in this section, the Zoning Ordinance adopted by the City of Poulsbo on December 28, 1994, (Title 16), (Attachment 7 to the ordinance codified in this chapter), is adopted and incorporated herein by reference for the sole purpose of regulating development within the Poulsbo Urban Transition Area, as depicted on the county's Comprehensive Plan Land Use Map:~~

- ~~1. "Comprehensive plan" means the Kitsap County Comprehensive Plan;~~
 - ~~2. "Director" means the director of the Kitsap County department of community development;~~
 - ~~3. "City" or the "City of Poulsbo" means Kitsap County or Poulsbo Urban Transition Area, as the context may require;~~
 - ~~4. "City council" means county;~~
 - ~~5. For matters covered by the following sections and chapters of the City of Poulsbo's Zoning Ordinance, the equivalent county regulations, if any, shall apply instead:

 - ~~a. Chapter 18.04 – Comprehensive Plan;~~
 - ~~b. Chapter 18.08 – General Provisions;~~
 - ~~c. Section 18.14.020 – Dedication Presumption and Requirement;~~
 - ~~d. Chapter 18.53 – Commute Trip Reduction;~~
 - ~~e. Chapter 18.61 – Administration of Zoning Ordinance;~~
 - ~~f. Chapter 18.62 – Application Fees;~~
 - ~~g. Chapter 18.70 – Binding Site Plans;~~
 - ~~h. Chapter 18.72 – Comprehensive Plan Amendments;~~
 - ~~i. Chapter 18.75 – Conditional Use Permits;~~
 - ~~j. Chapter 18.86 – Home Occupation Permits;~~
 - ~~k. Chapter 18.78 – Housing Authority;~~
 - ~~l. Chapter 18.80 – Site Plan Review;~~
 - ~~m. Chapter 18.81 – Technical Staff Review;~~
 - ~~n. Chapter 18.82 – Temporary Use Permits;~~
 - ~~o. Chapter 18.84 – Variances;~~
 - ~~p. Chapter 18.85 – Zoning Ordinance and Amendments;~~
 - ~~q. Chapter 18.90 – Enforcement;~~
 - ~~r. Chapter 18.91 – Hearings and Appeals;~~
 - ~~s. Chapter 18.92 – Interpretations;~~
 - ~~t. Chapter 18.93 – Minor and Major Modifications; and~~
 - ~~u. Chapter 18.94 – Non-conforming Structures and Uses.~~~~
 - ~~6. Pre-planning is required in a manner consistent with Kitsap County Zoning Code Section 17.315.090.~~
 - ~~7. The minimum lot size is 7500 square feet unless development is done through a planned unit development as provided in the City of Poulsbo's Zoning Ordinance.~~
 - ~~8. Application fees are those provided for in Kitsap County Zoning Code.~~
- ~~B. If it is not clear from subsection (A), above, whether the city zoning ordinance or county regulations apply, then this Section 17.318.020 shall be interpreted in accordance with the following general rules:~~
- ~~1. The requirements for the city's zoning districts, and other substantive requirements of the city's zoning ordinance, apply instead of the substantive requirements in this title; and~~
 - ~~2. The procedural requirements for reviewing and processing development permits and for appeals of decisions on such permits, as well as any other procedural requirements of this title, and the procedural requirements of the county's procedures ordinance (Chapter 21.04 of the Kitsap County Code), apply instead of the procedural requirements of the city's zoning ordinance.~~

17.318.030 City of Poulsbo Zoning Ordinance – Exceptions and Additional Requirements

A. Within the Poulsbo Urban Transition Area, all sections of the City of Poulsbo Zoning Ordinance shall control; EXCEPT for the following provisions:

- 1. Chapter I – General Provisions;**

2. Chapter VII - Zoning Review and Approval;
 3. Chapter VIII.A – Director Authority;
 4. Chapter VIII.J – Housing Authority Development Permits;
 5. Chapter X.C – Comprehensive Plan Amendments;
 6. Chapter IX – Non-conforming Structures and Uses;
 7. Chapter X.A – Variances;
 8. Chapter X.B – Zoning Changes, Amendments and Alterations;
 9. Chapter X.E – Appeals; and
 10. Chapter XI – Zoning Enforcement, Penalties and Other Conditions
- B. The minimum lot size is 7,500 square feet unless included in a planned unit development as provided in the City of Poulsbo Zoning Ordinance; and
- C. Application fees are determined as provided by Kitsap County Code Chapter 21.06.

17.318.040 Resolutions of conflicts between City of Poulsbo Zoning Code and Kitsap County Code

If it is not clear from Kitsap County Code Section 17.318.030 whether the City of Poulsbo Zoning Ordinance or Kitsap County Code applies, then the following general rules shall be applied:

- A. The requirements for the city's zoning districts, and other substantive requirements of the city's zoning ordinance, apply instead of the substantive requirements in this title; and
- B. The procedural requirements for reviewing and processing development permits and for appeals of decisions on such permits, as well as any other procedural requirements of this title, and the procedural requirements of Kitsap County Code Chapter 21.04, apply instead of the procedural requirements of the city's zoning ordinance.

Section 89. Kitsap County Code Chapter 17.321A.010, adopted by Ordinance 232-1999, is amended as follows:

17.321A.010 Purpose.

In 2000, the Suquamish Limited Area of More Intense Rural Development or LAMIRD was established in the Kitsap County Comprehensive Plan. These amendments within the LAMIRD designation provided an opportunity to help reconcile the County's historical land use pattern within the parameters of Growth Management Act (GMA). The purpose of this section is to reflect the rural character of the Suquamish area as prescribed by the Suquamish Rural Village Sub-Area Plan. In accordance with Washington State's Growth Management Act (GMA), the county may designate limited areas of more intensive rural development as part of the mandatory rural element portion of its Comprehensive Plan. In Kitsap County's Comprehensive Plan dated May 7, 1998, it was determined that the GMA would provide Kitsap County an opportunity to help reconcile the historical land use patterns which have developed throughout the years. Suquamish was identified as a demonstration project to help develop and test criteria for designating rural villages and for defining a process that will be used to consider future designations. As a result of this action, the following regulations were established in accordance with the Suquamish Rural Village Subarea Plan.

In the event of a conflict between the requirements of these regulations for the Suquamish Rural Village Sub-Area Plan and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern.

Section 90. Kitsap County Code Chapter 17.321A.020, last amended by Ordinance 367-2006, is amended as follows:

17.321A.020 Uses permitted.

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

Section 91. Kitsap County Code Chapter 17.321A.030, last amended by Ordinance 367-2006, is amended as follows:

17.321A.030 Lot requirements.

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

Section 92. Kitsap County Code Chapter 17.321A.040, last amended by Ordinance 367-2006, is amended as follows:

17.321A.040 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and 17.382.090, ~~Rural Sub-Areas~~ LAMIRD Density and Dimensions Table.

Section 93. Kitsap County Code Chapter 17.321A.080, last amended by Ordinance 367-2006, is amended as follows:

17.321A.080 Requirements specific to the Suquamish Rural Village.

Within the area identified as the Suquamish Rural Village Sub-Area Plan, the following conditions apply to all existing, newly created and or reconfigured lots.

1. All new construction, including any site development activity permit (SDAP), grading or building permit requiring access to a county right-of-way, must undergo appropriate review by the department of public works to meet current right-of-way use requirements before any site work may begin.
2. No right of way may be opened or improved without the approval of the director of the department of public works or his designee (director).
3. No grading of more than twenty-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.
4. Drainage review is required prior to issuance of any SDAP or building permit. When the issuance of a grading or building permit will result in an increase in the total amount of impervious surface that currently exists on a lot:
 - a. The director will review each SDAP and building permit application to determine whether special drainage requirements are necessary to prevent newly installed impervious surfaces from creating a drainage problem or exacerbating an existing drainage problem. In making this determination, the director may consult the citizen complaint data bases, perform an on-site inspection, review the condition of the receiving downstream drainage system, review the Kitsap County soil survey, and consult with the surface and storm water management program to determine if the *Suquamish Drainage Study*, currently underway, has identified drainage problems or corrections that are located in the vicinity of the application. The director will conduct his review in accordance with the "Downstream Analysis" section of Chapter 2 of the county's *Storm Water Design Manual*;
 - b. If, in the opinion of the director, the proposal will not create a drainage problem or exacerbate an existing drainage problem, the applicant, will be required to meet the

minimum drainage and erosion control requirements of the Storm Water Management Ordinance (Chapters 12.04 – 12.32 of this code);

- c. If, in the opinion of the director, the proposal will create or exacerbate an existing drainage problem then, before the director can recommend approval of the application, the applicant may be required to:
 - (1) Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;
 - (2) Provide on-site storm water management BMP's to reduce or eliminate surface water discharge; and/or
 - (3) Improve or contribute to the improvement of the downstream drainage system.

Section 94. Kitsap County Code Chapter 17.321B.010, adopted by Ordinance 236-1999, is amended as follows:

17.321B.010 Purpose.

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

Section 95. Kitsap County Code Section 17.321B.020, adopted by Ordinance 236-1999, is amended as follows:

17.321B.020 Rural historic town zones.

Within the rural historic town of Port Gamble, three land use zones exist. The purpose of the three RHT zones is set forth below.

- A. Rural Historic Town Residential (RHTR). This zone is intended to recognize and encourage redevelopment of the historic residential patterns in the town. Residential densities may approximate historic town densities but shall not exceed 2.5 dwelling units per acre. Residential acreage in the RHTR zone totals 69.76 acres, including the town cemetery. Site design and architecture in the RHTR zone may reflect new interpretations of the historic styles and patterns, but must also work to enhance and preserve the defining "company town" characteristics of Port Gamble as described in the *Historic American Engineering Record for Port Gamble, Washington*, dated August 1997, on file with the department of community development. (~~GMA Index #19125~~). To ensure that historic platting patterns are acknowledged, maximum lot sizes shall apply and community open space is required.
- B. Rural Historic Town Commercial (RHTC). This zone is intended to meet many of the town needs for basic shopping and simple services. The zone also recognizes and reflects the historically significant commercial use of the town, as well as the types of uses present in July 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents.
- C. Rural Historic Town Waterfront (RHTW). This zone is intended to allow for maintaining, developing, or redeveloping a range of uses reflecting historic development and 1990 uses while supporting revitalization of the town as a whole. Forest products manufacturing,

natural resource industries, and waterfront shipping are allowed, within the constraints imposed by the county's Shoreline Management Master Program. Other less intensive industrial and commercial uses similar to those of the commercial zone, are also allowed. The areas within two hundred feet of the water are governed by the county's Shoreline Management Master Program, which expresses a preference for water-dependent or water-related uses.

Section 96. Kitsap County Code Section 17.321B.025, adopted by Ordinance 236-1999, is amended as follows:

17.321B.025 Town development objectives.

In 1967, Port Gamble was added to the National Register of Historic Places and designated a Historic Landmark. The designation recognized the unique aspects of the town, including its development as a "company town" built around the former Pope Resources (Puget Mill Company/Pope & Talbot) sawmill. The mill began operation in 1853 and, until its closure in 1995, was the oldest continuously operating sawmill and company town in the nation. In recognition of the historic value of Port Gamble and the unique factors affecting maintenance and potential development or redevelopment of the town, the county created a special planning and zoning designation for the town. In addition, special town development objectives (TDO's), set forth below, have been adopted to ensure that development maintains and enhances the defining and essential characteristics of the town.

- A. Development proposals shall be designed in a manner that highlights and enhances the historic nature of the town. Building design shall be based on characteristics of historic structures, but need not literally mimic historic styles. New structures are to be compatible with the old in mass, scale and character, but subtle differences in stylistic treatment that make buildings distinguishable as new construction are appropriate.
- B. New construction, including site design and layout, may reflect the evolution of the town, but must retain the existing visually significant sense of historic time and place. Development proposals should strive to create a dialogue between new and historic development in the town.
- C. In reviewing development proposals, the county shall consider architectural styles and traditional site design. The Secretary of the Interior's *Standards for Historic Preservation Projects* (36 CFR 68) shall be used as a guideline for evaluating future development. The *Historic American Engineering Record for Port Gamble, Washington*, dated August 1997, on file with the department of community development (~~GMA Index #19125~~) shall also be used to evaluate future development. In addition, new development shall, to the greatest extent feasible, comply with the following objectives:
 - 1. New development shall reflect historic town platting patterns, including small lot development, alleys, narrow streets, sidewalks, on-street parking, and historic styles of street lighting.
 - 2. Homes shall face the street, with access for garages and parking off alleys whenever possible. Detached garages are preferred, with alley access or shared driveway access from the street. A development pattern with repeating double-bay garage doors facing the street shall be prohibited.
 - 3. Large community open spaces are preferred, rather than large private yards.
 - 4. Development in the RHTC zone shall be compatible in massing, size and scale with historic structures. As with residential development, existing styles should provide the basic framework, but new development shall be differentiated from the old.
 - 5. Waterfront development may reflect the significant industrial and commercial nature of early uses on the site. Larger, bulkier structures than would be allowed in the RHTR and

RHTC zones may be permitted in this zone. Tilt-up concrete structures, reflective glass, or other treatments which commonly characterize modern industrial park developments are to be prohibited.

6. Parking for the RHTC and RHTW zones shall be provided in shared or common parking areas whenever feasible. The parking standards set forth in section 17.321B.070 shall be considered an element of these TDO's and shall apply to all new commercial and waterfront development.
 7. New development shall be landscaped in such a manner as to reflect the historical character of the town and preserve and enhance publicly accessible open spaces and retain mature trees to the extent possible.
 8. Creating, enhancing and preserving a town commons or a series of connected public open space linkages shall be required in conjunction with any master planned or other significant redevelopment of the town that reflects the same qualities of the historic town including visual assets and species of vegetation.
- E. All development in the town shall comply with these TDO's. TDO review may occur for simple permitted uses as part of the building permit plan review process.
- F. As provided for in the Comprehensive Plan, a qualified consultant or site design and architectural review committee shall be appointed to provide comments or a recommendation on all proposed development.
- G. The TDO's and other development standards of this chapter shall be applied to a defined project area (DPA) as designated by the applicant. Alternatively, development proposals shall include boundary line adjustments, subdivisions, or binding site plans that serve to define lot, site or project area.

Section 97. Kitsap County Code Section 17.321B.040, last amended by Ordinance 367-2006, is amended as follows:

17.321B.040 Uses.

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

Section 98. Kitsap County Code Section 17.321B.050, last amended by Ordinance 367-2006, is amended as follows:

17.321B.050 Density.

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

Section 99. Kitsap County Code Section 17.321B.055, last amended by Ordinance 367-2006, is amended as follows:

17.321B.055 Lot size.

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

Section 100. Kitsap County Code Section 17.321B.060, last amended by Ordinance 367-2006, is amended as follows:

17.321B.060 Height.

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

Section 101. Kitsap County Code Section 17.321B.070, last amended by Ordinance 367-2006, is amended as follows:

17.321B.070 Setbacks.

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

Section 102. Kitsap County Code Section 17.321B.075, last amended by Ordinance 367-2006, is amended as follows:

17.321B.075 Lot coverage.

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

Section 103. Kitsap County Code Section 17.321C.030 is adopted as follows:

17.321C.030 Vegetation Restrictions

After adoption of the Manchester Community Plan, newly planted row trees (three (3) or more) and shrubbery such as hedges may not be maintained in a way that significantly impacts existing views from neighboring properties. All existing vegetation is exempt from this restriction.

Section 104. Kitsap County Code Section 17.321C.060, last amended by Ordinance 367-2006, is amended as follows:

17.321C.060 Off-Street parking requirements.

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

- A. Retail stores generating little automobile traffic, such as appliance, furniture, hardware or repair stores – one (1) parking space per 450 square feet of gross floor area;
- B. Retail and personal service establishments generating heavy automobile traffic, such as department, drug and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops – one (1) parking space per 225 square feet of gross floor area;
- C. Drive-in and fast food restaurants – one (1) parking space per 125 square feet of gross floor area with a minimum of five, provided, drive-in window holding and stacking area shall not be considered parking places;
- D. Restaurants, Drinking Establishments.
 - 1. If under 4,000 square feet of gross floor area – one (1) parking space per 300 square feet of gross floor area;
 - 2. If 4,000 or more square feet of gross floor area – sixteen (16) parking spaces, plus one (1) parking space per each additional 150 square feet of gross floor area over 4,000 square feet;
- E. Medical and dental office or clinic – one (1) parking space per 300 square feet of gross floor area;
- F. Bank, professional office (except medical or dental) – one (1) parking space per 500 square feet of gross floor area.

Section 105. Kitsap County Code Section 17.321C.080, last amended by Ordinance 367-2006, is amended as follows:

17.321C.080 Impervious surface limits.

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

Section 106. Kitsap County Code Section 17.325.010, adopted by Ordinance 216-2008, is amended as follows:

17.325.010 Purpose.

The urban restricted zone is applied to areas within urban growth areas that have been identified with a significant concentration of critical areas regulated pursuant to the Title 19, or are planned as greenbelts, and are therefore appropriate for lower-density development. These areas may include significant salmon spawning streams, wetlands and/or steep slopes. Actual densities allowed will be determined at the time of land use approval, following a site-specific analysis and review of potential impacts to the on-site or adjacent critical areas.

~~The urban restricted (UR) zone is applied to those areas within urban growth boundaries which have identified parcels constrained by critical areas of 50% or greater. Development would be limited to a density range of one to five dwelling units per acre. Actual densities allowed will be determined at the time of land use application, following an analysis of the site and review of potential impacts to the critical areas.~~

Section 107. Kitsap County Code Section 17.325.100, last amended by Ordinance 367-2006, is amended as follows:

17.325.100 Other provisions.

A. For other provisions, see Chapters 17.430 and 17.455.

B. See Chapter 17.351 – Multi-family development – Design standards.

Section 108. Kitsap County Code Section 17.330.010, adopted by Ordinance 216-2008, is amended as follows:

17.330.010 Purpose.

The intent of this zone is to recognize, maintain and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. The intent of this zone is to recognize, maintain, and protect urban low density residential areas and establish urban densities where a full range of community services and facilities are present or will be present at the time of development in accordance with the urban growth areas as depicted on the Comprehensive Plan. This zone is also intended to create cost energy-efficient residential areas which are capable of allowing the provision of community services in a more economical manner, and provide for additional related uses such as schools, parks, and utility uses necessary to serve immediate residential areas.

Section 109. Kitsap County Code Section 17.330.090, last amended by Ordinance 311-2003, is amended as follows:

17.330.090 Other provisions.

A. Generally. See Chapters 17.430 and 17.455.

- B. Master Planning Requirements for the South Kitsap UGA/ULID #6 Sub-Area. Consistent with Chapter 17.428 of this ~~code~~ Title, prior to any new development within an area zoned UL which is also designated for master planning in an approved sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development, provided that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new developments.

If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.

- C. For multi-family development, see Chapter 17.351 – Multi-family development – Design standards.

Section 110. Kitsap County Code Section 17.335.010, adopted by Ordinance 311-2003, is amended as follows:

17.335.010 Purpose.

The Urban Cluster Residential zone is intended to apply to areas that are characterized by large contiguous ownership parcels capable of development as a single, unified project. Clustering of appropriate residential densities in areas most suitable for such development, while simultaneously providing a high level of protection for wetlands, streams, critical aquifer recharge areas and wildlife habitat areas, is encouraged. Flexibility related to site planning and affordable housing through innovative design is also encouraged, as the exact locations of uses should be based on the location of critical areas, transportation corridors, community needs and market conditions.

~~The Urban Cluster Residential (UCR) zone is intended to encourage flexible land uses, recognizing that exact locations of uses must be based on the location of critical areas, transportation corridors, community needs and market conditions. The intent is to give flexibility to locate urban residential development in areas suitable for such uses by promoting a variety of housing choices, and to encourage affordable housing through innovative design. It allows a combination of single family, townhouse, duplex, and multiple family housing, and zero lot line development, in order to encourage clustering of appropriate densities of residential housing in areas suitable for such development, while simultaneously providing a high level of protection for wetlands, streams and wildlife habitat areas, including areas which will help maintain the vitality of salmonid habitat. At the same time, the UCR zone should foster a development pattern that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces, recreational areas, transportation corridors and retail and employment opportunities, both within and outside the zone.~~

Section 111. Kitsap County Code Section 17.335.080, adopted by Ordinance 311-2003, is amended as follows:

17.335.080 Other provisions.

- A. See Chapters 17.385, 17.430 and 17.455.
B. All development shall comply with the standards in the Kitsap County Storm Water Management Ordinance, Title 12 of this code, and the Kitsap County Critical Areas Ordinance, Title 19 of this code, as they now exist or are later amended, as well as all SEPA mitigation requirements.

- C. Master Planning Requirements. Prior to any new development within an area zoned Urban Cluster Residential (UCR) which is also designated for master planning in an approved sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development, provided that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development. If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.
- D. For multi-family development, see Chapter 17.351 – Multi-family development – Design standards.

Section 112. Kitsap County Code Section 17.340.010, last amended by Ordinance 250-2000, is amended as follows:

17.340.010 Purpose.

This zone is intended to provide for higher densities where a full range of community services and facilities are present or will be present at the time of development. This zone is also intended, and to create energy-efficient residential areas by allowing common wall construction, as well as to facilitate residential development which utilizes cost energy-efficient design.

Section 113. Kitsap County Code Section 17.340.090, last amended by Ordinance 311-2003, is amended as follows:

17.340.090 Other provisions.

- A. See Chapters 17.430 and 17.455.
- B. For multi-family development, see Chapter 17.351 – Multi-family development – Design standards.

C.B. Master Planning Requirements. Prior to any new development within an area zoned Urban Medium (UM) which is also designated for master planning in an approved ULID # 6 sub-area plan, a master plan shall be prepared for the entirety of the zone which is contiguous with the area proposed for new development, provided that the director may either increase or decrease the area within the sub-area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new development. If the subject zone exists elsewhere within the sub-area, and is not contiguous to the area proposed for new development, it is not required that those non-contiguous same-zoned lands be included in the subject master plan.

Section 114. Kitsap County Code Section 17.350.100, adopted by Ordinance 216-1998, is amended as follows:

17.350.100 Other provisions.

~~For other provisions, A.~~ See Chapters 17.430 and 17.455.

- B. For multi-family development, see Chapter 17.351 – Multi-family development – Design standards.

Section 115. Kitsap County Code Section 17.352.010, adopted by Ordinance 367-2006, is amended as follows:

17.352.010 Purpose.

This proposed mixed use zone is intended to encourage flexible land uses, while recognizing that the exact configuration of uses must be responsive to community needs and market conditions. Accordingly, commercial and residential uses may be mixed either vertically or horizontally in the MU zone. Such a mix of uses is encouraged within individual projects and/or between adjacent projects. The MU zone is intended to foster a development pattern focused on the public street ~~and that will provide for an integrated, compatible mix of single and multi-family housing and commercial businesses and services, arranged in mixed-use developments that are organized either vertically or horizontally.~~ Mixed use development as defined by Section 17.110.485 is encouraged within this zone but not required.

Section 116. Kitsap County Code Section 17.352.020, adopted by Ordinance 367-2006, is amended as follows:

17.352.020 Uses.

- A. Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.B, Urban Commercial and Mixed Use Zones Use Table.
- B. Uses allowed in the Highway Tourist Commercial (HTC) zone but prohibited in the Mixed Use (MU) zone may be allowed on MU zoned properties, provided:
 - 1. The site is located along State Highway 303 or Bethel Road; and
 - 2. The use is reviewed in accordance with the Administrative Conditional Use Permit process, except for the following uses, which shall require Hearing Examiner Conditional Use Permit review:
 - a. Congregate care facilities;
 - b. Fuel distributors;
 - c. Outdoor movie theaters;
 - d. Recreational vehicle camping parks; and
 - e. Vehicle storage and towing.

Section 117. Kitsap County Code Section 17.352.070, adopted by Ordinance 367-2006, is amended as follows:

17.352.070 Residential recreational open space.

- A. For recreational open space provisions, see Section 17.425.040(C)
- B. For multi-family development, see Chapter 17.351 – Multi-family development – Design standards.

Section 118. Kitsap County Code Section 17.353.020, amended by Ordinance 367-2006 is amended as follows:

17.353.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.D, ~~Urban~~ Commercial and Mixed Use Zones.

Section 119. Kitsap County Code Section 17.353.030, amended by Ordinance 367-2006 is amended as follows:

17.353.030 Densities.

Density shall be in accordance with Chapter 17.382 and 17.382.060, ~~Urban~~ Commercial and Mixed Use Density and Dimensions Table.

Section 120. Kitsap County Code Section 17.353.040, amended by Ordinance 367-2006 is amended as follows:

17.353.040 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.060, ~~Urban~~ Commercial and Mixed Use Density and Dimensions Table.

Section 121. Kitsap County Code Section 17.353.050, amended by Ordinance 367-2006 is amended as follows:

17.353.050 Commercial and residential floor area limitations.

Floor area limitations shall be in accordance with Chapter 17.382 and 17.382.060, ~~Urban~~ Commercial and Mixed Use Density and Dimensions Table.

Section 122. Kitsap County Code Section 17.353.060, amended by Ordinance 367-2006 is amended as follows:

17.353.060 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and 17.382.060, ~~Urban~~ Commercial and Mixed Use Density and Dimensions Table.

Section 123. Kitsap County Code Section 17.353.100 is adopted as follows:

17.353.100 Other provisions.

For other provisions, see Chapters 17.351, 17.382, 17.430 and 17.455

Section 124. Kitsap County Code Chapter 17.354, amended by Ordinance 367-2006 is amended as follows:

Chapter 17.354
URBAN CENTER ZONES – DESIGN CRITERIA

Sections:

17.354.010 How to use the design criteria.

ARTICLE 1 – SITE DESIGN AND ORIENTATION: APPLICABLE TO ALL DEVELOPMENT IN THE UVC AND UTC ZONES

- 17.354.020 Site design – Streets, trails and open space.
- 17.354.030 Site design – Location and use of centers and common open spaces.
- 17.354.040 Site design – Gateways and focal points.
- 17.354.050 Site design – Pedestrian/sidewalk orientation.
- 17.354.060 Site design – Fences and walls adjacent to pedestrian scale streets.

ARTICLE 2 – COMMERCIAL AND MIXED-USE BUILDING DESIGN, LANDSCAPING, AND SIGNS

- 17.354.070 Building design – Commercial and mixed use.
- 17.354.080 Building design – Creation of human scale.
- 17.354.090 Building design – Building wall finishes for stand alone and corner site buildings.
- 17.354.095 Building design – Commercial use with ancillary drive-through component.
- 17.354.100 Landscape design for mixed-use areas.
- 17.354.110 Landscape design – Screening.
- 17.354.120 Landscape design – Existing trees.
- 17.354.130 Signs – Attached to the building.
- 17.354.140 Signs – Freestanding.

ARTICLE 3 – MULTI-FAMILY PROJECTS IN THE UVC AND UTC ZONES (INCLUDING TOWNHOUSES OF 5 UNITS OR MORE)

- 17.354.150 Site design – Orientation.
- 17.354.160 Site design – Parking location and design.
- 17.354.170 Site design – Mailboxes, site lighting, and transit stops.
- 17.354.180 Site design – Screening.
- 17.354.190 Building design – Neighborhood scale.
- 17.354.200 Building design – Privacy.
- 17.354.210 Building design – Facade, footprint, and roof articulation.
- 17.354.220 Building design – Entries.
- 17.354.225 Building design – Windows.
- 17.354.230 Building design – Materials and colors.
- 17.354.240 Signs.

**ARTICLE 4 – OTHER RESIDENTIAL DEVELOPMENT IN THE UVC AND UTC ZONES:
DUPLEX AND MANUFACTURED HOUSING, COTTAGE HOUSING AND SINGLE FAMILY
HOUSING**

- 17.354.250 Duplex, triplex, etc. – Applicability.
- 17.354.260 Building design – Roof form and architectural detail.
- 17.354.270 Building design – Entries.
- 17.354.280 Building design – Garage design.
- 17.354.290 Building design – Materials and colors.

ARTICLE 5 – ACCESSORY DWELLING UNITS (ADU) IN THE UVC AND UTC ZONES

- 17.354.300 Site and building design – Privacy.
- 17.354.310 Building design – Entry features.
- 17.354.320 Building design – Materials and colors.

