FILE

Ordinance No. 367 - 2006

ORDINANCE REGARDING 10-YEAR COMPREHENSIVE PLAN UPDATE REVISIONS TO KITSAP COUNTY CODE TITLE 17 (ZONING)

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). As part of the GMA requirement to continuously review and, if needed, revise the Comprehensive Plan set forth in RCW 36.70A.130(1), Kitsap County made subsequent amendments in June 2002, December 2003, and October 2004 after extensive review and recommendation by the public and Planning Commission.

2. The GMA, pursuant to RCW 36.70A.130(3), requires Kitsap County to "review, at least every ten years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area." Additionally, "[t]he county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period."

3. Kitsap County Code 21.08.040 provides that the Board will establish a schedule for review and possible amendment of the Comprehensive Plan.

4. On June 28, 2005, the Central Puget Sound Growth Management Hearings Board (Hearings Board), in its Final Decision and Order in *1000 Friends of Washington v. Kitsap County*, CPSGMHB 04-3-0031c, determined that Kitsap County was out of compliance with the GMA by not having completed its 10-Year review of its Urban Growth Areas, and the densities permitted within, by 2004. The Hearings Board ordered Kitsap County to take appropriate legislative action by June 30, 2006. The Hearings Board later granted an extension to the deadline of December 31, 2006 in *1000 Friends of Washington v. Kitsap County*, CPSGMHB 04-3-0031c, Order Amending Compliance Schedule (October 14, 2005).

5. On July 26, 2006, the Hearings Board, in its Final Decision and Order in *KCRP v. Kitsap County*, CPSGMHB 06-3-0007, remanded components of the Kingston Sub-Area Plan, adopted December 21, 2005, to the County for review and revision. The components included:

   a. Allocating population without completing the 10-Year Update to the Kitsap County Comprehensive Plan as required by the Growth Management Act;

   b. The inclusion of a sewer reduction factor in the Updated Land Capacity Analysis (ULCA) used to size the urban growth area;

   c. Reasonable measure review and implementation; and

d. Inadequate capital facilities planning which was unable to ensure the provision of urban services to the urban growth area.

Section 2. **General Procedural Findings.** The Kitsap County Board of Commissioners makes the following findings regarding the public participation process of the 10-Year Update of the Comprehensive Plan:

1. On February 14, 2006, following timely and effective public notice, the Board held a work-study session to discuss and review the draft public involvement plan for the 10-Year Update to the Comprehensive Plan (10-Year Update).

2. On February 28, 2006, following timely and effective public notice, the Kitsap County Planning Commission (Planning Commission) held a work-study session to review and discuss the 10-Year Update draft schedule, project strategies, task prioritization and public involvement plan.

3. On March 13, 2006, following timely and effective public notice, the Board approved Resolution No. 045-2006. The resolution established an application period for land use reclassification requests, ending on April 10, 2006. The resolution also established screening and evaluation criteria for the reclassification requests, as well as the initial docket for text and area-wide map amendments.

4. On March 15, 2006, following timely and effective notice, the Board held a work-study session to review and discuss the 10-Year Update draft vision review and project strategies.

5. On March 18, 2006, following timely and effective public notice, Kitsap County issued a Determination of Significance and scoping notice and document. The scoping notice solicited comments for consideration in the Environmental Impact Statement. The scoping period closed on April 10, 2006.

6. On March 20, 2006, following timely and effective public notice, the Board held an administration briefing to discuss the format and content of the public workshops on the vision statement and the details of the land use reclassification requests submitted by that date.

7. On March 23, 2006, a Public Involvement Plan was issued by Kitsap County to detail the public involvement program Kitsap County was committed to following during the 10-Year Update.

8. On March 23, 27 and 28, 2006, following timely and effective public notice, Kitsap County held public workshops to review the 1998 Comprehensive Plan vision statement and solicited suggestions and revisions for consideration. The vision workshops were from 6:00 to 9:00PM and located in North, Central and South Kitsap, with approximately two hundred and thirty-seven participants. All three workshops included a brief introduction, a question and answer period, followed by four to eight small group exercises.

9. On March 28, April 11, April 25, May 9 and May 23, 2006, following timely and effective public notice, the Planning Commission held work-study sessions to review and discuss the framework and assumptions of the Updated Land Capacity Analysis (ULCA), land use reclassification requests, population and employment projections, reasonable measures, the integration of sub-area planning, preliminary land use alternatives and other issues related to the 10-Year Update.

10. On May 3, 2006, following timely and effective public notice, the Board held a work-study session to review preliminary draft land use alternatives.

11. On May 15, 18, and 24, 2006, following timely and effective public notice, Kitsap County held public workshops to review preliminary draft land use alternatives. The alternative workshops were from 6:00 to 9:00PM and located in North, Central and South Kitsap County, with approximately one hundred and fifty-seven participants. All three workshops included a brief introduction, a question and answer period, followed by six small group exercises. Groups discussed various components of the preliminary land use alternatives, including, but not limited to urban growth area sizing and composition.

12. On May 30, 2006, following timely and effective public notice, the Planning Commission and Board held a joint work-study session to review the preliminary draft alternatives, land use reclassification requests and public comment submitted during the May alternative public workshops. The joint work-study session also included discussion of the range and magnitude of environmental impacts from alternatives one and three for review in the Draft Environmental Impact Statement.

13. On May 31, 2006, following timely and effective public notice, the Board held a work-study session to provide guidance to the Department of Community Development on the range and magnitude of Alternatives one and three for review in the Draft Environmental Impact Statement.

14. On June 27, 2006, following timely and effective public notice, the Planning Commission held a work-study session to review and discuss key components to be analyzed in the Draft Environmental Impact Statement and Capital Facilities Plan.

15. On July 10, 2006, following timely and effective public notice, the Planning Commission and Board held a joint public hearing to consider testimony on the magnitude and range of alternative two for review in the Draft Environmental Impact Statement and Capital Facilities Plan. Over 120 people attended with half testifying on the potential range of sizes and compositions of Kitsap County's urban growth areas.

16. On July 11, 2006, following timely and effective public notice, the Planning Commission held a work-study session to refine the range and magnitude of Alternative two for review in the Draft Environmental Impact Statement and Capital Facilities Plan.

17. On July 12, 2006, following timely and effective public notice, the Board held a work-study session to refine the range and magnitude of Alternative two for review in the Draft Environmental Impact Statement and Capital Facilities Plan.

18. On July 19, 2006, following timely and effective public notice, the Board approved Resolution 129-2006. The Resolution outlined direction to the Department of Community Development for preparation of the Draft Environmental Impact Statement and alternatives one through three, including criteria for considering land use reclassification requests.

19. On August 23, 2006, following a timely and effective public notice, the Board held a work-study session to discuss major components and organization of Volumes I: Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement (DEIS) and Volume III: Proposed Regulations for the 10-Year Update.

20. On August 29, 2006, Kitsap County issued Volume I: Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement (DEIS) and Volume III: Proposed Regulations for the 10-Year Update. These documents were posted on the MyKitsap.org web page and made available to the public and agencies. Additionally, in mid-August 2006, thirty-two thousand mailings were sent to property owners within and/or adjacent to the land use alternatives. The mailing included information on the document release, comment opportunities, and dates of the open houses and upcoming public hearings.

21. On August 29, 2006, notice of all amendments to the comprehensive plan and development regulations proposed to fulfill the requirements of RCW 36.70A.130 was sent to the Washington State Department of Community, Trade and Economic Development at least sixty days before the amendments were adopted, in accordance with RCW 36.70A.106.

22. On August 30, 2006, Kitsap County published a DEIS Notice of Availability in the legal publication of record.

23. On September 2, 2006, Kitsap County published in the legal publication of record the Notice of Application and Notice of Availability of Volumes I through III of the 10-Year Update, which had been issued on August 29, 2006.

24. On August 29 and September 7 and 14, 2006, following timely and effective public notice, the County held open houses on Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations. The open houses were from 6:00 to 9:00PM and located in North, Central and South Kitsap County, All three open houses included a brief introduction, a question and answer period, followed by an open house with six informational stations. Each informational station included professional staff available to answer questions regarding all three volumes. Approximately one hundred and sixty-one participants attended.

25. On September 5 and 12, 2006, following timely and effective public notice, the Planning Commission held work-study sessions to review and discuss components of Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

26. On September 11, 2006, following timely and effective public notice, the Board held an administration briefing to review and discuss components of Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

27. On September 13, 2006, following timely and effective public notice, the Board held a work-study session to review and discuss components of Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

28. On September 18, 2006, the Department of Community Development presented errata sheets for Volumes I through III to the Planning Commission and Board and posted them on the MyKitsap.org web page. These errata sheets included omissions and corrections to improve the accuracy, clarity and consistency of the documents.

29. On September 18, 20 and 21, 2006, following timely and effective public notice, the Planning Commission and Board held joint public hearings to consider testimony on Volume I: Draft

Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations. Approximately 100 residents and interested parties testified, with the majority of testimony relating to selection of a preferred land use alternative and urban growth area composition and sizing.

30. On September 26 and 27 and October 3 and 6, 2006, following timely and effective public notice, the Planning Commission held public meetings to deliberate on the proposed recommendations for Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

31. On October 4, 2006, following timely and effective public notice, the Board held a work-study session to review and discuss the Department of Community Development's recommendations and the Planning Commission deliberations for the 10-Year Update.

32. On October 6, 2006, following timely and effective public notice, the Planning Commission approved Findings of Fact and Recommendations for Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations to be forwarded to the Board.

33. On October 11, 2006, following timely and effective public notice, the Board held a work-study session to review the Planning Commission's Findings of Fact and Recommendations for the 10-Year Update.

34. On October 23, 2006, following timely and effective public notice, the Board held a public hearing to consider testimony on the Planning Commission's recommendations. The public hearing was then continued to October 25, 2006 for further public testimony, with written comments allowed through October 30, 2006. Approximately forty-eight citizens and interested parties testified.

35. On October 25, 2006, following timely and effective public notice, the Board held a work-study session to review and discuss the Department's and Planning Commission's recommendations and to review and discuss components of Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

36. On October 30, 2006, following timely and effective public notice, the Board held an administration briefing to review and discuss the Department's and Planning Commission's recommendations and to review and discuss components of Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations.

37. On October 30, 2006, at 4:30PM, the 60-day comment period on the Volume I: Draft Comprehensive Plan Policy Document, Volume II: Draft Environmental Impact Statement and Volume III: Proposed Regulations closed.

38. On November 1 and 6, 2006, following timely and effective public notice, the Board began deliberations and approved a preferred land use alternative, plan policy document, and associated development regulations.

Section 3. **Substantive Findings.** The Board of County Commissioners makes the following findings with respect to the amendments to Title 17 of the Kitsap County Code:

1. These amendments were developed in consideration of the goals of the GMA for the development of local comprehensive plans, as codified at RCW 36.70A.020, and reflect a careful balancing these goals within the local conditions of Kitsap County.

2. These amendments were developed according to and are found to comply with the requirements of the GMA, RCW 36.70A.

3. The amendments adopted by this ordinance are within the range of the alternatives analyzed in the Draft Environmental Impact Statement (DEIS) and within the scope of additional analysis contained within the Final Environmental Impact Statement (FEIS). This FEIS also provides update responses to the integrated Port Orchard/South Kitsap Sub-Area Plan Draft EIS consistent with the 10-Year Update. The County prepared a Preliminary Final Sub-Area Plan EIS that addressed comments prior to final decisions on the 10-Year Update. This 10-Year Update FEIS completes the Port Orchard/South Kitsap Sub-Area Plan environmental review process.

4. There has been early and continuous public participation in the review of the proposed amendments, as required by the GMA, and consistent with KCC 21.08 and the State Environmental Policy Act.

5. The Board bases its findings and conclusions on the entire record of the planning commission, the findings and conclusions of the Planning Commission, and all of the testimony, oral or written, and exhibits submitted to the Board. Any finding that should be deemed a conclusion, and any conclusion that should be deemed a finding, is hereby adopted as such.

6. 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.

7. The Board has reviewed the Central Puget Sound Growth Management Hearings Board Decision in *1000 Friends v. Kitsap County*, CPSGMHB 04-3-0031c regarding the completion of the 10-Year Comprehensive Plan Update and finds that the remand issue has been addressed and resolved in the 10-Year Update.

8. The Board has reviewed the Central Puget Sound Growth Management Hearings Board Decision in *KCRP v. Kitsap County*, CPSGMHB 06-3-0007 regarding the Kingston Sub-Area Plan, and finds the remand issues have been addressed and resolved in the 10-Year Update:

   a. Kitsap County has completed its 10-Year Comprehensive Plan Update;

   b. The sewer reduction factor within the Updated Land capacity Analysis has been removed from the County methodology used to size its urban growth areas;

   c. The 10-Year Update adopts additional reasonable measures and employs additional development regulations to reinforce existing reasonable measures.

   d. The 10-Year Update includes a complete capital facilities plan that includes analysis and funding strategies for urban infrastructure.

Section 4. 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).~~Interim Rural Forest (IRF).~~
17.305	Rural Protection Zone (RP).
17.310	Rural Residential Zone (RR).
17.315	Urban Reserve Zone (URS).
~~17.317~~	~~Port Blakely Sub-Area Transition Zone (SATZ)~~
~~17.320~~	~~Rural Use Table.~~
17.321	Limited Areas of More Intensive Rural Development (LAMIRD).
	• 17.321A Suquamish Rural Village.
	• 17321B Port Gamble Rural Historic Town.
	• 17.321~~H~~C Manchester Rural Village.
17.322	Urban Holding Area Zone (UHA).
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.
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. ~~Standards~~
17.400 Land Use Review.
~~17.405 Pre-Application Review~~
~~17.410 Site Plan Review~~
17.415 Master Planning.
17.420 Conditional Use Permits~~.~~ – 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/ULID #6 Sub-Area.
17.430 ~~Provisions Applying to Special Uses~~ Transfer of Development Rights (TDR).
17.435 Off-Street Parking and Loading Special.
~~17.440 Setback Lines~~
17.445 Signs.
17.450 View Blockage Requirements.
17.455 Interpretations and Exceptions.
17.460 Nonconforming Uses and Structures.
17.465 Special Care Manufactured Homes.
17.470 Wireless Communication Facilities.
17.500 Variances.
17.510 Changes to Zones, Rezones, Amendments, Alterations.
~~17.520 Appeals~~
17.525 Revocation of Permits or Variances.
17.530 Enforcement.
17.640 (Repealed).

Section 5. Kitsap County Code Chapter 17.110 last amended by Ordinance No. 311-2003 is amended as follows:

Chapter 17.110

DEFINITIONS

Sections:

17.110.005 Generally.
17.110.010 Abutting.
17.110.015 Access ~~or accessway~~.
17.110.020 Accessory dwelling unit.
17.110.025 Accessory living quarters.
17.110.030 Accessory use or structure.
17.110.035 Adjacent.
17.110.040 Adjoin.
17.110.045 Adult family home.
17.110.050 Agricultural uses.
17.110.055 Alley.
17.110.057 Alternative technology.

17.110.060 Animal.
17.110.065 Animal, small.
17.110.070 Animal hospital.
~~17.110.075 Apartment.~~
17.110.075 Amusement center.
~~17.110.080 Apartment house.~~
17.110.085 Aquaculture practices.
17.110.087 Assembly and packaging operations.
17.110.090 Automobile repair.
17.110.095 Automobile service station.
~~17.110.100 Automobile wrecking or wrecking yard.~~
17.110.103 Barrier buffer.
17.110.105 Bed and breakfast house.
17.110.110 Board.
~~17.110.115 Boarding house.~~
17.110.120 Boat yard.
17.110.125 Breezeway.
17.110.126 Brew pubs.
17.110.130 Buffer, buffering.
17.110.135 Building.
17.110.140 Building height.
17.110.145 Building line.
~~17.110.150 Bulk plant.~~
17.110.152 Caretaker's dwelling
17.110.155 Carport.
17.110.157 Child care center.
17.110.160 Clinic.
17.110.165 Club.
17.110.168 Co-location.
17.110.170 Commission or planning commission.
17.110.175 Conditional use.
17.110.177 Conference center.
17.110.180 Congregate care facility.
17.110.185 Contiguous.
17.110.190 Convalescent, Nursing or Rest Home.
17.110.195 Contractor's storage yard.
17.110.196 Cottage housing development.
17.110.197 Custom art and craft stores.
17.110.200 Day-care center.
17.110.205 Day-care center, family.
17.110.210 Density.
17.110.215 Department.
17.110.220 Development.
17.110.222 Development rights.
17.110.223 Directional panel antenna.
17.110.225 Director.
17.110.226 Drinking establishments.
17.110.230 Drive-in restaurants.
17.110.240 Dwelling, single-family.
17.110.242 Dwelling, single-family detached.
17.110.245 Dwelling, two-family or duplex.

17.110.250 Dwelling, multiple-family.
17.110.255 Dwelling unit.
17.110.257 Emergency service communications.
17.110.260 Employees.
17.110.265 Exotic animal.
17.110.270 Family.
17.110.275 Fence, sight-obscuring.
17.110.280 Forestry.
17.110.285 Foster home.
17.110.290 Frontage.
17.110.295 Garage, private.
~~17.110.300 Garage, public.~~
17.110.301 General merchandise stores.
17.110.302 General office and management services.
17.110.303 Golf course.
17.110.305 Grade.
17.110.315 Gross floor area.
17.110.317 Guest House.
17.110.320 Habitable floor.
17.110.325 Hearing examiner.
17.110.330 Heavy equipment.
~~17.110.335 Heavy equipment storage area.~~
17.110.340 High turnover restaurants.
17.110.345 Home business.
17.110.350 Home day care.
17.110.355 Home owners' association.
17.110.360 Hospital.
17.110.365 Hotel/motel.
17.110.367 Impervious surface.
17.110.369 Junk motor vehicle.
17.110.370 Junk yard.
17.110.375 Kennel.
17.110.380 Kennel, hobby.
17.110.390 Landscaping.
17.110.393 Lattice support structure.
17.110.395 Livestock.
17.110.400 Lot.
17.110.405 Lot area.
17.110.410 Lot, corner.
17.110.415 Lot coverage.
17.110.420 Lot depth.
17.110.425 Lot, interior.
17.110.430 Lot line.
17.110.435 Lot line, front.
17.110.440 Lot line, rear.
17.110.445 Lot line, side.
17.110.450 Lot of record.
17.110.455 Lot, through.
17.110.460 Lot width.
17.110.462 Macro antenna array.
17.110.465 Maintain.

17.110.470 Manufactured home.
17.110.473 Manufacturing and fabrication.
17.110.475 Marina.
17.110.477 Master plan.
17.110.480 Micro antenna array.
17.110.483 Mini antenna array.
~~17.110.485 Mini-storage warehouse.~~
17.110.485 Mixed use development.
17.110.490 Mobile home.
17.110.493 Mobile home park.
~~17.110.495 Mobile/portable source.~~
~~17.110.500 Modular home.~~
17.110.503 Mono-pole.
~~17.110.504 Neighborhood commercial center.~~
17.110.504 Movie theater.
17.110.505 Nonconforming lot.
17.110.510 Nonconforming use or structure.
17.110.515 Nuisance.
17.110.520 Nursery, retail.
17.110.525 Nursery, wholesale.
17.110.530 Nursing or rest home.
17.110.535 Open space.
17.110.540 Ordinary high water mark.
17.110.545 Owner.
17.110.547 Parabolic antenna.
17.110.550 Park.
17.110.555 Parking area, public.
17.110.560 Parking space.
17.110.565 Parking space, barrier free.
17.110.570 Parking space, compact.
17.110.575 Perimeter setback.
17.110.580 Person.
17.110.585 Pet.
17.110.590 Pet, non-traditional.
17.110.591 Pharmacies.
17.110.595 Pier.
17.110.600 Places of worship.
17.110.605 Performance based development (PBD).
17.110.610 Planning commission.
17.110.615 Planning director.
17.110.620 Portable sign.
17.110.625 Premise.
17.110.630 Principal uses permitted outright.
17.110.635 Prohibited use.
17.110.637 Project permit or Project permit application.
17.110.640 Public facilities.
~~17.110.645 Recreational open space.~~
17.110.645 Receiving areas and parcels.
17.110.647 Recreational facility.
17.110.650 Recreational vehicle.
17.110.655 Recreational vehicle park.

17.110.660 Residential care facility.
~~17.110.665 Rooming house.~~
17.110.665 Rezone.
17.110.666 Rural character.
17.110.667 Rural cluster.
17.110.668 Rural Wooded Incentive Program development.
17.110.669 Sending areas and parcels.
17.110.670 Setback.
17.110.673 Separation buffer.
17.110.674 Sheltered transit stop.
17.110.675 Sign.
17.110.680 Sign permit.
17.110.683 Site.
17.110.685 Site plan.
17.110.686 Site specific amendment.
17.110.687 Stealth technology.
17.110.688 Storage, hazardous materials.
17.110.689 Storage, self-service.
17.110.690 Storage, vehicles and equipment.
17.110.691 Storage, indoor.
17.110.692 Storage, outdoor.
17.110.69~~0~~5 Street.
17.110.700 Structural alteration.
17.110.705 Structure.
17.110.707 Support structure.
17.110.710 Temporary sign.
17.110.715 Temporary structure.
17.110.720 Temporary use.
17.110.730 Use.
17.110.735 Use separation buffer.
17.110.740 Veterinary clinic.
17.110.745 Water-dependent use.
17.110.750 Water-enjoyment use.
17.110.755 Water-oriented use.
17.110.760 Water-related use.
17.110.765 Wireless communication antenna array.
17.110.770 Wireless communication facility.
17.110.775 Wireless communication support structure.
17.110.780 Whip antenna.
17.110.782 Wooded reserve.
17.110.783 Wrecking Yard.
17.110.785 Yard.
17.110.790 Yard, front.
17.110.795 Yard, rear.
17.110.800 Yard, side.
17.110.805 Zone.

17.110.005 Generally.

Except as provided in Section 17.450.010, for ~~For~~ the purpose of this ~~code~~ title, certain terms, phrases, words and their derivatives shall be construed as specified in this section and elsewhere in this ~~code~~ 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. 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, shall be considered as providing ordinary accepted meanings.

17.110.010 Abutting.
~~For the purposes of this title and the establishment of special development standards~~ "~~a~~Abutting" means adjoining with a common boundary line; except that where two or more lots adjoin only at a corner or corners, they shall not be considered as abutting unless the common property line between the two parcels measures ten feet or greater in a single direction. Where two or more lots are separated by a street or other public right-of-way, they shall be considered "abutting" if their boundary lines would be considered abutting if not for the separation provided by the street or right-of-way.

17.110.015 Access ~~or accessway~~.
"Access" ~~or "accessway"~~ 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.

17.110.020 Accessory dwelling unit.
"Accessory dwelling unit" means separate living quarters detached from the primary residence. No mobile home or recreational vehicle shall be considered an accessory dwelling unit. This definition excludes guest houses. ~~Such dwelling shall be subject to the requirements and conditions provided in Section 17.430.020(N).~~

17.110.025 Accessory living quarters.
"Accessory living quarters" means separate living quarters contained within the primary residence. ~~Accessory living quarters are subject to the requirements and conditions provided in Section 17.430.020(O).~~

17.110.030 Accessory use or structure.
"Accessory use or structure" means an activity or structure that is commonly associated with but subordinate to any principal use or structure. ~~one which is subordinate to the principal use of a building on the lot.~~

17.110.035 Adjacent.
"Adjacent" means the same as "abutting."~~near, close; for example, an industrial zone across a street or highway from a commercial zone shall be considered as "adjacent."~~

17.110.040 Adjoining.
"Adjoining" means the same as "abutting."

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

17.110.050 Agricultural uses.
"Agricultural uses" means the use of the land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, wholesale nurseries, floriculture, viticulture and wineries, apiaries, and animal and poultry husbandry, and the necessary accessory uses; provided, however, that the

operation of any such accessory use shall be incidental to that of normal agriculture activities, and provided further, that the above uses shall not include slaughter houses and meat packing or commercial feed-lots.

17.110.055 Alley.
"Alley" means 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 public use.

17.110.057 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."

17.110.060 Animal.
"Animal" means any live vertebrate creature, reptile, amphibian or bird, except man.

17.110.065 Animal, small.
"Animal, small" or "small animal" means any animal other than livestock used for agricultural purposes.

17.110.070 Animal hospital.
"Animal hospital" means a place where animals or pets are given medical or surgical treatment, and are cared for during the time of such treatment.

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, or miniature golf course.

~~**17.110.075 Apartment.**~~
~~"Apartment" means a dwelling unit in a multiple-family building.~~

~~**17.110.080 Apartment house.**~~
~~"Apartment house" means the same as "Dwelling, Multiple-family."~~

17.110.085 Aquaculture practices.
"Aquaculture practices" means the harvest, culture or farming of cultivated food fish, shellfish or other aquatic plants and animals and ~~; which~~ includes fisheries enhancement, ~~and~~ the mechanical harvesting of shellfish and hatchery culture, excluding traditional noncommercial shellfish harvesting.

17.110.087 Assembly and packaging operations.

"Assembly and packaging operations" means a facility where pre-manufactured components are assembled to construct a product. Products may be packaged and moved off-site for wholesale or retail sale. This may include, but is not limited to, assembly and packaging of computer, electronics, office equipment, fabricated metal products, and other products.

17.110.090 Automobile repair.
"Automobile repair" means ~~upholstering of;~~ replacement of parts, ~~for;~~ motor service,~~;~~ rebuilding or reconditioning of engines,~~; and partial~~ painting, upholstering, detailing, or cleaning ~~or paint shop for~~ motor vehicles, recreational vehicles or trailers.

17.110.095 Automobile service station.
"Automobile service station" means a building or lot having dispensers and storage tanks where fuels or oils for motor vehicles are dispensed, sold, or offered for sale. ~~at retail only; including~~ Service stations may include accessory convenience stores and minor automobile services, including car washes. ~~where this activity takes place, and where repair service is secondary.~~

~~**17.110.100 Automobile wrecking or wrecking Wrecking yard.**~~
~~"Automobile wrecking or wWrecking yard" means a place where damaged, inoperable or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled or handled.~~

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.

17.110.105 Bed and breakfast house.
"Bed and breakfast house" means a~~n owner occupied~~ dwelling which is used by the owner or primary resident to provide overnight guest lodging for compensation in not more than ~~four~~ ten 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.~~

17.110.110 Board.
"Board" means the Kitsap County board of county commissioners.

~~**17.110.115 Boarding house.**~~
~~"Boarding house" means a building other than a facility provided for under another definition or section of this title, or a hotel, where for compensation, meals, or lodging and meals are provided for four or more persons.~~

17.110.120 Boat yard.
"Boat yard" means a place where boats are constructed, dismantled, stored, serviced, or repaired, including maintenance work thereon and may include such facilities as a marine railway, dry-dock or tidal grid.

17.110.125 Breezeway.
"Breezeway" means a structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

17.110.126 Brew pubs.
"Brew pubs" shall mean a combination of retail, wholesale and manufacturing business that brews and serves beer and/or food on the premises.

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.

17.110.135 Building.
"Building" means any structure used or intended for supporting or sheltering any use or occupancy.

17.110.140 Building height.
"Building height" is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or 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:~~

~~A. 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.~~

~~B. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection (A) of this section is more than ten feet above lowest grade.~~

~~The height of a stepped or terraced building is the maximum height of any segment of the building.~~

17.110.145 Building line.
"Building line" means the perimeter of that portion of a building or structure nearest a property line but excluding eaves, open space, terraces, cornices and other ornamental features projecting from the walls of the building or structure.

~~**17.110.150 Bulk plant.**~~

~~"Bulk plant" means an establishment where flammable liquids are received by tank vessel, pipelines, tank car, or tank vehicle, and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipe line, tank car, tank vehicle, or container.~~

17.110.152 Caretaker's Dwelling
"Caretaker's dwelling" means a single-family residence accessory to a commercial or industrial use intended for the purposes of providing supervision, maintenance or security of the property.

17.110.155 Carport.
"Carport" means a roof designed to cover, but not enclose, automobile parking spaces and should be open on two or more sides.

17.110.157 Child care center.
"Child care center" means the same as "Day-care Center."

17.110.160 Clinic.
"Clinic" means a building or portion of a building containing offices for providing chiropractic, medical, dental, or psychiatric services not involving overnight housing of patients.

17.110.165 Club.
"Club" means a place where an association of persons organized for some common purpose meet ~~but excluding groups organized primarily for business purposes~~. This definition excludes places of worship and groups organized primarily for business purposes.

17.110.168 Co-location.
"Co-location" means the use of a single support structure by more than one wireless services provider where appropriate, and/or placement of up to four support structures for co-location on a specific site. This may include shared facilities with Kitsap County central communications or public safety emergency communications equipment.

17.110.170 Commission or planning commission.
"Commission" or "planning commission" means the Kitsap County planning commission.

17.110.175 Conditional use.
"Conditional use" means an activity specified by this title as a principal or an accessory use~~, permitted when authorized by the hearing examiner~~ that may be approved or denied based upon consistency with specific criteria (KCC 17.420 and/or 17.421). Approval of a conditional use is subject to certain conditions. Conditional uses reviewed by the planning department are administrative (ACUP); those reviewed by the hearing examiner (C) require a public hearing. ~~and subject to certain conditions.~~

17.110.177 Conference center.
"Conference center" means a building or group of buildings with overnight accommodations and meeting space, primarily intended for conferences, meetings, and retreats. Conference centers may include facilities such as dining and banquet rooms, recreation rooms and other amenities.

17.110.180 Congregate care facility.
"Congregate care facility" means any building in ~~and on~~ which ~~10 or more~~ people ~~who~~ live in individual housing units ~~generally contained with in the same building or series of buildings~~ which provide for independent living while providing common living areas and limited services such as health care, meals and housekeeping. ~~Congregate care facilities are not subject to the density limitations of the zone. Congregate care facilities provide independent and assisted care for identified groups of people with special needs such as the elderly or mentally impaired.~~

17.110.185 Contiguous.
"Contiguous" means the same as "abutting."

17.110.190 Convalescent, nursing or rest home.
"Convalescent, nursing or rest home" means any building or premises in ~~and~~ or on which ~~seven or more~~ sick, injured, or infirm persons are housed, for a period in excess of twenty-four consecutive hours~~,~~ and furnished with meals and nursing care for hire.

17.110.195 Contractor's storage yard.
"Contractor's storage yard" means a place where heavy equipment, vehicles, construction equipment or any material commonly used in the erection of any structure, is stored or accumulated. Sites that involve current construction of projects with active permits involving the materials on site shall not be considered a contractor's storage yard.

17.110.196 Cottage housing development.
Four or more small, detached dwelling units sharing a commonly owned courtyard/common area and parking area.

17.110.197 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.

17.110.200 Day-care center.
"Day-care center" means a primary dwelling ~~and premise~~ in ~~and on~~ which more than twelve individuals or a building other than a primary dwelling in ~~and on~~ which any number of individuals are cared for during some portion of a twenty-four-hour period. ~~In no case shall these individuals reside in and on the premises.~~

17.110.205 Day-care center, family.
"Day-care center, family" ~~or "family day-care center"~~ means an owner- or manager-occupied primary dwelling and premise in and on which not more than twelve ~~unrelated~~ individuals~~, not residing in the dwelling,~~ are cared for during some portion of a twenty-four-hour period. ~~"Family day-care centers" shall be considered an accessory use in any residential zone.~~

17.110.210 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.~~

17.110.215 Department.
"Department" means the Kitsap County department of community development.

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.

17.110.222 Development rights.
"Development rights" means the residential building rights permitted to a lot or parcel within a sending area, as defined in this chapter, based on the gross density, established pursuant to the Kitsap County zoning map and this title, and measured in base dwelling units per developable acre.

17.110.223 Directional panel antenna.
"Directional panel antenna" means, generally, a rectangular antenna designed to transmit and receive radio frequency signals in a specific directional pattern.

17.110.225 Director.
"Director" means the director of the Kitsap County department of community development or a duly authorized designee.

17.110.226 Drinking establishments.
"Drinking establishments" shall mean 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 ~~wherein such beverages are sold in conjunction with the~~ sale of

food for consumption on the premises, where ~~and~~ the sale of ~~such~~ alcoholic beverages is clearly accessory and incidental (e.g., comprises less than twenty percent of the gross receipts). This definition excludes brew pubs. ~~(e.g., a lounge operated as part of a restaurant is considered to be accessory to a restaurant).~~

17.110.230 Drive-in restaurants.
"Drive-in restaurants" means those restaurants with facilities ~~allowing~~ that provide for the purchase of take-out foods and beverages without leaving a vehicle. ~~They generally also have the characteristics of high turnover restaurants. This definition includes those facilities with drive through windows where food and beverage may be obtained from a vehicle.~~

17.110.240 Dwelling, single-family attached.
"Dwelling, single-family attached" or "attached single-family dwelling" means a single dwelling unit designed for occupancy by not more than one family and separated from adjacent units by one or more common vertical walls where each dwelling includes adjacent dwelling-specific yard area within its ownership. ~~building containing only one dwelling unit and designed or used for residence purposes occupancy by not more than one family, and containing one dwelling unit only. A recreational vehicle is not considered a dwelling unit.~~
~~A. "Attached" means sharing common vertical walls.~~
~~B. "Detached" means physically separated.~~

17.110.242 Dwelling, single-family detached.
"Dwelling, single-family detached" or "detached single-family dwelling" means a single dwelling unit designed for occupancy by not more than one family that is physically separated from any other dwelling unit.

17.110.245 Dwelling~~, two-family or~~ duplex.
"Dwelling, ~~two-family or~~ duplex," ~~"two-family dwelling" or "duplex dwelling"~~ means a building containing two dwelling units and designed ~~or used~~ for ~~residential purposes~~ occupancy by not more than two families~~, and containing two dwelling units of similar size and design; provided a~~ A duplex may not be considered a primary residence for the purposes of constructing an accessory dwelling unit or accessory living quarters.

17.110.250 Dwelling, multiple-family.
"Dwelling, multiple-family" ~~or "multi-family dwelling"~~ means a building or portion thereof containing three or more dwelling units and designed ~~or used as a residence~~ for occupancy by three or more families~~, and containing three or more dwelling units~~.

17.110.255 Dwelling unit.
"Dwelling unit" ~~is~~ means a single unit providing complete, independent ~~any building or portion thereof which contains~~ living facilities for one or more persons, including permanent provisions for living, ~~including provisions for~~ sleeping, eating, cooking and sanitation~~, for one or more persons but not more than one family~~. A recreational vehicle is not considered a dwelling unit.

17.110.257 Emergency service communications.
"Emergency service communications" means any police, fire, emergency, and/or medical wireless communication of radio frequency (RF) signals through electromagnetic energy.

17.110.260 Employees.
"Employees" means all persons, including proprietors, working on the premises.

17.110.265 Exotic animal.
"Exotic animal" means any member of the animal kingdom which is not commonly domesticated or which is not common to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any domesticated animal which, because of its size, vicious nature or similar characteristics, would constitute a danger to human life or property if not kept, maintained or confined in a safe manner.

17.110.270 Family.
"Family" means two or more persons customarily living together as a single house-keeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding or lodging house, or other group of unrelated individuals.

17.110.275 Fence, sight-obscuring.
"Fence, sight-obscuring" or "sight-obscuring fence" means a fence or combination of fence and planting arranged in such a way as to screen areas from view.

17.110.280 Forestry.
"Forestry" means the use of land for producing and caring for a forest, including the harvesting of timber.

17.110.285 Foster home.
"Foster home" means a dwelling unit in which a full-time resident provides care and supervision on a full-time basis to not more than six children or to not more than three expectant mothers.

17.110.290 Frontage.
"Frontage" means that portion of a parcel of property which abuts a dedicated public street as defined in Section 17.110.690.

17.110.295 Garage, private.
"Garage, private" means an accessory building or part of a main building intended primarily for the storage of motor vehicles owned or used by occupants of the main building.

~~**17.110.300 Garage, public.**~~
~~"Garage, public" means a structure of portion thereof, other than a private or community garage used for the storage, sale, hire, or repair of self-propelled vehicles or trailers.~~

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.

17.110.302 General office and management services.
"General office and management services" ~~shall~~ means the offices of real estate agencies, ~~mortgage brokers,~~ advertising agencies, ~~credit agencies,~~ mailing services and postal substations, employment agencies, insurance agencies, management and consulting firms, accountants, attorneys, security brokers, ~~financial advisors,~~ architects, ~~engineers,~~ surveyors, tax preparation services, computer software development, and other similar business services. This term ~~may~~ also includes the administrative offices for businesses whose primary activity may be a ~~construction, manufacturing, utility services, or some other~~ non-office use conducted elsewhere. This definition excludes engineering and construction firms and financial, banking, mortgage and title institutions.

17.110.303 Golf course.
"Golf course" means an area designed and used for playing golf, including all accessory uses incidental to the operation of the facility, including driving ranges.

17.110.305 Grade.
"Grade" means the average point of elevation of the finished surface of the ground within five feet of a building or structure.

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; provided, gross floor area shall include decks, or porches when covered by a roof or portion of the floor above.

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 and are not otherwise used as a separate dwelling unit.

