ORDINANCE NO. 281-2002

AMENDING THE KITSAP COUNTY ZONING ORDINANCE

BE IT ORDAINED:

NEW SECTION Section 1. A new section 110.057 is added to Chapter 110 of Ordinance No. 216-1998, adopted May 7, 1998, as follows:

110.057 Alternative technology

"Alternative technology" means the use of structures, fixtures, and technology which substantially limit the visibility of wireless communication support structures and facilities. This may include, but is not limited to, use of existing utility poles, flagpoles, existing structures such as water tanks, church steeples and any other method which substantially minimizes the visual impact of wireless communication support structures and facilities. This is commonly referred to as "Stealth Technology."

Section 2. Section 110.105 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

110.105 Bed and breakfast house.

"Bed and breakfast house" means an owner occupied dwelling which is used to provide overnight guest lodging for compensation in not more than four (4) guest rooms (5-10 bedrooms will be reviewed as a Conditional Use) and which usually provides a morning meal as part of the room rate structure. Meal service at other times of the day will be reviewed as a Conditional Use.

Section 3. Section 110.210 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

110.210 Density.

"Density" means a ratio comparing the number of dwelling units with land area. In all zones where a maximum allowable density is identified, the maximum allowable density is calculated based on gross acreage of the parcel. In all zones where a minimum density is required, the minimum density is calculated based on net developable acreage. Net developable acreage is determined by subtracting critical areas, required buffers, roadways, stormwater facilities and other portions of the site which are undevelopable, from the gross acreage.

Section 4. Section 110.240 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

110.240 Dwelling, single family.

"Dwelling, single-family" or "single-family dwelling" means a building designed or used for residence purposes by not more than one (1) family, and containing one (1) dwelling unit only. A recreational vehicle is not considered a dwelling unit.

A. "Attached" means sharing common walls.
B. "Detached" means physically separated.

Section 5. Section 110.675 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

110.675 Sign.

"Sign" means a collection of letters, numbers or symbols which calls attention to a business, product, activity, person or service. Balloons or balloon type devices in excess of five (5) cubic feet, or flown more than 20 feet in elevation measured from grade, or taller than 20 feet in height measured from mean grade are considered signs for the purposes of this ordinance.

NEW SECTION. Section 6. A new section is added to Chapter 110 of Ordinance No. 216-1998, adopted May 7, 1998, as follows:

110.687 Stealth technology. See "Alternative technology".

Section 7. Section 320.020, "Rural Use Table", of Ordinance No. 216-1998, adopted May 7, 1998, is amended as shown in Attachment A to this ordinance.

Section 8. Section 355.020, "Commercial Use Table", of Ordinance No. 216-1998, adopted May 7, 1998, is amended as shown in Attachment B to this ordinance.

Section 9. Section 370.020, "Business Park and Industrial Use Table", of Ordinance No. 216-1998, adopted May 7, 1998, is amended as shown in Attachment C to this ordinance.

Section 10. Section 445.090, "Conditionally Exempt Signs", subsection D, of Ordinance 216-1998, adopted May 7, 1998, is amended as follows:

D. Political campaign signs shall be subject to the following:
   1. Political campaign signs must be removed 14 days following an election with the exception that candidates or issues which will remain on the ballot for the general election following a primary election may remain until 14 days following the general election.
   2. Any political campaign signs located within county right-of-way are subject to the following requirements:
      a. Use of metal signs, metal supports, metal frames, or wire frames isprohibited.
      b. Political campaign signs placed within a county right-of-way are limited to a size no greater than four (4) square feet and may not extend higher than thirty-six inches (36") measured from the point in which they are placed in the ground to the top of the sign.
   3. A political campaign sign may not be placed on a utility pole, or on any state or county regulatory or informational sign or post.

4. Any political campaign sign found to be inconsistent with the requirements contained within this ordinance is subject to removal and disposal by the county, and the candidate or campaign may be held responsible for the cost of removal.