ARTICLE 6 – COTTAGE HOUSING IN THE UVC AND UTC ZONES

- 17.354.330 Site design – Cottage housing.

ARTICLE 7 – DEFINITIONS

- 17.354.340 [Reserved]

**ARTICLE 1 – SITE DESIGN AND ORIENTATION: APPLICABLE TO ALL DEVELOPMENT IN
THE UVC AND UTC ZONES**

Section 125. Kitsap County Code Section 17.365.010, adopted by Ordinance 311-2003 is amended as follows:

17.365.010 Purpose.

This zone is intended to provide for integrated grouping of medium to large size businesses within an attractive park-like setting. The Business Center (BC) Zone allows flexibility in the amount of space within each business dedicated to office use, warehousing, and/or light manufacturing operations. Permitted businesses are intended to support the creation, development and retention of primary wage employment in the professional and technical fields, and not intended for the general retail commercial needs of the area. ~~In order to allow higher intensity uses while protecting environmental resources, master planning by watershed sub-basin is required unless specifically exempted.~~

Section 126. Kitsap County Code Section 17.365.020, last amended by Ordinance 384-2007 is amended as follows:

17.365.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.C, Airport and Industrial Zones Use Table.

Section 127. Kitsap County Code Section 17.365.070, adopted by Ordinance 311-2003 is amended as follows:

17.365.070 Site landscaping and design plan.

As a component of permit and/or land use review, Ddevelopment within this zone shall be subject to review and approval by the director of a site landscape and design plan based on conformance with 17.385, to any design standards associated with this zone and/or design standards associated with a particular sub-area, whichever is most restrictive. In addition to these requirements the requirements of Chapter 17.385 of this code, the following requirements shall apply:

- A. All required landscaping shall be installed prior to occupancy, ~~unless installation is bonded at 150 percent of the cost of materials and labor (or other method) for a period not to exceed six months.~~
- B. 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 ~~may be prescribed~~ approved by the director.
- C. 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.
- D. 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.
- E. All mechanical, heating, and ventilating equipment shall be visually screened whether on grade or building mounted.

Section 128. Kitsap County Code Section 17.370.010, adopted by Ordinance 216-2008 is amended as follows:

17.370.010 Purpose.

This zone allows a wide range of industrial activities including heavy industry such as fabrication, warehousing processing of raw materials, bulk handling and storage, construction, and heavy transportation. This zone is intended to provide sites for activities which require processing, fabrication, storage, and wholesale trade. Generally, these activities require reasonable accessibility to major transportation corridors including highways, rail, airports or shipping.

Section 129. Kitsap County Code Section 17.370.022, adopted by Ordinance 311-2003 is amended as follows:

17.370.022 Master planning - When required.

Development of property within the South Kitsap Industrial Area (SKIA) with a ~~m~~Master Plan. ~~r~~Required overlay must be consistent with a master plan approved under Chapter 17.415 of this code. Property with no overlay or a master plan optional overlay, may elect to develop a master plan to receive the expedited review of individual land use permits shown in Section 17.381.040.C. Table 17.370.020 (Footnote No. 2). Master plans developed within the South Kitsap Industrial Area SKIA must include analyses of the entire sub-basin(s) in which the development is proposed.

Section 130. Kitsap County Code Section 17.370.070, adopted by Ordinance 216-1998 is amended as follows:

17.370.070 Off-street parking and loading.

Off-street parking and loading shall be provided as required by Chapter 17.435. In addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent residential zone, unless the director finds that a buffer will exist that effectively screens the parking and loading from the adjacent residential zone, in which case, no off-street parking or loading shall be allowed within ~~thirty~~ thirty-two feet of an adjacent residential zone. Off-street parking or loading may be permitted within the side yard but not within a required front yard area.

Section 131. Kitsap County Code Section 17.370.080, adopted by Ordinance 216-1998 is amended as follows:

17.370.080 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. Such a plan shall be consistent with 17.385 and any applicable design standards for the area.

Section 132. Kitsap County Code Section 17.370.090, last amended by Ordinance 367-2006 is amended as follows:

17.370.090 Other provisions.

A. In any industrial zone, an industrial park as further described, may be permitted. An industrial park is intended to provide centers or clusters of not less than twenty acres for most manufacturing and industrial uses under controls which will minimize the effect of such industries on nearby uses. Industrial parks are intended to encourage industrial activities to occur within a park-like environment. Any use permitted outright in industrial zones or-by conditional use review when located in an industrial park are subject to the following provisions:

1. Lot Requirements.

- a. Lot area – None.
- b. Lot width – None.
- c. Lot depth – Minimum lot depth shall be two hundred feet.
- d. Lot setback – Minimum lot setback shall be one hundred feet for any yard abutting a residential zone, unless berming and landscaping approved by the director is provided, which will effectively screen and buffer the industrial activities from the residential zone which it abuts; in which case, the minimum setback shall be fifty feet.
- ~~e. 1-~~ Front Yard – Minimum front yard setback shall be forty feet.
- ~~f. 2-~~ Side Yard – Minimum side yard setback shall be twenty-five feet.
- ~~g. 3-~~ Rear Yard – Minimum rear yard setback shall be twenty feet.
- ~~h. e-~~ Lot coverage – Maximum lot coverage by buildings shall be consistent with provisions set forth in KCC 17.382.080, fifty percent of the total lot area.
- ~~i. f.~~ No service roads, spur tracks, hard stands, or outside storage areas shall be permitted within required yard areas adjacent to residential zones.
- ~~j. g.~~ No yards are required at points where side or rear yards abut a railroad right-of-way or spur track.
- ~~k. h.~~ Fences, walls and hedges will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry concerned, or to protect the public from a dangerous condition with no fence being constructed in a required yard adjacent to public right-of-way.

2. Signs shall be permitted according to the provisions of Chapter 17.445.

3. Off-street parking and loading shall be provided as required by Chapter 17.435, and off-street loading shall not be permitted in a required side or rear yard setback abutting a residential zone. No off-street loading may be permitted within fifty feet of a public right-of-way or access easement.
 4. Site Landscaping and Design Plan. As a component of land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter 17.385 and any required design standards for the area, the following requirements shall apply:
 - a. ~~All required landscaping shall be installed prior to occupancy, unless installation is bonded (or other method) for a period not to exceed six months in an amount to be determined by the director.~~
 - b. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven feet, or other screening measure as may be prescribed by the director.
 - c. Areas which are to be maintained shall be so designated on a landscape plan, and subject to the review and approval of the director.
 - d. All mechanical, heating and ventilating equipment shall be visually screened.
 5. Performance Standards. No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:
 - a. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.
 - b. Vibration other than that caused by highway vehicles, trains, and aircraft which is discernible without instruments at the property line of the use concerned is prohibited.
 - c. Air emissions (smoke and particulate matter) must be approved by the Puget Sound Air Pollution Control Authority.
 - d. The emission of noxious gases (odors) or matter in such quantities as to be readily detectable at any point beyond the property line of the use causing such odors is prohibited.
 - e. Heat and glare, except for exterior lighting, operations producing heat and glare shall be conducted within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
 6. Administration. As a condition for the granting of a building permit and/or site plan approval, at the request of the director, information sufficient to determine the degree of compliance with the standards in this title, shall be furnished by the applicant. Such request may include continuous records of operation, for periodic checks to assure maintenance of standards or for special surveys.
- B. Other provisions: see Chapter 17.430.

Section 133. Kitsap County Code Section 17.375.060, last amended by Ordinance 367-2006 is amended as follows:

17.375.060 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.070, Airport and Industrial Density and Dimensions Table.

Section 134. Kitsap County Code Section 17.380.010, adopted by Ordinance 216-2008 is amended as follows:

17.380.010 Purpose.

The intent of this overlay is to protect and enhance significant sand, gravel and rock deposits as identified mineral resource lands. It is also used to ensure the continued or future use without disrupting or endangering adjacent land uses, while safeguarding life, property, and the public welfare. Provisions of state statutes applicable to Kitsap County pertaining to surface mining, are hereby adopted by reference. ~~No use provided for shall be established until the director issues a certificate of compliance with the standards contained herein.~~

Section 135. Kitsap County Code Section 17.380.030, last amended by Ordinance 367-2006 is amended as follows:

17.380.030 Special standards or requirements.

- A. All activities shall be consistent with all applicable Washington State surface mining permits and approvals.
- B. The director shall review all plans meeting the submittal requirements of Section 17.380.050 through a process consistent with KCC Title 21.
- C. Site Area shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.
- ~~D.~~B. Lot Width shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.
- ~~E.~~G. Fencing. The periphery of all sites within the gross site area being actively mined or reclaimed shall be fenced.
- ~~F.~~D.—Berms. Berms of sufficient height, width, and mass to screen the site from adjacent land uses shall be provided to protect health, property and welfare. Suitable planting shall be determined by the director.
- G. Setbacks. The tops and toes of cut and fill slopes shall be set back from property boundaries according to the State Department of Natural Resources standards for safety of adjacent properties, and to prevent water runoff or erosion of slopes and to provide adequate reclamation slopes per Section 17.380.030(H).
- ~~H.~~F. Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to the provisions of the Kitsap County Noise Ordinance.
- ~~I.~~G.—Hours of Operation. Hours of operation unless otherwise authorized by the director, shall be between 7:00 a.m. and 6:00 p.m.
- ~~J.~~H. Slope. When reclaimed, no slope of cut and fill surfaces shall be steeper than is safe for the intended use, and shall not exceed one and one-half horizontal to one vertical for unconsolidated material such as: gravel, and one-fourth horizontal to one vertical for consolidated material, unless otherwise approved by the director.
- ~~K.~~I. Erosion Control. All disturbed areas, including faces of cuts and fill slopes, shall be prepared and maintained to control erosion. This control may consist of plantings sufficient to stabilize the slope (as approved by the director).
- ~~L.~~J. Drainage. Provisions shall be made to:
 - 1. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a hill.
 - 2. Drain any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the department of public works' director.
 - 3. Prevent sediment from leaving the site in a manner which violates RCW 90.48.080 and/or WAC 173-201A-100.

M.K. Bench/terrace. Benches shall be back-sloped, and shall be established at not more than forty-foot vertical intervals, to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

N.L. Access Roads Maintenance. Access roads to mining and quarrying sites shall be maintained and located to the satisfaction of the director of public works, to minimize problems of dust, mud, and traffic circulation.

O.M. Overburden. Overburden shall only be removed to accommodate aggregate removal operations and related activities of this section.

Section 136. Kitsap County Code Section 17.380.040, adopted by Ordinance 216-1998 shall be deleted as follows:

17.380.040 — Investigation and report.

~~The director shall make an investigation of the application and shall prepare a report thereon. The report shall be transmitted to the applicant, representative(s) and hearing examiner at least seven calendar days prior to the public hearing. The report shall also be made available for public review, at the department of community development, at least seven calendar days prior to the public hearing.~~

Section 137. Kitsap County Code Section 17.380.050, adopted by Ordinance 216-1998 is amended as follows:

17.380.050 Information on plans and in specifications.

Plans shall be drawn to an appropriate engineer's scale upon substantial paper, ~~cloth, or mylar, or electronic, as authorized by state law,~~ and shall be of sufficient detail and clarity to indicate the nature and extent of the work proposed, and show in detail that they will conform to the provisions of this section and all other relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the location of the work, and the person by whom they were prepared. The plans shall include the following minimum information:

- A. General vicinity maps of the proposed site.
- B. Property limits and accurate contours, at an appropriate interval, of existing ground and details of terrain and area drainage.
- C. Dimensions, elevations, or finished contours to be achieved by the grading, proposed drainage channels and related construction.
- D. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms, settling ponds and other protective devices to be constructed with or as part of the proposed work together with the maps showing the drainage area and the estimated runoff of the area served by any drains.
- E. Location of any buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on land of adjacent property owners which are within fifty feet of the property.
- F. Landscape and rehabilitation plan as required by Section 17.380.060.

Section 138. Kitsap County Code Section 17.380.060, adopted by Ordinance 216-1998 is amended as follows:

17.380.060 Land restoration.

- A. Upon the exhaustion of minerals or materials, or upon the permanent abandonment of the quarrying or mining operation, all buildings, structures, apparatus, or appurtenances,

accessory to the quarrying and mining operation which are nonconforming to the underlying zone, shall be removed or otherwise dismantled to the satisfaction of the director.

- B. Final grades shall be such so as to encourage the uses permitted within the zone with which this overlay is combined or allowed as a conditional use.
- C. Unless approved as a sanitary landfill, grading or back-filling shall be made with non-noxious, nonflammable, noncombustible, and non-putrescible solids.
- D. Such graded or back-filled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding the site, and to a depth of at least four inches, or a depth of that of the topsoil of surrounding land, if less than four inches.
- E. Such topsoil as required by Section 17.380.060(D), shall be planted with trees, shrubs, or grasses.
- F. Graded or back-filled areas shall be reclaimed in a manner which will not permit stagnant water to remain. Suitable drainage systems approved by the director of public works shall be constructed or installed if natural drainage is not possible.
- G. Waste or soil piles shall be leveled and the area treated, as required in subsections (D) and (E) of Section 17.380.060.
- H. ~~The overlay is removed and the parcel converts back to the underlying zone.~~

Section 139. Kitsap County Code Section 17.380.065, is included as follows:

17.380.065 Transition of uses from Mineral Resource and removal of the Mineral Resource Overlay

As an option to the requirements of 17.380.060 to reclaim a property(s) and extinguish a Washington State Department of Natural Resources (DNR) surface mining permit, the County may accept, review and approve development permits for uses consistent with the property(s) underlying zone. If a permit meets all applicable, zoning, building, stormwater, fire and other County Codes, such permits shall be forwarded to the DNR to be reviewed as a reclamation plan. Upon receipt by the County of DNR confirmation of the closing of the surface mining permit for the property(s), the County shall include the property(s) in the next scheduled Comprehensive Plan Amendment cycle. At this time, the County shall rescind the Mineral Resource Comprehensive Plan designation and zoning classification, reverting the property(s) back to their underlying zone and compatible designation.

Section 140. Kitsap County Code Section 17.381.010, adopted by Ordinance 367-2006 is amended as follows:

17.381.010 Categories of uses established.

This chapter establishes permitted, conditional, and prohibited uses, by zone, for all properties within Kitsap County. All uses in a given zone are one of four types:

- A. Permitted Use: Land uses allowed outright within a zone and subject to provisions within Kitsap County Code.
- B. Administrative Conditional Use: Land uses which may be permitted within a zoning designation following review by the Director to establish conditions mitigating impacts of the use and to ensure compatibility with other uses in the designation.
- C. Hearing Examiner Conditional Use: Land uses with special characteristics that may not generally be appropriate within a zoning designation, but may be permitted subject to review by the Hearing Examiner to establish conditions to protect public health, safety and welfare.
- D. Prohibited Use: Land uses specifically enumerated as prohibited within a zone.

Section 141. Kitsap County Code Section 17.381.030, adopted by Ordinance 367-2006 is amended as follows:

17.381.030 Interpretation of tables.

A. Legend: The following letters have the following meanings when they appear in the box at the intersection of the column and the row:

P	Permitted Use
ACUP	Administrative Conditional Use Permit
C	Hearing Examiner Conditional Use Permit
PBD	Performance Based Development
X	Prohibited Use
R	Reserved

- B. Additional Use-Related Conditions: The small numbers (subscript) in a cell indicate additional requirements or detailed information for uses in specific zones. Those additional requirements can be found in the table footnotes in 17.381.050. All applicable requirements shall govern a use whether specifically identified in this Chapter or not.
- C. Unclassified Uses: Except as provided in KCC 17.100.040, Permitted uses, if a use is not listed in the use column, the use is prohibited in that designation.

Section 142. Kitsap County Code Section 17.381.040, adopted by Ordinance 367-2006 is amended as follows:

17.381.040 Zoning use tables.

There are five (5) separate tables addressing the following general land use categories and zones:

A. Urban Residential Zones

(UCR, UR, UL, UM, UH)

1. Urban Restricted (UR)
2. Urban Low Residential (UL)
3. Urban Cluster Residential (UCR)
4. Urban Medium Residential (UM)
5. Urban High Residential (UH)

B. Urban-Commercial and Mixed Use Zones

1. Neighborhood Commercial (NC)
2. Urban Village Center (UVC)
3. Urban Town Center (UTC)
4. Highway Tourist Commercial (HTC)
5. Regional Commercial (RC)

6. Mixed Use (MU)
 (~~NC, UVC, UTC, HTC, RC, MU~~)

C. Airport and Industrial Zones
 (~~A, BP, BC, IND~~)

1. Airport (A)
2. Business Park (BP)
3. Business Center (BC)
4. Industrial (IND)

D. Limited Areas of More Intensive Development (LAMIRD)

Rural Sub-Areas (MVC, MVLR, MVR, RHTC, RHTR, RHTW; SVC, SVLR, SVR)

1. Manchester Village Commercial (MVC)
2. Manchester Village Low Residential (MVLR)
3. Manchester Village Residential (MVR)
4. Port Gamble Rural Historic Town Commercial (RHTC)
5. Port Gamble Rural Historic Town Residential (RHTR)
6. Port Gamble Rural Historic Town Waterfront (RHTW)
7. Squamish Village Commercial (SVC)
8. Squamish Village Low Residential (SVLR)
9. Squamish Village Residential (SVR)

E. Parks, Rural and Resource Zones (P, FRL, MR, RP, RR, RW, URS)

1. Parks (P)
2. Forest Resource Lands (FRL)
3. Mineral Resource (MR)
4. Rural Protection (RP)
5. Rural Residential (RR)
6. Rural Wooded (RW)
7. Urban Reserve (URS)

Section 143. Kitsap County Code Section 17.381.040.A, adopted by Ordinance 367-2006 is amended as follows:

17.381.040.A Urban Residential Zones.

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RESIDENTIAL USES					
Accessory dwelling units (1)	P	P	P	P	X
Accessory living quarters (1)	P	P	P	P	X
Accessory use or structure (1) (17) (18) (51)	P	P	P	P	P
Adult Family Home	ACUP	X	X	ACUP	ACUP

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	<u>P (41)</u>	<u>ACUP</u> <u>P</u> <u>(41)</u>	<u>ACUP</u> <u>P</u> <u>(41)</u>	<u>P</u> <u>(41)</u>	<u>P</u> <u>(41)</u>
Bed and breakfast house	P	ACUP C (34)	ACUP C (34)	ACUP C (34)	X
Caretaker's dwelling	X	X	X	ACUP	X
Convalescent home or congregate care facility	ACUP	X	X C	C	ACUP
Cottage housing developments	P	ACUP	ACUP	ACUP	X
Dwelling, duplex	P	<u>ACUP</u> <u>P</u> <u>(3)</u>	<u>ACUP</u> <u>P</u> <u>(3)</u>	<u>ACUP</u> <u>P</u>	X
Dwelling, existing	P	P	P	P	P
Dwelling, multi-family	ACUP	C	C	P	P
Dwelling, single-family attached	P	P	P	P	ACUP
Dwelling, single-family detached	P	P	P	P	ACUP
<u>Guest house (1)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>
Home business (1) <u>(52)</u>	P	P	P	ACUP	ACUP
Hotel/Motel	X	X	X	<u>ACUP</u> <u>X</u>	X <u>ACUP</u>
Manufactured homes	P (43)	P (43)	P (43)	P (43)	X (43)
Mixed use development (44)	X	X	X	<u>ACUP</u> <u>X</u>	ACUP
Mobile homes	C (43)	C (24) (43)	C (24) (43)	C (24) (43)	X (43)
Residential care facility	P	ACUP	ACUP	P	P

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
COMMERCIAL / BUSINESS USES					
Accessory use or structure (1) (17) (51)	P	P	P	P	P
Adult entertainment (1)	X	X	X	X	X
Ambulance service	X	X	X	X	X
Auction house	X	X	X	X	X
Auto parts and accessory stores	X	X	X	X	X
Automobile and equipment rentals	X	X	X	X	X
Automobile service and repair and car washes	X	X	X	X	X
Automobile service station (6)	X	X	X	X	X
Automobile, recreational vehicle or boat sales	X	X	X	X	X
Boat/marine supply stores	X	X	X	X	X
Brew pubs	X	X	X	X	X
Clinic, Medical	X	X	X	X	ACUP (37)
Conference Center	X	X	P	X	X
Custom art and craft stores	X	X	X	X	X
Day-care center (14)	C	C	C	G ACUP	ACUP (37)
Day-care center, family (14)	P	P	P	G ACUP	ACUP (37)
Drinking establishments	X	X	X	X	X
Engineering and construction firms	X	X	X	X	X
Espresso stands	X	X	X	X	P (37)
Farm and garden equipment and sales	X	X	X	X	X
Financial, banking, mortgage and title institutions	X	X	X	X	X
General office and management services – less than 2,000 s.f.	X-C (28)	X	X	X	ACUP (37)

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
General office and management services – 2,000 to 4,999 s.f.	X	X	X	X	ACUP (37)
General office and management services – 5,000 to 9,999 s.f.	X	X	X	X	ACUP (37)
General office and management services – 10,000 s.f. or greater	X	X	X	X	ACUP (37)

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
COMMERCIAL / BUSINESS USES (continued)					
General retail merchandise stores – less than 5,000 s.f.	C (28)	X	X	X	ACUP (37)
General retail merchandise stores –5,000 to 9,999 s.f.	X	X	X	X	X
General retail merchandise stores – 10,000 to 24,999 s.f.	X	X	X	X	X
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X	X
Kennels or Pet Day-Cares (4)	X	X	X	X	X
Kennels, hobby	P	P	P	P	X
Laundromats and laundry services	C (28)	X	X	X	ACUP (37)
Lumber and bulky building material sales	X	X	X	X	X
Mobile home sales	X	X	X	X	X
Nursery, retail	X	X	X	X	X
Nursery, wholesale	X	X	X	X	X
Off-street private parking facilities	X	X	X	X	X
Personal services - skin care, massage, manicures, hairdresser/barber	X <u>C</u> (28)	X	X	X	ACUP (37)
Pet shop - retail and grooming	X	X	X	X	ACUP (37)
Research Laboratory	X	X	X	X	X
Restaurants	C (28)	X	X	X	ACUP (37)
Restaurants, Drive-In	X	X	X	X	X
Restaurants, High-turnover	X	X	X	X	X
Temporary offices and model homes (27)	P	P	ACUP P	ACUP	ACUP (37)
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	X	X	X	X
Transportation terminals	X	X	X	X	X
Veterinary clinics/Animal hospitals	X	X	X	X	C (9)(37)

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RECREATIONAL / CULTURAL USES					
Accessory use or structure (1) (17) (51)	P	P	P	P	P
Amusement centers	X	X	X	X	X
Carnival or Circus	X	X	X	X	X
Club, Civic or Social (12)	ACUP	C (12)	C	ACUP	ACUP
Golf courses	ACUP	C	C	C	ACUP
Marinas	ACUP	C	C	C	C
Movie Theaters, indoor	X	X	X	X	X
Movie Theaters, outdoor	X	X	X	X	X ACUP
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	X	X	X	X	ACUP
Parks and open space	P	P	P	P	P
Race track, major (auto or motorcycle)	X	X	X	X	X
Race track, minor	X	X	X	X	X
Recreational facilities, private	ACUP	C	C	C	ACUP
Recreational facilities, public	P	P	P	P	ACUP
Recreational vehicle camping parks	X	C	C	X	X
INSTITUTIONAL USES					
Accessory use or structure (1) (17) (51)	P	P	P	P	P
Government/Public structures	ACUP	ACUP	ACUP	ACUP	ACUP
Hospital	X	X	X	X	C
Places of worship (12)	C	C	C	C	ACUP
Private or Public Schools (20)	C	C	X C	C	ACUP C
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	ACUP	C	C	C	ACUP

Use	Urban Low-Density Residential			Urban Medium/High – Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
INDUSTRIAL USES					
Accessory use or structure (1) (17) (51)	P	P	P	P	P
Air pilot training schools	X	X	X	X	X
Assembly and packaging operations	X	X	X	X	X
Boat Yard	X	X	X	X	X
Cemeteries, mortuaries, and crematoriums (10)	C	C	C	C	C
Cold storage facilities	X	X	X	X	X
Contractor's storage yard	X	X	X	X	X
Food Production, Brewery or Distillery	X	X	X	X	X
Fuel distributors	X	X	X	X	X
Helicopter pads (13)	X	X	X	X	X
Manufacturing and fabrication, light	X	X	X	X	X
Manufacturing and fabrication, medium	X	X	X	X	X
Manufacturing and fabrication, heavy	X	X	X	X	X
Manufacturing and fabrication, hazardous	X	X	X	X	X
Recycling centers	X	X	X	X	X
Rock crushing	X	X	X	X	X
Slaughterhouse or animal processing	X	X	X	X	X
Storage, hazardous materials	X	X	X	X	X
Storage, indoor	X	X	X	X	X
Storage, outdoor	X	X	X	X	X
Storage, self-service	C (40)	C (40)	C (40)	C (40)	C
Storage, vehicle and equipment (1)	X (18)	X (18)	X (18)	X (18)	X (18)
Top soil production and/or stump grinding	X	X	X	X	X
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	X	X	X

Use	Urban Low-Density Residential			Urban Medium/High – Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	X	X	X	X	X
Warehousing and distribution	X	X	X	X	X
Wrecking yards and junk yards (1)	X	X	X	X	X

Use	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RESOURCE LAND USES					
Accessory use or structure (1) (17) (51)	P	P	P	P	P
Aggregate extractions sites	X	X	X	X	X
Agricultural uses (15)	X	P	P	P	P
Aquaculture practices	C	C	C	C	C
Forestry	X	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	X	X
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	X	P (2)	P (2)	P (2)	P (2)

Section 144. Kitsap County Code Section 17.381.040.B, adopted by Ordinance 367-2006 is amended as follows:

17.381.040.B Urban Commercial and Mixed Use Zones.

