

**Ordinance No. 479-2011****ORDINANCE AMENDING PORTIONS OF KITSAP COUNTY CODE TITLE 17  
'ZONING'****BE IT ORDAINED:**

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

1. The Kitsap County Code Chapter 21.08 provides guidance on the process and procedures for amending Kitsap County's development code.
2. On December 17, 2007, the Board adopted Ordinance 405-2007, amending Kitsap County Code Title 17 'Zoning'. An error was made in the adoption of the rural Manchester Village Commercial Density and Dimension Table. It was intended for the minimum density of the MVC to be zero (0), and the maximum density of the MVC to be five (5). However, the adopted 2007 omnibus ordinance erroneously provided a minimum density of five (5), and a maximum of twenty-four (24). The adopted density is not consistent with rural Type I LAMIRD designation, and is as intense as urban zones such as the Urban Neighborhood Commercial and Urban Regional Commercial zones. A moratorium (Kitsap County Ordinance No. 471-2011) on development in the MVC is set to expire Jan 7, 2012. The Planning Commission, at its Oct 4, 2011 public hearing, only received testimony from a member of the Manchester Citizen Advisory Committee in support of the revision.
3. On December 22, 2008, the Board adopted Ordinance 420-2008, amending Kitsap County Code Title 17 'Zoning'. In 2010, an inconsistency in code was found regarding the IGZ zone in Kitsap County Code Title 17. During the Illahee Community planning process of 2008, the Illahee Citizen Advisory Group (CAG) helped to draft code for the IGZ. Each use was discussed and the CAG-approved IGZ draft code went forward to the County for approval. The 'guest house' use was inadvertently omitted from the CAG and the legislative discussions, and was designated as not permitted ("X") by the code reviser. The IGZ is a residential zone, and guest houses are allowed in every other residential zone. No testimony on the change was received at the Oct 4 Planning Commission public hearing.
4. On July 1, 2011, 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 proposed amendments. The comment and appeal period closed on July 15, 2011. No comments or appeals were submitted.
5. On October 15, 2008, Kitsap County issued the Notice of Planning Commission Public Hearing in the legal publication of record in regards to the proposed amendments. A 60-day public and agency comment period was also established and ended in September 2011. No comments were received.
6. On June 20, 2011, Kitsap County submitted a 60-day notice of intent to adopt to the Washington State Department of Commerce, pursuant to RCW 36.70A.106..

7. On September 4, 2011, Kitsap County issued a staff reports on the proposed amendments consistent with the schedule identified in Kitsap County Code Title 21.04.030, Type IV Legislative Procedures.
8. On October 4, 2011, following timely and effective public notice, the Planning Commission held a public hearing to consider testimony on the draft amendments. The Planning Commission deliberated and approved the proposed amendments.
9. On November 1, 2011, the Planning Commission, following timely and effective notice, approved their Findings of Fact and recommendation on the amendments.
10. On October 26, 2011, the Board, following timely and effective notice, held a work-study session regarding the proposed amendments.
11. On December 12, 2011, the Board, following timely and effective notice, held a public hearing to consider testimony on the draft amendments contained in Titles 17 (Zoning) and Planning Commission recommendations.
12. On December 12, 2011, the Board, following timely and effective notice, deliberated on the draft amendments contained in Titles 17 (Zoning) and the Planning Commission recommendations.
13. The opportunities provided for citizen participation used in the preparation of the draft amendments are consistent with the requirements of the GMA and the State Environmental Policy Act.
14. The Board has considered the following criteria consistent with Kitsap County Code Chapter 21.08 and makes the following findings:
  - a) The proposed amendments are consistent with or support other plan elements and/or development regulations; and
  - b) The proposed amendments reflect the goals, objectives and policies of the Comprehensive Plan; and
  - c) The proposed amendments are consistent with the Countywide Planning Policies; and
  - d) The proposed amendments are compliant with the requirements of the Growth Management Act; and
  - e) Elements of the proposed amendments will correct deficiencies identified by the Department of Community Development and insert desirable changes to development regulations.