Section 11. Section 460.010 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

460.010 Purpose

Unless specifically stated elsewhere in this ordinance, a use lawfully occupying a structure or site on the effective date of this title, or of amendments thereto which does not conform to the use regulations for the zone in which it is located, is deemed to be a nonconforming use and may be continued, subject to the regulations hereinafter.

Section 12. Section 460.020 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

460.020. Nonconforming uses of land

A. The Director may grant an application for a change of use if, on the basis of the application and the evidence submitted, the Director makes the following findings:

1. That the proposed use is classified in a more restrictive category than existing or preexisting use by the zone regulations of this ordinance. The classifications of a nonconforming use shall be determined on the basis of the zone in which it is first permitted, provided that a conditional use shall be a more restrictive category than a permitted use in the same category.
2. That the proposed use will not more adversely affect the character of the zone in which it is proposed to be located than the existing or preexisting use.
3. That the change of use will not result in the enlargement of the space occupied by a nonconforming use. Except that a nonconforming use of a building may be extended throughout those parts of a building which were designed or arranged to such use prior to the date when such use of the building became nonconforming, provided that no structural alteration, except those required by the law, are made.

The decision of the Director may be appealed to the Hearing Examiner.

B. Unless specifically stated elsewhere in this title, if a nonconforming use not involving a structure has been changed to a conforming use, or if the nonconforming use ceases for a period of six (6) months or more, said use shall be considered abandoned, and said premises shall thereafter be used only for uses permitted under the provisions in the zone in which it is located.

C. A nonconforming use not involving a structure, or one involving a structure (other than a sign) having an assessed value of less than two hundred dollars ($200), shall be discontinued within two (2) years from the date of passage of this title.

D. A use which is nonconforming with respect to provisions for screening shall provide screening within five (5) years from the date of passage of this title.

E. If an existing nonconforming use or portion thereof, not housed or enclosed within a structure, occupies a portion of a lot or parcel of land on the effective date hereof, the area of such use may not be expanded, nor shall the use or any part thereof, be moved to any other portion of the property not theretofore regularly and actually occupied for such use; provided, that this shall not apply where such increase in area is for the purpose of increasing an off-street parking or loading facility to the area specified in this Ordinance for the activity carried on in the property; and provided further that this shall not be construed as permitting unenclosed commercial activities where otherwise prohibited by this Ordinance.

Section 13. Section 470.010 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

470.010 Purpose.

In addition to the general purposes of the comprehensive plan and the Zoning Ordinance, 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 14. Section 470.030 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

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 (1) mile radius any portion of the proposed tower could be seen."

Section 15. Section 470.040 of Ordinance No. 216-1998, adopted May 7, 1998, is amended as follows:

470.040 Wireless communication facilities-permitted uses.

A. Wireless Communication Support Structures:
   1. Any support structure constructed greater than thirty-five feet in height shall be subject to the provisions of Sections 470.050.B and 470.050.C.
   2. Support Structures are subject to the site development standards of Section 470.060. A lattice support structure shall not be permitted unless it is demonstrated that an existing communication structure or a mono-pole is not available or that the existing location does not satisfy the operational requirements of the applicant.
   3. All new wireless communication support structures greater than thirty-five feet in height which do not employ alternative technology must obtain a conditional use permit (CUP).

B. Wireless Communication Antenna Arrays:
   1. Wireless communication antenna arrays not exceeding thirty-five feet in height are permitted on existing structures in any zone. Arrays shall not add more than thirty-five feet in height to the existing building or structure to which it is attached. When antenna arrays are proposed on single-family dwellings and associated accessory structures, they shall be subject to a Minor Site Plan Review, and are subject to the provision of Sections 470.050.C and 470.050.D.
   2. Wireless communication antenna arrays exceeding thirty-five feet in height are subject to the standards or wireless communication support structures in Section 470.050.

3. Mini and micro antenna arrays are allowed on existing utility poles. Furthermore, existing poles may be extended in height up to 50% to accommodate antennas. Ground support facilities when existing utility poles are utilized shall be subject to review as a Minor Site Plan Review and subject to the requirements of Section 470.050.B.