17.110.320 Habitable floor.
"Habitable floor" means any floor usable for living purposes including working, sleeping, eating, cooking, or recreating uses, or any combination of these uses. A floor used only for storage purposes is not a "habitable floor."

17.110.325 Hearing examiner.
"Hearing examiner" means a person appointed to hear or review certain land use applications and appeals pursuant to Title 21 of this code, the Land Use and Development Procedures Ordinance.

17.110.330 Heavy equipment.
"Heavy equipment" means, but shall not be limited to self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily used for commercial purposes such as tandem axle trucks, graders, backhoes, tractor trailers, cranes and lifts but excluding automobiles, recreational vehicles, boats and their trailers and equipment used for agricultural purposes.

~~**17.110.335 Heavy equipment storage area.**~~
~~"Heavy equipment storage area" means a place where two or more items of heavy equipment are stored.~~

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) Food containers and utensils are disposable;
(b) Restaurants are self-service; or
(c) Take-out foods and beverages are advertised as the principal business~~; or~~
~~(d) Drive-in facilities are available~~.

17.110.345 Home business.
"Home business" means a use conducted within a dwelling ~~in a residential zone~~, which use is clearly secondary to the use of the ~~parcel~~ dwelling for residential purposes~~, or for which is provided in Section 17.430.020(G)~~.

17.110.350 Home day care.
"Home day care" means the same as "Day-care, family."

17.110.355 Home owners' association.
"Home owners association" means a non-profit organization as defined by the State of Washington operating under recorded land agreements established through which the following take place:

A. Each person owning or purchasing a lot in a planned unit or other described land area is automatically a member by such ownership or purchase;

B. Each lot may be automatically subject to a charge for a proportionate share of the expenses for the organization's activities, including but not limited to maintaining a common property, such as streets, walkways, recreational facilities, or grounds policing; and

C. Construction and maintenance responsibilities for any undivided property are identified and assigned.

17.110.360 Hospital.
"Hospital" means any institution, place, building, or agency which maintains and operates organized facilities ~~for twenty or more persons~~ for the diagnosis, care, and treatment of human illness, including convalescence and also including care during and after pregnancy; or which maintains and operates organized facilities for any such purpose, and to which persons may be admitted for overnight stay or for a longer period. This definition excludes clinics.

17.110.365 Hotel/motel.
"Hotel/motel" means a building in which lodging is provided and offered to the public for compensation and which is open to transient guests. This definition excludes bed and breakfast houses.

17.110.367 Impervious surface.
"Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads with compacted subgrade, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces.

17.110.369 Junk motor vehicle.
"Junk motor vehicle" means a motor vehicle that is damaged, apparently inoperable, or any detached parts thereof, including, but not limited to, cars, trucks, motorcycles, vehicle hulks, campers, trailers and/or motor homes. "Junk motor vehicle" does not include a vehicle or part thereof that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, or a vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to the requirements of RCW 46.80.130.

17.110.370 Junk yard.
"Junk yard" means a place where waste or scrap materials are stored, bought, sold, accumulated, exchanged, baled, packaged, disassembled or handled including, but not limited to, scrap metals, paper, rags, tires, and bottles, and such worn out or discarded material, excluding approved recycling centers.

17.110.375 Kennel.
"Kennel" means a place where ~~five or more adult~~ dogs are kept, for compensation. This definition excludes~~, but excluding~~ veterinary clinics and hospitals, pet shops and zoos.

17.110.380 Kennel, hobby.
"Hobby kennel" means a place where not more than ten adult dogs ~~or cats~~ are kept for personal enjoyment, not for compensation~~, boarding or breeding but for personal enjoyment~~.

17.110.390 Landscaping.
"Landscaping" means the placement, preservation, and the replacement of not only trees, grass, shrubs, plants, flowers, and other vegetative materials but also the arrangement of fountains, patios, decks, street furniture, and ornamental concrete or stonework areas and artificial turf or carpeting in accordance with an approved landscaping plan meeting adopted landscaping plan, design, and installation standards. Artificial plants, shrubs, bushes, flowers, and materials in movable containers shall not be considered "landscaping" for purposes of this title.

17.110.393 Lattice support structure.
"Lattice support structure" means a guyed or self-supporting three or four-sided, open, metal frame structure used to support telecommunication equipment.

17.110.395 Livestock.
"Livestock" means horses, bovine, sheep, goats, swine, reindeer, donkeys, mules, llamas and any other hoofed animal, large and small (small being 150 lbs. or less).

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

17.110.405 Lot area.
"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.

17.110.410 Lot, corner.
"Lot, corner" or "corner lot" means a lot abutting upon two or more streets at their intersection, or upon two parts of the same street; such street or parts of the same street forming an interior angle of less than 130° within the lot lines.

17.110.415 Lot coverage.
"Lot coverage" means that percentage of the total lot area covered by buildings.

17.110.420 Lot depth.
"Lot depth" means the horizontal distance between the midpoint of the front and opposite, usually, the rear lot line. In the case of a corner lot, the depth shall be the length of its longest front lot line.

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.

17.110.430 Lot line.
"Lot line" means any line bounding a lot as herein defined. Lot lines for unusual lot configurations may be determined by the director.

17.110.435 Lot line, front.
"Lot line, front" or "front lot line" means that boundary of a lot which is along a street or approved private road or easement, or, for a flag lot, approximately parallel to a street or approved private road or easement; and thus generally where access is from.

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 line on waterfront property.

17.110.445 Lot line, side.
"Lot line, side" or "side lot line" means any boundary of a lot which is not a front or rear lot line.

17.110.450 Lot of record.
"Lot of record" means a lot which was created in accordance with the laws and regulations in effect at the time it was created and is shown on the records of the county assessor or county auditor.

17.110.455 Lot, through.
"Lot, through" or "through lot" means an interior lot having frontage on two streets and/or highways.

17.110.460 Lot width.
"Lot width" means the average horizontal distance between the side lot lines.

17.110.462 Macro antenna array.
"Macro antenna array" means an attached wireless communication facility which consists of antennas equal to or less than fifteen feet in height or a parabolic antenna up to forty inches in diameter and with an area not more than one hundred square feet in the aggregate as viewed from any one point.

17.110.465 Maintain.
"Maintain" means to cause or allow to continue in existence. When the context indicates, the word means to preserve and care for a structure, improve or condition an area to such an extent that it remains attractive, safe, presentable, and carry out the purpose for which it was installed, constructed, or required.

17.110.470 Manufactured home.
"Manufactured home" means a single-family residence constructed after June 15, 1976, and built according to the ~~in accordance with the U.S.~~ Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act. ~~(HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.~~

17.110.473 Manufacturing and fabrication.
"Manufacturing and fabrication" means the transformation of materials or substances into new products, including construction and assembling of component parts, and the blending of materials such as lubricating oils, plastics, resins or liquors.
A. Light: Light manufacturing and fabrication is characterized by the use being contained within

buildings, and materials or equipment used in production not being stored outside. Light manufacturing and fabrication activities do not generate external emissions such as smoke, odor, noise, vibrations or other nuisances outside the building. This definition may include, but is not limited to, manufacture and fabrication of electronic components, software, office products, furniture, glass products, and other manufacturing and fabrication uses as determined by the reviewing official.

B. Medium: Medium manufacturing and fabrication is characterized by need for only very limited areas of outdoor storage and may create minor external environmental impacts during the conduct of operations but most impacts are contained on-site. This definition may include, but is not limited to, manufacture and fabrication of paints, printing ink, leather goods, and other manufacturing and fabrication uses as determined by the reviewing official.

C. Heavy: Heavy manufacturing and fabrication uses are often characterized by the need for large outdoor areas in which to conduct operations, and typically results in environmental impacts beyond their own sites. This definition may include, but is not limited to, manufacture and fabrication of automotive vehicles and their parts, cement, brick, lime, gypsum, asphalt, and other manufacturing and fabrication uses as determined by the reviewing official. This definition excludes manufacture and fabrication of hazardous materials.

D. Hazardous: Hazardous manufacturing and fabrication uses are those engaged in the manufacture or fabrication of materials that are flammable, explosive, or present hazards to the public health, safety, and welfare, including all substances and materials defined as hazardous materials, hazardous substances, or hazardous waste.

17.110.475 Marina.
"Marina" means a facility which for compensation provides moorage or wet or dry storage for watercraft and may offer marine-related sales and services.

17.110.477 Master plan.
"Master Plan" means a comprehensive plan to guide the long-term physical development of a particular area, a plan which has been prepared and approved pursuant to Chapter 17.415 of this title.

17.110.480 Micro antenna array.
"Micro antenna array" means an attached wireless communication facility which consists of antennas equal to or less than four feet in height (except omni-directional antennas which may be up to six feet in height) and with an area of not more than 580 square inches in the aggregate.

17.110.483 Mini antenna array.
"Mini antenna array" means an attached wireless communication facility which consists of antennas equal to or less than ten feet in height or a parabolic antenna up to forty inches in diameter and with an area not more than fifty square feet in the aggregate as viewed from any one point.

~~**17.110.485 Mini-storage warehouse.**~~
~~"Mini-storage warehouse" means storage facilities located within a totally enclosed structure used for the storage of non-hazardous materials. This storage shall not be used for commercial or industrial activities.~~

17.110.485 Mixed use development.
"Mixed use development" means the development of a site or building with a combination of residential and non-residential uses in a single or physically integrated group of buildings.

17.110.490 Mobile home.
"Mobile home" means a 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.

17.110.493 Mobile home park.
"Mobile home park" means a tract of land developed or operated as a unit with individual leased sites and facilities to accommodate two or more mobile homes or manufactured homes.

~~**17.110.495 Mobile/portable source.**~~
~~"Mobile/portable source" means transmitters in vehicles or those which are capable of being moved from one point to another and operated from a given location for temporary use for a period of not more than one year.~~

~~**17.110.500 Modular home.**~~
~~"Modular home" means a structure constructed in a factory in accordance with the Uniform Building Code and bearing the appropriate insignia (gold) indicating such compliance. This definition includes "pre-fabricated," "panelized" and "factory built" units.~~

17.110.503 Mono-pole.
"Mono-pole" means a structure composed of a single spire used to support telecommunication equipment.

17.110.504 Movie theater.
"Movie theater" means a facility for showing films, including accessory retail sales of food and beverages. This definition excludes Adult Entertainment uses.

~~**17.110.504 Neighborhood commercial center.**~~
~~"Neighborhood commercial center" shall mean a commercial center that occurs on a smaller site and is intended to provide for the local shopping needs of the immediate neighborhood in which it is located. New centers should be based upon demonstrated need and shall be compatible with a residential setting.~~

17.110.505 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 was located as established by this title or other ordinances or amendments thereto.

17.110.510 Nonconforming use or structure.
"Nonconforming use or structure" means a use of land or structure which was lawfully established or built and which has been lawfully continued but which does not conform to the regulations established by this title or amendments thereto.

17.110.515 Nuisance.
"Nuisance" means in addition to those definitions contained in RCW 9.66 and RCW 7.48, as amended, any violation of this title shall constitute a nuisance, per se.

17.110.520 Nursery, retail.
"Nursery, retail" means an establishment where trees, shrubs and other plant materials are grown, propagated and/or stored for purpose of sale directly to the public.

17.110.525 Nursery, wholesale.
"Nursery, wholesale" or "wholesale nursery" means an establishment where trees, shrubs or other plants are propagated on the property and/or continuously grown to a larger size for a period no less than one complete growing season and that is not open to the public on a regular basis. Temporary outdoor stands for the periodic and occasional sale of plants which are grown on the premises shall not disqualify an establishment for definition as a wholesale nursery. No bark, mulch, fertilizer or other similar landscape supply may be sold.

17.110.530 Nursing or rest home.
See Section 17.110.190, Convalescent, nursing or rest home.

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 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; ~~and~~
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. In the Rural Wooded zone, areas within a Wooded Reserve shall not be considered permanent open space; 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.

17.110.540 Ordinary high water mark.
"Ordinary high water mark" means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

17.110.545 Owner.
"Owner" means the owner of record of real property or person purchasing a piece of property under contract. For the purposes of this title, in terms of violations and binding agreements between the county and the owner, "owner" shall also mean a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violations of agreement, or the provisions of this title. For the purpose of processing an application for a land use approval or permit under this title, where such application or permit must be filed by an owner, the term "owner" also includes a governmental entity contemplating acquisition of a parcel for a use which would require such permit or approval.

17.110.547 Parabolic antenna.
"Parabolic antenna" means an antenna which is a bowl-shaped device for the reception and/or transmission of radio frequency communication signals in a specific directional pattern. (Also known as a "dish antenna.")

17.110.550 Park.
"Park" means public or private areas of land, with or without buildings, intended for outdoor active or passive recreational uses including, but not limited to, arboretums, horticultural gardens and nature preserves.

17.110.555 Parking area, public.
"Parking area, public" or "public parking area" means an open area other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free of charge, or as an accommodation for clients or customers.

17.110.560 Parking space.
"Parking space" means a permanently surfaced and marked area not less than nine feet wide and twenty feet long, excluding paved area necessary for access, for the parking of a motor vehicle.

17.110.565 Parking space, barrier free.
"Parking space, barrier free" or "barrier free parking space" means a parking space conforming with WAC Chapter 51.30.

17.110.570 Parking space, compact.
"Parking space, compact" or "compact parking space" means a permanently surfaced and marked area not less than eight feet wide and eighteen feet long, excluding paved area necessary for access, for the parking of a compact motor vehicle.

17.110.575 Perimeter setback.
"Perimeter setback" means in a performance based development (PBD), the horizontal distance between a building line and the exterior boundary of the PBD.

17.110.580 Person.
"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.

17.110.585 Pet.
"Pet" means any animal less than 150 pounds in weight, other than exotic animals, kept for companionship, recreation or other non-agricultural purposes.

17.110.590 Pet, non-traditional.
"Pet, non-traditional" or "non-traditional pet" means any pet other than a dog, cat, fish or non-raptor bird.

17.110.591 Pharmacies.
"Pharmacies" shall mean businesses primarily engaged in the sale of prescription and over-the-counter drugs, vitamins, first-aid supplies, and other health-related products. Pharmacies that also sell a wide variety of other types of merchandise, such as beauty products, camera equipment, small consumer electronics, gift wares, housewares, and/or cleaning supplies are considered "general merchandise stores."

17.110.595 Pier.
"Pier" means a fixed structure built over tidelands or shorelands used as a landing for marine or recreational purposes.

17.110.600 Places of worship.
"Places of worship" means a permanently located building primarily used for religious worship.

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.

17.110.610 Planning commission.
"Planning commission" means the Kitsap County planning commission.

17.110.615 Planning director.
"Planning director" means the director of the Kitsap County department of community development or a duly authorized designee.

17.110.620 Portable sign.
"Portable sign" means a sign which has no permanent attachment to a building or the ground which include, but is not limited to, A-frame, pole attachment, banners and reader board signs.

17.110.625 Premises.
"Premises" means a tract or parcel of land with or without habitable buildings.

17.110.630 Principal uses permitted outright.
"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.

17.110.635 Prohibited use.
"Prohibited use" means any use which is not specifically enumerated or interpreted as allowable in that zone.

17.110.637 Project permit or Project permit application
"Project permit" or "project permit application" means any land use or environmental permit or license required from Kitsap County for a project action, including, but not limited to, building permits, subdivisions, binding site plans, performance-based developments, conditional uses, shoreline substantial development permits, permits or approvals required by critical area ordinances, and site-specific rezones authorized by the Kitsap County Comprehensive Plan (Plan) or a subarea plan, but excluding the adoption or amendment of the Plan, a subarea plan, or development regulations.

17.110.640 Public facilities.
"Public facilities" 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.

17.110.645 Receiving areas and parcels.
"Receiving areas and parcels" means areas within an urban growth area that are designated on the Kitsap County zoning map or by further action of the Board of County Commissioners, that may be eligible for additional residential development through the transfer of development rights.

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, tennis complexes, swimming pools and other sports-related facilities. Public recreational facilities are those owned by a government entity.

~~**17.110.645 Recreational open space.**~~
~~"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.~~

17.110.650 Recreational vehicle.
"Recreational vehicle" means a vehicle such as a motor home, travel trailer, truck and/or camper combination or camp trailer which is designed for temporary human habitation for recreational or emergency purposes and which may be moved on public highways without any special permit for long, wide or heavy loads.

17.110.655 Recreational vehicle park.
"Recreational vehicle park" means a tract of land developed as a unit with individual sites to accommodate, on a transient basis, two or more recreational vehicles.

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~~, that is not licensed pursuant to RCW 70.128~~.

17.110.665 Rezone.
"Rezone" means a change in the zoning classification on the Kitsap County Zoning Map that affects one parcel or a small group of contiguous parcels, a section, or sections of Kitsap County consistent with KCC 17.510.

~~**17.110.665 Rooming house.**~~
~~"Rooming house" means a building wherein furnished rooms without cooking facilities are rented for compensation to three or more non-transient persons, not included in the family unit of the owner or tenant of the premises.~~

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

A. Open space, the natural landscape, and vegetation predominate over the built environment;
B. Traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
C. Visual landscapes that are traditionally found in rural areas and communities;

D. Compatible with the use of the land by wildlife and for fish and wildlife habitat;
E. Reduces the inappropriate conversion of undeveloped land into low-density development;
F. Protects natural surface water flows and ground water and surface water recharge and discharge areas; and
G. Meets the requirements of RCW 36.70A.030(15).

17.110.667 Rural cluster.
"Rural cluster" means site development that avoids sensitive areas while preserving forested land, steep slopes, wetlands, prairies and other ecologically or visually valuable landscape features while still obtaining residential density. Typically a percentage of a site area is preserved in its existing natural or farmed state, with individual house lots occupying the remaining acreage.

17.110.668 Rural Wooded Incentive Program development.
"Rural Wooded Incentive Program development" means a development within the area designated "Rural Wooded" on the Kitsap County Comprehensive Plan land use map that has utilized the clustering provisions of this title and for which final approval has been granted by the Board of County Commissioners.

17.110.669 Sending areas and parcels.
"Sending areas and parcels" means undeveloped or partially developed lot(s) or parcel(s) located within a sending area, designated on the Kitsap County zoning map or by further action of the Board of County Commissioners, that are appropriate to transfer development rights.

17.110.670 Setback.
"Setback" means the ~~minimum allowable~~ horizontal distance from a property line ~~or a street right-of-way,~~ to the nearest vertical wall or other element of a building or structure ~~as defined herein, except the following structures are exempt from setbacks when built on grade: driveways, patios, pools, sidewalks, and landscaping elements~~.

17.110.673 Separation buffer.
"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.

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.

17.110.675 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 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.

17.110.680 Sign permit.
"Sign permit" means a permit which authorizes the placement or alteration of a sign on a particular parcel of property or building.

17.110.683 Site.
"Site" means the spatial location of an actual or planned development. A site may contain multiple lots or parcels, excluding public right-of-way.

17.110.685 Site plan.
"Site plan" means a plan prepared to scale, showing accurately and with complete dimensions, all proposed and existing buildings, landscaping, open space, structures and features on abutting properties, and parking proposed for a specific parcel of land; including the specific requirements listed in the pre-application meeting summary and/or application.

17.110.686 Site specific amendment.
"Site-specific amendment" means an amendment to the Comprehensive Plan and/or Zoning Map that affects one or a small group of contiguous parcels. A site-specific amendment most frequently affects only the land use designation and/or zoning classification and not the text of the Comprehensive Plan or a development regulation.

17.110.687 Stealth technology.
See Section 17.110.057, Alternative technology.

17.110.688 Storage, hazardous materials.
"Storage, hazardous materials" means the storage of materials produced on-site or brought from another site that are flammable, explosive, or present hazards to the public health, safety, and welfare, including all substances and materials defined as hazardous materials, hazardous substances, or hazardous waste.

17.110.689 Storage, self-service.
"Storage, self-service" means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. This definition excludes indoor storage, outdoor storage, vehicle and equipment storage, and hazardous materials storage.

17.110.690 Storage, vehicle and equipment.
"Storage, vehicle and equipment" means an indoor or outdoor area for parking or holding of motor vehicles and boats or wheeled equipment for more than seventy-two (72) hours. This definition excludes automotive sales and rentals, automotive service and repair shops, and auto wrecking yards.

17.110.691 Storage, indoor.
"Storage, indoor" means storage of goods and/or materials located within a building. The definition excludes hazardous materials storage, self-service storage, outdoor storage, and vehicle storage.

17.110.692 Storage, outdoor.
"Storage, outdoor" means outdoor storage of products, supplies, and equipment. This definition excludes hazardous materials storage, self-service storage, indoor storage, and vehicle storage.

17.110.690~~5~~ Street.
"Street" means all roads, streets, highways, 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.

17.110.700 Structural alteration.
"Structural alteration" means any change or a repair of the supporting members of a building or structure and may be subject to the provisions of Chapter 17.460.

17.110.705 Structure.
"Structure" means that which is built or constructed.

17.110.707 Support structure.
"Support structure" means a structure designed and constructed specifically to support a wireless communication antenna array, and may include a mono-pole, self supporting (lattice) tower, guy-wire support tower and other similar structures. Any device which is used to attach an attached wireless communication facility to an existing building or structure shall be excluded from the definition of and regulations applicable to support structure.

17.110.710 Temporary sign.
"Temporary sign" means a sign 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.

17.110.715 Temporary structure.
"Temporary structure" means a structure which does not have or is not required by the Uniform Building Code to have a permanent attachment to the ground. Temporary structures are subject to building permits.

17.110.720 Temporary use.
"Temporary use" means a use which may occur on a lot on a seasonal basis or for a prescribed period of time which usually would not exceed one year's duration.

~~**17.110.725 Townhouse.**~~
~~"Townhouse" means a dwelling containing two or more dwelling units which share one or more common walls with other dwelling units, and with each dwelling unit individually occupying an individually owned parcel of land with no side yards between adjacent units.~~

17.110.730 Use.
"Use" means the nature of occupancy, type of activity or character and form of improvements to which land is devoted.

17.110.735 Use separation buffer.
See Section 17.110.673, Separation buffer

17.110.740 Veterinary clinic.
"Veterinary clinic" means the same as "animal hospital."

17.110.745 Water-dependent use.
"Water-dependent use" means a use or portion of a use which requires direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of its operations. Examples of water-dependent uses may include ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking marinas, aquaculture and float plane facilities.

17.110.750 Water-enjoyment use.
"Water-enjoyment use" means a recreational use, or other use facilitating public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general character of the use and which through the location, design, and operation assure the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the public and the shoreline space of the project must be devoted to provisions that accommodate public shoreline enjoyment. Examples may include parks, piers, museums, restaurants, education/scientific reserves, resorts and mixed use projects.

17.110.755 Water-oriented use.
"Water-oriented use" means any combination of water-dependent, water-related and or water-enjoyment uses and serves as an all encompassing definition for priority uses under the Shoreline Management Act (SMA).

17.110.760 Water-related use.
"Water-related use" means a use or a portion of a use which is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a waterfront location. Examples may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

17.110.765 Wireless communication antenna array.
"Wireless communication antenna array" 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).

17.110.770 Wireless communication facility.
"Wireless communication facility" means any unstaffed facility used for the transmission and/or reception of radio frequency (RF) signals through electromagnetic energy. This usually consists of an equipment shelter or cabinet, a support tower or structure used to achieve the necessary elevation, and the antenna array.

17.110.775 Wireless communication support structure.
"Wireless communication support structure' means a structure specifically designed to support a wireless communication antenna array. This may include a mono-pole structure, lattice structure or building.

17.110.780 Whip antenna.
"Whip antenna" means an antenna that is cylindrical in shape up to twenty feet in height.

17.110.782 Wooded reserve.
"Wooded reserve" means the area of a Rural Wooded Incentive Program Development restricted to forestry uses for 40 years after the development approval.

17.110.~~100~~783 ~~Automobile wrecking or wrecking~~ Wrecking yard.
"~~Automobile wrecking or w~~Wrecking yard" means a place where damaged, inoperable or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled or handled.

17.110.785 Yard.
"Yard" means any area on the same lot with a building or a structure, which area is unoccupied and unobstructed by any structure from the ground upward to the sky.

17.110.790 Yard, front.
"Yard, front" or "front yard" means an area extending the full width of the lot between a building and the front (or roadway) lot line, except as specified elsewhere in this title.

17.110.795 Yard, rear.
"Yard, rear" or "rear yard" means an open space area extending the full width of the lot between a building and the rear lot line, unoccupied, and unobstructed from the ground upward, except as specified elsewhere in this title.

17.110.800 Yard, side.
"Yard, side" or "side yard" means an area extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward, except as specified elsewhere in this title.

17.110.805 Zone.
"Zone" means a section or sections of Kitsap County within which the standards governing the use of land, buildings, and premises are uniform, which is provided for in Chapter 17.200 of this title.

Section 6. Kitsap County Code Section 17.200.010 last amended by Ordinance No. 311-2003 is amended as follows:

17.200.010 Classification of zones.~~*~~
For the purposes of this title, the county is divided into zones ~~designated~~ classified as follows:

Comprehensive Plan Land Use Designation	Zones 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	~~5~~ 4-9 dwelling units / acre
	Urban Cluster Residential	UCR	~~5~~ 4-9 dwelling units / acre
Urban Medium/High-Density Residential	Urban Medium Residential	UM	10-18~~19~~ dwelling units / acre
	Urban High Residential	UH	19~~-20-24~~30 dwelling units / acre
Urban Low Commercial/-Intensity Mixed Use[1]	Urban Village Center	UVC	Up to 18 dwelling units / acre
	Neighborhood Commercial	NC	~~Not applicable.~~ 10-30 dwelling units / acre
Urban High Commercial/-Intensity Mixed Use[1]	Urban Town Center	UTC	Reserved
	Highway/Tourist Commercial	HTC	~~Not applicable.~~ 10-30 dwelling units / acre
	~~Urban Commercial~~	~~UC~~	~~Not applicable~~
	Regional Commercial	RC	~~Not applicable.~~ 10-30 dwelling units / acre

Comprehensive Plan Land Use Designation	Zones Classification	Map Symbol	Density
	Mixed Use	MU	10-30 dwelling units / acre
Urban Industrial[2]	Business Park	BP	Not applicable
	Industrial	IND	Not applicable
	Business Center	BC	Not applicable
	Airport	A	Not applicable
Industrial Multi-Purpose Recreational Area	Urban Holding Area	UHA	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
LAMIRD	Manchester Village Low Residential	MVLR	2 dwelling units / acre
LAMIRD	Manchester Village Residential	MVR	4 dwelling units / acre
LAMIRD	Port Gamble Rural Historic Town Commercial	RHTC	2.5 dwelling units / acre
LAMIRD	Port Gamble Rural Historic Town Residential	RHTC	2.5 dwelling units / acre
LAMIRD	Port Gamble Rural Historic Waterfront	RHTW	2.5 dwelling units / acre
LAMIRD	Suquamish Village Commercial	SVC	Not applicable
LAMIRD	Suquamish Village Low Residential	SVLR	2 dwelling units / acre
LAMIRD	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 7. Kitsap County Code Chapter 17.300 last amended by Ordinance No. 346-2005 is amended as follows:

Chapter 17.300

FOREST RESOURCE LANDS (FRL)

Sections:

17.300.010 Purpose.
17.300.020 Uses permitted.
17.300.030 Lot requirements.
17.300.040 Height regulations.

17.300.050 Signs.
17.300.060 Off-street parking.
17.300.070 Special provisions.
17.300.080 Other provisions.

17.300.010 Purpose.
The primary land use allowed in this zone is commercial timber production and harvesting. This zone is further intended to discourage activities and facilities which can be considered detrimental to the production and commercial harvest of timber. Residents located within or adjacent to the forest resource lands zone (FRL) shall recognize that they can be subject to normal and accepted forestry practices on parcels located within this zone.

17.300.020 Uses permitted.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.E, Parks, Rural and Resource Zones Use Table. ~~*See* Rural Use Table 17.320.020.~~

17.300.030 Lot requirements.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.
~~A. Lot Area. Minimum lot area shall be forty acres for newly created lots.~~
~~B. Lot Width and Depth. The minimum lot width and depth for all lots within this zone shall be 140 feet each.~~
~~C. Front Yard. Minimum front yard setback shall be fifty feet.~~
~~D. Side and Rear Yard. Minimum side and rear yard setback on each side of the residential dwelling shall be twenty feet, and accessory buildings shall be twenty feet.~~
~~E. Setback from Forestry Use. For a single-family residence and accessory buildings, a perimeter setback of not less than one hundred feet, when adjacent to land designated as forest resource land and utilized for timber production.~~

17.300.040 Height regulations.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.
~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, except for those buildings directly associated with timber production and harvest.~~

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

17.300.060 Off-street parking.
Off-street parking shall be provided according to the provisions of Chapter 17.435.

17.300.070 Special provisions.
All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated~~Within four hundred feet of designated, undeveloped~~ forest resource lands (FRL), shall contain the following notice ~~the following language shall be attached to both plats and building permits~~:

The subject property is within or near land in which timber production and harvest activities are permitted and encouraged, including a variety of activities which may not be compatible with residential use 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.

17.300.080 Other provisions.
For other provisions, *see* Chapters 17.430 and 17.455.

Section 8. Kitsap County Code Chapter 17.301 last amended by Ordinance No. 346-2005 is repealed and replaced with the following:

Chapter 17.301

~~INTERIM RURAL FOREST (IRF)*~~

~~* Editor's Note: As originally adopted and included with the enactment of the Zoning Ordinance, this chapter was numbered as 17.300. It was renumbered to accommodate, in logical sequence, the provisions of new Chapter 17.300 Forest Resource Lands, adopted by Ordinance 230-1999.~~

~~**Sections:**~~

~~17.301.010 Purpose.~~
~~17.301.020 Uses permitted.~~
~~17.301.030 Lot requirements.~~
~~17.301.040 Height regulations.~~
~~17.301.050 Signs.~~
~~17.301.060 Off-street parking.~~
~~17.301.070 Special provisions.~~
~~17.301.080 Other provisions.~~

~~**17.301.010 Purpose.**~~
~~This zone is intended to encourage the preservation of forest uses, retain an area's rural character and conserve the natural resources while providing for some rural residential use. This zone is further intended to discourage activities and facilities which can be considered detrimental to the maintenance of timber production. Residents of interim rural forest (IRF) residential tracts shall recognize that they can be subject to normal and accepted farming and forestry practices on adjacent parcels.~~

~~**17.301.020 Uses permitted.**~~
~~*See* Rural Use Table 17.320.020.~~

~~**17.301.030 Lot requirements.**~~
~~A. Lot Area. Minimum lot area shall be twenty acres for newly created lots.~~
~~B. Lot Width and Depth. The minimum lot width and depth for all lots within this zone shall be 140 feet each.~~
~~C. Front Yard. Minimum front yard setback shall be fifty feet.~~
~~D. Side and Rear Yard. Minimum side and rear yard setback on each side of the residential dwelling shall be twenty feet, and accessory buildings shall be five feet and fifty feet for accessory structures used for agricultural purposes.~~
~~E. Setback from Forestry Use. For a single-family residence, a perimeter setback of not less than one hundred feet, when adjacent to land used for forestry.~~

~~**17.301.040 Height regulations.**~~
~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, except for silos and other uninhabited agricultural buildings.~~

~~**17.301.050 Signs.**~~
~~Signs shall be permitted according to the provisions of Chapter 17.445.~~

~~**17.301.060 Off-street parking.**~~
~~Off-street parking shall be provided according to the provisions of Chapter 17.435.~~

~~**17.301.070 Special provisions.**~~
~~Within three hundred feet of designated, undeveloped interim rural forest (IRF) lands, the following language shall be attached to both plats and building permits:~~
~~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 use 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.~~

~~**17.301.080 Other provisions.**~~
~~For other provisions, *see* Chapters 17.430 and 17.455.~~

RURAL WOODED ZONE (RW)

Sections

17.301.010 Purpose.
17.301.020 Uses.
17.301.030 Standards and requirements.
17.301.040 Height.
17.301.050 Signs.
17.301.060 Off-street parking.
17.301.070 Special provisions.
17.301.080 Rural Wooded Incentive Program.
17.301.090 Other provisions.

17.301.010 Purpose.
This zone is intended to encourage the preservation of forest uses, retain an area's rural character and conserve the natural resources while providing for some rural residential use. This zone is further intended to discourage activities and facilities that can be considered detrimental to the maintenance of timber production. Residents of rural wooded (RW) residential tracts shall recognize that they can be subject to normal and accepted farming and forestry practices on adjacent parcels.

17.301.020 Uses.
Uses shall be allowed in accordance with Chapter 17.381 and Section 17.381.040.E., the Parks, Rural and Resource Zones Use Table.

17.301.030 Standards and requirements.
Standards and requirements shall be in accordance with Chapter 17.382 and Section 17.382.100, Parks, Rural and Resource Density, Dimensions and Design Table.

17.301.040 Height.
Height requirements shall be in accordance with Chapter 17.382 and Section 17.382.100, Parks, Rural and Resource Density, Dimensions and Design Table.

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

17.301.060 Off-street parking.
Off-street parking shall be provided according to the provisions of Chapter 17.435.

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 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."

17.301.080 Rural Wooded Incentive Program.

A. Purpose. The purpose of this section is to provide a clustering program for land designated Rural Wooded, which provides incentives to landowners, promotes coordinated open space, and encourages the continuation of forestry. This chapter encourages development to occur on the most buildable and least environmentally sensitive portions of sites while retaining a substantial portion of each site in restricted open space tracts or easements. Specifically, this chapter is designed:
   1. To produce a development pattern in rural areas that is consistent with rural character and to produce a rural development pattern which encourages variety in design, placement of buildings, more efficient use of the most buildable portion of sites, and retention of the environmentally sensitive and scenic portions of sites as permanent open space;
   2. To encourage the development of cluster housing, which provides greater compatibility with surrounding development and land uses in rural areas by providing larger buffer areas;
   3. To encourage the retention of permanent open space with its natural vegetative cover, which protects continued groundwater recharge and reduces potential water pollution, flooding, erosion and other drainage-related problems often associated with rural development;
   4. To minimize adverse development impacts on the county's productive forestry, mineral and other important resource lands;
   5. To minimize adverse impacts on the county's environmentally sensitive streams, shorelines, wetlands, fish and wildlife habitat areas and corridors, areas of unique vegetation or wildlife species, steep slopes, and other critical areas;
   6. To minimize impervious surfaces and the cost of installing essential public and private capital facilities necessary for a rural infrastructure; and
   7. To protect rural natural features and landscape by minimizing tree, vegetation, and soil removal.

B. Applicability. This program applies to all properties within the Rural Wooded zone 20 acres or greater in size. Individual projects using this program may not exceed more than 500 contiguous acres.
   1. Phase Description. Land available to use this program will be designated in the Comprehensive Plan in an incremental phased approach consisting of 10 phases. The phased process of this program is described below:
      a. Initial phase shall be limited to a total of five-thousand (5,000) acres of Rural Wooded (RW) land.
      b. All parcel acreage utilized in Rural Wooded Incentive Program developments, including any Permanent Open Space, Wooded Reserve, fresh water bodies, critical areas, and

residential acreage, shall be included for calculations toward the remaining available Phase acreage.

c. Subsequent phases may be released based upon the provisions identified in subsection 17.301.080.B with each limited to a total of five-thousand (5,000) additional acres of Rural Wooded (RW) land.

2. Monitoring.

a. Monitoring shall be conducted every two years to evaluate the effectiveness of the Rural Wooded Incentive Program. The monitoring shall include:

(1) Evaluation of the county-wide split between rural and urban dwelling unit development and lot creation. The methodology shall be consistent with that approved in the most recent Buildable Lands Report;

(2) Evaluation of the total acreage within the Rural Wooded Incentive Program that has submitted a complete application, that has received preliminary approval, and that has received final approval as well as the total acreage of Permanent Open Space and Wooded Reserve in these approved developments;

(3) A transportation analysis of the roadways adjacent to and serving Rural Wooded Incentive Program developments;

(4) Evaluation of the Rural Wooded (RW) designated lands for the maintenance of qualities of "Rural Character" as defined in this section; and

(5) Evaluation of development in the Rural Wooded zone in regards to critical area buffers, on-site and adjacent parcel well levels, on-site stream flow levels and increases in project-based impervious surfaces.

b. Releases of the subsequent phases of acreage available for the Rural Wooded Incentive Program shall be determined based upon all the following decision criteria.

(1) Satisfactory progress toward achieving the Rural/Urban split identified in the County-Wide Planning Policies.

(2) Final approval for Rural Wooded Incentive Program developments comprising more than 30 percent or 1,500 acres, whichever is greater, of the total Phase acreage.

(3) Determination of no level of service failures on roadways serving existing Rural Wooded Incentive Program developments.

(4) Satisfactory maintenance of rural character as defined in subsection 17.301.080.C for Rural Wooded Incentive Program developments.

c. Prior to the release of each subsequent phase, the Department of Community Development shall prepare a "Rural Wooded Incentive Program: Phase Assessment Report." This report shall assess the program's consistency with the purposes outlined in subsection 17.301.080.A and the monitoring requirements of 17.301.080.B. The report shall be submitted to the Board of County Commissioners.