**Section 2.** Kitsap County Code section 17.381.040(A), last amended by Ordinance 467-2010 is amended as follows:

Use	Urban Low-Density Residential					Urban Medium/High-Density Residential		
	UCR (48)	IGZ (60)	UR (19)	UL (19)(48)	UH (19)(47)(48)	UM (30)(47)(48)	UR (19)	UL (19)(48)
<b>RESIDENTIAL USES</b>								
Accessory dwelling units (1)	P	P	P	P		P		X
Accessory living quarters (1)	P	P	P	P		P		X
Accessory use or structure (1) (17) (18) (61)	P	P	P	P		P		P
Adult family home	P (41)	X	ACUP P (41)	ACUP P (41)		ACUP P (41)		ACUP P (41)
Bed and breakfast house	P	ACUP C (34)	ACUP C (34)	ACUP C (34)		ACUP C (34)		X
Caretaker's dwelling	X	X	X	X		ACUP		X
Convalescent home or congregate care facility	ACUP	X	X	C		C		ACUP
Cottage housing developments	P	ACUP	ACUP	ACUP		ACUP		X
Dwelling, duplex	P	P	P (3)	P (3)		P		X
Dwelling, existing	P	P	P	P		P		P
Dwelling, multi-family	ACUP	C	C	C		P		P
Dwelling, single-family attached	P	P	P	P		P		ACUP

Unofficial

Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	P	P	ACUP
Guest house (1)	P	P	P	P	P	P	P	P	P	P	P	X
Home business (1) (52)	P	P	P	P	P	P	P	P	P	P	ACUP	ACUP
Hotel/Motel	X	X	X	X	X	X	X	X	X	X	X	ACUP
Manufactured homes	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	P (43)	X (43)
Mixed use development (44)	X	X	X	X	X	X	X	X	X	X	X	ACUP
Mobile homes	C (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	C (24) (43)	X (43)
Residential care facility	P	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	P
<b>COMMERCIAL/BUSINESS USES</b>												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P	P
Adult entertainment (1)	X	X	X	X	X	X	X	X	X	X	X	X
Ambulance service	X	X	X	X	X	X	X	X	X	X	X	X
Auction house	X	X	X	X	X	X	X	X	X	X	X	X
Auto parts and accessory stores	X	X	X	X	X	X	X	X	X	X	X	X
<b>COMMERCIAL/BUSINESS USES (continued)</b>												
Automobile rentals	X	X	X	X	X	X	X	X	X	X	X	X
Automobile repair and car washes	X	X	X	X	X	X	X	X	X	X	X	X

Automobile service station (6)	X	X	X	X	X	X	X	X	X
Automobile, recreational vehicle or boat sales	X	X	X	X	X	X	X	X	X
Boat/marine supply stores	X	X	X	X	X	X	X	X	X
Brew pubs	X	X	X	X	X	X	X	X	X
Clinic, medical	X	X	X	X	X	X	X	X	ACUP (37)
Conference center	X	X	X	X	X	X	P	X	X
Custom art and craft stores	X	X	X	X	X	X	X	X	X
Day-care center (14)	C	C	C	C	C	C	C	ACUP	ACUP (37)
Day-care center, family (14)	P	C	P	P	P	P	P	ACUP	ACUP (37)
Drinking establishments	X	X	X	X	X	X	X	X	X
Engineering and construction offices	X	X	X	X	X	X	X	X	X
Espresso stands (58)	X	X	X	X	X	X	X	X	P (37)
Equipment rentals	X	X	X	X	X	X	X	X	X
Farm and garden equipment and sales	X	X	X	X	X	X	X	X	X
Financial, banking, mortgage and title institutions	X	X	X	X	X	X	X	X	X
General office and management services – less than 4,000 s.f.	C (28)	X	X	X	X	X	X	X	ACUP (37)
General office and management services – 4,000 to 9,999 s.f.	X	X	X	X	X	X	X	X	ACUP

