



## Ordinance No. 484 - 2012

ORDINANCE AMENDING PORTIONS OF KITSAP COUNTY CODE TITLE 17  
'ZONING'

BE IT ORDAINED:

**Section 1. General Findings.** The Kitsap County Board of Commissioners (Board) 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. In December 2008, the Board adopted Ordinance 419-2008 amending the Use Table in the urban commercial and urban industrial zones in Kitsap County Code Chapter 17.381 'Allowed Uses'. The use previously designated as "Tourism Facilities, including outfitter and guide services, and seaplane and tour-boat terminals" was refined into two more detailed uses in Ordinance 419-2008. The Board adopted the new uses as follows: 1) "Tourism Facilities, including outfitter and guide services," and 2) "Tourism Facilities, including seaplane and tour-boat terminals." For the Suquamish Village Commercial and Rural Historic Town Waterfront zones, the use was designated as 'C' (requiring a Conditional Use Permit) prior to the adoption of Ordinance 419-2008. Upon adoption of Ordinance 419-2008, however, the "C" designation inadvertently remained only with one of the new uses, the outfitter and guide services. Ordinance 419-2008 erroneously provided an unintended distinction, designating the use of "Tourism Facilities, including seaplane and tour boat terminals" as an 'X,' and the use was no longer permitted in the Suquamish Village Commercial and Rural Historic Town Waterfront zones. It was intended for there to be no change at all to the "C" designation in any rural zones, including the Limited Areas of More Intensive Rural Development zones. There was no discussion by County staff, Planning Commission or Board whatsoever about these changes, which precludes the correction as a typographical error. This Ordinance is intended to restore the "C" designation to the use of "Tourism Facilities, including seaplane and tour boat terminals" in the Suquamish Village Commercial and Rural Historic Town Waterfront zones.
3. On June 17, 2011, Kitsap County submitted a 60-day notice of intent to adopt this Ordinance to the Washington State Department of Commerce, pursuant to RCW 36.70A.106.
4. On July 1, 2011, Kitsap County issued a Determination of Non-Significance 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 September 8, 2011, staff prepared a Staff Report for the Planning Commission. The Staff Report was supplemented with additional information on September 29, 2011 and again with more information on October 13, 2011.

6. On October 4, 2011, following timely and effective public notice, the Kitsap County Planning Commission held a workstudy and public hearing, and continued deliberations on the proposed ordinance.
7. On October 18, 2011, following timely and effective public notice, the Kitsap County Planning Commission continued deliberations on the proposed ordinance.
8. On November 1, 2011, following timely and effective public notice, the Kitsap County Planning Commission re-opened the public hearing, held deliberations on the proposed ordinance, and voted 7-2 to approve Staff's Recommendation of conditionally allowing 'tourism facilities, including seaplane and tour boat terminals' in the Rural Historic Town Waterfront and Suquamish Village Commercial zones. Except where otherwise noted, the Board of County Commissioners hereby adopts the findings of the Planning Commission.
9. On November 30, 2011, the Board, following timely and effective notice, held a work-study session regarding the proposed amendments.
10. On January 23, 2012, 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.
11. On February 13, 2012, the Board, following timely and effective notice, deliberated on the draft amendments contained in Titles 17 (Zoning) and the Planning Commission recommendations.
12. The opportunities provided for citizen participation used in the preparation of the draft amendments are consistent with the requirements of the Growth Management Act and the State Environmental Policy Act.
13. 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 or not inconsistent 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 procedural deficiencies identified by the Department of Community Development and insert desirable changes to development regulations.
14. The Board finds that it is in the best interest of the public health, welfare and safety to enact these corrections.

**Section 2. Kitsap County Code.** Kitsap County Code section 17.381.040(D) 'Limited Areas of More Intensive Rural Development', last amended by Ordinance 467-2010 is amended as follows:

**Table 17.381.040(D)**  
**Limited Areas of More Intensive Rural Development (LAMIRD).**

Use	TYPE 1 LAMIRDS											TYPE 3 LAMIRDS			
	KVC Keyport Rural Village Zoning			Manchester LAMIRD			Rural Historic LAMIRD			Suquamish LAMIRD		Rural Employment Center	12 Trees Employment Center		
	KVLR (2 du/acre)	KVR (5 du/acre)	MVC (50)	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR				
<b>RESIDENTIAL USES</b>															
Accessory dwelling units (1)	ACUP	P	P	X	C	C	C	C	X	C	ACUP	ACUP	X		X
Accessory living quarters (1)	ACUP	P	P	X	P	C	P	P	P	C	P	P	X		X
Accessory use or structure (1) (17) (18) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P		X
Adult family home	ACUP	CUP	CUP	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	ACUP (41)	X	X
Bed and breakfast house	ACUP (34)	P (34)	P (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	ACUP (34)	X	X
Caretaker's dwelling	ACUP	X	X	X	X	P	X	X	P	X	X	X	X	P	P

Convalescent home or congregate care facility	ACUP	CUP	CUP	ACUP	X	X	ACUP	C	X	X	X	X	X	X	X	X	X	X
Cottage housing developments	CUP	ACUP	ACUP	X	X	X	X	C	C	C	C	C	C	C	C	C	C	C
Dwelling, duplex	CUP	ACUP	ACUP	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, existing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, multifamily	CUP	CUP	CUP	X	X	X	ACUP	ACUP	X	X	X	X	X	X	X	X	X	X
Dwelling, single-family attached	CUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, single-family detached	CUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Guest house (1)	X	X	X	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home business (1) (52)	ACUP	ACUP	ACUP	X	ACUP	ACUP	P	P	X	X	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP
Hotel/motel	ACUP	X	X	C	X	X	ACUP	X	ACUP	X	X	X	X	X	X	X	X	X
Manufactured homes	CUP	ACUP	ACUP	X	P	P	ACUP	ACUP	X	X	X	X	X	X	X	X	X	X
Mixed use development (44)	ACUP	X	X	ACUP	X	X	ACUP	X	PBD	ACUP	X	X	X	X	X	X	X	X
Mobile homes	CUP	CUP	CUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Residential care facility	ACUP	ACUP	ACUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>COMMERCIAL/BUSINESS USES</b>																		
Accessory use or structure (1)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(17) (51)																		