3. Authority.

a. The Board of County Commissioners shall have the authority to recommend, recommend with conditions, or disapprove release of each subsequent phase of acreage available to Rural Wooded Incentive Program developments, subject to the provisions of this section.

b. The Board of County Commissioner's decision on a subsequent Rural Wooded Incentive Program phase may be appealed as set forth in Title 21 of this code.

4. Phase Process.

a. Should an application for a Rural Wooded Incentive Program development be submitted that would exceed the 5,000 acres available for that phase, that application will be rejected, however that applicant will be permitted to amend the application to reduce the number of proposed acres for which development is sought to remain under the 5,000-acre phase limit.

b. Once 5,000 acres of Rural Wooded Incentive Program developments have received preliminary approval, no future applications will be accepted that exceed the 5,000 acres

available for that phase until the subsequent phase is recommended for release subject to the provisions of this Section.

c. An application may include a request for a subsequent phase to be released concurrent with the Rural Wooded Incentive Program development application; however, that application will not be deemed complete until the subsequent phase is recommended for release subject to the provisions of this section.

C. Approval procedure. Rural Wooded Incentive Program developments shall be approved through a Type III subdivision approval process.

D. Submittal requirements. In addition to the subdivision submittal requirements, each application for a Rural Wooded Incentive Program development shall include the following information to be considered a complete application:

1. The approximate location and general dimensions for all lots, tracts, easements, roadways, and other improvements;
2. The proposed location and acreage of the Wooded Reserve and Permanent Open Space, as applicable;
3. The approximate location of all existing or proposed pedestrian walkways, landscaped areas and areas to permanently remain in a natural condition;
4. The location of existing and proposed on-site water sources and generalized designation of sewage disposal drainfields and reserve areas;
5. The location and width of proposed roadways and driveway areas for turning and maneuvering of vehicles, and the relationship of circulation to adjacent properties;
6. A general description of any major physiographic or other natural features, such as drainage ways, wetlands, fish and wildlife habitats, geologic hazard areas, steep slopes, shorelines and all other critical areas, as well as a topographic map with contour lines as 5-feet contours;
7. The location and approximate acreage, either on or adjacent to the property(s), designated as natural resource lands and the approximate size (in square feet or acres);
8. The approximate area proposed to be included in paved or other impervious surfaces, Wooded Reserve, Permanent Open Space, and the total area of the site;
9. A description of, and proposed schedule for, any proposed phasing of the project;
10. A general landscape, clearing and buffering plan, drawn to scale and showing: community areas, pathways or other recreation areas, significant landscape features and vegetation on the site, natural vegetation and mature trees to be retained, and the location and conceptual design of landscaped areas and buffers. Detailed site analysis and design information shall not be required for those portions of the site proposed for retention in Wooded Reserves or Permanent Open Space tracts, except for portions of Permanent Open Space tracts which contain proposed recreation facilities;
11. A vicinity sketch to identify the effect of proposed development on surrounding properties and uses;
12. A conceptual storm drainage plan, prepared by a qualified engineer, showing that the project will comply with the Kitsap County storm water standards in effect at the time of the application; and
13. A report from a certified septic system installer, showing that there is a drainfield and a replacement drainfield available for each dwelling unit within each proposed cluster, or if a community or group drainfield is to be used, that there is a site and a replacement site for such community or group drainfield, that will meet the standards of the Washington Department of Health or the Kitsap County Health Department, whichever is more stringent.

E. Development Standards. A Rural Wooded Incentive Program development shall meet the following development standards:

1. The base density permitted within a Rural Wooded Incentive Program development shall be one (1) dwelling unit per twenty (20) acres.

2. Additional density may be allowed based upon the designation of a portion of the development as "Wooded Reserve" and a portion of the development acreage as "Permanent Open Space" under one of the following ratio alternatives.
   a. Alternative One.
      (1) The maximum number of dwelling units permitted within a Rural Wooded Incentive Program development shall be one (1) dwelling unit per ten (10) acres; and
      (2) A minimum of seventy-five percent (75%) of the Rural Wooded Incentive Program development site must be designated Wooded Reserve for a period of 40 years or greater.
   b. Alternative Two.
      (1) The maximum number of dwelling units permitted within a Rural Wooded Incentive Program development shall be three (3) dwelling units per twenty (20) acres;
      (2) A minimum of fifty percent (50%) of the Rural Wooded Incentive Program development site must designated Wooded Reserve for a period of 40 years or greater; and
      (3) A minimum of twenty-five percent (25%) of the Rural Wooded Incentive Program development site shall be designated as Permanent Open Space tract(s).
   c. Alternative Three.
      (1) The maximum number of dwelling units permitted within a Rural Wooded Incentive Program development utilizing Alternative Three shall be one (1) dwelling unit per five (5) acres.
      (2) A minimum of twenty-five percent (25%) of the Rural Wooded Incentive Program development site must be designated Wooded Reserve for a period of 40 years or greater.
      (3) A minimum of fifty percent (50%) of the Rural Wooded Incentive Program development site shall designated as Permanent Open Space tract(s).
   d. Alternative Four.
      (1) The maximum number of dwelling units permitted within a Rural Wooded Incentive Program development utilizing Alternative Four shall be one (1) dwelling units per five (5) acres.
      (2) A minimum of seventy-five percent (75%) of the Rural Wooded Incentive Program development site shall be placed in a Permanent Open Space tract(s) where no development or forestry uses will be allowed.
3. The maximum number of acres for any single Rural Wooded Incentive Program development application shall be limited to a total of 500 gross acres, including all Wooded Reserve, Permanent Open Space and development acreage.
4. The minimum number of acres for any Rural Wooded Incentive Program development application shall be limited to a minimum of twenty (20) acres, including all Wooded Reserve, Permanent Open Space and development acreage.
5. Development shall be clustered.
   a. Lot Requirements.
      (1) Front Yard. Minimum front yard setback shall be twenty (20) feet.
      (2) Side and Rear Yard. Minimum side and rear yard setbacks shall be five (5) feet and fifty (50) feet for accessory structures used for agricultural purposes.
      (3) Minimum Lot Size: None
6. Each cluster shall be limited to 25 units or fewer. Clusters within a development should be sited to achieve the following objectives and criteria. The Director may allow exceptions based upon site-specific conditions or when conflicts occur between the criteria.
   a. Optimize protection of critical areas, including wetlands and stream corridors, by keeping clusters and other development away from critical areas to the extent possible;

b. Optimize preservation and interconnectivity of open space, either for continuation of forestry practices or as a permanent preservation of open space;
c. Avoid development on ridgelines, in the center of open field, or located on other prominent topographical features or scenic elements, visible to adjacent and vicinity properties when other locations are available; and
d. Minimize topographic alteration.

7. Clusters developed under this program shall provide a 100-foot vegetated buffer from existing public roadways and adjoining properties and a 150-foot buffer between clusters in order to preserve rural character and the aesthetic values of Rural Wooded lands.
   a. Where two Rural Wooded Incentive Program developments abut each other, they are encouraged, where practical, to coordinate required Wooded Reserves and Permanent Open Space to provide interconnectivity;
   b. Buffers are encouraged to incorporate natural features to maximize retention of views and rural character;
   c. Where native vegetation is available to create a sight-obscuring buffer, that vegetation should be preserved to the extent consistent with public safety. Hazard trees may be removed with approval of the Director;
   d. Preservation of trees greater than 10 inches diameter breast height (dbh) is encouraged;
   e. Except where an exception is needed to preserve or create scenic views from county or state roads, internal roads and building locations within a Rural Wooded development should be designed to maximize the extent to which the external buffer obscures the planned development from existing county or state roads; and
   f. Where native vegetation is not available to create a sight-obscuring buffer between the planned development and existing county or state roads, fast-growing native vegetation that will grow to obscure the planned development should be planted within the buffer area.
8. Water provision from new wells drilled within the Rural Wooded designated lands are encouraged to minimize impacts to surface and groundwater resources. For projects proposing new wells, submission of well log records and a report by a Washington State certified hydrogeologist demonstrating utilization of deep aquifers and the lack of continuity with surface water features is encouraged during project review and may be included as a condition of approval.
9. Development shall fully comply with Kitsap County Code Title 19 (Critical Areas). All environmentally sensitive areas such as streams, shorelines, wetlands, fish and wildlife habitat areas and corridors, steep slopes, and other critical areas regulated by Title 19 and/or other applicable county ordinances or policies are encouraged to be located within the Wooded Reserve or Permanent Open Space areas of the development, except to the extent development in those areas is permitted by Title 19.
10. Roads should be designed to comply with adopted Kitsap County Road Standards for rural roads.
    a. Rural Wooded Incentive Program developments shall meet applicable rural concurrency standards;
    b. Roads should have shoulders and grass-lined ditches, rather than curbs, gutters and adjacent sidewalks;
    c. Pedestrian and/or bike paths through a development are encouraged but may be separate from roads and should be narrow and designed to adapt to the natural contours and features of the land; and
    d. To the extent consistent with adopted Kitsap County Road Standards, roads should follow topography, and other natural features, such as major trees or other elements that contribute to rural character.
11. In designating the areas for Permanent Open Space tracts, the following is encouraged:

a. Preserve areas along saltwater shoreline;
b. Include open water bodies, creeks, rivers and other natural water features;
c. Protect scenic views and significant natural features;
d. Conserve areas of significant terrestrial wildlife, salmonid habitat, and groundwater supply; and
e. Coordinate with Washington State Department of Fish & Wildlife, Washington State Department of Natural Resources, non-profit agencies, and local Tribes to identify priority conservation areas.

12. A disclosure statement shall be placed on the final plat for all Rural Wooded Incentive Program developments stating that:

"The Wooded Reserve designated parcels or tracts within the *(insert name of plat)* plat is reserved for forestry operations. A variety of forestry activities may occur on the Wooded Reserve that are not compatible with residential development for limited periods. Residents may be subject to inconvenience or discomforts arising from forestry activities, including but not limited to noise, odors, fumes, dust, smoke, the operations of machinery of any kind, timber harvest, brush control, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other forestry activities. So long as such forestry operations are in compliance with the Washington Forest Practices Act, RCW Ch. 76.09, they shall not constitute a nuisance. No perimeter buffers are required within the Wooded Reserve area. Urban levels of service will not be provided by Kitsap County or the developer of this property."

F. Uses permitted within the Wooded Reserve and Permanent Open Space.

1. Wooded Reserve. This area shall be designated Wooded Reserve for a minimum of forty (40) years. Uses allowed with the Wooded Reserve during this period include:
   a. Forestry, existing agricultural and other resource activities; and
   b. Community wells, well houses, water lines, community drainfields, retention and detention ponds, logging and access roads, water recharge and infiltration facilities, water system appurtenances and biofiltration swales. After this period has expired, the owner may seek additional development on the Wooded Reserve. The density and lot requirements for the Wooded Reserve area shall be consistent with the County Code in effect at the time of future application.
2. Forestry activities within the Wooded Reserve area must be consistent with an approved Timber Harvest permit. The Wooded Reserve will require an updated Forest Management Plan pursuant to Washington State Department of Revenue "Guidelines for Forest Land Management Plans." Such plan shall be prepared by a certified forester.
3. Permanent Open Space tract. A Permanent Open Space tract created under this section may be used for the following resource and passive recreational and roadway uses:
   a. Forestry, existing agricultural or other resource uses;
   b. Trails/pedestrian walkways, beaches, docks, swimming areas or any non-motorized passive recreational facilities;
   c. Logging and access roads; and
   d. Open space uses along a shoreline shall allow for visual and physical access to the shoreline and may include view corridors, community beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, or any non-motorized passive recreational facilities.
4. Vegetation removal in a Permanent Open Space tract shall be in accordance with an approved open space management plan. Permanent vegetation removal within the Permanent Open Space tract shall not be permitted, except that the following activities shall be allowed where vegetation removal is the minimum necessary to conduct the activity:

a. Construction of pedestrian or equestrian trails;
b. Maintenance of existing pastures;
c. Forestry, existing agricultural or other resource activities;
d. Removal of dead, diseased or hazardous vegetation, consistent with best management practices;
e. Fire breaks provided in accordance with fire district requirements; and
f. A management plan which details the required maintenance and management tasks and responsibilities may be required by the department for all Wooded Reserve and Open Space areas. These plans shall include monitoring to assess compliance with the approved plan(s).

G. Ownership of the Wooded Reserve and Permanent Open Space.

1. Upon recording of a final plat for a Rural Wooded Incentive Program development, Permanent Open Space tracts may be held by the original owner, conveyed to a homeowners association or to the owner or owners of a lot or lots within the subdivision as tenants in common or to a land trust or other non-profit steward, subject to the restrictions on the future use of the Permanent Open Space described in 17.301.080.F.
2. Ownership of the Wooded Reserve may, at the discretion of the proponent of the development, remain with the original owner, or may be conveyed to a third party or parties, or may be conveyed to a homeowners association or to the owners of lots within the subdivision, as tenants in common, provided, however, that upon recording of a final plat of a Rural Wooded Incentive Program a restrictive covenant will be recorded in favor of the lot owners and in favor of Kitsap County, restricting future use of the Wooded Reserve as provided in 17.301.080.F.

H. Decision Criteria. An application for a Rural Wooded Incentive Program development may be approved or approved with modification if the Examiner finds that all of the following requirements, as established by this section, are met:

1. The site plan complies with the Development Standards of 17.301.080.E and the other requirements of this chapter.
2. The proposed development will not require the extension or provision of sanitary sewer service or other urban services to the development.
3. The proposed development complies with all applicable County Codes.
4. The development demonstrates preservation of rural character by incorporating the following:
   a. Clustering of development, as applicable;
   b. Preservation of critical areas, resource areas, groundwater recharge, and natural features;
   c. Provision for a coordinated, comprehensive, interconnected, and integrated system of Wooded Reserve and Permanent Open Space areas; and
   d. Placement of structures, circulation systems and utilities that minimize impervious surfaces and the alteration of the land and also responds to physical characteristics of the property.
5. The development is consistent with the goals and policies of the Kitsap County comprehensive plan.
6. The development complies with all other applicable codes and policies of the county.
7. If Rural Wooded Incentive Program development will be phased, each phase of a proposed development must contain adequate infrastructure, open space dedication, forest reserve dedication, and all other conditions of the development to stand alone if no other subsequent phases are developed.
8. 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.

I. Vesting.

1. Approval of a Rural Wooded Incentive Program development shall be effective for five years from the date of final approval.
2. Property owners with an approved Rural Wooded Incentive Program development may receive one five-year extension from the hearing examiner in accordance with the criteria below:
   a. An extension request must be filed in writing with the director at least sixty days prior to the expiration of the approval period;
   b. The applicant must demonstrate to the hearing examiner tangible progress toward completion of the approved Rural Wooded Incentive Program development; and
   c. The applicant must demonstrate to the hearing examiner that there are no significant changes in conditions that would render approval of the extension contrary to the public health, safety or general welfare.
3. The hearing examiner may take any of the following actions upon receipt of a timely extension request:
   a. Approve the extension if no significant issues are presented under the criteria set forth in this section.
   b. Conditionally approve the extension if any significant issues presented are substantially mitigated by minor revisions to the original Rural Wooded Incentive Program development.
   c. Deny the extension if any significant issues presented cannot be substantially mitigated by minor revisions to the Rural Wooded Incentive Program development.

J. Forest Practice Permits. All forest practices in the Wooded Reserve shall be conducted pursuant to a Timber Harvest Permit issued by the Department of Natural Resources. The Wooded Reserve shall not be deemed to have been converted to another use or likely to convert to urban development under WAC 222-16-050(2). Except to the extent that jurisdiction has been transferred to Kitsap County pursuant to RCW 76.09.240(3), the Department of Natural Resources shall remain the agency responsible for permitting of forest practices in the Rural Wooded area.

K. Taxation Status. Under the Current Use Assessment Program, all property located within the Permanent Open Space or developed portion of the project shall be removed from the Program and all compensating tax paid prior to final approval of the subdivision.

L. Third Party Review. The county may require third party review in cases where additional professional or technical expertise is required.

17.301.090 Other Provisions.

Reserved.

Section 9. Kitsap County Code Sections 17.305.020 through 17.305.040 last amended by Ordinance No. 216-1998 are amended as follows:

17.305.020 Uses permitted.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.E, Parks, Rural and Resource Zones Use Table. ~~*See* Rural Use Table 17.320.020.~~

17.305.030 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks Rural and Resource Density and Dimensions Table.

~~A. Lot Area. Minimum lot area shall be ten acres for newly created lots.~~

~~B. Lot Width and Depth. The minimum lot width and depth for all lots within this zone shall be 140 feet each.~~

~~C. Front Yard. Minimum front yard setback shall be fifty feet.~~

~~D. Side and Rear Yard. Minimum side and rear yard setback on each side of the residential dwelling shall be twenty feet and accessory buildings shall be five feet, and fifty feet for accessory structures used for agricultural purposes.~~

17.305.040 Height regulations.

Height regulations shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table. ~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, except for silos and other uninhabited agricultural buildings.~~

Section 10. Kitsap County Code Sections 17.310.020 through 17.310.040 last amended by Ordinances 346-2005 and 216-1998 are amended as follows:

17.310.020 Uses permitted.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.E, Parks, Rural and Resource Zones Use Table. ~~*See* Rural Use Table 17.320.020.~~

17.310.030 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.

~~A. Lot Area. Minimum lot area shall be five acres for newly created lots.~~

~~B. Lot Width and Depth. The minimum lot width and depth for all lots within this zone shall be 140 feet each.~~

~~C. Front Yard. Minimum front yard setback shall be fifty feet.~~

~~D. Side and Rear Yard. Minimum side and rear yard setback on each side of the residential dwelling shall be twenty feet and accessory buildings shall be five feet, and fifty feet for accessory structures used for agricultural purposes.~~

17.310.040 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table. ~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height except for silos and other uninhabited agricultural buildings.~~

Section 11. Kitsap County Code Chapter 17.315 last amended by Ordinances 346-2005 and 216-1998 is amended as follows:

Chapter 17.315

URBAN RESERVE ZONE (URS)

Sections:

17.315.010 Purpose.
17.315.020 Uses permitted.
17.315.030 Lot requirements.
17.315.040 Height regulations.
17.315.050 Signs.
17.315.060 Off-street parking.
17.315.070 Other provisions.
~~17.315.080 Other required conditions.~~

~~17.315.090 Administrative procedures for "pre-planning."~~

17.315.010 Purpose.
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.

17.315.020 Uses permitted.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.E, Parks, Rural and Resource Zones Use Table. ~~*See* Rural Use Table 17.320.020.~~

17.315.030 Lot requirements.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table.

~~A. Lot Area. Minimum lot area shall be ten acres for newly created lots.~~
~~B. Lot Width and Depth. The minimum lot width and depth for all lots within this zone shall be 140 feet each.~~
~~C. Front Yard. Minimum front yard setback shall be twenty feet.~~
~~D. Side and Rear Yard. Minimum side and rear yard setback on each side of the residential dwelling shall be five feet and accessory buildings shall be five feet, and fifty feet for accessory structures used for agricultural purposes.~~

17.315.040 Height regulations.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table. ~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~

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

17.315.060 Off-street parking.
Off-street parking shall be provided according to the provisions of Chapter 17.435.

17.315.070 Other provisions.
For other provisions, *see* Chapters 17.430 and 17.455.

~~**17.315.080 Other required conditions.**~~
~~Prior to receiving final plat approval in any URS zone, the applicant shall demonstrate to the satisfaction of the director that a pre-plan (or plan for further subdivision of the land into smaller urban lots) exists and is adequate to provide for future utilities and roads. Prior to receiving pre-plan approval, the pre-plan shall be reviewed, and no building permit shall be issued for any structure located in a right-of-way or easement for a future road or a setback thereto.~~

~~**17.315.090 Administrative procedures for "pre-planning."**~~
~~The pre-plan is a concept of how the property shall be developed to urban densities at a future date. This pre-plan shall be submitted together with the initial subdivision application or any building permit application.~~

~~The conceptual pre-plan shall include adequate provisions for access to all lots including identifying rights-of-way or easements for future roads or streets, drainage facilities and utilities. All building envelopes at both the proposed and future density, including potential drain field locations for future use if needed, shall be identified on the pre-plan and the final plat/short subdivision based upon the setbacks in effect at the time of application.~~

~~The following notation shall appear on the final plat map which is recorded with the Kitsap County auditor or with the issuance of any building permit on the subject property:~~

> ~~This subdivision of land is subject to a pre-plan which is on file with and is available for review at the Kitsap County Department of Community Development. Building envelopes are limited to those indicated on the pre-plan and building permits will not be issued for any structure which would be located in a right-of-way or easement for a future road or street or setback thereto, drainage facility or utility easement.~~

~~The following "notations" shall appear on the approved pre-plan on file with the Kitsap County department of community development:~~

> ~~1. This pre-plan is approved in conceptual form only. Approval of this plan in no way guarantees or implies approval of a subdivision of this property at a later date. Any future subdivision of land is subject to all applicable laws, ordinances, rules and regulations in effect at the time of application.~~
>
> ~~2. Building envelopes are limited to those indicated on this pre-plan and building permits will not be issued for any structure which would be located in a right-of-way or easement for a future road or street or setback thereto, drainage facility or utility easement.~~
>
> ~~3. This pre-plan is then signed by the applicant and director of the department of community development and approved in conceptual form only.~~

Section 12. Kitsap County Code Chapter 17.317 last amended by Ordinance No. 249 is hereby repealed.

~~Chapter 17.317~~

~~PORT BLAKELY SUB-AREA TRANSITION ZONE (SATZ)~~

~~**Sections:**~~

~~17.317.010 Purpose.~~
~~17.317.020 Uses permitted.~~
~~17.317.030 Development.~~

~~17.317.010 Purpose.~~

~~The intent of the Port Blakely Sub-Area Transition Zone (SATZ) is to regulate development in an area subject to annexation proceedings by the City of Bremerton until such time as the area is within the city's jurisdiction. No development shall occur during this transition period, which would frustrate the implementation of the adopted sub-area plan. Should the sub-area not be annexed as anticipated, Kitsap County shall remove the property from the City of Bremerton's Urban Growth Area (UGA), remove the "transitional" zoning designation, and designate the property as "interim rural forest" (IRF) under both the county's comprehensive plan and zoning. This alternative will occur automatically without additional process.~~

~~**17.317.020 Uses permitted.**~~

~~Sub-Area Transition Zone Use Table 17.317.020 is a list of examples for allowable uses in the sub-area transition zone (SATZ). The appropriate review, as listed, is mandatory.~~

~~SUB-AREA TRANSITION ZONE USE TABLE 17.317.020~~

~~"P" Permitted uses~~ ~~"SPR" Site plan review, Chapter 17.410~~
~~"C" Conditional uses, Chapter 17.420~~ ~~"X" Uses specifically prohibited~~

~~USES~~	~~SATZ~~
~~1 Forestry, including accessory buildings related to such uses and activities~~	~~P~~
~~2 Agricultural uses[2], including accessory buildings related to such uses and activities[3]~~	~~P~~
~~3 Single-family dwellings[1]~~	~~X~~
~~4 Temporary stands not exceeding 200 square feet in area and exclusively for the sale of agricultural products grown on site~~	~~P~~
~~5 Duplexes on double the minimum lot area required for the zone[1]~~	~~X~~
~~6 Aggregate extraction sites~~	~~X~~
~~7 Accessory dwelling unit[3]~~	~~X~~
~~7A Accessory living quarters[3]~~	~~X~~
~~8 Accessory uses or structures~~	~~P~~
~~9 Commercial stables[3]~~	~~C~~
~~10 Bed and breakfast house[2]~~	~~X~~
~~11 Kennels[2]~~	~~C~~
~~12 Public facilities~~	~~C~~
~~13 Nurseries~~	~~C~~
~~14 Rock crusher used for the purpose of construction and maintenance of a timber management road system~~	~~X~~
~~15 Aquaculture~~	~~C~~
~~16 Publicly owned recreational facilities~~	~~SPR~~
~~17 Private recreational facilities~~	~~C~~
~~18 Performance based developments[4]~~	~~SPR~~
~~19 Places of worship[3]~~	~~C~~
~~20 Cemeteries and/or mausoleums, crematories and mortuaries within cemeteries[3]~~	~~C~~
~~21 Public or private schools[3]~~	~~C~~
~~22 Golf courses~~	~~C~~
~~23 Veterinary clinics[3]~~	~~C~~
~~USES~~	~~SATZ~~
~~24 Day care centers[3]~~	~~X~~
~~25 Contractor's storage yard~~	~~X~~
~~26 Community buildings, social halls, lodges, clubs and meeting places~~	~~X~~
~~27 Home business[3]~~	~~X~~
~~28 Overnight accommodations, meeting facilities, and recreational vehicle(RV) facilities associated with a public park or private recreational facilities~~	~~C~~

~~NOTES TO SUB-AREA TRANSITION ZONE USE TABLE 17.317.020~~

~~1 A portion of the Port Blakely sub-area will be zoned for commercial uses. Residential development shall be sited such that future commercial development, including infrastructure and utilities, is not precluded.~~
~~2 As defined in Chapter 17.110.~~
~~3 Subject to the provisions of Chapter 17.430.~~
~~4 Subject to the provisions of Chapter 17.425.~~

~~**17.317.030 Development.**~~
~~Any application for development within the SATZ must meet all the requirements specified in the existing URS Zone (*see* Chapter 17.315 of this code), and additional requirements of any agreed to interlocal agreement and/or development agreement as such may apply. Permitted uses are as specified in Section 17.317.020, not as specified in Kitsap County Zoning Ordinance Section 17.315.020.~~

Section 13. Kitsap County Code Chapter 17.320 last amended by Ordinance No. 346-2005 is hereby repealed.

~~**Chapter 17.320**~~

~~**RURAL USE TABLE**~~

~~**Sections:**~~
~~17.320.020 Uses.~~

~~**17.320.020 Uses.**~~
~~The following Rural Use Table 17.320.020 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.~~

~~RURAL USE TABLE 17.320.020~~

~~"P" — Permitted uses~~
~~"C" — Conditional uses, Chapter 17.420~~
~~"SPR" — Site plan review, Chapter 17.410~~
~~"X" — Uses specifically prohibited~~

~~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[1]~~	~~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[8]~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
~~9 Commercial stables[1]~~	~~X~~	~~C~~	~~C~~	~~C~~	~~C~~
~~10 Bed and breakfast houses~~	~~X~~	~~C~~	~~SPR[2]~~	~~SPR[2]~~	~~SPR[2]~~
~~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~~
~~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 development[5]~~	~~X~~	~~SPR~~	~~SPR~~	~~SPR~~	~~SPR~~
~~19 Places of worship[1]~~	~~X~~	~~C~~	~~C~~	~~C~~	~~C~~
~~20 Cemeteries and/or mausoleums, crematories and mortuaries with crematories[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 storage yard[1]~~	~~X~~	~~X~~	~~C~~	~~C~~	~~X~~
~~26 Community building, social halls, lodges, clubs and~~					

meeting places[4]	X	X	C	C	X
27. Home businesses[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
29. Stump grinding	X	C	C[9]	C[9]	C
30. Soil combining an/or composting	X	C	C[9]	C[9]	X

NOTES TO RURAL USE TABLE 17.320.020

1. Subject to the provisions of Chapter 17.430.
2. As defined in Chapter 17.110.
3. 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.
4. No greater than two acres for the purposes of construction and maintenance of a timber management road system, provided the total parcel is at least twenty acres.

[Notes Continued Overleaf]

5. Subject to the provisions of Chapter 17.425.
6. Home business located in the forest resource lands (FRL) must be associated with timber production and/or harvest.
7. Public facilities are allowed in forest resource lands (FRL) that do not inhibit forest practices.
8. Storage of junk motor vehicles is subject to the provisions of subsection X of Section 17.430.020.
9. Subject to the provisions of 17.430.020(Y).

Section 14. Kitsap County Code Chapter 17.321 last amended by Ordinance No. 267-2002 is amended as follows:

Chapter 17.321

LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (LAMIRD)

Section 15. Kitsap County Code Chapter 17.321A table of contents is amended as follows:

Chapter 17.321A

SUQUAMISH RURAL VILLAGE

Sections:

17.321A.010 Purpose.
17.321A.020 Uses permitted.
17.321A.025 Nonconforming lots.
17.321A.030 Lot requirements.
17.321A.035 Lot subdivisions.
17.321A.040 Height regulations.
17.321A.045 Exceptions to yard requirements.
17.321A.050 Signs.
17.321A.060 Off-street parking.
17.321A.070 Other provisions.

17.321A.080 Requirements specific to the Suquamish Rural Village.
17.321A.090 Variance.

Section 16. Kitsap County Code Section 17.321A.020 last amended by Ordinance No. 232-1999 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 Use Table. ~~The following Suquamish Rural Village Table 17.321A.020 lists examples of allowable uses within each zone identified within the Village. The appropriate review, as listed, is mandatory. Commercial uses are intended to serve the village and should be sized to recognize this concept. Facilities of a regional nature will not be allowed in the SVC zone.~~

~~**SUQUAMISH RURAL VILLAGE TABLE 17.321A.020**~~

~~"P" — Permitted uses~~
~~"C" — Conditional uses, Chapter 17.420~~
~~"SPR" — Site plan review, Chapter 17.410~~
~~"X" — Uses specifically prohibited~~

~~USES~~	~~Suquamish Village Residential (SVR)~~	~~Suquamish Village Low Residential (SVLR)~~	~~Suquamish Village Commercial (SVC)~~
~~Single Family Dwellings~~	~~P~~	~~P~~	~~C~~
~~Mobile homes [3]~~	~~X~~	~~X~~	~~X~~
~~Manufactured/Modular homes [2]~~	~~P~~	~~P~~	~~X~~
~~Accessory Dwelling Unit [1]~~	~~SPR~~	~~SPR~~	~~C~~
~~Accessory use or structures~~	~~P~~	~~P~~	~~X~~
~~Bed and breakfast house~~	~~C~~	~~C~~	~~C~~
~~Place of worship [1]~~	~~C~~	~~C~~	~~SPR~~
~~Public or private schools [1]~~	~~C~~	~~C~~	~~SPR~~
~~Veterinary clinics [1]~~	~~C~~	~~C~~	~~SPR~~
~~Day-care centers [1]~~	~~C~~	~~C~~	~~SPR~~
~~Community buildings, social halls, clubs, meeting places~~	~~C~~	~~C~~	~~SPR~~
~~Public Facility~~	~~C~~	~~C~~	~~P~~
~~Public or private recreational facilities~~	~~C~~	~~C~~	~~SPR~~
~~Nurseries~~	~~C~~	~~C~~	~~SPR~~
~~Duplexes [1]~~	~~C~~	~~C~~	~~X~~
~~Home business [1]~~	~~SPR~~	~~SPR~~	~~X~~
~~Stores – less than 10,000 square feet gross floor area~~	~~X~~	~~X~~	~~SPR~~
~~Stores – greater than 10,000 square feet gross floor area~~	~~X~~	~~X~~	~~X~~
~~Delicatessens / Restaurants~~	~~X~~	~~X~~	~~SPR~~

~~"P" Permitted uses~~
~~"C" Conditional uses, Chapter 17.420~~
~~"SPR" Site plan review, Chapter 17.410~~
~~"X" Uses specifically prohibited~~

~~USES~~	~~Suquamish Village Residential (SVR)~~	~~Suquamish Village Low Residential (SVLR)~~	~~Suquamish Village Commercial (SVC)~~
~~Drinking places, alcoholic beverages with or without entertainment~~	~~X~~	~~X~~	~~C~~
~~Service stations / fuel sales~~	~~X~~	~~X~~	~~SPR~~
~~Service stations / fuel sales (abutting a SVR or SVLR zone)~~	~~X~~	~~X~~	~~C~~
~~Lumber yards and building / construction materials~~	~~X~~	~~X~~	~~SPR~~
~~Libraries~~	~~C~~	~~C~~	~~SPR~~
~~Business / professional~~	~~X~~	~~X~~	~~SPR~~
~~Police / Fire stations~~	~~X~~	~~X~~	~~SPR~~
~~Post office~~	~~X~~	~~X~~	~~SPR~~
~~Utility substation and related facilities~~	~~X~~	~~X~~	~~SPR~~

~~1. Subject to the provisions of Chapter 17.430.~~
~~2. As defined in Chapter 17.110.~~
~~3. Mobile homes as defined in Chapter 17.110 shall not be allowed, except in approved mobile home parks.~~

Section 17. Kitsap County Code Section 17.321A.025 last amended by Ordinance No. 232-1999 is hereby repealed:

~~**17.321A.025 Nonconforming lots.**~~
~~A. As of April 19, 1999, if a single lot of record, which was legally created, 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 permitted within the zone subject to all other requirements of this chapter.~~
~~B. As of April 19, 1999, if there are contiguous lots of record held in common ownership, each of the lots was legally created, 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 dimension.~~

Section 18. Kitsap County Code Section 17.321A.030 last amended by Ordinance No. 232-1999 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 Density and Dimensions Table.
~~A. Suquamish Village Low Residential. "Suquamish Village low residential" (SVLR) shall be applied to those areas identified south of the Suquamish Cutoff Road, including South Angeline Avenue, and those areas north of Geneva Street, between Park Boulevard and Augusta Avenue. Any development shall be subject to the lot requirements below:~~

~~1. Lot Requirements.~~

- ~~Minimum Lot Size: 4,500 sq. ft.~~
- ~~Minimum Lot Width: 50 ft.~~
- ~~Minimum Lot Depth: 90 ft.~~

~~2. Setbacks.~~

- ~~Front: 20 ft.~~
- ~~Side: 5 ft.~~
- ~~Rear: 5 ft.~~

~~B. Suquamish Village Residential. "Suquamish Village residential" (SVR) shall be applied to the central area of the village. Any development shall be subject to the lot requirements below:~~

~~1. Lot Requirements.~~

- ~~Minimum Lot Size: 3600 sq. ft.~~
- ~~Minimum Lot Width: 40 ft.~~
- ~~Minimum Lot Depth: 75 ft.~~

~~2. Setbacks.~~

- ~~Front: 20 ft.~~
- ~~Side: 5 ft.~~
- ~~Rear: 5 ft.~~

~~C. Suquamish Village Commercial. "Suquamish Village commercial" (SVC) recognizes that the established rural villages often contain historic commercial areas. These areas have evolved over the years to include a variety of services which support the community and traveling public. In addition, this designation recognizes existing commercial services located in the village which are intended to provide for the daily shopping needs of village residents. Any development shall be subject to the following requirements:~~

~~1. Lot Requirements.~~

- ~~Minimum Lot Size: N/A~~
- ~~Minimum Lot Width: N/A~~
- ~~Minimum Lot Depth: N/A~~

~~2. Setbacks.~~

- ~~Minimum Front Yard: 10 ft.~~
- ~~Side yard abutting residential zone: 20 ft.~~
- ~~Side yard not abutting residential zone: 10 ft.~~
- ~~Rear yard abutting residential zone: 20 ft.~~
- ~~Rear yard abutting residential zone: 10 ft.~~

Section 19. Kitsap County Code Section 17.321A.035 last amended by Ordinance No. 232 is hereby repealed:

~~**17.321A.035 Lot subdivisions.**~~

~~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:~~

~~1. Lot Requirements.~~

- ~~Minimum Lot Size: 21,780 square feet~~
- ~~Minimum Lot Width: 100 feet~~
- ~~Minimum Lot Depth: 100 feet~~

~~2. Setbacks.~~

- ~~Front: 20 feet~~
- ~~Side: 5 feet~~
- ~~Rear: 5 feet~~

Section 20. Kitsap County Code Section 17.321A.040 last amended by Ordinance No. 232-1999 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 Density and Dimensions Table.

~~In the SVR and SVLR zone, no building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty feet in height and may not exceed two habitable floors.~~

~~In the SVC zone, no building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~

Section 21. Kitsap County Code Section 17.321A.045 last amended by Ordinance No. 232-1999 is hereby repealed:

~~**17.321A.045 Exceptions to yard requirements.**~~

~~No architectural feature may project into required setbacks (as defined in Section 17.110.670) except eaves, which may not in any case extend more than twenty-four inches into any required yard area. A variance is required for encroachment of a habitable area into a required setback.~~

Section 22. Kitsap County Code Section 17.321A.080 last amended by Ordinance No. 232-1999 is amended as follows:

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

Within the area identified as the Suquamish Rural Village, 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. ~~Impervious surface percentage for any new structure (including any accessory structures such as sidewalks, driveways, patios, and outbuildings) shall not exceed a total of forty percent of the lot area.~~

~~5. Existing structures (including accessory structures) may be expanded so long as impervious surface percentage for the existing structure, together with all other impervious surface on the lot, does not exceed a total of forty percent of the lot area.~~

~~6. Building Replacements. Impervious surface percentage for any replacement structure (including any accessory structure) shall not create in excess of a total of forty percent impervious surface for lot area or total existing, whichever is greater.~~

~~7. Building Remodels. Existing structures (including accessory structures) may be expanded so long as the impervious surface percentage for the structures, together with all other impervious surface, does not exceed a total of forty percent of the lot area or the total existing impervious surface, whichever is greater (*See* Chapter 17.460 for nonconforming structures).~~

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 23. Kitsap County Code Section 17.321B.030 last amended by Ordinance No. 236-1999 is amended as follows:

17.321B.030 Procedures.

