

Title 17

ZONING

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Chapter 17.100

GENERAL PROVISIONS

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- 17.100.010 Title.
- 17.100.020 Purpose and scope.
- 17.100.030 Compliance.
- 17.100.040 Allowed uses.
- 17.100.050 Conflict with other regulations.
- 17.100.060 Relationship to procedures ordinance.
- 17.100.070 Interpretation.
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17.100.010 Title.

The ordinance codified in this title may be cited as either the “Kitsap County Zoning Ordinance” or “Title 17, Kitsap County Code.” (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.020 Purpose and scope.

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

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

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

- A. Title 6 (Business Licenses and Regulations);
 - B. Title 9 (Health, Welfare and Sanitation);
 - C. Title 11 (Roads, Highways and Bridges);
 - D. Title 12 (Storm Water Drainage);
 - E. Title 13 (Water and Sewers);
 - F. Title 14 (Buildings and Construction);
 - G. Title 15 (Flood Hazard Areas);
 - H. Title 16 (Land Division and Development);
 - I. Title 18 (Environment);
 - J. Title 19 (Critical Areas Ordinance);
 - K. Title 20 (Transportation);
 - L. Title 21 (Land Use and Development Procedures);
 - M. Title 22 (Shoreline Master Program);
 - N. Chapter 36.70A RCW, Growth Management Act, and Chapter 36.70B RCW, Local Project Review;
 - O. Kitsap Countywide Planning Policies;
 - P. Kitsap County Comprehensive Plan and Subarea Plans;
 - Q. Kitsap County Buildable Lands Report;
 - R. Kitsap County Greenways, Bicycle and Mosquito Fleet Trail Plan;
 - S. Kitsap County Parks, Recreation and Open Space Plan;
 - T. Kitsap County Comprehensive Solid Waste Plan;
 - U. Chapter 43.21 RCW, State Environmental Policy Act; and
 - V. Chapter 58.17 RCW, Plats – Subdivisions – Dedications.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.030 Compliance.

No building or other structure shall be constructed, improved, altered, enlarged, or moved; nor shall any use or occupancy of

premises within the county be commenced or changed; nor shall any condition of or upon real property be caused or maintained, after the effective date of this title, except in conformity with conditions prescribed for each of the several zones established hereunder. It shall be unlawful for any person, firm, or corporation to erect, construct, establish, move into, alter, enlarge, use or cause to be used, any buildings, structures, improvements, or use of premises contrary to the provisions of this title; provided, however, conditions of approval as referred to in the changes to zones, amendments and alterations section, and the existing uses referred to in the interpretations and exceptions section, shall be allowed to continue in the manner and extent provided for therein. Where this title imposes greater restrictions than those imposed or required by other rules, regulations, or ordinances, the provisions of this title shall control. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.040 Allowed uses.

Except as provided in Chapter 17.520, when a use is not specifically listed in this title, it shall be understood that the use may be allowed if it is determined by the director that the use is similar to other uses listed. It is further recognized that every conceivable use cannot be identified. In anticipation that new uses will evolve over time, this section establishes the director's authority to compare a proposed use and measure it against those listed in this title for determining similarity. In determining similarity, as well as when considering all other uses, the director shall make all of the following findings:

A. The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the Kitsap County Comprehensive Plan;

B. The proposed use shall meet the stated purpose and general intent of the Comprehensive Plan land use designation and zoning classification in which the use is proposed to be located;

C. The proposed use shall not adversely impact the public health, safety and general welfare of the residents of the county; and

D. The proposed use shall share characteristics in common with, and not be of greater intensity, density or generate more environmental impact than, those uses listed in the land use zone in which it is to be located.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.050 Conflict with other regulations.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.060 Relationship to procedures ordinance.

To the extent that there is a conflict regarding the requirements of this title and Title 21 (Land Use and Development Procedures), Title 21 shall control.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.070 Interpretation.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.080 Severability.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.100.090 List of qualified consultants.

As a resource to applicants, the department will maintain a list of arborists, habitat biologists, hydrogeologists, geological engineers, geologists, land surveyors, and wetlands scientists who, at the time of listing, are licensed in the state of Washington and meet the minimum qualifications of Kitsap County Code to prepare certain documents required by this title. The list will contain those consultants who have responded to Kitsap County's call to be listed. Kitsap County makes no representation or guarantee as to the quality of services performed by those listed, and reserves the right to discontinue the list at any time.

(Ord. 617 (2022) § 33, 2022)

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Chapter 17.105

INTERPRETATIONS AND EXCEPTIONS

Sections:

- 17.105.010 Director authority to issue administrative decisions.
- 17.105.080 Pending long or short subdivisions.
- 17.105.090 Temporary permits.
- 17.105.100 Number of dwellings per lot.
- 17.105.110 Obnoxious things.
- 17.105.120 Existing lot aggregation for tax purposes.

17.105.010 Director authority to issue administrative decisions.

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

At the request of the applicant, in writing, the director may also authorize a variation of up to ten percent of any numerical standard, except density, when unusual circumstances cause undue hardship in the strict application of this title; provided, such a variance shall be approved only when all of the following conditions and facts exist:

A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply to other property in the same vicinity or zone;

B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;

C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and

D. The variance is the minimum necessary to grant relief to the applicant.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.105.080 Pending long or short subdivisions.

Nothing herein shall require any change in the location, plans, construction, size or designated use of any residential plat, for which preliminary official approval has been granted prior to the adoption of this title.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.105.090 Temporary permits.

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

Upon the expiration of the temporary permit, the applicant shall have thirty days within which to remove and/or discontinue such temporary use structure.

Upon approval, temporary permits may be issued for the following uses or structures:

A. Storage of equipment and materials during the building of roads or other developments;

B. Temporary storage of structures for the housing of tools and supplies used in conjunction with the building of roads or other developments;

C. Temporary office structures;

D. Temporary housing/construction living quarters for personnel such as watchmen, labor crews, engineering, and management; provided:

1. The building permit for the primary structure must have been issued;

2. The temporary dwelling must not be permanently placed on the site;

3. The temporary dwelling must meet the setback requirements of the zone in which it is located; and

4. For the purpose of constructing a single-family dwelling, temporary living quarters (for example, a recreational vehicle) may be permitted only in conjunction with a stick frame structure. This permit will remain active as long as the building permit for the single-family dwelling remains active;

E. Use of equipment essential to and only in conjunction with the construction or building of a road, bridge, ramp, dock, and/or jetty located in proximity to the temporary site; provided, that the applicant shall provide a construction contract or other evidence of the time period required to complete the project; and provided further, that the following equipment shall be considered essential to and in conjunction with such construction projects:

1. Portable asphaltic concrete-mixing plants.
2. Portable concrete-batching plants.
3. Portable rock-crushing plants.
4. Accessory equipment essential to the use of the aforementioned plants;

F. Temporary uses and structures otherwise permitted within the zone which will remain up to one hundred eighty days on an existing lot or parcel where compliance with an administrative conditional use permit and landscaping requirements are impractical;

G. Temporary uses and structures not specified in any zone classification subject to applicable provisions of the Kitsap County Code; provided, that such uses and structures may not be approved by the director for a period greater than ninety days;

H. The occupancy of a recreational vehicle (RV) for a period not to exceed three months subject to the following conditions:

1. The subject property must be located in the rural wooded (RW), rural protection (RP), or rural residential (RR) zones;
2. The RV must be occupied by the property owner or family member;

3. The RV must be provided with approved utilities including septic or sewer (health district approval), water, and electrical power;

4. The location of the RV must meet all setbacks required by the underlying zone;

5. The director may impose additional conditions as appropriate to ensure that the RV use is compatible with the surrounding properties;

6. The minimum RV size shall be two hundred square feet; and

7. A permit will be required each time the RV is placed on a parcel. If the RV is placed on the same parcel each year the application fee will be half of the initial fee;

I. Placement of a storage container on a property developed with single-family dwelling or properties with an active building permit for construction of a residential or commercial building is subject to the following conditions:

1. The container must meet all applicable setbacks for the zone; and
2. The storage container may not be placed on site for more than ninety days; however, in instances where a building permit for a single-family dwelling or commercial development is active, the container may remain on site until thirty days after the permit expires or receives final inspection/certificate of occupancy.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.105.100 Number of dwellings per lot.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.105.110 Obnoxious things.

In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one foot

candle of illumination may leave the property boundaries.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.105.120 Existing lot aggregation for tax purposes.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.110

DEFINITIONS

Sections:

- | | | | |
|------------|---|------------|---|
| 17.110.005 | Generally. | 17.110.091 | Auction house. |
| 17.110.010 | Abutting. | 17.110.092 | Automobile, recreational vehicle or boat rentals. |
| 17.110.015 | Access. | 17.110.094 | Automobile or recreational vehicle repair. |
| 17.110.017 | Accessory dwelling unit, attached. | 17.110.095 | (Repealed) |
| 17.110.020 | Accessory dwelling unit, detached. | 17.110.096 | Automobile, recreational vehicle, or boat sales. |
| 17.110.025 | (Repealed) | 17.110.100 | Awning. |
| 17.110.030 | Accessory use or structure. | 17.110.103 | Base station. |
| 17.110.035 | Adjacent. | 17.110.105 | Bed and breakfast house. |
| 17.110.040 | Adjoining. | 17.110.107 | Bioretention facilities. |
| 17.110.043 | Adult entertainment. | 17.110.110 | Board. |
| 17.110.045 | Adult family home. | 17.110.112 | Boarding house. |
| 17.110.050 | Aggregate extraction sites. | 17.110.120 | Boat yard. |
| 17.110.053 | Airport. | 17.110.125 | Breezeway. |
| 17.110.055 | Alley. | 17.110.126 | Brew pubs. |
| 17.110.057 | (Repealed) | 17.110.130 | Buffer. |
| 17.110.060 | Animal. | 17.110.132 | Buffer, landscaping. |
| 17.110.065 | Animal, small. | 17.110.133 | Buffer, screening. |
| 17.110.070 | Animal hospital. | 17.110.135 | Building. |
| 17.110.073 | Antenna. | 17.110.137 | Building coverage. |
| 17.110.075 | Amusement center. | 17.110.140 | Building height. |
| 17.110.085 | Aquaculture practices. | 17.110.145 | Building line. |
| 17.110.086 | Aquarium, arboretum, botanical garden, zoo. | 17.110.147 | Campground. |
| 17.110.087 | Assembly and packaging operations. | 17.110.149 | Car washes. |
| 17.110.089 | Assisted or independent living facility. | 17.110.150 | Caretaker's dwelling. |
| 17.110.090 | (Repealed) | 17.110.155 | Carport. |
| | | 17.110.156 | Carrier. |
| | | 17.110.157 | Child care center. |
| | | 17.110.160 | (Repealed) |
| | | 17.110.161 | Case management. |
| | | 17.110.163 | Cemeteries. |
| | | 17.110.164 | Clinic. |
| | | 17.110.165 | Club. |
| | | 17.110.166 | Clubhouse. |
| | | 17.110.167 | College. |
| | | 17.110.168 | Collocation. |
| | | 17.110.169 | Community sewage disposal systems. |
| | | 17.110.170 | Commission or planning commission. |
| | | 17.110.171 | (Repealed) |
| | | 17.110.172 | Composting. |
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| | | 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.
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- 17.110.199 Custom art and craft stores.
- 17.110.200 Day-care center.
- 17.110.205 Day-care center, home-based.
- 17.110.210 Density.
- 17.110.212 Density, maximum.
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- 17.110.215 Department.
- 17.110.220 Development.
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- 17.110.223 (Repealed)
- 17.110.225 Director.
- 17.110.226 Dispatch facility.
- 17.110.227 Distributed antenna systems.
- 17.110.228 Dormitory.
- 17.110.229 Drinking establishments.
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- 17.110.242 (Repealed)
- 17.110.245 Duplex.
- 17.110.250 Electric vehicle charging space.
- 17.110.251 Electric vehicle infrastructure.
- 17.110.255 Dwelling unit.
- 17.110.256 Electric vehicle charging station.
- 17.110.257 Emergency service communications.
- 17.110.260 Employees.
- 17.110.261 Entertainment facility, indoor.
- 17.110.262 Entertainment facility, outdoor.
- 17.110.263 Equipment sales, rentals and repair, heavy.
- 17.110.264 Equipment sales, rentals and repair, light.
- 17.110.265 (Repealed)
- 17.110.266 Equipment sales, rentals and repair, recreational.
- 17.110.267 Espresso stands.
- 17.110.268 Exotic animal.
- 17.110.269 Event facility.
- 17.110.270 Family.
- 17.110.271 Family living.
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- 17.110.275 Fence, sight-obscuring.
- 17.110.278 Fitness center.
- 17.110.279 Food and beverage production.
- 17.110.280 Forestry.
- 17.110.285 Foster home.
- 17.110.290 Frontage.
- 17.110.291 Fuel distributors.
- 17.110.292 Fuel or charging station, with convenience store.
- 17.110.293 Fuel or charging station, without convenience store.
- 17.110.294 Funeral home.
- 17.110.295 Garage, private.
- 17.110.301 General retail merchandise stores.
- 17.110.302 General office and management services.
- 17.110.303 Golf course.
- 17.110.304 Government/public structures.
- 17.110.305 Grade.
- 17.110.310 Green storm water infrastructure.
- 17.110.311 Green storm water solutions.
- 17.110.315 Gross floor area.
- 17.110.316 Group home.
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- 17.110.318 Group living.
- 17.110.319 Habitable area.
- 17.110.320 Habitable floor.
- 17.110.321 Hardscaping.
- 17.110.322 Hard surface.
- 17.110.325 Hearing examiner.
- 17.110.330 Heavy equipment.
- 17.110.333 Helicopter pads.
- 17.110.335 High-risk secured facility.
- 17.110.340 High capacity transit station area.
- 17.110.345 Home business.
- 17.110.350 Home day care.
- 17.110.355 Home owners' association.
- 17.110.360 Hospital.
- 17.110.361 Hotel/motel.

- 17.110.362 Immediate vicinity.
- 17.110.363 Impervious surface.
- 17.110.364 Indoor transitory accommodations.
- 17.110.365 (Repealed)
- 17.110.366 (Repealed)
- 17.110.367 (Repealed)
- 17.110.368 Infill development.
- 17.110.369 Junk motor vehicle.
- 17.110.370 Junkyard.
- 17.110.375 Kennel.
- 17.110.380 Kennel, hobby.
- 17.110.385 Landscaping.
- 17.110.388 Large on-site sewage system (LOSS).
- 17.110.390 (Repealed)
- 17.110.391 Large transitory accommodations.
- 17.110.392 (Repealed)
- 17.110.393 Lattice support structure.
- 17.110.395 Livestock.
- 17.110.396 Loading space.
- 17.110.400 Lot.
- 17.110.405 Lot area.
- 17.110.410 Lot, corner.
- 17.110.412 Lot, interior.
- 17.110.415 Lot coverage.
- 17.110.420 Lot depth.
- 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.
- 17.110.461 Low impact development.
- 17.110.462 Low impact development best management practices.
- 17.110.463 (Repealed)
- 17.110.464 Lumber and bulky building material sales.
- 17.110.465 Maintain.
- 17.110.467 Manufactured/mobile/RV/park model/tiny home parks.
- 17.110.470 Manufactured home.
- 17.110.472 Manufactured home, mobile home, park model and tiny home sales.
- 17.110.473 Manufacturing and fabrication.
- 17.110.474 Cannabis.
- 17.110.475 Cannabis processor.
- 17.110.476 Cannabis producer.
- 17.110.477 Cannabis-infused products.
- 17.110.478 Cannabis retailer.
- 17.110.480 Marina.
- 17.110.482 Marina support services.
- 17.110.483 Master plan.
- 17.110.484 Minimum functional height.
- 17.110.485 Mixed use development.
- 17.110.490 Mobile home.
- 17.110.493 (Repealed)
- 17.110.494 Modification.
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- 17.110.504 Multiple-family.
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- 17.110.506 Native vegetation.
- 17.110.507 Net developable area.
- 17.110.508 Nonconforming lot.
- 17.110.510 Nonconforming use, nonconforming structure or nonconforming use of structure.
- 17.110.512 Nonmotorized recreational rentals.
- 17.110.515 Nuisance.
- 17.110.520 Nursery, retail.
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- 17.110.530 (Repealed)
- 17.110.531 Off-street parking facilities.
- 17.110.532 Off-street parking facilities, structured.
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- 17.110.548 Parcel.
- 17.110.550 Park.
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- 17.110.560 Parking space.
- 17.110.565 Parking space, barrier free.

- 17.110.567 Parking space, compact.
- 17.110.568 Pedestrian-oriented facade.
- 17.110.569 Pedestrian-oriented space/plaza.
- 17.110.570 Pedestrian-friendly street.
- 17.110.571 Pedestrian walkways.
- 17.110.572 Performance based development (PBD).
- 17.110.575 Perimeter setback.
- 17.110.576 Permeable pavement.
- 17.110.577 Permitted use.
- 17.110.580 Person.
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- 17.110.585 Pet.
- 17.110.590 Pet, nontraditional.
- 17.110.591 Pharmacies.
- 17.110.595 Pier.
- 17.110.600 Places of worship.
- 17.110.610 Planning commission.
- 17.110.615 Porch.
- 17.110.620 Portable sign.
- 17.110.625 Premises.
- 17.110.630 Private airport or heliport.
- 17.110.635 Prohibited use.
- 17.110.637 Project permit or project permit application.
- 17.110.640 Public facilities.
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- 17.110.643 (Repealed)
- 17.110.644 Racetrack.
- 17.110.645 Receiving areas and parcels.
- 17.110.646 Recreational amenity, active.
- 17.110.647 Recreational facility, indoor.
- 17.110.648 Recreational facility, outdoor.
- 17.110.650 Recreational vehicle.
- 17.110.653 Recycling center.
- 17.110.655 (Repealed)
- 17.110.656 Related equipment.
- 17.110.657 Religious organization.
- 17.110.658 Research laboratory.
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- 17.110.663 Restaurant, without drive-through service.
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- 17.110.670 School.
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- 17.110.672 Sending areas and parcels.
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- 17.110.676 Shelter.
- 17.110.677 Shipping container.
- 17.110.678 Shooting/gun facility, indoor.
- 17.110.679 Shooting/gun facility, outdoor.
- 17.110.680 Sign.
- 17.110.681 Sign permit.
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- 17.110.683 Single-family detached dwelling.
- 17.110.684 Single-family transitory accommodations.
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- 17.110.686 Site plan.
- 17.110.687 Site-specific amendment.
- 17.110.688 Small transitory accommodations.
- 17.110.689 Slaughterhouse or animal processing.
- 17.110.690 Special care residence.
- 17.110.691 Stealth technology.
- 17.110.692 Storage, hazardous materials.
- 17.110.693 (Repealed)
- 17.110.694 Storage, vehicles and equipment.
- 17.110.695 Storage, indoor.
- 17.110.696 Storage, outdoor.
- 17.110.697 Storage container.
- 17.110.698 Street.

- 17.110.699 Streetscape.
- 17.110.700 Structural alteration.
- 17.110.705 Structure.

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17.110.706 Stump grinding and firewood cutting.

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17.110.005 Generally.

For the purpose of this title, certain terms, phrases, words and their derivatives shall be construed as specified in this section and elsewhere in this title where specific definitions are provided. Terms, phrases and words used in the singular include the plural and the plural the singular. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. The word “shall” is mandatory. The word “may” is discretionary. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context with which they are used. The most current version of the English Webster’s Dictionary shall be considered as providing ordinary accepted meanings. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.010 Abutting.

“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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.015 Access.

“Access” means the place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use, as required by this title. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.017 Accessory dwelling unit, attached.

“Accessory dwelling unit, attached” means a separate dwelling unit contained within, or directly connected by a minimum of four feet to the habitable space of, the primary residence. Alternate configurations shall not be allowed as an accessory dwelling unit, attached. (Ord. 611 (2022) § 5, 2022)

17.110.020 Accessory dwelling unit, detached.

“Accessory dwelling unit, detached” means a separate dwelling unit that does not meet the definition of Section 17.110.017, Accessory dwelling unit, attached. No mobile home or recreational vehicle shall be considered an accessory dwelling unit. This definition excludes guest houses. (Ord. 611 (2022) § 6, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.025 (Repealed)*

- * **Editor’s Note:** Former Section 17.110.025, “Accessory living quarters,” was repealed by Section 7 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.035 Adjacent.