C. Construction of equipment shelters, cabinets, and other ancillary equipment not located on or in an existing structure shall be subject to a Minor Site Plan Review and the site development standards of Section 470.050.

Section 16. Chapter 470, "Wireless Communication Facilities", Section .060, "Conditional Use Permit (CUP)", Subsection A, of Ordinance No. 216-1998, adopted May 7, 1998 is amended as follows:

470.060 Conditional use permit (CUP)

A. Decision Criteria: The intent of the CUP procedure is to determine the conditions under which a use may be permitted. These permits are subject to specific review during which conditions may be imposed to assure compatibility of the use with other uses permitted in the surrounding area. A CUP may be granted only if the following facts and conditions exist:

1. The need for the proposed wireless communication support structure shall be demonstrated if it is to be located in a residential zone or within three hundred (300) feet of an existing residential zone.
2. An evaluation of the operational needs of the provider, alternative site, alternative existing facilities upon which the proposed antenna array might be located, and co-location opportunities on existing support structures within one (1) mile of the proposed site shall be provided by the applicant. Evidence shall demonstrate that no practical alternative is reasonably available to the applicant.
3. The proposed support structure satisfies all of the provisions and requirements of Section 470.050; and
4. The proposed support structure location has been reviewed in a manner consistent with Section 470.030.B.

Section 17. Chapter 520 of Ordinance No. 216-1998, "Appeals", adopted May 7, 1998, is repealed.

NEW CHAPTER. Section 18. A new chapter is added to Ordinance No. 216-1998, adopted May 7, 1998, as follows:

520 Appeals

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

Effective Date. The zoning amendments included in this ordinance were adopted by the Kitsap County Board of Commissioners by motions on September 13, 1999, following a recommendation by the Kitsap County Planning Commission, public notice and public hearing. This ordinance is therefore

made effective on September 13, 1999. Any actions taken by the county since that date pursuant to the zoning provisions included in this ordinance are hereby ratified.

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 14th day of October, 2002.

KITSAP COUNTY BOARD OF COMMISSIONERS

Tim Botkin, Chair

NOT PRESENT

Jan Angel, Commissioner

Chris Endresen, Commissioner

ATTEST:

Holly Anderson
Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

320. Rural Use Table

020. Uses.
The following Rural Use Table 320.020 is a list of examples for allowable uses in the Forest Resource Lands (FRL), Interim Rural Forest (IRF), Rural Protection (RP), Rural Residential (RR), and Urban Reserve (URS) Zones. The appropriate review, as listed, is mandatory.

"P" - Permitted;
"SPR" - Site Plan Review, Section 410;
"C" - Conditional Uses, Section 420;
"X" - Uses specifically prohibited.

Rural Use Table 320.020

USES	FRL	IRF	RP	RR	URS
1. Forestry, including accessory buildings related to such uses and activities	P	P	P	P	P
2. Agricultural uses [2], including accessory buildings related to such uses and activities	X	P	P	P	P
3. Single-family dwellings	C	P	P	P	P
4. Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site [3]	P	P	P	P	P
5. Duplexes on double the minimum lot area required for the zone	X	P	P	P	P
6. Aggregate extraction sites [4]	P	P	X	X	X
7. Accessory dwelling unit [1]	X	C	C	C	C
7A. Accessory living quarters[1]	X	P	P	P	P
8. Accessory uses or structures	P	P	P	P	P
9. Commercial stables [1]	X	C	C	C	C
10. Bed and breakfast house	X	C	SPR [2]	SPR [2]	SPR [2]
10A. Meal service other than breakfast associated with and housed within a bed & breakfast house	X	C	C	C	C
11. Kennels [1]	X	C	C	C	C
12. Public facilities[7]	C	C	C	C	C
13. Nurseries	X	C	C	C	C
14. Rock crusher used for the purpose of construction and maintenance of a timber management road system	C	C	X	X	X