~~Table 17.321B.040 sets forth examples of uses that may be allowed through a site plan review process (SPR), conditionally allowed (C), allowed through a performance based development process (PBD), permitted outright (P), or prohibited (X).~~

A. In order to ensure that all development furthers the goal of maintaining and enhancing the historic nature of the town, all development shall comply with the town development objectives of Section 17.321B.025. The director of community development shall refer any formal ~~SPR, C, or PBD~~ proposal requiring a conditional use permit or PBD approval for review by the architectural and site design committee or consultant as provided by the Comprehensive Plan.

~~B. Uses not shown in Table 17.321B.040 shall be reviewed by the department according to the provisions of Section 17.100.040. The department shall determine whether the use is allowed and what type of review process is required.~~

B~~C~~. Any proposal for large-scale development or redevelopment, as determined by the director, shall require preparation of a town master plan. Examples of large-scale development include subdivisions creating five or more lots, residential development of five or more homes, or new commercial development greater than 5,000 square feet. A town master plan that lays out the preferred development scenario and phasing for each of the three zones may be approved by the board of county commissioners using the performance based development process of Chapter 17.425. (The TDO's and specific requirements of this chapter for density, height, parking, and other development standards shall replace the PBD standards and requirements of Section 17.425.040.) Detailed project-level environmental analysis, including analysis of site-specific alternatives, shall be required as part of a master plan review.

Section 24. Kitsap County Code Section 17.321B.040 last amended by Ordinance No. 236-1999 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 Use Table. ~~Table 17.321B.040 provides a listing of uses specifically allowed or conditionally allowed in the~~

~~rural historic town of Port Gamble. The type of land use decision making process required for each type of use is indicated. Certain prohibited uses are also listed.~~

~~A. All uses must comply with the TDO's of Section 17.321B.020 and the specific development standards of this chapter.~~

~~B. All uses and development in the waterfront zone (RHTW) within two hundred feet of the shoreline is subject to the provisions and restrictions of the Kitsap County Shoreline Management Master Program in addition to the requirements of this chapter.~~

~~C. Residential development in the residential zone (RHTR) is subject to the maximum density provisions of Section 17.321B.050 (two and one-half dwelling units per acre) and to the minimum and maximum lot size requirements of Section 17.321B.055. If small lots are developed and residential acreage is "left-over" after allowing for streets, alleys, and any other public dedication, any such excess lot area shall be permanently preserved as community open space. *See* Section 17.321B.055.~~

~~RURAL HISTORIC TOWN TABLE 17.321B.040~~

~~USES~~	~~Rural Historic Town Residential (RHTR)~~	~~Rural Historic Town Commercial (RHTC)~~	~~Rural Historic Town Waterfront (RHTW)[1]~~
~~[Explanatory notes follow at the end of this table]~~			
~~Residential~~			
~~Single Family Dwellings~~	~~P[2]~~	~~P~~	~~X~~
~~Duplex~~	~~P[2]~~	~~P~~	~~X~~
~~Townhomes: 2-, 3-, or 4-plex~~	~~SPR[2]~~	~~SPR~~	~~X~~
~~Mixed use: Residential above first floor commercial/industrial~~	~~X~~	~~SPR~~	~~PBD~~
~~Accessory Dwelling Unit[3]~~	~~C~~	~~C~~	~~X~~
~~Caretaker's Dwelling~~	~~X~~	~~P~~	~~P~~
~~Mobile Homes~~	~~X~~	~~X~~	~~X~~
~~Residential (cont'd.)~~			
~~Manufactured/Modular Homes~~	~~SPR~~	~~SPR~~	~~X~~
~~Accessory Use or Structure (residential)~~	~~P~~	~~P~~	~~X~~
~~Congregate Care Facility~~	~~C~~	~~SPR~~	~~X~~
~~Commercial Lodging~~			
~~B & B House~~	~~SPR~~	~~SPR~~	~~SPR~~
~~Hotel/Motel/Inn~~	~~X~~	~~SPR~~	~~SPR~~
~~RV Camping Parks~~	~~X~~	~~X~~	~~X~~
~~Retail~~			
~~Retail – General[5], less than 5,000 sq. ft.~~	~~X~~	~~SPR~~	~~SPR~~
~~Retail – General[5], 5000 – 10,000 sq. ft.~~	~~X~~	~~PBD~~	~~PBD~~
~~Retail – General[5], greater than 10,000 sq. ft.~~	~~X~~	~~X~~	~~X~~

USES	Rural Historic Town Residential (RHTR)	Rural Historic Town Commercial (RHTC)	Rural Historic Town Waterfront (RHTW)[1]
[Explanatory notes follow at the end of this table]			
Restaurants, with or without alcoholic beverages	X	SPR	SPR
Restaurants, w/ drive up service windows	X	X	X
Pet shop – retail and grooming	X	SPR	X
Gas stations and auto service	X	SPR	X
Boats, marine supplies	X	SPR	SPR
Lumber and bulky building materials	X	X	SPR
Nurseries, garden and farm supplies	X	SPR	SPR
Services			
General office[6] – greater than 10,000 sq. ft.	X	X	X
General office[6] – 5,000 - 10,000 sq. ft.	X	PBD	PBD
General office[6] – less than 5000 sq. ft.	X	SPR	SPR
Customer service uses: Banks, real estate less than 5000 sq. ft.	X	SPR	SPR
Customer service uses: Banks, real estate greater than 5000 sq. ft.	X	X	X
Health care services	X	SPR	SPR
Personal services – barber, laundry	X	SPR	SPR
Day care center[7]	C	SPR	SPR
Places of worship	C	C	C
Public or private schools	C	SPR	SPR
Community buildings, social halls, clubs, and meeting places	C	SPR	SPR
Recreation facility, public or private, including parks	C	SPR	SPR
Marinas	X	X	PBD
Public offices and facilities	X	PBD	PBD
Veterinary clinic	X	SPR	X
Miscellaneous			
Home business[8]	P	P	X
Museum, aquarium, historic or cultural exhibits	C	SPR	SPR
Brewery, bakery, food preparation	X	SPR	SPR
Performing arts theaters, galleries and artist studios	X	SPR	SPR

USES	Rural Historic Town Residential (RHTR)	Rural Historic Town Commercial (RHTC)	Rural Historic Town Waterfront (RHTW)[1]
[Explanatory notes follow at the end of this table]			
Shared or joint use parking lots	X	SPR	SPR
Industrial Uses			
Boat building and repair	X	SPR	SPR
Forest products manufacturing or shipping – on waterfront	X	X	PBD
Natural resource industrial uses	X	X	PBD
Mfg. or assembly – Bulk products	X	X	PBD
Mfg. or assembly – Light industrial[9]	X	PBD	PBD
Marine related storage	X	X	SPR
Principal use warehousing or mini-storage, generally	X	X	X

NOTES TO RURAL HISTORIC TOWN TABLE 17.321B.040

1. All use and development in the RHTW zone within 200 feet of the shoreline is subject to the provisions and restrictions of the county's Shoreline Management Master Program in addition to the requirements of this chapter.

2. Residential development in the RHTR zone is subject to the density and lot size restrictions of Sections 17.321B.050 and 17.321B.055. Excess residential lot area shall be permanently preserved as community open space.

3. Subject to the provisions of Section 17.430.020(N).

4. All use and development in the RHTW zone within 200 feet of the shoreline is subject to the provisions and restrictions of the county's Shoreline Management Master Program in addition to the requirements of this chapter.

5. "Retail general" means retail sales of food, convenience items, dry goods, variety items, department store goods, hardware, paint, apparel, accessories, drugs, liquor, antiques, books, sporting goods, jewelry, flowers, photo equipment, videos (including rentals), computers, office supplies, furniture, and similar consumer goods.

6. "General office" means non-customer service space for lawyers, software development, consultants, accountants, and similar uses not having high volumes of daily customer visits.

7. As defined in Section 17.110.200.

8. Subject to the provisions of Section 17.430.020(G).

9. Includes laboratory research, development, testing and manufacturing as well as hand and craft work.

Section 25. Kitsap County Code Section 17.321B.050 last amended by Ordinance No. 236-1999 is amended as follows:

17.321B.050 Density.

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

~~A. RHTR Zone: Residential development no greater than 2.5 units per acre. Total acreage in the zone is approximately 69.76 acres. The cemetery is estimated at approximately 1.33 acres. The maximum number of dwelling units allowed in the zone, therefore, will be calculated based on the acreage determined for the zone following a survey establishing the exact area, less acreage dedicated to county or state right-of-way. Residential lot size minimums and maximums apply as set forth in Section 17.321B.055.~~

~~B. RHTC Zone: Residential and mixed-use development no greater than 2.5 residential units per acre. Total acreage in the zone is approximately 17.06 acres. The maximum number of dwelling units shall be calculated based on the acreage determined for the zone following a survey establishing the exact area, less acreage dedicated to county or state right-of-way. Commercial development is not subject to a density, intensity, or floor area ratio limit, but structure size for certain uses is limited as noted in Table 17.321B.040. The minimum and maximum residential lot sizes do not apply in the RHTC zone.~~

~~C. RHTW Zone: Residential mixed-use development no greater than 2.5 residential units per acre is allowed. Waterfront development is not subject to an intensity or floor area ratio limit, but structure size for certain uses is limited as noted in Table 17.321B.040. Total acreage for the zone is approximately 32.01 acres, with developable acreage limited by shoreline setbacks and the bluff area.~~

Section 26. Kitsap County Code Section 17.321B.055 last amended by Ordinance No. 236-1999 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 Density and Dimensions Table.

~~A. In the RHTR zone, the following regulations apply to any development proposing densities in excess of one dwelling unit per five acres.~~

~~1. Minimum lot size: 3,500 square feet;~~

~~2. Maximum lot size: 7,500 square feet;~~

~~3. 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.~~

~~B. For developments proposing densities in the RHTR zone no greater than one dwelling unit per five acres, the minimum and maximum lot sizes noted above 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. All other provisions of this chapter will continue in effect.~~

Section 27. Kitsap County Code Section 17.321B.060 last amended by Ordinance No. 236-1999 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 Density and Dimensions Table.

~~A. RHTR Zone: 30 feet;~~

~~B. RHTC Zone: 35 feet, except that hotels may be developed with four aboveground floors and up to a height not exceeding fifty feet with approval of the fire marshal and relevant fire district.~~

~~C. RHTW Zone: 30 feet in the two-hundred-foot shoreline environment; 35 feet in upland area.~~

Section 28. Kitsap County Code Section 17.321B.070 last amended by Ordinance No. 236 is amended as follows:

17.321B.070 Setbacks.

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

~~A. RHTR Zone:~~

~~1. Front setbacks shall be twenty feet, but may be reduced to ten feet for residential uses through the SPR or PBD process.~~

~~2. Side and rear setbacks shall be five feet for residential uses. Uses allowed through the conditional use process shall provide minimum side setbacks of ten feet and minimum rear setbacks of twenty feet. Duplex and townhome structures shall provide side setbacks only from the two exterior side walls.~~

~~B. RHTC and RHTW Zones:~~

~~1. Development may abut the sidewalk in front.~~

~~2. Side and rear setbacks shall meet Uniform Building Code requirements.~~

Section 29. Kitsap County Code Section 17.321B.075 last amended by Ordinance No. 236-1999 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 Density and Dimensions Table.

~~A. RHTR Zone: fifty percent or 2,000 square feet, whichever is greater.~~

~~B. RHTC and RHTW Zones: fifty percent.~~

Section 30. Kitsap County Code Chapter 17.321C Table of Contents is amended as follows:

Chapter 17.321C

MANCHESTER RURAL VILLAGE

Sections:

17.321C.010 Purpose.
17.321C.020 Uses.
17.321C.030 ~~Non-Conforming lots~~. Vegetation restrictions.
17.321C.040 Height regulations.
17.321C.050 Lot requirements.
17.321C.060 Off-Street parking requirements.
~~17.321C.070 Clustering residential development.~~
17.321C.080 Impervious surface limits.
17.321C.090 Access prohibition.
17.321C.100 Sewer connections.
17.321C.110 Sewer connections.

Section 31. Kitsap County Code Section 17.321C.020 last amended by Ordinance No. 267-2002 is amended as follows:

17.321C.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.D, Rural Sub-Areas Use Table. ~~Table 17.321C.020 lists examples of allowed uses within each identified zone within the Manchester Village. The prescribed review is mandatory for establishment of the use.~~

~~MANCHESTER VILLAGE USE TABLE 321.C.020~~

~~"P" — Permitted uses~~
~~"C" — Conditional uses~~
~~"SPR" — Site plan review~~
~~"X" — Uses specifically prohibited~~

~~USES~~	~~Manchester Village Residential (MVR)~~	~~Manchester Village Low Residential (MVLR)~~	~~Manchester Village Commercial (MVC)~~
~~[Explanatory notes follow at the end of this table]~~			
~~A. Residential~~			
~~1. New single-family dwellings~~	~~P~~	~~P~~	~~P[1, 2]~~
~~2. Performance Based Developments[3]~~	~~SPR~~	~~SPR~~	~~SPR~~
~~3. Existing homes without any increase in density~~	~~P~~	~~P~~	~~P~~
~~4. Mixed use development with a higher density but no residential allowed on the ground floor[4]~~	~~X~~	~~X~~	~~SPR~~
~~5. Duplexes on double the minimum lot area required for the zone~~	~~P~~	~~P~~	~~X~~
~~6. Accessory uses and structures~~	~~P~~	~~P~~	~~SPR~~
~~7. Accessory Dwelling Unit[5]~~	~~C~~	~~C~~	~~X~~
~~7A. Accessory Living Quarters[5]~~	~~P~~	~~P~~	~~X~~
~~B. Rural~~			
~~1. Forestry, including accessory buildings related to such uses and activities~~	~~P~~	~~P~~	~~X~~
~~2. Agricultural uses[6], including accessory buildings related to such uses and activities~~	~~P~~	~~P~~	~~X~~
~~3. Temporary Stands not exceeding 200 square feet in size and used exclusively for the sale of agricultural products grown on site[7]~~	~~P~~	~~P~~	~~X~~
~~4. Nurseries~~	~~C~~	~~C~~	~~SPR~~
~~5. Commercial Stables[5]~~	~~C~~	~~C~~	~~X~~
~~6. Kennels[5]~~	~~C~~	~~C~~	~~X~~
~~7. Aquaculture~~	~~C~~	~~C~~	~~X~~
~~C. Commercial – Retail sales~~			
~~1. Stores – Specialty or boutique less than 10,000 square feet of gross floor area~~	~~X~~	~~X~~	~~SPR~~
~~2. Delicatessens/Restaurants~~	~~X~~	~~X~~	~~SPR~~
~~3. Drinking establishments, alcoholic beverages with or without entertainment~~	~~X~~	~~X~~	~~C~~

~~4. Espresso stands~~	~~X~~	~~X~~	~~SPR~~
~~5. Auto parts and accessories~~	~~X~~	~~X~~	~~SPR~~
~~6. Marine Supplies~~	~~X~~	~~X~~	~~SPR~~
~~7. Farm and garden supplies~~	~~X~~	~~X~~	~~SPR~~
~~8. Laundry services~~	~~X~~	~~X~~	~~C~~
~~**D. Commercial – Services**~~			
~~1. General office and management services between 5,000 and 10,000 square feet of gross floor area~~	~~X~~	~~X~~	~~C~~
~~2. General office and management services less than 5,000 square feet.~~	~~X~~	~~X~~	~~SPR~~
~~3. Duplicating, addressing, blueprinting, photocopying, mailing or stenographic services~~	~~X~~	~~X~~	~~SPR~~
~~4. Office equipment service and repair~~	~~X~~	~~X~~	~~SPR~~
~~5. Off-street parking facilities~~	~~X~~	~~X~~	~~SPR~~
~~6. Financial and banking institutions~~	~~X~~	~~X~~	~~SPR~~
~~7. Mortuaries and crematoriums~~	~~X~~	~~X~~	~~C~~
~~8. Cemetaries~~[5]	~~C~~	~~C~~	~~X~~
~~9. Real estate brokers, agents and services~~	~~X~~	~~X~~	~~SPR~~
~~10. Motels/Hotels~~	~~X~~	~~X~~	~~C~~
~~11. Bed and Breakfast house~~	~~SPR~~[5]	~~SPR~~[5]	~~SPR~~[5]
~~12. Animal Hospital/ Veterinary Clinic~~	~~X~~	~~X~~	~~SPR~~
~~13. Clinic, outpatient~~	~~X~~	~~X~~	~~SPR~~
~~14. Amusement centers, indoor and outdoor~~	~~X~~	~~X~~	~~C~~
~~15. Carnival or Circus (temporary)~~	~~X~~	~~X~~	~~C~~
~~16. Health and racquet clubs~~	~~X~~	~~X~~	~~SPR~~
~~17. Theaters, indoor~~	~~X~~	~~X~~	~~C~~
~~18. Nursery, Day-care Centers~~[5]	~~C~~	~~C~~	~~C~~
~~19. Libraries~~	~~C~~	~~C~~	~~SPR~~
~~20. Private Schools~~	~~C~~	~~C~~	~~SPR~~
~~21. Private recreational facilities~~	~~C~~	~~C~~	~~C~~
~~22. Golf courses~~	~~C~~	~~C~~	~~X~~
~~23. Marinas~~	~~X~~	~~X~~	~~SPR~~
~~24. Business, professional, civic, social and fraternal organization meeting places~~	~~X~~	~~X~~	~~SPR~~

~~25 Places of Worship[5]~~	~~C~~	~~C~~	~~SPR~~
~~26 Contractor storage yard[5]~~	~~C~~	~~C~~	~~X~~
~~27.Home Businesses[5]~~	~~SPR~~	~~SPR~~	~~X~~
~~**E. Public Services and Facilities**~~			
~~1. Police and Fire Stations~~	~~C~~	~~C~~	~~C~~
~~2. Post Offices~~	~~C~~	~~C~~	~~SPR~~
~~3. Publicly-owned recreational facilities~~	~~C~~	~~C~~	~~C~~
~~4. Utility substation and related facilities~~	~~C~~	~~C~~	~~C~~
~~5. Public parks, parkways, trails or related facilities~~	~~C~~	~~C~~	~~SPR~~
~~6. Public School~~	~~C~~	~~C~~	~~C~~

~~NOTES TO MANCHESTER VILLAGE USE TABLE 17.321C.020~~

~~1. Within the MVC zone, a new single-family dwelling may be constructed only when replacing an existing single-family dwelling.~~

~~2. All replacement single-family dwellings and accessory structures within the MVC zone must meet the height regulations (Section 17.321C.040), lot requirements (Section 17.321C.050) and impervious surface limits (Section 17.321C.080) of the MVR zone.~~

~~3. Subject to the provisions of Chapter 17.425 of this code.~~

~~4. Low, medium and high density residential allowed with mixed-use development.~~

~~5. Subject to the provisions of Chapter 17.430 of this code.~~

~~6. As defined in Chapter 17.110 of this code.~~

~~7. Minimum setbacks shall be twenty feet from any abutting rights-of-way or property line; provided however, advertising for sale of products shall be limited to two on-premises signs each not exceeding six square feet.~~

Section 32. Kitsap County Code Section 17.321C.030 last amended by Ordinance No. 267-2002 is amended as follows:

17.321C.030 ~~**Nonconforming lots.**~~

~~A. 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 permitted within the zone subject to all other requirements of this chapter.~~

~~B. Nonconforming Lots in Common Ownership. If there are contiguous lots of record held in common ownership, each lot legally created before adoption of the Manchester Community Plan, and 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, the lots shall be combined to meet the minimum lot requirements. 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 of this chapter.~~

Section 33. Kitsap County Code Section 17.321C.040 last amended by Ordinance No. 267-2002 is amended as follows:

17.321C.040 Height regulations.

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

~~The height regulations within the Manchester Village differ depending upon their location and zoning. The following table outlines the height regulations for different areas.~~

~~MANCHESTER VILLAGE HEIGHT REGULATIONS TABLE 17.321C.040~~

~~Area~~	~~Structure Height~~
~~MVR and MVLR located inside the View Protection Overlay Zone[1]~~	~~28 feet[2]~~
~~MVR and MVLR located outside the View Protection Overlay Zone[1]~~	~~35 ft.~~
~~MVC~~	~~35 ft.[3]~~

~~1. Generally, the View Protection Overlay Zone within the Manchester Village boundary extends from Puget Sound to and including those properties which abut the west side of Alaska Ave.~~

~~2. Height measured from the midslope of the property's buildable area to the structure's highest point.~~

~~3. Replacement single-family dwelling and accessory structures within the MVC zone must meet the 28 ft. height regulation for the MVR and MVLR zones.~~

~~Properties within the View Protection Overlay Zone may build as high as 35 feet under the following circumstances:~~

~~1. 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~~

~~2. The owners of all adjacent properties approve the building height prior to building permit issuance; or~~

~~3. It can be explicitly shown that the structure will not cause the blockage of existing views from any of the adjacent properties.~~

Section 34. Kitsap County Code Section 17.321C.050 last amended by Ordinance No. 267-2002 is hereby repealed:

~~**17.321C.050 Vegetation restrictions.**~~

~~After adoption of the Manchester Community Plan, newly planted row trees (three 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 35. Kitsap County Code Section 17.321C.060 last amended by Ordinance No. 267-2002 is renumbered and amended as follows:

17.321C.0560 Lot requirements.

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

~~Zoning designations within the Manchester Village include Manchester Village Residential (MVR), Manchester Village Low Residential (MVLR), and Manchester Village Commercial (MVC). These designations are subject to the following lot requirements:~~

~~MANCHESTER VILLAGE LOT REQUIREMENTS TABLE 17.321C.060~~

~~Zone~~	~~Density DU/Acre~~	~~Minimum Lot Area~~	~~Minimum Lot Width~~	~~Minimum Lot Depth~~	~~Front Yard~~	~~Side Yard~~	~~Opposite Side Yard~~	~~Rear Yard~~
~~MVR~~	~~4~~	~~10,890 sq. ft.~~	~~60~~	~~60~~	~~20~~	~~5~~	~~5~~	~~5~~
~~MVLR~~	~~2~~	~~21,780 sq. ft.~~ ~~With clustering: 10,890 sq. ft.~~	~~60~~	~~60~~	~~20~~	~~5~~	~~5~~	~~5~~
~~MVC~~	~~X[1]~~	~~NA~~	~~NA~~	~~NA~~	~~NA~~	~~NA~~	~~NA~~	~~NA~~

~~1. Low, medium and high density residential allowed only with mixed-use development.~~

Section 36. Kitsap County Code Section 17.321C.070 last amended by Ordinance No. 267-2002 is renumbered as follows:

17.321C.0~~6~~70 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 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 37. Kitsap County Code Section 17.321C.080 last amended by Ordinance No. 267-2002 is hereby repealed:

~~**17.321C.080 Clustering residential development.**~~

~~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.~~

Section 38. Kitsap County Code Section 17.321C.090 last amended by Ordinance No. 267-2002 is renumbered and amended as follows:

17.321C.0890 Impervious surface limits.
Impervious surface limits shall be in accordance with Chapter 17.382 and 17.382.090, Rural Sub-Areas Density and Dimensions Table.

~~Impervious surface includes driveways, sidewalks, structures and decks. The quantity of impervious surface allowed on individual residential properties within Manchester Village are limited as follows:~~

~~MANCHESTER VILLAGE~~
~~IMPERVIOUS SURFACE LIMITS~~
~~TABLE 17.321C.090~~

~~Lot size~~	~~Impervious Surface Limit[1]~~
~~0 to .50 acres~~	~~50%~~
~~.51 or above~~	~~40%~~

~~1. 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 theses areas and structures to reduce the impervious surface calculation.~~

NEW CHAPTER. Section 39. A new chapter is added to Kitsap County Code Title 17 as follows:

Chapter 17.322

URBAN HOLDING AREA ZONE (UHA)

Sections:
17.322.010 Purpose.
17.382.020 Uses.
17.382.030 Master plan required.

17.322.010 Purpose.
This area is intended to provide adequate land for large-parcel economic opportunity projects of benefit to Kitsap County. Additional zoning regulations for this area will be determined through a development agreement to be approved by the Board of County Commissioners as a Type IV legislative decision consistent with Title 21. Regulations included in such a development agreement must be consistent with the goals and policies of the Comprehensive Plan and the interests of the large-parcel economic opportunity projects, Kitsap County and its citizens. If no development agreement or master plan for this area is approved within five (5) years of December 31, 2006, or the designation is terminated by approval of property owners consisting of a minimum of 60% of the property within the area, the area will sunset, and lands within this area will revert to their previous zoning.

17.322.020 Uses.
No urban uses are allowed in this zone until a development agreement, master plan and appropriate environmental and capital facilities planning have been approved by the Board of County Commissioners. Upon approval of a development agreement, uses within the IMPRA designation are expected to be large-scale industrial projects and/or recreational uses, such as motorsports and other recreational facilities, and other commercial and administrative uses customarily accessory thereto.

17.322.030 Master Plan Required.

A. All development in this zone shall be subject to approval of and be consistent with a master plan developed under Chapter 17.415 of this code.
B. Review of a master plan shall be a Type III decision by the Board of County Commissioners.

Section 40. Kitsap County Code Chapter 17.325 Table of contents is amended as follows:

Chapter 17.325
URBAN RESTRICTED ZONE (UR)

Sections:

17.325.010 Purpose.
17.325.020 ~~Permitted u~~Uses.
~~17.325.030 Conditional uses.~~
~~17.325.040 Uses permitted after site plan review as set forth in Chapter 17.410.~~
17.325.050 Height regulations.
17.325.060 Lot requirements.
17.325.070 Lot coverage.
17.325.080 Signs.
17.325.090 Off-street parking.
17.325.100 Other provisions.

Section 41. Kitsap County Code Section 17.325.020 last amended by Ordinance No. 292-2002 is amended as follows:

17.325.020 ~~Permitted u~~Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.A, Urban Residential Zones Use Table. ~~The following uses are permitted:~~
~~A. Single-family detached dwellings, provided, mobile homes as defined in Chapter 17.110 shall not be allowed, except in approved mobile home parks;~~
~~B. Publicly owned recreational facilities, services, parks, and playgrounds;~~
~~C. Agriculture uses, including accessory buildings related to such uses and activities as defined in Chapter 17.110, and subject to the provisions of Chapter 17.430;~~
~~D. Forestry, including accessory buildings related to such uses and activities as defined in Chapter 17.110;~~
~~E. Accessory uses and structures normal to a residential environment, subject to the provisions subsection (X) of Section 17.430.020;~~
~~F. Duplexes on double the minimum lot area required for the zone; and~~
~~G. Accessory dwelling unit and accessory living quarters, subject to the provisions of Chapter 17.430.~~

Section 42. Kitsap County Code Sections 17.325.030 and 17.325.040 last amended by Ordinance No. -216 are hereby repealed:

~~**17.325.030 Conditional uses.**~~
~~The following are the conditional uses in the UR zone in accordance with the provisions of Chapter 17.420:~~
~~A. Cemeteries and/or mausoleums, crematories, columbaria, and mortuaries, provided that no mortuary or crematorium is within one hundred feet of a boundary street, or where no street borders the~~

~~cemetery, within two hundred feet of a lot in a residential zone, subject to the provisions of Chapter 17.430;~~

~~B. Places of worship, subject to the provisions of Chapter 17.430;~~

~~C. Public or private schools, subject to the provisions of Chapter 17.430;~~

~~D. Private recreational facilities, such as marinas, country clubs and golf courses, but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), race track, amusement park, or gun club;~~

~~E. Day-care centers, subject to the provisions of Chapter 17.430;~~

~~F. Public facilities and electric power and natural gas utility facilities, including fire stations, libraries, museums, substations, ferry terminals, commuter park-and-ride lots, and post offices; but not including storage or repair yards, warehouses, or similar uses;~~

~~G. Single-family attached, including townhouses;~~

~~H. Mobile home parks, subject to the density limitations of the zone; and~~

~~I. Multi-family projects subject to the density limits of the zone.~~

~~(Ord. 216-1998 § 4 (part), 1998)~~

~~**17.325.040 Uses permitted after site plan review as set forth in Chapter 17.410.**~~

~~A. Home business, subject to the provisions of Chapter 17.430;~~

~~B. Performance based developments, subject to the provisions of Chapter 17.425;~~

~~C. Temporary offices and model homes, subject to the provisions of Chapter 17.455; and~~

~~D. Bed and breakfast house as defined in Chapter 17.110.~~

Section 43. Kitsap County Code Section 17.325.050 last amended by Ordinance No. 216 is amended as follows:

17.325.050 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~

Section 44. Kitsap County Code Section 17.325.060 last amended by Ordinance No. 216 is amended as follows:

17.325.060 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~The minimum lot requirements shall be as shown in Urban Restricted Zone Lot Requirements Table 17.325.060.~~

~~**URBAN RESTRICTED ZONE LOT REQUIREMENTS TABLE 17.325.060**~~

~~Classification~~	~~Density (Du/Acre)~~	~~Minimum Lot Area~~	~~Minimum Lot Width~~	~~Minimum Lot Depth~~	~~Front Yard~~	~~Side Yard~~	~~Opposite Side Yard~~	~~Rear Yard~~
~~UR~~	~~1-5~~	~~5,800~~	~~60~~	~~60~~	~~20~~	~~5~~	~~5~~	~~5~~

Section 45. Kitsap County Code Section 17.325.070 last amended by Ordinance No. 216 is amended as follows:

17.325.070 Lot coverage.
Lot coverage requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
~~Maximum lot coverage by impervious surface shall not exceed fifty percent.~~

Section 46. Kitsap County Code Chapter 17.330 Table of Contents is amended as follows:

Chapter 17.330
URBAN LOW RESIDENTIAL ZONE (UL)

Sections:

17.330.010 Purpose.
17.330.020 ~~Permitted u~~Uses.
~~17.330.030 Conditional uses.~~
~~17.330.040 Uses permitted after site plan review as set forth in Chapter 17.410.~~
17.330.050 Height regulations.
17.330.060 Lot requirements.
17.330.070 Signs.
17.330.080 Off-street parking.
17.330.090 Other provisions.

Section 47. Kitsap County Code Section 17.330.020 last amended by Ordinance No. 292-2002 is amended as follows:

17.330.020 ~~Permitted u~~Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.A, Urban Residential Zones Use Table. ~~The following uses are permitted:~~
~~A. Single family detached dwellings, provided, mobile homes as defined in Chapter 17.110 shall not be allowed, except in approved mobile home parks;~~
~~B. Publicly owned recreational facilities, services, parks, and playgrounds;~~
~~C. Agricultural uses, including accessory buildings related to such uses and activities as defined in Chapter 17.110, and subject to the provisions of Chapter 17.430;~~
~~D. Forestry, including accessory buildings related to such uses and activities as defined in Chapter 17.110;~~
~~E. Accessory uses and structures normal to a residential environment, subject to the provisions of subsection (X) of Section 17.430.020;~~
~~F. Duplexes on double the minimum lot area required for the zone;~~
~~G. Accessory dwelling unit and accessory living quarters, subject to the provisions of Chapter 17.430; and~~
~~H. Residential care facility located within an existing structure.~~

Section 48. Kitsap County Code Sections 17.330.030 and 17.330.040 last amended by Ordinance No. -216-1998 are hereby repealed:

~~**17.330.030 Conditional uses.**~~
~~The following are the conditional uses in the urban low residential (UL) zone in accordance with the provisions of Chapter 17.420:~~
~~A. Cemeteries and/or mausoleums, crematories, columbaria, and mortuaries, provided that no mortuary or crematorium is within one hundred feet of a boundary street, or where no street borders the~~

~~cemetery, within two hundred feet of a lot in a residential zone, subject to the provisions of Chapter 17.430;~~

~~B. Places of worship, subject to the provisions of Chapter 17.430;~~

~~C. Public or private schools, subject to the provisions of Chapter 17.430;~~

~~D. Private recreational facilities such as: marinas, country clubs and golf courses (including conference centers when associated with the aforementioned uses), but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), race track, amusement park, or gun club;~~

~~E. Day care centers, subject to the provisions of Chapter 17.430;~~

~~F. Public facilities and electric power and natural gas utility facilities, including fire stations, libraries, museums, substations, ferry terminals, commuter park-and-ride lots, and post offices; but not including storage or repair yards, warehouses, or similar uses;~~

~~G. Single-family attached, including townhouses;~~

~~H. Mobile home parks, subject to the density limitations of the zone;~~

~~I. Multi-family projects, subject to the density limitations of the zone; and~~

~~J. Community buildings, social halls, lodges, clubs, meeting places.~~

~~(Ord. 216-1998 § 4 (part), 1998)~~

~~**17.330.040 Uses permitted after site plan review as set forth in Chapter 17.410.**~~

~~A. Home business, subject to the provisions of Chapter 17.430;~~

~~B. Performance based developments, subject to the provisions of Chapter 17.425;~~

~~C. Temporary offices and model homes, subject to the provisions of Chapter 17.455;~~

~~D. Bed and breakfast house as defined in Chapter 17.110; and~~

~~E. Residential care facility not located within an existing structure.~~

Section 49. Kitsap County Code Section 17.330.050 last amended by Ordinance No. 311-2003 is amended as follows:

17.330.050 Height regulations.

Height requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~

~~Areas governed by Sub-Area Plans. Within areas subject to specific sub-area plans, a greater height may be allowed upon review/approval by the director upon recommendation from the fire marshall/fire district, provided that the net result is an overall increase in areas or other public amenities, or the design results in a more creative or efficient use of land.~~

Section 50. Kitsap County Code Section 17.330.060 last amended by Ordinance No. 346-2005 is amended as follows:

17.330.060 Lot requirements.

Lot requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~A. The minimum lot requirements shall be as shown in Urban Low Residential Zone Lot Requirements Table 17.330.060(A).~~

~~B. Development within this zone is subject to a minimum density requirement of 5 units per acre. Residential development that does not meet this density must submit a pre-plan for future property division that demonstrates that future re-division to achieve the minimum density is feasible, and meet the requirements outlined in Section 17.315.090.~~

~~C. Density Limit for the South Kitsap UGA/ULID #6 Sub-Area. Pursuant to the approved South Kitsap UGA/ULID #6 Sub-Area Plan, the maximum number of residential units permitted in the sub-area is 4,172, until such time as a further population allocation is made to the sub-area. All residential development within the sub-area located in the UL zone 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.~~

~~URBAN LOW RESIDENTIAL ZONE LOT REQUIREMENTS TABLE 17.330.060(A)~~

~~Classification~~	~~Density (Du/Acre)~~	~~Minimum Lot Area~~	~~Minimum Lot Width~~	~~Minimum Lot Depth~~	~~Front Yard~~	~~Side Yard~~	~~Opposite Side Yard~~	~~Rear Yard~~
~~UL~~	~~5—9~~	~~None~~	~~60 feet[1]~~	~~60 feet~~	~~20 feet~~	~~5 feet~~	~~5 feet~~	~~5 feet~~

~~1 The minimum lot width for urban low zones within the ULID #6 Sub-Area shall be 40 feet.~~

Section 51. Kitsap County Code Chapter 17.335 Table of Contents is amended as follows:

Chapter 17.335

URBAN CLUSTER RESIDENTIAL ZONE (UCR)

Sections:

17.335.010 Purpose.
17.335.020 Uses.
17.335.030 Densities ~~generally—Density limit for the South Kitsap UGA/ULID #6 Sub-Area.~~
17.335.040 Lot requirements.
17.335.050 Height regulations.
17.335.060 Signs.
17.335.070 Off-street parking.
17.335.080 Other provisions.