“Adjacent” means the same as “abutting.” (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.040 Adjoining.

“Adjoining” means the same as “abutting.” (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.043 Adult entertainment.

“Adult entertainment” means any enterprise whose primary emphasis is any activity defined in Chapter 10.52. (Ord. 611 (2022) § 8, 2022)

17.110.045 Adult family home.

“Adult family home” means a dwelling licensed pursuant to Chapter 70.128 RCW in which a person or persons provide personal care, special care, and room and board to a number of persons consistent with the state definition. (Ord. 611 (2022) § 9, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.050 Aggregate extraction sites.

“Aggregate extraction sites” means a use involving on-site extraction of surface or sub-surface mineral resources. Typical uses are quarries, borrow pits, sand and gravel operations, mining, and soil mining. Extraction may require drilling or blasting prior to the processing or rock crushing. (Ord. 611 (2022) § 10, 2022; Ord. 536 (2016) § 1 (App. A); Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.053 Airport.

“Airport” means any area of land designated, set aside, used, or intended for the takeoff and landing of aircraft. Airports may include support services and accessory uses such as runways, taxiways, aircraft fuel storage and pumping facilities, aircraft hangars and tie-down areas, air traffic control facilities, informational facilities and devices, terminal buildings, and aviation instruction facilities. (Ord. 611 (2022) § 11, 2022)

17.110.055 Alley.

“Alley” means a private or public right-of-way having a typical width of at least ten feet, but generally no more than twenty feet, which affords only secondary means of access to abutting properties. Alleys are not intended for general traffic circulation. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.057 (Repealed)*

- * **Editor’s note:** Former Section 17.110.057, “Alternative technology,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.060 Animal.

“Animal” means any live vertebrate creature, reptile, amphibian or bird, except man.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.065 Animal, small.

“Animal, small” or “small animal” means any animal other than livestock used for agricultural purposes.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.073 Antenna.

“Antenna” means an apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to commission authorization, for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds, including the transmitting device and any on-site equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with that antenna and added to a tower, structure, or building as part of the original installation of the antenna. For most services, an antenna will be mounted on or in, and is distinct from, a supporting structure such as a tower, structure or building. However, in the case of AM broadcast stations, the entire tower or group of towers constitutes the antenna for that station. For purposes of this section, the term “antenna” does not include unintentional radiators, mobile stations, or devices authorized under CFR Title 15.
(Ord. 570 (2019) § 6, 2019)

17.110.075 Amusement center.

“Amusement center” means a commercially operated facility having one or more forms of entertainment such as a bowling alley, indoor golf driving range, merry-go-round, roller

coaster, batting cages, electronic and/or video games, or miniature golf course.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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 includes fisheries enhancement, the mechanical harvesting of shellfish and hatchery culture, excluding traditional noncommercial shellfish harvesting.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.086 Aquarium, arboretum, botanical garden, zoo.

“Aquarium, arboretum, botanical garden, zoo” means an establishment that preserves and exhibits live plant and animal displays for viewing by the public.
(Ord. 611 (2022) § 12, 2022)

17.110.087 Assembly and packaging operations.

“Assembly and packaging operations” means a facility where premanufactured 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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.089 Assisted or independent living facility.

“Assisted or independent living facility” means a facility, other than a clinic, that provides room, board, and/or care to dependent children, the elderly, and the physically or mentally handicapped. Services in these establishments include, but are not limited to, assistance with dressing, grooming, and bathing. Assisted and independent facilities may have a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters.
(Ord. 611 (2022) § 13, 2022)

17.110.090 (Repealed)*

* **Editor’s Note:** Former Section 17.110.090, “Automobile repair,” was repealed by Section 14 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.091 Auction house.

“Auction house” means a structure or enclosure where goods or livestock are sold by auction.

(Ord. 611 (2022) § 15, 2022)

17.110.092 Automobile, recreational vehicle or boat rentals.

“Automobile, recreational vehicle or boat rentals” means a facility that rents or leases automobiles, light trucks, vans, recreational vehicles, or boats, including incidental parking and servicing of vehicles for rent or lease. This definition includes ride-share facilities such as Zipcar.

(Ord. 611 (2022) § 16, 2022)

17.110.094 Automobile or recreational vehicle repair.

“Automobile or recreational vehicle repair” means a facility used for the replacement of parts, motor service, rebuilding or reconditioning of engines, painting, upholstering, detailing, or cleaning motor vehicles, recreational vehicles or trailers.

(Ord. 611 (2022) § 17, 2022)

17.110.095 (Repealed)*

* **Editor’s Note:** Former Section 17.110.095, “Automobile service station,” was repealed by Section 19 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.096 Automobile, recreational vehicle, or boat sales.

“Automobile, recreational vehicle or boat sales” means a facility that sells or leases automobiles, light trucks, vans, recreational vehicles, or boats, including incidental parking and servicing of vehicles for sale or lease.

(Ord. 611 (2022) § 18, 2022)

17.110.100 Awning.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.103 Base station.

“Base station” means the equipment and nontower supporting structure at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network.

(Ord. 570 (2019) § 7, 2019)

17.110.105 Bed and breakfast house.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.107 Bioretention facilities.

“Bioretention facilities” means engineered facilities that treat storm water by passing it through a specified soil profile, and either retain or detain the treated storm water for flow attenuation. Refer to the Stormwater Management Manual for Western Washington (Ecology Manual), Chapter 7 of Volume V for bioretention BMP types and design specifications.

(Ord. 540 (2016) § 11, 2016)

17.110.110 Board.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.112 Boarding house.

“Boarding house” means a building arranged or used for lodging for compensation with any number of guest rooms and not occupied as a single-family unit. The owner of the property is typically not on site in a boarding house.

(Ord. 611 (2022) § 20, 2022; Ord. 541 (2017) § 4, 2017)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.130 Buffer.

“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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.132 Buffer, landscaping.

“Buffer, landscaping” means a buffer treatment within or along the perimeter of a devel-

opment that varies in numbers and types of vegetation and/or fencing depending on land uses. Landscaping such as trees, shrubs, ground covers, fencing, or vegetation planted as part of low impact development (LID) best management practices (BMPs) are to be provided as prescribed by Chapter 17.500.

(Ord. 540 (2016) § 12, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.133 Buffer, screening.

“Buffer, screening” means a buffer of ever-green vegetation, vegetation planted as part of LID BMPs, or sight-obscuring fencing intended to provide functional screening between different uses, land use intensities and/or zones. Screening is to be installed or maintained as prescribed by Chapter 17.500.

(Ord. 540 (2016) § 13, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.135 Building.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.137 Building coverage.

“Building coverage” means the area of land that is covered by a building or structure that provides a hard surface. Building coverage also includes uncovered horizontal structures, such as decks, stairways, and entry bridges.

(Ord. 540 (2016) § 14, 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.147 Campground.

“Campground” means a tract of land under single ownership or unified control developed with individual sites for rent and containing roads and utilities to accommodate recreational vehicles or tents for vacation or other similar transient, short-stay purposes.

(Ord. 611 (2022) § 21, 2022)

17.110.149 Car washes.

“Car washes” means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

(Ord. 611 (2022) § 22, 2022)

17.110.150 Caretaker’s dwelling.

“Caretaker’s dwelling” means a single-family residence accessory to a commercial, industrial, or park use intended for the purposes of providing supervision, maintenance, or security of the property.

(Ord. 611 (2022) § 23, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.156 Carrier.

“Carrier” means a telecommunications company that offers telecommunication services (as defined in 47 U.S.C. §153(53)) to users of wireless devices through radio frequency signals. Synonymous terms are “mobile service provider,” “wireless service provider,” “wireless carrier” or “mobile carrier.”

(Ord. 570 (2019) § 8, 2019)

17.110.157 Child care center.

“Child care center” means the same as “day-care center.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.160 (Repealed)*

* **Editor’s Note:** Former Section 17.110.160, “Clinic,” was repealed by Section 24 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.161 Case management.

See Section 17.505.020(A), Case management.

(Ord. 611 (2022) § 25, 2022)

17.110.163 Cemeteries.

“Cemeteries” means land and associated buildings and structures used for burial or funerary uses. This includes columbaria and mausoleums.

(Ord. 611 (2022) § 26, 2022)

17.110.164 Clinic.

“Clinic” means a building or portion of a building containing offices for providing non-emergency chiropractic, medical, dental, vision, or psychiatric services not involving overnight housing of patients.

(Ord. 611 (2022) § 27, 2022. Formerly 17.110.160)

17.110.165 Club.

“Club” means a place where an association of persons or 501(c)(3) nonprofits organized for some common purpose meet. This definition may include a clubhouse.

(Ord. 611 (2022) § 28, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.166 Clubhouse.

“Clubhouse” means the structure or premises occupied by a club and its staff. This definition excludes places of worship and groups organized primarily for commercial business purposes.

(Ord. 611 (2022) § 29, 2022)

17.110.167 College.

“College” means a higher education college or university primarily engaged in teaching and research, and usually comprised of multiple educational buildings within a campus setting. (Ord. 611 (2022) § 30, 2022)

17.110.168 Collocation.

“Collocation” means the use or addition of one or more wireless communications facilities on any existing structure, whether or not already used as a wireless communication facility.

(Ord. 570 (2019) § 9, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.169 Community sewage disposal systems.

“Community sewage disposal system” means any system of piping, treatment devices and/or other facilities which:

A. Conveys, stores, treats and/or provides subsurface soil treatment and disposal on site or on adjacent or nearby property under the control of the users; and

B. The system is not connected to a public sewer system; and

C. Is designed to serve more than one single-family dwelling or one multifamily dwelling but the design capacity does not exceed three thousand five hundred gallons of sewage volume per day.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.170 Commission or planning commission.

“Commission” or “planning commission” means the Kitsap County planning commission.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.171 (Repealed)*

* **Editor’s Note:** Former Section 17.110.171, “Comprehensive plan,” was repealed by Section 31 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.172 Composting.

“Composting” means any commercial operation involving the processing of waste in a controlled environment to produce a stable product by microbiologically degrading organic matter under aerobic conditions and is for use on property other than that on which the composting is performed.

(Ord. 611 (2022) § 32, 2022)

17.110.173 Comprehensive Plan.

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

(Ord. 611 (2022) § 33, 2022. Formerly 17.110.171)

17.110.175 Conditional use.

“Conditional use” means an activity specified by this title as a principal or an accessory use that may be approved or denied based upon consistency with specific criteria (Chapters 17.540 and/or 17.550). 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.177 Conference center.

“Conference center” means a building or group of buildings primarily intended for conferences, meetings, and retreats that may provide overnight accommodations. Conference centers may include facilities such as dining and banquet rooms, recreation rooms and other amenities.

(Ord. 611 (2022) § 34, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.180 Congregate care facility.

“Congregate care facility” means any building in which people live in individual housing units which provide for independent living while providing common living areas and limited services such as health care, meals and housekeeping.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.185 Contiguous.

“Contiguous” means the same as “abutting.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.190 Convalescent, nursing or rest home.

“Convalescent, nursing or rest home” means any building or premises in or on which 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.195 Contractor’s storage yard.

“Contractor’s storage yard” means a place where heavy equipment, vehicles, construction equipment or any material used for development, grading, grubbing, construction, landscaping or related activities is stored. Sites that involve current construction of projects with active permits involving the materials on site shall not be considered a contractor’s storage yard.

(Ord. 611 (2022) § 35, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.196 Cottage housing development.

“Cottage housing development” means a tract of land under single ownership or unified control developed with four or more detached living structures sharing any of the following: common kitchen and sanitation facilities, common area/courtyard and/or parking area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.197 County engineer.

“County engineer” means the director of the department of public works or a duly authorized designee as defined in RCW 36.75.010.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.199 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.200 Day-care center.

“Day-care center” means a facility other than a private residence in which any number of children are cared for during some portion of a twenty-four-hour period.

(Ord. 611 (2022) § 36, 2022; Ord. 550 (2018) § 9, 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.205 Day-care center, home-based.

“Day-care center, home-based” means a private residence in which not more than six children are cared for during some portion of a twenty-four-hour period.

(Ord. 611 (2022) § 37, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.210 Density.

“Density” means a ratio comparing the number of dwelling units with land area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.212 Density, maximum.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.213 Density, minimum.

“Density, minimum,” unless otherwise specified by Section 17.420.060, means the fewest number of dwelling units that shall be developed on a property(s) within a specific zone based upon the net developable acreage of the property(s).

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.215 Department.

“Department” means the Kitsap County department of community development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.220 Development.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.223 (Repealed)*

* **Editor’s Note:** Former Section 17.110.223, “Directional panel antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.225 Director.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.226 Dispatch facility.

“Dispatch facility” means a privately owned facility for the storage, dispatch, and maintenance of vehicles such as ambulances, taxis, or shuttles. A dispatch facility does not include storage for ride-share or rental vehicles.

(Ord. 611 (2022) § 38, 2022)

17.110.227 Distributed antenna systems.

“Distributed antenna systems” means network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

(Ord. 570 (2019) § 10, 2019)

17.110.228 Dormitory.

“Dormitory” means a college or university building that provides boarding school, college, or university students with sleeping quarters, common bathrooms, common rooms, and may include a dining area and cafeteria.

(Ord. 611 (2022) § 39, 2022)

17.110.229 Drinking establishments.

“Drinking establishments” means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including nightclubs, bars, and taverns. It shall not mean premises primarily engaged in the retail sale of food for consumption on the premises, where the sale of alcoholic beverages is clearly accessory and incidental (e.g., comprises less than twenty percent of the gross receipts).

(Ord. 611 (2022) § 40, 2022; Ord. 570 (2019) § 11, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.228)

17.110.240 (Repealed)*

* **Editor’s Note:** Former Section 17.110.240, “Dwelling, single-family attached,” was repealed by Section 41 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.242 (Repealed)*

* **Editor’s Note:** Former Section 17.110.242, “Dwelling, single-family detached,” was repealed by Section 42 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.245 Duplex.

“Duplex” means a building on a single lot containing two dwelling units and designed for occupancy by not more than two families. (Ord. 611 (2022) § 43, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.250 Electric vehicle charging space.

“Electric vehicle charging space” means a parking space specifically for the use of an electric vehicle while charging at an electric vehicle charging station. (Ord. 620 (2023) § 5, 2023)

17.110.251 Electric vehicle infrastructure.

“Electric vehicle infrastructure” means all of the electrical supply equipment and its associated installation requirements for an electric vehicle charging station, excepting the equipment to transfer energy to an electric vehicle. (Ord. 620 (2023) § 6, 2023)

17.110.255 Dwelling unit.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A recreational vehicle is not considered a dwelling unit outside of an approved RV park. (Ord. 611 (2022) § 45, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.256 Electric vehicle charging station.

“Electric vehicle charging station” means a battery charging station with equipment that transfers electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. (Ord. 611 (2022) § 46, 2022)

17.110.257 Emergency service communications.

“Emergency service communications” means any police, fire, emergency, and/or medical wireless communication of radio fre-

quency (RF) signals through electromagnetic energy. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.260 Employees.

“Employees” means all persons, including proprietors, working on the premises. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.261 Entertainment facility, indoor.

“Entertainment facility, indoor” means an indoor facility designed and equipped for the conduct of leisure-time activities and which is entirely enclosed within a building or structure. Examples include, but are not limited to, movie/performance theaters, museums, art galleries, and cultural exhibits. This definition excludes adult entertainment uses. (Ord. 611 (2022) § 47, 2022)

17.110.262 Entertainment facility, outdoor.

“Entertainment facility, outdoor” means an open or partially enclosed facility designed and equipped for the conduct of leisure-time activities, such as an outdoor movie/performance theater. This definition excludes adult entertainment uses. (Ord. 611 (2022) § 48, 2022)

17.110.263 Equipment sales, rentals and repair, heavy.

“Equipment sales, rentals and repair, heavy” means an establishment providing the sales, rentals, and repair of construction and heavy equipment and similar goods and equipment. The use includes storage and incidental maintenance but does not include an automobile rental facility. (Ord. 611 (2022) § 49, 2022)

17.110.264 Equipment sales, rentals and repair, light.

“Equipment sales, rentals and repair, light” means an establishment providing the sales, rentals, and repair of tools, lawn and garden equipment, household equipment, party supplies, and similar goods and equipment. The use includes storage and incidental maintenance.

nance but does not include an automobile rental facility.

(Ord. 611 (2022) § 50, 2022)

17.110.265 (Repealed)*

- * **Editor's Note:** Former Section 17.110.265, "Exotic animal," was repealed by Section 53 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

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17.110.266 Equipment sales, rentals and repair, recreational.

“Equipment sales, rentals and repair, recreational” means an establishment providing the sales, rental, or repair of recreational equipment. The use includes associated storage and incidental maintenance. Examples include, but are not limited to, kayaks, rafts, paddleboards, bikes, electric bikes and scooters, and ATVs. (Ord. 611 (2022) § 51, 2022)

17.110.267 Espresso stands.

“Espresso stands” means a retail food business in a freestanding building that sells coffee or other beverages and premade baked goods from a drive-through or walk-up window for consumption off the premises and that provides no indoor or outdoor seating. (Ord. 611 (2022) § 52, 2022)

17.110.268 Exotic animal.

“Exotic animal” means:

A. Any species of animal whose venom is commonly known to be capable of inflicting serious physical harm or death to human beings, livestock, dogs or cats.

B. Nonhuman primates including prosimians.

C. All members of the Ursidae family (e.g., bears).

D. Nondomesticated members of the Felidae family (e.g., cats).

E. Nondomesticated members of the Canidae family (e.g., dogs) and their hybrids, including wolves, coyotes and foxes.

F. All members of the crocodylian order (e.g., alligators, crocodiles, caiman and gavials).

G. All members of the Melinae, Mellivorinae and Taxideinae subfamilies (e.g., badgers). (Ord. 611 (2022) § 54, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.265)

17.110.269 Event facility.

“Event facility” means a facility or site where private or public events, such as wed-

dings, musical performances, parties, reunions, fairs, markets, bazaars, retreats, or conferences, are conducted in exchange for compensation and that are not part of a larger venue, such as a hotel, resort, or conference center.

(Ord. 611 (2022) § 55, 2022)

17.110.270 Family.

“Family” means two or more persons customarily living together as a single housekeeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding or lodging house, or other group living.

(Ord. 611 (2022) § 56, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.271 Family living.

“Family living” means the residential occupancy of a structure by a family. Each dwelling unit includes kitchen and bathroom facilities. Family living includes the following dwelling types:

A. Manufactured home, mobile home, tiny home;

B. Single-family detached (includes manufactured homes);

C. Single-family attached, condominium or townhome;

D. Multiple-family; or

E. Group home.

(Ord. 611 (2022) § 57, 2022)

17.110.272 (Repealed)*

* **Editor’s Note:** Former Section 17.110.272, “Fitness center,” was repealed by Section 58 of Ordinance 611 (2022). Subsection 5 of Ordinance 541 (2017) was formerly codified in this section.

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.278 Fitness center.

“Fitness center” means a place of business with equipment and facilities for exercising and improving physical fitness. Examples include health clubs, boxing gyms and micro-gyms. (Ord. 611 (2022) § 59, 2022; Ord. 541 (2017) § 5, 2017. Formerly 17.110.272)

17.110.279 Food and beverage production.

“Food and beverage production” means an establishment that transforms animal and plant products for intermediate or final consumption; or they manufacture beverages. These products are typically sold to wholesalers or retailers. Beverage manufacturing includes the manufacture of nonalcoholic beverages and alcoholic beverages. (Ord. 611 (2022) § 60, 2022)

17.110.280 Forestry.

“Forestry” means the use of land for producing and caring for a forest, including the harvesting of timber. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.290 Frontage.

“Frontage” means the actual length of the front property line abutting a street or alley (if no street frontage), or length of the property line of a flag lot that most closely parallels the street in which it receives access. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.291 Fuel distributors.