Use	Urban Low Intensity Commercial/ Mixed Use		Urban-High-Intensity Commercial/ Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
RESIDENTIAL USES						
Accessory dwelling units (4)	X	X	R	X	X	X
Accessory living quarters (4)	X	X	R	X	X	X
Accessory use or structure (1) (17) (18) (51)	P	P	R	P	P	P
Adult Family Home	X	ACUP P (41)	R	X ACUP P (41)	X ACUP P (41)	ACUP P (41)
Bed and breakfast house	ACUP C (34)	ACUP C (34)	R	X	X	X
Caretaker's dwelling	X	X	R	X	X	X
Convalescent home or congregate care facility	C	ACUP	R	ACUP	ACUP	ACUP
Cottage housing developments	X	ACUP	R	X	X	ACUP
Dwelling, duplex	X	ACUP	R	X	X	X
Dwelling, existing	P	P	R	P	P	P
Dwelling, multi-family	X	ACUP	R	X ACUP	X ACUP	ACUP
Dwelling, single-family attached	X	P	R	X ACUP	X ACUP	X ACUP
Dwelling, single-family detached	X	P	R	X	X	X
<u>Guest House</u>	<u>X</u>	<u>X</u>	<u>R</u>	<u>X</u>	<u>X</u>	<u>X</u>
Home business (1) (52)	ACUP	P	R	X	X	ACUP
Hotel/Motel	C	ACUP	R	P	P	ACUP
Manufactured homes	X	X (43)	R	X	X	X
Mixed use development (44) (49)	ACUP	ACUP	R	ACUP	ACUP	ACUP
Mobile homes	X	X (43)	R	X	X	X

Ord # 415-2008

Residential care facility	X	ACUP	R	X ACUP	X ACUP	ACUP
---------------------------	---	------	---	-----------	-----------	------

Use	Urban Low-Intensity Commercial/ Mixed Use		Urban-High-Intensity Commercial/ Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
COMMERCIAL / BUSINESS USES						
Accessory use or structure (1) (17) (51)	P	P	R	P	P	P
Adult entertainment (1)	X	X	R	C	C	X
Ambulance service	C	C	R	P	P	ACUP
Auction house	X	ACUP	R	P	P	X
Auto parts and accessory stores	ACUP	X	R	P	P	ACUP
Automobile and equipment rentals	X	ACUP	R	P	P	ACUP
Automobile service and repair and car washes	C	X	R	P	P	ACUP
Automobile service station (6)	C	X	R	ACUP	ACUP	X
Automobile, recreational vehicle or boat sales	X	X	R	ACUP	ACUP	X
Boat/marine supply stores	X	X	R	P	P	ACUP
Brew pubs	ACUP	ACUP	R	P	P	ACUP
Clinic, Medical	ACUP	ACUP	R	ACUP	ACUP	ACUP
Conference Center	X	ACUP	R	ACUP	ACUP	ACUP
Custom art and craft stores	ACUP	ACUP	R	P	P	ACUP
Day-care center (14)	ACUP	ACUP	R	P	P	ACUP
Day-care center, family (14)	ACUP P	ACUP P	R	P	P	ACUP P
Drinking establishments	C	ACUP	R	C	C	C
Engineering and construction firms	ACUP	ACUP	R	P	P	ACUP
Espresso stands	ACUP	X	R	ACUP	ACUP	X
Farm and garden equipment and sales	X	X	R	P	P	ACUP
Financial, banking, mortgage and title institutions	ACUP	ACUP	R	P	P	ACUP
General office and management services – less than 2,000 s.f.	ACUP	ACUP	R	P	P	ACUP

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
General office and management services – 2,000 to 4,999 s.f.	ACUP	ACUP	R	P	P	ACUP
General office and management services – 5,000 to 9,999 s.f.	ACUP	ACUP	R	P	P	ACUP
General office and management services – 10,000 s.f. or greater	X	ACUP	R	ACUP	ACUP	ACUP

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
COMMERCIAL / BUSINESS USES (continued)						
General retail merchandise stores – less than 5,000 s.f.	ACUP	ACUP	R	P	P	ACUP
General retail merchandise stores –5,000 to 9,999 s.f.	ACUP	ACUP	R	P	P	ACUP
General retail merchandise stores – 10,000 to 24,999 s.f.	C	C	R	ACUP	ACUP	ACUP
General retail merchandise stores – 25,000 s.f. or greater	X	X	R	ACUP	ACUP	X
Kennels or Pet Day-Cares (1)	C	X	R	C	C	C
Kennels, hobby	P	P	R	X	X	P
Laundromats and laundry services	C	ACUP	R	P	P	ACUP
Lumber and bulky building material sales	X	X	R	ACUP	ACUP	X
Mobile home sales	X	X	R	ACUP	ACUP	X
Nursery, retail	ACUP	ACUP	R	P	P	ACUP
Nursery, wholesale	ACUP	ACUP	R	P	P	ACUP
Off-street private parking facilities	ACUP	ACUP	R	P	P	ACUP
Personal services - skin care, massage, manicures, hairdresser/barber	ACUP	ACUP	R	P	P	ACUP
Pet shop - retail and grooming	ACUP	ACUP	R	P	P	ACUP
Research Laboratory	X	X	R	X	X	X
Restaurants	ACUP	ACUP	R	P	P	ACUP
Restaurants, Drive-In	G	X	R	ACUP	ACUP	X
Restaurants, High-turnover	ACUP C	ACUP	R	ACUP	ACUP	ACUP
Temporary offices and model homes (27)	X	X	R	X	X	X
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	X	R	ACUP	ACUP	X

Use	Urban Low-Intensity Commercial/Mixed Use		Urban-High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48) X ACUP
Transportation terminals	C	X	R	ACUP	ACUP	ACUP
Veterinary clinics/Animal hospitals	ACUP	C	R	P	P	ACUP

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
RECREATIONAL / CULTURAL USES						
Accessory use or structure (1) (17) (51)	P	P	R	P	P	P
Amusement centers	C	C (11)	R	ACUP (11)	ACUP (11)	ACUP (11)
Carnival or Circus	C	ACUP (11)	R	ACUP (11)	ACUP (11)	ACUP (11)
Club, Civic or Social (12)	ACUP	ACUP	R	P	P	ACUP
Golf courses	ACUP	ACUP	X	ACUP	ACUP	ACUP
Marinas	ACUP	C	X	ACUP	ACUP	C
Movie Theaters, indoor	ACUP	ACUP	R	ACUP	ACUP	X ACUP
Movie Theaters, outdoor	X	X	R	C	C	X ACUP
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	ACUP	R	ACUP	ACUP	ACUP
Parks and open space	P	P	P	P	P	P
Race track, major (auto or motorcycle)	X	X	X	C	C	X
Race track, minor	X	X	X	X	X	X
Recreational facilities, private	ACUP	ACUP	R	ACUP	ACUP	ACUP
Recreational facilities, public	ACUP	ACUP	R	ACUP	ACUP	ACUP
Recreational vehicle camping parks	X C	X	R	C	X	X
INSTITUTIONAL USES						
Accessory use or structure (1) (17) (51)	P	P	R	P	P	P
Government/Public structures	ACUP	ACUP	R	ACUP	ACUP	ACUP
Hospital	X	C	R	ACUP	ACUP	X C
Places of worship (12)	ACUP	ACUP	R	ACUP	ACUP	C
Private or Public Schools (20)	ACUP	ACUP	R	ACUP	ACUP	ACUP

Ord# 415-2008

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	ACUP	ACUP	R	ACUP	ACUP	ACUP

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
INDUSTRIAL USES						
Accessory use or structure (1) (17) (51)	P	P	R	P	P	P
Air pilot training schools	X	P	R	P	X	X
Assembly and packaging operations	X	X	R	X	X	X
Boat Yard	X	X	R	ACUP	ACUP	X
Cemeteries, mortuaries, and crematoriums (10)	C	C	R	ACUP	ACUP	X
Cold storage facilities	X	X	R	X	X	X
Contractor's storage yard (21)	X	X	R	X	X	X
Food Production, Brewery or Distillery	X	X	R	C	C	C
Fuel distributors	X	X	R	C	C	X
Helicopter pads (13)	X	C	R	ACUP	ACUP	X
Manufacturing and fabrication, light	X	X	R	X	X	X
Manufacturing and fabrication, medium	X	X	R	X	X	X
Manufacturing and fabrication, heavy	X	X	R	X	X	X
Manufacturing and fabrication, hazardous	X	X	R	X	X	X
Recycling centers	X	X	R	X	X	X
Rock crushing	X	X	R	X	X	X
Slaughterhouse or animal processing	X	X	R	X	X	X
Storage, hazardous materials	X	X	R	X	X	X
Storage, indoor	X	X	R	X	X	X
Storage, outdoor	X	X	R	X	X	X
Storage, self-service	X C	X	R	ACUP	ACUP	ACUP (40)
Storage, vehicle and equipment (1)	X	X	R	C	X	X
Top soil production, stump grinding	X	X	R	X	X	X

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	R	X	X	X
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	X	X	R	X	X	X
Warehousing and distribution	X	X	R	X	X	X
Wrecking yards and junk yards (1)	X	X	R	X	X	X

Use	Urban Low-Intensity Commercial/Mixed Use		Urban High-Intensity Commercial/Mixed Use			
	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
RESOURCE LAND USES						
Accessory use or structure (1) (17) (51)	P	P	R	P	P	P
Aggregate extractions sites	X	X	R	X	X	X
Agricultural uses (15)	P	X	R	P	P	P
Aquaculture practices	C	C	R	C	C	C
Forestry	P	X	R	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	R	X	X	X
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	P (2)	X	R	P (2)	P (2)	P (2)

Section 150. Kitsap County Code Section 17.381.040.C, adopted by Ordinance 367-2006 is amended as follows:

17.381.040.C Airport and Industrial Zones.

Use	Airport	Urban-Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
RESIDENTIAL USES				
Accessory dwelling units (4)	X	X	X	X
Accessory living quarters (4)	X	X	X	X
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Adult Family Home	X	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)
Bed and breakfast house	X	X	X	X
Caretaker's dwelling	ACUP	P	P	P
Convalescent home or congregate care facility	X	X	X	X
Cottage housing developments	X	X	X	X
Dwelling, duplex	X	X	X	X
Dwelling, existing	P	P	P	P
Dwelling, multi-family	X	X	X	X
Dwelling, single-family attached	X	X	X	X
Dwelling, single-family detached	X	X	X	X
<u>Guest House</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Home business (4)	X	X	X	X
Hotel/Motel	X	X	X	X
Manufactured homes	X	X	X	X
Mixed use development (44)	X	X	X	X
Mobile homes	X	X	X	X
Residential care facility	X	X	X	X

	Airport	Urban Industrial		
Use	A	BC (31) (42)	BP	IND (32) (42)
COMMERCIAL / BUSINESS USES				
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Adult entertainment (1)	X	C	X	C
Ambulance service	X	P	ACUP	ACUP
Auction house	X	X	X	X
Auto parts and accessory stores	X	X	X	X
Automobile and equipment rentals	ACUP	P	ACUP	ACUP
Automobile service and repair and car washes	X	P	ACUP	ACUP
Automobile service station (6)	X	C (33)	C (33)	C (33)
Automobile, recreational vehicle or boat sales	X	ACUP (35)	X	ACUP (35)
Boat/marine supply stores	X	X	X	X
Brew pubs	X	X	X	X ACUP
Clinic, Medical	X	P	ACUP	C
Conference Center	X	X	X	X
Custom art and craft stores	X	X	X	X
Day-care center (14)	X	P (33)	ACUP (33)	ACUP (33)
Day-care center, family (14)	X	P (33)	ACUP (33)	ACUP (33)
Drinking establishments	C	P (33)	C (33)	ACUP (33)
Engineering and construction firms	X	P (33)	ACUP (33)	ACUP (33)
Espresso stands	X	P (33)	ACUP (33)	ACUP (33)
Farm and garden equipment and sales	X	X	X	X
Financial, banking, mortgage and title institutions	X	P (33)	C (33)	ACUP (33)
General office and management services – less than 2,000 s.f.	X	P	P	ACUP
General office and management services – 2,000 to 4,999 s.f.	X	P	P	ACUP

Use	Airport	Urban Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
General office and management services – 5,000 to 9,999 s.f.	X	X P	P	X
General office and management services – 10,000 s.f. or greater	X	X P	P	X

	Airport	Urban-Industrial		
Use	A	BC (31) (42)	BP	IND (32) (42)
COMMERCIAL / BUSINESS USES (continued)				
General retail merchandise stores – less than 5,000 s.f.	X	P (33)	X	ACUP (33)
General retail merchandise stores –5,000 to 9,999 s.f.	X	X	X	X
General retail merchandise stores – 10,000 to 24,999 s.f.	X	X	X	X
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X
Kennels or Pet Day-Cares (1)	X	P	ACUP	ACUP
Kennels, hobby	X	X	X	X
Laundromats and laundry services	X	P	ACUP	ACUP
Lumber and bulky building material sales	X	P	X	ACUP
Mobile home sales	X	X	X	X
Nursery, retail	X	X	X	X
Nursery, wholesale	X	X	X	X
Off-street private parking facilities	X	X	X	X
Personal services - skin care, massage, manicures, hairdresser/barber	X	X	X	X
Pet shop - retail and grooming	X	X	X	X
Research Laboratory	X	P	ACUP	ACUP
Restaurants	ACUP	P (33)	C (33)	ACUP (33)
Restaurants, Drive-In	X	X	X	X
Restaurants, High-turnover	X	X	X	X
Temporary offices and model homes (27)	X	X	X	X
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	P	ACUP	ACUP
Transportation terminals	ACUP	P	X	ACUP
Veterinary clinics/Animal hospitals	X	P	ACUP	ACUP

Use	Airport	Urban Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
RECREATIONAL / CULTURAL USES				
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Amusement centers	X	X (11)	X (11)	C (11)
Carnival or Circus	X	X (11)	X (11)	ACUP (11)
Club, Civic or Social (12)	ACUP	ACUP	X	ACUP
Golf courses	X	X	X	X
Marinas	X	X	X	C
Movie Theaters, indoor	X	X	X	X
Movie Theaters, outdoor	X	X	X	X
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	P	ACUP	X
Parks and open space	P	P	P	P
Race track, <u>major (auto or motorcycle)</u>	X	X C	C	C
Race track, <u>minor</u>	X	X	X	C
Recreational facilities, private	X	P	C	C
Recreational facilities, public	C	P	C	C
Recreational vehicle camping parks	X	X	X	X
INSTITUTIONAL USES				
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Government/Public structures	P	P	P	P
Hospital	X	X C	X C	X C
Places of worship (12)	X	C	X	C
Private or Public Schools (20)	X	P	ACUP	ACUP

Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	C	ACUP	ACUP	ACUP
---	---	------	------	------

Use	Airport	Urban Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
INDUSTRIAL USES				
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Air pilot training schools	ACUP	P	X	P
Assembly and packaging operations	ACUP	ACUP	X	ACUP
Boat Yard	X	P	ACUP	ACUP
Cemeteries, mortuaries, and crematoriums (10)	X	ACUP	X	ACUP
Cold storage facilities	X	X	SPR ACUP	ACUP
Contractor's storage yard (24)	X	P	X	ACUP P
Food Production, Brewery or Distillery	X	ACUP	ACUP	C
Fuel distributors	X	C	X	C
Helicopter pads (13)	P	ACUP	X	ACUP
Manufacturing and fabrication, light	ACUP	P	ACUP	P
Manufacturing and fabrication, medium	ACUP	ACUP	ACUP	ACUP
Manufacturing and fabrication, heavy	X	X C (52)	X	C
Manufacturing and fabrication, hazardous	X	X	X	C
Recycling centers	X	X	X	C
Rock crushing	X	X	X	C
Slaughterhouse or animal processing	X	X	X	C
Storage, hazardous materials	X	X	X	C
Storage, indoor	C	ACUP	ACUP	ACUP
Storage, outdoor	C	C	X	ACUP
Storage, self-service	X	ACUP	X	ACUP
Storage, vehicle and equipment (1)	X	ACUP	X	ACUP
Top soil production, stump grinding	X	X	X	ACUP
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	P	C	C

Use	Airport	Urban Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	P	X	X	C
Warehousing and distribution	ACUP	X	X	ACUP
Wrecking yards and junk yards (1)	X	X	X	C

Use	Airport	Urban Industrial		
	A	BC (31) (42)	BP	IND (32) (42)
RESOURCE LAND USES				
Accessory use or structure (1) (17) (51)	P	P	ACUP	ACUP
Aggregate extractions sites	X	P	X	C
Agricultural uses (15)	X	P	P	P
Aquaculture practices	X	P	X	C
Forestry	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	C
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	P (2)	P (2)	P (2)	P (2)

Section 145. Kitsap County Code Section 17.381.040.D, adopted by Ordinance 367-2006 is amended as follows:

17.381.040.D Limited Areas of More Intensive Rural Development (LAMIRD) Rural Sub-Areas.

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
RESIDENTIAL USES									
Accessory dwelling units (1)	X	C	C	C	C	X	C	ACUP	ACUP
Accessory living quarters (1)	X	P	P	X C	P	P	X C	P	P
Accessory use or structure (1) (17) (18) (51)	ACUP	P	P	P	P	P	P	P	P
Adult Family Home	ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)
Bed and breakfast house	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)
Caregiver's dwelling	X	X	X	P	X	P	X	X	X
Convalescent home or congregate care facility	ACUP	X	X	ACUP	C	X	X	X	X
Cottage housing developments	X	X	X	X	X C	X C	X	X C	X C
Dwelling, duplex	X	P (3)	P (3)	P	P	X	X	C	C
Dwelling, existing	P	P	P	P	P	P	P	P	P
Dwelling, multi-family	X	X	X	ACUP	ACUP	X	X	X	X
Dwelling, single-family attached	P (26)	P	P	P	P	X	C	P	P
Dwelling, single-family detached	P (26)	P	P	P	P	X	C	P	P
Guest House (1)	X	P	P	X P	P	P	C	P	P
Home business (1) (52)	X	ACUP	ACUP	P	P	X	X	ACUP	ACUP
Hotel/Motel	C	X	X	ACUP	X	ACUP	X	X	X
Manufactured home	X (43)	P (43)	P (43)	ACUP (43)	ACUP (43)	X	X (43)	P (43)	P (43)

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
Mixed use development (44)	ACUP	X	X	ACUP	X	PBD	ACUP	X	X
Mobile homes	X (43)	X (43)	X (43)	X (43)	X (43)	X	X (24) (43)	X (24) (43)	X (24) (43)
Residential care facility	X	X	X	X	X	X	X C	X	X

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
COMMERCIAL / BUSINESS USES									
Accessory use or structure (1) (17) (51)	ACUP	P	P	P	P	P	P	P	P
Adult entertainment (1)	X	X	X	X	X	X	X	X	X
Ambulance service	X	X	X	X	X	X	X	X	X
Auction house	X	X	X	X	X	X	X	X	X
Auto parts and accessory stores	ACUP	X	X	X	X	X	X C	X	X
Automobile and equipment rentals	X	X	X	X	X	X	X	X	X
Automobile service and repair and car washes	X	X	X	X ACUP	X	X	C	X	X
Automobile service station (6)	X	X	X	ACUP	X	X	ACUP (36)	X	X
Automobile, recreational vehicle or boat sales	X	X	X	X	X	X ACUP	X	X	X
Boat/marine supply stores	ACUP	X	X	ACUP	X	ACUP	X C	X	X
Brèw pubs	X	X	X	ACUP	X	ACUP	X C	X	X
Clinic, Medical	ACUP	X	X	ACUP	X	ACUP	X C	X	X
Conference Center	X	X	X	X ACUP	X	X ACUP	X	X	X
Custom art and craft stores	ACUP	X	X	ACUP	X	ACUP	ACUP P	X	X
Day-care center (14)	C	C	C	ACUP	C	ACUP	ACUP	C	C

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
Day-care center, family (14)	C	C	C	ACUP	C	ACUP	ACUP	C	C
Drinking establishments	C	X	X	X C	X	X C	C	X	X
Engineering and construction firms	ACUP	X	X	X ACUP	X	X ACUP	C	X	X
Espresso stands	ACUP	X	X	X ACUP	X	X	C	X	X
Farm and garden equipment and sales	X	X	X	X	X	X	X C	X	X
Financial, banking, mortgage and title institutions	ACUP	X	X	X ACUP	X	X ACUP	C	X	X
General office and management services – less than 2,000 s.f.	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
General office and management services – 2,000 to 4,999 s.f.	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
General office and management services – 5,000 to 9,999 s.f.	ACUP	X	X	PBD (38)	X	PBD (38)	ACUP	X	X
General office and management services – 10,000 s.f. or greater	ACUP	X	X	X	X	X	ACUP	X	X

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
COMMERCIAL / BUSINESS USES									
General retail merchandise stores – less than 5,000 s.f.	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
General retail merchandise stores – 5,000 to 9,999 s.f.	ACUP	X	X	PBD	X	PBD	ACUP	X	X
General retail merchandise stores – 10,000 to <u>15,000</u> 24,999 s.f.	X	X	X	X	X	X	X C	X	X
General retail merchandise stores – 15,001 – 24,999 s.f.	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X	X	X	X	X	X
Kennels or Pet Day-Cares (1)	X	C	C	X	X	X	X	X	X
Kennels, hobby	X	P	P	X	P	X	X	P	P
Laundromats and laundry services	C	X	X	ACUP	X	ACUP	X ACUP	X	X
Lumber and bulky building material sales	X	X	X	X	X	ACUP	ACUP	X	X
Mobile home sales	X	X	X	X	X	X	X	X	X
Nursery, retail	ACUP	C	C	ACUP	X	ACUP	ACUP	C	C
Nursery, wholesale	ACUP	C	C	ACUP	X	ACUP	ACUP	C	C
Off-street private parking facilities	ACUP	X	X	X ACUP	X	X ACUP	X	X	X
Personal services - skin care, massage, manicures, hairdresser/barber	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
Pet shop - retail and grooming	ACUP	X	X	ACUP	X	X	C	X	X
Research Laboratory	X	X	X	X	X	X C	X	X	X
Restaurants	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
Restaurants, Drive-In	X	X	X	X	X	X	X	X	X
Restaurants, High-turnover	C	X	X	C	X	C	C	X	X
Temporary offices and model homes (27)	X	ACUP	ACUP	X	X	X ACUP	X	X	X

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	X	X	X	X	C	C	X	X
Transportation terminals	X	X	X	X	X	X C	X	X	X
Veterinary clinics/Animal hospitals	ACUP	X	X	ACUP	X	X	ACUP	C	C

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
RECREATIONAL / CULTURAL USES									
Accessory use or structure (1) (17) (51)	ACUP	P	P	P	P	P	P	P	P
Amusement centers	C (11)	X	X	X (11)	X	X	X (11)	X	X
Carnival or Circus	C (11)	X	X	X (11)	X	X	X (11)	X	X
Club, Civic or Social (12)	ACUP	ACUP	ACUP	ACUP	C	ACUP	ACUP	C	C
Golf courses	X	C	C	ACUP	C	ACUP	ACUP	C	C
Marinas	ACUP	X	X	X	X	PBD	ACUP	C	C
Movie Theaters, indoor	C	X	X	X ACUP	X	X	X	X	X
Movie Theaters, outdoor		X	X	X	X	X	X	X	X
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	X	X	ACUP	C	ACUP	ACUP	X	X
Parks and open space	P	P	P	P	P	P	P	P	P
Race track, major (auto or motorcycle)	X	X	X	X	X	X	X	X	X
Race track, minor	X	X	X	X	X	X	X	X	X
Recreational facilities, private	C	C	C	ACUP	C	ACUP	ACUP	C	C
Recreational facilities, public	C	C	C	ACUP	C	ACUP	ACUP	C	C
Recreational vehicle camping parks	X	X	X	X	X	X	X	X	X
INSTITUTIONAL USES									
Accessory use or structure (1) (17) (51)	ACUP	P	P	P	P	P	P	P	P
Government/Public structures	ACUP	C	C	ACUP	C	X ACUP	ACUP	C	C
Hospital	X	X	X	X	X	X	X	X	X
Places of worship (12)	ACUP	C	C	C	C	C	ACUP	C	C
Private or Public Schools (20)	ACUP	C	C	ACUP	C	ACUP	ACUP	C	C

Use	Manchester Sub-Area <u>LAMIRD</u>			Rural Historic Sub-Area <u>LAMIRD</u>			Suquamish Sub-Area <u>LAMIRD</u>		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots(16)	ACUP	C	C	PBD	X	PBD	P	C	C

Ord # 415-2008

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
INDUSTRIAL USES									
Accessory use or structure (1) (17) (51)	ACUP	P	P	P	P	P	P	P	P
Air pilot training schools	X	X	X	X	X	X	X	X	X
Assembly and packaging operations	X	X	X	X PBD	X	X PBD	X	X	X
Boat Yard	X	X	X	ACUP	X	ACUP	X	X	X
Cemeteries, mortuaries, and crematoriums (10)	X	C	C	X	X	X	X	X	X
Cold storage facilities	X	X	X	X	X	X	X	X	X
Contractor's storage yard (21)	X	C	C	X	X	X ACUP	X	X	X
Food Production, Brewery or Distillery	X	X	X	C	X	C	X	X	X
Fuel distributors	X	X	X	X	X	X	X	X	X
Helicopter pads (13)	X	X	X	X	X	X	X	X	X
Manufacturing and fabrication, light	X	X	X	X PBD	X	X PBD	X	X	X
Manufacturing and fabrication, medium	X	X	X	X	X	X PBD	X	X	X
Manufacturing and fabrication, heavy	X	X	X	X	X	X PBD	X	X	X
Manufacturing and fabrication, hazardous	X	X	X	X	X	X PBD	X	X	X
Recycling centers	X	X	X	X	X	C	X	X	X
Rock crushing	X	X	X	X	X	X	X	X	X
Slaughterhouse or animal processing	X	X	X	X	X	X	X	X	X
Storage, hazardous materials	X	X	X	X	X	X	X	X	X
Storage, indoor	X	X	X	X	X	X ACUP	X	X	X
Storage, outdoor	X	X	X	X	X	X ACUP	X	X	X
Storage, self-service	X	X	X	X	X	X	X	X	X
Storage, vehicle and equipment (1)	X	X (18)	X (18)	X	X (18)	X ACUP (18)	X	X (18)	X (18)
Top soil production, stump grinding	X	X	X	X	X	X ACUP	X	X	X

Use	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	X	X	X	C	X	X	X
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	X	X	X	X	X	X	X	X	X
Warehousing and distribution	X	X	X	X	X	X	X	X	X
Wrecking yards and junk yards (1)	X	X	X	X	X	X	X	X	X

	Manchester Sub-Area LAMIRD			Rural Historic Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
SOURCE LAND USES									
Accessory use or structure (1) (17) (51)	ACUP	P	P	P	P	P	P	P	P
Aggregate extractions sites	X	X	X	X	X	X	X	X	X
Agricultural uses (15)	X	P	P	P	P	P	P	P	P
Aquaculture practices	X	C	C	X	X	X	X	X	X
Forestry	X	P	P	P	P	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	X	X	X PBD	X	X	X
Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site (27)	X	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)

Section 146. Kitsap County Code Section 17.381.040.E, adopted by Ordinance 367-2006 is amended as follows:

17.381.040.E Parks, Rural and Resource Zones.