Section 52. Kitsap County Code Section 17.335.020 last amended by Ordinance No. 311-2003 is amended as follows:

17.335.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.A, Urban Residential Zones Use Table. ~~The following Urban Cluster Residential Zone Use Table is a list of examples for allowable uses in the zone. The appropriate review, as listed, is mandatory.~~

~~URBAN CLUSTER RESIDENTIAL ZONE USE TABLE 17.335.020~~

~~"P" Permitted uses~~ ~~"SPR" Site plan review, Chapter 17.410~~
~~"C" Conditional uses, Chapter 17.420~~ ~~"X" Uses specifically prohibited~~

~~USES~~	~~UCR~~
~~A. Residential~~	
~~1. Single-family dwellings~~	~~P~~
~~2. Duplex~~	~~P~~
~~3. Townhouses (3 or more)~~	~~SPR~~
~~4. Multi-family housing~~	~~SPR~~
~~5. Mobile home parks subject to density limits of zone~~	~~P~~
~~6. Residential performance based development~~ [6]	~~P~~
~~7. Accessory dwelling unit~~ [1]	~~P~~
~~8. Accessory living quarters~~ [2]	~~P~~
~~9. Accessory uses and structures normal to a residential environment~~	~~P~~
~~10. Home businesses~~ [5]	~~P~~
~~B. Retail Sales, General Merchandise and services~~	
~~1. Stores less than 5,000 s.f. in gross floor area~~ [8]	~~C~~
~~C. Retail Sales - Restaurants, Drinking Places~~	
~~1. Delicatessens/Restaurants~~ [8]	~~C~~
~~2. Drive-in restaurants~~	~~X~~
~~3. High turnover restaurants~~	~~X~~
~~4. Brew pubs (where the manufacturing component is subordinate and accessory to a primary retail use)~~ [8]	~~C~~
~~5. Brew pubs (where the retail component is subordinate and accessory to a primary manufacturing use)~~	~~X~~
~~6. Drinking establishments~~	~~X~~
~~D. Retail Sales, Miscellaneous Stores~~	
~~1. Laundromats and laundry services~~ [8]	~~C~~
~~2. Pharmacies~~ [8]	~~C~~
~~E. Services, Businesses~~	
~~1. Temporary offices and model homes~~ [7]	~~SPR~~
~~F. Services, Lodging Places~~	
~~1. Bed and breakfast house (up to 4 guest rooms)~~	~~P~~
~~2. Bed and breakfast house (5-10 guest rooms)~~	~~C~~
~~G. Services, Medical and Health~~	
~~1. Congregate care facility within an existing structure~~	~~P~~

~~2. Congregate care facility~~	~~C~~
~~3. Residential care facility within an existing structure~~	~~P~~
~~4. Residential care facility not within an existing structure~~	~~SPR~~
~~**H. Services, Amusement**~~	
~~1. Private recreational center or facilities such as country clubs and golf courses, but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), race track, amusement park or gun club~~	~~SPR~~
~~2. Accessory use or structure (recreational)~~	~~P~~
~~**I. Services, Membership Organizations**~~	
~~1. Places of worship~~	~~C~~
~~2. Private community centers, halls, clubs, lodges, meeting places~~	~~SPR~~
~~**J. Services, Educational**~~	
~~1. Day-care center, family~~	~~P~~
~~2. Day-care center~~ [3]	~~C~~
~~3. Public or private schools~~ [4]	~~C~~
~~**K. Public Services and Facilities**~~	
~~1. Public facilities and electric power and natural gas utility facilities, including fire stations, libraries, museums, substations, ferry terminals, commuter part-and-ride lots, and post offices; but not including storage or repair yards, warehouses, or similar uses~~	~~SPR~~
~~2. Publicly owned recreational facilities, services, parks and playgrounds~~	~~P~~
~~**L. Other**~~	
~~1. Cemeteries and/or mausoleums, crematories, columbaria and mortuaries within cemeteries~~	~~C~~
~~2. Agricultural uses, including any accessory buildings related to such uses and activities as defined in Chapter 17.110~~	~~X~~
~~3. Forestry, including any accessory buildings related to such uses and activities as defined in Chapter 17.110~~	~~X~~

~~**Explanatory Notes—Table 17.335.020.**~~

~~1. Subject to Chapter 17.425~~

~~2. Subject to Chapter 17.430.~~

~~3. Subject to Chapter 17.430.~~

~~4. Subject to Chapter 17.430.~~

~~5. Subject to Chapter 17.455.~~

~~6. Subject to Chapter 17.430.~~

~~7. Subject to Chapter 17.455.~~

~~8. These uses are allowed only within a commercial center limited in size and scale (e.g., an intersection or "corner" development).~~

~~9. Subject to Chapter 17.430.~~

~~(Ord. 311 (2003) [Attachment 7 (part)], 2003)~~

Section 53. Kitsap County Code Section 17.335.030 last amended by Ordinance No. 311-2003 is amended as follows:

17.335.030 Densities ~~generally - Density limit for the South Kitsap UGA/ULID #6 Sub-Area.~~
Density shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
~~A. Densities.~~
~~1. Minimum: 5 units/gross acre; and~~
~~2. Maximum: 9 units/gross acre.~~
~~B. Density Limit for the South Kitsap UGA/ULID #6 Sub-Area. Pursuant to the approved South Kitsap UGA/ULID #6 Sub-Area Plan, the maximum number of residential units permitted in the sub-area is 4,172, until such time as a further population allocation is made to the sub-area. All residential development within the sub-area located in the UCR zone 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.~~

Section 54. Kitsap County Code Section 17.335.040 last amended by Ordinance No. 311-2003 is amended as follows:

17.335.040 Lot requirements.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
~~A. Minimum Lot Sizes. None.~~
~~B. Yard Requirements - Single-Family, Duplex and Townhouse Units.~~
~~1. Front yard - 10 feet.~~
~~2. Side and rear yard - 5 feet. Zero lot line developments may be approved with zero set-backs.~~
~~3. No setbacks are required between interior walls of duplex and townhouse units.~~
~~C. Yard Requirements - Multi-Family Units.~~
~~1. Front yard - 10 feet if the opposite side of the street front is a residential use, no setback if the opposite side of the street is developed with a nonresidential use.~~
~~2. Side and rear yard - 5 feet.~~

Section 55. Kitsap County Code Section 17.335.050 last amended by Ordinance No. 311-2003 is amended as follows:

17.335.050 Height regulations.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~

Section 56. Kitsap County Code Chapter 17.340 Table of Contents is amended as follows:

Chapter 17.340

URBAN MEDIUM RESIDENTIAL ZONE (UM)

Sections:

17.340.010 Purpose.
17.340.020 ~~Permitted u~~Uses.
~~17.340.030 Conditional uses.~~
~~17.340.040 Uses permitted after site plan review as set forth in Chapter 17.410.~~
17.340.050 Height regulations.
17.340.060 Lot requirements – Density limitations.
17.340.070 Signs.
17.340.080 Off-street parking.
17.340.090 Other provisions.

Section 57. Kitsap County Code Section 17.340.020 last amended by Ordinance No. 292-2002 is amended as follows:

17.340.020 ~~Permitted u~~Uses.[4]

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.A, Urban Residential Zones Use Table. ~~The following uses are permitted:~~

~~A. Single-family attached and detached, provided, mobile homes as defined in Chapter 17.110, shall not be allowed, except in approved mobile home parks;~~

~~B. Multi-family, provided, they meet the density requirements;~~

~~C. Publicly owned recreational facilities, services, parks, and playgrounds;~~

~~D. Agricultural uses, including any accessory buildings related to such uses and activities as defined in Chapter 17.110, and subject to the provisions of Chapter 17.430;~~

~~E. Forestry, including any accessory buildings related to such uses and activities as defined in Chapter 17.110;~~

~~F. Accessory uses and structures normal to a residential environment, subject to the provisions of subsection (X) of Section 17.430.020;~~

~~G. Accessory dwelling unit and accessory living quarters, subject to the provisions of Chapter 17.430; and~~

~~H. Residential care facility located in an existing structure.~~

Section 58. Kitsap County Code Sections 17.340.030 and 17.340.040 last amended by Ordinance No. -250-2000 are hereby repealed:

~~**17.340.030 Conditional uses.**~~[4]

~~The following are the conditional uses in the urban medium residential (UM) zone in accordance with the provisions of Chapter 17.420:~~

~~A. Cemeteries and/or mausoleums, crematories, columbaria, and mortuaries within cemeteries, provided that no mortuary or crematorium is within one hundred feet of a boundary street, or where no street borders the cemetery, within two hundred (200) feet of a lot in a residential zone, subject to the provisions of Chapter 17.430;~~

~~B. Places of worship;~~

~~C. Public or private schools, subject to the provisions of Chapter 17.430;~~

~~D. Private recreational facilities, such as country clubs and golf courses, but not including such intensive commercial recreation uses as a golf driving range (unless within a golf course), race track, amusement park, or gun club;~~

~~E. Day care centers, subject to the provisions of Chapter 17.430;~~

~~F. Public facilities and electric power and natural gas utility facilities, including fire stations, libraries, museums, substations, ferry terminals, commuter park-and-ride lots, and post offices; but not including storage or repair yards, warehouses, or similar uses;~~
~~G. Mobile home parks, subject to the density limitations of the zone; and~~
~~H. Congregate care facility.~~

~~**17.340.040 Uses permitted after site plan review as set forth in Chapter 17.410.**[4]~~
~~A. Home business, subject to the provisions of Chapter 17.430;~~
~~B. Performance based development, subject to the provisions of Chapter 17.425;~~

~~C. Temporary offices and model homes, subject to the provisions of Chapter 17.455;~~
~~D. Bed and breakfast house as defined in Chapter 17.110; and~~
~~E. Residential care facility not located in an existing structure.~~

Section 59. Kitsap County Code Section 17.340.050 last amended by Ordinance No. 311-2003 is amended as follows:

17.340.050 Height regulations.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
~~No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height.~~
~~Areas governed by Sub-Area Plans. Within areas subject to specific sub-area plans, a greater height may be allowed upon review/approval by the director upon recommendation from the fire marshall/fire district, provided that the net result is an overall increase in areas or other public amenities, or the design results in a more creative or efficient use of land.~~

Section 60. Kitsap County Code Section 17.340.060 last amended by Ordinance No. 346-2005 is amended as follows:

17.340.060 Lot requirements – Density limitations.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~**URBAN MEDIUM RESIDENTIAL ZONE LOT REQUIREMENTS TABLE 17.340.060**~~

~~Classification~~	~~Density (DU per Acre)~~	~~Minimum Lot Area~~	~~Minimum Lot Width~~	~~Minimum Lot Depth~~	~~Front Yard~~	~~Side Yard~~	~~Opposite Side Yard~~	~~Rear Yard~~
~~UM Multi-Family~~	~~Min 10 Max 18~~	~~None~~	~~None~~	~~None~~	~~None~~	~~None~~	~~None~~	~~None~~
~~UM Single-Family~~	~~Min 10 Max 18~~	~~None~~	~~60 feet~~	~~60 feet~~	~~20 feet~~	~~5 feet~~	~~5 feet~~	~~5 feet~~

~~B. Density Limit for the South Kitsap UGA/ULID #6 Sub-Area. Pursuant to the approved South Kitsap UGA/ULID #6 Sub-Area Plan, the maximum number of residential units permitted in the sub-area is 4,172, until such time as a further population allocation is made to the sub-area. All residential development within the sub-area located in the UM zone 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.~~

Section 61. Kitsap County Code Section 17.350.020 last amended by Ordinance No. 292-2002 is amended as follows:

17.350.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.A, Urban Residential Zones Use Table.

~~URBAN HIGH RESIDENTIAL USE TABLE 17.350.020~~

~~"P" Permitted uses~~ ~~"SPR" Site plan review, Chapter 17.410~~
~~"C" Conditional uses, Chapter 17.420~~ ~~"X" Uses specifically prohibited~~

~~USES~~	~~UH~~
~~A. Residential~~	
~~1. Existing residential~~	~~P~~
~~2. Accessory uses and structures normal to a residential environment[4]~~	~~P~~
~~3. Single-family dwellings—attached~~	~~SPR~~
~~4. Single-family dwellings—detached~~	~~SPR~~
~~5. Multi-family subject to density limitations of the zone~~	~~P~~
~~6. Residential performance based development[3]~~	~~SPR~~
~~7. Boarding or rooming house[2]~~	~~SPR~~
~~8. Structures exceeding 35 feet in height~~	~~C~~
~~9. Home business[1]~~	~~SPR~~
~~B. Retail Sales—Restaurants, Drinking Places~~	
~~1. Restaurants within residential or office complex~~	~~SPR~~
~~2. Espresso stands within a residential or office complex~~	~~P~~
~~C. Services, Business~~	
~~1. Mini-storage warehouses~~	~~C~~
~~2. Temporary sales offices~~	~~SPR~~
~~D. Services, Medical and Health~~	
~~1. Hospital~~	~~C~~
~~2. Veterinary clinics[4]~~	~~C~~
~~3. Medical and dental clinics~~	~~SPR~~
~~4. Convalescent, nursing or rest home~~	~~SPR~~
~~5. Congregate care facility~~	~~C~~
~~6. Residential care facility within an existing structure~~	~~P~~
~~7. Residential care facility not located within an existing structure~~	~~SPR~~
~~E. Services, Professional Offices~~	
~~1. Professional and business offices~~	~~SPR~~
~~F. Services, Amusement~~	
~~1. Private recreational facility~~	~~SPR~~
~~G. Services, Membership Organizations~~	
~~1. Places of worship~~	~~SPR~~
~~2. Clubs, lodges and charitable institutions~~	~~SPR~~

USES	UH
H. Services, Educational	
1. Public and private schools[4]	SPR
2. Day-care centers[4]	SPR
I. Public Services and Facilities	
1. Parks and recreational facilities	SPR
2. Governmental structures including police and fire stations	SPR
3. Utility substation and related facilities	SPR
J. Other	
1. Forestry	P
2. Agricultural uses[2], including accessory buildings related to such uses and activities[4]	P
3. Cemeteries and mausoleums	C

1. Subject to the provisions of Chapter 17.430.
2. As defined in Chapter 17.110.
3. Subject to the provisions of Chapter 17.425.
4. Storage of junk motor vehicles is subject to the provisions of subsection (X) of Section 17.430.020.

Section 62. Kitsap County Code Section 17.350.030 last amended by Ordinance No. 216-1998 is amended as follows:

17.350.030 Height regulations.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height without concurrence from the appropriate fire district and fire marshal. The maximum building height may be increased upon approval of the fire district, fire marshal, and/or director, any such increases shall be based on criteria which must first be approved by the board of county commissioners.

Section 63. Kitsap County Code Section 17.350.040 last amended by Ordinance No. 216-1998 is amended as follows:

17.350.040 Lot requirements.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.
A. Lot Area. None.
B. Lot Width. Minimum lot width shall be sixty feet.
C. Lot Depth. Minimum lot depth shall be sixty feet.
D. Front Yard. Minimum front yard setback shall be twenty feet.
E. Side Yard. Minimum side yard on each side of the residential dwelling shall be five feet.
F. Rear Yard. Minimum rear yard shall be ten feet.

Section 64. Kitsap County Code Section 17.350.050 last amended by Ordinance No. 2161998 is amended as follows:

17.350.050 Densities.

Density shall be in accordance with Chapter 17.382 and 17.382.050, Urban Residential Density and Dimensions Table.

~~Minimum: 19 units/acre. Maximum: 24 units/acre.~~

~~Development within this zone is subject to a minimum density requirement of nineteen units per acre. Residential development which does not meet this density requirement must submit a pre-plan for future property division and meet the requirements outlined in Section 17.315.090.~~

Section 65. Kitsap County Code Section 17.351.020 last amended by Ordinance No. 311-2003 is amended as follows:

17.351.020 Applicability – How to use the design criteria.

A. Applicability.

1. The "requirements sections" in the following design criteria apply to each multi-family project requiring ~~site plan review under Chapter 17.410 of this title, or~~ conditional use review under Chapters 17.420 or 17.421 of this title.

2. In addition to the requirements set forth in this Chapter 17.351, the "requirements sections" set forth in Section 17.354.160 and Sections 17.354.180 to 17.354.240 shall apply to each multi-family project requiring review under subsection (A), above.

B. How to Use the Design Criteria. The "requirements sections" state the design criteria that each project shall meet. These design criteria are intended to supplement the development standards of the UCR, UM and UH zones. Where the provisions of this Chapter 17.351 conflict with the provisions of Chapters 17.335 (UCR), 17.340 (UM), and 17.350 (UH), the provisions of the zoning district shall apply. The "guidelines" which follow each requirement statement are suggested ways to achieve the design intent. Each guideline is meant to indicate the preferred conditions, but other equal or better design solutions will be considered acceptable by the director or hearing examiner, so long as these solutions meet the intent of these sections. They are to be applied with an attitude of flexibility, recognizing that each development site and project will have particular characteristics that may suggest that some guidelines be emphasized and others de-emphasized. However, while alternative solutions can be proposed, none of the criteria in the requirement statements can be disregarded.

NEW SECTION. Section 66. A new chapter is added Kitsap County Code Title 17 as follows:

Chapter 17.352

MIXED USE ZONE (MU)

Sections:

17.352.010 Purpose.
17.352.020 Uses.
17.352.030 Standards and requirements.
17.352.040 Off-street parking.
17.352.050 Signs.
17.352.060 Landscaping.
17.352.070 Residential recreational open space.

17.352.010 Purpose.
This proposed mixed use zone is intended to encourage flexible land uses, 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. The MU zone is intended to foster a development pattern focused on the public street and that will provide for a compatible mix of multi-family housing and commercial businesses and services arranged in mixed use developments that are organized either vertically or horizontally.

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.

17.352.030 Standards and requirements.
Standards and requirements shall be in accordance with Chapter 17.382 and 17.382.070, Urban Commercial and Mixed Use Density and Dimensions Table.

17.352.040 Off-street parking.
Off-street parking shall be provided according to the provisions of Chapter 17.435.

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

17.352.060 Landscaping.
Landscaping shall be provided according to the provisions of Chapter 17.385.

17.352.070 Residential recreational open space.
For recreational open space provisions, see Section 17.425.040(C)

Section 67. Kitsap County Code Chapter 17.353 Table of Contents is amended as follows:

Chapter 17.353
URBAN CENTER ZONES

Sections:
17.353.010 Purposes.
17.353.020 Uses.
17.353.030 Densities ~~generally - Density limit for the South Kitsap UGA/ULID #6 Sub-Area.~~

17.353.040 Lot requirements.
17.353.050 Commercial and residential floor area limitations.
17.353.060 Height regulations.
17.353.070 Signs.
17.353.080 Off-street parking.
17.353.090 Master planning requirements for the South Kitsap UGA/ULID #6 Sub-Area.

Section 68. Kitsap County Code Section 17.353.020 last amended by Ordinance No. 311-2003 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. ~~The uses set forth in the Urban Center Zones Use Table 17.353.020 are examples of the uses allowable in the Urban Village Center and Urban Town Center zones. The appropriate review authority is mandatory.~~

~~URBAN CENTER ZONES USE TABLE 17.353.020~~

~~"P" Permitted uses~~ ~~"SPR" Site plan review, Chapter 17.410~~
~~"C" Conditional uses, Chapter 17.420~~ ~~"X" Uses specifically prohibited~~
~~"R" Reserved~~

~~USES~~	~~UVC~~	~~UTC~~
~~A. Residential~~		
~~1. Dwellings, single-family~~ [1]	~~P~~	~~R~~
~~2. Dwellings, two-family or duplex~~ [1]	~~SPR~~	~~R~~
~~3. Cottage housing developments~~	~~SPR~~	~~R~~
~~4. Townhouses (3 or more)~~ [1]	~~SPR~~	~~R~~
~~5. Dwellings, multi-family (up to 18 d.u. per net acre)~~ [1]	~~SPR~~	~~R~~
~~6. Dwellings, multi-family (more than 18 d.u. per net acre)~~ [1]	~~X~~	~~R~~
~~7. Residences above commercial uses in multi-story structures~~ [1]	~~SPR~~	~~R~~
~~8. Home businesses~~	~~P~~	~~R~~
~~B. Retail Sales – General Merchandise~~		
~~1. General merchandise stores in excess of 25,000 square feet gross floor area~~	~~X~~	~~R~~
~~2. General merchandise stores between 5,000 and 25,000 square feet gross floor area~~	~~C~~	~~R~~
~~3. General merchandise stores less than 5,000 square feet gross floor area~~	~~SPR~~	~~R~~
~~C. Retail Sales – Restaurants, Drinking Places~~		
~~1. Delicatessens/Restaurants~~	~~SPR~~	~~R~~
~~2. Drive-in restaurants~~	~~X~~	~~R~~
~~3. High turnover restaurants (excluding those with drive-through service)~~	~~SPR~~	~~R~~
~~4. Brew pubs (where the manufacturing component is subordinate and accessory to a primary retail use)~~	~~SPR~~	~~R~~
~~5. Brew pubs (where the retail component is subordinate and accessory to a primary manufacturing use)~~	~~X~~	~~R~~
~~6. Drinking establishments (bars, cocktail lounges, night clubs and taverns)~~	~~SPR~~	~~R~~
~~D. Retail Sales – Automotive Related Sales and Services~~		
~~1. Motor vehicle/RV dealers – new and used~~	~~X~~	~~R~~
~~2. Auto parts and accessory stores~~	~~X~~	~~R~~
~~3. Service stations/fuel sales~~	~~X~~	~~R~~
~~4. Boat dealers, marine supplies and repair~~	~~X~~	~~R~~
~~5. Farm equipment and implement dealer~~	~~X~~	~~R~~

~~6. Auto, truck, trailer and equipment rental or repair~~	~~X~~	~~R~~
~~7. Car washes~~	~~X~~	~~R~~
~~**E. Retail Sales – Miscellaneous Stores**~~		
~~1. Mobile home sales – new and used~~	~~X~~	~~R~~
~~2. Farm and garden supplies, including nurseries~~	~~SPR~~	~~R~~
~~3. Fuel distributors/bulk storage~~	~~X~~	~~R~~
~~4. Laundromats and laundry services~~	~~SPR~~	~~R~~
~~5. Lumber yards and building/construction materials~~	~~X~~	~~R~~
~~6. Pharmacies~~	~~SPR~~	~~R~~
~~7. Custom art and craft stores~~	~~SPR~~	~~R~~
~~**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 and air conditioning and welding shops~~	~~X~~	~~R~~
~~**G. Services – Business**~~		
~~1. General office and management services~~	~~SPR~~	~~R~~
~~2. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services~~	~~SPR~~	~~R~~
~~3. Mortuaries~~	~~C~~	~~R~~
~~4. Office equipment service and repair shop~~	~~C~~	~~R~~
~~5. Off-street parking facilities~~	~~SPR~~	~~R~~
~~6. Mini-storage warehouses~~	~~X~~	~~R~~
~~7. Auction house~~	~~SPR~~	~~R~~
~~8. Vehicle towing and storage~~	~~X~~	~~R~~
~~9. Financial and banking institutions~~	~~SPR~~	~~R~~
~~10. Real estate brokers, agents and services~~	~~SPR~~	~~R~~
~~**H. Services – Lodging Places**~~		
~~1. Bed and breakfast house within an existing structure (up to 4 guest rooms)~~	~~P~~	~~R~~
~~2. Bed and breakfast house (up to 10 guest rooms)~~	~~SPR~~	~~R~~
~~3. Hotel/motel~~	~~SPR~~	~~R~~
~~4. Recreational vehicle camping parks~~	~~X~~	~~R~~
~~5. Rooming houses~~	~~X~~	~~R~~
~~**I. Services – Medical and Health**~~		
~~1. Hospitals/health care campus~~	~~C~~	~~R~~
~~2. Medical and dental laboratories~~	~~SPR~~	~~R~~
~~3. Sanitaria, convalescent, and rest homes~~	~~SPR~~	~~R~~
~~4. Animal hospitals~~	~~C~~	~~R~~

~~5. Ambulance services~~	~~C~~	~~R~~
~~6. Congregate care facilities~~	~~SPR~~	~~R~~
~~7. Clinic, outpatient~~	~~SPR~~	~~R~~
~~8. Residential care facilities~~	~~SPR~~	~~R~~
~~**J. Services – Amusement**~~		
~~1. Amusement centers, indoor~~	~~SPR~~	~~R~~
~~2. Amusement centers, outdoor~~	~~C~~	~~R~~
~~3. Carnivals (temporary) and circuses (temporary)~~	~~SPR~~	~~R~~
~~4. Health and racquet clubs~~	~~SPR~~	~~R~~
~~5. Theaters, indoor~~	~~SPR~~	~~R~~
~~6. Theaters, outdoor (drive-in)~~	~~X~~	~~R~~
~~7. Sports facilities, including stadium and arena facilities and skating rinks~~	~~X~~	~~R~~
~~**K. Services – Educational, Recreational**~~		
~~1. Day-care centers~~	~~SPR~~	~~R~~
~~2. Day-care centers, family~~	~~SPR~~	~~R~~
~~2. Libraries~~	~~SPR~~	~~R~~
~~3. Private schools~~	~~SPR~~	~~R~~
~~4. Privately owned recreational facilities, pedestrian and bicycle trails and facilities~~	~~SPR~~	~~R~~
~~**L. Services – Membership Organizations**~~		
~~1. Business, professional, civic, social and fraternal~~	~~SPR~~	~~R~~
~~2. Religious places of worship~~	~~SPR~~	~~R~~
~~3. Private community centers, halls, clubs, lodges, meeting places~~	~~SPR~~	~~R~~
~~**M. Public Services and Facilities**~~		
~~1. Police and fire stations~~	~~P~~	~~R~~
~~2. Post offices~~	~~P~~	~~R~~
~~3. Utility substations and related facilities~~	~~P~~	~~R~~
~~4. Museums, galleries, historic and cultural exhibits and similar uses~~	~~SPR~~	~~R~~
~~5. Publicly owned recreational facilities, services, parks, playgrounds, parkways, pedestrian and bicycle trails and facilities~~	~~SPR~~	~~R~~
~~6. Sheltered transit stops~~	~~P~~	~~R~~
~~**N. Other**~~		
~~1. Forestry~~	~~X~~	~~R~~
~~2. Agriculture~~	~~X~~	~~R~~

~~1. See Sections 17.353.030(A) and 17.353.050, below.~~

~~Note: Other similar uses which the director finds to fit the purpose or intent of the zoning designation, in compliance with Section 17.100.040 (Permitted Uses).~~

Section 69. Kitsap County Code Section 17.353.030 last amended by Ordinance No. 311-2003 is amended as follows:

17.353.030 Densities ~~**generally—Density limit for the South Kitsap UGA/ULID #6 Sub-Area.**~~
Density shall be in accordance with Chapter 17.382 and 17.382.060, Urban Commercial and Mixed Use Density and Dimensions Table.
~~A. Densities Generally.~~
~~1. UVC Zone: Development is subject to a minimum density requirement of 10 dwelling units per net acre, and a maximum density of 18 dwelling units per net acre.~~
~~2. UTC Zone: Reserved.~~
~~B. Density Limit for the South Kitsap UGA/ULID #6 Sub-Area. Pursuant to the approved South Kitsap UGA/ULID #6 Sub-Area Plan, the maximum number of residential units permitted within the entire sub-area is 4,172, until such time as a further population allocation is made to the sub-area. All residential development within the VC zone 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.~~

Section 70. Kitsap County Code Section 17.353.040 last amended by Ordinance No. 311-2003 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.
~~A. Lot Size Requirements.~~
~~1. UVC Zone: No requirement.~~
~~2. UTC Zone: Reserved.~~
~~B. Yard Requirements.~~
~~1. UVC Zone Yard Requirements:~~
~~a. Front yard—no requirement.~~
~~b. Rear yard—no requirement.~~
~~c. Side yard—no requirement.~~

~~2. UTC Zone Yard Requirements: [Reserved.]~~

Section 71. Kitsap County Code Section 17.353.050 last amended by Ordinance No. 311-2003 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.
~~A. Commercial Floor Area Limitations.~~
~~1. UVC Zone Commercial Space Limitations. The total gross floor area devoted to commercial use in any one structure within the UVC zone shall not exceed 25,000 square feet.~~
~~2. UTC Zone Commercial Space Limitations. [Reserved.]~~
~~B. Residential Floor Area Limitations. The total gross floor area devoted to residential use in any project development proposal shall not exceed two-thirds of the total proposed gross floor area; provided, that 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.~~

Section 72. Kitsap County Code Section 17.353.060 last amended by Ordinance No. 311-2003 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.
~~A. UVC Zone. No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed forty-five feet in height.~~
~~B. UTC Zone. [Reserved.]~~

Section 73. Kitsap County Code Section 17.354.010 last amended by Ordinance No. 311-2003 is amended as follows:

17.354.010 How to use the design criteria.
The "requirement sections" in the following design criteria for Kitsap County apply to each project requiring ~~site plan review under Section 410 of this ordinance, or~~ conditional use review under ~~Section~~ Chapters 17.420 or 17.421 of this ordinance. These design criteria are intended to supplement the development standards of the ~~VC~~ Urban Village Commercial (UVC) and ~~TC~~ Urban Town Center (UTC) zones. Where the provisions of this Section 354 conflict with the provisions of the UVC and UTC zones in Section 353, the provisions of the zoning district shall apply. The "guidelines" that follow each requirement statement are suggested ways to achieve the design intent. Each guideline is meant to indicate the preferred conditions, but other equal or better design solutions will be considered acceptable by the Director or Hearing Examiner, so long as these solutions meet the intent of these sections. Where a requirement and/or guideline is followed by the abbreviations UVC or UTC – these requirements and/or guidelines are applicable to that particular zone found in Section 353.

Section 74. Kitsap County Code Section 17.353.070.B.4 last amended by Ordinance No. 311-2003 is amended as follows:

4. Exterior Wall Treatments:

a. Consider providing accessible views into interior activities of office and commercial buildings from the street. For example, use a high proportion of clear glass at the street level or have displays or services directly available from the street where appropriate (UVC, UTC).

b. In mixed-use buildings, the difference between ground floor commercial uses and entrances for upper level commercial or ~~apartment~~ residential uses may be reflected by differences in facade treatment. Differentiation can be achieved through distinct but compatible exterior materials, signs, awnings and exterior lighting (UVC, UTC).

c. One or more of the following wall treatments are required for building faces fronting on a sidewalk that exceed thirty (30) feet in length, and should cover or comprise at least sixty percent (60%) of the building face between two (2) and eight (8) feet in elevation above the sidewalk.

i. Clear or lightly tinted windows that are transparent when viewed from the sidewalk; (UVC, UTC);

ii. Ornamental and structural architectural details: mosaic, decorative masonry or tile, surface texture, relief art work, sculpture or murals (UVC, UTC);

iii. Climbing plants, vines, trees or other vegetation (UVC, UTC); or

iv. A pedestrian area located along the southern, eastern, or western exposure of a building face at a transit stop, intersection corner, or other location identified in an adopted streetscape plan may substitute for the wall treatments listed above (UVC, UTC).

Section 75. Kitsap County Code Section 17.355.010 last amended by Ordinance No. 250-2000 is amended as follows:

17.355.010 Purpose.

A. Neighborhood Commercial (NC).[2] These centers are intended to provide for the quick stop shopping needs of the immediate neighborhood in which they are located. These centers should be based upon demonstrated need and shall be sized in a manner compatible with a residential setting. ~~These commercial centers occur on smaller sites and are intend to provide for the quick stop shopping needs for the immediate neighborhood in which they are located. New centers should be based upon demonstrated need and shall be compatible with a residential setting.~~

B. Highway/Tourist Commercial (HTC).~~[1, 2]~~ These centers are intended to provide for those commercial establishments which require large sites. ~~and a high degree of visibility.~~ This zone serves the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destination and en route travelers. ~~This zone is intended to recognize the existing commercial development patterns of some areas of the county. These commercial areas are intended to serve the traveling public and provide for those commercial establishments which require large sites and a high degree of visibility. This zone also serves the needs of Kitsap County's growing tourist industry. Uses are focused on visitor services and accommodations for both destination and en route travelers. Certain historic settlements, highway locations, and tourism "gateways" are most appropriately suited for the HTC zone.~~

~~C. Urban Commercial (UC). These commercial centers are intended to provide for the shopping and service needs for large sections of the county. New centers shall range in size from a minimum of ten to a maximum of twenty acres unless a larger site is needed to accommodate requirements of approval such as storm water facilities.~~

C~~D~~. Regional Commercial (RC). These centers are intended to provide for the shopping and service needs of the region. Generally these centers contain two or more major department stores along with several shops of the same kind for comparative shopping. ~~These centers are intended to provide for the shopping and service needs of the region. Generally these centers will contain two or more major department stores along with several shops of the same kind for comparative shopping. New centers shall be more than forty acres in size.~~

Section 76. Kitsap County Code Section 17.355.020 last amended by Ordinance No. 292-2002 is amended as follows:

17.355.020 Uses.~~[1, 2]~~

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.B, Urban Commercial and Mixed Use Zones Use Table. Properties with these zoning classifications located outside of urban growth areas are allowed the same uses as their urban counterparts. ~~The uses set out in Commercial Use Table 17.355.020 are examples of uses allowable in the various zones. The appropriate review authority is mandatory.~~

~~**COMMERCIAL USE TABLE 17.355.020**~~

~~**"P" Permitted uses** **"SPR" Site plan review, Chapter 17.410**~~
~~**"C" Conditional uses, Chapter 17.420** **"X" Uses specifically prohibited**~~

~~USES~~	~~NC~~[2]	~~HTC~~[1, 2]	~~UC~~	~~RC~~
~~A. Residential~~				
~~1. Medium and high density (Not on ground floor)~~	~~SPR~~	~~SPR~~	~~SPR~~	~~SPR~~
~~2. Performance based developments, subject to Chapter 17.425~~	~~SPR~~	~~SPR~~	~~SPR~~	~~SPR~~
~~3. Existing residences without any increase in density~~[3]	~~P~~	~~P~~	~~P~~	~~P~~

USES	NC[2]	HTC[1, 2]	UC	RC
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	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
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

USES	NC[2]	HTC[1, 2]	UC	RC
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
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				

USES	NC[2]	HTC[1, 2]	UC	RC
1. Business, professional, civic, social and fraternal	SPR	SPR	SPR	SPR
2. Religious, places of worship	SPR	SPR	SPR	SPR
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

Section 77. Kitsap County Code Section 17.355.030 last amended by Ordinance No. 250-2000 is amended as follows:

17.355.030 Height regulation.[1, 2]

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

No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, except a greater height may be allowed upon review and approval by the director with concurrence from the appropriate fire district and fire marshal. The maximum building height may be increased upon approval of the fire district, fire marshal, and/or director, any such increases shall be based on criteria which must first be approved by the board of county commissioners.

Section 78. Kitsap County Code Section 17.355.040 last amended by Ordinance No. 247-2000 is amended as follows:

17.355.040 Lot requirements.[1, 2]

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

For lot requirements, *see* Commercial Zone Lot Requirements Table 17.355.040.

COMMERCIAL ZONE LOT REQUIREMENTS TABLE 17.355.040

ZONE	NC[2]	HTC[1, 2]	UC	RC
A. Minimum front yard setback in feet	20	20	20	20
B. Minimum side yard setback abutting a residential zone	20	20	20	20

~~C. Minimum side yard setback not abutting a residential zone~~	~~10~~	~~10~~	~~10~~	~~10~~
~~D. Minimum rear yard setback abutting a residential zone~~	~~20~~	~~20~~	~~20~~	~~20~~
~~E. Minimum rear yard setback not abutting a residential zone~~	~~10~~	~~10~~	~~10~~	~~10~~

Section 79. Kitsap County Code Section 17.360.020 last amended by Ordinance No. 216-1998 is amended as follows:

17.360.020 Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.C, Airport, Industrial and Urban Holding Area Zones Use Table. Properties with these zoning classifications located outside of urban growth areas are allowed the same uses as their urban counterparts. ~~For a list of examples of allowable uses in the BP zone, *see* Business Center, Business Park and Industrial Use Table 17.370.020.~~

Section 80. Kitsap County Code Section 17.360.030 last amended by Ordinance No. 216-1998 is amended as follows:

17.360.030 Height regulation.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.070, Industrial Density and Dimensions Table.
~~No structure shall exceed thirty-five feet in height unless the director finds that appropriate setbacks and/or screening of the site can maintain the character of the surrounding area. In instances where the maximum building height may be increased upon approval of the fire district, fire marshal, and/or director, any such increases shall be based on criteria which must first be approved by the board of county commissioners.~~

Section 81. Kitsap County Code Section 17.360.040 last amended by Ordinance No. 216-1998 is amended as follows:

17.360.040 Site requirements.
A. Site requirements shall be in accordance with Chapter 17.382 and 17.382.070, Industrial Density and Dimensions Table. ~~Site Area. The minimum site area shall be seven acres.~~
B. ~~Site Setback. The minimum site setback shall be seventy-five 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 business park activities from the residential zone which it abuts; in which case, the minimum site setback may be reduced to less than seventy-five feet but no less than twenty-five feet. In all other cases, minimum site setbacks shall be twenty feet.~~
~~C. Site Coverage. The maximum site coverage by impervious surfaces shall be fifty percent of the total site area.~~
~~D. Service Roads, Spur Tracks, and Hard Stands. No service road, spur track, or hard stand shall be permitted within required yard areas that abut residential zones.~~
~~E. Yards are required where side or rear lot lines abut railroad right-of-way or spur tracks.~~
~~F.~~ Fences. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry or business concerned; or to protect the public from a dangerous condition. Fences may not be constructed in a required yard adjacent to a public right-of-way.

Section 82. Kitsap County Code Chapter 17.365 Table of Contents as follows:

Chapter 17.365
BUSINESS CENTER ZONE (BC)

Sections:

17.365.010 Purpose.
17.365.020 Uses.
17.365.030 Height regulations.
~~17.365.025 Master plan required.~~
17.365.040 Site requirements.
17.365.050 Signs.
17.365.060 Off-street parking and loading.
17.365.070 Site landscaping and design plan.
17.365.080 Performance standards.
17.365.090 Administration.