“Fuel distributors” means a facility for the storage of fuels or other volatile products and for their distribution to retail sales facilities or other bulk purchasers, regardless of ownership. (Ord. 611 (2022) § 61, 2022)

17.110.292 Fuel or charging station, with convenience store.

“Fuel or charging station, with convenience store” means a facility that provides gasoline and/or diesel fuel, electric vehicle charging stations to retail consumers with a facility that sells convenience goods as a secondary activity and may have an accessory car wash limited to a single-passenger vehicle capacity. (Ord. 611 (2022) § 62, 2022)

17.110.293 Fuel or charging station, without convenience store.

“Fuel or charging station, without convenience store” means a facility that provides gasoline and/or electric charging stations to retail consumers. (Ord. 611 (2022) § 63, 2022)

17.110.294 Funeral home.

“Funeral home” means a building or part thereof used for human funeral services. Such building may contain space and facilities for (1) embalming and the performance of other services used in the preparation of the dead for burial; (2) the performance of autopsies and related surgical procedures; (3) the storage of caskets, funeral urns, and other related funeral supplies; (4) storage of funeral vehicles; and (5) facilities for cremation. (Ord. 611 (2022) § 64, 2022)

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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.301 General retail merchandise stores.

“General retail merchandise stores” means stores that sell a wide variety of grocery and nongrocery items, including, but not limited to: fresh foods; packaged foods for preparation and consumption in the home; household supplies; consumer electronics; hardware; auto

parts and accessories; pet supplies; apparel; arts and crafts; and sporting goods.

(Ord. 611 (2022) § 65, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.302 General office and management services.

“General office and management services” means the offices of real estate agencies; advertising agencies; mailing services and postal substations; employment agencies; insurance agencies; management and consulting firms; accountants; attorneys; security brokers; architects; surveyors; tax preparation services; computer software development; engineering and construction firms with no outdoor storage; financial, banking, mortgage and title institutions; and other similar business services. This term also includes the administrative offices for businesses whose primary activity may be a nonoffice use conducted elsewhere.

(Ord. 611 (2022) § 66, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.304 Government/public structure.

“Government/public structure” means a building or structure owned, operated, or occupied by a governmental agency to provide one or more governmental services to the public.

(Ord. 611 (2022) § 67, 2022)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.310 Green storm water infrastructure.

“Green storm water infrastructure” (GSI) means and is also known as low impact devel-

opment (LID). Refer to the definition for “low impact development,” which is the preferred term used by the county.

(Ord. 540 (2016) § 15, 2016)

17.110.311 Green storm water solutions.

“Green storm water solutions” (GSS) means and is also known as low impact development (LID). Refer to the definition for “low impact development,” which is the preferred term used by the county.

(Ord. 540 (2016) § 16, 2016)

17.110.315 Gross floor area.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.316 Group home.

“Group home” means a dwelling unit containing up to eight unrelated persons who are mentally or physically impaired who are protected under the Fair Housing Act, along with support or supervisory personnel or family members who may reside at the facility.

A. The term “mental or physical impairment” includes conditions such as blindness, hearing impairment, mobility impairment, HIV infection, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, cognitive impairment, memory loss, and mental illness.

B. Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders are not considered mentally or physically impaired under the Fair Housing Act.

(Ord. 611 (2022) § 68, 2022)

17.110.317 Guest house.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.318 Group living.

“Group living” means the residential occupancy of a structure that does not meet the definition of family living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes the following:

- A. Assisted living facility.
- B. Boarding house, rooming house, or lodging house.
- C. Congregate care facility.
- D. Dormitory.
- E. Hospice.
- F. Monastery or convent.
- G. Independent living facility.
- H. Shelter, nontransitory accommodation.
- I. Skilled nursing care facility, memory care, convalescent or rest home.

(Ord. 611 (2022) § 69, 2022)

17.110.319 Habitable area.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.321 Hardscaping.

“Hardscaping” means the placement of non-plant elements such as fountains, patios, decks, street furniture, and ornamental concrete or stonework areas.

(Ord. 540 (2016) § 17, 2016)

17.110.322 Hard surface.

“Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.

(Ord. 540 (2016) § 18, 2016)

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, Land Use and Development Procedures.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.333 Helicopter pads.

“Helicopter pads” means an area on a roof or on the ground used for the takeoff and landing of helicopters for the purpose of loading or unloading passengers or cargo but not including fueling service, hangars, maintenance or overhaul facilities.

(Ord. 611 (2022) § 70, 2022)

17.110.335 High-risk secured facility.

“High-risk secured facility” means a facility that provides court-ordered housing, supervision and twenty-four-hour security, and coordinates treatment services for persons who are found by the court to be a “sexually violent predator” or pose a likelihood of serious harm

to others as defined in RCW 71.05.020 and are civilly committed to a less restrictive alternative as defined in state law. Such facilities accommodate two or more persons placed by the court plus treatment and support staff. A high-risk secured facility does not include:

A. Secure community transition facilities proposed under the authority of, and consistent with, the provisions of Chapter 71.09 RCW; or

B. Nursing homes, assisted living facilities, or adult family homes that become licensed as enhanced services facilities as defined in RCW 70.97.060(4).

(Ord. 574 (2019) § 5, 2019)

17.110.340 High capacity transit station area.

“High capacity transit station areas” include only those portions of urban growth areas within:

A. One-half mile of the following public ferry terminals:

1. Kingston – Washington State Ferry and Kitsap Transit Fast Ferry (see boundary in Chapter 17.700, Appendix E1).

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

17.110.345 Home business.

“Home business” means a commercial or industrial use, conducted entirely within a dwelling or an accessory structure, that is clearly secondary to the residential use.

(Ord. 611 (2022) § 71, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.350 Home day care.

“Home day care” means the same as “day-care, family.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.360 Hospital.

“Hospital” means any institution, place, building, or agency which maintains and operates organized facilities 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.361 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 and vacation rentals.

(Ord. 611 (2022) § 72, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.365)

17.110.362 Immediate vicinity.

“Immediate vicinity” means an area to include all lots, parcels, tracts, roadways or

other property(s) within a four-hundred-foot radius of a subject property.

(Ord. 611 (2022) § 74, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.366)

17.110.363 Impervious surface.

“Impervious surface” means a nonvegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or 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, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces that similarly impede the natural infiltration of storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

(Ord. 611 (2022) § 76, 2022; Ord. 540 (2016) § 19, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.367)

17.110.364 Indoor transitory accommodations.

See Section 17.505.040(E), Indoor transitory accommodation.

(Ord. 611 (2022) § 78, 2022)

17.110.365 (Repealed)*

- * **Editor’s Note:** Former Section 17.110.365, “Hotel/motel,” was repealed by Section 73 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.366 (Repealed)*

- * **Editor’s Note:** Former Section 17.110.366, “Immediate vicinity,” was repealed by Section 75 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.367 (Repealed)*

- * **Editor’s Note:** Former Section 17.110.367, “Impervious surface,” was repealed by Section 77 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) and Section 19 of Ordinance 540 (2016) were formerly codified in this section.

17.110.368 Infill development.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.369 Junk motor vehicle.

“Junk motor vehicle” means a motor vehicle meeting at least three of the following requirements:

- (a) Is three years old or older;
- (b) Is extensively damaged, such damage including, but not limited to, any of the following: a buildup of debris that obstructs use, broken window or windshield; missing wheels, tires, tail/headlights, or bumpers; missing or nonfunctional motor or transmission; or body damage;
- (c) Is apparently inoperable; or
- (d) Has an approximate fair market value equal only to the approximate value of the scrap in it.

“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.

(Ord. 550 (2018) § 10, 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.370 Junkyard.

“Junkyard” 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.375 Kennel.

“Kennel” means any place or entity where five or more cats or dogs are boarded for the primary purpose of compensation, or where pets are housed for resale, such as pet shops, but not including a veterinary hospital where boarding is incidental to treatment.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.380 Kennel, hobby.

“Hobby kennel” means any indoor or outdoor facility where cats and/or dogs are routinely housed or maintained by or for any person or entity that is not an animal welfare organization and that desires to breed or maintain five or more spayed or neutered adult cats and/or five or more spayed or neutered adult dogs at the same location or residence, for primarily noncommercial purposes.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.385 Landscaping.

“Landscaping” means the placement, preservation, or replacement of trees, grass, shrubs, plants, flowers, and other vegetative materials 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. Vegetation planted as part of LID BMPs shall be consid-

ered “landscaping” for purposes of this title where all landscape requirements in this title are met.

(Ord. 611 (2022) § 79, 2022; Ord. 540 (2016) § 21, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.390)

17.110.388 Large on-site sewage system (LOSS).

“Large on-site sewage system (LOSS)” means an on-site sewage system (OSS) that consists of an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats, and provides subsurface soil treatment and disposal of domestic sewage with design flows of at least three thousand five hundred gallons of sewage volume per day up to and including one hundred thousand gallons of sewage volume per day.

(Ord. 611 (2022) § 81, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.392)

17.110.390 (Repealed)*

* **Editor’s Note:** Former Section 17.110.390, “Landscaping,” was repealed by Section 80 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) and Section 21 of Ordinance 540 (2016) were formerly codified in this section.

17.110.391 Large transitory accommodations.

See Section 17.505.040(C), Large transitory accommodation.

(Ord. 611 (2022) § 83, 2022)

17.110.392 (Repealed)*

* **Editor’s Note:** Former Section 17.110.392, “Large on-site sewage system (LOSS),” was repealed by Section 82 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.393 Lattice support structure.

“Lattice support structure” means a self-supporting three- or four-sided, open, metal frame

structure used to support telecommunication equipment.

(Ord. 570 (2019) § 12, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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 one hundred fifty pounds or less). (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.396 Loading space.

“Loading space” means a space for temporary parking of a vehicle while loading and unloading cargo or passengers. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.400 Lot.

“Lot” means platted or unplatted parcel of land which meets the minimum area, setbacks and widths required by this title for occupancy by a principal use and meets the access requirements of this title. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.405 Lot area.

“Lot area” means the horizontal area within the boundary lines of a lot excluding public and private streets, tidelands, lakes, streams, and lands covered regularly or continuously by water (ordinary high water mark), except as otherwise provided in code, as well as the panhandle of a flag lot if the panhandle is less than thirty feet in width. Areas consisting of only these exceptions are not considered lots. Further, rural lots shall be considered five acres if the lot is one-one-hundred-twenty-eighth of a section, ten acres if the lot is one-sixty-fourth of a section, and twenty acres if the lot is one-thirty-second of a section. (Ord. 617 (2022) § 10, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.410 Lot, corner.

“Lot, corner” or “corner lot” means a lot abutting upon two or more streets at their inter-

section, or upon two parts of the same street; such street or parts of the same street forming an interior angle of less than one hundred thirty degrees within the lot lines.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.412 Lot, interior.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.415 Lot coverage.

“Lot coverage” means that percentage of the total lot area covered by buildings.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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 the ordinary high water mark on waterfront property.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.455 Lot, through.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.460 Lot width.

“Lot width” means the average horizontal distance between the side lot lines.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.461 Low impact development.

“Low impact development” (LID) means a storm water and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed storm water management practices that are integrated into a project design. LID is also known as green storm water infrastructure or green storm water solutions. LID is the preferred term used by the county.

(Ord. 540 (2016) § 22, 2016)

17.110.462 Low impact development best management practices.

“Low impact development best management practices” (LID BMPs) means distributed storm water management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration.

LID BMPs include, but are not limited to, bio-retention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimum excavation foundations, vegetated roofs, and water reuse.

(Ord. 540 (2016) § 24, 2016)

17.110.463 (Repealed)*

* **Editor’s Note:** Former Section 17.110.463, “Macro antenna array,” was repealed by Ordinance 570 (2019). Subsection 23 of Ordinance 540 (2016) and § 7(5) (App. E) (part) of Ordinance 534 (2016) were formerly codified in this section.

17.110.464 Lumber and bulky building material sales.

“Lumber and bulky building material sales” means an establishment providing the sale of building supplies, construction equipment, or home decorating fixtures and accessories. This includes lumber yards.

(Ord. 611 (2022) § 84, 2022)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.467 Manufactured/mobile/RV/park model/tiny home parks.

“Manufactured/mobile/RV/park model/tiny home parks” means a parcel of land which has been planned and improved for the placement of manufactured homes, recreational vehicles, tiny homes, and/or park models, including hookup facilities, for permanent residential use. Accessory uses often include bathing and laundry uses.

(Ord. 611 (2022) § 85, 2022)

17.110.470 Manufactured home.

“Manufactured home” means a single-family dwelling constructed after June 15, 1976,

and built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act. A manufactured home is built on a permanent chassis.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.472 Manufactured home, mobile home, park model and tiny home sales.

“Manufactured home, mobile home, park model and tiny home sales” means an establishment where manufactured homes, park models, and tiny homes are sold and/or stored for the purpose of sale directly to the public.

(Ord. 611 (2022) § 86, 2022)

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. This includes assembly and packing operations as defined in Section 17.110.087.

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 result 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.

(Ord. 611 (2022) § 87, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.474 Cannabis.

“Cannabis” means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include (1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or (2) hemp or industrial hemp as defined in RCW 15.140.020, seeds used for licensed hemp production under Chapter 15.140 RCW. Where this definition conflicts with RCW

69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 617 (2022) § 12, 2022; Ord. 611 (2022) § 88, 2022)

17.110.475 Cannabis processor.

“Cannabis processor” means a person licensed by the Washington State Liquor and Cannabis Board to process cannabis into cannabis concentrates, usable cannabis, and cannabis-infused products, package and label cannabis concentrates, usable cannabis, and cannabis-infused products for sale in retail outlets, and sell cannabis concentrates, usable cannabis, and cannabis-infused products at wholesale to cannabis retailers. Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 617 (2022) § 13, 2022; Ord. 611 (2022) § 89, 2022)

17.110.476 Cannabis producer.

“Cannabis producer” means a person licensed by the Washington State Liquor and Cannabis Board to produce and sell cannabis at wholesale to cannabis processors and other cannabis producers. Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 617 (2022) § 14, 2022; Ord. 611 (2022) § 90, 2022)

17.110.477 Cannabis-infused products.

“Cannabis-infused products” means products that contain cannabis or cannabis extracts and are intended for human use, are derived from cannabis and have a THC concentration no greater than ten percent. The term “cannabis-infused products” does not include usable cannabis or cannabis concentrates. Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 617 (2022) § 15, 2022; Ord. 611 (2022) § 91, 2022)

17.110.478 Cannabis retailer.

“Cannabis retailer” means a person licensed by the Washington State Liquor and Cannabis Board to sell cannabis concentrates, usable cannabis, and cannabis-infused products in a retail outlet. Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 617 (2022) § 16, 2022; Ord. 611 (2022) § 92, 2022)

17.110.480 Marina.

“Marina” means a public or private facility which for compensation provides water-dependent wet moorage for ten or more motorized vessels, whether personal or commercial, and generally including goods or services related to boating. Marinas also include wet moorage facilities where boat moorage slips may be leased or rented to individuals who are not a member owner of an associated residential development. Launching facilities and/or dry dock storage may also be provided. Marinas may be open to the general public or restricted on the basis of property ownership or membership.

(Ord. 611 (2022) § 93, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.475)

17.110.482 Marina support services.

“Marina support services” means a use of land involved in the operation of a marina including structures and activities normally integral to the operation of a marina, such as servicing, fueling, pumping-out, chartering, launching, and dry storage of boats and boating equipment, and restaurants or other services serving the patrons of the marina.

(Ord. 611 (2022) § 94, 2022)

17.110.483 Master plan.

“Master plan” means a large-scale development plan to guide the long-term physical development of a particular area. Such a plan

shall be prepared and approved pursuant to Chapter 17.440.

(Ord. 611 (2022) § 95, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.477)

17.110.484 Minimum functional height.

“Minimum functional height” means the shortest height at which a proposed wireless communications facility can perform its intended function, including communications and collocation. Minimum functional height is measured vertically from the ground level to the highest point on the structure, including antennas and subsequent alterations.

(Ord. 570 (2019) § 13, 2019)

17.110.485 Mixed use development.

“Mixed use development” means the development of a site or building with a combination of residential and nonresidential uses in a single or physically integrated group of buildings.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.490 Mobile home.

“Mobile home” means a factory-built single-family dwelling constructed prior to June 15, 1976, to standards other than the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.493 (Repealed)*

* **Editor’s Note:** Former Section 17.110.493, “Mobile home park,” was repealed by Section 96 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.494 Modification.

“Modification” means any change made to an existing wireless communications facility (facility). A modification constitutes a substantial change if (1) the change to the facility meets the definition of “substantial change” herein provided; (2) the change would defeat the existing concealment elements of the facil-

ity; or (3) the change does not comply with pre-existing conditions associated with the prior approval of construction or modification of the facility.

(Ord. 570 (2019) § 14, 2019)

17.110.503 Monopole.

“Monopole” means a wireless communications facility that consists of a single pole structure designed and erected on the ground or on top of a structure to support communications antennas and connecting appurtenances.

(Ord. 570 (2019) § 15, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.504 Multiple-family.

“Multiple-family” means a building or portion thereof containing three or more dwelling units and designed for occupancy by three or more families.

(Ord. 611 (2022) § 97, 2022)

17.110.505 Native growth protection easement.

“Native growth protection easement” means a protected corridor vegetated with native trees, shrubs and groundcover that connects critical areas or permanently preserved natural areas within or adjacent to and across the project site.

(Ord. 540 (2016) § 25, 2016)

17.110.506 Native vegetation.

“Native vegetation” means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. The Native Plant Listing for Kitsap County may be obtained from the department of community development.

(Ord. 540 (2016) § 27, 2016)

17.110.507 Net developable area.

“Net developable area” means the site area after subtracting all rights-of-way, critical areas (including bald eagle habitat regulations) and their buffers, storm water controls, recreational facilities, public facilities, community drain-

fields or other area-wide sanitary sewer facilities, and open space.

(Ord. 540 (2016) § 26, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.506)

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17.110.508 Nonconforming lot.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.510 Nonconforming use, nonconforming structure or nonconforming use of structure.

“Nonconforming use, nonconforming structure or nonconforming use of structure” means, respectively, a use of land, a structure or use of a 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.512 Nonmotorized recreational rentals.

“Nonmotorized recreational rentals” means any form of transportation that provides personal or goods mobility by methods other than a motor.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.515 Nuisance.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.530 (Repealed)*

* **Editor’s Note:** Former Section 17.110.530, “Nursing or rest home,” was repealed by Section 98 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.531 Off-street parking facilities.

“Off-street parking facilities” means a site, or portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

(Ord. 611 (2022) § 99, 2022)

17.110.532 Off-street parking facilities, structured.

“Structured off-street parking facilities” means a structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be below grade, at grade, or above grade with those levels being either open or enclosed.

(Ord. 611 (2022) § 100, 2022)

17.110.535 Open space.

“Open space” shall mean land used for outdoor active or passive recreational purposes or for critical area or resource land protection, including structures incidental to these open space uses, including associated critical area buffers, but excluding land occupied by dwellings or hard surfaces not related to the open space uses and yards required by this title for such dwellings or hard surfaces. Open space may be used for native vegetation, drought-tolerant vegetation, and vegetated LID facilities.

“Open space” is further divided into the following categories:

A. “Common open space” shall mean space that may be used by all occupants of a development complex or, if publicly dedicated, by the general public;

B. “Active recreational open space” shall mean space that is intended to create opportunities for recreational activity. Active recreational open space may be occupied by recreational facilities such as ball fields, playground equipment, trails (pedestrian, bicycle, equestrian or multi-modal), swimming pools, and game courts or sculptures, fountains, pools, benches or other outdoor furnishings;

C. “Passive open space” shall mean all common open space not meeting the definition of active recreational open space, including, but not limited to, critical areas and their associated buffers;

D. “Permanent open space” means an area that is permanently reserved as open space and remains in native vegetation unless approved for forestry, passive recreational or access uses; and

E. “Recreational open space” means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreational open space. Examples of usable recreational space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.

(Ord. 540 (2016) § 28, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.547 (Repealed)*

* **Editor’s Note:** Former Section 17.110.547, “Parabolic antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.548 Parcel.

“Parcel” means platted or unplatted portions of land carrying an assessor’s tax account number. Parcels may be, but are not necessarily, legal lots.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.565 Parking space, barrier free.