ATTACHMENT A

320. Rural Use Table

USES	FRL	IRF	RP	RR	URS
15. Aquaculture	X	C	C	C	C
16. Publicly owned recreational facilities	X	C	SPR	SPR	SPR
17. Private recreational facilities	X	X	C	C	C
18. Performance Based Developments[5]	X	SPR	SPR	SPR	SPR
19. Places of worship [1]	X	C	C	C	C
20. Cemeteries and/or mausoleums, crematories and mortuaries within cemeteries [1]	X	X	C	C	C
21. Public or private schools [1]	X	C	C	C	C
22. Golf courses	X	X	C	C	C
23. Veterinary clinics [1]	X	X	C	C	C
24. Day-care centers [1]	X	X	C	C	C
25. Contractor's storage yard[1]	X	X	C	C	X
26. Community buildings, social halls, lodges, clubs and meeting places [1]	X	X	C	C	X
27. Home business [1, 6]	C	SPR	SPR	SPR	SPR
28. Overnight accommodations, meeting facilities, and recreational vehicle (RV) facilities associated with a public park or private recreational facilities.	X	C	C	C	C

Commercial Use Table 355.020

USES	NC	HTC	UC	RC
A. Residential				
1. Medium and high density (Not on ground floor)	SPR	SPR	SPR	SPR
2. Performance Based Developments, subject to Section 425	SPR	SPR	SPR	SPR
3. Existing residences without any increase in density	P	P	P	P
B. Retail Sales - General Merchandise and services				
1. Stores in excess of 25,000 square feet gross floor area	X	SPR	SPR	SPR
2. Stores - 5,000 to 25,000 square feet gross floor area	C	SPR	SPR	SPR
3. Stores - less than 5,000 square feet gross floor area	SPR	SPR	SPR	SPR
C. Retail Sales - Restaurants, Drinking Places				
1. Delicatessens / Restaurants - fast food including drive up service windows	SPR	SPR	SPR	SPR
2. Drinking places, alcoholic beverages with or without entertainment	C	C	C	C
3. Espresso stands	SPR	SPR	SPR	SPR
D. Retail Sales - Automotive Related Sales & Services				
1. Motor vehicle / RV dealers - new and used	X	SPR	SPR	SPR
2. Auto parts and accessory stores	X	SPR	SPR	SPR
3. Service stations / fuel sales	X[1]	SPR	SPR	SPR
4. Boat dealers, marine supplies, and repair	X	SPR	SPR	SPR
5. Farm equipment and implement dealer	X	SPR	SPR	SPR
6. Auto, truck, trailer and equipment rental or repair	X	SPR	SPR	SPR
7. Car washes	X	SPR	SPR	SPR

ATTACHMENT B

USES	NC	HTC	UC	RC
E. Retail Sales - Miscellaneous Stores				
1. Mobile home sales - new and used	X	SPR	SPR	SPR
2. Farm and garden supplies including nurseries	SPR	SPR	SPR	SPR
3. Fuel distributors / bulk storage	X	C	C	C
4. Laundry services	C	SPR	SPR	SPR
5. Lumber yards and building/construction materials	X	SPR	SPR	SPR
F. Retail Sales - Products (Custom Fabricated, Processed, Assembled, Installed, Repaired, or Printed on the Premises within an Entirely Enclosed Building)				
1. Cabinet, electrical, plumbing, sheet metal, heating & air conditioning and welding shops	C	SPR	SPR	SPR
G. Services - Business				
1. General office and management services in excess of 5,000 square feet gross floor area	X	SPR	SPR	SPR
2. General office and management services - 2,000 to 5,000 square feet gross floor area	C	SPR	SPR	SPR
3. General office and management services less than 2,000 square feet gross floor area	SPR	SPR	SPR	SPR
4. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services	SPR	SPR	SPR	SPR
5. Mortuaries	C	SPR	SPR	SPR
6. Office equipment service and repair shop	C	SPR	SPR	SPR
7. Off-street parking facilities	X	SPR	SPR	SPR
8. Mini-storage warehouses	X	SPR	SPR	SPR
9. Auction house	X	SPR	C	SPR
10. Vehicle towing service storage	X	C	C	C
11. Financial and banking institutions	SPR	SPR	SPR	SPR
12. Real estate brokers, agents, and services	SPR	SPR	SPR	SPR
H. Services - Lodging Places				
1. Motels / Hotels	C	SPR	SPR	SPR
2. Recreational vehicle camping parks	X	C	X	X