Section 83. Kitsap County Code Section 17.365.020 last amended by Ordinance No. 311-2003 is amended as follows:

17.365.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.C, Airport, Industrial and IMPRA Zones Use Table. ~~The following uses are prohibited within the Business Center Zone.~~

~~A. Residential uses, except by caretaker of property in conjunction with a permitted use;~~

~~B. Adult entertainment;~~

~~C. Animal-related facilities such as stockyards, slaughterhouses and rendering, tanning and butchering facilities;~~

~~D. Uses generating obnoxious impacts as defined under Section 17.455.110 of this code;~~

~~E. Processing, milling or grinding of lumber, stumps, paper, pulp, etc.;~~

~~F. Gravel, asphalt, and concrete mixing; rock crushing and top soil production facilities or operations;~~

~~G. Sales and storage of autos, recreational vehicles, heavy equipment, boats and trailers unless associated with a primary use of on-site manufacturing of same, subject to the provisions of subsection (A)(5) of Section 17.370.020 of this code;~~

~~H. Shipping container storage, open storage yards and lay down yards not associated with the primary use;~~

~~I. Water and energy intensive businesses;~~

~~J. Regional retailers and large supermarkets;~~

~~K. Automotive salvage yards;~~

~~L. Self storage facilities;~~

~~M. Assembly, processing or manufacturing facilities performing on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the state siting criteria (RCW 10.105); and~~

~~N. Bulk storage of hazardous materials not used in an on-site manufacturing process resulting in a regulated product.~~

~~For a list of examples of allowable uses in the BC Zone *see* Business Center, Business Park and Industrial Use Table at Section 17.370.020 of this code.~~

Section 84. Kitsap County Code Section 17.365.025 last amended by Ordinance No. 311-2003 is hereby repealed:

~~**17.365.025 Master plan required.**~~

~~Except as specifically exempted below, all development within this zone must be consistent with a master plan developed under Chapter 17.415 of this code.~~

~~A. South Kitsap Industrial Area. Development in the 'Business Center' zone with a master plan optional overlay as depicted in the South Kitsap Industrial Area Plan will have the option of developing a master plan pursuant to Chapter 17.415 of this code. For developments not electing to develop a master plan, all uses shown as "Permitted" in Table 17.370.020 will require a "Site Plan Review". Master plans developed within the South Kitsap Industrial Area must include analyses of the entire sub-basin(s) in which the development is proposed.~~

Section 85. Kitsap County Code Section 17.365.030 last amended by Ordinance No. 311-2003 is amended as follows:

17.365.030 Height regulation.

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

~~No structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, *except* a greater height may be allowed upon review/approval by the director with concurrence from the fire marshal/fire district, if the net result is an overall increase in areas used for open space, recreational areas, or other public amenities, or the design results in a more creative or efficient use of land.~~

Section 86. Kitsap County Code Section 17.365.040 last amended by Ordinance No. 311-2003 is amended as follows:

17.365.040 Site requirements.

A. Site requirements shall be in accordance with Chapter 17.382 and 17.382.070, Industrial Density and Dimensions Table. ~~Site Area. There shall be no minimum site area within this zone.~~

B. ~~Yard Abutting a Residential Zone. The minimum site setback shall be seventy-five 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 business park activities from the residential zone which it abuts; in which case, the minimum site setback may be reduced to less than seventy-five feet but no less than twenty-five feet. In all other cases, minimum site setbacks shall be twenty feet. No structures, open storage, or parking shall be allowed in the setback area. The plan for landscaping may only be approved if the landscaping is designed to preserve the quality of the residential zone.~~

~~C. Site Coverage. Site coverage will be determined through the master plan process in accordance with sub-area and master plan policies.~~

~~D. Service Roads, Spur Tracks, and Hard Stands. No service road, spur track, or hard stand shall be permitted within required yard areas that abut residential zones.~~

~~E. Yards are required where side or rear lot lines abut railroad right-of-way or spur tracks.~~

~~F.~~ Fences. Fences, walls and hedges will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry or business concerned; or to protect the public from a dangerous condition. Fences may not be located in or adjacent to a required yard adjacent to a public right-of-way.

Section 87. Kitsap County Code Section 17.365.090 last amended by Ordinance No. 311-2003 is amended as follows:

17.365.090 Administration.

A. 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. Maximum permissible noise levels shall be in compliance with the Kitsap County Noise Ordinance.

~~B. 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.~~

Section 88. Kitsap County Code Section 17.370.020 last amended by Ordinance No. 336 is amended as follows:

17.370.020 Uses.

Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.C, Airport, Industrial and IMPRA Zones Use Table. Properties with these zoning classifications located outside of urban growth areas are allowed the same uses as their urban counterparts. ~~The following Business Center, Business Park and Industrial Use Table 17.370.020 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.~~

~~**BUSINESS CENTER, BUSINESS PARK AND INDUSTRIAL USE TABLE 17.370.020**~~

~~"P" Permitted uses~~ ~~"SPR" Site plan review, Chapter 17.410~~
~~"C" Conditional uses, Chapter 17.420~~ ~~"X" Uses specifically prohibited~~

~~USES~~	~~BP~~	~~BC[1]~~	~~IND[2]~~
~~A. Services, Retail and Amusements~~			
~~1. Laundry for carpets, overalls, rugs, and rug cleaning, using non-explosive and non-flammable cleaning fluids~~	~~SPR~~	~~P~~	~~SPR~~
~~2. Parcel delivery service~~	~~SPR~~	~~P~~	~~SPR~~
~~3. Animal hospital, kennels and animal boarding places~~	~~SPR~~	~~P~~	~~SPR~~
~~4. Ambulance service~~	~~SPR~~	~~P~~	~~SPR~~
~~5. All types of automobile, motorcycle, truck, and equipment service, repair, and rental~~	~~SPR~~	~~P~~	~~SPR~~
~~6. Boat building, and repair~~	~~SPR~~	~~P~~	~~SPR~~
~~7. Fuel oil distributors~~	~~X~~	~~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~~	~~P~~	~~SPR~~
~~9. Retail or combination retail/wholesale lumber and building materials yard~~	~~X~~	~~P[3]~~	~~SPR~~
~~10. Manufactured home and trailer storage or rental~~	~~X~~	~~X~~	~~SPR~~
~~11. Amusement park~~	~~X~~	~~X~~	~~C~~
~~12. Circus, carnival or other type of transient and outdoor amusement enterprises~~	~~X~~	~~X~~	~~SPR~~
~~A. Services, Retail and Amusements (Continued)~~			

USES	BP	BC[1]	IND[2]
13. Race track; auto or motorcycle	C	C	C
14. Museums, aquariums, historic, or cultural exhibits	SPR	P	SPR
15. Tourism facilities including outfitters, guides, and seaplane and tour-boat terminals	SPR	P	SPR
B. Manufacturing			
1. Assembly and fabrication of sheet metal products	SPR	P	SPR
2. Assembly, manufacture, compounding, packaging or treatment of articles or merchandise (Non-Hazardous)	SPR	P	SPR
3. Assembly, manufacture, compounding, packaging or treatment of articles or merchandise (Hazardous)	X	X	C
4. Ship building, dry dock, ship repair, dismantling	X	P	SPR
4a. Aircraft manufacturing, assembly, repair, dismantling	X	P	SPR
5. Manufacture of paper and by-products of paper	X	X	SPR
6a. Manufacture of roofing paper or shingles, asphalt in facilities less than 10,000 square feet	SPR	P	SPR
6b. Manufacture of roofing paper or shingles, asphalt in facilities 10,000 square feet or greater	C	P	C
7. Manufacture of mobile and manufactured homes	X	P	SPR
8a. Forest products manufacturing or shipping facilities which are not located on the waterfront such as assembly of previously milled wood into furniture, cabinetry or decorative items.	X	P	SPR
8b. Forest products manufacturing or shipping facilities which are located on the waterfront such as assembly of previously milled wood into furniture, cabinetry or decorative items.	X	X	C
C. Processing and Storage			
1. Spinning or knitting of fibrous materials	SPR	P	SPR
2. Non-marine related wholesale business, and warehouses not including mini-storage facilities	SPR	P	SPR
3. Non-marine related cold storage plants, including storage and office	SPR	X	SPR
4. Processing uses such as bottling plants, creameries, laboratories, blue printing, and photocopying, tire retreading, recapping, and rebuilding	SPR	P	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	X	SPR
6. Brewery, distillery, or winery	SPR	P	SPR
7. Junkyards or wrecking yards	X	X	C
8. Grain elevator and flour milling	X	P	SPR
9. Sawmills, lumber mills, Planing mills, and molding plants	X	P	SPR
10. Junk, rags, paper, or metal salvage, storage or processing	X	X	C

USES	BP	BC[1]	IND[2]
11. Rolling, drawing, or alloying ferrous and nonferrous metals	X	X	SPR
12. Rubber, treatment or reclaiming plant	X	X	SPR
13. Slaughterhouse or animal processing	X	X	C
14. Major petroleum storage and/or refining	X	X	C
15. Recycling centers (excluding junkyards)	SPR	X	SPR
16. Incinerator or reduction of garbage, offal, dead animals or refuse	X	X	C
17. Marine-related storage of equipment, supplies, materials, boats, nets, and vehicles	X	X	SPR
18. Cold storage facilities for marine or agricultural products	SPR	X	SPR
19. Processing, grinding or mixing of organic material for topsoil or soil amendments	X	X	SPR
D. Aggregate Products			
1. Manufacture of concrete products and associated uses	X	X	C
2. Manufacture of concrete products entirely within an enclosed building	SPR	P	SPR
3. Surface mining and quarries, subject to the provisions of the Mineral Resource Zone	X	X	C
E. Other			
1. Business and Professional services	P	P	SPR
2. Welding shop	C	P	SPR
3. Existing residential use without any increase in density	P	P	P
4. Residential dwelling for caretaker on the property in conjunction with a permitted use	P	P	P
5. Administrative, educational, and other related activities and facilities in conjunction with a permitted use	SPR	P	SPR
6. Research Laboratory	SPR	P	SPR
7. Aquaculture	X	P	C
8. Cabinet, electrical, plumbing, sheet metal/welding, electroplating and similar fabrication shops	SPR	P	SPR
9. Marine manufacturing repairs and services	SPR	P	SPR
10. Shellfish/fish hatcheries and processing facilities	X	X	C
11. Marinas	X	X	C
12. Forestry	P	P	P
13. Agriculture	P	P	P
14. Industrial Park	SPR	X	SPR
F. Public Services and Facilities			
1. Police and fire substations	SPR	P	SPR
2. Educational institutions	SPR	P	SPR
3. Publicly-owned land/water transhipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	C	P	C
4. Recreational Facilities Public/Private	C	P	C

~~1 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, these uses require a "Site Plan Review."~~

~~2 For properties with an approved master plan pursuant to Chapter 17.415, all uses requiring a "Site Plan Review" or "Conditional Use Permit" will be considered "Permitted" uses.~~

~~3 Retail must be associated with a primary permitted use.~~

Section 89. Kitsap County Code Section 17.370.025 last amended by Ordinance No. 311-2003 is amended as follows:

17.370.025 Existing plan recognition – Bremerton National Airport and Olympic View Industrial Park.

~~The Port of Bremerton's plans~~ Except for development of Port of Bremerton properties located within sub-basins(s) where stormwater runoff flows to the Business Center Zone properties with a Master Plan required overlay, plans for the Bremerton National Airport and the Olympic View Industrial Park in place before the adoption of the South Kitsap Industrial Area Plan will be considered master plans consistent with Chapter 17.415 until the earliest of the following events:

A. The Port of Bremerton chooses to submit a master plan(s) meeting the requirements of Chapter 17.415; or

B. The Port of Bremerton or other developers of these lands within these areas submit development applications inconsistent with the currently recognized plans. ~~; or~~

~~C. Six months from the date of adoption of the South Kitsap Industrial Area Plan.~~

Section 90. Kitsap County Code Section 17.370.030 last amended by Ordinance No. 311-2003 is amended as follows:

17.370.030 Height regulation.

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

~~No structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height, *except* a greater height may be allowed upon review/approval by the director with concurrence from the fire marshal/fire district, if the net result is a more efficient or creative use of land for aviation or an overall increase in areas used for open space, recreational areas, or other public amenities.~~

Section 91. Kitsap County Code Section 17.370.040 last amended by Ordinance No. 216-1998 is amended as follows:

17.370.040 Lot requirements.

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

~~A. Minimum area of new zone – None.~~
~~B. Maximum area of new zone – None.~~
~~C. Minimum lot area – None.~~
~~D. Minimum lot width – None.~~
~~E. Minimum lot depth – None.~~
~~F. Minimum front yard setback – twenty feet.~~
~~G. Minimum side yard setback – None.~~
~~H. Rear yard setback – None.~~

~~I. Yard abutting a residential zone. 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 only be approved if the landscaping is designed to preserve the quality of the residential zone. The minimum lot setback shall be fifty feet for any yard abutting a residential zone unless 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 twenty five feet. These setbacks are the minimum setbacks required and may be increased by the director to ensure adequate buffering and compatibility between uses.~~

Section 92. Kitsap County Code Section 17.370.050 last amended by Ordinance No. 216-1998 is amended as follows:

17.370.050 Lot coverage.

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

~~Maximum lot coverage by buildings and structures shall not exceed sixty percent.~~

Section 93. Kitsap County Code Section 17.370.090 last amended by Ordinance No. 216-1998 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 ~~all~~ industrial zones or~~,~~ by conditional use ~~or by site plan~~ 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.

1. Front Yard – Minimum front yard setback shall be forty feet.

2. Side Yard – Minimum side yard setback shall be twenty-five feet.

3. Rear Yard – Minimum rear yard setback shall be twenty feet.

e. Lot coverage – Maximum lot coverage by buildings shall be fifty percent of the total lot area.

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

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

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. 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, 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. In an approved or recognized master planned industrial development or in an approved industrial park as described in Section 17.370.090(A), any use identified in Table 17.370.020 requiring site plan review shall be considered a permitted use subject to the development requirements of the master plan or industrial park approval. Further permitted uses under this section shall be required to obtain all necessary development permits including, but not limited to, a building permit and a site development activity permit and shall be subject to SEPA review as required.~~

~~C. 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.~~

B~~D~~. Other provisions: *see* Chapter 17.430.

Section 94. Kitsap County Code Chapter 17.375 Table of Contents is amended as follows:

Chapter 17.375

AIRPORT ZONE (A)

Sections:

17.375.010 Purpose.
17.375.020 ~~Permitted u~~Uses.
~~17.375.030 (Reserved)~~
~~17.375.040 Uses permitted after site plan review as set forth in Chapter 17.410.~~
17.375.044 Master plan required.

17.375.046 Existing plan recognition – Bremerton National Airport.
17.375.050 Height regulation.
17.375.060 Lot requirements.
17.375.070 Signs.
17.375.080 Off-street parking and loading.
17.375.090 Special provisions.
17.375.100 Other provisions.

Section 95. Kitsap County Code Section 17.375.020 last amended by Ordinance No. 216-1998 is amended as follows:

17.375.020 ~~Permitted u~~Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.C, Airport, Industrial and IMPRA Zones Use Table. ~~The following uses are permitted:~~
~~A. Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.;~~
~~B. Repair, service and storage of aircraft;~~
~~C. Helicopter pads;~~
~~D. Aerial mapping and surveying;~~
~~E. Government structures, including fire stations, libraries, museums, and post offices, but not including storage or repair yards, warehouses, or similar uses; and~~
~~F. Agriculture.~~

Section 96. Kitsap County Code Sections 17.375.030 and 17.375.040 last amended by Ordinance No. -216-1998 are hereby repealed:

~~**17.375.030 (Reserved)**~~

~~**17.375.040 Uses permitted after site plan review as set forth in Chapter 17.410.**~~
~~A. Restaurants;~~
~~B. Businesses which utilize air travel and transportation in their daily business activities;~~
~~C. Air pilot training schools;~~
~~D. Air cargo warehousing and distribution facilities;~~
~~E. Aviation clubs;~~
~~F. Auto rental agencies;~~
~~G. Taxi, bus, and truck terminals; and~~
~~H. Service to commuter airlines.~~

Section 97. Kitsap County Code Section 17.375.046 last amended by Ordinance No. 311-2003 is amended as follows:

17.375.046 Existing plan recognition – Bremerton National Airport.
The Port of Bremerton's plan for the Bremerton National Airport in place before the adoption of the South Kitsap Industrial Area Plan will be considered a master plan consistent with Chapter 17.415 ~~of thi code~~ until the earliest of the following events:

A. The Port of Bremerton chooses to submit a master plan(s) meeting the requirements of Chapter 17.415; or
B. The Port of Bremerton or other developers of the lands in this area submit development applications inconsistent with the currently recognized plan.~~; or~~
~~C. Six months from the date of adoption of the South Kitsap Industrial Area Plan.~~

Section 98. Kitsap County Code Section 17.375.050 last amended by Ordinance No. 311-2003 is amended as follows:

17.375.050 Height regulation.
Height requirements shall be in accordance with Chapter 17.382 and 17.382.070, Industrial Density and Dimensions Table.
~~No structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five feet in height with the exception of aircraft hangar buildings. A greater height may be allowed upon review/approval by the director with concurrence from the fire marshal/fire district, if the net result is a more efficient or creative use of land for industry or an overall increase in areas used for open space, recreational areas, or other public amenities~~

Section 99. Kitsap County Code Section 17.375.060 last amended by Ordinance No. 216-1998 is amended as follows:

17.375.060 Lot requirements.
Lot requirements shall be in accordance with Chapter 17.382 and 17.382.070, Industrial Density and Dimensions Table.
~~A. Lot Area. None.~~
~~B. Lot Width. None.~~
~~C. Lot Depth. None.~~
~~D. Front Yard. Minimum front yard setback shall be twenty feet.~~
~~E. Side Yard. Minimum side yard setback shall be fifty feet when abutting a residential zone.~~
~~F. Rear Yard. Minimum rear yard setback shall be fifty feet when abutting a residential zone.~~
~~G. Lot Coverage. No requirement.~~

Section 100. Kitsap County Code Section 17.375.090 last amended by Ordinance No. 216-1998 is hereby repealed:

~~**17.375.090 Special provisions.**~~
~~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.~~

NEW SECTION . Section 101. A new chapter is hereby added to Kitsap County Code Title 17 as follows:

Chapter 17.377

PARKS ZONE (P)

Sections:

17.377.010 Purpose.
17.377.020 Uses.
17.377.030 General requirements.
17.377.040 Height regulations.
17.377.050 Signs.
17.377.060 Off-street parking.
17.377.070 Other provisions.

17.377.010 Purpose.
The intent of this zone is to create long-term consistency between the purpose for the purchase of parks and open space properties and the zoning regulations that apply to their development. Parks properties are intended for the development of parks, open space areas and recreational facilities for the benefit of the citizens of Kitsap County. Uses for these properties should be limited to those serving this purpose.

17.377.020 Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.E, Parks, Rural and Resource Zones Use Table.

17.377.030 General requirements.
A. Standards and requirements shall be in accordance with Chapter 17.382 and Section 17.382.100, Parks, Rural and Resource Density and Dimensions Table.
B. Development within this zone must be consistent with the Parks and Open Space Chapter of the Comprehensive Plan and other Titles of Kitsap County Code.

17.377.040 Height regulations.
Height requirements shall be in accordance with shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density, Dimensions and Design Table.

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

17.377.060 Off-street parking.
Off-street parking shall be provided according to the provisions of Chapter 17.435.

17.377.070 Other provisions.
[Reserved.]

Section 102. Kitsap County Code Section 17.380.020 last amended by Ordinance No. 216-1998 is amended as follows:

17.380.020 Uses.
Uses shall be allowed in accordance with Chapter 17.381 and 17.381.040.D, Parks, Rural and Resource Zones Use Table. ~~The following uses are permitted outright or by conditional use permit within this overlay:~~
~~A. Permitted.~~
~~1. All uses allowed in the underlying zone.~~
~~2. Extractions from deposits of rock, stone, gravel, sand, earth and minerals.~~
~~B. Conditional use permit.~~
~~1. Asphalt mixing.~~
~~2. Rock crushing.~~
~~3. Concrete mixing.~~
~~4. Top soil production.~~

Section 103. Kitsap County Code Section 17.380.030 last amended by Ordinance No. 216-1998 is amended as follows:

17.380.030 Special standards or requirements.

A. Site Area shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table. ~~When the activity includes both extraction, along with any one of the uses listed in Section 17.380.020(B), the site area shall be a minimum of twenty acres. Activities which are limited to extractions only, shall not have a minimum site size.~~

B. Lot Width shall be in accordance with Chapter 17.382 and 17.382.100, Parks, Rural and Resource Density and Dimensions Table. ~~There shall be a minimum lot width of three hundred thirty feet, unless the activity does not include any one of the uses listed in Section 17.380.020(B); in which case, there shall be a minimum lot width of sixty feet.~~

C. Fencing. The periphery of all sites within the gross site area being actively mined or reclaimed shall be fenced.

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.

E. 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).

F. Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to the provisions of the Kitsap County Noise Ordinance.

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.

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.

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).

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.

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.

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.

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

Section 104. Kitsap County Code Section 17.380.070 last amended by Ordinance No. 216-1998 is amended as follows:

17.380.070 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet ~~Within three hundred feet~~ of designated mineral resource lands, shall contain the following notice ~~the following language shall be attached to both plats and building permits~~:

> 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 use 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, surface mining, quarrying, 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.

NEW SECTION. Section 105. A new chapter is hereby added to Kitsap County Code Title 17 as follows:

Chapter 17.381

ALLOWED USES

Sections:

17.381.010 Categories of uses established.
17.381.020 Establishment of zoning use tables.
17.381.030 Interpretation of tables.
17.381.040 Zoning use tables.
17.381.050 Footnotes for zoning use tables.
17.381.060 Provisions applying to special uses.

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.

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.

17.381.020 Establishment of zoning use tables.

The tables in Section 17.381.040 establish allowed uses in the various zoning designations and whether the use is allowed as "Permitted," "Administrative Conditional Use," or "Hearing Examiner Conditional Use." Uses with approval processes that will be determined at a future date are identified as "Reserved." The zone is located at the top of the table and the specific use is located on the far-left of the vertical column of these tables.

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
C	Hearing Examiner Conditional Use
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.

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)

B. Urban Commercial and Mixed Use Zones (NC, UVC, UTC, HTC, RC, MU)

C. Airport, Industrial and IMPRA Urban Holding Area Zones (A, BP, BC, IND, UHA)

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

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

17.381.040.A Urban Residential Zones.

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RESIDENTIAL USES					
Accessory dwelling units (1)	P	ACUP	ACUP	P	X
Accessory living quarters (1)	P	ACUP	ACUP	P	X
Accessory use or structure (1) (17) (18)	P	ACUP	ACUP	P	P
Adult Family Home	ACUP	X	X	ACUP	ACUP
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	ACUP
Cottage housing developments	P	ACUP	ACUP	ACUP	X
Dwelling, duplex	P	ACUP (3)	ACUP (3)	ACUP	X
Dwelling, existing	P	ACUP	ACUP	P	P
Dwelling, multi-family	ACUP	C	C	P	P
Dwelling, single-family attached	P	ACUP	ACUP	P	ACUP
Dwelling, single-family detached	P	ACUP	ACUP	P	ACUP
Home business (1)	P	ACUP	ACUP	ACUP	ACUP
Hotel/Motel	X	X	X	ACUP	X
Manufactured homes	P (43)	ACUP (43)	ACUP (43)	P (43)	X (43)
Mixed use development (44)	X	X	X	ACUP	ACUP
Mobile homes	C (43)	C (24) (43)	C (24) (43)	C (24) (43)	X (43)
Residential care facility	P	ACUP	ACUP	P	P

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
COMMERCIAL / BUSINESS USES					
Accessory use or structure (1) (17)	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	C	ACUP (37)
Day-care center, family (14)	P	C	C	C	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	X	X	X	ACUP (37)
General office and management services – 2,000	X	X	X	X	ACUP (37)

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use to 4,999 s.f.	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
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)

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	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 (1)	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	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	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

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
Veterinary clinics/Animal hospitals	X	X	X	X	C (9) (37)

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RECREATIONAL / CULTURAL USES					
Accessory use or structure (1) (17)	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
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 (auto or motorcycle)	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)	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	ACUP
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)	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 (21)	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

	Urban Low Density Residential			Urban Medium/High Density Residential	
Use	**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

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Use	UCR (48)	UR (19)	UL (19)(48)	UM (30)(47)(48)	UH (19)(47)(48)
RESOURCE LAND USES					
Accessory use or structure (1) (17)	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)

17.381.040.B Urban Commercial and Mixed Use Zones.

	Urban Low Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
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 (1)	X	X	R	X	X	X
Accessory living quarters (1)	X	X	R	X	X	X
Accessory use or structure (1) (17) (18)	P	P	R	P	P	P
Adult Family Home	X	ACUP	R	X	X	ACUP
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	X	ACUP
Dwelling, single-family attached	X	P	R	X	X	X
Dwelling, single-family detached	X	P	R	X	X	X
Home business (1)	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
Residential care facility	X	ACUP	R	X	X	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)	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	ACUP	R	P	P	ACUP
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
General office and management services – 2,000 to 4,999 s.f.	ACUP	ACUP	R	P	P	ACUP

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
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 – 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	C	X	R	ACUP	ACUP	X
Restaurants, High-turnover	ACUP	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

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
Use	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
Transportation terminals	C	X	R	ACUP	ACUP	X
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)	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
Movie Theaters, outdoor	X	X	R	C	C	X
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 (auto or motorcycle)	X	X	X	C	C	X
Recreational facilities, private	ACUP	ACUP	R	ACUP	ACUP	ACUP
Recreational facilities, public	ACUP	ACUP	R	ACUP	ACUP	ACUP
Recreational vehicle camping parks	X	X	R	C	X	X
INSTITUTIONAL USES						
Accessory use or structure (1) (17)	P	P	R	P	P	P
Government/Public structures	ACUP	ACUP	R	ACUP	ACUP	ACUP
Hospital	X	C	R	ACUP	ACUP	X
Places of worship (12)	ACUP	ACUP	R	ACUP	ACUP	C
Private or Public Schools (20)	ACUP	ACUP	R	ACUP	ACUP	ACUP

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
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

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
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)	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
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	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
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	X	R	X	X	X

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
Use	NC (30) (19) (48)	UVC (30) (48)	UTC (48)	HTC (29) (30) (19) (48)	RC (19) (48)	MU (19) (44) (45) (48)
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

	Urban Low-Intensity Commercial/ Mixed Use		Urban High-Intensity Commercial/ Mixed Use			
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)	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)

17.381.040.C Airport, Industrial and IMPRA Urban Holding Area Zones.

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

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
COMMERCIAL / BUSINESS USES					
Accessory use or structure (1) (17)	P	P	ACUP	ACUP	R
Adult entertainment (1)	X	C	X	C	R
Ambulance service	X	P	ACUP	ACUP	R
Auction house	X	X	X	X	R
Auto parts and accessory stores	X	X	X	X	R
Automobile and equipment rentals	ACUP	P	ACUP	ACUP	R
Automobile service and repair and car washes	X	P	ACUP	ACUP	R
Automobile service station (6)	X	C (33)	C (33)	C (33)	R
Automobile, recreational vehicle or boat sales	X	ACUP (35)	X	ACUP (35)	R
Boat/marine supply stores	X	X	X	X	R
Brew pubs	X	X	X	X	R
Clinic, Medical	X	P	ACUP	C	R
Conference Center	X	X	X	X	R
Custom art and craft stores	X	X	X	X	R
Day-care center (14)	X	P (33)	ACUP (33)	ACUP (33)	R
Day-care center, family (14)	X	P (33)	ACUP (33)	ACUP (33)	R
Drinking establishments	C	P (33)	C (33)	ACUP (33)	R
Engineering and construction firms	X	P (33)	ACUP (33)	ACUP (33)	R
Espresso stands	X	P (33)	ACUP (33)	ACUP (33)	R
Farm and garden equipment and sales	X	X	X	X	R
Financial, banking, mortgage and title institutions	X	P (33)	C (33)	ACUP (33)	R
General office and management services – less than 2,000 s.f.	X	P	P	ACUP	R
General office and management services – 2,000 to 4,999 s.f.	X	P	P	ACUP	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
General office and management services – 5,000 to 9,999 s.f.	X	X	P	X	R
General office and management services – 10,000 s.f. or greater	X	X	P	X	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
COMMERCIAL / BUSINESS USES (continued)					
General retail merchandise stores – less than 5,000 s.f.	X	P (33)	X	ACUP (33)	R
General retail merchandise stores –5,000 to 9,999 s.f.	X	X	X	X	R
General retail merchandise stores – 10,000 to 24,999 s.f.	X	X	X	X	R
General retail merchandise stores – 25,000 s.f. or greater	X	X	X	X	R
Kennels or Pet Day-Cares (1)	X	P	ACUP	ACUP	R
Kennels, hobby	X	X	X	X	R
Laundromats and laundry services	X	P	ACUP	ACUP	R
Lumber and bulky building material sales	X	P	X	ACUP	R
Mobile home sales	X	X	X	X	R
Nursery, retail	X	X	X	X	R
Nursery, wholesale	X	X	X	X	R
Off-street private parking facilities	X	X	X	X	R
Personal services - skin care, massage, manicures, hairdresser/barber	X	X	X	X	R
Pet shop - retail and grooming	X	X	X	X	R
Research Laboratory	X	P	ACUP	ACUP	R
Restaurants	ACUP	P (33)	C (33)	ACUP	R
Restaurants, Drive-In	X	X	X	X	R
Restaurants, High-turnover	X	X	X	X	R
Temporary offices and model homes (27)	X	X	X	X	R
Tourism facilities, including outfitters, guides, and seaplane and tour-boat terminals	X	P	ACUP	ACUP	R
Transportation terminals	ACUP	P	X	ACUP	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
Veterinary clinics/Animal hospitals	X	P	ACUP	ACUP	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
RECREATIONAL / CULTURAL USES					
Accessory use or structure (1) (17)	P	P	ACUP	ACUP	R
Amusement centers	X	X (11)	X (11)	C (11)	R
Carnival or Circus	X	X (11)	X (11)	ACUP (11)	R
Club, Civic or Social (12)	ACUP	ACUP	X	ACUP	R
Golf courses	X	X	X	X	R
Marinas	X	X	X	C	R
Movie Theaters, indoor	X	X	X	X	R
Movie Theaters, outdoor	X	X	X	X	R
Museum, performing arts theaters, galleries, aquarium, zoo, historic or cultural exhibits	ACUP	P	ACUP	X	R
Parks and open space	P	P	P	P	R
Race track (auto or motorcycle)	X	X	C	C	R
Recreational facilities, private	X	P	C	C	R
Recreational facilities, public	C	P	C	C	R
Recreational vehicle camping parks	X	X	X	X	R
INSTITUTIONAL USES					
Accessory use or structure (1) (17)	P	P	ACUP	ACUP	R
Government/Public structures	P	P	P	P	R
Hospital	X	X	X	X	R
Places of worship (12)	X	C	X	C	R
Private or Public Schools (20)	X	P	ACUP	ACUP	R
Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots (16)	C	ACUP	ACUP	ACUP	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
INDUSTRIAL USES					
Accessory use or structure (1) (17)	P	P	ACUP	ACUP	R
Air pilot training schools	ACUP	P	X	P	R
Assembly and packaging operations	ACUP	ACUP	X	ACUP	R
Boat Yard	X	P	ACUP	ACUP	R
Cemeteries, mortuaries, and crematoriums (10)	X	ACUP	X	ACUP	R
Cold storage facilities	X	X	SPR	ACUP	R
Contractor's storage yard (21)	X	P	X	ACUP	R
Fuel distributors	X	C	X	C	R
Helicopter pads (13)	P	ACUP	X	ACUP	R
Manufacturing and fabrication, light	ACUP	P	ACUP	P	R
Manufacturing and fabrication, medium	ACUP	ACUP	ACUP	ACUP	R
Manufacturing and fabrication, heavy	X	X	X	C	R
Manufacturing and fabrication, hazardous	X	X	X	C	R
Recycling centers	X	X	X	C	R
Rock crushing	X	X	X	C	R
Slaughterhouse or animal processing	X	X	X	C	R
Storage, hazardous materials	X	X	X	C	R
Storage, indoor	C	ACUP	ACUP	ACUP	R
Storage, outdoor	C	C	X	ACUP	R
Storage, self-service	X	ACUP	X	ACUP	R
Storage, vehicle and equipment (1)	X	ACUP	X	ACUP	R
Top soil production, stump grinding	X	X	X	ACUP	R
Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	X	P	C	C	R
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. (13)	P	X	X	C	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
Warehousing and distribution	ACUP	X	X	ACUP	R
Wrecking yards and junk yards (1)	X	X	X	C	R

	Airport	Urban Industrial			IMPRA
Use	A	BC (31) (42)	BP	IND (32) (42)	UHA (41)
RESOURCE LAND USES					
Accessory use or structure (1) (17)	P	P	ACUP	ACUP	R
Aggregate extractions sites	X	P	X	C	R
Agricultural uses (15)	X	P	P	P	P
Aquaculture practices	X	P	X	C	R
Forestry	P	P	P	P	P
Shellfish/fish hatcheries and processing facilities	X	X	X	C	R
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)	R

17.381.040.D Rural Sub-Areas.

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	MVC	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	P	P	X	P	P
Accessory use or structure (1) (17) (18)	ACUP	P	P	P	P	P	P	P	P
Adult Family Home	ACUP	X	X	X	X	X	X	X	X
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)
Caretaker'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	X	X	X	X
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
Home business (1)	X	ACUP	ACUP	P	P	X	X	ACUP	ACUP
Hotel/Motel	C	X	X	ACUP	X	ACUP	X	X	X
Manufactured homes	X (43)	P (43)	P (43)	ACUP (43)	ACUP (43)	X	X (43)	P (43)	P (43)
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	X	X

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
COMMERCIAL / BUSINESS USES									
Accessory use or structure (1) (17)	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	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	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	X	X	X
Boat/marine supply stores	ACUP	X	X	ACUP	X	ACUP	X	X	X
Brew pubs	X	X	X	ACUP	X	ACUP	X	X	X
Clinic, Medical	ACUP	X	X	ACUP	X	ACUP	X	X	X
Conference Center	X	X	X	X	X	X	X	X	X
Custom art and craft stores	ACUP	X	X	ACUP	X	ACUP	ACUP	X	X
Day-care center (14)	C	C	C	ACUP	C	ACUP	ACUP	C	C
Day-care center, family (14)	C	C	C	ACUP	C	ACUP	ACUP	C	C
Drinking establishments	C	X	X	X	X	X	C	X	X
Engineering and construction firms	ACUP	X	X	X	X	X	C	X	X
Espresso stands	ACUP	X	X	X	X	X	C	X	X
Farm and garden equipment and sales	X	X	X	X	X	X	X	X	X
Financial, banking, mortgage and title institutions	ACUP	X	X	X	X	X	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

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	**MVC**	**MVLR**	**MVR**	**RHTC** (25)	**RHTR** (25)	**RHTW** (25)	**SVC**	**SVLR**	**SVR**
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

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	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 24,999 s.f.	X	X	X	X	X	X	X	X	X
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	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	X	X	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	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	X	X	X
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	X	X	X
Veterinary clinics/Animal	ACUP	X	X	ACUP	X	X	ACUP	C	C

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	**MVC**	**MVLR**	**MVR**	**RHTC** (25)	**RHTR** (25)	**RHTW** (25)	**SVC**	**SVLR**	**SVR**
hospitals									

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
RECREATIONAL / CULTURAL USES									
Accessory use or structure (1) (17)	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	X	X	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	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 (auto or motorcycle)	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)	ACUP	P	P	P	P	P	P	P	P
Government/Public structures	ACUP	C	C	ACUP	C	X	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
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

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	MVC	MVLR	MVR	RHTC (25)	RHTR (25)	RHTW (25)	SVC	SVLR	SVR
INDUSTRIAL USES									
Accessory use or structure (1) (17)	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	X	X	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	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	X	X	X	X	X
Manufacturing and fabrication, medium	X	X	X	X	X	X	X	X	X
Manufacturing and fabrication, heavy	X	X	X	X	X	X	X	X	X
Manufacturing and fabrication, hazardous	X	X	X	X	X	X	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	X	X	X
Storage, outdoor	X	X	X	X	X	X	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 (18)	X	X (18)	X (18)
Top soil production, stump grinding	X	X	X	X	X	X	X	X	X
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.	X	X	X	X	X	X	X	X	X

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Use (13)	**MVC**	**MVLR**	**MVR**	**RHTC** (25)	**RHTR** (25)	**RHTW** (25)	**SVC**	**SVLR**	**SVR**
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			Rural Historic Sub-Area			Suquamish Sub-Area		
Use	**MVC**	**MVLR**	**MVR**	**RHTC** (25)	**RHTR** (25)	**RHTW** (25)	**SVC**	**SVLR**	**SVR**
RESOURCE LAND USES									
Accessory use or structure (1) (17)	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	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)

17.381.040.E Parks, Rural and Resource Zones.