“Parking space, barrier free” or “barrier free parking space” means a parking space conforming with Chapter 51.30 WAC.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.567 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.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020;
Ord. 534 (2016) § 7(5) (App. E) (part), 2016.
Formerly 17.110.570)

17.110.568 Pedestrian-oriented facade.

“Pedestrian-oriented facade” means the ground floor frontage of a building design, which offers an interesting appearance to attract pedestrian interest in the locality and encourages pedestrian access.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

17.110.569 Pedestrian-oriented space/plaza.

“Pedestrian-oriented space/plaza” means the area between a building and a public street or pedestrian path that promotes visual and pedestrian access onto the site and that provides amenities and landscaping to enhance the public’s use of the space for passive activities, such as resting, reading, picnicking, and window shopping. The area should be visible from the public right-of-way and accessible to pedestrians, including those with handicaps.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

17.110.570 Pedestrian-friendly street.

“Pedestrian-friendly street” means any street designed for safe use by both pedestrians and vehicles. A pedestrian-friendly street includes sidewalks or walkways, landscaping, lighting, and other street amenities benefiting pedestrians.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

17.110.571 Pedestrian walkways.

“Pedestrian walkways” means formal standardized public walkways and informal paths worked into a site’s landscape design that provide a means for pedestrians to travel through the community along street sidewalks or other public routes.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

17.110.572 Performance based development (PBD).

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

ment, to facilitate allowed densities and to increase open space, critical areas protection and similar components of the project.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.576 Permeable pavement.

“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It is a hard surface, as defined herein, and often includes an aggregate base that provides structural support and acts as a storm water reservoir.

(Ord. 540 (2016) § 29, 2016)

17.110.577 Permitted use.

“Permitted use” means a land use allowed outright in a certain zone without a public hearing or conditional use permit; provided, such use is developed in accordance with the requirements of the zone and general conditions of this title, and all applicable provisions elsewhere in the county code.

(Ord. 540 (2016) § 30, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.576)

17.110.580 Person.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.583 Personal services.

“Personal services” means an establishment providing frequent or recurrent needed services of a personal nature. Typical uses include, but

are not limited to, barber shops, beauty salons and spas, personal laundry and dry cleaning, massage services and pet grooming.

(Ord. 611 (2022) § 101, 2022)

17.110.585 Pet.

“Pet” means any animal less than one hundred fifty pounds in weight, other than exotic animals, kept for companionship, recreation or other nonagricultural purposes.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.590 Pet, nontraditional.

“Pet, nontraditional” or “nontraditional pet” means any pet other than a dog, cat, fish, agricultural livestock, or nonraptor bird.

(Ord. 611 (2022) § 102, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.595 Pier.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.600 Places of worship.

“Places of worship” means a permanently located building primarily used for religious worship.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.610 Planning commission.

“Planning commission” means the Kitsap County planning commission.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.615 Porch.

“Porch” means a covered attached structure providing a single entrance to a building, which may be either open or enclosed up to one third. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.625 Premises.

“Premises” means a tract or parcel of land with or without habitable buildings. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.630 Private airport or heliport.

“Private airport or heliport” means any runway, landing area or other facility designed and used by individual property owners for private aircraft for the purposes of landing and taking off, including associated facilities, such as hangars and taxiways. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.635 Prohibited use.

“Prohibited use” means any use which is not expressly allowed and does not meet the criteria under Section 17.100.040. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.640 Public facilities.

“Public facilities” means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, stormwater infrastructure, sanitary sewer systems, pump houses, waste handling facilities designated as public facilities in the comprehensive solid waste management plan, public works storage facilities and road sheds, and utilities such as power, fiber-optic, gas, phone and cable television. This does not include wireless communication facilities as defined in this title.

(Ord. 611 (2022) § 103, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.641 Public sewer system.

“Public sewer system” means a sewerage system which is:

A. Owned, operated and maintained by a city, town, county, or other municipal corporation such as a water, sewer, or water-sewer district; public utility district; port district; or federal, state, local agency or department thereof, or a person regulated by the utilities and transportation commission; and

B. Consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal of sewage located on public property, dedicated easements, or within rights-of-way; and

C. Approved by or under permit from the Department of Ecology, the Department of Health or the local health officer; and

D. Located within a UGA or LAMIRD, or otherwise approved pursuant to RCW 36.70A.110(4).

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.643 (Repealed)*

* **Editor's Note:** Former Section 17.110.643, "Race track, major," was repealed by Section 104 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) and Section 32 of Ordinance 540 (2016) were formerly codified in this section.

17.110.644 Racetrack.

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

(Ord. 611 (2022) § 105, 2022; Ord. 540 (2016) § 33, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.643)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.646 Recreational amenity, active.

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

(Ord. 550 (2018) § 11, 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.647 Recreational facility, indoor.

"Recreational facility, indoor" means a commercial recreational land use conducted entirely within a building. Examples include, but are not limited to, amusement centers, arcades, arenas, bowling alleys, gymnasiums,

pool or billiard halls, skating rinks, and tennis courts.

(Ord. 611 (2022) § 106, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.648 Recreational facility, outdoor.

"Recreational facility, outdoor" means a commercial recreational land use conducted in open or partially enclosed facilities. Examples include, but are not limited to, amusement centers, miniature golf, swimming pools, tennis courts, basketball courts, outdoor racquetball courts, skateboard parks, and batting cages.

(Ord. 611 (2022) § 107, 2022)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.653 Recycling center.

"Recycling center" means a facility that processes and converts waste into reusable material.

(Ord. 611 (2022) § 108, 2022)

17.110.655 (Repealed)*

* **Editor's Note:** Former Section 17.110.655, "Recreational vehicle camping park," was repealed by Section 109 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.656 Related equipment.

"Related equipment" means any piece of equipment related to, incidental to, or necessary for the operation of a nontower wireless communication facility (facility) or tower-based facility. By way of illustration, not limitation, related equipment includes generators.

(Ord. 570 (2019) § 16, 2019)

17.110.657 Religious organization.

See Section 17.505.020(F), Religious organization.
(Ord. 611 (2022) § 110, 2022)

17.110.658 Research laboratory.

“Research laboratory” means a building or group of buildings used for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
(Ord. 611 (2022) § 111, 2022)

17.110.660 Residential care facility.

“Residential care facility” means a facility that provides daily care, adult day health and/or primary residences for functionally disabled person(s) who are in need of personal care, room and board, and medical care. Such a facility serves at least five, but not more than twenty-five people.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.661 Resort.

“Resort” means a group of buildings under unified ownership or control that provides overnight accommodations, activities, and amenities. Examples include, but are not limited to, golf, horseback riding, swimming, shuffleboard, tennis, hiking trails, restaurants, spas, and meeting halls.
(Ord. 611 (2022) § 112, 2022)

17.110.662 Restaurant, with drive-through service.

“Restaurant, with drive-through service” means retail establishments providing food and/or beverages for sale, and which are distinguished by one or more of the following:

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

D. Drive-in or drive-through service is available.

(Ord. 611 (2022) § 113, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.663 Restaurant, without drive-through service.

“Restaurant, without drive-through service” means an establishment where food and/or beverages are served to customers for compensation.

(Ord. 611 (2022) § 114, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.664 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 Chapter 17.450.

(Ord. 611 (2022) § 115, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.665)

17.110.665 Rock crushing.

“Rock crushing” means the use of explosives or machinery to fracture the rock into smaller pieces suitable to be used for pavement, construction, and other uses. This processing occurs after aggregate extraction.

(Ord. 611 (2022) § 116, 2022)

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).

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.669 Safe park transitory accommodations.

See Section 17.505.040(D), Safe park.

(Ord. 611 (2022) § 117, 2022)

17.110.670 School.

“School” means an institution primarily engaged in teaching and learning, operated by a public school district, nonprofit organization, or a private organization. Business and trade schools and Montessori schools are included, as are satellite buildings of higher education colleges.

(Ord. 611 (2022) § 118, 2022)

17.110.671 Secure community transition facility.

“Secure community transition facility” means a secure facility that provides supervision, security, ensures the provision of sex offender treatment services, and is established pursuant to Chapter 71.09 RCW.

(Ord. 611 (2022) § 119, 2022)

17.110.672 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.

(Ord. 611 (2022) § 120, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.669)

17.110.673 Setback.

“Setback” means the horizontal distance from a property line to the nearest vertical wall or other element of a building or structure.

(Ord. 611 (2022) § 123, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.671)

17.110.674 Shared work/maker space.

“Shared work/maker space” means a facility offering work-related amenities to be used by individuals or groups in exchange for compensation. Amenities include, but are not limited to, meeting rooms, private offices, high speed internet, artist studios, craft spaces, woodworking shops and commercial kitchens. Such facilities may also hold classes or workshops available to the public. This definition also includes facilities that provide organizational, mentoring or capital support intended to accelerate the successful development of start-up companies, or imparts job and business skills to employees or trainees. Incubated businesses make progress toward independence and relocation into permanent facilities.

(Ord. 611 (2022) § 121, 2022)

17.110.675 Shellfish/fish hatcheries and processing facilities.

“Shellfish/fish hatcheries and processing facilities” means uses which involve the production, processing or sales of finfish, shellfish, or other aquatic or marine products within a confined space and under controlled feeding, sanitation, harvesting, or processing procedures.

(Ord. 611 (2022) § 127, 2022)

17.110.676 Shelter.

“Shelter” means a residential facility serving as a center to receive, provide and house persons who need shelter. The shelter may allow partners, dependents, pets, and/or possessions. The facility may provide on-site services.

(Ord. 611 (2022) § 122, 2022)

17.110.677 Shipping container.

“Shipping container” means any repository greater than twenty-five feet in length traditionally commonly used for the interstate or international transport of goods.

(Ord. 611 (2022) § 124, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.673)

17.110.678 Shooting/gun facility, indoor.

“Shooting/gun facility, indoor” means an indoor facility designated for the discharge of firearms for individuals wishing to practice, improve upon or compete as to their shooting skills. The facility may have a site with one or more shooting ranges but does not include residential property.

(Ord. 611 (2022) § 125, 2022)

17.110.679 Shooting/gun facility, outdoor.

“Shooting/gun facility, outdoor” means an outdoor facility designated for the discharge of firearms for individuals wishing to practice, improve upon or compete as to their shooting skills. The facility may have a site with one or more shooting ranges but does not include residential property.

(Ord. 611 (2022) § 126, 2022)

17.110.680 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 twenty feet in elevation measured from grade, or taller than twenty feet in height measured from mean grade are considered signs for the purposes of this title.

(Ord. 611 (2022) § 128, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.675)

17.110.681 Sign permit.

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

(Ord. 611 (2022) § 129, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.680)

17.110.682 Single-family attached dwelling.

“Single-family attached dwelling” means a building containing two or more dwelling units, each designed for occupancy by not more than one family. No unit is located over another. Each unit is separated from adjacent units by one or more common vertical walls. Each unit includes an adjacent dwelling-specific yard area within its ownership.

(Ord. 611 (2022) § 130, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.240)

17.110.683 Single-family detached dwelling.

“Single-family detached dwelling” 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. This

excludes recreational vehicles and mobile homes.

(Ord. 611 (2022) § 131, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.242)

17.110.684 Single-family transitory accommodations.

See Section 17.505.040(A), Single-family transitory accommodation.
(Ord. 611 (2022) § 132, 2022)

17.110.685 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.

(Ord. 611 (2022) § 133, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.683)

17.110.686 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 preapplication meeting summary and/or application.

(Ord. 611 (2022) § 134, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.685)

17.110.687 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.

(Ord. 611 (2022) § 135, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.686)

17.110.688 Small transitory accommodations.

See Section 17.505.040(B), Small transitory accommodation.

(Ord. 611 (2022) § 136, 2022)

17.110.689 Slaughterhouse or animal processing.

“Slaughterhouse or animal processing” means a building or facility used for the slaughtering of animals and the processing and storage of animal products and waste that results from a slaughtering process.

(Ord. 611 (2022) § 137, 2022)

17.110.690 Special care residence.

“Special care residence” means a manufactured or mobile home used by a family member in need of special, frequent and routine care and assistance by reason of advanced age or ill health.

(Ord. 611 (2022) § 140, 2022)

17.110.691 Stealth technology.

“Stealth technology” means the camouflaging methods applied to wireless communication facilities (facilities) to render them more visually appealing and to blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, light poles, flag poles, chimneys, church crosses, clock towers, gas station signs, statues, or rocks as appropriate to the surrounding environment.

(Ord. 611 (2022) § 141, 2022; Ord. 570 (2019) § 17, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.687)

17.110.692 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. (Ord. 611 (2022) § 142, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.688)

17.110.693 (Repealed)*

* **Editor's Note:** Former Section 17.110.693, "Storage container," was repealed by Section 143 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.694 Storage, vehicles and equipment.

"Storage, vehicles 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 hours. This definition excludes automotive sales and rentals, automobile or recreational vehicle repair, equipment sales, rentals and repair, and wrecking yards.

(Ord. 611 (2022) § 144, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.690)

17.110.695 Storage, indoor.

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

(Ord. 611 (2022) § 145, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.691)

17.110.696 Storage, outdoor.

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

service storage, wrecking yards, and vehicle storage.

(Ord. 611 (2022) § 146, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.692)

17.110.697 Storage container.

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

(Ord. 611 (2022) § 147, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.693)

17.110.698 Street.

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

(Ord. 611 (2022) § 148, 2022; Ord. 540 (2016) § 34, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.695)

17.110.699 Streetscape.

"Streetscape" means the visual and functional supporting elements of a roadway design that provide aesthetic interest and comfort to the pedestrian. Street amenities serve to define the public space of a sidewalk as well as the adjacent roadway corridor. Pedestrian amenities include pedestrian-oriented plazas, furniture, lighting, and art.

(Ord. 611 (2022) § 149, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020. Formerly 17.110.697)

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 17.570.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.705 Structure.

“Structure” means that which is built or constructed.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.706 Stump grinding and firewood cutting.

“Stump grinding and firewood cutting” means any commercial operation that cuts, saws, chops, or grinds wood.

(Ord. 611 (2022) § 150, 2022)

17.110.707 Subarea plan

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

(Ord. 611 (2022) § 151, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.706)

17.110.708 Substantially change.

“Substantially change” or “substantial change” means a modification to an existing wireless communications facility (facility) that changes the physical dimensions of the tower or base station in any of the following ways:

A. Height.

1. For tower-based facilities outside the public right-of-way (ROW), the modification increases the height of the tower by more than ten percent, or by the height of one additional antenna array with separation from the nearest existing antenna, not to exceed twenty feet, whichever is greater.

2. For tower-based facilities within the ROW and any base station, the modification increases the height of the facility by more than ten percent or ten feet, whichever is greater.

3. Changes in height shall be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on rooftops. In all other circumstances, changes in height shall be measured from the original height of the facility

plus any modification approved prior to the passage of the federal Spectrum Act (February 22, 2012).

B. Width.

1. For tower-based facilities outside the ROW, the modification adds an appurtenance to the body of the tower that protrudes from the edge of the tower by more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.

2. For tower-based facilities within the ROW and any base station, the appurtenance protrudes from the edge of the structure by more than six feet.

C. Equipment Cabinets.

1. For any facility or base station outside the ROW, the modification involves installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four cabinets.

2. For any facility or base station within the ROW, the modification involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or involves the installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure.

D. Excavation.

1. For any facility or base station, the modification entails any excavation or deployment outside the current site. As used herein, for tower-based facilities outside the ROW, “site” shall mean the boundaries of the leased area including utility easements; for all other facilities, “site” shall mean that area adjacent to the structure and within which related equipment already exists.

E. Stealth Technology.

1. For any facility or base station, the modification would defeat any concealment element.

F. Prior Conditions of Approval.

1. Except as set forth above, the modification does not comply with conditions of

approval for the initial construction or any prior modification.

(Ord. 570 (2019) § 18, 2019)

17.110.709 Temporary offices and model homes.

“Temporary offices and model homes” means a structure designed to serve as a temporary office for supervision on a construction site, a temporary on-site real estate office, temporary business office in advance of a permanent facility construction, or a dwelling unit temporarily used for display purposes as an example for dwelling units available for sale or rental in a particular subdivision or residential development.

(Ord. 611 (2022) § 152, 2022)

17.110.710 Temporary sign.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.717 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.

(Ord. 611 (2022) § 154, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.720)

17.110.718 Topsoil production.

“Topsoil production” means any commercial operation involving the production and sale of

topsoil in any form for use on property other than that on which the operation is located.

(Ord. 611 (2022) § 155, 2022)

17.110.720 (Repealed)*

* **Editor’s Note:** Former Section 17.110.720, “Temporary use,” was repealed by Section 153 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.721 Tower.

“Tower” means any structure built for the sole or primary purpose of supporting one or more antennas and related equipment, including but not limited to self-supporting lattice towers, guy towers and monopoles. This does not include small wireless facilities as defined in Section 17.110.770(A).

(Ord. 570 (2019) § 19, 2019)

17.110.724 Tower, guy-wired.

“Tower, guy-wired” means a tower supported by a tensioned cable designed to add stability to a free-standing structure.

(Ord. 570 (2019) § 20, 2019)

17.110.725 Tract.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.726 Transitory accommodations.

“Transitory accommodations” means shelters, as defined in Chapter 17.505, that are not permanently attached to the ground, may easily be erected and dismantled or moved, and are intended for temporary occupancy. Transitory accommodations also include all other facilities specifically identified in Chapter 17.505, Transitory Accommodations.

(Ord. 611 (2022) § 156, 2022)

17.110.727 Transportation terminals, marine.

“Transportation terminals, marine” means a building, structure, or area that primarily supports ancillary facilities for water-borne transportation (e.g., commuter ferries, water taxis, hovercraft) or short-term excursions (e.g., charter boats, mini-cruises, sightseeing, gambling, dining, and entertainment on the water) including but not limited to: passenger terminals and berthing areas, storage, employee or passenger parking, administrative functions, ship servicing area, layover berths, fueling stations, and other boat or passenger services.
(Ord. 611 (2022) § 157, 2022)

17.110.728 Transportation terminals, nonmarine.

“Transportation terminals, nonmarine” means a building, structure, or area designed for persons changing transportation modes. This definition excludes marine transportation terminals.
(Ord. 611 (2022) § 158, 2022)

17.110.729 Transshipment facilities.

“Transshipment facilities” means a facility designed to transfer cargo from one ship or other form of transport to another. Examples include, but are not limited to: docks, wharves, marine rails, cranes, and barge facilities.
(Ord. 611 (2022) § 159, 2022)

17.110.730 (Repealed)*

* **Editor’s Note:** Former Section 17.110.730, “Use,” was repealed by Section 160 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.734 Urban level of sanitary sewer service.

“Urban level of sanitary sewer service” means those forms of wastewater service provision within urban growth areas that serve urban levels of development, including, but not limited to, connections to public sewer systems, membrane biofiltration reactor systems, large on-site septic systems (LOSS), community

sewage disposal systems, and existing properly functioning on-site septic systems.

(Ord. 611 (2022) § 161, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.728)

17.110.735 Urban port

“Urban port” means a port district with public taxing authority established under RCW 53.04.010 that is located within a designated unincorporated urban growth area that operates an existing marina and that owns, manages, and maintains properties that are contiguous to or near the waterfront for the purposes of economic development.

(Ord. 611 (2022) § 162, 2022)

17.110.736 Use.

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

(Ord. 611 (2022) § 163, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.110.730)

17.110.737 Useable marijuana.

“Useable marijuana” means dried marijuana flowers; it does not include marijuana-infused products or marijuana concentrates. Where this definition conflicts with RCW 69.50.101, as now or hereafter amended, that in state law shall govern.

(Ord. 611 (2022) § 164, 2022)

17.110.738 Vacation rental.

“Vacation rental” means a dwelling unit used by any person or group of persons, other than the owner, which is occupied through payment to the owner for a period of less than thirty calendar days, counting portions of days as full days.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.739 Vegetation-based low impact development best management practices.

“Vegetation-based low impact development best management practices” (LID BMPs)

means distributed storm water management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. Vegetation-based LID BMPs are a subset of LID BMPs and include, but are not limited to, bioretention, rain gardens, and vegetated roofs.

(Ord. 540 (2016) § 35, 2016)

17.110.740 Veterinary clinic.

“Veterinary clinic” means the same as “animal hospital.”

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.742 Vocational school.

“Vocational school” means an institution providing instruction and training in a specific service, such as art, dance, driving, and music, or a specific trade, such as business, real estate, travel, auto machinery repair, welding, and skill center.

(Ord. 611 (2022) § 165, 2022)

17.110.743 Warehousing and distribution.

“Warehousing and distribution” means a facility where goods are received and/or stored for delivery to other firms or the final customer.

(Ord. 611 (2022) § 166, 2022)

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 nonwater 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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).

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.762 Wetland mitigation bank.