Use	Parks	Resource		Rural			
	Parks	FRL	MR	URS	RP	RR	RW
RESIDENTIAL USES							
Accessory dwelling units (1)	X	X	X	C	C	C	C
Accessory living quarters (1)	X	X	X	P	P	P	P
Accessory use or structure (1) (17) (18) (51)	X	P	P	P	P	P	P
Adult Family Home	X	X	X	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)	X ACUP P (41)
Bed and breakfast house	X	X	X	ACUP C (34)	ACUP C (34)	ACUP C (34)	ACUP C (34)
Caretaker's dwelling	P	X	X	X	X	X	X
Convalescent home or congregate care facility	X	X	X	X	X	X	X
Cottage housing developments	X	X	X	X	X	X	X
Dwelling, duplex	X	P (3)	X	P (3)	P (3)	P (3)	P (3)
Dwelling, existing	X	P	P	P	P	P	P
Dwelling, multi-family	X	X	X	X	X	X	X
Dwelling, single-family attached	X	C	X	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	X
Dwelling, single-family detached	X	C	X	P	P	P	X P
<u>Guest House (1)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Home business (1) (52)	X	C (23)	X	ACUP	ACUP	ACUP	ACUP
Hotel/Motel	X	X	X	X	X	X	X
Manufactured homes	X	X <u>C</u> (43)	X	X <u>P</u> (43)	X <u>P</u> (43)	X <u>P</u> (43)	X
Mixed use development (44)	X	X	X	X	X	X	X
Mobile homes	X	P (43)	P	P (43)	P (43)	P (43)	P
Residential care facility	X	X	X	X	X	X	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
COMMERCIAL / BUSINESS USES							
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P
Adult entertainment (1)	X	X	X	X	X	X	X
Ambulance service	X	X	X	X	X	X	X
Auction house	X	X	X	X	X	X	X
Auto parts and accessory stores	X	X	X	X	X	X	X
Automobile and equipment rentals	X	X	X	X	X	X	X
Automobile service and repair and car washes	X	X	X	X	X	X	X
Automobile service station (6)	X	X	X	X	X	X	X
Automobile, recreational vehicle or boat sales	X	X	X	X	X	X	X
Boat/marine supply stores	X	X	X	X	X	X	X
Brew pubs	X	X	X	X	X	X	X
Clinic, Medical	X	X	X	X	X	X	X
Conference Center	X ACUP	X	X	X	X	X	X
Custom art and craft stores	X	X	X	X	X	X	X
Day-care center (14)	ACUP	X	X	C	C	C	X
Day-care center, family (14)	X	X	X	C ACUP	C P	C P	X
Drinking establishments	X	X	X	X	X	X	X
Engineering and construction firms	X	X	X	X	X	X	X
Espresso stands	X	X	X	X	X	X	X
Farm and garden equipment and sales	X	X	X	X	X	X	X
Financial, banking, mortgage and title institutions	X	X	X	X	X	X	X
General office and management services – less than 2,000 s.f.	X	X	X	X	X	X	X
General office and management services – 2,000 to 4,999 s.f.	X	X	X	X	X	X	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
General office and management services – 5,000 to 9,999 s.f.	X	X	X	X	X	X	X
General office and management services – 10,000 s.f. or greater	X	X	X	X	X	X	X

Use	Parks	Resource		Rural			
	Parks	FRL	MR	URS	RP	RR	RW
COMMERCIAL / BUSINESS USES (cont'd)							
General retail merchandise stores – less than 5,000 s.f.	X	X	X	X	X	X	X
General retail merchandise stores –5,000 to 9,999 s.f.	X	X	X	X	X	X	X
General retail merchandise stores – 10,000 to 24,999 s.f.	X	X	X	X	X	X	X
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X	X	X	X
Kennels or Pet Day-Cares (1)	X	X	X	C (12)	C (7) (12)	C (7) (12)	X
Kennels, hobby	X	X	X	P	P	P	P
Laundromats and laundry services	X	X	X	X	X	X	X
Lumber and bulky building material sales	X	X	X	X	X	X	X
Mobile home sales	X	X	X	X	X	X	X
Nursery, retail	X	X	X	C	C	C	X
Nursery, wholesale	X	X	X	P	P	P	P
Off-street private parking facilities	X	X	X	X	X	X	X
Personal services - skin care, massage, manicures, hairdresser/barber	X	X	X	X	X	X	X
Pet shop - retail and grooming	X	X	X	X	X	X	X
Research Laboratory	X	X	X	X	X	X	X
Restaurants	X	X	X	X	X	X	X
Restaurants, Drive-In	X	X	X	X	X	X	X
Restaurants, High-turnover	X	X	X	X	X	X	X
Temporary offices and model homes (27)	X	X	X	X	ACUP	ACUP	X
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	X	X	X	X	X	X
Transportation terminals	X	X	X	X	X	X	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
Veterinary clinics/Animal hospitals	X	X	X	C	C (8)	C (8)	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
RECREATIONAL / CULTURAL USES							
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P
Amusement centers	ACUP	X	X	X	X	X	X
Carnival or Circus	ACUP	X	X	X	X	X	X
Club, Civic or Social (12)	ACUP	X	C (12)	X	C (12)	C (12)	X
Golf courses	ACUP	X	X	C (12)	C (12)	C (12)	X
Marinas	ACUP	X	X	X	X	X	X
Movie Theaters, indoor		X	X	X	X	X	X
Movie Theaters, outdoor	X C	X	X	X	X	X	X
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	X	X	X	X	X	X
Parks and open space	P	P	P	P	P	P	P
Race track, major (auto or motorcycle)	C (12)	X	X	X	X	X	X
Race track, minor	C (12)	C (12)	C (12)	X	X	X	C (12)
Recreational facilities, private	ACUP	X	X	C (12)	C (12)	C (12)	C
Recreational facilities, public	ACUP	X	X	ACUP	ACUP	ACUP	C
Recreational vehicle camping parks	ACUP	X	X	X	C (46)	C (46)	C (46)
INSTITUTIONAL USES							
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P
Government/Public structures	P	X	X	P	ACUP	ACUP	X
Hospital	X	X	X	X	X	X	X
Places of worship (12)	X	X	X	C (12)	C (12)	C (12)	X
Private or Public Schools (20)	X	X	X	C	C	C	X

Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)

P

C
(5)

C

C

C

C

C

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
INDUSTRIAL USES							
Accessory use or structure (1) (17) (51)	X	P	P	P	P	P	P
Air pilot training schools	X	X	X	X	X	X	X
Assembly and packaging operations	X	X	X	X	X	X	X
Boat Yard	X	X	X	X	X	X	X
Cemeteries, mortuaries, and crematoriums (10)	X	X	X	C	C	C	C
Cold storage facilities	X	X	X	X	X	X	X
Contractor's storage yard (21)	X	X	ACUP	X	C (12)	C (12)	X
Food Production, Brewery or Distillery	X	X	X	X	X	X	X
Fuel distributors	X	X	X	X	X	X	X
Helicopter pads (13)	X	X	X	X	X	X	X
Manufacturing and fabrication, light	X	X	X	X	X	X	X
Manufacturing and fabrication, medium	X	X	X	X	X	X	X
Manufacturing and fabrication, heavy	X	X	X	X	X	X	X
Manufacturing and fabrication, hazardous	X	X	X	X	X	X	X
Recycling centers	X	X	X	X	X	X	X
Rock crushing	X	C (39)	C (39)	X	X	X	C (39)
Slaughterhouse or animal processing	X	X	X	X	X	X	X
Storage, hazardous materials	X	X	X	X	X	X	X
Storage, indoor	X	X	X	X	X	X	X
Storage, outdoor	X	X	X	X	X	X	X
Storage, self-service	X	X	X	X	X	X	X
Storage, vehicle and equipment (1)	X	X	X	X (18)	X (18)	X (18)	X
Top soil production, stump grinding	X	X	C	X	C (22)	C (22)	X
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	X	X	X	X	X

Or # 415-2008

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	X	X	X	X	X	X	X
Warehousing and distribution	X	X	X	X	X	X	X
Wrecking yards and junk yards (1)	X	X	X	X	X	X	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
RESOURCE LAND USES							
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P
Aggregate extractions sites	X	P (4)	P	X	C	C	C
Agricultural uses (15)	P	X	P	P	P (7)	P (7)	P (7)
Aquaculture practices	P	X	X	C	C	C	C
Forestry	P	P	P	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	X	X	X	X

Section 147. Kitsap County Code Section 17.381.050, adopted by Ordinance 367-2006 is amended as follows:

17.381.050 Footnotes for zoning use table.

- A. Where noted on the preceding use tables, the following additional restrictions apply:
1. Subject to 17.381.060, Provisions applying to special uses.
 2. Minimum setbacks shall be 20 feet from any abutting right-of-way or property line; provided, however, advertising for sale of products shall be limited to two on-premise signs each not exceeding six square feet.
 3. Located within urban growth areas (except UR), Duplexes shall require 5,000 square feet of require double the minimum lot area. required for the zone. Duplexes located in the UR zone or outside of urban growth areas shall require double the minimum lot area required for the zone.
 4. No greater than two acres for the purpose of construction and maintenance of a timber management road system, provided the total parcel is at least twenty acres.
 5. Provided public facilities do not inhibit forest practices.
 6. Where permitted, automobile service stations shall comply with the following provisions:
 - a. Sale of merchandise shall be conducted within a building except for items used for the maintenance and servicing of automotive vehicles;
 - b. No automotive repairs other than incidental minor repairs, battery, or tire changing shall be allowed;
 - c. The station shall not directly abut a residential zone; and
 - d. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard.
 7. In Rural Wooded (RW), Rural Protection (RP), or Rural Residential (RR) zones:
 - a. Animal feed yards and animal sales yards, shall be located not less than two hundred feet from any property line; shall provide automobile and truck ingress and egress; and shall also provide parking and loading spaces so designed as to minimize traffic hazards and congestion. Applicants shall show that odor, dust, noise, and drainage shall not constitute a nuisance, hazard, or health problem to adjoining property or uses.
 - b. All stables and paddocks shall be located not closer than fifty feet to any property line. Odor, dust, noise, flies, or drainage shall not be permitted to create or become a nuisance to surrounding property.
 8. An animal hospital or veterinary clinic shall not be located within fifty feet of a lot line in the rural protection (RP) or rural residential (RR) zones. In addition, the applicant shall may be required to provide additional measures to show that adequate measures and controls shall be taken to prevent or mitigate offensive noise, ~~and~~ odor, light and other impacts.
 9. Animal hospitals or veterinary clinics are allowed, provided a major part of the site fronts on a street and the director finds that the proposed use will not interfere with reasonable use of residences by reason of too close proximity to such residential uses, or by reason of a proposed exterior too different from other structures and character of the neighborhood. All activities shall be conducted inside an enclosed building.
 10. A cemetery, crematorium, mausoleum, or columbarium shall have its principal access on a county roadway with ingress and egress so designed as to minimize traffic congestion, and shall provide required off-street parking spaces. No mortuary or crematorium in conjunction with a cemetery is permitted ~~within 100 feet of a boundary street or, where no street borders the cemetery,~~ within 200 feet of a lot in a residential zone.

11. A circus, carnival, animal display, or amusement rides may be allowed through administrative review in all industrial zones and any commercial zones except neighborhood commercial (NC) for a term not to exceed ninety days, with a written approval of the director. The director may condition such approval as appropriate to the site. The director's decision may be appealed to the hearing examiner.
12. All buildings and activities shall be setback a minimum of fifty (50) feet in FRL, MR, RW, RP, RR or Parks zones and thirty-five feet in all other zones from a side or rear lot line. ~~There shall be no external evidence of any incidental commercial activities taking place within the building.~~ All such uses shall access directly to a be located on a county right-of-way roadway determined to be adequate by the county engineer, and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future potential) residential development-use due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.
13. Public use airports and heliports are allowed only within the airport (A) zone established by this title. Heliports for the purpose of medical emergency facilities are permitted in all zones subject to a conditional use permit. All private landing strips, runways, and heliports shall be so designed and oriented so that the incidents of aircraft passing directly over dwellings during their landing or taking off patterns is minimized. They shall be located so that traffic shall not constitute a nuisance to neighboring uses. The proponents shall show that adequate controls or measures will be taken to prevent offensive noise, vibrations, dust, or bright lights.
14. In those zones that prohibit residential uses, family day-care centers are only allowed in a existing residential structures. Day-care centers shall have a minimum site size of ten thousand square feet and shall provide and thereafter maintain outdoor play areas with a minimum area of seventy-five square feet per child of total capacity. A site-obscuring fence of at least four feet in height shall be provided, separating the play area from abutting lots. Adequate off-street parking and loading space shall be provided.
15. The number of animals on a particular property shall not exceed one large livestock, three small livestock, five ratites, six small animals, or twelve poultry;
 - a. pPer 40,000 square feet of lot area for parcels one acre or smaller or for parcels five acres or smaller located within two hundred (200) feet of a lake or year round stream, provided that when no dwelling unit or occupied structure exists within 300 feet of the lot on which the animals are maintained the above specifications may be exceeded by a factor of two;
 - b. pPer 20,000 square feet of area for parcels greater than one acre, but less than or equal to five acres, not located within two hundred (200) feet of a lake or year round stream, provided that when no dwelling unit or occupied structure exists within 300 feet of the lot on which the animals are maintained the above specifications may be exceeded by a factor of two.
 - c. No feeding area or structure or building used to house, confine or feed livestock, small animals, ratites, or poultry shall be located closer than one hundred feet to any residence on adjacent property located within a rural wooded (RW), rural protection (RP), rural residential (RR) zones, or within two hundred feet of any residence on adjacent property within any other zone; provided, a pasture (greater than 20,000 square feet) shall not be considered a feed area.
16. The erection, construction, alteration, or maintenance of overhead or underground utilities by a public utility, municipality, governmental agency, or other approved party shall be permitted in any zone, provided that any permanent above-ground structures not located within a right-of-way or easement shall be subject to the review of the

director. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title. Water towers, which exceed thirty-five feet in height, solid waste collection, transfer and/or handling sites, in any zone shall be subject to a conditional use permit. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.470.

17. For waterfront properties, accessory structures such as docks, piers, and boathouses may be permitted in the rear yards, shorelands or tidelands subject to the following limitations:
 - a. All requirements of the Kitsap County Shoreline Management Master Program must be met;
 - b. The deck of any dock shall not be any higher than five feet above the ordinary high water line;
 - c. The building height of any boathouse shall not be greater than fourteen feet above the ordinary high water line;
 - d. Covered structures must abut or be upland of the ordinary high water line; and
 - e. No covered structure shall have a width greater than twenty-five feet or twenty-five percent of the lot width, whichever is most restrictive.
18. One piece of heavy equipment may be stored in any single-family zone provided that it is either enclosed within a permitted structure, or screened to the satisfaction of the director.
19. Reserved.
20. Site plans for public schools shall include an area identified and set aside for the future placement of a minimum of four portable classroom units. The area set aside may not be counted towards meeting required landscaping or parking requirements.
21. Outdoor Contractor's Storage Yards accessory to a primary residence shall be limited to not more than ten heavy equipment vehicles or heavy construction equipment. The use shall be contained outside of required setbacks within a contained yard or storage building. The storage yard and/or building shall be screened from adjacent properties with a screening buffer a minimum of 25 feet in width and capable of providing functional screening of the use. ~~rural character screening buffer or a twenty-five foot minimum width native buffer that provides functional screening.~~ Minimum lot size shall be 100,000 square feet.
22. Stump grinding, soil-combining and composting in Rural Protection and Rural Residential zones must meet the following requirements:
 - a. The subject property(s) must be 100,000 square feet or greater in size;
 - b. The use must take direct access from a county-maintained right-of way;
 - c. A 50-foot natural vegetation buffer must be maintained around the perimeter of the property(s) to provide adequate screening of the use from neighboring properties;
 - d. The subject property(s) must be adjacent to an industrial zone or a complimentary public facility such as a sewage treatment plant or solid waste facility;
 - e. The proposed use must mitigate noise, odor, dust and light impacts from the project; and
 - f. The use must meet all other requirements of this title.
23. Home businesses located in the forest resource lands (FRL) must be associated with timber production and/or harvest.
24. Mobile homes are prohibited, except in approved mobile home parks.
25. All uses must comply with the TDO's of Section 17.321B.020.
26. Within the MVC zone, a new single-family dwelling may be constructed only when replacing an existing single-family dwelling. All replacement single-family dwellings and accessory structures within the MVC zone must meet the height regulations, lot requirements, and impervious surface limits of the MVR zone.

27. Subject to the Temporary Permit provisions of Chapter 17.455.
28. Allowed only within a commercial center limited in size and scale (e.g., an intersection or "corner" development).
29. The Bethel Road Corridor Development Plan sets forth policies and regulations for development within the Highway Tourist Commercial Zone located along the Bethel Corridor in South Kitsap from SE Ives Mill Road to the Port Orchard City limits. Development within the Bethel Road Corridor Highway Tourist Commercial Zone shall be conducted in a manner consistent with the policies and regulations of the Land Use Element of the Bethel Road Corridor Development Plan.
30. The *Design Standards for the Community of Kingston* sets forth policies and regulations for properties within the downtown area of Kingston. All development within this area must be consistent with these standards. A copy of the *Design Standards for the Community of Kingston* may be referred to on the Kitsap County web page or at the Department of Community Development front counter.
31. Uses "Permitted" only if consistent with an approved master plan pursuant to Chapter 17.415. Where a master plan is optional and the applicant chooses not to develop one, all uses shown as "permitted" require an Administrative Conditional Use Permit.
32. For properties with an approved master plan, except as described in 17.370.025, all uses requiring a conditional use permit will be considered "permitted" uses.
33. Must be located to serve adjacent industrial uses.
34. Bed and breakfast houses with one to four rooms require an Administrative Conditional Use Permit; Bed and breakfast houses with five or more rooms require a Hearing Examiner Conditional Use Permit. Bed and breakfast houses serving meals to patrons other than overnight guests require a Hearing Examiner Conditional Use Permit.
35. Use may not occupy more than 25 percent of the site area.
36. Requires a Hearing Examiner Conditional Use Permit when abutting SVR or SVLR zone.
37. Permitted only within a mixed use development or office complex.
38. Customer service-oriented uses over 5,000 square feet are prohibited.
39. For the purpose of construction and maintenance of a timber management road system.
40. Self-storage facilities must be screened and accessory to the predominant residential use of the property, sized consistently for the number of lots/units being served and may serve only the residents of the single-family plat or multi-family project.
41. Adult family homes serving one (1) to six (6) residents (excluding proprietors) are permitted uses. Adult family homes serving more than six (6) applicable residents (excluding proprietors) require an Administrative Conditional Use Permit (ACUP). ~~process for uses shown as "Reserved" to be determined by a future development agreement to be approved by the Board of County Commissioners.~~
42. All business, service repair, processing, storage, or merchandise display on property abutting or across the street from a lot in any residential zone, shall be conducted wholly within an enclosed building unless screened from the residential zone by a site-obscuring fence or wall.
43. Where a family member is in need of special, frequent and routine care and assistance by reason of advanced age or ill-health, a manufactured home or mobile home may be placed upon the same lot as a single-family dwelling for occupancy by the individual requiring or providing such special care subject to the following limitations:
 - a. Not more than two individuals shall be the recipients of special care;
 - b. No rent, fee, payment or charge in lieu thereof may be made for use of the single-family dwelling or manufactured/mobile home as between the recipients or providers of special care;
 - c. The manufactured/mobile home must meet the setback requirements of the zone in which it is situated;

- d. A permit must be obtained from the director authorizing such special care manufactured/mobile home. Such permit shall remain in effect for one year and may, upon application, be extended for one-year periods provided there has been compliance with the requirements of this section;
 - e. The manufactured/mobile home must be removed when the need for special care ceases; and
 - f. Placement of the manufactured/mobile home is subject to applicable health district standards for water service and sewage disposal.
44. Certain development standards may be modified for mixed use developments, as set forth in Section 17.382.035 and Chapter 17.400 of this Title code.
45. New or expanded commercial developments that will result in less than 5,000 gross square feet of total commercial use within a development site or residential developments of fewer than 4 dwelling units are permitted outright outside of the Silverdale UGA.
46. Allowed only as an accessory use to a park or recreational facility greater than 20 acres in size.
47. As a Hearing Examiner Conditional Use, UM and UH zones adjacent to a commercial zone may allow coordinated projects that include commercial uses within their boundaries. Such projects must meet the following conditions:
- a. The project must include a combination of UM and/or UH and commercially-zoned land;
 - b. The overall project must meet the density required for the net acreage of the UM or UH zoned land included in the project;
 - c. All setbacks from other residentially-zoned land must be the maximum required by the zones included in the project;
 - d. Loading areas, dumpsters and other facilities must be located away from adjacent residential zones; and
 - e. The residential and commercial components of the project must be coordinated to maximize pedestrian connectivity and access to public transit.
48. Within Urban Growth Areas, all new residential subdivisions, single-family or multi-family developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units.
49. Mixed use development is prohibited outside of urban growth areas.
50. The *2007 Manchester Community Plan, Appendix A – Manchester Design Standards* set forth policies and regulations for properties within the Manchester Village Commercial (MVC) district. All development within the MVC district must be consistent with these standards.
51. Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.455.090.I.
52. Aggregate production and processing only. Allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).
53. Commercial or industrial uses otherwise prohibited in the zone may be allowed as a component of a home business subject to the requirements of Section 17.381.060.B.

Section 148. Kitsap County Code Section 17.381.060, adopted by Ordinance 367-2006 is amended as follows:

17.381.060 Provisions applying to special uses.

- A. In addition to other standards and requirements imposed by this title, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
- B. Uses with additional restrictions:
1. **Home Business.** Home businesses may be allowed for commercial or industrial uses within residential zones ~~are~~ subject to the following conditions:
 - a. Incidental home business, as defined below, shall be permitted in all residential zones and have no permit required.
 - (1) Business uses shall be incidental and secondary to the dominant residential use;
 - (2) The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business;
 - (3) The business shall be conducted entirely within the residence;
 - (4) The residence shall be occupied by the owner of the business;
 - (5) The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
 - (6) No clients or customers shall visit or meet for an appointment at the residence;
 - (7) No employees, or independent contractors are allowed to work in the residence ~~except for other than~~ family members who reside in the residential dwelling;
 - (8) No activities that create noise, increase risk of fire, or in any way threaten the safety and tranquility of neighboring residents are permitted;
 - (9) No more than two pick-ups and/or deliveries per day are allowed, not including normal U.S. mail;
 - (10) The business shall not occupy more than twenty-five percent of the gross floor area of the residence; and
 - (11) No signs to advertise the business/occupation shall be allowed on the premises (except attached to mail box not to exceed one square foot).
 - b. Minor home business, as defined below, shall be permitted in all residential zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.
 - (1) Business uses shall be incidental and secondary to the dominant residential use;
 - (2) The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business;
 - (3) The residence shall be occupied by the owner of the business;
 - (4) The business shall occupy no more than thirty percent of the gross floor area of the residence;
 - (5) The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
 - (6) No more than two employees, including proprietors (or independent contractors) are allowed;
 - (7) Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;
 - (8) No outside storage shall be allowed; and
 - (9) In order to assure compatibility with the dominant residential purpose, the director may require:

- i. patronage by appointment.
 - ii. additional off-street parking.
 - iii. other reasonable conditions.
- c. Moderate home business, as defined below, shall be permitted in RW, RP, RR and URS ~~all rural residential (including urban reserve residential (URS))~~ zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.
 - (1) Business uses shall be incidental and secondary to the dominant residential use;
 - (2) The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business;
 - (3) The residence shall be occupied by the owner of the business;
 - (4) The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
 - (5) No more than five employees (or independent contractors) are allowed;
 - (6) Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; and
 - (7) In order to ensure compatibility with the dominant residential purpose, the director may require:
 - i. patronage by appointment.
 - ii. additional off-street parking.
 - iii. screening of outside storage.
 - iv. a conditional use permit (required for engine or vehicle repair or servicing).
 - v. other reasonable conditions.
- 2. **Pets and Exotic Animals.** Pets, non-traditional pets and exotic animals are subject to the following conditions:
 - a. Pets which are kept inside of a primary structure as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number by this title. Other pets, excluding cats, which are kept indoors shall be limited to five;
 - b. Pets which are kept outside of the primary structure shall be limited to three per household on lots less than 20,000 square feet in area, only one of which may be a non-traditional pet, five per household on lots of 20,000 to 35,000 square feet, only two of which may be non-traditional pets, with an additional two pets per acre of site area over 35,000 square feet up to a limit of twenty;
 - c. The keeping or possession of exotic animals is subject to state and federal laws and, other than in a primary structure as described in subsection (3), shall require approval of the director. Possession of any dangerous animal or potentially dangerous animal is prohibited in all zones except as provided in Section 7.14.010(9) of the Kitsap County Code; and
 - d. No feeding area or structure used to house, confine or feed pets shall be located closer than the minimum yard setbacks for the zone in which they are located. No feeding area or structure used to house, confine or feed non-traditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.
- 3. **Accessory Dwelling Unit (ADU).** In order to encourage the provision of affordable and independent housing for a variety of households, an accessory dwelling unit may be located in residential zones, subject to the following criteria:
 - a. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary;
 - b. An ADU shall be subject to a conditional use permit in those areas outside an urban growth boundary;

- c. Only one ADU shall be allowed per lot;
 - d. Owner of the property must reside in either the primary residence or the ADU;
 - e. The ADU shall not exceed fifty percent of the square footage of the habitable area of primary residence or 900 square feet, whichever is smaller;
 - f. The ADU shall be located within 150 feet of the primary residence or shall be the conversion of an existing detached structure (i.e., garage);
 - g. The ADU shall be designed to maintain the appearance of the primary residence;
 - h. All setback requirements for the zone in which the ADU is located shall apply;
 - i. The ADU shall meet the applicable health district standards for water and sewage disposal;
 - j. No mobile homes or recreational vehicles shall be allowed as an ADU;
 - k. An ADU shall use the same side street entrance as the primary residence and shall provide additional off-street parking; and
 - l. An ADU is not permitted on the same lot where an accessory living quarters exists.
4. **Accessory Living Quarters.** In order to encourage the provisions of affordable housing, accessory living quarters may be located in residential zones, subject to the following criteria:
- a. Accessory living quarters shall be located within an owner occupied primary residence;
 - b. Accessory living quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence;
 - c. The accessory living quarters are subject to applicable health district standards for water and sewage disposal;
 - d. Only one accessory living quarters shall be allowed per lot;
 - e. Accessory living quarters are to provide one (1) additional off-street parking space and must share the same access point as the remainder of the primary residence; with no additional street side entrance; and
 - f. Accessory living quarters are not allowed where an accessory dwelling unit exists.
5. **Adult Entertainment.**
- a. The following uses are designated as adult entertainment uses:
 - (1) Adult book store;
 - (2) Adult mini-motion picture theater;
 - (3) Adult motion picture theater;
 - (4) Adult novelty store; and
 - (5) Cabaret.
 - b. Restrictions on adult entertainment uses. In addition to complying with the other sections of the Zoning Ordinance, adult entertainment uses shall not be permitted:
 - (1) Within one thousand feet of any other existing adult entertainment use; and/or
 - (2) Within five hundred feet of any non-commercial zone, or any of the following residentially related uses:
 - i. Churches, monasteries, chapels, synagogues, convents, rectories, or church operated camps;
 - ii. Schools, up to and including the twelfth grade, and their adjunct play areas;
 - iii. Public playgrounds, public swimming pools, public parks and public libraries;
 - iv. Licensed day care centers for more than twelve children;
 - v. Existing residential use within a commercial zone.
 - (3) For the purposes of this section, spacing distances shall be measured as follows;

- i. From all property lines of any adult entertainment use;
 - ii. From the outward boundary line of all residential zoning districts;
 - iii. From all property lines of any residentially related use.
- c. Signage for Adult Entertainment Uses.
 - (1) In addition to other provisions relating to signage in the Zoning Ordinance, it shall be unlawful for the owner or operator of any adult entertainment use establishment or any other person to erect, construct, or maintain any sign for the adult entertainment use establishment other than one primary sign and one secondary sign, as provided herein.
 - (2) Primary signs shall have no more than two display surfaces. Each such display surface shall:
 - i. Be a flat plane, rectangular in shape;
 - ii. Not exceed seventy-five square feet in area; and
 - iii. Not exceed ten feet in height or ten feet in length.
 - (3) Primary and secondary signs shall contain no photographs, silhouettes, drawings or pictorial representations of any manner, and may contain only:
 - i. The name of the regulated establishment; and/or
 - ii. One or more of the following phrases;
 - (a) "Adult bookstore,"
 - (b) "Adult movie theater,"
 - (c) "Adult cabaret,"
 - (d) "Adult novelties,"
 - (e) "Adult entertainment."
 - (4) Primary signs for adult movie theaters may contain the additional phrase, "Movie Titles Posted on Premises."
 - i. Each letter forming a word on a primary or secondary sign shall be of a solid color, and each such letter shall be the same print-type, size and color. The background behind such lettering on the display surface of a primary sign shall be of a uniform and solid color.
 - ii. Secondary signs shall have only one display surface. Such display surface shall:
 - (a) Be a flat plane, rectangular in shape;
 - (b) Not exceed twenty square feet in area;
 - (c) Not exceed five feet in height and four feet in width; and
 - (d) Be affixed or attached to any wall or door of the establishment.

6. Storage of Junk Motor Vehicles.

- a. Storage of junk motor vehicles on any property outside of a legally constructed building (minimum of three sides and a roof) is prohibited, except where the storage of up to six junk motor vehicles meets one of the following two conditions:
 - (1) Any junk motor vehicle(s) stored outdoors must be completely screened by sight-obscuring fence or natural vegetation to the satisfaction of the director (a covering such as a tarp over the vehicle(s) will not constitute an acceptable visual barrier). For the purposes of this section, "screened" means not visible from any portion or elevation of any neighboring or adjacent public or private property, easement or right-of-way; or
 - (2) Any junk motor vehicle(s) stored outdoors must be stored more than two-hundred fifty feet away from all property lines.
- b. Environmental Mitigation Agreement. The owner of any such junk motor vehicle(s) must successfully enter into an environmental mitigation agreement with the department of community development (the "department") regarding the property where such vehicle(s) will be located or stored.

- (1) An environmental mitigation agreement between a property owner and the department is required before the outdoor storage of up to six screened junk motor vehicles will be approved. A property owner may enter into such agreement with the department for a one-time fee of \$10.00 per vehicle, the proceeds of which shall be used to assist with clean-up costs associated with the administration of Kitsap County Code Chapter 9.56.
- (2) In order to mitigate any potential environmental impact from the storage of these junk motor vehicles, the property owner must agree to institute one of the following two preventative measures:
 - i. Each junk motor vehicle must be drained of all oil and other fluids including, but not limited to, engine crankcase oil, transmission fluid, brake fluid and radiator coolant or antifreeze prior to placing the vehicle on site; or
 - ii. Drip pans or pads must be placed and maintained underneath the radiator, engine block, transmission and differentials of each junk motor vehicle to collect residual fluids.
 - iii. Either preventative measure shall require that the owner of such vehicle(s) clean up and properly dispose of any visible contamination resulting from the storage of junk motor vehicles. The agreement will require the property owner to select one of the two preventative measures and to allow for an initial inspection of the property by the department to assure that the preventative measure has been implemented to the satisfaction of the department. By entering into the agreement, the property owner further agrees to allow the department entry onto the property on an annual basis for re-inspection to assure compliance with the approved agreement. If a property is found to be in compliance with the terms of the agreement for two consecutive inspections, the department may waive the annual inspection requirement. A property owner found to be in violation of the agreement may be issued a civil infraction pursuant to Kitsap County Code Title 17 and could later be deemed a nuisance in accordance with Kitsap County Code Chapter 9.56.