USES	NC	HTC	UC	RC
I. Services - Medical and Health				
1. Hospitals / health care campus	X	SPR	SPR	SPR
2. Medical and dental laboratories	C	SPR	SPR	SPR
3. Sanitaria, convalescent, and rest homes	C	SPR	SPR	SPR
4. Animal hospital	SPR	SPR	SPR	SPR
5. Ambulance service	C	SPR	SPR	SPR
6. Congregate care facility	C	C	C	C
7. Clinic, outpatient	SPR	SPR	SPR	SPR
J. Services - Amusement				
1. Amusement centers - indoor	C	SPR	SPR	SPR
2. Amusement centers - outdoor	C	SPR	SPR	SPR
3. Carnival (temporary) and circus (temporary)	C	SPR	SPR	SPR
4. Health and racquet clubs	SPR	SPR	SPR	SPR
5. Theaters, indoor	SPR	SPR	SPR	SPR
6. Theaters, outdoor (drive-in)	X	C	C	C
7. Sports facilities, including stadium and arena facilities	C	SPR	SPR	SPR
K. Services - Educational, Recreational				
1. Nursery, day-care centers	SPR	SPR	SPR	SPR
2. Libraries	SPR	SPR	SPR	SPR
3. Private schools	SPR	SPR	SPR	SPR
4. Public parks, parkways, public/private recreational facilities, trails and related facilities	SPR	SPR	SPR	SPR
5. Marinas	SPR	SPR	SPR	SPR
L. Services - Membership Organizations				
1. Business, professional, civic, social and fraternal	SPR	SPR	SPR	SPR
2. Religious, places of worship	SPR	SPR	SPR	SPR

USES	NC	HTC	UC	RC
M. Public Services and Facilities				
1. Police and fire stations	SPR	SPR	SPR	SPR
2. Educational institutions	SPR	SPR	SPR	SPR
3. Post offices	SPR	SPR	SPR	SPR
4. Utility substation and related facilities	SPR	SPR	SPR	SPR
5. Zoos, museums, galleries, historic and cultural exhibits and similar uses	SPR	SPR	SPR	SPR
6. Transportation terminals	C	SPR	SPR	SPR
N. Other				
1. Forestry	P	P	P	P
2. Agriculture	P	P	P	P

[1] Conditional Use Permits for this use shall be considered in the NC zone for the purpose of redevelopment to comply with environmental regulations. Only those sites within the NC zone with existing facilities containing this use, or sites, which have been utilized for this use within the prior 10 years from date of application, shall be considered for redevelopment in the NC zone. Proposals, which do not meet this requirement, shall be prohibited. Redevelopment within this zone is intended to provide these services to a limited geographic region and as such, facilities shall be sized appropriately to this purpose. Redevelopment for this use within the NC zone must meet strict compatibility requirements and may be subject to additional requirements at the discretion of the Director and/or Hearing Examiner to insure compatibility. This shall include increased setbacks, increased landscaping requirements, architectural styles of both the building and pump island that reflect the neighborhood in which they are located, limited hours of operation, restrictions or exterior lighting, restrictions on signage, and limitations to the services offered.

020. Uses.
The following Business Park and Industrial Use Table 370.020 is a list of examples of allowable uses in the Business Park (BP) and Industrial (IND) Zones.

Any use allowed in the Airport (A) zone is also an allowable use in the IND and BP zones utilizing the same review process as identified in the Airport zone. The appropriate review, as listed, is mandatory.

"P" - Permitted;
"SPR" - Site Plan Review, Section 410;
"C" - Conditional Uses, Section 420;
"X" - Uses specifically prohibited.