“Wetland mitigation bank” means a site where wetlands are restored, created, enhanced or preserved exclusively for the purpose of compensatory mitigation in advance of authorized impacts to similar resources.

(Ord. 611 (2022) § 167, 2022)

17.110.763 Wildlife shelter.

“Wildlife shelter” means a place where non-domesticated animals are given medical or sur-

17.110.764

gical treatment and are cared for during the time of such treatment and until they are ready for release back into the wild. A wildlife shelter generally includes a combination of structures and outdoor enclosures.

(Ord. 586 (2020) § 1, 2020)

17.110.764 Wireless.

“Wireless” means transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, broadband personal communication service, microwave, satellite, or radio signals.

(Ord. 570 (2019) § 21, 2019)

17.110.765 (Repealed)*

* **Editor’s Note:** Former Section 17.110.765, “Wireless communication antenna array,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.770 Wireless communication facility.

“Wireless communication facility” means the antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other related equipment used for the purpose of transmitting, receiving, distributing,

providing, or accommodating wireless communications services.

A. A “small wireless facility” means a facility that meets each of the following conditions:

1. The facility:
 - a. Is mounted on a structure fifty feet or less in height, with the height including any antennas; or
 - b. Is mounted on a structure no more than ten percent taller than other adjacent structures; or
 - c. Does not extend an existing structure on which it is to be located to a height of more than fifty feet or by more than ten percent, whichever is greater;
2. Each antenna associated with the facility, excluding associated antenna equipment, is no more than three cubic feet in volume; and
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight cubic feet in volume; and
4. The facility is not required to be registered with the FCC under 47 CFR Part 17; and
5. The facility does not result in human exposure to radio frequency radiation in excess of the applicable FCC safety standards in 47 CFR 1.1307(b).

B. A “nontower wireless facility” means a facility that is not a small wireless facility and does not involve, as part of the initial installation or construction, a wireless support structure. The term includes antennas, data collection units, and related equipment, but shall not include any wireless support structure. Except as allowed for small wireless facilities, the need to construct a wireless support structure will transform the nontower facility into a tower-based facility.

C. A “tower-based wireless facility” means a facility installed or constructed with a tower as defined in Section 17.110.721. Unless a DAS hub facility meets the definition of a

small wireless facility, the DAS hub shall be considered a tower-based facility.

(Ord. 570 (2019) § 22, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.775 Wireless communication support structure.

“Wireless communication support structure” means a freestanding structure, such as a tower-based wireless communication facility, or any other support structure that could (or does) support the placement or installation of a facility. (Ord. 570 (2019) § 23, 2019; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.110.780 (Repealed)

* Former Section 17.110.780, “Whip antenna,” was repealed by Ordinance 570 (2019). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.110.783 Wrecking yard.

“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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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 17.120.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.120

**ESTABLISHMENT OF ZONES AND
MAPS**

Sections:

- 17.120.010 Classification of zones.
- 17.120.020 Original zoning maps.
- 17.120.030 Revised maps.
- 17.120.040 Interpretations of zone boundaries.

17.120.010 Classification of zones.

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

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol
Rural Residential	Rural Residential	RR
Rural Protection	Rural Protection	RP
Rural Wooded	Rural Wooded	RW
Forest Resource Lands	Forest Resource Lands	FRL
Mineral Resource Overlay	Mineral Resource Overlay	MRO
Urban Low-Density Residential	Urban Restricted	UR
	Greenbelt	GB
	Urban Low Residential	UL
	Urban Cluster Residential	UCR
Urban Medium-Density Residential	Urban Medium Residential	UM
Urban High-Density Residential	Urban High Residential	UH
Urban High Intensity Commercial	Commercial	C
	Regional Center	RC
	Low Intensity Commercial	LIC
Urban Low Intensity Commercial	Urban Village Center	UVC
	Neighborhood Commercial	NC
Rural Commercial	Rural Commercial	RCO
Urban Industrial	Business Park	BP
	Business Center	BC
	Industrial	IND
Rural Industrial	Rural Industrial	RI
Public Facilities	Parks	P
	NA (all other zone classifications are allowed within the Public Facilities land use designation)	

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol
Limited Area of More Intensive Rural Development (LAMIRD) Type I	Keyport Village Commercial	KVC
	Keyport Village Low Residential	KVLR
	Keyport Village Residential	KVR
	Manchester Village Commercial	MVC
	Manchester Village Low Residential	MVLRL
	Manchester Village Residential	MVR
	Port Gamble Rural Historic Town Commercial	RHTC
	Port Gamble Rural Historic Town Residential	RHTR
	Port Gamble Rural Historic Waterfront	RHTW
	Suquamish Village Commercial	SVC
	Suquamish Village Low Residential	SVLR
Suquamish Village Residential	SVR	
Limited Area of More Intensive Rural Development (LAMIRD) Type III	Rural Employment Center	REC
	Twelve Trees Employment Center	TTEC

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 565 (2018) § 14(7) (Att. 7) (part), 2018: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.120.020 Original zoning maps.

The designations, locations, and boundaries of the zones set forth in this section shall be shown on the zoning map of Kitsap County, Washington. Said maps and all notations, references, data, and other information shown thereon shall be and are hereby adopted and made a part of this title. The signed copies of the zoning maps containing the zones designated at the time of the adoption of this title shall be maintained without change. Any land or property not specifically identified with a zone designation shall be considered to be zoned as the most restrictive zone classification designated on adjacent and/or abutting properties, until such time as it is determined otherwise by a rezone action.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.120.030 Revised maps.

The board of county commissioners may instruct the director to replace the official zoning maps, or portions thereof, with a map or maps, or portions thereof, which include all lawful changes of zones-to-date. Such maps, or portions thereof, filed as replacements, shall bear dated, original signatures of the board of county commissioners and county auditor. Any

maps or portions thereof thereby replaced, shall be retained in a separate file. Any revisions or replacement of said maps, when duly entered, signed, and filed with the county auditor as authorized by this section, are part of this title. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.120.040 Interpretations of zone boundaries.

The zone boundary lines are indicated on the zoning maps. Where uncertainty exists as to the boundaries of any zone shown on the zoning maps, the following rules shall apply:

A. Wherever the zone boundary is indicated as being along or approximately along a street, alley, property line, or the centerline of a block, said line shall be construed as the boundary of the zone, unless otherwise indicated on the map.

B. Where the location of a zone boundary line is not determined by the above rule, and is not indicated by a written dimension, the boundaries shall be located by the use of the scale appearing on the maps.

C. Wherever any street, alley, or other public way is vacated in the manner authorized by law, the zone adjoining each side of such street, alley, or public way shall be automatically extended to the center of the former right-of-way and all of the area included in the vacation shall then be subject to all regulations of the extended zones.

D. Where the application of the above rule does not clarify the zone boundary location, the director shall interpret the maps, and by written decision, determine the location of the zone boundary and shall advise the planning commission and board of county commissioners of the decision. Said written decision shall be filed with the county auditor.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.130

RURAL RESIDENTIAL (RR)

Sections:

- 17.130.010 Purpose.
- 17.130.020 Uses permitted and design standards.
- 17.130.030 Special provisions.

17.130.010 Purpose.

This zone promotes low-density residential development and agricultural activities that are consistent with rural character. It is applied to areas that are relatively unconstrained by environmentally sensitive areas or other significant landscape features. These areas are provided with limited public services.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.130.020 Uses permitted and design standards.

A. Uses Permitted. Section 17.410.042, Rural, resource, and urban residential zones use table, shall determine the allowed uses and permits required for parcels in the rural residential zone except for parcels located within the boundary of the Port Gamble redevelopment plan approved pursuant to Section 17.360C.030. These parcels shall refer to Appendix F to determine allowed uses, permits required, and definitions; all other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 611 (2022) § 168, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.130.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.140

RURAL PROTECTION ZONE (RP)

Sections:

17.140.010 Purpose.

17.140.020 Uses permitted and design standards.

17.140.030 Special provisions.

17.140.010 Purpose.

This zone promotes low-density rural development and agricultural activities that are consistent with rural character and protects environmental features such as significant visual, historical and natural features, wildlife corridors, steep slopes, wetlands, streams and adjacent critical areas.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.140.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;

5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 611 (2022) § 169, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.140.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.150

RURAL WOODED ZONE (RW)

Sections:

17.150.010 Purpose.

17.150.020 Uses permitted and design standards.

17.150.030 Special provisions.

17.150.010 Purpose.

This zone is intended to encourage the preservation of forest uses and agricultural activities, 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.150.020 Uses permitted and design standards.

A. Uses Permitted. Section 17.410.042, Rural, resource, and urban residential zones use table, shall determine the allowed uses and permits required for parcels in the rural wooded zone except for parcels located within the boundary of the Port Gamble redevelopment plan approved pursuant to Section 17.360C.030. These parcels shall refer to Appendix F to determine allowed uses, permits required, and definitions; all other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 611 (2022) § 169, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.150.030 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated, undeveloped forest resource lands (FRL) 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.160**FOREST RESOURCE LANDS (FRL)****Sections:**

17.160.010 Purpose.

17.160.020 Uses permitted and design standards.

17.160.030 Special provisions.

17.160.010 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.160.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.160.030 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated forest resource lands (FRL) shall contain the following notice:

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.170

MINERAL RESOURCE OVERLAY (MRO)

Sections:

17.170.010 Purpose.

17.170.020 Uses permitted and design standards.

17.170.030 Special standards or requirements.

17.170.050 Information on plans and in specifications.

17.170.060 Land restoration.

17.170.065 Transition of uses from mineral resource and removal of the mineral resource overlay.

17.170.070 Special provisions.

17.170.010 Purpose.

The intent of this overlay is to protect and enhance significant sand, gravel and rock deposits as identified mineral resource lands. It is also used to ensure the continued or future use without disrupting or endangering adjacent land uses, while safeguarding life, property, and the public welfare. Provisions of state statutes applicable to Kitsap County pertaining to surface mining are hereby adopted by reference.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.030 Special standards or requirements.

A. All activities shall be consistent with all applicable Washington State surface mining permits and approvals.

B. The director shall review all plans meeting the submittal requirements of Section 17.170.050 through a process consistent with Title 21.

C. Site area shall be in accordance with Chapter 17.420 and Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

D. Lot width shall be in accordance with Chapter 17.420 and Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

E. Fencing. The periphery of all sites within the gross site area being actively mined or reclaimed shall be fenced.

F. Berms. Berms of sufficient height, width, and mass to screen the site from adjacent land uses shall be provided to protect health,

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property and welfare. Suitable planting shall be determined by the director.

G. Setbacks. The tops and toes of cut and fill slopes shall be set back from property boundaries according to the State Department of Natural Resources standards for safety of adjacent properties, and to prevent water runoff or erosion of slopes and to provide adequate reclamation slopes per subsection (J) of this section.

H. Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to the provisions of the Kitsap County noise ordinance.

I. Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 6:00 p.m.

J. Slope. When reclaimed, no slope of cut and fill surfaces shall be steeper than is safe for the intended use, and shall not exceed one and one-half horizontal to one vertical for unconsolidated material such as gravel, and one-fourth horizontal to one vertical for consolidated material, unless otherwise approved by the director.

K. Erosion Control. All disturbed areas, including faces of cut and fill slopes, shall be prepared and maintained to control erosion. This control may consist of plantings sufficient to stabilize the slope (as approved by the director).

L. Drainage. Provisions shall be made to:

1. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a hill.

2. Drain any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the department of public works director.

3. Prevent sediment from leaving the site in a manner which violates RCW 90.48.080 and/or WAC 173-201A-100.

M. Bench/Terrace. Benches shall be back-sloped, and shall be established at not more than forty-foot vertical intervals, to control sur-

face drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

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

O. Overburden. Overburden shall only be removed to accommodate aggregate removal operations and related activities of this section. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.050 Information on plans and in specifications.

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

- A. General vicinity maps of the proposed site.

- B. Property limits and accurate contours, at an appropriate interval, of existing ground and details of terrain and area drainage.

- C. Dimensions, elevations, or finished contours to be achieved by the grading, proposed drainage channels and related construction.

- D. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms, settling ponds and other protective devices to be constructed with or as part of the proposed work together with the maps showing the drainage area and the estimated runoff of the area served by any drains.

- E. Location of any buildings or structures on the property where the work is to be performed, and the location of any buildings or

structures on land of adjacent property owners which are within fifty feet of the property.

F. Landscape and rehabilitation plan as required by Section 17.170.060.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.060 Land restoration.

A. Upon the exhaustion of minerals or materials, or upon the permanent abandonment of the quarrying or mining operation, all buildings, structures, apparatus, or appurtenances accessory to the quarrying and mining operation which are nonconforming to the underlying zone shall be removed or otherwise dismantled to the satisfaction of the director.

B. Final grades shall be such so as to encourage the uses permitted within the zone with which this overlay is combined or allowed as a conditional use.

C. Unless approved as a sanitary landfill, grading or back-filling shall be made with non-noxious, nonflammable, noncombustible, and nonputrescible solids.

D. Such graded or back-filled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding the site, and to a depth of at least four inches, or a depth of that of the topsoil of surrounding land, if less than four inches.

E. Such topsoil as required by subsection (D) of this section shall be planted with trees, shrubs, or grasses.

F. Graded or back-filled areas shall be reclaimed in a manner which will not permit stagnant water to remain. Suitable drainage systems approved by the director of public works shall be constructed or installed if natural drainage is not possible.

G. Waste or soil piles shall be leveled and the area treated, as required in subsections (D) and (E) of this section.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.065 Transition of uses from mineral resource and removal of the mineral resource overlay.

As an option to the requirements of Section 17.170.060 to reclaim a property(s) and extinguish a Washington State Department of Natural Resources (DNR) surface mining permit, the county may accept, review and approve development permits for uses consistent with the property(s) underlying zone. If a permit meets all applicable zoning, building, storm water, fire and other county codes, such permits shall be forwarded to the DNR to be reviewed as a reclamation plan. Upon receipt by the county of DNR confirmation of the closing of the surface mining permit for the property(s), the county shall include the property(s) in the next scheduled Comprehensive Plan amendment cycle. At this time, the county shall rescind the Mineral Resource Comprehensive Plan designation and zoning classification, reverting the property(s) back to their underlying zone and compatible designation.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.170.070 Special provisions.

All plats, short plats, development permits and building permits issued for land development activities on or within five hundred feet of designated mineral resource 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 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.180

URBAN RESTRICTED ZONE (UR)

Sections:

- 17.180.010 Purpose.
- 17.180.020 Uses permitted and design standards.
- 17.180.030 Special provisions.

17.180.010 Purpose.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.180.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.180.030 Special provisions.

(Reserved.)

(Ord. 611 (2022) § 170, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.190

GREENBELT ZONE (GB)

Sections:

- 17.190.010 Purpose.
- 17.190.020 Uses permitted and design standards.
- 17.190.030 Special provisions.

17.190.010 Purpose.

The greenbelt zone is applied to those areas which have identified parcels constrained by critical areas of fifty percent or greater and are within Washington State Department of Fish and Wildlife (DFW) certified wildlife corridors. Development would be limited to a density range of one to four dwelling units per acre. Actual densities allowed will be determined at the time of land use application, following an analysis of the site and review of potential impacts to the critical areas.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.190.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.190.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.200

URBAN LOW RESIDENTIAL ZONE (UL)

Sections:

17.200.010 Purpose.

17.200.020 Uses permitted and design standards.

17.200.030 Special provisions.

17.200.010 Purpose.

The intent of this zone is to recognize, maintain, and encourage urban low density residential areas by including a full range of urban services and facilities that are adequate at the time of development. This zone is also intended to create cost-efficient residential areas which are capable of allowing the provision of community services in a more economical manner. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.200.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;

2. Lot dimensions;

3. Lot coverage standards;

4. Height regulations;

5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.200.030 Special provisions.

All commercial or industrial development shall be located at an intersection that contains right-of-way with a road classification of arterial to arterial or arterial to collector.

(Ord. 611 (2022) § 171, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.210

URBAN CLUSTER RESIDENTIAL (UCR)

Sections:

17.210.010 Purpose.

17.210.020 Uses permitted and design standards.

17.210.030 Special provisions.

17.210.010 Purpose.

The urban cluster residential zone is intended to apply to areas that are characterized by large contiguous ownership parcels capable of development as a single, unified project. Clustering of appropriate residential densities in areas most suitable for such development, while simultaneously providing a high level of protection for wetlands, streams, critical aquifer recharge areas and wildlife habitat areas, is encouraged. Flexibility related to site planning and affordable housing through innovative

design is also encouraged, as the exact locations of uses should be based on the location of critical areas, transportation corridors, community needs and market conditions.

At the same time, the UCR zone should foster a development pattern that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces, recreational areas, transportation corridors and retail and employment opportunities, both within and outside the zone. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.210.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.210.030 Special provisions.

A. All development shall comply with the standards in the Kitsap County stormwater management ordinance, Title 12, and the Kitsap County critical areas ordinance, Title 19, as they now exist or are later amended, as well as all SEPA mitigation requirements.

B. All commercial or industrial development shall be located at an intersection that contains right-of-way with a roadway classification of arterial to arterial or arterial to collector.

(Ord. 611 (2022) § 172, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.220

URBAN MEDIUM RESIDENTIAL ZONE (UM)

Sections:

17.220.010 Purpose.

17.220.020 Uses permitted and design standards.

17.220.030 Special provisions.

17.220.010 Purpose.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.220.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.220.030 Special provisions.

(Reserved.)

(Ord. 611 (2022) § 173, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.230

URBAN HIGH RESIDENTIAL ZONE (UH)

Sections:

17.230.010 Purpose.

17.230.020 Uses permitted and design standards.

17.230.030 Special provisions.

17.230.010 Purpose.

This zone is intended to provide for multiple-family residential and professional office development based upon compatibility with surrounding land uses. The primary use of this zone is intended to be high density residential. Professional office use is intended to complement and support the residential use within the zone and be consistent with, and in conjunction with, residential development. It is intended that office developments within these zones will be of a higher standard in recognition of their residential setting. The following factors will be considered in the application of one of these zones to a particular site: proximity to major streets and the available capacity of these streets, availability of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these zones

will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.230.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.042, Rural, resource, and urban residential zones use table.

B. Design Standards: Section 17.420.052, Rural, resource, and urban residential zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.230.030 Special provisions.

For recreational open space provisions, see Section 17.450.040(C).

(Ord. 611 (2022) § 174, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.240

COMMERCIAL (C)

Sections:

17.240.010 Purpose.

17.240.020 Uses permitted and design standards.

17.240.030 Special provisions.

17.240.010 Purpose.

This zone is intended to provide for those commercial establishments which serve the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destination and en route travelers.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.240.020 Uses permitted and Design Standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.240.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.250**REGIONAL CENTER (RC)****Sections:**

17.250.010 Purpose.

17.250.020 Uses permitted and design standards.

17.250.030 Special provisions.

17.250.010 Purpose.

The regional center zone is intended to encourage flexible land uses, recognizing that the exact configuration of uses must be responsive to community needs and market conditions. Uses may be mixed either vertically or horizontally. Such a mix of uses is encouraged within individual projects and/or between adjacent projects. This zone is intended to foster a development pattern focused on the public street that will provide for an integrated, compatible mix of higher density housing and commercial businesses and services. Mixed use development as defined by Section 17.110.485 is encouraged and incentivized within this zone but not required.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.250.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.250.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.260

URBAN VILLAGE CENTER (UVC)

Sections:

17.260.010 Purpose.

17.260.020 Uses permitted and design standards.

17.260.030 Special provisions.

17.260.010 Purpose.

A. Purpose – Generally. The general purposes of the urban center zones are as follows:

1. To foster a development pattern offering direct, convenient pedestrian, bicycle, and vehicular access between residences and businesses, in order to facilitate pedestrian and bicycle travel and reduce the number and length of automobile trips.

2. To provide for a compatible mix of single-family, multifamily housing and neighborhood commercial businesses and services, with an emphasis on promoting multi-story structures with commercial uses generally located on the lower floors and residential housing generally located on upper floors.

3. To promote a compact growth pattern to efficiently use developable land within UGAs, to enable the cost-effective extension of utilities, services and streets, to enable frequent and efficient transit service, and to help sustain neighborhood businesses.

4. To foster the development of mixed use areas that are arranged, scaled and designed to be compatible with surrounding land.