Official

General office and management services – 10,000 s.f. or greater	X	X	X	X	X	X	X	(37)
General retail merchandise stores – less than 4,000 s.f.	C (28)	X	X	X	X	X	X	ACUP (37)
General retail merchandise stores – 4,000 to 9,999 s.f.	X	X	X	X	X	X	X	ACUP (37)
General retail merchandise stores – 10,000 to 24,999 s.f.	X	X	X	X	X	X	X	X
<b>COMMERCIAL/BUSINESS USES (continued)</b>								
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X	X	X	X	X
Kennels or Pet day-cares	X	X	X	X	X	X	X	X
Kennels, hobby	P	P	P	P	P	P	P	X
Laundromats and laundry services	C (28)	X	X	X	X	X	X	ACUP (37)
Lumber and bulky building material sales	X	X	X	X	X	X	X	X
Mobile home sales	X	X	X	X	X	X	X	X
Nursery, retail	X	X	X	X	X	X	X	X
Nursery, wholesale	X	X	X	X	X	X	X	X
Off-street private parking facilities	X	X	X	X	X	X	X	X
Personal services – skin care, massage, manicures, hairdresser/barber	C	X	X	X	X	X	X	ACUP (37)
Pet shop – retail and grooming	X	X	X	X	X	X	X	ACUP (37)

Research laboratory	X	X	X	X	X	X	X	X	X	X
Restaurants	C (28)	X	X	X	X	X	X	X	X	ACUP (37)
Restaurants, high-turnover	X	X	X	X	X	X	X	X	X	X
Recreational vehicle rentals	X	X	X	X	X	X	X	X	X	X
Temporary offices and model homes (27)	P	P	P	P	P	P	P	P	ACUP	ACUP (37)
Tourism facilities, including outfitter and guide facilities	X	X	X	X	X	X	X	X	X	X
Tourism terminals, including seaplane and tour-boat terminals	X	X	X	X	X	X	X	X	X	X
Transportation terminals	X	X	X	X	X	X	X	X	X	X
Veterinary clinics/Animal hospitals	X	X	X	X	X	X	X	X	X	C (9) (37)
<b>RECREATIONAL/CULTURAL USES</b>										
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P
Amusement centers	X	X	X	X	X	X	X	X	X	X
Carnival or Circus	X	X	X	X	X	X	X	X	X	X
Club, civic or social (12)	ACUP (12)	C (12)	C (12)	C (12)	C (12)	C (12)	C (12)	C (12)	ACUP	ACUP
Golf courses	ACUP	C	C	C	C	C	C	C	C	ACUP
Marinas	ACUP	C	C	C	C	C	C	C	C	C
Movie/Performance theaters, indoor	X	X	X	X	X	X	X	X	X	X
Movie/Performance theaters, outdoor	X	X	X	X	X	X	X	X	X	ACUP

Museum, galleries, aquarium, historic or cultural exhibits	X	X	X	X	X	X	X	X	X	X	X	ACUP
Parks and open space	P	P	P	P	P	P	P	P	P	P	P	P
Race track, major	X	X	X	X	X	X	X	X	X	X	X	X
Race track, minor	X	X	X	X	X	X	X	X	X	X	X	X
Recreational facilities, private	ACUP	C	C	C	C	C	C	C	C	C	C	ACUP
Recreational facilities, public	P	P	P	P	P	P	P	P	P	P	P	ACUP
Recreational vehicle camping parks	X	C	C	C	C	C	C	C	C	C	C	X
Zoo	X	X	X	X	X	X	X	X	X	X	X	X
<b>INSTITUTIONAL USES</b>												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P	P
Government/Public structures	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP
Hospital	X	X	X	X	X	X	X	X	X	X	X	C
Places of worship (12)	C	C	C	C	C	C	C	C	C	C	C	ACUP
Private or public schools (20)	C	C	C	C	C	C	C	C	C	C	C	C
Public facilities, transportation and parking facilities, and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	ACUP	C	C	C	C	C	C	C	C	C	C	ACUP
<b>INDUSTRIAL USES</b>												
Accessory use or structure (1) (17) (51)	P	P	P	P	P	P	P	P	P	P	P	P
Air pilot training schools	X	X	X	X	X	X	X	X	X	X	X	X
Assembly and packaging operations	X	X	X	X	X	X	X	X	X	X	X	X
Boat yard	X	X	X	X	X	X	X	X	X	X	X	X



Cemeteries, mortuaries, and crematoriums (10)	C																			C	
Cold storage facilities	X																			X	X
Contractor's storage yard	X																			X	X
Food production, brewery or distillery	X																			X	X
Fuel distributors	X																			X	X
Helicopter pads	X																			X	X
Manufacturing and fabrication, light	X																			X	X
Manufacturing and fabrication, medium	X																			X	X
Manufacturing and fabrication, heavy	X																			X	X
Manufacturing and fabrication, hazardous	X																			X	X
Recycling centers	X																			X	X
Rock crushing	X																			X	X
Slaughterhouse or animal processing	X																			X	X
Storage, hazardous materials	X																			X	X
Storage, indoor	X																			X	X
Storage, outdoor	X																			X	X
Storage, self-service	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C (40)	C	C
Storage, vehicle and equipment (1)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X (18)	X	X (18)
Top soil production and/or stump grinding	X																			X	X

Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	X	X	X	X	X	X	X
<b>INDUSTRIAL USES (continued)</b>									
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
<b>RESOURCE LAND USES</b>									
Accessory use or structure (1) (17) (51)	P	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	C	C	C	C	C	C	C	C	C
Forestry	X	P	P	P	P	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	X	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	P	P	P	P	P	P	P
		(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)

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**Section 3.** Kitsap County Code section 17.382.090, last amended by Ordinance 467-2010 is amended as follows:

Standard	TYPE 1 LAMIRDS														TYPE 3 LAMIRDS	
	Keypoint Sub-Area				Manchester LAMIRD				Rural Historic LAMIRD				Suquamish LAMIRD			REC and TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR				
Minimum density (du/acre)	NA	NA	NA	0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Base/Maximum density (du/acre)	5	2 (45)	5	5	2 (15)	4 (15)	2.5	2.5 (7)	2.5	None	3,500 s.f. (7)	NA	NA	2	2	NA
Minimum lot size (39)	NA	12,500 s.f.	4,000 s.f.	NA	21,780 s.f. 10,890 with clustering (12)	10,890 s.f. (12)	None	7,500 s.f. (7)	NA	NA	4,500 s.f. (4) (11)	4,000 s.f. (4) (11)	NA	NA	NA	NA
Maximum lot size (39)	NA	NA	NA	NA	NA	NA	None	7,500 s.f. (7)	NA	NA	NA	NA	NA	NA	NA	NA
Lot width (feet)	30	80	40	NA	60 (12)	60 (12)	NA	NA	NA	NA	50 (4) (11)	40 (4) (11)	NA	40	NA	NA
Lot depth (feet)	NA	80	80	NA	60	60	NA	NA	NA	NA	90	75	NA	75	NA	NA

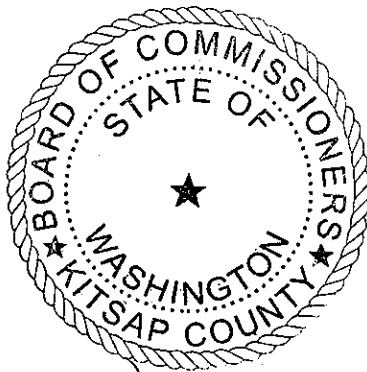
Maximum height (feet) (40)	35	35	28 (13)	35 (14)	35 (14)	35 (14)	35 (8)	30	35 (22)	35	(11)	(4) (11)	(4) (11)	35
Maximum impervious surface coverage	50% for residential properties less than or equal to 0.50 acres	50% for residential properties less than or equal to 0.50 acres	50% for residential properties less than or equal to 0.50 acres	50% for residential properties less than or equal to 0.50 acres	50% for residential properties less than or equal to 0.50 acres	50% for residential properties less than or equal to 0.50 acres	40% for residential properties greater than or equal to 0.51 acres	40% for residential properties greater than or equal to 0.51 acres	40% for residential properties greater than or equal to 0.51 acres	40% for residential properties greater than or equal to 0.51 acres	40% (6)	40% (6)	40% (6)	85%
Maximum lot coverage	NA	NA	NA	NA	NA	NA	50%	50% or 2,000 s.f., whichever is greater	50%	NA	NA	NA	NA	NA

**Section 4.** Should any amendment to Kitsap County Code Title 17 that was passed by the Board during its deliberations 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 5. Effective Date.** This ordinance is effective immediately.

**Section 6. 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 12<sup>th</sup> day of December, 2011.



ATTEST:

BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON

Charlotte Garrido  
CHARLOTTE GARRIDO, Chair

Josh Brown  
JOSH BROWN, Commissioner

Robert Gelder  
ROBERT GELDER, Commissioner

Dana Daniels  
Dana Daniels  
Clerk of the Board

Approved as to form:

Shelley E. Kneip  
Deputy Prosecuting Attorney