	Parks	Resource		Rural			
Use	**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)	X	P	P	P	P	P	P
Adult Family Home	X	X	X	X	X	X	X
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	P	P	P	X
Dwelling, single-family detached	X	C	X	P	P	P	X
Home business (1)	X	C (23)	X	ACUP	ACUP	ACUP	ACUP
Hotel/Motel	X	X	X	X	X	X	X
Manufactured homes	X	X (43)	X	X (43)	X (43)	X (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)	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	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	C	C	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
General office and management services – 5,000	X	X	X	X	X	X	X

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

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
COMMERCIAL / BUSINESS USES							
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	C (7)	C (7)	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)	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	X	C	C	X
Golf courses	ACUP	X	X	C	C	C	X
Marinas	ACUP	X	X	X	X	X	X
Movie Theaters, indoor		X	X	X	X	X	X
Movie Theaters, outdoor	X	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 (auto or motorcycle)	C	X	X	X	X	X	X
Recreational facilities, private	ACUP	X	X	C	C	C	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)	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	C	C	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)	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	C	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
Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.	X	X	X	X	X	X	X

	Parks	Resource		Rural			
Use	Parks	FRL	MR	URS	RP	RR	RW
(13)							
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)	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

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. Duplexes 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 show that adequate measures and controls shall be taken to prevent offensive noise and odor.
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 shall be setback a minimum of thirty feet 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 be located on a county 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 adjacent (existing or

potential) residential development use due to excessive traffic generation, noise, or other circumstances.

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. 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. per 40,000 square feet of lot area for parcels one acre or smaller or for parcels five acres or smaller located within two hundred 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. per 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 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.

    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 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 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. Approval 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 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.
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.

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 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 in the residence except for 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 (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 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 (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 additional off-street parking 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 additional 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.

NEW SECTION. Section 106. A new chapter is hereby added to Kitsap County Code Title 17 as follows:

Chapter 17.382

DENSITY, DIMENSIONS, AND DESIGN

Sections:

17.382.010 Standards established.
17.382.020 Measurement methods.
17.382.030 Design standards.
17.382.035 Development standard modifications or waivers – Mixed use development.
17.382.040 Tables.
17.382.050 Interpretation of tables.
17.382.060 Urban Residential Density and Dimensions Table.
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17.382.010 Standards established.

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

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.

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. Building height, buffering and screening modification.

1. The director may require increased landscaping, screening and setbacks to minimize conflicts with adjacent uses.
2. 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 conditions provide natural screening and buffering.
3. 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.

17.382.035 Development standard modifications or waivers - Mixed use development.

A. 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 a compatible mix of multi-family housing and commercial businesses and services;
3. Better meets the intent of the Comprehensive Plan; and
4. Provides for compatibility with surrounding uses and zones.

B. The following development standards may be modified or waived:

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.

C. The criteria and provisions of this section supersede other variance, modification or waiver criteria and provisions contained in this Title.

17.382.040 Tables.

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

Urban Residential Zones (UCR, UR, UL, UM, UH)
Urban Commercial and Mixed Use Zones (NC, UVC, UTC, HTC, RC, MU)
Industrial Zones (A, BP, BC, IND, UHA)
Rural Sub-Areas (MVC, MVLR, MVR; RHTC, RHTR, RHTW; SVC, SVLR, SVR)
Parks, Rural and Resource Zones (FRL, MR, RP, RR, RW, URS)

17.382.050 Interpretation of tables.

Development standards are listed down the left side of the tables and the zones are listed at the top. The table cells contain the minimum and, in some cases, maximum dimensional requirements of the zone. The small numbers (subscript) in a cell indicate additional requirements or detailed information. Those additional requirements can be found in the table footnotes in Section 17.382.110. A cell, marked with NA, indicates there are no specific requirements.

17.382.060 Urban Residential Density and Dimensions Table.

	Urban Low-Density Residential			Urban Medium/High-Density Residential	
Standard	**UCR** (5)	**UR** (33)	**UL** (5) (33)	**UM** (5)	**UH** (33)
Minimum density (du/acre)	4 ~~5~~ (19)	1 (18) (3)	4 ~~5~~ (19)	10 (19)	19
Base/Maximum density (du/acre)	9 (19)	5 (18)	9 (19)	18 (19)	~~24~~ 30
Minimum lot size (39)	None	5800 s.f.	3,600 s.f.	None	None
Lot width (feet)	NA	60	60 (20)	0 for multi-family; 60 for single-family	60
Lot depth (feet)	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)	10 for single-family, duplex & townhouse; 10 for multi-family adjacent or abutting residential, otherwise 0 (29)	20 (29)	20 (29)	0 for multi-family; 20 for single-family (29)	20 (29)
Side (feet) (42)(43)	5 (28) (29)	5 (29)	5 (29)	0 for multi-family; 5 for single-family (29)	5 (29)
Rear (feet) (42)(43)	5 (28) (29)	5 (29)	5 (29)	0 for multi-family; 5 for single-family (29)	10 (29)

17.382.070 Urban Commercial and Mixed Use Density and Dimensions Table.

	Urban Low Commercial-Intensity /Mixed-Use		Urban High Commercial/Mixed Use			
Standard	**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)
Setbacks, Generally (34) (38)						
Minimum Front (feet) (41) (42) (43) (29)	20	None	Reserved	20	20	10
Maximum Front (feet) (42) (43)	NA	NA	NA	NA	NA	20

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

17.382.080 Industrial Density and Dimensions Table.

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

17.382.090 Rural Sub-Areas Density and Dimensions Table.

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Standard	**MVC**	**MVLR**	**MVR**	**RHTC**	**RHTR**	**RHTW**	**SVC**	**SVLR**	**SVR**
Minimum density (du/acre)	5	NA	NA	NA	NA	NA	NA	NA	NA
Base/Maximum density (du/acre)	24 (15)	2 (15)	4 (15)	2.5	2.5 (7)	2.5	NA	2	2
Minimum lot size (39)	NA	21,780 s.f. 10,890 with clustering (12)	10,890 s.f. (12)	None	3,500 s.f (7)	NA	NA (11)	4,500 s.f. (4) (11)	3,600 s.f. (4) (11)
Maximum lot size (39)	NA	NA	NA	None	7,500 s.f. (7)	NA	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)
Lot depth (feet)	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	90 (4) (11)	75 (4) (11)
Maximum height (feet) (40)	35 (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
Maximum Impervious Surface Coverage	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres (16)	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres (16)	50% for residential properties less than or equal to .50 acres 40% for residential properties greater than or equal to .51 acres (16)	NA	NA	NA	40% (6)	40% (6)	40% (6)

	Manchester Sub-Area			Rural Historic Sub-Area			Suquamish Sub-Area		
Standard	**MVC**	**MVLR**	**MVR**	**RHTC**	**RHTR**	**RHTW**	**SVC**	**SVLR**	**SVR**
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)	NA	20	20	None	20 (9)	None	10 (11)	20 (11)	20 (11)
Side (feet) (42) (43)	NA	5	5	Per UBC	5 (10)	Per UBC	10 (21) (11)	5 (11)	5 (11)
Rear (feet) (42) (43)	NA	5	5	Per UBC	5 (10)	Per UBC	10 (21) (11)	5 (11)	5 (11)

17.382.100 Parks, Rural and Resource Density and Dimensions Table.

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

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.
       - Minimum Lot Size: 21,780 square feet
       - Minimum Lot Width: 100 feet
       - Minimum Lot Depth: 100 feet
    b. Setbacks.
       - Front: 20 feet
       - Side: 5 feet
       - 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 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. 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 and smaller lot sizes may be allowed based upon the designation of a portion of the development as "Wooded Reserve" and a portion of the development acreage as "Permanent Open Space" under one of the allowed alternatives in Chapter 17.301.

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.

Section 106. Kitsap County Code Section 17.385.010 last amended by Ordinance No. 216-1998 is amended as follows:

17.385.010 Purpose.

Landscaping shall be provided and maintained as set forth in this section for all uses subject to the requirements for ~~a site plan review,~~ 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 107. Kitsap County Code Chapter 17.400 is hereby repealed and replaced with the following:

Chapter 17.400

LAND USE REVIEW

Sections:

17.400.010 Purpose.
17.400.020 Code compliance review.
17.400.030 Review authority.
17.400.040 Appeals.

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 the Zoning Ordinance. Land use review will ensure that project permit applications are handled in a predictable, efficient and consistent manner.

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.

17.400.030 Review authority.

A. Depending on the type of development, the proposal may be subject to various land use reviews. The type of land use review is dependent on the proposed development or use as set forth in Chapter 17.381 and this Title.

B. The proposal may also be subject to various project permit reviews as set forth in Title 21 of this code.

17.400. 040 Appeals.

All appeals shall follow the procedures set forth in Title 21 of this code.

~~LAND USE REVIEW~~

~~Sections:~~

~~17.400.010 — Purpose.~~
~~17.400.020 — Process.~~

~~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 the Zoning Ordinance. Land use review will ensure applications are handled in a predictable, efficient and consistent manner.~~

~~17.400.020 — Process.~~

~~All proposed uses and development except those which are permitted outright in a particular zone are subject to land use review. Depending on the type of development, the proposal may be subject to various forms of land use review. The type of review is dependent on how the proposed development or use is identified in the Zoning Ordinance and is dependent on the zone in which the proposed development is located.~~

~~All uses or developments which meet the requirements of Title 21 of this code are subject to a pre-application review. However, all applicants are encouraged to contact the department of community development for information and guidance prior to application.~~

Section 108. Kitsap County Code Chapter 17.410 is hereby repealed:

~~Chapter 17.410~~

~~SITE PLAN REVIEW~~

~~Sections:~~

~~17.410.010 — Purpose.~~
~~17.410.020 — Review authority.~~
~~17.410.030 — Review required.~~
~~17.410.040 — Site plan review.~~
~~17.410.050 — Public notice.~~
~~17.410.060 — Appeal procedure.~~
~~17.410.070 — Permits stayed.~~
~~17.410.080 — Site plan review exemption.~~
~~17.410.110 — Reapplication.~~

~~17.410.010 — Purpose.~~

~~The purpose of site plan review is to ensure design compatibility between new developments, existing uses and future developments. Site plan review is required in order to promote developments that are harmonious with their surroundings and maintain a high quality of life for area residents; to ensure that new developments are planned and designed to protect privacy, to determine appropriate lighting and noise mitigation measures and to ensure adequate and safe access. Site plan review is required for conditional use permits, and developments in all business park, commercial, industrial, airport, and mineral resource zones.~~

~~17.410.020 — Review authority.~~

~~A. A property owner may make application for a site plan review to the director in a manner prescribed by this section. Upon receipt of a complete application, the director shall have fourteen~~

~~calendar days to notify the applicant whether the application shall be reviewed administratively or by the hearing examiner at a scheduled public hearing. A public hearing will be required when a component of development located within a commercial zone involves the conversion of previously undeveloped land which abuts a residential zone. Any application for a conditional use permit shall always be subject to review by the hearing examiner at the scheduled public hearing. Further, the director may refer any proposal under this section to the hearing examiner for review and decision.~~

~~B. Building Height, Buffering and Screening Modification.~~

~~1. The director may require increased landscaping, screening and setbacks to minimize conflicts with adjacent uses.~~

~~2. 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 hereunder;~~

~~(b) Where the density of the proposed development is less than that permitted by the zone; or~~

~~(c) Where topographical conditions provide natural screening and buffering.~~

~~3. 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. All applicants for site plan review shall attend a pre-application meeting as provided for by Chapter 17.405 prior to submitting the formal site plan review application. The director may grant a waiver from this requirement to those applicants who will accept responsibility for the information and requirements that would have been provided to them at the pre-application meeting.~~

~~17.410.030 Review required.~~

~~No person shall commence any use or erect any structure without first obtaining the approval of a site plan by the director, as set forth in Section 17.410.040 below, and no use shall be established, no structure erected or enlarged, and no other grading, improvement or construction undertaken except as shown on an approved site plan which is in compliance with the requirements set out in Section 17.410.040.~~

~~17.410.040 Site plan review.~~

~~Request for site plan review shall be submitted and processed in the manner prescribed by the director in the following review categories:~~

~~A. Formal Site Plan Review. Includes all development plans for initial construction, expansions of existing buildings and structures on any parcel or lot. The review may be processed concurrent with the processing of a building permit and/or binding site plan. Formal site plan review shall be in two steps: preliminary and final. Preliminary review shall consist of preliminary site drawings, reports, landscape plans and all other required components needed for a complete application. Preliminary review shall follow the process below.~~

~~All applications shall be accompanied with fourteen copies 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 setback and/or buffer requirements; and

15. Other information as required.

In the event the project is reviewed administratively as provided for in Section 17.410.020(A), the director shall preliminarily approve, preliminarily approve with conditions, disapprove, request revisions to the proposal, request additional information deemed by the director to be necessary for further review or return the plans to the applicant as provided for in Title 21 of this code.

In preliminarily approving the plan, the director shall determine compliance with all provisions of this title and any other applicable regulations which may affect the final plan as submitted or revised.

In those instances where the application is referred to the hearing examiner for review as provided for in Section 17.410.020(A), the application shall be reviewed as provided for in Title 21 of this code.

In final approval of the plan, the director shall determine compliance with all provisions of site development including, but not limited to, final engineering plans, final landscaping, building elevations, building color and materials, signage, and other conditions of approval.

B. Standards.

1. All uses shall be conducted within a completely enclosed structure. Limited outside uses; (e.g.: patio dining areas and nursery sales limited to plants and trees) shall be subject to site plan review;

2. 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;

3. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. There shall be no visible storage of motor vehicles (except display or auto sales to a limited degree; compatible with neighboring properties), trailers, airplanes, boats, recreational vehicles or their composite parts, tents, equipment or building materials in any portion of a lot. No storage shall occur on any vacant parcel. 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;

4. 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;

5. 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; together with incorporating transit stops within the site plan design as appropriate;

6. 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 as measured horizontally along the street face. 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;~~

~~7. Signs shall be permitted according to the provisions of Chapter 17.445;~~

~~8. Off-street parking and loading shall be provided according to the provisions of Chapter 17.435; and~~

~~9. Landscaping shall be provided according to the provisions of Chapter 17.385.~~

~~C. Minor Site Plan Review. Building or structure alterations, remodels, and installation of minor accessory structures which do not involve a change in use of the property which may conflict with the provisions of this title, may be reviewed through a "minor review" process, to minimize processing time and expedite final approval. Requests for "minor site plan review" shall be approved or denied by the director within ten calendar days of receipt of a completed application.~~

~~D. A site plan review may be approved only if *all* of the following findings are made:~~

~~1. The proposed development/use is one permitted within the subject zoning designations and complies with all of the applicable provisions of this title and all other applicable regulations, including prescribed development/performance standards and all applicable development standards and design guidelines;~~

~~2. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area;~~

~~3. The subject site is physically suitable for the type, density and intensity of the use being proposed;~~

~~4. Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and all other relevant facts, including: sidewalks or other planning features that ensure safe walking conditions for students who walk to and from school; and~~

~~5. The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the county.~~

~~E. Within one year following the approval of the preliminary development plan, the applicant shall file with the director a final development plan containing the information required. When deemed reasonable and appropriate, time limit extensions may be determined by the director after discussion with the property owner, and all agencies of concern in regards to the ability to comply with the original conditions of approval. The director may extend the period in annual increments. If the director finds that the final development plan is consistent with the preliminary plan as approved, and that all conditions of the preliminary development approval have been satisfied or can be satisfied with bonding, the director shall approve the final development plan. The director may approve the final development plan in phases as approved by the various agencies of concern. The phasing plan shall include:~~

~~1. Timetables indicating the anticipated time between initial site clearing, grading and development and the completion of construction improvements of each phase, including site stabilization and coordination of necessary minimum improvements of each specific phase;~~

~~2. The extent of improvements with each anticipated phase of development;~~

~~3. Assurance of necessary supporting improvements and any necessary mitigation through bonding; and~~

~~4. Each phase of development shall be subject to the ordinances in effect at the time which each phase is reviewed for final approval.~~

~~The applicant shall apply for final development plan approval within one year of preliminary development plan approval or the director may initiate revocation proceedings on the preliminary approval as outlined in Chapter 17.525.~~

~~17.410.050 Public notice.~~

~~Public notice for all site plan review applications, shall be given as set forth in Title 21 of this code.~~

~~**17.410.060 Appeal procedure.**~~

~~The director or hearing examiner's decision on a site plan review application may be appealed as set forth in Title 21 of this code.~~

~~**17.410.070 Permits stayed.**~~

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

~~**17.410.080 Site plan review exemption.**~~

~~The director may issue an exemption from the site plan review process upon written request, if it is determined that a request for a building permit does not involve a change in use or structure size.~~

~~**17.410.110 Reapplication.**~~

~~In a case where an application is denied through the normal review process, or denied on an objection to either the hearing examiner or board of county commissioners, unless specifically stated to be without prejudice, it shall not be eligible for resubmittal for a period of one year from the date of said denial unless in the opinion of the director, new evidence is submitted or conditions have changed to an extent that further consideration is warranted.~~

Section 109. Kitsap County Code Section 17.415.020 last amended by Ordinance No. 311-2003 is amended as follows:

17.415.020 Concurrent permit processing.

When master planning is required in a zone wherein some uses require a conditional use permit ~~or site plan review~~, 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 ~~site plan review process or~~ conditional use permit process.

Section 110. Kitsap County Code Chapter 17.420 is hereby repealed and replaced with the following:

~~**Chapter 17.420**~~

~~**CONDITIONAL USE PERMITS**~~

~~**Sections:**~~

~~17.420.010 Purpose.~~
~~17.420.020 Hearing examiner authority.~~
~~17.420.030 Application.~~
~~17.420.040 Investigation and report.~~
~~17.420.050 Public hearings.~~
~~17.420.060 Action by hearing examiner.~~
~~17.420.080 Effect.~~
~~17.420.110 Reapplication.~~

~~**17.420.010 Purpose.**~~

~~In certain zones, conditional uses may be permitted, subject to the granting of a conditional use permit. Because of their unusual characteristics or the special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of this title and their effect on surrounding properties.~~
~~(Ord. 216-1998 § 4 (part), 1998)~~

~~17.420.020 Hearing examiner authority.~~

~~The hearing examiner shall have the authority to approve, approve with conditions, disapprove, or revoke or modify conditional use permits, subject to the provisions of this section. Changes in use of site area, or alteration of structures or uses classified as conditional and existing prior to the effective date of this title shall conform to all regulations pertaining to conditional uses. In permitting a conditional use the hearing examiner may impose, in addition to regulations and standards expressly specified in this title, other conditions found necessary to protect the best interests of the surrounding property or neighborhood, or the county as a whole. These conditions may include requirements increasing the required lot size or yard dimensions, increasing street widths, controlling the location and number of vehicular access points to the property, increasing or decreasing the number of off-street parking or loading spaces required, limiting the number of signs, limiting the coverage or height of buildings or structures because of obstructions to view and reduction of light and air to adjacent property, limiting or prohibiting openings in sides of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area, and requirements under which any future enlargement or alteration of the use shall be reviewed by the county and new conditions imposed. Application for conditional use permits shall follow the requirements as outlined in Chapter 17.410.~~

~~17.420.030 Application.~~

~~A property owner may make application for a conditional use permit which shall be made to the director in a manner prescribed by the county. Such application shall be accompanied by a site plan and other requirements as provided by Chapter 17.410, and following the pre-application meeting as provided by Chapter 17.405.~~

~~17.420.040 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), persons of record, hearing examiner and also be made available for public review, at the department of community development in a manner prescribed by Title 21 of this code.~~

~~17.420.050 Public hearings.~~

~~Conditional use permit applications shall be considered by the hearing examiner at public hearing as provided for in Title 21 of this code. Public notice shall be given as provided for in Title 21.~~

~~17.420.060 Action by hearing examiner.~~

~~The hearing examiner shall render a decision on the conditional use permit. The decision is final unless appealed. In order to grant any conditional use, the hearing examiner must find that the establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be significantly detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the county and meet all of the findings as outlined in Section 17.410.040(D).~~

~~17.420.080 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 of the decision shall automatically stay the issuance of a building or other permit until such appeal has been completed.~~
~~(Ord. 216-1998 § 4 (part), 1998)~~

~~17.420.110 Reapplication.~~

~~In a case where an application is denied by the hearing examiner, or denied by the board of county commissioners on appeal from the hearing examiner, unless specifically stated to be without prejudice, it~~

~~shall not be eligible for resubmittal for the period of one year from the date of said denial, unless, in the opinion of the hearing examiner, new evidence is submitted or conditions have changed to an extent that further consideration is warranted. The hearing examiner's opinion may be appealed as set forth in Chapter 17.520.~~

Chapter 17.420

ADMINISTRATIVE CONDITIONAL USE PERMIT

Sections:

17.420.010 Purpose and applicability.
17.420.020 Administrative conditional use permit procedure.
17.420.030 Previous use approval.
17.420.040 Decision criteria – Administrative conditional use permit.
17.420.050 Revision of administrative conditional use permit.
17.420.060 Vacation of administrative conditional use permit.
17.420.070 Review of revocation of permit.
17.420.080 Transfer of ownership.
17.420.090 Land use permit binder required.

17.420.010 Purpose and applicability.

The purpose of this chapter is to set forth the procedure and decision criteria for administrative conditional use permits. An administrative conditional use permit is a mechanism by which the county may place special conditions on the use or development of property to ensure that new development is compatible with surrounding properties and achieves the intent of the comprehensive plan. This chapter applies to each application for an administrative conditional use and to uses formerly permitted after site plan review.

17.420.020 Administrative conditional use permit procedure.

A. The department may approve, approve with conditions, or deny an administrative conditional use permit through a Type II process as set forth in Title 21 of this code.

B. Applications for an administrative conditional use permit shall contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.040.45.

C. When an application is submitted together with another project permit application, the administrative conditional use permit shall be processed as set forth in Section 21.040.035.

D. Upon a determination of a complete application, the director shall have fourteen calendar days to notify the applicant whether the application shall be reviewed administratively or by the hearing examiner at a scheduled public hearing. A public hearing will be required when a component of development located within a commercial zone involves the conversion of previously undeveloped land which abuts a residential zone. Further, the director may refer any proposal under this section to the hearing examiner for review and decision.

17.420.030 Previous use approval.

Where prior to *[insert date of adoption of 2006 revised zoning code]* approval was granted for establishing or conducting a particular use on a particular site through a site plan review process, such previous review and use approvals are by this section declared to be continued as an administrative conditional use permit.

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 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.

17.420.050 Revision of administrative conditional use permits.

A. Revision of an administrative conditional use permit 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 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, including increases in gross floor area of no more than 10 percent; and
2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change whereby the character of the approved development will be substantially altered. A major revision exists whenever intensity of use is substantially increased, performance standards are reduced below those set forth in the original permit, detrimental impacts on adjacent properties or public rights-of-way are created or increased, including increases in trip generation of more than 10 percent, or the site plan design is substantially altered.
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.

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.

17.420.070 Review of revocation of permit.

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

17.420.080 Transfer of ownership.

An administrative conditional use permit runs with the land and compliance with the conditions of any such permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.

17.420.090 Land use permit binder required.
The recipient of an administrative conditional use 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.

NEW SECTION. Section 111. A new chapter is hereby added to Kitsap County Code Title 17 as follows:

Chapter 17.421

HEARING EXAMINER CONDITIONAL USE PERMIT

Sections:

17.421.010 Purpose and applicability.
17.421.020 Hearing Examiner conditional use permit procedure.
17.421.030 Decision criteria – Conditional use permit.
17.421.040 Revision of Hearing Examiner conditional use permits.
17.421.050 Vacation of Hearing Examiner conditional use permit.
17.421.060 Review of revocation of permit.
17.421.070 Transfer of ownership.
17.421.080 Land use permit binder required.

17.421.010 Purpose and applicability.
The purpose of this chapter is to set forth the procedure and decision criteria for conditional use permits applications. A conditional use permit is the mechanism by which the county may gather input through an open record hearing and place special conditions on the use or development of land. The provisions of this chapter apply to hearing examiner conditional use permit applications.

17.421.020 Hearing Examiner conditional use permit procedure.

A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit through a Type III process as set forth in Title 21 of this code.
B. Applications for a hearing examiner conditional use permit shall contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.040.45.
C. When an application is submitted together with another project permit application, the hearing examiner conditional use permit shall be processed as set forth in Section 21.040.035.

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 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 Section 17.382.
4. Include requirements to improve parity 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.

17.421.040 Revision of Hearing Examiner conditional use permits.

A. Revision of a hearing examiner conditional use permit or conditions of permit approval is permitted as follows:

1. Minor revisions. Minor revisions may be permitted by the department. 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
2. Major revisions, including any requested change in permit conditions, shall be processed as a Type III 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 prior approval, including dimensional or gross floor area increases of less than 10 percent; and
2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change whereby the character of the approved development will be substantially altered. A major revision exists whenever intensity of use is substantially increased, performance standards are reduced below those set forth in the original permit, detrimental impacts on adjacent properties or public rights-of-way are created or substantially increased, including increased trip generation of 10 percent or more, or the site plan design is substantially altered, including dimensional or gross floor area increases of 10 percent or more.

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.

17.421.060 Review of revocation of permit.
Any review or revocation proceeding shall be conducted in accordance with Chapter 17.525.

17.421.070 Transfer of ownership.
A conditional use permit runs with the land and compliance with the conditions of any such permit is the responsibility of the current owner of the property, whether that is the original applicant or a successor.

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

Section 112. Kitsap County Code Section 17.428.040 last amended by Ordinance No. 311-2003 is amended as follows:

17.428.040 Uses.
The uses shall be the same as those permitted within the underlying zone ~~(i.e., permitted outright ("P"); permitted subject to site plan review ("SPR"); and conditionally permitted ("C"))~~. In developments encompassing more than one zone, the uses permitted shall be allowed in the same proportion as the area in each zone.

Section 113. Kitsap County Code Section 17.28.080 last amended by Ordinance No. 311-2003 is amended as follows:

17.428.080 Design criteria.
~~The design standards for site plan review set forth in Section 17.410.040(B), and all~~ All applicable design standards and guidelines for multi-family, business park and urban center development shall apply. The master plan shall include a plan for complying with these design requirements and guidelines.

NEW SECTION. Section 113. A new chapter is hereby added to Kitsap County Code Title 17 as follows:

Chapter 17.430
TRANSFER OF DEVELOPMENT RIGHTS

Sections:

17.430.010 Purpose.
17.430.020 Authority.
17.430.040 General requirements.
17.430.050 Sending areas.
17.430.060 Receiving areas.
17.430.070 Transfer of development rights – when required.

17.430.080 Transfer of development rights (TDR) program - calculations.
17.430.090 Procedures and requirements for certification and approval of transfer of development rights.

17.430.010 Purpose.

The purpose of this chapter is to establish procedures for the transfer of development rights from one property to another. Where the applicable Comprehensive Plan policies, designated overlay zone or zoning map designation provide the option for transfer of development rights (TDRs), the rights shall be transferred consistent with the requirements of this chapter, the Kitsap County Zoning Map and other requirements of Title 17.

The transfer of development rights from one property to another is allowed in order to provide flexibility and better use of land and building techniques; to help preserve critical areas, watersheds, and open space; to provide increased equalization of property values between various zones; and to work toward achieving county-wide land use planning goals as determined by the Kitsap County Comprehensive Plan, the objectives of approved sub-area plans and the purpose of County implementing regulations.

17.430.020 Authority.

The transfer of residential development rights ("TDR") system for Kitsap County is established. The base residential density of a sending site may be transferred and credited to a non-contiguous receiving site only when the TDR is approved in accordance with the rules and procedures in this chapter.

17.430.040 General requirements.

A. Development Rights. The residential development rights are considered as interests in real property.

B. Transfer of Development Rights Permitted. Notwithstanding any other provisions of this code regarding residential density, including minimum lot size, lot coverage, building setbacks, and minimum lot width and depth, the number of dwelling units permitted to be constructed on a sending parcel consistent with Section 17.505.050 may be transferred to a receiving parcel. In approving a transfer of development rights, the appropriate decision-making body must find that such a transfer is consistent with the Comprehensive Plan, the existing zoning designation of the sending parcel and the proposed zoning designation of the receiving parcel. A transfer of development rights is permitted to occur only under the circumstances, and according to procedures, set out in this chapter.

C. Transfer of Rights. In any transfer of rights, the sending parcel(s) may transfer all or a portion of its development rights to a receiving parcel or parcels, or sell its development rights to an individual, intermediate buyer, or entity.

17.430.050 Sending areas.

A. Designation of Sending Areas. In addition to those areas that qualify as sending areas according to the Kitsap County Comprehensive Plan, the Board of County Commissioners may approve additional sending areas through a change to the Kitsap County Code or a Comprehensive Plan amendment.

B. Rural Sending Areas. All parcels located within rural designated lands and zoned Rural Wooded, Rural Residential, Rural Protection, or Forest Resource are available to be certified as TDRs based on their zone's permitted density.

17.430.060 Receiving areas.

A. Designation of Receiving Areas. In addition to those areas that qualify as receiving areas according to the Kitsap County Comprehensive Plan, the Board of County Commissioners may approve additional areas as receiving areas. Additional areas may be approved through a change to the Kitsap County Code or a Comprehensive Plan amendment. The designation of additional TDR

receiving areas is based on findings that the area or site is appropriate for higher residential densities, is not limited by significant critical areas, and no significant adverse impacts to the surrounding properties would occur.

B. Designated Receiving Areas. Receiving areas or parcels must be within an urban growth area.

17.430.070 Transfer of development rights – when required.

Transfer of development rights are required as described below.

A. Site-Specific Comprehensive Plan Amendments. Site-Specific Comprehensive Plan amendments pursuant to Chapter 21.08 requesting a higher density or intensity designation shall require a transfer of development right. Development rights purchased for a Site-Specific amendment may also count towards any future rezone request within the new designation. The numbers of development rights required for each amendment are as follows:
   1. Residential to Higher-Density Residential – one (1) development right per acre
   2. Residential to Urban Commercial – two (2) development rights per acre
   3. Residential to Urban Industrial – one (1) development right per acre

B. Rezones. Rezones pursuant to Chapter 17.510 requesting a higher density or intensity zone shall require a transfer of development right. Rezones may be allowed only within the same Comprehensive Plan land use designation. Any rezone request that requires a change of Comprehensive Plan land use designation will require a Comprehensive Plan amendment. The numbers of development rights required for each rezone are as follows:
   1. Residential to Higher Density Residential – one (1) development right per acre per zone increase, e.g., Urban Low to Urban Medium
   2. Commercial to Higher Intensity Commercial – one (1) development right per acre per zone increase, e.g., Neighborhood Commercial to Highway Tourist Commercial

C. Urban Growth Area Expansions. The Board of County Commissioners in the annual Comprehensive Plan Amendment docketing resolution may require a transfer of development right or rights as part of Comprehensive Plan or sub-area plan expansions of urban growth areas.

D. Cities. In cooperation with Kitsap County, cities may designate additional TDR receiving areas within their jurisdictional boundaries for the purpose of receiving transferred densities pursuant to this chapter. The number of development rights that a Kitsap County unincorporated rural or natural resources land sending site is eligible to send to a Kitsap County city receiving site is determined through the application of a conversion ratio established by Kitsap County and each city.

E. Except as provided in this chapter, development of a receiving site is subject to all use, lot coverage, setback and other requirements of the designated zone.

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 200.010; 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 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.

17.430.090 Procedures and requirements for certification and approval of transfer of development rights.

A. Certification for Future Sale or Transfer. A TDR that is not associated with a pending development application and that is not proposed for transfer to another parcel at the time of application may be certified administratively by the Department as a Type I decision. Upon satisfactory application for certification of TDRs for future sale or transfer, the number of TDRs on a sending area parcel is certified through the issuance of serially numbered individual certificates for each TDR verified for that parcel. The issuance of TDR certificates is recorded as a notice of title for the subject property(s). All certified TDRs and the value of such rights are deemed to be appurtenant to the sending area parcel until such rights are transferred by a recorded deed of transfer.

B. Intermediate Transfer. Certified TDRs may be approved administratively for transfer to another individual, intermediate buyer, or entity that may hold them for a period of time before the TDRs are transferred to a receiving area parcel. Under this provision, no certified TDR may be transferred to a receiving parcel or used in association with a development project without prior approval under the procedures established in this title and the appropriate Title 16 subdivision regulations, as applicable.

C. Initiation. An application for transfer of development rights (TDR) is initiated as follows:

1. The process is initiated by submittal of an application for a transfer of development rights permit by the owner of the receiving parcel to the Department.
2. An application for a TDR permit is accepted only for filing concurrently with an application for the associated development project, Site-Specific Comprehensive Plan amendment or rezone application pursuant to the requirements of the Kitsap County Code.
3. Except as allowed by Section 17.505.080.A, the TDR permit application is reviewed concurrently with the proposed development project according to the procedures prescribed in the Kitsap County Code.

D. Submittal Requirements. All requirements for a TDR permit or certification must include the following:

1. A map showing the location and boundaries of the receiving parcel and sending parcel as applicable;
2. The acreage of the receiving parcel and sending parcel as applicable;
3. The zoning and current allowable gross density of the receiving or sending parcels as applicable;
4. A lot of record confirmation application;
5. Written and notarized consent to the transfer from all registered owners and lien holders of record of all property subject to the transfer of development rights;
6. A calculation of the number of units available to be transferred from the sending parcel and the total number of dwelling units requested to be transferred to the receiving parcel as applicable. Any fraction of a unit of 0.50 or greater shall be considered as a whole unit;
7. Except for purposes of certification or transfer under Section 17.430.090. A, all other submittal requirements for an application for the associated development project pursuant to the requirements of the Kitsap County Code; and
8. The department may require the submission of other data, information, or drawings as deemed necessary to accomplish the purposes of this chapter.

E. Approval Process and Criteria.

1. The procedures for approval of a TDR permit shall be those required for the development project, Comprehensive Plan amendment or rezone pursuant to the requirements of this code.
2. The review authority may approve or approve with conditions the TDR permit upon making the finding that the purposes and requirements of this chapter have been met. If the purposes and requirements have not been met, the permit shall be denied.

F. Requirements for Final Approval. Approval of a TDR permit is finalized after the following actions:

1. Final approval of the concurrent development project according to the provisions of this Code, except as allowed by Section 17.505.080.A.
2. Execution and recording of an instrument legally sufficient in both form and content (using a form provided by the county) to effect the development right transfer. The instrument must include at minimum a legal description of both the sending parcel(s) and receiving parcel(s) and the serial numbers of the certified TDRs being transferred.
3. Recording of a deed restriction, as specified by the county, on all of the sending parcels from which development rights are obtained. A copy of the recorded deed restriction must be submitted to the Department, which certifies the transfer of all development rights on each sending parcel. The deed restriction must be approved as to form by the Department. The document notifies all owners and successors that the transfer and its concomitant restrictions run with the land and are binding on all future owners.
4. For all sending parcels, the deed restriction is sufficient to retire all transferred development rights on the sending parcel for a period of 40 years.

17.430.100 Reinstituting development rights of a sending site.

A. Properties that have transferred their development right(s) to an allowed receiving site may have them reinstituted if a separate development right is purchased from a property within an allowed sending site. The purchase of development right must be consistent with the process established by this Chapter. The reinstitution shall not create an increase in density beyond that allowed at the time of original transfer unless a subsequent code change allows.

B. Unless otherwise prohibited by the Board of County Commissioners in the annual Comprehensive Plan Amendment docketing resolution, properties who have transferred their development right to an approved receiving site and have been included in an urban growth area expansion through sub-area plan or similar area-wide planning effort may have their development right(s) reinstituted for development at urban densities. The reinstitution shall be automatic after review and approval of the Comprehensive Plan Amendment and associated SEPA review.

Section 114. Kitsap County Code Chapter 17.430 last amended by Ordinance No. 346-2005 is hereby repealed:

~~**Chapter 17.430**~~

~~**PROVISIONS APPLYING TO SPECIAL USES**~~

~~**Sections:**~~

~~17.430.010 Purpose.~~
~~17.430.020 Uses.~~

~~**17.430.010 Purpose.**~~

~~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.~~

~~17.430.020~~ Uses.