B. Specific Purposes for the Urban Village Center (UVC) Zone. This zone provides for a compatible mix of small-scale commercial uses and mixed-density housing, typically in multi-story buildings. Development within the zone should promote neighborhood identity, by providing a range of commercial retail and service opportunities in close proximity to housing.

The UVC 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 UVC zone, though the more common configuration locates commercial uses on the lower floors of multi-story structures, with residential units located above. Development within the UVC zone must occur in a manner that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking the development in the UVC zone to surrounding residential neighborhoods, open spaces, recreational areas, and transportation corridors.

(Ord. 565 (2018) § 14(2) (Att. 2) (part), 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.260.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.
(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 550 (2018) § 24, 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.260.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.270

NEIGHBORHOOD COMMERCIAL (NC)

Sections:

- 17.270.010 Purpose.
- 17.270.020 Uses permitted and design standards.
- 17.270.030 Special provisions.

17.270.010 Purpose.

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.270.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
 2. Lot dimensions;
 3. Lot coverage standards;
 4. Height regulations;
 5. Setbacks.
- C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.270.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.280

LOW INTENSITY COMMERCIAL (LIC)

Sections:

- 17.280.010 Purpose.
- 17.280.020 Uses permitted and design standards.
- 17.280.030 Special provisions.

17.280.010 Purpose.

The intent of the low-intensity commercial zoning is to promote mixed uses – retail, hotel, office, services, or attached residential in horizontal or small-scale vertical patterns – and commercial uses designed to maximize shoreline views and allow streamside and shoreline public access where appropriate. A new development pattern reduces impervious surfaces, promotes marine waterfront and creek restoration, promotes landscape and streetscape improvements, promotes pedestrian safety and comfort, and improves vehicular access.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.280.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;

- 3. Lot coverage standards;
 - 4. Height regulations;
 - 5. Setbacks.
 - C. Chapter 17.105, Interpretations and Exceptions.
 - D. Chapter 17.440, Master Planning.
 - E. Chapter 17.450, Performance Based Development.
 - F. Chapter 17.490, Off-Street Parking and Loading.
 - G. Chapter 17.500, Landscaping.
 - H. Chapter 17.510, Sign Code.
 - I. Chapter 17.580, Transfer of Development Rights.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.280.030 Special provisions.

A. Mixed use development patterns will be focused west of SR 3, while commercial development will be focused in areas east of SR 3 along Sinclair Inlet, both areas having smaller impervious footprints interspersed by trails, parks, and habitat.

B. Additional requirements for development within the LIC zone may be included in Chapter 17.400.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.290

RURAL COMMERCIAL (RCO)

Sections:

- 17.290.010 Purpose.
- 17.290.020 Uses permitted and design standards.
- 17.290.030 Special provisions.

17.290.010 Purpose.

The intent and function of the rural commercial zone is to permit the location of small-scale commercial retail businesses and personal services which serve a limited service area and rural population outside established UGAs. The rural commercial zone permits small-scale retail, sales and services located along county roads on small parcels that serve the immediate

rural residential population. Rural businesses, which serve the immediate rural population, may be located at crossroads of county roads, state routes, and major arterials.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.290.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

- 1. Density;
- 2. Lot dimensions;
- 3. Lot coverage standards;
- 4. Height regulations;
- 5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.290.030 Special provisions.

(Reserved.)

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.300

BUSINESS CENTER (BC)

Sections:

- 17.300.010 Purpose.
- 17.300.020 Uses permitted and design standards.
- 17.300.030 Special provisions.

17.300.010 Purpose.

This zone is intended to provide for integrated grouping of medium to large size businesses within an attractive park-like setting. The business center (BC) zone allows flexibility in the amount of space within each business dedicated to office use, warehousing, and/or light manufacturing operations. Permitted businesses are intended to support the creation, development and retention of primary wage employment in the professional and technical fields, and not intended for the general retail commercial needs of the area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.300.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.300.030 Special provisions.

A. Site Landscaping and Design Plan. As a component of permit and/or land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan based on confor-

mance with Chapter 17.420, any design standards associated with this zone and/or design standards associated with a particular subarea, whichever is most restrictive. In addition to these requirements, the following shall apply:

1. All required landscaping shall be installed prior to occupancy.

2. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen screening buffer which attains a mature height of at least eleven feet, or other screening measure as approved by the director.

3. Required setback areas adjacent to streets and those abutting a residential zone shall be continuously maintained in plantings, with such live ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.

4. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the director.

5. All mechanical, heating, and ventilating equipment shall be visually screened whether on grade or building mounted.

6. 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.

B. Performance Standards. No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:

1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise ordinance.

2. 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.

3. Smoke and Particulate Matter. Air emissions must meet standards approved by the Puget Sound Air Pollution Control Authority.

4. Odors. The emission of noxious gases 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.

5. 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.

C. 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. Maximum permissible noise levels shall be in compliance with the Kitsap County noise ordinance.

D. Uses marked as permitted in Section 17.410.044 are permitted only if consistent with an approved master plan pursuant to Chapter 17.440. 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 (ACUP).

E. 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 sight-obscuring fence or wall.

(Ord. 611 (2022) § 175, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.310

BUSINESS PARK (BP)

Sections:

- 17.310.010 Purpose.
- 17.310.020 Uses permitted and design standards.
- 17.310.030 Special provisions.

17.310.010 Purpose.

This zone is intended to provide for integrated grouping of small to medium size businesses within an attractive park-like setting. The business park (BP) zone allows flexibility in the amount of space within each business dedicated to office use, warehousing, and/or light manufacturing operations. Permitted businesses are intended to support the creation, development and retention of primary wage employment in the professional and technical fields, and not intended for the general retail commercial needs of the area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.310.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.310.030 Special provisions.

A. Site Requirements.

1. 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.

2. Signs. Signs shall be permitted according to the provisions of Chapter 17.510.

a. Site Signs. No signs shall be constructed or installed above the highest point of a building roof; any perimeter signs adjacent to residential zones shall not be illuminated.

b. Tenant Signs. Tenant signs shall be wall mounted.

3. 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 17.500, the following requirements shall apply:

a. All required landscaping shall be installed prior to occupancy, unless installation is bonded at one hundred fifty percent of the cost of materials and labor (or other method) for a period not to exceed six months.

b. Required rear and side yard setback areas abutting a residential zone shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven feet, or other screening measure as may be prescribed by the director.

c. Required setback areas adjacent to streets and those abutting a residential zone shall be continuously maintained in plantings, with such live ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.

d. Areas which are to be maintained in their natural setting shall be so designated on a

landscape plan, and subject to the review and approval of the director.

e. All mechanical, heating, and ventilating equipment shall be visually screened whether on grade or building mounted.

B. Performance Standards. No land or structure shall be used or occupied within this zone unless there is compliance with the following minimum performance standards:

1. Maximum permissible noise levels shall be in compliance with the Kitsap County noise ordinance.

2. 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.

3. Smoke and Particulate Matter. Air emissions must be approved by the Puget Sound Air Pollution Control Authority.

4. Odors. The emission of noxious gases 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.

5. 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.

C. 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.320

INDUSTRIAL (IND)

Sections:

- 17.320.010 Purpose.
- 17.320.020 Uses permitted and design standards.
- 17.320.030 Special provisions.

17.320.010 Purpose.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.320.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facilities zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.320.030 Special provisions.

A. For properties with an approved master plan, all uses requiring a conditional use permit (CUP) or administrative conditional use permit (ACUP) will be considered permitted uses.

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 sight-obscuring fence or wall.

C. In any industrial zone, an industrial park, as further described, may be permitted. An industrial park is intended to provide centers or clusters of not less than twenty acres for most manufacturing and industrial uses under controls which will minimize the effect of such industries on nearby uses. Industrial parks are intended to encourage industrial activities to occur within a park-like environment. Any use permitted outright in industrial zones or by conditional use review when located in an industrial park is 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.
2. 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.
 - a. Front Yard. Minimum front yard setback shall be forty feet.
 - b. Side Yard. Minimum side yard setback shall be twenty-five feet.

c. Rear Yard. Minimum rear yard setback shall be twenty feet.

3. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set forth in Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

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

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

4. 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.

5. Off-street parking and loading shall be provided as required by Chapter 17.490. No off-street parking or loading shall be allowed within fifty feet of an adjacent residential zone, unless the director finds that a buffer will exist that effectively screens the parking and loading from the adjacent residential zone, in which case, no off-street parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or loading may be permitted within the side yard but not within a required front yard area.

6. Site Landscaping and Design Plan. As a component of land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter 17.500 and any required design standards for the area, the following requirements shall apply:

a. All required landscaping shall be installed prior to occupancy.

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.

7. 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.

8. 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.

(Ord. 611 (2022) § 176, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.330

RURAL INDUSTRIAL (RI)

Sections:

- 17.330.010 Purpose.
- 17.330.020 Uses permitted and design standards.
- 17.330.030 Special provisions.

17.330.010 Purpose.

This zone provides for small-scale light industrial, light manufacturing, recycling, mineral processing, and resource-based goods production uses that are compatible with rural character and do not require an urban level of utilities and services.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.330.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.

B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.330.030 Special provisions.

A. 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 sight-obscuring fence or wall.

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

1. 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.

a. Front Yard. Minimum front yard setback shall be forty feet.

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

c. Rear Yard. Minimum rear yard setback shall be twenty feet.

2. Lot Coverage. Maximum lot coverage by buildings shall be consistent with provisions set forth in Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.

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

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

3. 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.

4. Signs shall be permitted according to the provisions of Chapter 17.510.

5. Off-street parking and loading shall be provided as required by Chapter 17.490. In addition, no off-street parking or loading shall be allowed within fifty feet of an adjacent residential zone, unless the director finds that a buffer will exist that effectively screens the parking and loading from the adjacent residential zone, in which case, no off-street parking or loading shall be allowed within thirty feet of an adjacent residential zone. Off-street parking or loading may be permitted within the side yard but not within a required front yard area. 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.

6. Site Landscaping and Design Plan. As a component of land use review, development within this zone shall be subject to review and approval by the director of a site landscape and design plan. In addition to the requirements of Chapter 17.500 and any required design standards for the area, the following requirements shall apply:

a. All required landscaping shall be installed prior to occupancy.

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.

7. 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.

8. 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.

(Ord. 611 (2022) § 177, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.340

PARKS (P)

Sections:

- 17.340.010 Purpose.
- 17.340.020 Uses permitted and design standards.
- 17.340.030 Special provisions.

17.340.010 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. Properties zoned as parks include all parks identified in the Kitsap County park inventory list and Washington State Parks. 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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.340.020 Uses permitted and design standards.

- A. Uses Permitted: Section 17.410.044, Commercial, industrial, parks and public facility zones use table.
- B. Design Standards: Section 17.420.054, Commercial, industrial, and parks zones density and dimensions table.
 - 1. Density;
 - 2. Lot dimensions;
 - 3. Lot coverage standards;
 - 4. Height regulations;
 - 5. Setbacks.
- C. Chapter 17.105, Interpretations and Exceptions.
- D. Chapter 17.440, Master Planning.
- E. Chapter 17.450, Performance Based Development.
- F. Chapter 17.490, Off-Street Parking and Loading.
- G. Chapter 17.500, Landscaping.
- H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.340.030 Special provisions.

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.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.350

RESERVED

Chapter 17.360

LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (LAMIRD)*

* **Editor's Note:** Chapter 17.360 is a general chapter heading. Subchapters are given a letter designation: 17.360A, 17.360B, 17.360C, 17.360D, and 17.360E.

Chapter 17.360A

KEYPORT RURAL VILLAGE

Sections:

- 17.360A.010 Purpose.
- 17.360A.020 Uses permitted and design standards.
- 17.360A.030 Special provisions.

17.360A.010 Purpose.

The purpose of this chapter is to set forth the regulations, procedures and special development objectives that apply to the Keyport rural village. The county has identified Keyport as a limited area of more intensive rural development (LAMIRD). A fundamental underpinning of this chapter is to comply with the requirements of the State Growth Management Act, while preserving and enhancing the unique historic character of the village. The intent of these regulations is to provide for visually compatible infill, development, and redevelopment of

the existing commercial and residential areas in Keyport, while also containing such development within logical, permanent LAMIRD boundaries.

In the event of a conflict between the requirements of these regulations for the Keyport rural village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern. The Keyport Community Plan shall be considered as a reference in any resolution.

Within the Keyport rural village, three land use zones exist. The purpose of each of the three Keyport rural village zones is set forth below.

A. Keyport Village Residential (KVR). This zone is intended to recognize and encourage redevelopment of the historic residential patterns within the village. Residential densities may approximate historic densities but shall not exceed five dwelling units per acre.

B. Keyport Village Commercial (KVC). This zone is intended to meet many of the village needs for basic retail shopping, tourism, and local services. The zone also recognizes and reflects the historically significant commercial use of the village, as well as the types of uses present in July 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents. Residential densities may approximate historic densities of five dwelling units per acre with the provision for a mixed use development density bonus based upon the historic underlying platted lots.

C. Keyport Village Low Residential (KVLRL). This zone is intended to recognize and encourage redevelopment of the existing residential patterns in the Keyport village area west of Sunset Avenue. Residential densities may approximate historic density maximums of two dwelling units per acre with a provision for performance based developments to allow a

maximum of three units per acre per the conditions of Section 17.360A.030(G).

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360A.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.046, Limited areas of more intensive rural development (LAMIRD) zones use table.

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B. Design Standards: Section 17.420.056, Limited areas of more intensive rural development (LAMIRD) density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360A.030 Special provisions.

A. Applicability. This chapter applies to all development within the boundaries of the Keyport limited area of more intense development (LAMIRD). The Comprehensive Plan and the county zoning maps designate the permanent LAMIRD boundaries and zoning districts within the LAMIRD boundaries. In the event of a conflict between the requirements of these regulations and any other applicable statute, rule, ordinance, or regulation, the more restrictive regulation shall apply.

B. All references to Keyport design guidelines shall refer to the Keyport Community Plan, Appendix G. In order to ensure that all commercial development furthers the goal of maintaining and enhancing the rural character of the village, all commercial development shall comply with the Keyport development objectives of Section 17.360A.020. The director of community development shall refer any formal proposal requiring an administrative conditional use permit or conditional use permit or PBD approval for consistency with the Keyport design guidelines as provided by the

Keyport Community Plan, Appendix G. Within the area identified as the Keyport rural village limited area of more intense rural development (LAMIRD), the following conditions apply to all commercial development within Keyport village commercial (KVC) or neighborhood commercial (NC) zones for:

1. All new construction, including any land use permit, grading or building permit, must undergo review by the department of community development to meet the Keyport design guideline requirements before any land use or building permit may be issued.

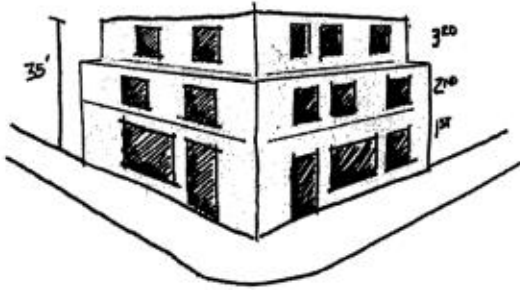
2. Any remodel of existing structures that impacts more than twenty percent of the perimeter walls of the structure must undergo review by the department of community development to meet the Keyport design guideline requirements before any land use or building permit may be issued.

3. Any remodel of existing structures that impacts more than fifty percent of the building facade along Washington Avenue must undergo review by the department of community development to meet the Keyport design guideline requirements before any land use or building permit may be issued.

C. Height. In addition to height regulations in Chapter 17.420:

1. No structure in the Keyport village commercial (KVC) zone shall be constructed to have more than two stories facing Washington Avenue; provided however, additional stories may be allowed if those stories above the second story are set back a minimum of ten additional feet from the facade line and if the building otherwise meets height limitations.

2. Subgrade stories and basements are permitted up to thirty inches above sidewalk grade along Washington Avenue.



D. Parking. Parking requirements for all uses shall be determined by the director through analysis of the proposed use and with reference to the parking requirements of Chapter 17.490. The availability of street parking may be considered by the director. The determination of the director shall be an administrative decision made concurrently with the department's decision or recommendation on a proposal.

1. Parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from street view.

2. All required commercial parking in the KVC zone may be provided off-site in shared or joint use parking areas, or considered with on-street parking except that provision must be made to develop or reserve on-site or on-street parking spaces for handicapped parking.

3. All required residential parking in the KVC zone for mixed use projects must be provided on site. No off-site parking is acceptable for residential parking requirements.

4. Shared or joint use parking lots shall be screened. The following standards may be modified upon recommendation of the director.

a. From adjacent residential zones by six-foot-high solid wood fencing or landscaped screen, or similar visual separation intended to soften the edges of the parking area;

b. From adjacent streets by a combination of solid wood fencing, plantings, public seating, shelters, or public information kiosks. Screening and plantings shall be of a height to shield light from vehicles but shall not interfere with general visibility into the parking area for

public safety purposes. The goal is to achieve visual separation and soften the edges of the parking.

5. Shared or joint use parking lots shall provide internal landscaping as follows:

a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in addition to the perimeter or street screening, must be provided for each stall, including one tree for every five stalls.

b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping shall be provided for each stall over fifty, including one tree for every four stalls over fifty.

c. Landscaped areas shall have minimum dimensions of four feet in any direction, exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.

d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if deciduous.

e. Landscaped areas shall be distributed equally throughout the parking area to create shade and break up large expanses of asphalt or other paving.

E. Signs and Lighting.

1. Signs and external lighting shall be designed to reflect historic styling and comply with the town development objectives and shall be reviewed by the director or designee for architectural and site design consistency with the Keyport design guidelines.

2. Internal illumination and neon lighting or signage is prohibited, except for window signs not exceeding four square feet; provided, that an applicant may request review of proposed signs by the director or his designated community committee, if one has been appointed. Following such review and on the recommendation of the committee, the director may allow internally illuminated signs or signs with neon lighting.

F. Within the area identified as the Keyport 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 grading of more than seventy-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.

3. 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 databases, 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 there have been 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 through 12.32);

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:

i. Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;

ii. Provide on-site storm water management BMPs to reduce or eliminate surface water discharge; and/or

iii. Improve or contribute to the improvement of the downstream drainage system.

G. Within the Keyport village low residential zone, the following conditions apply to all newly created and/or reconfigured lots that request or result in a density of three units per acre:

1. Three units per acre may only be requested though a performance based development (Chapter 17.450) and the use of lot clustering, common open space (Section 17.450.040(B)).

a. Within the Keyport LAMIRD, recreational open space (Section 17.450.040(C)) is modified as follows. All residential PBDs in Keyport village low residential shall provide a developed recreational area that meets the following requirements:

i. A contiguous area that is five percent of the lot area, (excluding critical areas). Said area shall be:

(a) Developed as an open grass field (manicured to a condition that allows mowing by mechanical means) or a natural area (not inside critical areas, or their buffers), that contains a pathway and benches;

(b) Owned in common and/or available for use by all residents of Keyport; and

(c) A provision implemented by the covenants for perpetual maintenance.

ii. A developed active recreation facility or facilities commensurate with the number of units/lots contained within the PBD. A “facility” shall be: a paved “sport court”; children’s play area; exercise fitness trail; community gar-

den area with water service; or similar amenity (bocce ball, volleyball, horseshoes, putting green, rock climbing wall, etc.). Facilities shall be provided as follows:

(a) One facility per every three lots, partial calculations above 0.49 are rounded up to include an additional facility.

(b) All facilities shall be located adjacent to a public right-of-way or provided pedestrian easement access to the nearest public right-of-way and shall include directional signage and signage identifying the ability for public use.

(c) Land shown in the final development plan as common open space, and its landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:

(i) An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a change in use in a way inconsistent with the final development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;

(ii) A private nonprofit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.360B

MANCHESTER RURAL VILLAGE

Sections:

17.360B.010 Purpose.

17.360B.020 Uses permitted and design standards.

17.360B.030 Special provisions.

17.360B.010 Purpose.

MVC, MVLR, MVR

The May 7, 1998, Comprehensive Plan stated that the county could use limited areas of more intense rural developments (LAMIRDs) to reconcile historical land development patterns, and Manchester was identified as a candidate for this designation. As result of a public planning effort, the Manchester Community Plan was initially developed in 2002, setting specialized goals and policies for the Manchester village. This subchapter establishes development regulations to implement these goals and policies. In addition to these regulations, the policies and goals of the Manchester Community Plan are incorporated herein by reference, and application within the Manchester LAMIRD must also be able to demonstrate compliance with the Manchester Community Plan. In the event of a conflict between the requirements of these regulations for the Manchester rural village and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360B.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.046, Limited areas of more intensive rural development (LAMIRD) zones use table.