Business Park and Industrial Use Table 370.020

USES	BP	IND
A. Services, Retail and Amusements		
1. Laundry for carpets, overalls, rugs, and rug cleaning, using non-explosive and non-flammable cleaning fluids	SPR	SPR
2. Parcel delivery service	SPR	SPR
3. Animal hospital, kennels and animal boarding places	SPR	SPR
4. Ambulance service	SPR	SPR
5. All types of automobile, motorcycle, truck, boat and equipment service, repair, rental and sales.	SPR	SPR
6. Boat building, and repair	SPR	SPR
7. Fuel oil distributors	X	SPR
8. Service commercial uses such as banks, restaurants, cafes, drinking places, automobile service stations, and other business services located to serve adjacent industrial areas	C	SPR

ATTACHMENT C

USES		BP	IND
9.	Retail or combination retail/wholesale lumber and building materials yard	X	SPR
10.	Manufactured home and trailer storage or rental	X	SPR
11.	Amusement park	X	C
12.	Circus, carnival or other type of transient and outdoor amusement enterprises	X	SPR
13.	Race track; auto or motorcycle	C	C
14.	Museums, aquariums, historic, or cultural exhibits	SPR	SPR
15.	Tourism facilities including outfitters, guides, and seaplane and tour-boat terminals	SPR	SPR
B. Assembly -- Manufacture of Products			
1.	Assembly and fabrication of sheet metal products	SPR	SPR
2.	Assembly, manufacture, compounding, packaging or treatment of articles or merchandise (Non-Hazardous)	SPR	SPR
3.	Assembly, manufacture, compounding, packaging or treatment of articles or merchandise (Hazardous)	X	C
4.	Ship building, dry dock, ship repair, dismantling	X	SPR
5.	Manufacture of paper and by-products of paper	X	SPR
6.a	Manufacture of roofing paper or shingles, asphalt in facilities less than 10,000 square feet	SPR	SPR
6.b	Manufacture of roofing paper or shingles, asphalt in facilities 10,000 square feet or greater	C	C
7.	Manufacture of mobile and manufactured homes	X	SPR
8.a	Forest products manufacturing or shipping facilities which are not located on the waterfront	X	SPR
8.b	Forest products manufacturing or shipping facilities which are located on the waterfront	X	C

USES	BP	IND
C. Processing and Storage		
1. Spinning or knitting of fibrous materials	SPR	SPR
2. Non-marine related wholesale business, and warehouses not including mini-storage facilities	SPR	SPR
3. Non-marine related cold storage plants, including storage and office	SPR	SPR
4. Processing uses such as bottling plants, creameries, laboratories, blue printing, and photocopying, tire retreading, recapping, and rebuilding	SPR	SPR
5. Storage or sale yard for building materials, contractors' equipment, house mover, delivery vehicles, transit storage, trucking terminal, and used equipment in operable condition	X	SPR
6. Brewery, distillery, or winery	SPR	SPR
7. Junkyards or wrecking yards	X	C
8. Grain elevator and flour milling	X	SPR
9. Sawmills, lumber mills, planing mills, and molding plants	X	SPR
10. Junk, rags, paper, or metal salvage, storage or processing	X	C
11. Rolling, drawing, or alloying ferrous and nonferrous metals	X	SPR
12. Rubber, treatment or reclaiming plant	X	SPR
13. Slaughterhouse or animal processing	X	C
14. Major petroleum storage and/or refining	X	C
15. Recycling centers (excluding junkyards)	SPR	SPR
16. Incinerator or reduction of garbage, offal, dead animals or refuse	X	C
17. Marine-related storage of equipment, supplies, materials, boats, nets, and vehicles	X	SPR
18. Cold storage facilities for marine or agricultural products	SPR	SPR