7. Model homes.

Notwithstanding any other provision of this code, model homes may be constructed within a subdivision prior to final plat approval by the board. The purpose of the model homes shall be to demonstrate a variety of housing designs together with associated on-site improvements, e.g., landscaping, improved driveway, patios. Model homes shall be subject to the following requirements:

- a. The subdivision shall have received preliminary plat approval;
- b. One model home may be occupied as a temporary real estate office;
- c. A model home may not be occupied as a dwelling unit or sold until the approved final plat is recorded;
- d. The number of model home permits that may be issued for any approved preliminary plat, or division thereof, shall not exceed six (6);
- e. If the lots to be used for model home purposes are in a block of two or more contiguous lots, temporary uses may be incorporated onto one or more lots, including temporary offices, parking, parks and playgrounds, subject to the approval of the director, and subject to obtaining a temporary use permit, which shall authorize the temporary uses for a period of one year. The director may extend the temporary use permit for up to two additional periods of six months each;

- f. Lots used for model homes must be clear of restrictions or easements that may be subject to line changes before recording;
- g. Stormwater management facilities must be in place and/or approved for recording. Temporary erosion control must be completed prior to occupancy of a model home;
- h. Roads must be constructed to final alignment and grade such that the building inspector can determine if connecting driveways meet county standards prior to occupancy of a model home;
- i. Permanent or temporary fire flow for the final plat must be approved by the Fire Marshal, constructed and operational prior to occupancy of a model home; and
- j. Final plat restoration bonds must be posted prior to occupancy of a model home.

8. Guest houses

Guest house may be located in those zones specified in Section 17.381.040 subject to the following conditions:

- a. Guest houses shall not exceed 900 square feet. Dimensions are determined by exterior measurements;
- b. Guest houses shall not include any kitchen plumbing, appliances or provisions for cooking;
- c. Guest houses shall not include more than one bathroom (may be full bathroom);
- d. Guest houses shall not include more than two (2) habitable rooms and a bathroom;
- e. Guest houses shall not be rented separately from the primary residence;
- f. Only one (1) guest house is allowed per parcel;
- g. No guest house is allowed on a parcel with an existing accessory dwelling unit or accessory living quarters;
- h. Newly constructed guest houses must meet the required setbacks for a single-family dwelling consistent with their zone. Legally-established, existing structures built before May 7, 1998 may be remodeled into guest houses at their existing setback;
- i. Guest houses must be within 150 feet of the primary residence;
- j. Guest houses must use the same street entrance as the primary structure;
- k. Guest houses must meet all applicable Health District standards for water provision and sewage disposal; and
- l. The property owner must record a Notice to Title outlining these conditions. This Notice must be approved by the department and may not be extinguished without County's written permission.

Section 149. Kitsap County Code Section 17.382.010, adopted by Ordinance 367-2006 is amended as follows:

17.382.010 Standards established.

The following sections and tables contain density, dimension standards, and other limitations for the various zones. Additional development requirements not found in these tables may also apply.

Section 150. Kitsap County Code Section 17.382.020, adopted by Ordinance 367-2006 is amended as follows:

17.382.020 Measurement methods.

- A. Density. Except as provided in Section 17.382.110.A.18, density shall be calculated as follows: In all zones where a maximum or base density is identified, maximum or base density is calculated on gross acreage of the site. In all zones where a minimum density is required, minimum density is calculated on net developable acreage. ~~Net developable~~

acreage is determined by subtracting critical areas and required buffers, streets, and stormwater facilities from the gross acreage. If a calculation results in a partial dwelling unit, the partial dwelling unit shall be rounded to the nearest whole number. Less than .5 shall be rounded down. Greater than or equal to .5 shall be rounded up.

- B. Setbacks. Setbacks shall be measured perpendicularly from a property line to the nearest vertical wall or other element of a building or structure, not including driveways, patios, pools, sidewalks, landscaping elements or other similar improvements built at or below grade.
- C. Height. Except as provided for in Section 17.382.110.A.14, height shall be measured from a reference datum to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:
 - 1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten feet above lowest grade.
 - 2. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection (1) of this section is more than ten feet above lowest grade.
 - 3. The height of a stepped or terraced building is the maximum height of any segment of the building.
- D. Lot Area. Lot area for lots in urban areas shall be calculated by adding the area contained within the lot lines, exclusive of public or private streets or rights-of-way, tidelands, storm water detention-retention facilities, and the panhandle of a flag lot if the panhandle is less than thirty feet in width. Lots in rural areas may compute to the centerline of public or private streets or rights-of-way. Further, rural lots shall be considered five acres if the lot is 1/128 of a section, ten acres if the lot is 1/64 of a section, and twenty acres if the lot is 1/32 of a section.
- E. Lot Width and Depth. Lot width shall be measured as the average horizontal distance between the side lot lines. Lot depth shall be measured as the horizontal distance between the midpoint of the front and opposite (usually the rear) lot line. In the case of a corner lot, lot depth shall be the length of its longest front lot line.
- F. Lot Coverage and Impervious Surface. Lot coverage shall be calculated by dividing the area of land covered by buildings into the total lot area. Impervious surface coverage shall be calculated by dividing the area of land covered by buildings, structures, and all other impervious surfaces (such as sidewalks, driveways, and patios) into the total lot area.

Section 151. Kitsap County Code Section 17.382.030, adopted by Ordinance 367-2006 is amended as follows:

17.382.030 Design standards.

- A. In addition to other standards and requirements imposed by this title, all uses except single-family detached dwellings, duplexes and uses located in the RW, FRL, or MR zones shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
- B. Landscaping, building height, buffering and screening modification.
 - 1. The development must comply with Chapter 17.385 of this Title regarding landscaping standards.
 - 2. The director may require increased landscaping, screening and setbacks to minimize conflicts and improve compatibility with adjacent uses.
 - 3. The director may reduce landscaping, screening, and setback requirements:

- a. Where the nature of established development on adjacent parcels partially or fully provides the screening and buffering which otherwise would be required;
 - b. Where the density of the proposed development is less than that permitted by the zone; or
 - c. Where topographical or other site conditions provide natural screening and buffering.
4. A reduction in landscaping/screening requirements may be approved by the director in conjunction with a joint landscape screening proposal submitted by adjacent landowners for their combined boundaries or for an integrated project located within two or more zones.
- C. Exterior lighting. In all zones, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.
- D. Screening of equipment, storage, and refuse areas.
- 1. All roof-mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from any abutting lot, or any public street or right-of-way as feasible. This shall be accomplished through the use of parapet roof extensions, or screened in a manner which is architecturally integrated with the main structures;
 - 2. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction;
 - 3. Every parcel with a structure shall have a trash receptacle on the premises. The trash receptacle shall comply with adopted public works standards and be of sufficient size to accommodate the trash generated. All receptacles shall be screened on three sides with fencing and/or landscaping as determined appropriate by the director;
- E. Access and circulation.
- 1. Pedestrian access shall be accommodated on-site from the public right-of-way, and throughout the site to minimize potential conflicts between pedestrian and vehicular circulation. Pedestrian paths must correspond with state and local codes for barrier-free access. Projects should also integrate walkways into the site plan leading to transit stops within 1,200 feet of the site and incorporate transit stops within the site plan design as appropriate;
 - 2. Developments shall be limited to one ingress/egress per three hundred lineal feet along a public arterial. Small parcels that provide less than two hundred fifty feet of road frontage shall be limited to one parking lot entrance lane and one exit lane. Access points may be required at greater intervals as directed by the director of public works as demonstrated through a traffic analysis. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographical relief, or existing development that precludes the ability to share access. Developments shall attempt to minimize vehicular movement conflicts with public roadways by use of connected frontage lanes.
- F. Off-street parking.
The development must comply with the off-street parking requirements prescribed by Chapter 17.435 of this Title.
- G. Solid waste.
The development must comply with the guidelines set forth in the Kitsap County Comprehensive Solid Waste Plan.

Section 152. Kitsap County Code Section 17.382.035, adopted by Ordinance 367-2006 is amended as follows:

17.382.035 Additional mixed use development standards. Development standard modifications or waivers – Mixed use development.

- A. Total gross floor area devoted to residential uses in any mixed use development project shall not exceed 80% of the proposed gross floor area.
- B. Total gross floor area dedicated to commercial uses in any mixed use development shall not exceed 50% of the proposed gross floor area.
- C. If the mixed-use development is phased, the development's commercial uses shall be constructed concurrent with or subsequent to the residential uses.
- D. Development standards for mixed use development may be modified or waived, as set forth in Chapter 17.400 and Title 21 of this code, provided the applicant can demonstrate that the modification or waiver request will result in a project that:
 - 1. Fosters a development pattern focused on the public street;
 - 2. Provides for community spaces such as plazas, atriums or pocket parks;
 - 3. Provides for a compatible mix of multi-family housing and commercial businesses and services;
 - 4. Better meets the intent of the Comprehensive Plan; ~~and~~
 - 5. Provides for compatibility with surrounding uses and zones; and
 - 6. The commercial and residential components are constructed concurrently.
- E. The following development standards may be modified or waived consistent with the criteria outlined in Section 17.382.035.D:
 - 1. Screening requirements in Title 17, provided the modification or waiver complies with the provisions of Section 17.382.030.B;
 - 2. Landscaping requirements in Title 17, provided the modification or waiver complies with the provisions of Section 17.382.030.B;
 - 3. Parking layout, access and dimensional standards in Chapter 17.435, provided the modification or waiver results in a design that provides safe and efficient pedestrian and vehicular circulation;
 - 4. Minimum parking requirements in Chapter 17.435, provided the applicant demonstrates with a traffic and parking impact analysis that any adverse parking impacts resulting from the granting of the modification or waiver request are adequately mitigated;
 - 5. Lot coverage limitations in Chapter 17.382;
 - 6. Setback requirements in Chapter 17.382;
 - 7. Residential open space requirements in Title 17; and
 - 8. Height restrictions in Chapter 17.382, provided the modification or waiver is consistent with the recommendations of the fire marshal/fire district and results is a decrease in building coverage, an increase in public amenities, and/or a more creative or efficient use of land. The maximum height approved shall not exceed the heights listed in Section 17.382.110.A.17.
- F. The criteria and provisions of this section supersede other variance, modification or waiver criteria and provisions contained in this Title.

Section 153. Kitsap County Code Section 17.382.037 shall be adopted as follows:

17.382.037 Single-family subdivision/development standards

In addition to the provisions set forth elsewhere in this Code, all single-family subdivisions, condominiums or residential developments of ten (10) or more lots/units within urban growth areas must meet the following development standards:

A. Sidewalk requirements.

- 1. Sidewalks shall be required on both sides of all public or private streets meeting the criteria for classification as a principal or minor arterial, collector, local sub-collector or

local minor roads as described by the Kitsap County Road Standards. Sidewalk design shall be developed consistent with the requirements of the Kitsap County Road Standards.

2. Sidewalks shall be required on a minimum of one side of all public or private streets meeting the criteria for classification as local road cul-de-sac or very low volume local road as designated by the Kitsap County Road Standards or of similar traffic volume. Sidewalk design shall be developed consistent with the requirements of the Kitsap County Road standards. The director may require sidewalks on both sides based upon site-specific conditions.

3. Rolled-curb sidewalks are prohibited, except where the sidewalk is separated from the street by a bioswale, other water quality treatment facility or landscaping berm.

B. Public street and street connectivity requirements.

Dedicating or deeding property for right-of-way or a portion thereof to the county for public streets within, or along the boundaries of all single-family subdivisions or developments, shall be required as a condition of application approval where the County demonstrates all of the following:

1. Facts support that such dedication is reasonably necessary as a result of the impact created by the proposed development;

2. Such dedication will result in mitigation of the impact in the reasonably foreseeable future;

3. Connectivity to existing public right-of-way is feasible; and

4. One or more of the following circumstances are met:

a. A County transportation plan indicates the necessity of a new or additional right-of-way or portion thereof for street purposes;

b. The dedication is necessary to provide additions of right-of-way to existing County right-of-way to meet County road standards;

c. The dedication is necessary to extend or to complete the existing or future neighborhood street pattern;

d. The dedication is necessary to comply with county road standards and Kitsap County transportation plans;

e. The dedication is necessary to provide a public transportation system that supports future development of abutting property consistent with the Kitsap County Comprehensive Plan or Kitsap County zoning code.

C. Utility connectivity requirements.

Dedication of easements for future public utility extensions to abutting or contiguous properties shall be required as a condition of application approval in cases where the County demonstrates the following:

1. Vacant or underutilized land abuts the proposed subdivision or development;

2. The location is reasonable based upon the design needs of for future utility infrastructure;

3. The dedication may further the extension of utility infrastructure with the urban growth area; and

4. The dedication furthers the goals and policies of the Comprehensive Plan.

D. Landscaping requirements.

1. A landscaped area will be provided at all entrances to the subdivision or development consistent with the landscaping standards of Chapter 17.385.

2. Street trees consistent with Chapter 17.385 shall be provided along all streets with the road classification of principal or minor arterial, collect or local sub-collector as determined by the Kitsap County Road Standards or of similar traffic volume. Street trees shall be located in the road right-of-way or the front yards of individual lot or unit.

Street tress located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits.

E. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter 17.435.
2. All fractional parking spaces shall be rounded up to the nearest whole number.
3. If the development includes set-aside parking areas, each area shall not include more than 10 spaces each and shall be in locations throughout the development.

Section 154. Kitsap County Code Section 17.382.040, adopted by Ordinance 367-2006 is amended as follows:

17.382.040 Tables.

There are five (5) separate tables addressing the uses allowed within following general land use categories and zones:

A. Urban Residential Zones

~~(UCR, UR, UL, UM, UH)~~

1. Urban Restricted (UR)
2. Urban Low Residential (UL)
3. Urban Cluster Residential (UCR)
4. Urban Medium Residential (UM)
5. Urban High Residential (UH)

B. ~~Urban-Commercial and Mixed Use Zones~~

1. Neighborhood Commercial (NC)
2. Urban Village Center (UVC)
3. Urban Town Center (UTC)
4. Highway Tourist Commercial (HTC)
5. Regional Commercial (RC)
6. Mixed Use (MU)

~~(NC, UVC, UTC, HTC, RC, MU)~~

C. Airport and Industrial Zones

~~(A, BP, BC, IND)~~

1. Airport (A)
2. Business Park (BP)
3. Business Center (BC)
4. Industrial (IND)

D. Limited Areas of More Intensive Development (LAMIRD)

~~Rural Sub-Areas (MVC, MVLR, MVR, RHTC, RHTR, RHTW; SVC, SVLR, SVR)~~

1. Manchester Village Commercial (MVC)
2. Manchester Village Low Residential (MVLR)
3. Manchester Village Residential (MVR)
4. Port Gamble Rural Historic Town Commercial (RHTC)
5. Port Gamble Rural Historic Town Residential (RHTR)
6. Port Gamble Rural Historic Town Waterfront (RHTW)
7. Suquamish Village Commercial (SVC)
8. Suquamish Village Low Residential (SVLR)
9. Suquamish Village Residential (SVR)

E. Parks, Rural and Resource Zones (~~P, FRL, MR, RP, RR, RW, URS~~)

1. Parks (P)
2. Forest Resource Lands (FRL)
3. Mineral Resource (MR)
4. Rural Protection (RP)
5. Rural Residential (RR)
6. Rural Wooded (RW)
7. Urban Reserve (URS)

Section 155. Kitsap County Code Section 17.382.060, adopted by Ordinance 367-2006 is amended as follows:

17.382.060 Urban Residential Density and Dimensions Table.

Standard	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (5)	UR (33)	UL (5) (33)	UM (5)	UH (33)
Minimum density (du/acre)	4 (19)	1 (18) (3)	4 (19)	10 (19)	19
Base/Maximum density (du/acre)	9 (19)	5 (18)	9 (19)	18 (19)	24 30
Minimum lot size (39)	None <u>2,400 s.f.</u>	5800 s.f.	<u>2,400</u> 3,600 s.f.	None for multi-family <u>2,400 s.f. for single-family</u>	None
Lot width (feet)	<u>40</u> NA	60	<u>40</u> 60 (20)	0 for multi-family; 60 40 for single-family	60
Lot depth (feet)	<u>60</u> NA	60	60	0 for multi-family; 60 for single-family	60
Maximum height (feet) (40)	35	35	35	35 (17)	35 (17)
Maximum Impervious Surface Coverage	NA	50%	NA	85%	85%
Setbacks, Generally (34) (38)					
Front (feet) (41)(42)(43)(48)	10 for single-family, duplex & townhouse; 10 for multi-family adjacent or abutting residential, otherwise 0 (29)	20 (29)	20 <u>If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances.</u> (29)	<u>Multi-family = 10</u> <u>Single family =</u> <u>If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances.</u> (29) 0 for multi-family; 20 for single-family (20)	20 (29)

Standard	Urban Low-Density Residential			Urban Medium/High-Density Residential	
	UCR (5) 5	UR (33)	UL (5) (33) 5	UM (5) 5	UH (33) 5
Side (feet) (42)(43)(45) (48)	If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (28) (29)	5 (29)	If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (29)	0 for multi-family; 5 for single-family 5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (29)	5 (29)
Rear (feet) (42)(43)(48)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (28) (29)	5 (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (29)	0 for multi-family; 5 for single-family Multi-family = 0 Single-family = 5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances. (29)	10 (29)

Ord# 415-2008

Section 156. Kitsap County Code Section 17.382.070, adopted by Ordinance 367-2006 is amended as follows:

17.382.070 Urban Commercial and Mixed Use Density and Dimensions Table.

Standard	Urban Low Commercial-Intensity /Mixed-Use			Urban High Commercial Intensity/Mixed Use				
	NC (5) (33)	UVC (5)	UTC	HTC (25) (33) (5)	RC (33)	MU (33)		
Minimum density (du/acre)	10 (44)	10 (19)	Reserved	10 (44)	10 (44)	10 (32)		
Base/Maximum density (du/acre)	30	18 (19)	Reserved	30	30	30		
Maximum height (feet) (40)	35 (17)	45	Reserved	35 (17)	35 (17)	35 (17)		
Maximum Impervious Surface Coverage	85%	85%	85%	85%	85%	85%		
Maximum Lot Coverage	NA	Total gross floor area devoted to nonresidential use in any one structure shall not exceed 25,000 square feet Total gross floor area devoted to residential use in any project shall not exceed 2/3 of the total proposed gross floor area. (24)	Total gross floor area devoted to residential use in any project shall not exceed 2/3 of the total proposed gross floor area. (24)	NA	NA	Total gross floor area devoted to residential use in any project shall not exceed 2/3 of the total proposed gross floor area. Phasing is allowed. (24) NA		
Setbacks, Generally (34) (38)								
Minimum Front (feet) (41) (42) (43) (29) (48)	20	None	Reserved	20	20	10		
Maximum Front (feet) (42) (43) (48)	NA	NA	NA	NA	NA	20		

Standard	Urban Low Commercial-Intensity /Mixed-Use			Urban High Commercial-Intensity/Mixed Use				
	NC (5) (33)	UVC (5)	UTC	HTC (25) (33) (5)	RC (33)	MU (33)		
Side (feet) (42) (43) (29) (48)	10 (21)	None	Reserved	10 (21)	10 (21)	10 (21)		
Rear (feet) (29) (48)	10 (21)	None	Reserved	10 (21)	10 (21)	10 (21)		

Ord# 415-2008

Section 157. Kitsap County Code Section 17.382.080, adopted by Ordinance 367-2006 is amended as follows:

17.382.080 Airport and Industrial Density Dimensions Table.

Standard	Airport		Urban Industrial		
	A	BP	BC	IND (36) (5)	
Minimum lot size (39)	None	7 ac (49)	None	None	
Maximum height (feet) (40)	35 feet, except aircraft hangars (37)	35 (17)	35 (17)	35 (17)	
Maximum Impervious Surface Coverage	NA	50%	NA	NA	
Maximum Lot and/or Building Coverage	None	NA	60% Building coverage or as determined by master plan process	60% Lot coverage	
Setbacks, Generally (34) (38)					
Front (feet) (41) (42) (43) (48)	20 (37)	20 (23) (26)	20 (23) (26)	20 (27)	
Side (feet) (42) (43) (48)	50 feet when abutting residential (37)	20 (23) (26)	20 (23) (26)	None (27)	
Rear (feet) (42) (43) (48)	50 feet when abutting residential (37)	20 (23) (26)	20 (23) (26)	None (27)	

Section 158. Kitsap County Code Section 17.382.090, adopted by Ordinance 367-2006 is amended as follows:

17.382.090 Rural Sub-Areas LAMIRD Density and Dimensions Table.

Standard	Manchester Sub-Area <u>LAMIRD</u>				Rural Historic Sub-Area <u>LAMIRD</u>				Suquamish Sub-Area <u>LAMIRD</u>			
	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR	SVC	SVLR	SVR
Minimum density (du/acre)	5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Base/Maximum density (du/acre)	24 (15)	2 (15)	4 (15)	2.5 (7)	2.5 (7)	2.5	NA	2	2	NA	2	2
Minimum lot size (39)	NA	21,780 s.f.	10,890 s.f. (12)	None	3,500 s.f. (7)	NA	NA (11)	4,500 s.f. (4) (11)	3,600 4,000 s.f. (4) (11)	NA (11)	NA (11)	NA (11)
Maximum lot size (39)	NA	NA	NA	None	7,500 s.f. (7)	NA	NA (11)	NA (11)	NA (11)	NA (11)	NA (11)	NA (11)
Lot width (feet)	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	50 (4) (11)	40 (4) (11)	NA (11)	40 (4) (11)	40 (4) (11)
Lot depth (feet)	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	90 (4) (11)	75 (4) (11)	NA (11)	75 (4) (11)	75 (4) (11)
Maximum height (feet) (40)	28 (13)	35 (14)	35 (14)	35 (8)	30	35 (22)	35	30 feet Max of 2 habitable floors	30 feet Max of 2 habitable floors	35	35	30 feet Max of 2 habitable floors

Ord# 415-2008

Standard	Manchester Sub-Area LAMIRD			Rural Historic-Sub-Area LAMIRD			Suquamish Sub-Area LAMIRD		
	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR
Maximum Impervious Surface Coverage	50% for residential properties less than or equal to .50 acres	50% for residential properties less than or equal to .50 acres	50% for residential properties less than or equal to .50 acres	NA	NA	NA	40% (6)	40% (6)	40% (6)
	40% for residential properties greater than or equal to .51 acres (16)	40% for residential properties greater than or equal to .51 acres (16)	40% for residential properties greater than or equal to .51 acres (16)	50%	50% or 2,000 s.f., whichever is greater	50%	NA	NA	NA
Maximum Lot Coverage	NA	NA	NA	50%	50% or 2,000 s.f., whichever is greater	50%	NA	NA	NA
Setbacks, Generally (34) (38)									
Front (feet) (41) (42) (43) (48)	NA	20	20	None	20 (9)	None	10 (11)	20 (11)	20 (11)
Side (feet) (42) (43) (48)	NA	5	5	Per KCC Title 14 UBC	5 (10)	Per KCC Title 14 UBC	10-0 (21) (11)	5 (11)	5 (11)
Rear (feet) (42) (43) (48)	NA	5	5	Per KCC Title 14 UBC	5 (10)	Per KCC Title 14 UBC	10 (21) (11)	5 (11)	5 (11)

Section 159. Kitsap County Code Section 17.382.100, adopted by Ordinance 367-2006 is amended as follows:

17.382.100 Parks, Rural and Resource Density and Dimensions Table.

Standard	Parks			Resource			Rural				
	P	FRL	MR	RP	RR	RW	URS				
Base/Maximum density (du/acre)	NA	NA	NA	NA	NA	Base: 1 du/20 acres Max: 1 du/5 acres (35)	NA				
Minimum lot size (acre) (39)	NA	40	20 (30)	10	5	20 (35)	10				
Lot width (feet)	NA	140	60 (31)	140	140	140	140				
Lot depth (feet)	NA	140	NA	140	140	140	140				
Maximum height (feet) (40)	35 (17)	35 (1)	NA	35 (2)	35 (2)	35 (2)	35				
Setbacks, Generally (34) (38)											
Front (feet) (41) (42) (43)	20	50 (29)	NA	50 (29)	50 (29)	50 (29)	20 (29)				
Side (feet) (42) (43)	10	20 (29)	NA	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	5 (29)				
Rear (feet) (42) (43)	10	20 (29)	NA	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	5 (29)				
Setbacks for Agricultural Structures (34)											
Front yard (feet) (48)	50	NA	NA	50	50	NA	20				
Side yard (feet) (48)	50	NA	NA	50	50	NA	50				
Rear yard (feet) (48)	50	NA	NA	50	50	NA	50				

Ord# 415-2008

Section 160. Kitsap County Code Section 17.382.110, adopted by Ordinance 367-2006 is amended as follows:

17.382.110 Footnotes for tables.

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

1. Except for those buildings directly associated with timber production and harvest.
2. Except for silos and other uninhabited agricultural buildings.
3. Properties within the Urban Restricted (UR) zone may subdivide at densities below the minimum required for the zone under the following circumstances:
 - a. The reduced density provides a greater protection for critical areas or environmentally sensitive areas; and
 - b. The intent of the short subdivision or subdivision is to keep the property in the ownership of the immediate family members.
4. If a single lot of record, legally created as of April 19, 1999, is smaller in total square footage than that required under this chapter, or if the dimensions of the lot are less than required, said lot may be occupied by any reasonable use allowed within the zone subject to all other requirements of this chapter. If there are contiguous lots of record held in common ownership, each of the lots legally created as of April 19, 1999, and one or more of the lots is smaller in total square footage than required by this chapter, or the dimensions of one or more of them are less than required, said lots shall be combined to meet the minimum lot requirements for size and dimensions.
5. The *Design Standards for the Community of Kingston* sets forth policies and regulations for properties within the downtown area of Kingston. All development within this area must be consistent with these standards. A copy of the *Design Standards for the Community of Kingston* may be referred to on the Kitsap County web page or at the Department of Community Development front counter.
6. Building replacements and remodels shall not create in excess of a total of forty percent impervious surface for lot area or more than the total existing impervious surface area, whichever is greater.
7. Excess area from acreage used to support proposed densities but not devoted to residential lots and public improvements such as streets and alleys shall be permanently dedicated and reserved for community open space, park land, and similar uses. For developments proposing densities no greater than one dwelling unit per five acres, the minimum and maximum lot sizes shall not apply, except that existing dwelling units shall be allocated lot area between 3,500 and 7,500 square feet. New proposals may then proceed using the five-acre lot requirements of Section 17.310.030 for the rural residential (RR) zone.
8. Hotels may be developed with four above-ground floors and up to a height not exceeding fifty feet with approval of the fire marshal and relevant fire district.
9. May be reduced to 10 feet for residential uses through the Administrative Conditional Use or PBD process.
10. Uses allowed through the conditional use process shall provide minimum side setbacks of 10 feet and minimum rear setbacks of 20 feet.
11. Any newly created lot within the Suquamish Rural Village shall be subject to Chapter 16.48 of this code, Short Subdivisions, and must meet the lot requirements below:
 - a. Lot Requirements.
 - (1) Minimum Lot Size: 21,780 square feet
 - (2) Minimum Lot Width: 100 feet
 - (3) Minimum Lot Depth: 100 feet
 - b. Setbacks.
 - (1) Front: 20 feet