B. Design Standards: Section 17.420.056, Limited areas of more intensive rural development (LAMIRD) density and dimensions table.

1. Density;
2. Lot dimensions;

3. Lot coverage standards;
 4. Height regulations;
 5. Setbacks.
- C. Chapter 17.105, Interpretations and Exceptions.
- D. Chapter 17.440, Master Planning.
- E. Chapter 17.450, Performance Based Development.
- F. Chapter 17.490, Off-Street Parking and Loading.
- G. Chapter 17.500, Landscaping.
- H. Chapter 17.510, Sign Code.
- I. Chapter 17.580, Transfer of Development Rights.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360B.030 Special provisions.

A. **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.

B. **Sewer Connections.** All new development within two hundred feet of existing sewer lines must be connected to sewer to develop. Additions or remodels to existing structures involving an increase in sewage flow beyond the existing capacity of the septic system constitute new development.

C. **Access Prohibition.** Commercial properties are prohibited from using private residential roadways for vehicular or pedestrian access.

D. **Off-street Parking Requirements.** The off-street parking requirements for commercial uses within the Manchester village are identical to those found in Chapter 17.490, except as follows:

1. Retail stores generating little automobile traffic, such as appliance, furniture, hardware or repair stores: one parking space per four hundred fifty square feet of gross floor area;

2. Retail and personal service establishments generating heavy automobile traffic, such as department, drug and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops: one parking space per two hundred twenty-five square feet of gross floor area;

3. Drive-in and fast food restaurants: one parking space per one hundred twenty-five square feet of gross floor area with a minimum of five, provided, drive-in window holding and stacking area shall not be considered parking places;

4. Restaurants, Drinking Establishments.

- a. If under four thousand square feet of gross floor area: one parking space per three hundred square feet of gross floor area;

- b. If four thousand or more square feet of gross floor area: sixteen parking spaces, plus one parking space per each additional one hundred fifty square feet of gross floor area over four thousand square feet;

5. Medical and dental office or clinic: one parking space per three hundred square feet of gross floor area;

6. Bank, professional office (except medical or dental): one parking space per five hundred square feet of gross floor area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.360C

PORT GAMBLE RURAL HISTORIC TOWN

Sections:

17.360C.010 Purpose.

17.360C.020 Town development objectives.

17.360C.025 Uses permitted and design standards.

17.360C.030 Special provisions.

17.360C.010 Purpose.

The purpose of this chapter is to set forth the regulations, procedures and special development objectives that apply to the rural historic

town of Port Gamble. In the event of a conflict between the requirements of these regulations and any other applicable statute, rule, ordinance, or regulation, the more restrictive regulation shall apply. The county has identified Port Gamble as a limited area of more intensive rural development (LAMIRD) and classified the town as a rural historic town (RHT). A fundamental underpinning of this chapter is to comply with the requirements of the State Growth Management Act, while preserving and enhancing the unique historic qualities of the town. The intent of these regulations is to provide for visually compatible infill, development, and redevelopment of the existing commercial, industrial and residential areas in Port Gamble, while also containing such development within logical, permanent town boundaries.

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

A. Rural Historic Town Residential (RHTR). This zone is intended to recognize and encourage redevelopment of the historic residential patterns in the town. Residential densities may approximate historic town densities but shall not exceed two and one-half dwelling units per acre. Residential acreage in the RHTR zone totals 69.76 acres, including the town cemetery. Site design and architecture in the RHTR zone may reflect new interpretations of the historic styles and patterns, but must also work to enhance and preserve the defining “company town” characteristics of Port Gamble as described in the Historic American Engineering Record for Port Gamble, Washington, dated August 1997, on file with the department of community development. To ensure that historic platting patterns are acknowledged, maximum lot sizes shall apply and community open space is required.

B. Rural Historic Town Commercial (RHTC). This zone is intended to meet many of the town needs for basic shopping and simple services. The zone also recognizes and reflects

the historically significant commercial use of the town, as well as the types of uses present in July 1990. The commercial zone may provide for tourist, visitor, and recreation uses. This zone may also support limited new commercial uses including isolated small-scale businesses and cottage industries not designed to serve the town population, but providing jobs to rural residents.

C. Rural Historic Town Waterfront (RHTW). This zone is intended to allow for maintaining, developing, or redeveloping a range of uses reflecting historic development and 1990 uses while supporting revitalization of the town as a whole. Forest products manufacturing, natural resource industries, and waterfront shipping are allowed, within the constraints imposed by the county’s Shoreline Management Master Program. Residential uses are allowed as part of a town master plan, designed in a way to minimize conflicts with other allowed uses. Other less intensive industrial and commercial uses similar to those of the commercial zone are also allowed. The areas within two hundred feet of the water are governed by the county’s Shoreline Management Master Program, which expresses a preference for water-dependent or water-related uses. (Ord. 586 (2020) § 2, 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360C.020 Town development objectives.

In 1967, Port Gamble was added to the National Register of Historic Places and designated a Historic Landmark. The designation recognized the unique aspects of the town, including its development as a “company town” built around the former Pope Resources (Puget Mill Company/Pope & Talbot) sawmill. The mill began operation in 1853 and, until its closure in 1995, was the oldest continuously operating sawmill and company town in the nation. In recognition of the historic value of Port Gamble and the unique factors affecting maintenance and potential development or redevelopment of the town, the county created

a special planning and zoning designation for the town. In addition, special town development objectives (TDOs), set forth below, have been adopted to ensure that development maintains and enhances the defining and essential characteristics of the town.

A. Development proposals shall be designed in a manner that highlights and enhances the historic nature of the town. Building design shall be based on characteristics of historic structures, but need not literally mimic historic styles. New structures are to be compatible with the old in mass, scale and character, but subtle differences in stylistic treatment that make buildings distinguishable as new construction are appropriate.

B. New construction, including site design and layout, may reflect the evolution of the town, but must retain the existing visually significant sense of historic time and place. Development proposals should strive to create a dialogue between new and historic development in the town.

C. In reviewing development proposals, the county shall consider architectural styles and traditional site design. The Secretary of the Interior's Standards for Historic Preservation Projects (36 CFR 68) shall be used as a guideline for evaluating future development. The Historic American Engineering Record for Port Gamble, Washington, dated August 1997, on file with the department of community development shall also be used to evaluate future development. In addition, new development shall, to the greatest extent feasible, comply with the following objectives:

1. New development shall reflect historic town platting patterns, including small lot development, alleys, narrow streets, sidewalks, on-street parking, and historic styles of street lighting.

2. Homes shall face the street, with access for garages and parking off alleys whenever possible. Detached garages are preferred, with alley access or shared driveway access from the street. A development pattern with repeating

double-bay garage doors facing the street shall be prohibited.

3. Large community open spaces are preferred, rather than large private yards.

4. Development in the RHTC zone shall be compatible in massing, size and scale with historic structures. As with residential development, existing styles should provide the basic framework, but new development shall be differentiated from the old.

5. Waterfront development may reflect the significant industrial and commercial nature of early uses on the site. Larger, bulkier structures than would be allowed in the RHTR and RHTC zones may be permitted in this zone. Tilt-up concrete structures, reflective glass, or other treatments which commonly characterize modern industrial park developments are to be prohibited.

6. Parking for the RHTC and RHTW zones shall be provided in shared or common parking areas whenever feasible. The parking standards set forth in Section 17.360C.030 shall be considered an element of these TDOs and shall apply to all new commercial and waterfront development.

7. New development shall be landscaped in such a manner as to reflect the historical character of the town and preserve and enhance publicly accessible open spaces and retain mature trees to the extent possible.

8. Creating, enhancing and preserving a town commons or a series of connected public open space linkages shall be required in conjunction with any master planned or other significant redevelopment of the town that reflects the same qualities of the historic town including visual assets and species of vegetation.

D. All development in the town shall comply with these TDOs. TDO review may occur for simple permitted uses as part of the building permit plan review process.

E. As provided for in the Comprehensive Plan, a qualified consultant selected by the director or site design and architectural review committee shall be appointed to provide com-

ments or a recommendation on all proposed development.

F. The TDOs and other development standards of this chapter shall be applied to a defined project area (DPA) as designated by the applicant. Alternatively, development proposals shall include boundary line adjustments, subdivisions, or binding site plans that serve to define lot, site or project area. (Ord. 586 (2020) § 3, 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360C.025 Uses permitted and design standards.

A. Uses Permitted. Section 17.410.046, Limited areas of more intensive rural development (LAMIRD) zones use table, except for parcels located within the boundary of the Port Gamble redevelopment plan approved pursuant to Section 17.360C.030, shall refer to Appendix F to determine allowed uses, permits required, and definitions. All development of these uses must be consistent with town development standards pursuant to Section 17.360C.020. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

B. Design Standards: Section 17.420.056, Limited areas of more intensive rural development (LAMIRD) density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

D. Chapter 17.440, Master Planning.

E. Chapter 17.450, Performance Based Development.

F. Chapter 17.490, Off-Street Parking and Loading.

G. Chapter 17.500, Landscaping.

H. Chapter 17.510, Sign Code.

I. Chapter 17.580, Transfer of Development Rights.

(Ord. 611 (2022) § 178, 2022; Ord. 586 (2020) § 4, 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360C.030 Special provisions.

A. Procedures. 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 17.360C.020. The director of community development shall refer any formal proposal requiring a conditional use permit or PBD approval for review by the architectural and site design committee, if established, or consultant selected by the director.

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 five thousand 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 17.450. (The TDOs and specific requirements of this chapter for density, height, parking, and other development standards shall replace the PBD standards and requirements of Section 17.450.040.) Detailed project-level environmental analysis, including analysis of site-specific alternatives, shall be required as part of a master plan review.

B. Infrastructure Capacity Required. In all zones, no development shall be allowed unless adequate infrastructure, including but not limited to sewer and water service, is available. Allowed densities shall be restricted to reflect the capacity of the sewer and water systems.

C. Parking.

1. Parking requirements for all uses shall be determined by the director through analysis of the proposed use and with reference to the parking requirements of Chapter 17.490. On-street parking on private and public roads and off-street parking in and out of garages may be allowed and counted towards parking standards with a master parking plan approved as an element of the town master plan. On-street parking shall be consistent with the intent for a walkable community providing for multimodal

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transportation elements, accessibility and the historic character of the RHT.

2. Off-street parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from street view.

3. All required off-street parking in the RHTC and RHTW zones may be provided off-site in shared or joint use parking areas, except that provision must be made to develop or reserve on-site or on-street parking spaces for handicapped parking.

4. Shared or joint use parking lots shall be screened. The following standards may be modified upon recommendation of the consultant or, if established, an architectural and site design review committee:

a. From adjacent residential zones by six-foot-high solid wood fencing or by a three-foot-high earthen berm planted densely with native evergreen shrubs and groundcover to form a visual separation and soften the edges of the parking area;

b. From adjacent streets by a combination of solid wood fencing, plantings, public seating, shelters, or public information kiosks. Screening and plantings shall be of a height to shield light from vehicles but shall not interfere with general visibility into the parking area for public safety purposes. The goal is to achieve visual separation and soften the edges of the parking area;

c. From adjacent commercial properties by a four-foot-wide perimeter landscape area, planted to achieve visual separation and soften the edges of the parking area.

5. Shared or joint use parking lots shall provide internal landscaping as follows:

a. For parking areas providing up to fifty stalls, twelve square feet of landscaping, in addition to the perimeter or street screening, must be provided for each stall, including one tree for every five stalls.

b. For parking in excess of fifty stalls, an additional eighteen square feet of landscaping shall be provided for each stall over fifty,

including one tree for every four stalls over fifty.

c. Landscaped areas shall have minimum dimensions of four feet in any direction, exclusive of vehicle overhangs, and a minimum area of thirty-six square feet.

d. Trees shall be a minimum of six feet high, with a minimum two-inch caliper if deciduous.

e. Landscaped areas shall be distributed equally throughout the parking area to create shade and break up large expanses of asphalt or other paving.

D. Signs and Lighting.

1. Signs and external lighting shall be designed to reflect historic styling and comply with the town development objectives and shall be reviewed by an architectural and site design review committee, if established, or a consultant selected by the director.

2. Internal illumination and neon lighting or signage is prohibited, except for window signs not exceeding four square feet; provided, that an applicant may request review of proposed signs by an architectural and site design review committee, if established. Following such review and on the recommendation of the committee, the director may allow internally illuminated signs or signs with neon lighting.

3. All other requirements of Chapter 17.510, Sign Code, apply in the RHT zones. Any deviations from these standards must be consistent with a master signage plan reviewed by an architectural and site design committee, if established, or a consultant selected by the director. Such deviations may include, but are not limited to, historic markers, directional and informational signage.

E. Public and Private Road Standards. All public roadways shall meet the road standards pursuant to Chapter 11.22. Private roadways shall be developed with a primary focus on a walkable community providing for multimodal transportation elements, accessibility and the historic character of the RHT.

F. Noise. Noise limitations within the RHT shall be pursuant to Chapter 10.28 except as follows:

1. Class A Environmental Designation for Noise Abatement (EDNA) areas within the boundary of the RHT shall be allowed to receive fifty-seven dBA from Class B EDNAs and sixty dBA from Class C EDNAs from 7:00 a.m. to 11:00 p.m. on Sunday through Thursday and from 7:00 a.m. to midnight on Fridays and Saturdays. The allowed decibels from Class B and C EDNAs from 11:01 p.m. to 6:59 a.m. on Sunday through Friday and 12:01 a.m. to 6:59 a.m. on Saturday and Sunday shall be forty-seven dBA and fifty dBA, respectively.

2. For each property within the RHT designated as a Class A EDNA, a notice to title shall be recorded prior to occupancy of such property after approval of the town master plan.

G. Reserve Tracts.

1. As part of a town master plan, land within the RHTR may be designed as reserve tracts. Over the course of construction of the town as approved within a town master plan, these tracts may be used for residential uses transferred from other areas of the RHT. However, at no time may the use of these tracts cause the overall RHT to exceed a total of two hundred ninety-five dwelling units.

2. After construction of all residential elements of the town master plan, the reserve tracts may be converted to rural use tracts and developed with all nonresidential uses allowed in the rural residential zone as limited by applicable footnotes in Section 17.410.050. Other than forestry, parks and open space or primary agricultural uses, all uses shall require a conditional use permit. The owner must provide documentation that full build-out of the residential element has occurred and such to be reviewed and approved by the director. Such conversion will be a Type 2 decision.

(Ord. 586 (2020) § 5, 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.360D

SUQUAMISH RURAL VILLAGE

Sections:

17.360D.010 Purpose.

17.360D.020 Uses permitted and design standards.

17.360D.030 Special provisions.

17.360D.010 Purpose.

In 2000, the Suquamish limited area of more intense rural development, or LAMIRD, was established in the Kitsap County Comprehensive Plan and includes Suquamish village commercial (SVC), Suquamish village low residential (SVLR), and Suquamish village residential (SVR). These amendments within the LAMIRD designation provided an opportunity to help reconcile the county's historical land use pattern within the parameters of the Growth Management Act (GMA). The purpose of this section is to reflect the rural character of the Suquamish areas as prescribed by the Suquamish Rural Village Subarea Plan.

In the event of a conflict between the requirements of these regulations for the Suquamish Rural Village Subarea Plan and any other statute, rule, ordinance or regulation, the more restrictive requirement shall govern. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360D.020 Uses permitted and design standards.

A. Uses Permitted: Section 17.410.046, Limited areas of more intensive rural development (LAMIRD) zones use table.

B. Design Standards: Section 17.420.056, Limited areas of more intensive rural development (LAMIRD) density and dimensions table.

1. Density;
2. Lot dimensions;
3. Lot coverage standards;
4. Height regulations;
5. Setbacks.

C. Chapter 17.105, Interpretations and Exceptions.

- D. Chapter 17.440, Master Planning.
 - E. Chapter 17.450, Performance Based Development.
 - F. Chapter 17.490, Off-Street Parking and Loading.
 - G. Chapter 17.500, Landscaping.
 - H. Chapter 17.510, Sign Code.
 - I. Chapter 17.580, Transfer of Development Rights.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360D.030 Special provisions.

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

A. 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.

B. 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).

C. No grading of more than twenty-five cubic yards of earth may occur unless a site development activity permit (SDAP) is first obtained.

D. 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:

1. 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 databases, perform an on-site inspection, review the condi-

tion 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;

2. 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 through 12.32);

3. 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:

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- a. Provide an engineered drainage plan that addresses impacts of increased runoff on adjacent and downstream properties;
 - b. Provide on-site storm water management BMPs to reduce or eliminate surface water discharge; and/or
 - c. Improve or contribute to the improvement of the downstream drainage system.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.360E

RURAL EMPLOYMENT CENTER (REC) AND 12 TREES EMPLOYMENT CENTER (TTEC)

Sections:

- 17.360E.010 Purpose.
- 17.360E.020 Uses permitted and design standards.
- 17.360E.030 Special provisions.

17.360E.010 Purpose.

The rural employment center (REC) and 12 Trees employment center (TTEC) zones provide for isolated areas of industrial and commercial type uses in the rural areas of Kitsap County. The REC and TTEC are not required to principally serve the existing and projected rural population, but rather to promote the rural economy by providing and creating jobs close to home. This zone encompasses a Type III limited area of more intensive rural development, and shall protect Kitsap County's rural character, by containing and limiting rural development. Development within this zone must not conflict with surrounding uses, and must assure visual compatibility with the surrounding area. The methods for achieving such purpose are by providing for buffers and limiting the size and height to be appropriate for the rural areas.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360E.020 Uses permitted and design standards.

- A. Uses Permitted: Section 17.410.046, Limited areas of more intensive rural development (LAMIRD) zones use table.
 - B. Design Standards: Section 17.420.056, Limited areas of more intensive rural development (LAMIRD) density and dimensions table.
 - 1. Density;
 - 2. Lot dimensions;
 - 3. Lot coverage standards;
 - 4. Height regulations;
 - 5. Setbacks.
 - C. Chapter 17.105, Interpretations and Exceptions.
 - D. Chapter 17.440, Master Planning.
 - E. Chapter 17.450, Performance Based Development.
 - F. Chapter 17.490, Off-Street Parking and Loading.
 - G. Chapter 17.500, Landscaping.
 - H. Chapter 17.510, Sign Code.
 - I. Chapter 17.580, Transfer of Development Rights.
- (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.360E.030 Special provisions.

A. Landscaping. It is recognized that buffers have value in providing a consistent screening between uses, intensities and zones which may otherwise conflict. Buffers shall only be required along the exterior boundary of the rural employment center and 12 Trees center zones.

1. For new development where existing approved screening buffers abut the subject lot, the director shall apply an appropriate screening buffer width of no less than twenty-five feet and no greater than fifty feet, depending on the proposed project or site impacts, such as traffic generation, light, noise, glare, odor, dust, and visual impact, adjacent to residential development. To the extent feasible, the director shall maintain consistent buffer widths throughout the development.

2. For new development where there are not existing approved screening buffers abut-

ting the subject lot, the director shall apply an appropriate screening buffer width of no less than twenty-five feet and no greater than fifty feet, depending on the proposed project or site impacts, such as traffic, light, noise, glare, odor, dust, and visual impact, adjacent to residential development.

3. All legally created existing businesses, upon the date of adoption, within the REC and TTEC boundaries, are exempt from complying with the above.

B. Signs. Signs for development within the REC may not exceed ten feet in height.

C. Temporary Permits. Temporary permits within the REC and TTEC are subject to the provisions of Section 17.105.090, Temporary permits.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.370

RESERVED

Chapter 17.380

RESERVED

Chapter 17.390

POULSBO URBAN TRANSITION AREA

Sections:

- 17.390.010 Purpose.
- 17.390.020 City zoning ordinance adopted.
- 17.390.030 City of Poulsbo zoning ordinance – Exceptions and additional requirements.
- 17.390.040 Resolutions of conflicts between city of Poulsbo zoning code and Kitsap County Code.