USES	BP	IND
D. Aggregate Products		
1. Manufacture of concrete products and associated uses	X	C
2. Manufacture of concrete products entirely within an enclosed building	SPR	SPR
3. Surface mining and quarries, subject to the provisions of the Mineral Resource Zone	X	C
E. Other		
1. Business and Professional services	P	SPR
2. Welding shop	C	SPR
3. Existing residential use without any increase in density	P	P
4. Residential dwelling for caretaker on the property in conjunction with a permitted use	P	P
5. Administrative, educational, and other related activities and facilities in conjunction with a permitted use	SPR	SPR
6. Research Laboratory	SPR	SPR
7. Aquaculture	X	C
8. Cabinet, electrical, plumbing, sheet metal/welding, electroplating and similar fabrication shops	SPR	SPR
9. Marine manufacturing repairs and services	SPR	SPR
10. Shellfish/fish hatcheries and processing facilities	X	C
11. Marinas	X	C
12. Forestry	P	P
13. Agriculture	P	P
14. Industrial Park	SPR	SPR

USES	BP	IND
F. Public Services and Facilities		
1. Police and fire substations	SPR	SPR
2. Educational institutions	SPR	SPR
3. Land/water transhipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	C	C
4. Recreational Facilities Public/Private	C	C

[1]The Industrial Zone is not intended to provide the same function as Commercial Zones. Therefore, a minimum of 75% of the gross floor area of any structure under this section shall be devoted to industrial uses and no more than 25% of the gross floor area may be devoted to incidental retail sales including facilities or display areas associated with the industrial use.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners will hold a public hearing on **October 14, 2002**, at the hour of **10:00 AM** in its chambers, County Administrative Building, 614 Division Street, Port Orchard, WA, to consider an ordinance amending the Kitsap County Zoning Ordinance Commissioners. These zoning amendments were adopted by the Kitsap County Board of Commissioners on September 13, 1999 following a recommendation by the Kitsap County Planning Commission, public notice and public hearing. A formal written ordinance incorporating the amendments was not signed at that time and is being presented now for the Commissioners' signature. Because the zoning amendments were adopted by motion on September 13, 1999, following the procedures required for adoption of an ordinance, the ordinance is made retroactive to that date, and all actions taken by the county since that date pursuant to the zoning amendments are ratified. A summary of the ordinance follows:

Section 1 adds a new definition of "Alternative Technology" to the Zoning Ordinance.

Section 2 amends the definition of "Bed and Breakfast House" to state that if a proposed bed and breakfast establishment serves a meal other than the morning meal, the application will be reviewed as a conditional use.

Section 3 amends the definition of "Density" to state how "maximum allowable density" "minimum density" and "net developable acreage" are calculated.

Section 4 amends the definition of "Dwelling, single family", to state that a recreational vehicle is not a dwelling unit.

Section 5 amends the definition of "Sign" to state when balloons and balloon-type devices are considered signs for the purposes of the Zoning Ordinance.

Section 6 adds a definition of "Stealth Technology" by cross-reference to "Alternative Technology".

Section 7 amends the "Rural Use Table" in the Zoning Ordinance to show, in accordance with the revised definition of "Bed and Breakfast House", that if a meal other than the morning meal is served in such a house, the application is reviewed as a conditional use.

Section 8 amends the "Commercial Use Table" in the Zoning Ordinance to add an extensive footnote explaining the limited circumstances in which "Service stations/fuel sales", normally prohibited in the Neighborhood Commercial zone, will be allowed as a conditional use.

Section 9 amends the "Business Park and Industrial Use Table" in the Zoning Ordinance to add "boat and equipment service, repair, rental and sales" as uses requiring "site plan review" in the Business Park and Industrial zones, and a footnote specifying the minimum amount of gross floor area to be devoted to industrial uses and the maximum amount that may be devoted to incidental retail sales.

Section 10 amends subsection D of Zoning Ordinance Section 445.090, "Conditionally Exempt Signs" to provide that conditions governing political campaign signs, including when they must be removed, the conditions under which they may be located in county right-of-way and a prohibition on placing them on utility poles and state and county regulatory or informational signs or posts. The section also provides that signs that do not comply with the restrictions are subject to removal and disposal by the county, at the candidate's or campaign's expense.