- (2) Side: 5 feet
 - (3) Rear: 5 feet
- 12. Nonconforming Lots in Single Ownership. If a single lot of record, legally created before the adoption of the Manchester Community Plan, is less than 8,712 square feet in size or does not meet the dimensional requirements of its zone, the lot may be occupied by any use allowed within the zone subject to all other requirements of this chapter.
Nonconforming Lots in Common Ownership. Contiguous lots of record held in common ownership, each lot legally created before adoption of the Manchester Community Plan, must be combined to meet the minimum lot requirements of its zone if one or more of the lots is less than 8,712 square feet in size or does not meet the dimensional requirements of its zone and, at the time of adoption of the Manchester Community Plan (March 18, 2002), either 1) a residential structure encumbered more than one of the contiguous lots or 2) two or more of the contiguous lots were vacant. If one or more of the lots is sold or otherwise removed from common ownership after the adoption of the Manchester Community Plan, it will not be considered to meet the minimum lot requirements for non-conforming lots in single ownership. Property with two contiguous lots legally created before adoption of the Manchester Community Plan with a residential structure entirely on one lot may develop the second lot consistent with applicable zoning.
- 13. Residential structures within the MVC zone may not exceed 28 feet.
- 14. Within the View Protection Overlay, the maximum height shall be 28 feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. Buildable area is considered all portions of the property except wetlands and/or geologically hazardous areas. Properties within the View Protection Overlay Zone may build as high as 35 feet under the following circumstances:
 - a. There is no existing view of downtown Seattle, the Cascade Mountains, Mt. Rainier or the Puget Sound from the subject property or any adjacent property; or
 - b. The owners of all adjacent properties approve the building height prior to building permit issuance; or
 - c. It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.
- 15. Clustering residential development is encouraged in all development. When clustering development, if a property owner designates 40% of the gross acreage as naturally vegetated open space, he or she may create one additional lot for every five lots clustered. The additional lot may not reduce the naturally vegetated open space to an amount less than 40% of the gross acreage of the development.
- 16. All properties within the Manchester Village must also meet the requirements of the Stormwater Management Ordinance, Chapters 12.04 through 12.32 of this code. The use of pervious materials and other new technologies may be used in the construction of these areas and structures to reduce the impervious surface calculation.
- 17. A greater height may be allowed as set forth below and in accordance with the procedures in Title 21 of this code. Such approval must be consistent with the recommendations of the fire marshal/fire district and compatible with surrounding uses and zones. Such approval shall result in a decrease in building coverage, an increase in public amenities, and/or a more creative or efficient use of land. The maximum building height approved by the director shall not exceed:
 - a. In the UM, NC, and P zones: 45 feet
 - b. In the UH, HTC, and RC zones: 65 feet
 - c. In the BP, BC, and IND zones: 50 feet

- d. In the Mixed Use zone:
- i. Within Silverdale, the maximum height shall be 45 feet, consistent with the design guidelines;
 - ii. Along the Highway 303 corridor, the maximum height shall be 65 feet;
 - iii. Along Perry and National Avenues, the maximum height shall be 45 feet.
18. Density based on net acreage of the property(s) after the removal of critical areas.
 19. The maximum number of residential units permitted in the South Kitsap UGA/ULID #6 Sub-Area Plan is 4,172 until such time as a further population allocation is made to the Sub-Area. All residential development within the Sub-Area is subject to this density limitation. To ensure that the density limit for the sub-area is not exceeded, the director shall use the county's land information system (LIS) to monitor the number of dwelling units remaining and available for development within the Sub-Area.
 20. The minimum lot width within the ULID #6 Sub-Area shall be 40 feet.
 21. 20 feet when abutting a residential zone.
 22. Maximum height shall be 30 feet when located within the 200 foot shoreline area..
 23. The minimum site setback shall be 75 feet for any yard abutting a residential zone, unless, based upon a site-specific determination, berming and landscaping approved by the director is provided that will effectively screen and buffer the business park activities from the residential zone that it abuts; in which case, the minimum site setback may be reduced to less than 75 feet but no less than 25 feet. In all other cases, minimum site setbacks shall be 20 feet.
 24. An individual structure intended for future mixed commercial and residential uses may initially be used exclusively for residential use if designed and constructed for eventual conversion to mixed commercial and residential use once the Urban Village Center or Urban Town Center matures.
 25. The Bethel Road Corridor Development Plan sets forth policies and regulations for development within the Highway Tourist Commercial Zone located along the Bethel Corridor in South Kitsap from SE Ives Mill Road to the Port Orchard City limits. Development within the Bethel Road Corridor Highway Tourist Commercial Zone shall be conducted in a manner consistent with the policies and regulations of the Land Use Element of the Bethel Road Corridor Development Plan.
 26. No service road, spur track, or hard stand shall be permitted within required yard areas that abuts a residential zone.
 27. As approved by the director, wherever an industrial zone abuts a residential zone, a fifty-foot screening buffer area shall be provided. This screening buffer is intended to reduce impacts to abutting residential uses such as noise, light, odors, dust and structure bulk. No structures, open storage, or parking shall be allowed within this area. The director shall only approve screening buffers that improve the compatibility between the proposed use and the residential zone. The director may reduce this buffer to a minimum of 25 foot width only when, based upon a site-specific determination, that topography, berming or other screening features will effectively screen industrial activities from the residential zone. Conversely, based upon a similar site-specific determination, the director may increase the buffer width from 50 feet to ensure adequate buffering and compatibility between uses.
~~Wherever an industrial zone abuts a residential zone, a fifty-foot landscaped setback area shall be provided with plantings, as approved by the director. No structures, open storage, or parking shall be allowed. The plan for landscaping may be approved only if the landscaping is designed to preserve the quality of the residential zone. The minimum lot setback shall be 50 feet for any yard abutting a residential zone unless, based upon a site specific determination, berming, and landscaping or other screening approved by the director is provided, which will effectively screen and buffer~~

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

28. Unless part of an approved zero-lot line development.
29. 100-foot setback required for single-family buildings abutting FRL or RW zones.
30. No minimum lot size if property is used only for extraction.
31. 330 feet if activity includes any uses in 17.380.020.
32. Existing lots developed with existing single-family residences are permitted to be maintained, renovated and structurally altered. Additions to existing residential structures in order to provide commercial uses are also permitted regardless of density.
33. Reserved.
34. Development abutting a street for which a standard has been established by the Kitsap County Arterial Plan shall provide a special setback from the centerline of said street or a distance adequate to accommodate one-half of the right-of-way standard established by the arterial plans for the street. The building setback required by the underlying zone shall be in addition to the special setback and shall be measured from the edge of the special setback line. The special setback area shall be treated as additional required yard area and reserved for future street widening purposes.
35. Maximum density, smaller lot sizes and reduced setbacks may be allowed based upon the designation of a portion of the development acreage as "permanent open space" through the Rural Wooded Incentive Program per Section 17.301.080.
36. For standards applicable to Master Planned Industrial Developments and approved Industrial Parks, see 17.370.090.
37. When an airport zone abuts a residential zone, there shall be a minimum of five hundred feet from the end of any runway and the residential zone. Adjacent to airports, the director may impose height restrictions and/or other land use controls, as deemed essential to prevent the establishment of air space obstructions in air approaches to protect the public health, safety and welfare consistent with Federal Aviation Regulations (FAR) Part 77.
38. Cornices, canopies, eaves, belt courses, sills or other similar architectural features, or fireplaces may extend up to twenty-four inches into any required yard area. For setbacks along shorelines, see Chapter 17.450.
39. Unless otherwise stated in this title, if a lot of record, which was legally created as of May 10, 1999, is smaller in total square footage than that required within the zone, or if the dimensions of the lot are less than that required within the zone, said lot may be occupied by any use allowed within that zone subject to all other requirements of the zone. Unless specifically stated within this title, where two or more contiguous lots which are nonconforming to the lot size or dimensions of the zone and are held in common ownership, said lots shall be considered separate legal nonconforming lots and each may be occupied by any use permitted within the zone subject to all other requirements of the zone. If a lot of record was lawfully occupied by two or more single-family residences (excluding accessory dwellings) as of May 10, 1999, the owner of such a lot may apply for a short plat approval in order to permit the segregated sale of such residences, even though some or all of the resulting new lots will have lot areas or dimensions less than required for the zone in which they are located. All other provisions of the Short Subdivision Ordinance (Chapter 16.48 of this code) shall apply to the application.
40. Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet

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

41. The following exceptions apply to front yard requirements:
 - a. If there are dwellings on both abutting lots with front yards less than the required depth for the zone, the front yard for the lot need not exceed the average front yard of the abutting dwellings.
 - b. If there is a dwelling on one abutting lot with a front yard less than the required depth for the zone, the front yard need not exceed a depth of half-way between the depth of the front yard on the abutting lot and the required front yard depth.
 - c. If a modification to the front-yard requirement is necessary in order to site dwellings in a manner that maximizes solar access, the director may modify the requirement.
 - d. On lots with multiple front yards, the front yard setback(s) in which the lot does not receive access may be modified by the director. Based upon topography, critical areas or other site constraints, the director may reduce these front yard setbacks to a minimum of twenty feet for properties requiring fifty feet and five feet for properties requiring twenty feet. The director may not modify front yard setbacks from county arterials or collectors. Such reductions shall not have an adverse impact to surrounding properties.
42. The following exceptions apply to historic lots:
 - a. Building setback lines that do not meet the requirements of this title but were legally established prior to the adoption of this title shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel, providing that no structure or portion of such addition may further project beyond the established building line.
 - b. Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.
43. Any structure otherwise permitted under this section may be placed on a lot or parcel within a required yard area, if the director finds that such a location is necessary because existing sewer systems or roadways make compliance with the yard-area requirements of this title impossible without substantial changes to the site.
44. Outside of the Silverdale Sub-Area, densities required only with mixed use development.
45. Density in the KVLR zone may be increased to three units per acre through a performance-based development (PBD) process pursuant to the regulations cited in Kitsap County Code 17.321D.080(B).
46. Front porch must meet following requirements to qualify for five-foot front setback:
 - a. Porch shall be forty percent open on each of two sides; no enclosed porches.
 - b. Minimum porch dimensions shall be four feet by six feet, or twenty-four square feet.
 - c. Porches shall not be less than four feet in width.

47. The 2007 Manchester Community Plan, Appendix A – Manchester Design Standards set forth policies and regulations for properties within the Manchester Village Commercial (MVC) district. All development within the MVC district must be consistent with these standards.

48. Cornices, canopies, eaves, belt courses, sills, bay windows, fireplaces or other similar cantilevered features may extend up to twenty-four (24) inches into any required yard area. In no case shall a habitable area be considered for encroachment into a required yard through any land use process. Additionally, fire escapes, open-uncovered porches, balconies, landing places or outside stairways may extend up to twenty-four (24) inches into any required side or rear yards, and shall not extend more than six feet into any required front yard. This is not to be construed as prohibiting open porches or stoops not exceeding eighteen inches in height, and not closer than twenty four inches to any lot line.

49. Minimum project size applies to the initial land use application for the property such as master plan, PBD or other mechanism. Subsequent subdivision through platting or binding site plan consistent with scope and conditions of the land use approval is not required to meet this minimum size.

Section 161. Kitsap County Code Section 17.385.010, last amended by Ordinance 367-2006 is amended as follows:

17.385.010 Purpose.

This section shall establish landscaping standards for all development subject to the requirements for permitted, conditional use or performance based development. shall be provided and maintained as set forth in this section for all uses subject to the requirements for performance based development or conditional use. Single-family plats shall be exempt, except that landscaping required as a condition of plat approval, shall be installed to specifications contained herein.

Section 162. Kitsap County Code Section 17.385.027 is adopted as follows:

17.385.027 Buffer types – when required.

The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. These types shall include:

A. Landscaping buffer

1. Required along existing or planned roads within urban growth areas. The planting area shall encompass the required front setback area and consist of:
 - a. Evergreen and/or deciduous trees;
 - b. Evergreen shrubs planted to screen parking areas, in an amount and configuration to screen parked cars;
 - c. Ground covers as required; and
 - d. Bioswales and other drainage features are allowed, only when in a configuration that preserves the integrity of the roadside planting.
 - e. Retention of natural vegetation, where feasible.
2. Required along the perimeters of multi-family residential (ten (10) dwelling units an acre or more), commercial, and industrial/business center development which abut like zones or uses. Installation shall vary in numbers and types of vegetation and structures depending on the proposed use and surrounding zones. Trees, shrubs, ground covers and/or fencing are to be provided as required.

B. Screening buffer

1. Required along the perimeters of multi-family residential (ten (10) dwelling units an acre or more), commercial, and industrial/business center development abutting different uses and/or zones. The buffer shall provide sight-obscuring screening between different uses or zones and shall consist of:
 - a. Two (2) offset rows of evergreen trees planted ten feet on center and ground cover;
or
 - b. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.
2. Required for residential subdivisions or commercial development abutting a rural zone, a buffer of twenty-five (25) to fifty (50) feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after evaluating the affects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.
3. Required around the perimeter of storm drainage facilities to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:
 - a. A row of large shrubs and ground cover;

- b. A row of evergreen trees planted ten feet on center and ground cover; and/or
- c. An evergreen vegetation buffer sufficient to provide screening.
- 4. Retention of screening vegetation, where feasible.
- 5. Other vegetation types and/or configurations that meet the intent of the screening buffer may be approved by the director.

Section 163. Kitsap County Code Section 17.385.030, as adopted by Ordinance 216-1998 is amended as follows:

17.385.030 Installation and maintenance.

Installation and maintenance of landscaping of developments shall be in accordance to the American Nursery Landscaping Association standards.

- A. Plant materials shall be nursery stock or the equivalent quality and installed to industry standards or better.
- B. Landscape plant materials shall be staked to current industry standards or better. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
- C. Minimum sizes at installation:
 - 1. Two-inch caliper street trees and other deciduous trees;
 - 2. Eight feet minimum height multi-stemmed trees (e.g., Vine Maple);
 - 3. Six feet minimum height coniferous trees;
 - 4. 18 to 24 inches height for large and medium shrubs (over six feet at maturity);
 - 5. 12 to 18 inches minimum height for small shrubs (three to six 6 feet at maturity); and
 - 6. Drought-tolerant landscape areas shall be subject to the size requirements in Section 17.17.385.040.
- D. Maximum spacing:
 - 1. Street trees and other deciduous trees shall be spaced appropriate to their pattern, generally 25 to 30 feet on center for large trees.
 - 2. Coniferous trees shall be spaced fifteen feet apart, unless they are within a screening barrier buffer, where the maximum spacing shall be ten feet on center.
 - 3. Large shrubs shall be spaced five feet on center.
 - 4. Medium shrubs shall be spaced four feet on center.
 - 5. Small shrubs shall be spaced three feet on center.
- E. Ground covers (bark and mulch shall not be considered as ground cover) are required in all planting areas, unless the entire bed is planted with shrubs that branch out so that they cover the surface of the ground. Spacing shall be as follows:
 - 1. 1-gallon pots, 24 inches on center;
 - 2. 4-inch pots, 18 inches on center;
 - 3. 2¼-inch pots, 12 inches on center; and
 - 4. Grass and sod areas to be 100 percent.
- F. Vegetation removal in native growth protection easements are limited to the following cases:
 - 1. Hand removal of Naturalized Species. No machinery is to be used, except for hand-held implements which do not disturb the native vegetation or soil;
 - 2. Falling of Trees Which May Present a Danger to Life or Property. Removal of said trees is to be done only with written approval from the county. To solicit said approval, a letter and photograph or detailed plot plan of the area, with all trees to be removed marked on the photo or plan, shall be submitted to the department of community development; and
 - 3. Other activities expressly allowed as a condition of approval.
- G. Slopes in landscape areas shall not exceed 3:1 unless specifically approved by the director. Erosion control netting or alternative procedure may be required for slopes exceeding 3:1.

- H. Automatic irrigation systems shall be required for all landscape areas except for those designed and approved as drought-tolerant plantings. In unique circumstances alternative methods of irrigation may be approved if specifically proposed as part of the landscape plan.
- I. All planting beds shall receive topsoil or soil amendments as needed to maintain the plants in a thriving condition.
- J. All planting beds shall receive a minimum of two inches of bark mulch, or approved substitute.
- K. Landscaping required under the provisions of this title shall be maintained in a healthy growing condition.
- L. Landscaping lost due to violations of this title or unforeseen natural events shall be replaced immediately with vegetation that is sufficient in size and spacing as required by this title.
- M. All landscaping required by this title shall be installed prior to the issuance of any final certificate of occupancy permit, unless specifically approved by the director and installation is bonded (or other method), for a period not to exceed six months, in an amount equal to 150% of the cost of material and labor.
- N. Wetland mitigation plantings are not considered to be a part of the landscaping requirements.

Section 164. Kitsap County Code Section 17.385.050, as adopted by Ordinance 216-1998 is deleted as follows:

17.385.050 — Landscape-buffer types.

~~The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. These types shall include:~~

- ~~A. Roadside Planting — Landscape buffer treatment along existing or planned roads. The planting area shall encompass the required front setback area and consist of:

 - 1. Evergreen and/or deciduous trees;
 - 2. Evergreen shrubs planted to screen parking areas, in an amount and configuration to screen parked cars;
 - 3. Ground covers as required; and
 - 4. Bioswales and other drainage features are allowed, only when in a configuration that preserves the integrity of the roadside planting.~~
- ~~B. Use Separation Buffer — Landscape buffer treatment along perimeters of the site which shall vary in numbers and types of vegetation and structures depending on uses. Trees, shrubs, ground covers and/or fencing are to be provided as required.~~
- ~~C. Barrier Buffer — A landscape buffer intended to provide screening between different uses and shall consist of:

 - 1. Two offset rows of evergreen trees planted ten feet on center and ground cover; or
 - 2. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.~~
- ~~D. Rural Character Buffer — For rural areas or commercial zones abutting a rural zone, a natural buffer of twenty five to fifty feet shall be provided. The director may modify this requirement for wind throw safety purposes. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along one edge of the buffer.~~
- ~~E. Drainage Pond Buffer — A landscape buffer which screens storm drainage facilities from adjacent properties and/or streets, and consist of:

 - 1. A row of large shrubs and ground cover;
 - 2. A row of evergreen trees planted ten feet on center and ground cover; or
 - 3. A natural vegetation buffer sufficient to provide screening.~~

Section 165. Kitsap County Code Section 17.385.060, as adopted by Ordinance 216-1998 is amended as follows:

17.385.060 Building facade plantings.

Building facade plantings are intended to provide visual relief for buildings and shall be required adjacent to all building walls except those adjacent to service areas or unless specifically exempted by the director. Building facade plantings shall be provided over two thirds (or greater) of the horizontal distance of the wall and consist of:

- A1. A minimum four-foot wide planting area containing shrubs and ground cover; and
- B2. Trees within the planting area, or within tree gates set into a walkway, when determined necessary.

Section 166. Kitsap County Code Section 17.400.010, as adopted by Ordinance 367-2006 is amended as follows:

17.400.010 Purpose.

Land use review is intended to provide for the assurance of responsible development consistent with the Comprehensive Plan and the requirements of Kitsap County Code. ~~the Zoning Ordinance~~. Land use review will ensure that project permit applications are handled in a predictable, efficient and consistent manner.

Section 167. Kitsap County Code Section 17.400.020, as adopted by Ordinance 367-2006 is amended as follows:

17.400.020 Code compliance review.

The department shall approve, approve with conditions, or deny ~~project~~ permit applications based on compliance with this title and any other development condition affecting the proposal.

Section 168. Kitsap County Code Section 17.400.050 shall be adopted as follows:

17.400.050 Minimum application requirements.

- A. All applications shall be accompanied with fourteen copies or electronic copies (if authorized by state law) of complete site plans drawn to scale and produced in such a way as to clearly indicate compliance with all applicable requirements, and shall include the following:
1. A vicinity map showing the location of the property and surrounding properties. A copy of the assessor's quarter section map may be used to identify the site;
 2. Dimensions and orientation of the parcel;
 3. Location of existing and proposed buildings and structures showing the intended use of each, and, if appropriate, the number of dwelling units;
 4. Drawings and dimensions of proposed buildings and structures;
 5. Location of walls and fences, indication of their height and construction materials;
 6. Existing and proposed topography at contour intervals of no more than five feet as stamped by a certified surveyor or engineer;
 7. Streets adjacent to, surrounding or intended to serve the property, curbcuts and internal pedestrian and vehicular traffic circulation routes;
 8. Existing and proposed exterior lighting;
 9. Location and size of exterior signs and outdoor advertising;
 10. Preliminary landscaping plan;
 11. Location and layout of off-street parking and loading facilities;
 12. Proposed location of utility, sewage and drainage facilities;

- 13. Other architectural or engineering data which may be necessary to determine compliance with applicable regulations;
- 14. Location of any critical areas and their associated buffer and/or setback requirements; and
- 15. Other information as required.

Section 169. Kitsap County Code Section 17.415.010, adopted by Ordinance 311-2003, is amended as follows:

17.415.010 Purpose.

The master plan is intended to provide means for planning and assessing sites for a wide range of activities such residential, commercial and industrial. Such plans are to be based on a larger area to provide a more comprehensive view of the proposed uses and their impacts on surrounding properties. Projects are encouraged to use innovative development techniques to maximize open space and trail systems, enhance environmental protection and minimize impervious surface and stormwater runoff. as those that require processing, fabrication, storage, research and development, business support services, and wholesale trade. Generally, these activities require reasonable accessibility to major transportation corridors including highways, rail, airports or shipping. Development of master plans will occur based on a master planning process is also intended to assure ensure the availability of adequate capital facilities and infrastructure to support these such uses and to assure the adequate protection of environmental resources located in these areas. or near properties required to master plan or that choose to master plan.

Section 170. Kitsap County Code Section 17.415.020, adopted by Ordinance 311-2003, is amended as follows:

17.415.020 Minimum project size.

The minimum project size for master plans located outside of the SKIA urban growth area (UGA) is forty (40) gross acres. For projects within the SKIA UGA, the minimum is determined by the size of the sub-basin(s) in which the project is located.

17.415.020 Concurrent permit processing.

When master planning is required in a zone wherein some uses require a conditional use permit, the master plan process provided by this chapter may be used in lieu of those processes. In areas where master planning is not specifically required under county plans or regulations, this master planning process may be used, at the option of the applicant, in lieu of a required conditional use permit process.

Section 171. Kitsap County Code Section 17.415.030, adopted by Ordinance 311-2003, is amended as follows:

17.415.030 Master plan - When required.

For properties outside of the South Kitsap Industrial Area (SKIA), the development of a master plan is optional. For properties within SKIA with a Master Plan required overlay, a master plan must be completed before the issuance of any other development permits. Properties within SKIA with a Master Plan Optional overlay may complete a master plan to qualify for expedited review of individual development permits consistent with 17.381.040.C. Prior to the issuance of any development permits, development of property(s) with a master plan Required overlay must be consistent with a master plan approved pursuant to this chapter. Properties with no overlay or a master plan Optional overlay are not required to develop a master plan, but may in order to

~~qualify for expedited review of individual development permits.~~ All master plans developed within SKIA the South Kitsap Industrial Area must include planning and analyses of the entire sub-basin(s) in which the development is proposed. The director may either increase or decrease the area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new developments.

Section 172. Kitsap County Code Section 17.415.032, is adopted as follows:

17.415.032 Parties to master plan.

For properties outside of the South Kitsap Industrial Area (SKIA), the parties to the master plan must include all legal owners of the subject properties. For properties inside of SKIA, legal owners representing a majority of property-owners in the development's sub-basin(s) shall be party to the application for master plan approval. These master plans may include the properties of non-participants in the master plan development process.

Section 173. Kitsap County Code Section 17.415.035, adopted by Ordinance 311-2003, is amended as follows:

17.415.035 Development exempt from SKIA master plan requirements.

For properties within SKIA with the Master Plan Required overlay, the following development activities are exempt from the master plan requirement:

- A. Renovation, remodeling and maintenance of existing development, provided no significant increase in impervious surface, increase in peak hour traffic, or increase in demand for public water supply or sanitary sewer service occurs as the result of such renovation, remodeling or maintenance.
- B. Minor new development projects. For purposes of this exemption, a new development project shall be considered minor if it (a) does not result in new impervious surface in excess of 5,000 square feet on a site, (b) does not generate more than 10 new peak hour traffic trips on public roads serving the site, and (c) does not increase the demand on a public or private water supply by more than 5000 g.p.d.
- C. New minor development projects, which are exempt from SEPA pursuant to WAC 197-11-800 through 197-11-880, and Section 18.04.240 of this code.
- D. Other new development projects, which the director determines in his discretion will not significantly adversely impact the environment, will not create a need for regional infrastructure facilities and will not impede the future design and installation of regional infrastructure facilities, including public streets and highways, storm water control systems, and public water and sanitary sewer systems.

Section 174. Kitsap County Code Section 17.415.050, adopted by Ordinance 311-2003, is deleted as follows:

17.415.050 — Third party review.

~~The county may require third party review in cases where additional professional or technical expertise is required.~~

Section 175. Kitsap County Code Section 17.415.060, adopted by Ordinance 311-2003, is amended as follows:

17.415.060 Sub-area conceptual development plan update

~~As master plans in zones requiring or allowing master plans are approved, the department of community development will update a "working copy" of a sub-areas' conceptual development plan, if such a plan is available. As this "figure" evolves from a "conceptual development plan" toward a "master development plan" based on approved master plans, it may be used as an inventory, planning, and economic development tool for the sub-area. The County may use these approved master plans as an inventory, planning and/or economic development tool to update existing sub-area plans or the Comprehensive Plan. Final approved master plans, including infrastructure and other master plan elements, must be submitted in a data format compatible with ongoing update requirements.~~

Section 176. Kitsap County Code Section 17.415.065 is adopted as follows:

17.415.065 Master plan review process.

A proposed master plan shall be processed as a Type III development application under Section 21.04.070 of this code which will include the following process:

- A. An application for master plan and a SEPA checklist shall be submitted to the department.
- B. A master plan scoping conference will be held between the department and the applicants to identify the required components of the master plan; to determine the assumptions and standards to be applied in the plan; and to identify existing information and analyses which may be used in the master plan process together with any site-specific issues of concern. The applicant will provide preliminary project information to the extent required to complete the scoping process.
- C. Within thirty days of the scoping conference, a written *Master Plan Scoping Summary Notice* will be mailed to the applicant. This notice will include a summary of overall scoping conclusions and a review of elements necessary for an application for a master plan and will direct the applicant to proceed with development of the master plan. The *Master Plan Scoping Summary Notice* will also describe the level of environmental review needed for the master plan, which may include a SEPA threshold determination. Upon receipt of the *Master Plan Scoping Summary Notice*, the applicant will return a signed copy to the department of community development.
- D. The applicant shall be responsible for all analysis and planning involved in the preparation of a completed master plan. Upon completion of the master plan, the applicant shall submit an application for master plan approval. Within forty-five days of such application, and in order to ensure that all master plan requirements have been addressed, the department will issue a notice, using the procedure described in Section 21.04.050 of this code, declaring the master plan application to be complete or incomplete.
- E. Upon determination that the master plan application is complete and ready for review, the department shall complete a technical review of the master plan and will act on the application in accordance with the procedures and time lines of Section 21.04.070 of this code for a Type III application. Approval of a master plan shall be subject to the appeal procedures set forth for such Type III decisions in Section 21.04.120 of this code.
- F. Following approval of a master plan, development activity pursuant to each master plan shall be reviewed and approved subject to Kitsap County site development, building, and related permits only. No additional land use permitting will be required, provided such development is consistent with the approved master plan.

Section 177. Kitsap County Code Section 17.415.070, adopted by Ordinance 311-2003 is amended as follows:

17.415.070 Master plan components elements – General.

During the pre-application stages of the master planning process, the director of the Kitsap County department of community development shall determine the extent and adequacy of the analyses to be included in the master plan. These required elements will result in a *Master Plan Scoping Summary Notice*. The purpose of this approach is to allow the director and the applicant to tailor the extent of the submittals to the actual and unique circumstances of the proposed development seeking master plan approval. A master plan prepared for purposes of this section shall address the following issues to the extent required by the *Master Plan Scoping Summary Notice*:

A. Land use

~~B.~~ **A.** Storm water controls, including both quantity and water quality;

~~C.~~ **B.** Sanitary sewer service;

~~D.~~ **C.** Public water service;

~~E.~~ **D.** Public street and transportation facilities;

~~F.~~ **E.** Open space facilities;

~~F.~~ **Economic development component;** —

G. Environmental protection and resources;

H. Other infrastructure/utility requirements, which the director determines, based on review under the State Environmental Policy Act, should be analyzed in a master plan in order to assure that such facilities are available to serve the proposed development in a timely manner and that such facilities are designed and developed in a manner which is coordinated with the infrastructure needs of other properties in the area zoned Business Center or Industrial in the vicinity of the development site.

Additionally, an economic development component is required for master plans within the South Kitsap Industrial Area.

Section 178. Kitsap County Code Section 17.415.075 is adopted as follows:

17.415.075 Land use component of master plan

Based on elements required in the approved *Master Plan Scoping Summary Notice*, a master plan shall include a description and site plan consistent with the underlying zone(s), other requirements of Title 17. The submittal must include the location within the master plan area of all proposed residential densities and housing types, commercial developments and/or industrial/business center uses.