Engineering and construction offices	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	C	X	X	P (76)
Espresso stands (58)	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	C	X	X	P
Equipment rentals	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P
Farm and garden equipment and sales	CUP	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	P
Financial, banking, mortgage and title institutions	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	C	X	X	P (76)
General office and management services - less than 4,000 s.f.	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	X	P
General office and management services - 4,000 to 9,999 s.f.	ACUP	X	X	ACUP	X	ACUP	X	PBD (38)	X	PBD (38)	X	PBD (38)	X	ACUP	X	X	P
General office and management services - 10,000 s.f. or greater	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	X	P
General retail merchandise stores - less than 4,000 s.f.	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	X	X
General retail merchandise stores - 4,000 to 9,999 s.f.	ACUP	X	X	ACUP	X	ACUP	X	PBD	X	PBD	X	PBD	X	ACUP	X	X	ACUP
General retail merchandise stores - 10,000 to 15,000 s.f.	CUP	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X
General retail merchandise	CUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X







indoor																				
Movie/Performance theaters, outdoor	CUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Museum, galleries, aquarium, historic or cultural exhibits	ACUP	X	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP	X	ACUP
Parks and open space	P	P	P	P	P	P	P	P	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	X	X	X	X	X	X	X	X
Race track, minor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Recreational facilities, private	CUP	CUP	CUP	C	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP
Recreational facilities, public	CUP	CUP	CUP	C	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP
Recreational vehicle camping parks	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Zoo	ACUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>INSTITUTIONAL USES</b>																				
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Government/public structures	ACUP	CUP	CUP	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP
Hospital	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Places of worship (12)	ACUP	CUP	CUP	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP
Private or public schools (20)	ACUP	CUP	CUP	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP
Public facilities and electric power and natural gas utility	ACUP	CUP	CUP	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP	C	ACUP

facilities, substations, ferry terminals, and commuter park-and-ride lots (16)																						
<b>INDUSTRIAL USES</b>																						
Accessory use or structure (1) (17) (51)	ACUP	P	P	ACUP	P	P	P	P	P	P	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	X	X	X	X	X	X	X	X	X	P
Assembly and packaging operations	X	X	X	X	X	PBD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	ACUP	P
Boat yard	ACUP	X	X	X	X	ACUP	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Cemeteries, mortuaries, and crematoriums (10)	CUP	X	X	X	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P
Cold storage facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X
Contractor's storage yard (21)	CUP	X	X	X	C	X	X	X	X	ACUP	X	X	X	X	X	X	X	X	X	X	P	X
Food production, brewery or distillery	X	X	X	X	X	C	X	X	X	C	X	X	X	X	X	X	X	X	X	X	P	P
Fuel distributors	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X
Helicopter pads (13)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C
Manufacturing and fabrication, light	X	X	X	X	X	PBD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P
Manufacturing and fabrication, medium	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	ACUP	ACUP
Manufacturing and fabrication, heavy	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C



	RESOURCE LAND USES													
	ACUP	P	P	ACUP	P	ACUP	P	P	P	P	P	P	P	P
Warehousing and distribution	X													
Wrecking yards and junk yards (1)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>RESOURCE LAND USES</b>														
Accessory use or structure (1) (17) (51)		X	X	X	X	X	X	X	X	X	X	X	X	X
Aggregate extractions sites	X													
Agricultural uses (15)	X	P	P	P	P	P	P	P	P	P	P	P	P	P
Aquaculture practices	X	CUP	CUP	X	C	C	C	C	C	C	C	C	C	C
Forestry	X	X	X	X	P	P	P	P	P	P	P	P	P	P
Shellfish/fish hatcheries and processing facilities	CUP	X	X	X	X	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)	ACUP	ACUP (2)	ACUP (2)	X	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	P (2)	X

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**Section 3. Explicit Action.** 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 4. Effective Date.** This ordinance is effective immediately.

**Section 5. 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 13<sup>th</sup> day of February, 2012.

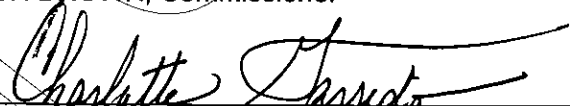
BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON



ROBERT GELDER, Chair

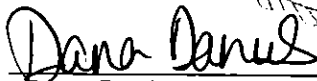
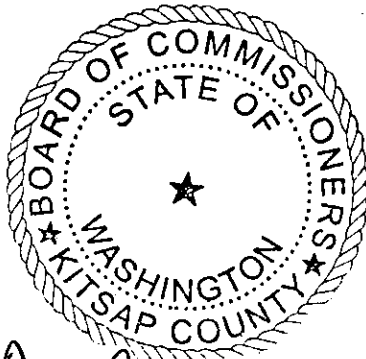


JOSH BROWN, Commissioner




CHARLOTTE GARRIDO, Commissioner

ATTEST:



Dana Daniels  
Clerk of the Board

Approved as to form:

  
Deputy Prosecuting Attorney

Unofficial