~~A. Automobile Service Stations. Where permitted, automobile service stations shall comply with the following provisions:~~

~~1. Sale of merchandise shall be conducted within a building except for items used for the maintenance and servicing of automotive vehicles;~~

~~2. No automotive repairs other than incidental minor repairs, battery, or tire changing shall be allowed;~~

~~3. The station shall not directly abut a residential zone; and~~

~~4. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard.~~

~~B. Animal Feed Yards, Animal Sales Yards, Kennels, and Commercial Stables. In interim rural forest (IRF), rural protection (RP), or rural residential (RR) zones, animal feed yards, animal sales yards, kennels, commercial stables, 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.~~

~~C. Animal Hospitals and Veterinary Clinics. An animal hospital or veterinary clinic shall not be located within fifty feet of a lot line in any interim rural forest (IRF), rural protection (RP), or rural residential (RR) zones and the applicant shall show that adequate measures and controls shall be taken to prevent offensive noise and odor. Animal hospitals or veterinary clinics may be located in the urban high residential (UH) zone, provided a major part of the site fronts on an arterial street, and preferably, is at an arterial intersection; and provided 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 such veterinary clinics or animal hospitals must be so constructed and operated that all activities are conducted inside an enclosed building, and no treatment or animal holding may be done outside the building.~~

~~D. Cemeteries, Crematorium, Mausoleum and Columbarium. A cemetery, crematorium, mausoleum, or columbarium shall have its principal access on a county arterial with ingress and egress so designed as to minimize traffic congestion, and shall provide required off-street parking space.~~

~~E. Circuses, Carnivals, Animal Displays, Amusement Rides. 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) and all industrial zones, 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.~~

~~F. Community Buildings, Social Halls, Lodges, Fraternal Organizations, Clubs, Places of Worship, and Charitable Institutions. In rural protection (RP), rural residential (RR), or urban restricted (UR) zones all buildings shall be setback a minimum of thirty feet 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 be located on a county arterial or on a road determined to be adequate by the county engineer, and be able to provide access without causing traffic congestion on local residential streets; and any such use shall not be materially detrimental to adjacent (existing or potential) residential development use due to excessive traffic generation, noise, or other circumstances.~~

~~G. Home Business. *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 in the residence except for 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 tranquillity 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).~~

~~*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 (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:~~

~~(a) patronage by appointment.~~

~~(b) additional off-street parking.~~

~~(c) other reasonable conditions.~~

~~*Moderate home business*, as defined below, shall be permitted in 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:~~

~~(a) patronage by appointment.~~

~~(b) additional off-street parking.~~

~~(c) screening of outside storage.~~

~~(d) a conditional use permit (engine or vehicle repair or servicing).~~

~~(e) other reasonable conditions.~~

~~H. Private Use Landing Strips for Aircraft and Heliports. All landing strips for aircraft or heliports shall be so designed and the runways and facilities so oriented, 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. New private use landing strips and heliports shall not be allowed in any zone established by this title except by a conditional use permit. 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.~~

~~I. Nursery Schools, Kindergartens and Day Care Centers. Nursery schools, kindergartens, and 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 one hundred square feet per child of total capacity. A site-obscuring fence of at least four feet, but not more than feet in height shall be provided, separating the play area from abutting lots. Adequate off-street parking and loading space shall be provided.~~

~~J. Agricultural uses including the raising of livestock (large and small; small being 150 lbs. or less), small animals and poultry are subject to the following conditions:~~

~~1. On parcels of land less than five acres, the number of animals per 20,000 square feet of area shall not exceed one large livestock or three small livestock, five ratites, or six small animals or twelve poultry 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 two;~~

~~2. On parcels of land platted into lots one acre or less in size or five acres or less located within two hundred feet of a lake or year round stream, the number of animals shall not exceed one large livestock or three small livestock, five ratites, or six small animals, or twelve poultry per 40,000 square feet of area, provided that when no dwelling unit or occupied structure exists within three hundred feet of the lot on which the animals are maintained the above specifications may be exceeded by a factor of two; and~~

~~3. 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 an interim rural forest (IRF), 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.~~

~~K. Pets, non-traditional pets and exotic animals are subject to the following conditions:~~

~~1. 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;~~

~~2. 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;~~

~~3. 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~~

~~4. 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.~~

~~L. Private Stables and Paddocks. In any interim rural forest (IRF), rural protection (RP), or rural residential (RR) zone, 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.~~

~~M. Utility Transmission/Distribution Sys-tems. The erection, construction, alteration, or maintenance by a public utility or municipality, other governmental agencies, or approved privately owned public utilities of underground, overhead electrical, gas, steam, or water transmission or distribution systems, collection, communication, supply or disposal system, including poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings, 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.~~

~~Wireless communication facilities are specifically addressed in Chapter 17.470.~~

~~N. 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:~~

~~1. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary;~~

~~2. An ADU shall be subject to a conditional use permit in those areas outside an urban growth boundary;~~

~~3. Only one ADU shall be allowed per lot;~~

~~4. Owner of the property must reside in either the primary residence or the ADU;~~

~~5. 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;~~

~~6. 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);~~

~~7. The ADU shall be designed to maintain the appearance of the primary residence;~~

~~8. All setback requirements for the zone in which the ADU is located shall apply;~~

~~9. The ADU shall meet the applicable health district standards for water and sewage disposal;~~

~~10. No mobile homes or recreational vehicles shall be allowed as an ADU;~~

~~11. An ADU shall use the same side street entrance as the primary residence and shall provide additional off-street parking; and~~

~~12. An ADU is not permitted on the same lot where an accessory living quarters exists.~~

~~O. 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:~~

~~1. Accessory living quarters shall be located within an owner occupied primary residence;~~

~~2. Accessory living quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence;~~

~~3. The accessory living quarters are subject to applicable health district standards for water and sewage disposal;~~

~~4. Only one accessory living quarters shall be allowed per lot;~~

~~5. Accessory living quarters are to provide additional off-street parking with no additional street side entrance; and~~

~~6. Accessory living quarters are not allowed where an accessory dwelling unit exists.~~

~~P. Waterfront Properties.~~

~~1. Rear yard setback exceptions: Where a rear lot abuts the ordinary high water line; the minimum setback shall be determined by the Critical Areas Ordinance and the view blockage requirements.*~~

~~Q. Waterfront Accessory Structures. For waterfront properties, accessory structures such as docks, piers, and boathouses may be permitted in the rear yards, shore lands or tidelands subject to the following limitations:~~

~~1. All requirements of the Kitsap County Shoreline Management Master Program must be met;~~

~~2. The deck of any dock shall not be any higher than five feet above the ordinary high water line;~~

~~3. The building height of any boathouse shall not be greater than fourteen feet above the ordinary high water line;~~

~~4. Covered structures must abut or be upland of the ordinary high water line; and~~

~~5. No covered structure shall have a width greater than twenty-five feet or twenty-five percent of the lot width, which ever is less.~~

~~R. Water-Oriented Uses. Proposals for water-dependent and water-related uses shall be recognized as priority uses because of the limited locations which are suitable for their development. Such development proposals are dependent on shoreline locations and access. Such proposals shall be~~

~~considered for properties contiguous to the shoreline in all zones. The proposal shall require review as a conditional use permit in addition to the applicable shoreline permit review.~~

~~S. Heavy Equipment Storage. 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.~~

~~T. Hobby Kennel. In the interim rural forest (IRF), rural protection (RP) and rural residential (RR) zones a hobby kennel is allowed. See Chapter 17.110.~~

~~U. School Sites. 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.~~

~~V. Contractor's Storage Yards: Accessory to a Primary Residence. Outdoor storage yards 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 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.~~

~~W. Adult Entertainment.~~

~~1. The following uses are designated as adult entertainment uses:~~

~~(a) Adult book store;~~

~~(b) Adult mini-motion picture theater;~~

~~(c) Adult motion picture theater;~~

~~(d) Adult novelty store; and~~

~~(e) Cabaret.~~

~~2. Restrictions on adult entertainment uses. In additional to complying with the other sections of the Zoning Ordinance, adult entertainment uses shall not be permitted:~~

~~(a) Within one thousand feet of any other existing adult entertainment use; and/or~~

~~(b) 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.~~

~~(c) 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 in (b)(1) through above.~~

~~3. Signage for Adult Entertainment Uses.~~

~~(a) 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.~~

~~(b) 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.~~

~~(c) Primary 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."~~
~~(iii) Primary signs for adult movie theaters may contain the additional phrase, "Movie Titles Posted on Premises."~~
~~(d) Each letter forming a word on a primary 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.~~
~~(e) Secondary signs shall have only one display surface. Such display surface shall:~~
~~(i) Be a flat plane, rectangular in shape;~~
~~(ii) Not exceed twenty square feet in area;~~
~~(iii) Not exceed five feet in height and four feet in width; and~~
~~(iv) Be affixed or attached to any wall or door of the establishment.~~
~~(f) The provisions of subsections (c) and (d) shall also apply to secondary signs.~~
~~X. 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 and 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 from 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:~~
~~(a) 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~~
~~(b) 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.~~
~~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.~~

~~Y. Stump Grinding, Soil Combining and Composting in Rural Protection and Rural Residential Zones. Stump grinding, soil combining and composting in rural protection and rural residential zones must meet the following requirements:~~

~~1. The subject property(s) must be 100,000 square feet or greater in size;~~

~~2. The use must take direct access from a county maintained right of way;~~

~~3. 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;~~

~~4. The subject property(s) must be adjacent to an industrial zone;~~

~~5. The proposed use must mitigate noise, odor, dust and light impacts from the project; and~~

~~6. The use must meet all other requirements of this title.~~

Section 115. Kitsap County Code Section 17.435.030.A last amended by Ordinance No. 216-1998 is amended as follows:

17.435.030 Number of spaces required.

Off-street parking spaces shall be provided as follows:

A. Residential.

1. Single-family, Multi-family – Two per dwelling; one additional space shall be provided for accessory units;

2. Multi-family dwelling containing four or more units – One and one-half per dwelling unit;

3. Elderly, low income and public housing – One per one dwelling unit; and

4. Bed and Breakfast House ~~Rooming or boarding house~~ – One per sleeping unit.

Section 116. Kitsap County Code Chapter 17.440 last amended by Ordinance No. 216-1998 is hereby repealed:

~~**Chapter 17.440**~~

~~**SPECIAL SETBACK LINES**~~

~~**Sections:**~~

~~17.440.010 Purpose.~~

~~17.440.020 Designation of streets.~~

~~17.440.030 Compliance.~~

~~17.440.040 Variance procedure.~~

~~**17.440.010 Purpose.**~~

~~Because of heavy or arterial traffic volume and congestion, existing or probable intensive or commercial development of abutting properties, substandard paving widths, the probability of inadequate sight distances, and other like conditions affecting traffic safety and light, air, and vision along streets, the board of county commissioners finds that public health, safety and welfare require that building setback lines, as hereinafter specified, be and are hereby, established on all properties abutting the streets and sections of streets referred to in Section 17.440.020. Where applicable, requirements set forth in this provision shall be in addition to the yard requirements specified for the zones. Unless otherwise specified, the distances set forth shall be measured from the centerline and at right angle to the centerline of the right-of-way.~~

~~**17.440.020 Designation of streets.**~~

~~Development abutting a street for which a standard has been established by the Kitsap County Arterial Plan, shall use as the line of reference for establishing the setback distance, the distance from the centerline necessary to accommodate one-half of the right-of-way standard established by the arterial~~

~~plans for the street. The building setback shall be in addition to the special setback and shall be the appropriate setback for that particular zone.~~

~~**17.440.030 Compliance.**~~
~~The special setback area shall be treated as additional required yard area. The area shall be reserved for future street widening purposes.~~

~~**17.440.040 Variance procedure.**~~
~~For variance procedures, *see* Chapter 17.500.~~

Section 117. Kitsap County Code Chapter 17.455 Table of Contents is amended as follows:

Chapter 17.455

INTERPRETATIONS AND EXCEPTIONS

Sections:

17.455.010 Director authority.
~~17.455.020 Exceptions to lot sizes.~~
~~17.455.030 Exceptions to height limitations.~~
~~17.455.040 Exceptions to yard requirements.~~
~~17.455.050 Authorization for similar uses.~~
17.455.060 Existing uses.
17.455.080 Pending long or short subdivisions.
17.455.090 Temporary permits.
17.455.100 Number of dwellings per lot.
17.455.110 Obnoxious things.
17.455.120 Existing lot aggregation for tax purposes.

Section 118. Kitsap County Code Sections 17.455.020 through 17.455.050 last amended by Ordinance No. 346-2005 are hereby repealed:

~~**17.455.020 Exceptions to lot sizes.**~~
~~If, as of May 10, 1999, a lot of record, which was legally created, 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 permitted 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, as of May 10, 1999, a lot of record was lawfully occupied by two or more single-family residences (excluding accessory dwellings), 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.~~

~~**17.455.030 Exceptions to height limitations.**~~
~~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.~~

~~17.455.040 Exceptions to yard requirements.~~

~~A. Projections into Required Yards. Certain architectural features may project into required yards or courts as follows:~~

~~1. Cornices, canopies, eaves, belt courses, sills or other similar architectural features, or fireplaces; but these may not in any case extend more than twenty-four inches into any required yard area. In no case shall a habitable area be considered for encroachment into a required yard without a variance.~~

~~2. Fire escapes, open-uncovered porches, balconies, landing places, or outside stairways may not in any case extend more than twenty-four 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 approaching closer than twenty-four inches to any lot line.~~

~~B. Exceptions to Front Yard Requirements.~~

~~1. 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.~~

~~2. 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.~~

~~3. If a modification to the front-yard requirement is necessary in order to site dwellings in a manner which maximizes solar access, the director may modify the requirement.~~

~~4. An interior lot front yard setback shall be the same as the side yard setback, but no less than twenty feet.~~

~~5. 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.~~

~~C. Historic Lots.~~

~~1. Building setback lines which do not meet the requirements of this title, but which 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.~~

~~2. Any single-family residential lot of record as defined in Chapter 17.110, which 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 which most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.~~

~~D. Accommodating Sewers and Roadways. 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.~~

~~(Ord. 346 (2005) § 12, 2005: Ord. 234 (1999) § 2 (part), 1999: Ord. 216 1998 § 4 (part), 1998)~~

~~17.455.050 Authorization for similar uses.~~

~~Other similar uses which the director finds to fit the purpose or intent of a zoning designation must be in compliance with Section 17.100.040.~~

Section 119. Kitsap County Code Chapter 17.465 last amended by Ordinance No. 216-1998 is hereby repealed:

~~**Chapter 17.465**~~

~~**SPECIAL CARE MANUFACTURED HOMES**~~

~~**Sections:**~~

~~17.465.010 Special care manufactured homes authorized.~~

~~**17.465.010 Special care manufactured homes authorized.**~~

~~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.~~

Section 120. Kitsap County Code Section 17.470.040 last amended by Ordinance No. 281-2002 is amended as follows:

17.470.040 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 subsections (B) and (C) of Section 17.470.050.

2. Support Structures are subject to the site development standards of Section 17.470.060. 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 Administrative Conditional Use Permit (ACUP) ~~a minor site plan~~ review, and are subject to the provisions of subsections (C) and (D) of Section 17.470.050.

2. Wireless communication antenna arrays exceeding thirty-five feet in height are subject to the standards for wireless communication support structures in Section 17.470.050.

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 Administrative Conditional Use Permit (ACUP)review ~~as a minor site plan review~~ and subject to the requirements of subsection (B) of Section 17.470.050.

C. Construction of equipment shelters, cabinets, and other ancillary equipment not located on or in an existing structure shall be subject to Administrative Conditional Use Permit (ACUP) ~~a minor site plan~~ review and the site development standards of Section 17.470.050.

Section 121. Kitsap County Code Table 17.470.100 last amended by Ordinance No. 216-1998 is amended as follows:

WIRELESS COMMUNICATION FACILITIES REVIEW PROCESS TABLE 17.470.100

	~~Minor Site Plan Review~~	~~Site Plan Review~~	Permitted	Administrative CUP	Hearing Examiner CUP ~~Conditional Use Permit~~
Whip Antennas 20 feet or less in all zones	~~X~~[1]		X[1]	X[1]	
Mini and Micro Facilities on existing building or structure	~~X~~[1]		X[1]		
Macro Facility on existing building or structure		~~X~~		X	
Support Structure 35 feet or less		~~X~~		X	
Support Structure greater than 35 feet					X
Co-Location on or at existing facility at equal or less height than existing	~~X~~[1]		X[1]		

1. Development shall be consistent with the design standards of Section 17.382.030. ~~Minor site plan review for ground support structures only. Antennas are a permitted use.~~

Section 122. Kitsap County Code Section 17.510.010 last amended by Ordinance No. 216-1998 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.

KITSAP COUNTY BOARD OF COMMISSIONERS

BOARD OF COMMISSIONERS STATE OF WASHINGTON KITSAP COUNTY

Jan Angel, Chair

Patty Lent, Commissioner

ATTEST:

Opal Robertson
Clerk of the Board

Chris Endresen, Commissioner

Approved as to Form:

Lisa J. Nickel
Deputy Prosecuting Attorney

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. 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 123. Kitsap County Code Section 17.510.020 last amended by Ordinance No. 216-1998 is amended as follows:

17.510.020 Application.

A. An application for change in zone boundaries by a property owner or his authorized agent shall be filed with the director. The application shall be made on forms provided by the county, accompanied by a site plan drawn to scale showing the property involved and adjacent land. A fee shall be paid to the county at the time of filing the application in accordance with the provisions of the county fee schedule.

B. Applications for a rezone shall contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.040.45.

Section 124. Kitsap County Code Section 17.510.030 last amended by Ordinance No. 216-1998 is amended as follows:

17.510.030 Public hearings.

Before taking final action on a proposed amendment or rezone, the planning commission (or hearing examiner in the case of a rezone or zone boundary changes) shall hold a public hearing thereon. After receipt of the report on the amendment from the planning commission or report on the rezone from the hearing examiner, the board of county commissioners shall hold a public hearing ~~on the amendment~~. Public hearings by the planning commission, hearing examiner and board of county commissioners shall be held in accordance with the provisions of Title 21 of this code.

Section 125. Kitsap County Code Section 17.525.010 last amended by Ordinance No. 216-1998 is amended as follows:

17.525.010 Revocation for noncompliance with conditions.

Any performance based development permit, administrative conditional use permit, hearing examiner conditional use permit ~~site plan review~~, 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.

Effective Date: This Ordinance shall take effect immediately.

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

Dated: December 11, 2006

FILE

Port Orchard Independent
P.O. Box 27, Port Orchard, WA 98366
360-876-4414

Affidavit of Publication

STATE OF WASHINGTON }
COUNTY OF KITSAP } ss

Rich Peterson being first duly sworn, upon oath deposes and says: that (s)he is the publisher of the Port Orchard Independent, a twice-weekly newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a twice weekly newspaper in Port Orchard, Kitsap County, Washington and is and always has been printed in whole or part in the Port Orchard Independent, Central Kitsap Reporter, North Kitsap Herald, and Bainbridge Island Review and the Bremerton Patriot and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Kitsap County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of County Notices - COMP MTG 10/23 (PC7182) as it was published once a week in the regular and entire issue of said paper and not as a supplement form thereof for a period of 2 issue(s), such publication commencing on 10/07/06 and ending on 10/14/06 and that said newspaper was regularly distributed to its subscribers during all of said period.
The amount of the fee for such publication is $ 38.50 which has been paid in full.

Rich Peterson

Subscribed and sworn before me on this 14th day of October, 2006.

Janis E. French

Notary Public in and for the State of Washington, residing in Port Orchard, Washington.

JANIS E. FRENCH
NOTARY
DEC. 1, 2008
PUBLIC
STATE OF WASHINGTON

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners will hold a public hearing on **October 23, 2006, at the hour of 10:10 a.m.** at the Administration Building, Commissioner Chambers, 619 Division Street, Port Orchard WA. 98366. The intent of the hearing is to consider testimony on the Kitsap County Planning Commission's recommendation on the **10-Year Update Draft Comprehensive Plan and Environmental Impact Statement, and Development Regulations.** For additional information, please contact Angie Silva, (360) 337-4841 in the Department of Community Development, 614 Division Street, Port Orchard Washington.
All those interested are welcome to attend.
(Please note that public hearing start times are estimates and may be impacted by the amount of public input from previous hearings).
OPAL ROBERTSON,
Clerk of the Board
Kitsap County
Commissioners Office
NOTE: Kitsap County does not discriminate on the basis of disability. Individuals who require accommodations should contact staff in the Commissioners' Office at (360) 337-4428 OR TDD (360) 337-7275 OR 1-800-816-2782. (Please provide five (5) business days notice for interpreter services).
Date of first publication: 10/07/06
Date of last publication: 10/14/06

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The amount of the fee for such publication is $ 38.50 which has been paid in full.

Rich Peterson

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The amount of the fee for such publication is $ 156.76 which has been paid in full.

Rich Peterson

Subscribed and sworn before me on this 29th day of November, 2006.

Janis E. French

Notary Public in and for the State of Washington, residing in Port Orchard, Washington.

BOARD OF COMMISSIONERS

JANIS E. FRENCH NOTARY DEC. 1, 2008 PUBLIC STATE OF WASHINGTON

NOTICE OF PUBLIC MEETING FOR FINAL DECISION

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners on **December 4, 2005** at **10:00 AM** in its Chambers, Administrative Building, 619 Division Street, Port Orchard, Washington, will hold a public meeting to enact adopting ordinances implementing amendments to the Kitsap County Comprehensive Plan that include Volume I: Plan and Policy Document, Volume II: Final Environmental Impact Statement and development regulations resulting from the Kitsap County 10-Year Comprehensive Plan Update process.

Multiple public hearings were held on these amendments including final hearings on the Planning Commission recommendations on October 23rd and 25th, 2006. The public comment period closed October 30, 2006 at 4:30 PM. No additional testimony may be taken on these amendments at this meeting.

A summary of the adopting ordinances are as follows:

1. Findings of fact of the Kitsap County Board of Commissioners (Board) regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.
2. General procedural findings regarding the public participation process of the 10-Year Update to the Comprehensive Plan. 3. Substantive findings relating to text and policy amendments and their compliance with the Growth Management Act and Central Puget Sound Growth Management Hearings Board orders
4. Final approval of the amendments to the Kitsap County Comprehensive Plan, including:

a. Board approval of land use and zoning maps for the Kingston, Poulsbo, Silverdale, Central Kitsap, East Bremerton, West Bremerton, Gorst, South Kitsap Industrial Area, McCormick/ULID #6 and Port Orchard/South Kitsap urban growth areas (UGAs). Revisions from the Planning Commission recommendation include, but are not limited to, the exclusion of properties north of Waaga Way from UGAs and denial of the Royal Valley Site-Specific Rezone Request, the conversion of certain properties with Commercial zoning to Mixed Use in both the Silverdale and Port Orchard/South Kitsap UGAs, the conversion of properties zoned Urban Low to Industrial along Dickey Road, the conversion of properties zoned Mixed Use to Urban Restricted near Perry Avenue, the conversion of properties zoned Urban Low to Urban Restricted near Fir Drive and Sunset Avenue, the inclusion of properties west of Sam Christopherson Road in the Gorst UGA, the removal of Commercial zoning along Mile Hill Drive in the Port Orchard/South Kitsap UGA as well as other land use reclassification requests.

b. Board approval of Volume I: Comprehensive Plan Policy Document, dated August 2006, with textual amendments that include, but are not limited to, the deletion of duplicative goals and policies, the revision of language regarding Low Impact Development (LID) standards, the inclusion of additional economic development policies to direct employment growth, the deletion of language specifying to-be-determined downtown design districts for Silverdale, the implementation schedule of specific goals and policies, the approval of the Rural Wooded Incentive Program and other changes to improve clarity and consistency of the document.

c. Board approval of Volume II: Final Environmental Impact Statement. Within this document, the Board has considered a range of potential transportation funding strategies with estimated values to address infrastructure improvements for the 20-year planning period that include, but are not limited to, impact fees, fuel taxes, reduced levels of service, shift of revenue from other programs, property taxes, reduced urban growth areas, license fees and projecting city annexations/incorporations.

d. Board approval of textual amendments to Titles 17, 18 and 21 that include, but are not limited to, provisions for rural industrial and commercial properties, creation of a consolidated land use table, allowances for mixed use and commercial development, allowance for a family exemption for subdivision density, creation of a consolidated density and dimensions table, definition for density calculations in the Urban Restricted zone, establishment of time frames for preapplication conferences, revisions to the Transfer of Development Rights and Rural Wooded Incentive Programs and other changes to improve clarity and consistency of the document. These textual amendments are also included in separate ordinances. The full text may be provided upon request. Any additional information on the documents referenced above can be inspected or obtained by visiting the Department of Community Development located at 614 Division St. Port Orchard, Department of Community Development at (360) 337-7181 or by visiting MyKitsap.org.

ALL THOSE INTERESTED are welcome to attend.

Opal Robertson, Clerk of the Board

Kitsap County does not discriminate on the basis of disability. Individuals who require accommodations at this meeting or who require this information in a different format should contact the ADA Coordinator at (360) 337-7146 (voice) or (360) 337-7275 (TDD) or (800) 816-2782. Please provide one week's notice for accommodations, if possible.

Date of first publication: 11/22/06
Date of last publication: 11/29/06
(PC8026)

Port Orchard Independent
P.O. Box 27, Port Orchard, WA 9836
360-876-4414

Affidavit of Publication

STATE OF WASHINGTON }
COUNTY OF KITSAP } ss

Rich Peterson being first duly sworn, upon oath deposes and says: that (s)he is the publisher of the Port Orchard Independent, a twice-weekly newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a twice weekly newspaper in Port Orchard, Kitsap County, Washington and is and always has been printed in whole or part in the Port Orchard Independent, Central Kitsap Reporter, North Kitsap Herald, Bainbridge Island Review, and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Kitsap County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of County Notices - FINAL MTG 12/4 (PC8026) as it was published once a week in the regular and entire issue of said paper and not as a supplement form thereof for a period of 2 issue(s), such publication commencing on 11/22/06 and ending on 11/29/06 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is $156.76 which has been paid in full.

Rich Peterson

Subscribed and sworn before me on this 29th day of November, 2006.

Janis E. French

Notary Public in and for the State of Washington, residing in Port Orchard, Washington.

BOARD OF COMMISSIONERS

JANIS E. FRENCH
NOTARY
DEC. 1, 2008
PUBLIC
STATE OF WASHINGTON

NOTICE OF PUBLIC MEETING FOR FINAL DECISION

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners on **December 4, 2005** at **10:00 AM** in its Chambers, Administrative Building, 619 Division Street, Port Orchard, Washington, will hold a public meeting to enact adopting ordinances implementing amendments to the Kitsap County Comprehensive Plan that include Volume I: Plan and Policy Document, Volume II: Final Environmental Impact Statement and development regulations resulting from the Kitsap County 10-Year Comprehensive Plan Update process.

Multiple public hearings were held on these amendments including final hearings on the Planning Commission recommendations on October 23rd and 25th, 2006. The public comment period closed October 30, 2006 at 4:30 PM. No additional testimony may be taken on these amendments at this meeting.

A summary of the adopting ordinances are as follows:

1. Findings of fact of the Kitsap County Board of Commissioners (Board) regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.
2. General procedural findings regarding the public participation process of the 10-Year Update to the Comprehensive Plan.
3. Substantive findings relating to text and policy amendments and their compliance with the Growth Management Act and Central Puget Sound Growth Management Hearings Board orders
4. Final approval of the amendments to the Kitsap County Comprehensive Plan, including:

a. Board approval of land use and zoning maps for the Kingston, Poulsbo, Silverdale, Central Kitsap, East Bremerton, West Bremerton, Gorst, South Kitsap Industrial Area, McCormick/ULID #6 and Port Orchard/South Kitsap urban growth areas (UGAs). Revisions from the Planning Commission recommendation include, but are not limited to, the exclusion of properties north of Waaga Way from UGAs and denial of the Royal Valley Site-Specific Rezone Request, the conversion of certain properties with Commercial zoning to Mixed Use in both the Silverdale and Port Orchard/South Kitsap UGAs, the conversion of properties zoned Urban Low to Industrial along Dickey Road, the conversion of properties zoned Mixed Use to Urban Restricted near Perry Avenue, the conversion of properties zoned Urban Low to Urban Restricted near Fir Drive and Sunset Avenue, the inclusion of properties west of Sam Christopherson Road in the Gorst UGA, the removal of Commercial zoning along Mile Hill Drive in the Port Orchard/South Kitsap UGA as well as other land use reclassification requests.

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d. Board approval of textual amendments to Titles 17, 18 and 21 that include, but are not limited to, provisions for rural industrial and commercial properties, creation of a consolidated land use table, allowances for mixed use and commercial development, allowance for a family exemption for subdivision density, creation of a consolidated density and dimensions table, definition for density calculations in the Urban Restricted zone, establishment of time frames for preapplication conferences, revisions to the Transfer of Development Rights and Rural Wooded Incentive Programs and other changes to improve clarity and consistency of the document. These textual amendments are also included in separate ordinances. The full text may be provided upon request. Any additional information on the documents referenced above can be inspected or obtained by visiting the Department of Community Development located at 614 Division St. Port Orchard, Department of Community Development at (360) 337-7181 or by visiting MyKitsap.org.

ALL THOSE INTERESTED are welcome to attend.

Opal Robertson, Clerk of the Board

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Date of last publication: 11/29/06
(PC8026)

From: Angie Silva
To: kitsaplegals@soundpublishing.com
Date: 12/13/2006 4:46:43 PM
Subject: Notices for Publication

Malia-

Attached are legal notices to be published in the Newspaper Group for December 20th.

If you have any questions, please let know. Please send an email confirmation once received.

Thank you,

Angie Silva, Planner
Kitsap County
Department of Community Development
(360) 337-4841
asilva@co.kitsap.wa.us

CC: Robertson, Opal

KITSAP COUNTY
NOTICE OF AVAILABILITY

INTEGRATED FINAL ENVIRONMENTAL IMPACT STATEMENT AND COMPREHENSIVE PLAN FOR THE KITSAP COUNTY 10-YEAR UPDATE

Notice is hereby given of the availability of the Kitsap County Integrated Final Environmental Impact Statement (FEIS) and Comprehensive Plan.

DESCRIPTION OF PROPOSAL: The Draft Environmental Impact Statement (DEIS) and the FEIS reviewed alternatives regarding the adoption of a Comprehensive Plan to meet the community's refined vision and to meet requirements of the Washington State Growth Management Act (GMA). The DEIS Alternatives included the SEPA required No Action Alternative and two Proposed Action Alternatives – Alternatives 2 and 3. The No Action Alternative represented the continuation of the County's Comprehensive Plan policies adopted May 1998, with amendments through 2005, extended to a new 2025 planning horizon. The Action Alternatives reviewed a 10-year update of the Kitsap County's Comprehensive Plan in accordance with the requirements of the GMA. In general, the update was intended to revise and refine, correct, and extend the 1998 GMA Comprehensive Plan policy direction, including a new 2025 planning horizon and associated population targets. The DEIS Alternatives 2 and 3 included Comprehensive Land Use Plan amendments in unincorporated area in Kitsap County, together with unincorporated Urban Growth Areas (UGAs) amendments. The DEIS Alternatives also included policy amendments, a capital facilities plan, and development regulations. DEIS alternatives varied how to meet population and employment growth projections to 2025. The FEIS reviews the Board of County Commissioners' Preferred Alternative which is similar to DEIS Alternative 2.

PROPONENT: Kitsap County.

LOCATION OF PROPOSAL: The proposal encompasses all of unincorporated Kitsap County.

LEAD AGENCY: Kitsap County Department of Community Development.

FEIS CONTENTS: For a range of natural resource and built environment topics, the FEIS addresses potential impacts of the Preferred Alternative at a non-project, programmatic level of analysis. The FEIS addresses the following topics, similar to the DEIS: Earth, Air Quality, Surface Water (Water Quality, Flooding), Plants and Animals, Environmental Health (Noise), Land Use, Plans and Policies, Cultural Resources, Population/Employment, Housing, Parks and Open Space, Transportation, Capital Facilities, and Public Services and Utilities. The FEIS also provides responses to comments submitted during the 60-day comment period on the DEIS.

This Kitsap County Comprehensive Plan/EIS incorporates by reference prior environmental review documents prepared by Kitsap County, including (but not limited to) the *Integrated Port Orchard/South Kitsap Sub-Area Plan Draft and Preliminary Final EIS* (May 2006), which contains environmental analysis of the proposed Port Orchard/South Kitsap Sub-Area plan. The FEIS provides updated responses to comments on the *Integrated Port Orchard/South Kitsap*

Sub-Area Plan Draft EIS. In so doing, the FEIS completes the Port Orchard/South Kitsap Sub-Area Plan environmental review process.

FINAL PLAN CONTENTS: The chapters of the Final Plan include the following: Introduction, Land Use, Rural and Resource Lands, Natural Systems, Economic Development, Housing, Utilities, Transportation, Shorelines, Parks, Recreation and Open Space, Capital Facilities, Sub-Area Plans, and Implementation. A capital facilities plan is also included.

DEVLOPEMENT REGULATION AMENDMENTS: Regulatory amendments include amendments to land use regulations, density, dimensions and design regulations, SEPA regulations, Rural Wooded regulations, transfer of development rights and miscellaneous zoning regulations.

The County has elected to integrate SEPA/GMA process in accordance with WAC 197-11-210 to 197-11-238. The Comprehensive Plan Update EIS fulfills GMA requirements for Comprehensive Plan Element inventories and analysis, while at the same time reviewing alternative land use plan and policy amendments in accordance with SEPA. In addition, the EIS includes revised SEPA categorical exemptions from further environmental review for minor new construction countywide, and for mixed use and infill development in the Silverdale UGA.

DOCUMENT AVAILABILITY: Copies of the Final Comprehensive Plan, FEIS, Development Regulations, and associated summaries are available for review at Kitsap County Department of Community Development, local libraries, and MyKitsap.org. Compact disks are also available for purchase at the Department of Community Development.

PUBLIC REVIEW: A 60-day comment period was held on the DEIS and associated Comprehensive Plan Update documents between August 29 to October 30, 2006. Comments during that period, both written comments and oral public hearing testimony, are provided responses in the FEIS. The FEIS accompanied the Kitsap County Comprehensive Plan Update. No review period applies. Pursuant to WAC 197-11-230, the FEIS and the adoption of the Comprehensive Plan may occur together.

CONTACT PERSON:

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RESPONSIBLE OFFICIAL: David Greetham, Kitsap County SEPA Official

ADDRESS: 619 Division Street, Port Orchard WA. 98366

Publication Date: December 20, 2006
The Newspaper Group

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Kitsap County Board of Commissioners on **December 11, 2005** at **10:00 AM** in its Chambers, Administrative Building, 619 Division Street, Port Orchard, Washington, adopted and enacted Ordinance **370-2006,** RELATING TO THE GROWTH MANAGEMENT ACT AND REGARDING THE 10-YEAR UPDATE OF THE KITSAP COUNTY COMPREHENSIVE PLAN; Ordinance **367-2006**, ORDINANCE REGARDING 10-YEAR COMPREHENSIVE PLAN UPDATE REVISIONS TO KITSAP COUNTY CODE TITLE 17 (ZONING); Ordinance **368-2006**, ORDINANCE REGARDING 10-YEAR COMPREHENSIVE PLAN UPDATE REVISIONS TO KITSAP COUNTY CODE TITLE 18 (ENVIRONMENT), and Ordinance **369-2006**, ORDINANCE REGARDING 10-YEAR COMPREHENSIVE PLAN UPDATE REVISIONS TO KITSAP COUNTY CODE TITLE 21 (LAND USE PROCEDURES). A summary of the ordinances is as follows:

Ordinance 370-2006 (Comprehensive Plan)

Section 1 includes findings of fact of the Kitsap County Board of Commissioners (Board) regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.

Section 2 includes general procedural findings regarding the public participation aspects of the 10-Year Update to the Comprehensive Plan.

Section 3 includes substantive findings relating to text and policy amendments, including findings that the 10-Year Update complies with the Kitsap County Code, with the Growth Management Act, and with the remand order in *KCRP v. Kitsap County*, CPSGMHB 06-3-0007, Final Decision and Order (July 26, 2006).

Section 4 formally adopts and enacts text, map and policy revisions to update the Kitsap County Comprehensive Plan, including land use and zoning maps for the Kingston, Poulsbo, Silverdale, Central Kitsap, East Bremerton, West Bremerton, Gorst, South Kitsap Industrial Area, McCormick/ULID #6 and Port Orchard/South Kitsap urban growth areas (UGAs), Volume I: Comprehensive Plan Policy Document, dated December 2006, and Volume II: Draft and Final Environmental Impact Statement, dated August and December 2006, and Volume III: Development Regulations. Volume III amendments were adopted by three separate Ordinances noted below.

Section 5 repeals portions of Ordinance 325-2005 adopting the Kingston Sub-Area Plan.

Ordinance 367-2006 (Title 17, Zoning)

Section 1 includes findings of fact of the Board regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.

Section 2 includes general procedural findings regarding the public participation aspects of the 10-Year Update to the Comprehensive Plan.

Section 3 includes substantive findings relating to amendments of Kitsap County Code Title 17.

Sections 4 through 124 formally adopt and enact text amendments to Kitsap County Code Title 17.

Ordinance 368-2006 (Title 18, Environment)

Section 1 includes findings of fact of the Board regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.

Section 2 includes general procedural findings regarding the public participation aspects of the 10-Year Update to the Comprehensive Plan.

Section 3 includes substantive findings relating to amendments of Kitsap County Code Title 18.

Sections 4 through 37 formally adopt and enact text amendments to Kitsap County Code Title 18.

Ordinance 369-2006 (Title 21, Land Use Procedures)

Section 1 includes findings of fact of the Board regarding the review and update to the Kitsap County Comprehensive Plan, procedures for Comprehensive Plan Amendments and 10-Year Update to the Comprehensive Plan.

Section 2 includes general procedural findings regarding the public participation aspects of the 10-Year Update to the Comprehensive Plan.

Section 3 includes substantive findings relating to amendments of Kitsap County Code Title 21.

Sections 4 through 13 formally adopt and enact text amendments to Kitsap County Code Title 21.

The full texts of these ordinances may be provided upon request. Any additional information on the documents referenced above can be inspected or obtained by visiting the Department of Community Development located at 614 Division St. Port Orchard, or at 360) 337-7181 or by visiting MyKitsap.org.

Publication Date: December 20, 2006
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