Section 11 adds the qualifying phrase, "Unless specifically stated elsewhere in this ordinance", to the purpose section of the zoning ordinance chapter on non-conforming uses, 460.010, to avoid conflicts with other parts of the zoning ordinance.

Section 12 adds the qualifying phrase "Unless specifically stated elsewhere in this ordinance", to Section 460.020B of the zoning ordinance, concerning when a nonconforming use is considered abandoned.

Section 13 adds two new "purposes" to Section 470.010 in the zoning ordinance chapter on wireless communication facilities. Those purposes are to provide a process to locate and identify new site locations in a comprehensive manner and with substantial public participation, and to encourage the use of alternative technology.

Section 14 adds a new subsection to Section 470.030 in the zoning ordinance on application requirements for wireless communication facilities concerning review of some facilities as "essential public facilities" under the county's comprehensive plan.

Section 15 revises the language of Section 470.040 of the zoning ordinance, "Wireless communication facilities – permitted uses", to increase the height allowed for support structures and antenna arrays from 20 to 35 feet in specified circumstances, and to add that all new wireless communication support structures greater than 35 feed in height which do not employ alternative technology must obtain a conditional use permit.

Section 16 amends Section 470.060 of the zoning ordinance, on conditional use permits for wireless communication facilities, to add that the proposed support structure location must be reviewed in a manner consistent with Section 470.030B ("Application requirements").

Section 17 repeals Chapter 520, "Appeals", to remove language that has been superseded.

Section 18 adds a new Chapter 520, "Appeals", which provides that appeals are to follow the process outlined in the Kitsap County Land Use and Development Procedures Ordinance.

The full text of the ordinance will be sent upon request.

ALL THOSE INTERESTED are welcome to attend the hearing

HOLLY ANDERSON, Clerk of the Board
Kitsap County Commissioners

NOTE: KITSAP COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY. INDIVIDUALS WHO REQUIRE ACCOMMODATIONS SHOULD CONTACT THE COMMISSIONERS' OFFICE AT (360) 337-4428 OR TDD (360) 337-7275 OR 1-800-816-2782. (PLEASE PROVIDE TWO WEEKS NOTICE FOR INTERPRETER SERVICES.

Publication Date: October 2, 2002
THE KITSAP NEWSPAPER GROUP

All Files/Legals/1999 Zoning Ordinance Hearing Notice

Meeting Date: 10/14/02
Agenda Item No. 10:00 A

Kitsap County Board of Commissioners

Department: Prosecutor's Office

Staff Contact: Sue Tanner, Deputy Prosecuting Attorney
Phone: (360) 337-4992

Title: Ordinance Amending the Kitsap County Zoning Ordinance

Recommended Action: Move adoption of the Ordinance Amending the Kitsap County Zoning Ordinance.

Summary: In 1999, the Board of County Commissioners received a recommendation from the Planning Commission on the zoning ordinance amendments that are included in the attached ordinance. The Board of County Commissioners held a public hearing on the ordinance amendments and adopted them by motion, as reflected in their minutes of September 13, 1999. Although the commissioners published notice and held a public hearing before adopting the attached amendments, no ordinance was prepared to reflect that action. An ordinance must be amended by ordinance. The attached ordinance corrects the omission and is made effective retroactively to September 13, 1999.

Attachments: Ordinance (clean); Ordinance (tracked changes); Rural Use Table; Commercial Use Table; and Business Park and Industrial Use Table

Fiscal Impact

Expenditure Required (for this specific action):	n/a
Total Cost (including all related costs):	n/a
Related Revenue:	n/a
Cost Savings:	n/a
Net Fiscal Impact:	n/a
Source of Funds :	n/a

P. H. 10/14/02
To PAPW: 9/27/02
Publish: 10/2/02

Clearances

Affected Departments	Department Representative
Department of Community Development	
Contract Number: KC-	
Contract Amendments **Approval Date of Original Contract:** **Amount of Original Contract:** **Total Amount of Amended Contract:**	

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