Section 179. Kitsap County Code Section 17.415.400, adopted by Ordinance 311-2003 is deleted as follows:

17.415.400 — Economic development component of master plan.

~~Based on elements required in the *Master Plan Scoping Summary Notice*, a master plan shall include an Economic Development Component meeting the following criteria:~~

~~A. Master plans shall strive to create developments in which 50% of jobs pay the average or higher than average annual covered wage for Kitsap County as defined and published by the Washington State Division of Employment Security, "Kitsap County Profile" or comparable publication by that entity. Master plans must include a wage calculation as follows:~~

~~1. Plans shall identify, as far as possible, the anticipated land uses for the proposed development.~~

~~2. Plans shall identify, as far as possible, the anticipated type and number of jobs, which the proposed development is intended to accommodate.~~

- ~~B. Technology Infrastructure. Master plans shall contain a plan for technology infrastructure to be constructed by the developer, according to adopted county technology regulations and the following criteria:~~
- ~~1. The plan shall depict the type and siting of technology infrastructure serving planned and future development in the area. The plan shall include fiber optic or other high-speed data links or conduit for fiber optic or other high-speed data links to regional technology infrastructure and to other technology infrastructure within the master planned area.~~
 - ~~2. The plan shall demonstrate a provision for reserve capacity and/or potential for future expansion of technological capability. Upon adoption of regional technology guidelines, goals, policies and/or standards, these shall be consulted as to the suitability of the type of infrastructure to be installed and/or accommodated in the future.~~
- ~~C. Design Standards. Master plans shall adhere to any design standards adopted as a requirement of the sub-area in which the development is located. No master plan shall be approved for a sub-area requiring design standards until design standards have been developed and approved in accordance with sub-area plan policies.~~

Section 180. Kitsap County Code Section 17.415.535, is adopted as follows:

17.415.535 Economic development component of master plan.

Based on elements required in the *Master Plan Scoping Summary Notice*, a master plan shall include an Economic Development Component meeting the following criteria:

- A. Master plans shall strive to create developments in which 50% of jobs pay the average or higher than average annual covered wage for Kitsap County as defined and published by the Washington State Division of Employment Security, "Kitsap County Profile" or comparable publication by that entity. Master plans must include a wage calculation as follows:
1. Plans shall identify, as far as possible, the anticipated land uses for the proposed development.
 2. Plans shall identify, as far as possible, the anticipated type and number of jobs, which the proposed development is intended to accommodate.
- B. Technology Infrastructure. Master plans shall contain a plan for technology infrastructure to be constructed by the developer, according to adopted county technology regulations and the following criteria:
1. The plan shall depict the type and siting of technology infrastructure serving planned and future development in the area. The plan shall include fiber optic or other high-speed data links or conduit for fiber optic or other high-speed data links to regional technology infrastructure and to other technology infrastructure within the master planned area.
 2. The plan shall demonstrate a provision for reserve capacity and/or potential for future expansion of technological capability. Upon adoption of regional technology guidelines, goals, policies and/or standards, these shall be consulted as to the suitability of the type of infrastructure to be installed and/or accommodated in the future.
- C. Design Standards. Master plans shall adhere to any design standards adopted as a requirement of the sub-area in which the development is located. No master plan shall be approved for a sub-area requiring design standards until design standards have been developed and approved in accordance with sub-area plan policies.

Section 181. Kitsap County Code Section 17.415.550, is adopted as follows:

17.415.550 Third party review.

The director may require a third party review from a technical expert to provide information necessary to support the review of a master plan. The expert will be chosen from a list of pre-

qualified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the County and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

Section 182. Kitsap County Code Section 17.415.550, adopted by Ordinance 311-2003 is deleted as follows:

~~17.415.550 — Parties to master plan.~~

~~Landowners representing a majority of property owners in the sub-basin/master plan area shall be party to the application for master plan scoping and the application for master plan approval for that sub-basin/master plan area. The master plan will include the properties of non-participants in the master plan development process.~~

Section 183. Kitsap County Code Section 17.415.600, adopted by Ordinance 311-2003 is deleted as follows:

~~17.415.600 — Master plan review process.~~

~~A proposed master plan shall be processed as a Type II development application under Section 21.04.070 of this code. The master plan will require a pre-application meeting as described at Section 21.04.040 of this code. The purpose and goal of this process is to allow the director and the applicant to tailor the extent of the submittals under this ordinance to the actual and unique circumstances and scope of the proposed development seeking master plan approval. After the applicant has received the pre-application summary letter, the following process will apply.~~

- ~~A. An application for master plan scoping and a SEPA checklist shall be submitted to the department.~~
- ~~B. A master plan scoping conference will be held between the department and the applicants to identify the required components of the master plan; to determine the assumptions and standards to be applied in the plan; and to identify existing information and analyses which may be used in the master plan process together with any site specific issues of concern. The applicant will provide preliminary project information to the extent required to complete the scoping process.~~
- ~~C. Within thirty days of the scoping conference, a written *Master Plan Scoping Summary Notice* will be mailed to the applicant. This notice will include a summary of overall scoping conclusions and a review of elements necessary for an application for a master plan and will direct the applicant to proceed with development of the master plan. The *Master Plan Scoping Summary Notice* will also describe the level of environmental review needed for the master plan, which may include a SEPA threshold determination. Upon receipt of the *Master Plan Scoping Summary Notice*, the applicant will return a signed copy to the department of community development.~~
- ~~D. The applicant shall be responsible for all analysis and planning involved in the preparation of a completed master plan. Upon completion of the master plan, the applicant shall submit an application for master plan approval. Within forty-five days of such application, and in order to ensure that all master plan requirements have been addressed, the department will issue a notice, using the procedure described in Section 21.04.050 of this code, declaring the master plan application to be complete or incomplete.~~
- ~~E. Upon determination that the master plan application is complete and ready for review, the department shall complete a technical review of the master plan and will act on the application in accordance with the procedures and time lines of Section 21.04.070 of this code for a Type II application. Approval of a master plan shall be subject to the appeal procedures set forth for such Type II decisions in Section 21.04.120 of this code.~~

~~F. Following approval of a master plan, development activity pursuant to each master plan shall be reviewed and approved subject to Kitsap County site development, building, and related permits only. No additional land use permitting will be required, provided such development is consistent with the approved master plan.~~

Section 184. Kitsap County Code Section 17.415.625, is adopted as follows:

17.415.625 Concurrent permit processing.

In a zone wherein some uses require a conditional use permit, the master plan process provided by this chapter may be used in lieu of those processes. Proposed development must still meet the approval criteria required by Chapter 17.421 as well as those required by this section.

Section 185. Kitsap County Code Section 17.415.675, is adopted as follows:

17.415.675 Decision criteria for master plan approval.

An application for a master plan permit may be approved or approved with modifications if all of the following requirements are met:

- A. The master plan is consistent with the goals and policies of the comprehensive plan and complies with all other applicable codes and policies of the county.
- B. The master plan demonstrates superior site design by incorporating the following:
 - 1. Provisions for public facilities and/or amenities.
 - 2. Clustering of development, as applicable.
 - 3. Innovative site design that complies with the development and design standards of the master plan and underlying zoning code.
 - 4. Preservation of critical areas, resource areas and natural features.
 - 5. Provision for a coordinated, comprehensive, interconnected and integrated system of parks, open spaces and recreational areas.
 - 6. Placement of structures, circulation systems and utilities that minimizes impervious surface and the alteration of the land and also responds to physical characteristics of the property.
 - 7. Site design that reduces dependency on automobiles by providing for pedestrian, bicycle and transit uses.
- C. Adequate public services are available, including water, sewer, roads, including access roads, fire and storm drainage. Approval of the master plan should not reduce existing public service levels for surrounding properties below acceptable levels without mitigation measures.
- D. If development under a master plan will be phased, each phase of a proposed development must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the master plan to stand alone if no other subsequent phases are developed.
- E. The master plan sets forth the terms, conditions, covenants, and agreements regarding the intended development and terms, conditions, covenants, and agreements under which the property is bound.

If no reasonable conditions or modifications can be imposed to ensure the application meets the criteria set forth above, then the application shall be denied.

Section 186. Kitsap County Code Section 17.420.035, is adopted as follows:

17.420.035 Third-party review

The director may require a third party review from a technical expert to provide information necessary to support an administrative decision. The expert will be chosen from a list of pre-qualified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the County and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

Section 187. Kitsap County Code Section 17.420.040, adopted by Ordinance 367-2006, is amended as follows:

17.420.040 Decision criteria – Administrative conditional use permits.

- A. The department may approve, approve with conditions, or deny an administrative conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
1. The proposal is consistent with the comprehensive plan;
 2. The proposal complies with applicable requirements for the use set forth in this code;
 3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity; and
 4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. The department may impose conditions to ensure the approval criteria are met.
- C. If the approval criteria are not met or conditions can not be imposed to ensure compliance with the approval criteria, the administrative conditional use permit shall be denied.

Section 188. Kitsap County Code Section 17.420.060, adopted by Ordinance 367-2006, is amended as follows:

17.420.060 Vacation of administrative conditional use permit.

- A. Any administrative conditional use permit issued pursuant to this chapter, or any temporary or special use permit issued previously, may be vacated by the current landowner upon county approval provided that:
1. The use authorized by the permit does not exist and is not actively being pursued; or
 2. The use has been terminated and no violation of the terms and the conditions of the permits exists.
- B. Landowner request for vacation of a conditional use permit shall be conducted as set forth in Title 21 of this code.

Section 189. Kitsap County Code Section 17.420.070, adopted by Ordinance 367-2006, is amended as follows:

17.420.070 ~~Review of r~~Revocation of permit.

Any ~~review of~~ revocation proceeding shall be conducted in accordance with Chapter 17.525.

Section 190. Kitsap County Code Section 17.420.100, is adopted as follows:

17.420.100 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or

other permit until such appeal has been heard and a decision rendered by the board of county commissioners.

Section 191. Kitsap County Code Section 17.421.025, is adopted as follows:

17.421.025 Third-party review.

The director may require a third party review from a technical expert to provide information necessary to prepare a staff recommendation to the hearing examiner. The expert will be chosen from a list of pre-qualified experts prepared and kept current by an annual solicitation by the department. The applicant shall select the expert from a list of three names selected by the director from the larger pre-qualified list. The expert will be contracted to the County and report their findings to the director and the applicant. The cost of such report will be the responsibility of the applicant.

Section 192. Kitsap County Code Section 17.421.030, adopted by Ordinance 367-2006 is amended as follows:

17.421.030 Decision criteria – Conditional use permit.

- A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
1. The proposal is consistent with the comprehensive plan;
 2. The proposal complies with applicable requirements of this title;
 3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
 4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. As a condition of approval, the hearing examiner may:
1. Increase requirements in the standards, criteria, or policies established by this Title;
 2. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion, landslides, or traffic;
 3. Require structural features or equipment essential to serve the same purpose set forth in Chapter Section 17.382.
 4. Include requirements to improve parity compatibility with other uses permitted in the same zone protecting them from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards, and similar matters. The hearing examiner may not in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of this title in matters for which a variance is the remedy provided;
 5. Assure that the degree of compatibility with the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses, within the general area in which the use is proposed to be located;
 6. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazard or public need;
 7. Require the posting of construction and maintenance bonds or other security sufficient to secure to the county the estimated cost of construction and/or installation and maintenance of required improvements; and

8. Impose any requirement that will protect the public health, safety, and welfare.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the conditional use permit shall be denied.

Section 193. Kitsap County Code Section 17.421.050, adopted by Ordinance 367-2006 is amended as follows:

17.421.050 Vacation of Hearing Examiner conditional use permit.

- A. Any conditional use permit issued pursuant to this chapter may be vacated by the current landowner upon county approval provided that:
 1. The use authorized by the permit does not exist and is not actively being pursued; or
 2. The use has been terminated and no violation of the terms and the conditions of the permit exists.
- B. Landowner request for vacation of a conditional use permit shall be conducted as set forth in Title 21 of this code.

Section 194. Kitsap County Code Section 17.421.060, adopted by Ordinance 367-2006 is amended as follows:

17.421.060 ~~Review of r~~Revocation of permit.

Any ~~review~~ or revocation proceeding shall be conducted in accordance with Chapter 17.525.

Section 195. Kitsap County Code Section 17.421.090, is adopted as follows:

17.421.090 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or other permit until such appeal has been heard and a decision rendered by the board of county commissioners.

Section 196. Kitsap County Code Section 17.425.010, adopted by Ordinance 216-1998, is amended as follows:

17.425.010 Purpose.

To allow flexibility in design and creative site planning, while providing for the orderly development of the county. A performance based development (PBD) is to allow for the use of lot clustering in order to preserve open space, encourage the creation of suitable buffers between ~~differing incompatible~~ types of development, facilitate the residential densities allowed by the zone, provide for increased efficiency in the layout of the streets, utilities and other public improvements and to encourage the use of low-impact development techniques and other creative designs techniques for the development of land. ~~The performance based development is to allow for mixed uses, subject to the density limits of the zone in which the performance based development is located.~~

Standard regulations that may be modified through the use of a PBD include:

- 1) Lot size
- 2) Lot width and depth
- 3) Structure height (only within designated urban growth areas)
- 4) Setbacks (Front, Side and Rear Yards)

Minimum and maximum densities and allowed uses authorized by the zone shall not be subject to modification through the use of a PBD.

Section 197. Kitsap County Code Section 17.425.020, adopted by Ordinance 216-1998, is amended as follows:

17.425.020 Authority.

The hearing examiner shall have the authority to recommend approval, approval with conditions, disapproval, or revoke performance based developments, subject to the provisions of this section. Changes in use of site area, or alteration of structures or uses classified as residential and commercial performance based developments, and existing prior to the effective date of this title, shall conform to all regulations pertaining to performance based developments. An application for PBD shall be accompanied by an application for subdivision, when applicable.

Section 198. Kitsap County Code Section 17.425.040, adopted by Ordinance 216-1998, is amended as follows:

17.425.040 Standards and requirements-residential.

~~A. Building Height. With review and approval of the hearing examiner, the height of a proposed building may be allowed a greater height than otherwise permitted in the amount of ten feet of height for each additional fifteen feet of setback from any property line to a maximum of sixty-five feet in building height. The hearing examiner shall require concurrence from the appropriate fire district and fire marshal.~~

A. Access, Parking and Circulation

1. General: The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.
2. Streets: Provide adequate road access; connected road network; safe pedestrian access; emergency vehicle access;
3. Parking: The number of vehicular parking spaces shall be provided in accordance with Section 17.435.030. Vehicular parking may be provided either on-street or off-street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specific in the parking and loading requirements.
4. Pedestrian Circulation: Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

B. Common Open Space. No open area may be accepted as common open space within a performance based development, unless it meets the following requirements:

1. The location, shape, size, and character of the common open space is suitable for the performance based development, however in no case shall the common open space be less than fifteen (15) percent of the gross acreage of the subject property(s). No area shall be calculated as common open space if less than 500 square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD; total site;
2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, ~~expected population,~~ topography, and the number and type of dwellings provided;
3. Common open space may be improved for its intended use. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19

~~(Critical Areas), or other natural features worthy of preservation may be left unimproved.~~
The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and

4. Land shown in the final development plan as common open space, and ~~its~~ the landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 - a. An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a change in use in a way inconsistent with the final development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;
 - b. A public agency which agrees to maintain the common open space and any buildings, structures, or other improvements which have been placed on it; or
 - c. A private non-profit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.

C. Recreational Open Space ~~open space~~. All residential PBD's within urban zones shall provide a developed recreational area that meets the following requirements:

1. A contiguous area that is a minimum of five (5) percent of the gross acreage of the subject property(s) lot area (excluding perimeter screening buffers, critical areas and critical area buffers). No area shall be calculated as recreational open space if less than 500 square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD; Said area shall meet the following additional requirements: ~~be:~~
 - a. ~~Developed as an open grass field (manicured to a condition that allows mowing by mechanical means) or a natural area (not inside perimeter buffers, critical areas or their buffers) that contains a pathway and benches;~~
 - b. Owned in common and/or available for use by all residents of the PBD; and
 - c. A provision made by the covenants for perpetual maintenance.
2. A developed active recreation amenity(s) facility or facilities commensurate consistent with the number of units/lots contained within the PBD. ~~A "facility" shall be: a paved "sport court"; children's play area; exercise fitness trail; community garden or gathering area with water service; or similar amenity.~~ Amenities shall be provided as follows:
 - a. Developments of 0 to ~~19~~ 42 lots/units are not required to have such an amenity a facility, except for the contiguous area required above;
 - b. For developments with greater than 19 lots or units, one amenity shall be provided for every twenty lots/units within the development. Required amenities shall be sized to accommodate 390 square feet per lot/unit. 13 to 49 lots/units shall provide one facility;
 - c. ~~50 to 79 lots/units shall provide two facilities, and there shall be an additional facility required for each additional 30 lots/units;~~
 - c. Amenities shall be centrally-located within the development in clearly visible areas on property suitable for such development. Amenities may be located in other areas of the development if directly linked with a regional trail system or other public park facility.

- d. Based upon topographical or site design characteristics of the subject property(s), amenities may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD.
 - d. Facilities Amenities may be located within, and be calculated towards, the recreational open space area if contiguous; ~~contiguous recreational area;~~
 - e. An athletic field with a minimum size of 120 yards long and 60 yards wide or swimming pool shall count as two amenities facilities;
 - f. An equestrian development or similar "theme community" may be provided in lieu of other amenities facilities;
 - g. Owned in common and available for use by all residents of the PBD; and
 - h. The active recreational amenity(s) shall be located on five percent (5%) grade or less, except if a greater grade is necessary for the activities common to the amenity e.g. skate park, trails; and
 - i. Written provisions or agreement for perpetual maintenance by the homeowners' association or a public agency willing to assume ownership and maintenance.
3. In rural zones, common open space shall be no less than fifty (50) percent of the total site area. All open space, other than those areas needed for utilities or other infrastructure, shall be retained in native vegetation as native growth areas unless the PBD specifically provides for an alternative use. PBD's in rural zones shall be exempt from the requirements for contiguous developed recreation space as contained in Section 17.425.040.C.1(C)(1), but shall be subject to the active recreational area requirements of Section 17.425.040.C.2; requirement to provide recreational facilities commensurate with the size of the development.
 4. In order to promote creativity and innovation, these standards and criteria may be modified or substituted with other design concepts if so approved by the board of county commissioners.

Section 199. Kitsap County Code Section 17.425.045 is adopted as follows:

Section 17.425.045 Standards and requirements--commercial, industrial and institutional.

A. Access, Parking and Circulation

1. General: The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.
2. Streets: Provide adequate road access; connected road network; safe pedestrian access; emergency vehicle access;
3. Parking: The number of vehicular parking spaces shall be provided in accordance with Section 17.435.030. Vehicular parking may be provided either on-street or off-street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specific in the parking and loading requirements; and
4. Pedestrian Circulation: Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, and convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

B. Common open space.

1. Common open space shall be for public use and may include active or passive recreational uses such as trails or pathways, tot lots, plazas, patios or other amenities;
2. Common open space shall be located in a manner suitable for the uses proposed;

3. Each project shall contain a minimum of fifteen percent (15%) common open space based upon the gross acreage of the site; and
4. No area shall be calculated as common open space if less than 500 square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the users of the PBD. Covered or internal open space areas may be used.

C. Site design.

1. The project design shall provide a more efficient use of land within the urban areas;
2. Amenities intended for public use shall be coordinated with regional trail, park or other facility plans;
3. Design shall provide innovations to decrease building footprint and other site disturbances; and
4. Design shall include architectural features and other aesthetics to address site impacts.

D. Structure Height

1. The project shall include the use of topography and other site characteristics to minimize the impacts a proposed increase in height; and
2. The increase in height shall minimize site disturbance necessary to accommodate the proposed use.

Section 200. Kitsap County Code Section 17.425.050, adopted by Ordinance 216-1998, is amended as follows:

17.425.050 Decision Findings.

In recommending approval of the preliminary development plans for a performance based development, conditionally or otherwise, the hearing examiner shall first make a finding that all of the following conditions exist:

- A. The design of the PBD meets the requirements of this section, other sections of County Code and the goals and policies of the Comprehensive Plan and the site is adequate in size and character to accommodate the proposed development; ~~The site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features are adequate, as required by this title;~~
- B. The design of the PBD is compatible with neighboring conforming land uses. An assessment of compatibility shall include, but not be limited to, the consideration of association with adjacent land uses and the proposed projects effects on existing views, traffic, blockage of sunlight, and noise production.
- C. If the development is phased, each phase of the proposed development shall meet the requirements of this chapter.
- ~~C.~~ The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- ~~D.~~ The proposed and/or existing public facilities and utilities are adequate to serve the project; and
- ~~E.~~ The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety or welfare of persons residing or working in a neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, or contrary to orderly development.
- G. Innovations and/or public benefits shall be commensurate with the code modifications proposed.

Section 201. Kitsap County Code Section 17.425.100, adopted by Ordinance 216-1998, is amended as follows:

17.425.100 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the hearing examiner's decision. An appeal shall automatically stay the issuance of a building or other permit until such appeal has been ~~completed~~ heard and a decision rendered by the board of county commissioners.

Section 202. Kitsap County Code Section 17.425.110, is adopted as follows:

17.425.110 Revision of performance based development.

A. Revision of a performance based development or of conditions of permit approval is permitted as follows:

1. Minor revisions may be permitted by the department and shall be properly recorded in the official case file. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application; and
2. Major revisions, including any requested change in permit conditions, shall be processed as a Type III application is the performance based development is in conjunction with a subdivision. All other major revisions shall be processed as a Type II application.

B. Minor and major revisions are defined as follows:

1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval; and
2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change that includes any one of the following:
 - a. Substantial relocation of buildings, parking or streets;
 - b. A reduction in any perimeter setback;
 - c. An increase in the residential density;
 - d. An increase in the gross floor area of a multi-family, commercial, industrial or commercial component of a project greater than 10%;
 - e. Any relocation of the common open space which makes it less accessible or reduces the area greater than 5%;
 - f. Any change in the landscape buffers resulting in a reduction in width or density of planting between the development and adjoining properties; or
 - g. Any substantial change in the points of access;
 - h. Any increase in structure height; or
 - i. An alteration in dwelling unit separation e.g. attached or detached dwelling units.
3. Any increase in vehicle trip generation shall be reviewed to determine whether the revision is major or minor. The traffic analysis shall be filed by the applicant at the same time as the request for revision. The traffic analysis will follow Traffic Impact Analysis guidelines as set forth in Chapter 20.04.

Section 203. Kitsap County Code Section 17.425.120, adopted by Ordinance 216-1998, is amended as follows:

17.425.120 ~~Review of r~~Revocation of permit.

Any ~~review of~~ revocation proceeding shall be conducted in accordance with Chapter 17.525.

Section 204. Kitsap County Code Section 17.425.130, is adopted as follows:

17.425.130 Land use permit binder required.

The recipient of a PBD permit shall file a land use permit binder on a form provided by the department with the county auditor prior to initiation of any further site work; issuance of any development/construction permits by the county; or occupancy/use of the subject property or the building thereon for the use/activity authorized, whichever comes first. The binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the permit and as a notice to prospective purchasers of the existence of the permit.

Section 205. Kitsap County Code Section 17.430.080, adopted by Ordinance 367-2006 is amended as follows:

17.430.080 Transfer of development rights (TDR) program - calculations.

- A. The number of development rights a site within a sending area is eligible to send to a receiving site is determined as described below.
- Beginning with the gross acreage of the lot(s) as determined by the Kitsap County Assessor's records and/or a recorded survey, the following areas are subtracted:
1. Any portion of the sending site in a conservation easement or other similar encumbrance (not including special tax status);
 2. Any public rights-of way or other public land;
 3. The acreage required for each existing dwelling unit on the lot(s) consistent with the density table located in Chapter 17.382200-010; and
 4. Any areas of below ordinary high water of any fresh or saltwater body.
- B. After these features have been subtracted, the remaining acreage is divided by the acreage required for an individual dwelling unit prescribed by their zone consistent with Section 17.200.010 e.g. 20 acres per dwelling unit in the Rural Wooded zone. If the lot(s) being calculated is divided by a zoning boundary, the acreage is calculated separately for each zoning classification.
- C. The determination of the number of residential development rights a sending site has available for transfer to a receiving site is valid for transfer purposes only, is documented in a TDR certificate letter of intent and is considered a final determination, not to be revised due to changes to the sending site's zoning.
- D. Development rights from one sending site may be allocated to more than one receiving site and one receiving site may accept development rights from more than one sending site.

Section 206. Kitsap County Code Section 17.435.010, adopted by Ordinance 216-1998 is amended as follows:

17.435.010 Off-street parking requirements.

The following requirements shall be used as guidelines and may be increased or decreased by the department depending on the specific need or use, while taking into consideration trip demand reduction programs and the availability of public transit. Off-street parking spaces shall be provided and maintained as set forth in this section for all uses in all zones. Any fractional parking space shall be rounded up to the nearest whole number. Such off-street parking spaces shall be provided at the time:

- A. A building is hereafter erected or enlarged;
- B. The use of a building existing on the effective date of this title is changed and/or the building enlarged, parking spaces shall be provided in proportion to the increase only, provided the increase is less than fifty percent. If the increase exceeds fifty percent, parking shall be provided for the entire structure in accordance with the requirements of this section.

Section 207. Kitsap County Code Section 17.435.020, adopted by Ordinance 216-1998 is amended as follows:

17.435.020 General provisions.

- A. More than one use on one or more parcels. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the director finds that a portion of the floor area, not less than a contiguous one hundred square feet in a retail store will be used exclusively for storage of merchandise which is not being displayed for sale, he may deduct such space in computing parking requirements, but the owners shall not thereafter use the space for any other purpose without furnishing additional off-street parking as required by Section 17.435.030.
- B. Joint Use of Facilities. The off-street parking requirements of two or more uses, structures, or parcels of land may be satisfied by the same parking or loading space used jointly, if approved by the director, to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their operations and parking needs do not overlap in point of time. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.
- C. Location of Parking Facilities. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located on the same parcel or on another parcel not farther than three hundred feet from the building or use they are intended to serve, measured in a straight line from the building. The burden of proving the existence of such off-premises parking arrangements rests upon the person who has the responsibility of providing parking.

- D. Use of Parking Facilities. Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for the storage of vehicles or materials, or for the parking of trucks used in conducting the business or use.
- E. Parking in required Front, Side, Rear Yards or Setbacks. Unless otherwise provided, required parking and loading spaces shall not be located in a required front yard or setback, ~~except for development of single-family dwellings or duplexes. in the case of a single or two family dwelling, but such space may be located within a required side or rear yard.~~
- F. Development and Maintenance Standards for Off-Street Parking Areas. Every parcel of land hereafter used as a public or private parking area, including commercial parking lots, shall be developed as follows:
1. An off-street parking area for more than five vehicles shall be effectively screened by a sight-obscuring fence, hedge, or planting, on each side which adjoins property situated in an urban low residential (UL) zone, or the premises of any school or like institution;
 2. Any lighting used to illuminate the off-street parking areas that exceeds one foot candle at the property line shall be so arranged that it will not project light rays directly upon any adjoining property in any zone;
 3. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley;
 4. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use, and so drained as to avoid flow of water across sidewalks;
 5. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents;
 6. Access aisles shall be of sufficient width for all vehicular turning and maneuvering;
 7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, to provide maximum safety of traffic ingress and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street, other than an alley;
 8. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points twenty feet from their intersection;
 9. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, pedestrian walkway, or a street; and
 10. When the parking standards require ten or more parking spaces, up to twenty-five percent of these may be compact car spaces, as identified in Section 17.435.040.

Section 208. Kitsap County Code Section 17.435.030, last amended by Ordinance 367-2006 is amended as follows:

17.435.030 Number of spaces required.

Off-street parking spaces shall be provided as follows:

<u>Land Use</u>	<u>Minimum Parking Spaces Required</u>
Residential	
<u>Single-Family (attached or detached)</u>	<u>2 per unit + .5 per unit on-street or set-aside; 1 additional space for accessory dwelling units or accessory living quarters. Garages are not calculated towards this requirement.</u>
<u>Multi-Family (Condos/Townhouses/Apartments)</u>	<u>1.5 per unit + .5 per unit on-street or set-aside</u>
<u>Senior Housing</u>	<u>0.5 per unit; 1 per duty employee</u>
Institutional/Educational/Other	
<u>Bed & Breakfast</u>	<u>1 per sleeping unit</u>
<u>Motels & Hotels</u>	<u>1 per bedroom; and spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.</u>
<u>Club/Lodges</u>	<u>Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.</u>
<u>Hospitals & Institutions</u>	<u>1 per bed; 1 per 2 employees; 1 per 2 guests</u>
<u>Places of Worship</u>	<u>1 per 4 seats or 8 feet of bench length in the main auditorium</u>
<u>Library & Gallery</u>	<u>1 per 250 gross square feet</u>
<u>Preschool-Kindergarten</u>	<u>1 per 3 children</u>
<u>Elementary/Middle or Junior High School</u>	<u>1 per employee; 2 per classroom</u>
<u>High School</u>	<u>1 per employee and teacher; 1 per 10 students</u>
<u>Colleges, Technical School</u>	<u>1 per 3 seats in classroom; 1 per employee and teacher</u>
<u>Stadium, arena, theater</u>	<u>1 per 4 seats or 8 feet of bench length in the main auditorium</u>
<u>Bowling alley</u>	<u>6 per alley</u>
<u>Dance hall, skating rink</u>	<u>1 per 20 gross square feet</u>
<u>Self Storage</u>	<u>1 per 3,000 gross square feet</u>
Commercial/Retail/Office	
<u>Restaurants/Bars/Taverns</u>	<u>If under 5,000 square feet of gross floor area – 1 per 200 square feet of gross floor area;</u> <u>If 5,000 or more square feet of gross floor area – 20 plus 1 per each additional 200 square feet of gross floor</u>
<u>Retail stores generating relatively little automobile traffic (e.g. appliance, furniture, hardware and repair stores)</u>	<u>1 per 400 square feet of gross floor area</u>
<u>Retail and personal service establishments generating heavy automobile traffic (e.g. department, drug, and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops)</u>	<u>1 per 200 square feet of gross floor area</u>

<u>Land Use</u>	<u>Minimum Parking Spaces Required</u>
<u>Drive in and fast food restaurants</u>	<u>1 per 80 square feet of gross floor area</u>
<u>Professional Office</u>	<u>1 per 300 square feet of gross floor area</u>
<u>Shops and stores for sales, service or repair of automobile, machinery and plumbing, heating, electrical and building supplies</u>	<u>1 per 600 square feet of gross floor area</u>
<u>Mortuaries, funeral homes, crematories</u>	<u>1 per 75 square feet of assembly area</u>
<u>Medical and dental office or clinic</u>	<u>1 per 200 square feet of gross floor area</u>
<u>Medical and dental office or clinic</u>	<u>1 per 200 square feet of gross floor area</u>
<u>Bank, financial institutions</u>	<u>1 per 400 square feet of gross floor area</u>
<u>Industrial</u>	
<u>Marinas and moorage facilities</u>	<u>1 per 4 moorage slips</u>
<u>Warehouse, storage, and wholesale facilities</u>	<u>1 per 2 employees; 1 per company vehicle parked on site at night (if applicable); 1 per 300 square feet of office space</u>
<u>Manufacturing, research, testing, processing and assembly facilities</u>	<u>1 per 1,000 square feet</u>
<u>Winery/Brewery</u>	<u>1 per 800 square feet of gross floor area</u>

- ~~1. Two and one half per dwelling; one additional space shall be provided for accessory dwelling units or accessory living quarters;~~
 - ~~2. Multi-family dwelling containing four or more units — One and one-half Two per dwelling unit;~~
 - ~~3. Elderly, low income and public housing — One per one dwelling unit; and~~
 - ~~4. Bed and Breakfast House — One per sleeping unit.~~
- ~~B. Commercial Residential:~~
- ~~1. Motels — One per bedroom plus one per on duty employee;~~
 - ~~2. Hotels — One per bedroom. Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.; and~~
 - ~~3. Clubs/Lodges — Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.~~
- ~~C. Institutions:~~
- ~~1. Hospitals and institutions — One per bed, and one per two employees and one per two guests.~~
- ~~D. Places of Public Assembly:~~
- ~~1. Places of worship — One per four seats or eight feet of bench length in the main auditorium;~~
 - ~~2. Library, art gallery — One per 250 square feet of gross floor area;~~
 - ~~3. Preschool nursery, kindergarten, day care — One per three children;~~
 - ~~4. Elementary, junior high school — One per on duty employee and two per classroom;~~
 - ~~5. High school — One per on duty employee and teacher and one per ten students;~~
 - ~~6. College, commercial school for adults — One per three seats in classrooms; and~~
 - ~~7. Other auditorium, meeting rooms — One per four seats or eight feet of bench space or, if there is no fixed seating, one per fifty square feet of assembly area.~~

~~E. Commercial Amusements:~~

- ~~1. Stadium, arena, theater — One per four seats or eight feet of bench length in the main auditorium;~~
- ~~2. Bowling alley — Six per alley; and~~
- ~~3. Dance hall, skating rink — One per twenty square feet of gross floor area.~~

~~F. Commercial:~~

- ~~1. Retail stores generating relatively little automobile traffic such as appliance, furniture, hardware and repair stores — One per 300 square feet of gross floor area;~~
- ~~2. Retail and personal service establishments generating heavy automobile traffic such as department, drug, and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops — One per 150 square feet of gross floor area;~~
- ~~3. Drive-in and fast food restaurants — One per seventy five square feet of gross floor area with a minimum of five, provided, drive-in window holding and stacking area shall not be considered parking spaces;~~
- ~~4. Restaurants, drinking places —
 - ~~(a) If under 4,000 square feet of gross floor area — One per 200 square feet of gross floor area;~~
 - ~~(b) If 4,000 or more square feet of gross floor area — Twenty plus one per each additional 100 square feet of gross floor area over 4,000 square feet;~~~~
- ~~5. Shops and stores for sales, service or repair of automobile, machinery and plumbing, heating, electrical and building supplies — One per 600 square feet of gross floor area;~~
- ~~6. Mortuaries, funeral homes — One per seventy five square feet of assembly area;~~
- ~~7. Medical and dental office or clinic — One per 200 square feet of gross floor area;~~
- ~~8. Bank, professional office (except medical/dental) — One per 400 square feet of gross floor area; and~~
- ~~9. Marinas and moorage facilities — One per four moorage slips.~~

~~G. Industrial Warehouse:~~

- ~~1. Warehouse, storage, and wholesale facilities — One per two anticipated employees on duty simultaneously, one per each anticipated company vehicle parked on the site at night on a regular basis and one per 300 square feet of office space; and~~
- ~~2. Manufacturing, research, testing, processing and assembly facilities — One per 500 square feet.~~

A. ~~H.~~ Relaxation of Required Spaces.

- ~~1. The director may authorize a variance to the amount of required off-street parking if a project proponent demonstrates that, due to the unusual nature of the proposed use, it is reasonable that the off-street parking required by Section 17.435.030 exceeds any likely need.~~

B. ~~I.~~ Other Uses.

- ~~1. Other uses not specifically listed above shall furnish parking as required by the director. The director shall use the above list as a guide for determining requirements for said other uses.~~
- ~~2. Storage of junk motor vehicles is subject to the provisions of subsection (X) of Section 17.430.020.~~

Section 209. Kitsap County Code Section 17.435.050, adopted by Ordinance 216-1998 is amended as follows:

17.435.050 Off-street loading.

- A. When Required. Off-street loading and unloading spaces are required for all commercial and multi-family uses having a gross floor area of over 4,000 square feet to

which or from which deliveries or pickups are made by trucks or truck-trailer combinations over thirty-five feet in length more frequently than monthly.

B. Design Requirements. Loading and unloading spaces shall be minimum forty-five feet in length, ten feet in width and provide for clearance of fifteen feet. Adequate access shall be provided to each space. No area required for off-street parking may be used as a loading or unloading space.

C. Number of Spaces Required. The following number of off-street loading and unloading spaces is required:

<u>Gross Floor Area</u>	<u>Required Number of Spaces</u>
4,000-9,999	1
10,000-24,999	2
25,000-99,999	3
100,000-200,000	4
Additional 50,000	1

- ~~1. For uses having more than 4,000 but less than 10,000 square feet of gross floor area— One space;~~
- ~~2. For uses having more than 10,000 but less than 50,000 square feet of gross floor area— Two spaces;~~
- ~~3. For uses having more than 50,000 square feet but less than 100,000 square feet of gross floor area— Three spaces; and~~
- ~~4. For uses having over 100,000 square feet of gross floor area— Three spaces plus one additional space for each additional 100,000 square feet of gross floor area or fraction thereof in excess of 50,000 square feet.~~

Section 210. Kitsap County Code Section 17.435.060, is adopted as follows:

17.435.060 Handicapped parking.

Off-street parking and access for physically-disabled persons shall be provided in accordance with the regulations of the American with Disabilities Act (ADA) and KCC Title 14.

Section 211. Kitsap County Code Section 17.445.095, is adopted as follows:

17.445.095 Master sign district

- A. To achieve a more consistent and coordinated signage pattern in areas with high-traffic commercial zones, a property(s) meeting the following criteria may establish a master sign district:
 1. Located in the regional commercial (RC) zone;
 2. A minimum of 20 acres based upon net developable acreage of the property(s); and
 3. Located abutting a public arterial, collector and/or sub-collector.
- B. In addition to the other standards prescribed in this chapter, a master sign district may include one (1) monument sign per main access not to exceed one (1) per roadway and/or two (2) in total. To include this additional signage the district must meet the following criteria:
 1. Each monument sign may not exceed 200 square feet per face and may not have more than two faces;
 2. No one business may comprise more than 50 square feet of each sign face;
 3. Each face must include aesthetic features (masonry, tile or other components) which includes no individual business advertising and constitutes a minimum of 20% of the total square footage of the face;

Orat 415-2008

4. No additional monument signs may be allowed within the master sign district regardless of additional existing or proposed accesses.
 5. Such a monument sign(s) shall not be calculated toward the total square footage limitations prescribed by 17.445.050.
 6. Such a monument sign(s) shall not be limited by the height requirements of Section 17.445.050.H, but shall not exceed twenty-five (25) feet in height.
- C. An application for master sign district must include the following submittals:
1. Signature of all property owners within the district boundaries;
 2. A master signage plan is required including the size, location and configuration of all proposed and/or previously-approved signage.
- D. A master signage district must be approved through a Type III process consistent with the requirements of KCC Title 21. All signage approved through a previous performance-based development, conditional use permit, variance or other approval that allowed greater signage quantities, square footage or configurations that allowed by this Chapter must be amended as follows:
1. The approval shall be amended by the same review authority and process as the original approval;
 2. As a condition of such amendment, all future redevelopment that includes a change in signage (excluding sign refacing) must meet the prescriptive requirements of this Chapter;
- E. To ensure compatibility with surrounding properties and existing or future traffic conditions, the director may require/recommend additional landscaping, screening or architectural features as a condition of master sign district approval.

Section 212. Kitsap County Code Section 17.445.100, adopted by Ordinance 216-1998, is amended as follows:

17.445.100 Landscaping.

Freestanding signs shall be landscaped in accordance with Chapter 17.385.

Section 213. Kitsap County Code Section 17.455.010, last amend by Ordinance 256-2001, is amended as follows:

17.455.010 Director authority to interpret code provisions and issue administrative decisions.

It shall be the responsibility of the director himself/herself to interpret ambiguous and/or conflicting code and apply the provisions of this Title, Kitsap County Countywide Planning Policies, Kitsap County Comprehensive Plan and applicable sub-area plans.

- A. The director may initiate an administrative code interpretation without an applicant request, at anytime, and the interpretation will be made available pursuant to KC Title 21 by the department with the development code to which it applies.
- B. Any person(s) may submit an application for code interpretations from the director and the interpretation will be made available by the department pursuant to Title 21 with the development code to which it applies.
- C. At the request of the applicant, in writing, the director may also authorize a variation of up to ten (10) percent of any numerical standard, except density, when unusual circumstances cause undue hardship in the strict application of this title; provided, such a variance shall be approved only when all of the following conditions and facts exist:

1. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply to other property in the same vicinity or zone;
2. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and
4. The variance is the minimum necessary to grant relief to the applicant.
5. An approved variance shall become void in three years if a complete application has not been received. The director's response, including findings for granting the variation, shall be in writing and kept in the department files.

D. All code interpretations are binding and may be appealed by any party through the process pursuant to KCC Title 21

E. All code interpretations, hearings examiner decisions on such interpretations and board reviews shall be a permanent record of the department of community development and included in the Kitsap County Department of Community Development Policy Manual. Code interpretations shall be made available to the public and posted on the County website.

~~Any interpretations shall be subject to appeal to the hearing examiner as set forth in Chapter 17.520. At the request of the applicant, in writing, the director may authorize a variation of up to ten percent of any numerical standard, except overall density, when unusual circumstances cause undue hardship in the strict application of this title; provided, a variance shall be approved only when all of the following conditions and facts exist:~~

- ~~A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply to other property in the same vicinity or zone;~~
- ~~B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;~~
- ~~C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and~~
- ~~D. The variance is the minimum necessary to grant relief to the applicant~~

~~An approved variance shall become void in two years if a complete application has not been received. The director's response, including findings for granting the variation, shall be in writing and kept in the department files.~~

Section 214. Kitsap County Code Section 17.455.060, last amend by Ordinance 234-1999, is amended as follows:

17.455.060 Existing uses.

- A. Except as hereinafter specified, any use, building, or structure lawfully existing at the time of the enactment of this title may be continued, even though such use, building, or structure may not conform to the provisions of this title for the zone in which it is located. A use or structure not conforming to the zone in which it is located shall not be altered or enlarged in any manner, unless such alteration or enlargement would bring the use or structure into greater conformity with the uses permitted within or requirements of the zone in which it is located.

The hearing examiner shall review and approve requests for alteration or enlargement of the use or structure ~~these certain uses~~ through the conditional permit review procedures as set forth in Chapter 17.420. In no case shall the enlargement of these uses be allowed beyond the limits of existing contiguously owned parcels at the time of the passage of the amended ordinance.

- B. This section does not apply to any use, building, or structure established in violation of any zoning ordinance previously in effect.

All uses in existence occurring on a specific parcel of land which legally qualified as a permitted "unclassified use" under the provisions of any former Kitsap County zoning ordinance, shall continue as conforming uses after the effective date of this title, provided, however, in no case shall any use be allowed to expand into adjoining or contiguous property without an approved zone change or conditional use permit, and further, any expansion on the original parcel shall comply with the standards contained in the zone within which the use is permitted.

Section 215. Kitsap County Code Section 17.455.090, last amend by Ordinance 234-1999, is amended as follows:

17.455.090 Temporary permits.

The director may approve temporary permits, with conditions to mitigate negative impacts, valid for a period of not more than one year after issuance, for temporary structures or uses which do not conform to this title.

Upon the expiration of the temporary permit, the applicant shall have thirty days within which to *remove and/or discontinue such temporary use structure*. Upon approval, temporary permits may be issued for the following uses or structures:

- A. Storage of equipment and materials during the building of roads or other developments;
- B. Temporary storage of structures for the housing of tools and supplies used in conjunction with the building of roads or other developments;
- C. Temporary office structures;
- D. Temporary housing/construction living quarters for personnel such as watchmen, labor crews, engineering, and management; provided,
 - 1. The building permit for the primary structure must have been issued;
 - 2. The temporary dwelling must not be permanently placed on the site;
 - 3. The temporary dwelling must meet the setback requirements of the zone in which it is located; and
 - 4. For the purpose of constructing a single-family dwelling, temporary living quarters (for example a recreational vehicle) may be permitted only in conjunction with a stick frame structure. This permit will remain active as long as the building permit for the single-family dwelling remains active.
- E. Use of equipment essential to and only in conjunction with the construction or building of a road, bridge, ramp, dock, and/or jetty located in proximity to the temporary site; provided that the applicant shall provide a construction contract or other evidence of the time period required to complete the project; and provided further that the following equipment shall be considered essential to and in conjunction with such construction projects:
 - 1. Portable asphaltic concrete-mixing plants.
 - 2. Portable concrete-batching plants.
 - 3. Portable rock-crushing plants.
 - 4. Accessory equipment essential to the use of the aforementioned plants.

- F. Temporary uses and structures otherwise permitted within the zone which will remain up to 180 days ~~one year~~ on an existing lot or parcel where compliance with an administrative conditional use permit site plan review and landscaping requirements are impractical.
- G. Temporary uses and structures not specified in any zone classification subject to applicable provisions of the Kitsap County Code, provided that such uses and structures may not be approved by the director for a period greater than thirty ninety days.
- H. The occupancy of a recreational vehicle (RV) for a period not to exceed three (3) months subject to the following conditions:
 - 1. The subject property must be located in the Rural Wooded (RW) ~~interim rural forest (IRF)~~, Rural Protection (RP), or Rural Residential (RR) zones;
 - 2. The RV must be occupied by the property owner or ~~immediate~~ family member;
 - 3. The RV must be provided with approved utilities including septic or sewer (health district approval), water, and electrical power;
 - 4. The location of the RV must meet all setbacks required by the underlying zone; must be located on the property so as to meet the setbacks as provided by this code;
 - 5. The director may impose additional conditions as appropriate to ensure that the RV use is compatible with the surrounding properties;
 - 6. The minimum RV size shall be two hundred (200) square feet ~~or greater~~; and
 - 7. A ~~building~~ permit will be required each time the RV is placed on a parcel. If the RV is placed on the same parcel each year the application fee will be half of the initial fee. ~~If the RV is placed on a different parcel, the entire fee will be assessed.~~
- I. Placement of a storage container on a property developed with single-family dwelling or properties with an active building permit for construction of a residential or commercial building is subject to following conditions:
 - 1. The container must meet all applicable setbacks for the zone; and
 - 2. The storage container may not be placed on site for more than ninety (90) days; however in instances where a building permit for a single-family dwelling or commercial development is active, the container may remain on site until thirty (30) days after the permit expires or receives final inspection/certificate of occupancy.

Section 216. Kitsap County Code Section 17.455.100, last amend by Ordinance 234-1999, is amended as follows:

17.455.100 Number of dwellings per lot.

Except as provided for elsewhere in this Title, there shall be no more than one dwelling unit per lot.

Section 217. Kitsap County Code Section 17.455.120, last amend by Ordinance 234-1999, is amended as follows:

17.455.120 Existing lot aggregation for tax purposes.

For the purposes of this Title, parcels which have been aggregated by the county for tax purposes, shall be considered separate legally existing lots of record.

Section 218. Kitsap County Code Section 17.470.010, last amend by Ordinance 281-2002, is amended as follows:

17.470.010 Purpose.

In addition to the general purposes of the Kitsap County Comprehensive Plan and the Zoning Ordinance this Title, this wireless communication facilities section is intended to:

- A. Provide for a wide range of locations and options for wireless communication providers while minimizing the visual impacts to surrounding properties associated with wireless communication facilities;
- B. Encourage creative approaches in locating wireless communication facilities which will be compatible with the surroundings;
- C. Encourage and facilitate co-location of antennas, support structures and related equipment for wireless communication providers, public service communications and emergency service communications;
- D. Provide for a process to locate and identify new site locations in a comprehensive manner which allows for substantial public participation; and
- E. Encourage the use of alternative technology.

Section 219. Kitsap County Code Section 17.470.030, last amend by Ordinance 281-2002, is amended as follows:

17.470.030 Application requirements.

- A. Wireless communication providers shall meet with the department to discuss the providers' plans for construction of new facilities to coordinate regional planning for the new year to identify the preferred network.
- B. Before an application for a conditional use permit is submitted, all new site locations requiring a support structure in excess of 35 feet in height and not implementing alternative technology must be reviewed in a manner consistent with Section IX of the Kitsap County Comprehensive Plan, ~~Land Use Appendix~~, regarding essential public facilities. This section does not apply to those applications which qualify as a co-location site where previous site approval has been granted for a support structure.
- C. ~~The Kitsap County~~ department of community development (DCD) will develop and maintain a geographic information system (GIS) database that will identify the preferred network. This database will depict all existing and proposed wireless communication support structure locations. Locations will be mapped with the adopted Comprehensive Plan land use maps with all publicly owned lands identified. This database will be provided to all wireless communication facility applicants and to the public.
- D. In addition to other requirements, the applications shall include the following items at a minimum:
 1. Site and landscape plans drawn to scale;
 2. A report including a description of the tower with technical reasons for its design;
 3. Documentation establishing the structural integrity for the tower's proposed uses;
 4. The general capacity of the tower, and information necessary to assure that ANSI standards are met;
 5. A statement of intent on whether excess space on the site will be leased;
 6. Proof of ownership of the proposed site or authorization to utilize it;
 7. Copies of any easements necessary;
 8. An analysis of the area containing existing topographical contours; and
 9. A visual study depicting "where within a one mile radius any portion of the proposed tower could be seen."

Section 220. Kitsap County Code Section 17.470.050, last amend by Ordinance 309-2003, is amended as follows:

17.470.050 Wireless communication facilities – Site development standards.

- A. Viewscapes.

1. A support structure shall not be considered compatible with surrounding land uses if within a one mile radius it results in more than a moderate visual impact upon a significant viewscape such as mountain views, views of water bodies, and/or open expansive views such as valleys. Visual impacts and mitigation shall be determined through the State Environmental Policy Act (SEPA) process until such time as specific criteria are adopted by the department.
 2. A visual impact analysis will be required when it appears a support structure imposes more than a moderate visual impact on viewscales. The impact analysis will be accomplished within the proposed site through: (i) the erection of a crane; (ii) a balloon (of a size not less than four feet and not to exceed six feet) in a color similar to that of the proposed structure; or (iii) similar devices used to simulate the proposed dimensions and height of the structure.
 3. Ten working days prior to the demonstration, the applicant shall notify the county and provide a courtesy informational notice to properties identified by the county as being within four hundred feet of the subject parcel upon which the visual compatibility test will be conducted. The potential impact shall be documented through submittal of maps, photographs, photo-simulation, and other appropriate methods.
- B. Landscaping and Screening.
1. In all zones equipment shelters, cabinets, and other on-the-ground ancillary equipment shall be subject to landscape screening requirements, and shall be constructed with a screening use separation buffer. The buffer requirement shall be contained in a recorded easement. Vegetation shall not be removed without approval by the department of community development. Fencing shall be a non-obtrusive material such as a dark coated chain link to blend in with the surroundings.
 2. In residential zones, or non-residential zones where the support structure site is within three hundred feet of an existing residential zone, the ground level view of support structures shall be mitigated by the retention of existing trees with sufficient height that will provide a functional screen of a substantial portion of the structure height. A screening barrier-buffer used to mitigate visual impacts upon adjacent residential properties may be required as determined by site specific conditions. Additional plantings and fencing may be used to reduce the width necessary for buffering. A mono-pole support structure is preferred unless it can be demonstrated that a lattice tower can be adequately screened.
 3. In non-residential zones, performance based developments (PBD's) (commercial and industrial), or interim rural forest zones, screening of support structures shall be accomplished through a use landscaping separation buffer. A mono-pole structure is preferred and is exempt from buffer requirements in PBD's (commercial and industrial) and interim rural forest zones.
- C. Color and Lighting.
1. Antenna arrays located on an existing structure shall be placed and colored to blend into the architectural detail and coloring of the structure.
 2. Support structures shall be painted in a non-reflective, earth tone color that best allows them to blend into the surroundings.
 3. Flashing red, solid red, or white strobe lighting shall not be allowed on any support structure except those included in permanent 911 public safety communication facilities, including fire, police and emergency medical response services, and located at ground elevations above 700 feet and more than one-half mile from any residential area. Any structure subsequently determined by the FAA to require flashing red, solid red, or white strobe lighting shall be altered to avoid lighting requirements. Security lighting which is appropriately down shielded is permitted for the equipment shelters, cabinets, and/or other on-the-ground ancillary equipment in accordance with the section below.

4. Exterior Lighting. In all zones, performance based developments and conditional uses, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.
- D. Electromagnetic Field/Radio-Frequency Radiation Standards. Installation of a wireless communication facility shall conform to standards required by the Federal Communication Commission's (FCC) regulations and the Telecommunications Act of 1996.
- E. Sharing of Support Structure and Co-Location of Facilities.
 1. It is the policy of Kitsap County to minimize the number of wireless communication support structures and require co-location when appropriate. The county will pursue all reasonable strategies to promote co-location of facilities including emergency service communication facilities.
 2. No new wireless communication support structure sites may be allowed within one mile of an existing support structure, unless it can be demonstrated that the existing support structure site is not available for co-location, or it does not satisfy the operational requirements of the applicant.
 3. The applicant shall provide the following: A copy of the applicant's co-location evaluation study including:
Certification that the following notice was mailed to all other wireless providers licensed to provide service within Kitsap County:

Pursuant to the requirements of the Kitsap County Zoning Ordinance Chapter 17.470, [wireless provider] is hereby providing you with notice of our intent to apply to Kitsap County to construct a Wireless Communication Support Structure that would be located at [address, longitude and latitude]. In general, we plan to construct a support structure of [XXX] feet in height for the purpose of providing [cellular, PCS, etc.] service.

Please inform us whether you have any wireless facilities located within one mile of the proposed facility, that may be available for possible co-location opportunities. Please provide us with this information within ten business days after the date of this letter. If no response is received within that time, we shall assume you do not wish to pursue co-location at such site.

Sincerely,

[Pre-application applicant, wireless provider]

- F. Discontinuation of Use. Any wireless communication facility that is no longer needed and its use is discontinued shall be reported immediately by the service provider to the director. Discontinued facilities shall be completely removed by the service provider or the property owner within six months from the time of discontinuance. An extension to this period may be granted by the director.

Section 221. Kitsap County Code Section 17.500.080, adopted by Ordinance 216-1998, is amended as follows:

17.500.080 Expiration.

A variance shall become void three one-years after approval if no substantial construction or activity has taken place.

Section 222. Kitsap County Code Section 17.510.010, last amended by Ordinance 367-2006, is amended as follows:

17.510.010 Procedures – Generally.

- A. This Title may be amended by changing the boundaries of zones or by changing any other provisions thereof, whenever the public health, safety, and general welfare requires such an amendment. Such a change may be proposed by the board of county commissioners on its own motion or by motion of the planning commission or hearing examiner (for change in zone boundaries), or by petition as hereinafter set forth. Any such proposed amendment to the provisions of this title shall first be submitted to the planning commission and it shall, within ninety days after a hearing, recommend to the board of county commissioners approval, disapproval, or modification of the proposed amendment.
- B. The zone classifications on the Kitsap County Zoning Map may be amended by a rezone. An application for a rezone may be allowed only if the proposed rezone implements and is consistent with the Comprehensive Plan land use designation, and is located within an urban growth area. Such a rezone may be proposed by the property owner or his authorized agent outside of the annual Comprehensive Plan amendment process. Any such proposed change shall be processed as set forth in Title 21 of this code.

Section 223. Kitsap County Code Section 17.520.010, last amended by Ordinance 281-2002, is amended as follows:

17.520.010 Procedure.

All appeals shall follow the process outlined in Title 21(Kitsap County Land Use and Development Procedures Ordinance).

Section 224. Kitsap County Code Section 17.525.010, last amended by Ordinance 367-2006, is amended as follows:

17.525.010 Revocation for noncompliance with conditions.

Any master plan, performance based development permit, administrative conditional use permit, hearing examiner conditional use permit, or variance granted in accordance with the terms of this title, may be revoked if any of the conditions or terms of such permit or variance are violated, or if any law or ordinance is violated in connection therewith. If, after notice and hearing, a performance based development permit is revoked for a substantial violation of any of its conditions, the board of county commissioners may reconsider any zone change granted in connection with the performance based development, and restore the zoning existing prior to the permit notwithstanding improvements constructed prior to such revocations; but any such proposed change of zone shall follow the procedures otherwise specified herein for zone changes.

Section 225. Should any amendment to Kitsap County Code Title 17 that was passed by the Board during its deliberations on August 4, 2008, September 29, 2008 and September 30, 2008 be inadvertently left out upon publication, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board.

Section 226 Effective Date. This ordinance is effective immediately.

Section 227 Severability. If any provision of this ordinance, or its application to any person, entity or circumstance is for any reason held invalid, the remainder of the ordinance, or the application of the provision to other persons, entities or circumstances, is not affected.

DATED this 10th day of NOV, 2008.