17.390.010 Purpose.

The purpose of this chapter is to recognize the adoption of the Poulsbo Subarea Plan and designation of the Poulsbo urban growth area

(UGA), and to provide for development within the UGA that is consistent with the city of Poulsbo’s existing development standards, thereby allowing for a smooth transition of the UGA into the city’s corporate limits through future annexations.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.390.020 City zoning ordinance adopted.

Except as specified elsewhere in this chapter, the city of Poulsbo zoning ordinance, adopted on February 9, 2003, and effective March 3, 2003, is adopted and incorporated herein by reference, as now or hereafter amended, for the sole purpose of regulating development within the Poulsbo urban transition area, as depicted on Kitsap County’s Comprehensive Plan land use map.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.390.030 City of Poulsbo zoning ordinance – Exceptions and additional requirements.

A. Within the Poulsbo urban transition area, all sections of the city of Poulsbo zoning ordinance shall control; except for the following provisions:

- 1. Chapter I, General Provisions;
- 2. Chapter VII, Zoning Review and Approval;
- 3. Chapter VIII.A, Director Authority;
- 4. Chapter VIII.J, Housing Authority Development Permits;
- 5. Chapter X.C, Comprehensive Plan Amendments;
- 6. Chapter IX, Nonconforming Structures and Uses;
- 7. Chapter X.A, Variances;
- 8. Chapter X.B, Zoning Changes, Amendments and Alterations;
- 9. Chapter X.E, Appeals; and
- 10. Chapter XI, Zoning Enforcement, Penalties and Other Conditions;

B. The minimum lot size is seven thousand five hundred square feet unless included in a planned unit development as provided in the city of Poulsbo zoning ordinance; and

C. Application fees are determined as provided by Chapter 21.10.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.390.040 Resolutions of conflicts between city of Poulsbo zoning code and Kitsap County Code.

If it is not clear from Section 17.390.030 whether the city of Poulsbo zoning ordinance or Kitsap County Code applies, then the following general rules shall be applied:

A. The requirements for the city’s zoning districts, and other substantive requirements of the city’s zoning ordinance, apply instead of the substantive requirements in this title; and

B. The procedural requirements for reviewing and processing development permits and for appeals of decisions on such permits, as well as any other procedural requirements of this title, and the procedural requirements of Chapter 21.04, apply instead of the procedural requirements of the city’s zoning ordinance.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.400

GORST SUBAREA

Sections:

- 17.400.010 Purpose.
- 17.400.020 Uses.
- 17.400.030 Height regulation.
- 17.400.040 Standards and requirements.
- 17.400.050 Signs.
- 17.400.060 Off-street parking and loading.
- 17.400.070 Landscaping.
- 17.400.080 Special provisions.

17.400.010 Purpose.

This chapter implements the Gorst Subarea Plan, and is intended to support Gorst as a community offering homes, jobs, and recreation in an environmentally sustainable setting. Stan-

dards are intended to apply to all zones that are included in the Gorst urban growth area.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.020 Uses.

Uses shall be allowed in accordance with Chapter 17.410.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.030 Height regulation.

For commercial zones, height requirements shall be in accordance with Chapter 17.420.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.040 Standards and requirements.

A. For commercial and mixed use zones, lot requirements shall be in accordance with Chapter 17.420.

B. New development or redevelopment in the LIC zone shall remove existing impervious area at a rate of 1.25:1 within two hundred feet of the Sinclair Inlet shoreline. If storm water incentives are provided consistent with Section 17.400.080 this shall not apply. For the purposes of this section, “new development or redevelopment” refers to proposals that result in two thousand square feet, or greater, of new, replaced, or new plus replaced hard surface area, or land disturbing activity of seven thousand square feet or greater.

C. All development within the Gorst UGA must be consistent with the Gorst Subarea Plan design guidelines as adopted in the Gorst Subarea Plan.
(Ord. 540 (2016) § 36, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.050 Signs.

Signs shall be permitted according to the provisions of Chapter 17.510.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.060 Off-street parking and loading.

A. Off-street parking shall be provided according to the provisions of Chapter 17.490.

B. Multifamily, Commercial, and Mixed Use Development – Parking Location. On-site

parking shall be to the rear or to the side of buildings on the site and shall not occupy more than fifty percent of the site frontage facing the arterial street frontage(s). The site frontage includes all of the area between the right-of-way and front building wall; this applies to the entire length of the property, regardless of building width. Corner lots have two site frontages as they are positioned on two street frontages.

C. Multifamily, Commercial, and Mixed Use Development – Parking Location. All efforts shall be taken to avoid placing parking on street corners. Parking located between the building frontage and street corners shall be fully screened. Screening shall consist of the following:

1. A four-foot-tall decorative wall within the front yard landscaping area that fully screens the parking areas. The wall shall be located such that it blocks views of the parking from the right-of-way. For long spans of frontage (one hundred feet or more), the wall shall include modular articulation to add architectural variety.

2. Shrubs or other alternative materials may be substituted for the wall, provided it is demonstrated that the shrubs/alternative will provide equal to or better visual screening than the wall. Shrubs shall be a minimum of three feet tall at time of installation and shall be additional to the landscaping required in Chapter 17.500.

3. Openings may be required within a wall section in order to provide a sidewalk from the right-of-way to the building entry. The entry shall be the minimum necessary to accommodate a sidewalk that is a minimum of five feet in width, clearly marked, and distinguished from driving surfaces by using decorative paving, stamped/stained concrete, or raised walkways with alternative materials (such as brick, cobblestone, decorative pavers). Paint striping does not meet this requirement.

4. Access to parking may be from adjacent nonprincipal arterial streets, or from driveways off of the principal arterial.

5. Driveways providing access to parking area shall be well-defined, highly visible entryways.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.070 Landscaping.

A. For landscaping provisions, see Chapter 17.500.

B. Nonhazardous vegetation clearing outside of critical area buffers or shoreline buffers shall be limited to the minimum necessary to accommodate a development that is consistent with the applicable zone. Design and location of the structure or development shall minimize native vegetation removal. Development or uses that require vegetation clearing shall be designed to avoid the following in the order indicated below, with (1) being the most desirable vegetation to retain: (1) native coniferous trees; (2) native deciduous trees; (3) other native vegetation; (4) nonnative trees; and (5) other nonnative vegetation.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.400.080 Special provisions.

A. For other provisions, see Chapter 17.580.

B. Incentives.

1. The incentive measures in this chapter apply to all zones and land uses within the Gorst urban growth area with the exception of the commercial (C) and industrial (I) zones. Incentives are intended to encourage sustainable development and provide flexibility through voluntary incentives, consistent with the policy direction contained in Chapter 4 of the Gorst Subarea Plan. These incentives are to acknowledge the existing built environment and through redevelopment minimize activities that contribute to storm water issues and/or provide greater protection of the Sinclair Inlet shoreline and Gorst Creek.

2. Relationship with Other Standards. Nothing in this section relieves the applicant

from compliance with any other standard set forth in this title, or from compliance with any other provision of the Kitsap County Code, unless specifically exempted in this chapter.

3. Table 17.400.080(C) describes the public benefit and the resulting development incentive earned. Using the incentives, an applicant can earn density, height, or impervious surface coverage above the base standard allowed in the zone. In no case shall the maximum density, height, or impervious surface coverage exceed

the maximum allowed by the zone. More than one public benefit and corresponding incentive may be earned up to one hundred percent of the bonus. Table 17.400.080(D) summarizes the minimum, base, and maximum densities, heights, and impervious surface coverages for reference. The full text of the applicable zone should be consulted in addition to the table; in cases of conflict the zone-specific language shall control.

Table 17.400.080(C) – Public Benefit and Incentives

Public Benefit Description	Development Incentive Select one or more bonus items
Habitat	
Provide a landscape plan that demonstrates that at least 20% of the significant trees on the buildable area of the site are retained outside of buffers.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Provide multilayered landscaping including native trees, native shrubs and native groundcover on at least 30% of the site.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Site plan includes a minimum 35-foot habitat corridor (not otherwise required by critical area or shoreline or management overlay regulations) vegetated with native trees, shrubs and groundcover that connect critical areas or permanently preserved natural areas within or adjacent to and across the project site. Site design shall ensure that lighting from adjacent development does not intrude on corridor. The corridor shall be protected with a native growth protection easement or maintained to exclude nonnative invasive species, such as blackberry and Japanese knotweed (See noxious weed list for Kitsap County).	100% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus
Access Improvements	
Site design for new development is configured in such a way as to allow future businesses and site occupants shared access to roads within or contiguous to the development site.	100% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus
Shared access driveway is provided and designed to serve two or more development sites (one may be a future site), a joint tenant building is provided on a site, or the project is located within a multi-tenant commercial center.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus

Table 17.400.080(C) – Public Benefit and Incentives (Continued)

Public Benefit Description	Development Incentive Select one or more bonus items
Shared parking is provided that serves two or more tenants. No additional parking outside of the shared lot(s) may be provided. Shared parking lots shall be located within a 1,200-foot radius of the front door of the building. Number of parking stalls is no more than 50% greater than minimum requirement.	50% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus
Shared or consolidated loading areas are provided in a central service court or other location that is screened from public view.	25% Density Bonus 25% Height Bonus 25% Impervious Surface Coverage Bonus

Table 17.400.080(D) – Summary of Development Standards Eligible for Bonus by Zone

Height, Bulk, and Impervious Surface Standards	Low Intensity Commercial	Urban Restricted
Density, Minimum, in units per net acre	0	1
Density, Base, in units per gross acre	20	5
25% of bonus	22.5	6.25
50% of bonus	25	7.5
100% of bonus	30	10
Density, Maximum, in units per gross acre, subject to incentives	30	10
Height, Base, in feet	25	35
25% of bonus	30	NA
50% of bonus	35	NA
100% of bonus	45	NA
Height, Maximum, in feet, subject to incentives	45	NA
Impervious Surface Coverage, Standard Maximum, in percent of lot area	35	45
25% of bonus	38.75	47.5
50% of bonus	42.5	50
100% of bonus	50	55
Impervious Surface Coverage, Maximum, in percent of lot area, subject to incentives	50	55

E. Design Guidelines. The design guidelines outlined in Chapter 10 of the Gorst Sub-area Plan are hereby adopted by reference. (Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 540 (2016) § 37, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.410

ALLOWED USES

Sections:

- 17.410.010 Categories of uses established.
- 17.410.020 Establishment of zoning use tables.
- 17.410.030 Interpretation of tables.
- 17.410.040 Zoning use tables.
- 17.410.042 Rural, resource, and urban residential zones use table.
- 17.410.044 Commercial, industrial, parks, and public facility zones use table.
- 17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.
- 17.410.050 Footnotes for zoning use tables.
- 17.410.060 (Repealed)

17.410.010 Categories of uses established.

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

A. Permitted Use. Land uses allowed outright within a zone and subject to provisions within Kitsap County Code.

B. Administrative Conditional Use. Land uses which may be permitted within a zoning designation following review by the director to establish conditions mitigating impacts of the use and to ensure compatibility with other uses in the designation.

C. Hearing Examiner Conditional Use. Land uses with special characteristics that may not generally be appropriate within a zoning designation, but may be permitted subject to review by the hearing examiner to establish

conditions to protect public health, safety and welfare.

D. Prohibited Use. Land uses specifically enumerated as prohibited within a zone. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.410.020 Establishment of zoning use tables.

The tables in Sections 17.410.042 through 17.410.046 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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.410.030 Interpretation of tables.

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

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

B. Permit Review Requirements. Multiple letters or symbols in a cell, or a small number (subscript) in a cell, indicate a different level of permit review may be required for uses in specific zones. Those additional requirements can be found in Chapter 17.415 or in the special provisions of a zone chapter. All applicable requirements shall govern a use whether specifically identified in this chapter or not.

C. 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 Section 17.410.050. Additional requirements for each use can also be found in Chapter 17.415 or in the special provisions section of the zone chapter for which the use is proposed. All applicable requirements shall govern a use whether specifically identified in this chapter or not.

D. Unclassified Uses. Except as provided in Section 17.100.040, Allowed uses, if a use is not listed in the use column, the use is prohibited in that designation. (Ord. 611 (2022) § 179, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.410.040 Zoning use tables.

There are three separate tables addressing the following general land use categories and zones:

A. Section 17.410.042, Rural, Resource, and Urban Residential Zones Use Table.

1. Rural residential (RR).
2. Rural protection (RP).
3. Rural wooded (RW).
4. Forest resource lands (FRL).
5. Mineral resource overlay (MRO).
6. Urban restricted (UR).
7. Greenbelt (GB).
8. Urban low residential (UL).
9. Urban cluster residential (UCR).
10. Urban medium residential (UM).
11. Urban high residential (UH).

B. Section 17.410.044, Commercial, Industrial, and Parks Zones Use Table.

1. Urban village center (UVC).
2. Neighborhood commercial (NC).
3. Commercial (C).
4. Regional center (RC).
5. Low intensity commercial (LIC).
6. Rural commercial (RCO).
7. Business park (BP).
8. Business center (BC).

9. Industrial (IND).
10. Rural industrial (RI).
11. Parks (P).

C. Section 17.410.046, Limited Areas of More Intensive Rural Development (LAMIRD) Zones Use Table.

1. Keyport village commercial (KVC).
2. Keyport village low residential (KVLR).
3. Keyport village residential (KVR).
4. Manchester village commercial (MVC).
5. Manchester village low residential (MVLR).
6. Manchester village residential (MVR).
7. Port Gamble rural historic town commercial (RHTC).
8. Port Gamble rural historic town residential (RHTR).
9. Port Gamble rural historic town waterfront (RHTW).
10. Suquamish village commercial (SVC).
11. Suquamish village low residential (SVLR).
12. Suquamish village residential (SVR).
13. Rural employment center (REC).
14. Twelve Trees employment center (TTEC).

(Ord. 550 (2018) § 12, 2018; Ord. 543 (2017) § 1 (App. A), 2017; Ord. 541 (2017) §§ 6 – 8, 2017; Ord. 538 (2016) § 2 (App. A), 2016; Ord. 536 (2016) § 2 (App. B), 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.410.042 Rural, resource, and urban residential zones use table.

Comprehensive Plan Land Use Designation	Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓	
	Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)			UH (5)
Categorical Use (1)(3)(4) ↓	17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230			
RESIDENTIAL USES														
100	Accessory dwelling unit, attached	P	P	P	--	--	P	P	P	P	P	--	17.110.017, Accessory dwelling unit, attached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
102	Accessory dwelling unit, detached	C	C	C	--	--	P	P	P	P	P	--	17.110.020, Accessory dwelling unit, detached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
104	Caretaker dwelling	--	--	--	--	P	--	--	--	--	--	--	17.110.150, Caretaker's dwelling.	17.415.100, Caretaker dwelling.
106	Guest house	P	P	P	--	--	P	P	P	P	P	--	17.110.317, Guest house.	17.415.260, Guest house.
Dwelling, Family Living														
108	Cottage housing development	--	--	--	--	--	ACUP	ACUP	P	P	P	P	17.110.196, Cottage housing development.	17.415.135, Cottage housing development.
110	Duplex	P	P	P	P	--	P	P	P	P	P	P	17.110.245, Duplex.	17.415.160, Duplex.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
112	Manufactured/mobile/RV/park model/tiny home park	C	C	C	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.467, Manufactured/mobile/RV/park model/tiny home parks.	17.415.305, Manufactured/mobile/RV/park model/tiny home park.
114	Mobile home	P	P	P	P	P	P	P	P	P	P	--	17.110.490, Mobile home.	17.415.360, Mobile home.
116	Multiple-family	--	--	--	--	--	-- ACUP	ACUP	P	P	P	P	17.110.504, Multiple-family.	17.415.365, Multiple-family.
118	Single-family attached	C	C	--	C	--	P	P	P	P	P	P	17.110.682, Single-family attached dwelling.	17.415.495, Single-family attached dwelling.
120	Single-family detached (includes manufactured homes)	P	P	P	C	--	P	P	P	P	P	P	17.110.683, Single-family detached dwelling. 17.110.470, Manufactured home.	17.415.500, Single-family detached dwelling (includes manufactured homes).
Dwelling, Group Living														
122	Adult family home	P	P	P	--	--	P	P	P	P	P	P	17.110.045, Adult family home.	17.415.030, Adult family home.
124	Group living (1 to 6 rooms)	--	--	--	--	--	P	P	P	P	P	P	17.110.318, Group living.	17.415.250, Group living (one to six rooms).
126	Group living (7 or more rooms)	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.318, Group living.	17.415.255, Group living (seven or more rooms).
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.
Other Residential Uses														
130	Bed and breakfast house, 1 to 4 rooms	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
132	Bed and breakfast house, 5 or more rooms or serves meals to nonovernight guests	C	C	C	--	--	C	C	C	C	C	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.
134	Home business, incidental	P	P	P	P	--	P	P	P	P	P	P	17.110.345, Home business.	17.415.275, Home business.
136	Home business, minor	P	P	P	P	--	P	P	P	P	P	P	17.110.345, Home business.	17.415.275, Home business.
138	Home business, moderate	ACUP	ACUP	ACUP	ACUP	--	P	P	P	P	P	P	17.110.345, Home business.	17.415.275, Home business.
140	Vacation rentals, 1 to 4 rooms	ACUP	ACUP	ACUP	--	--	ACUP	ACUP	ACUP	P	ACUP	--	17.110.738, Vacation rental.	17.415.570, Vacation rentals.
142	Vacation rentals, 5 or more rooms	C	C	C	--	--	C	C	C	C	C	--	17.110.738, Vacation rental.	17.415.570, Vacation rentals.
COMMERCIAL USES														
Hotels or Hospitality														
200	Adult entertainment	--	--	--	--	--	--	--	--	--	--	--	17.110.043, Adult entertainment.	17.415.025, Adult entertainment.
202	Conference center	--	--	--	--	--	--	--	--	--	--	--	17.110.177, Conference center.	17.415.125, Conference center.
204	Drinking establishments	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.229, Drinking establishments.	17.415.155, Drinking establishments.
206	Espresso stands	--	--	--	--	--	--	--	--	--	--	P	17.110.267, Espresso stands.	17.415.190, Espresso stands.
208	Event facility	C	C	--	--	--	--	--	--	--	--	--	17.110.269, Event facility	17.415.195, Event facility.
210	Hotel/motel	--	--	--	--	--	--	--	--	--	--	--	17.110.361, Hotel/motel.	17.415.285, Hotel/motel.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
212	Resort	--	--	--	--	--	--	--	--	--	--	--	17.110.661, Resort.	17.415.440, Resort.
214	Restaurants, with drive-through service	--	--	--	--	--	--	--	--	--	C	C	17.110.662, Restaurant, with drive-through service.	17.415.445, Restaurant, with drive-through service.
216	Restaurants, without drive-through service	--	--	--	--	--	--	--	C	C	ACUP	ACUP	17.110.663, Restaurant, without drive-through service.	17.415.450, Restaurant, without drive-through service.
Retail														
218	Auction house	--	--	--	--	--	--	--	--	--	--	--	17.110.091, Auction house.	17.415.055, Auction house.
220	Automobile, mobile home, recreational vehicle, or boat sales	--	--	--	--	--	--	--	--	--	--	--	17.110.096, Automobile, recreational vehicle, or boat sales.	17.415.060, Automobile, mobile home, recreational vehicle, or boat sales.
222	Automobile, recreational vehicle or boat rentals	--	--	--	--	--	--	--	--	--	--	--	17.110.650, Recreational vehicle.	17.415.065, Automobile, recreational vehicle or boat rentals.
224	Equipment sales, rentals and repair, heavy	--	--	--	--	--	--	--	--	--	--	--	17.110.263, Equipment sales, rentals and repair, heavy.	17.415.175, Equipment sales, rentals and repair, heavy.
226	Equipment sales, rentals and repair, light	--	--	--	--	--	--	--	--	--	--	--	17.110.264, Equipment sales, rentals and repair, light.	17.415.180, Equipment sales, rentals and repair, light.
228	Equipment sales, rentals and repair, recreational	--	--	--	--	--	--	--	--	ACUP	ACUP	ACUP	17.110.266, Equipment sales, rentals and repair, recreational	17.415.185, Equipment sales, rentals and repair, recreational.
230	Fuel or charging station, with convenience store	--	--	--	--	--	--	--	--	--	--	--	17.110.292, Fuel or charging station, with convenience store.	17.415.220, Fuel or charging stations.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓	
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)			
		Categorical Use (1)(3)(4) ↓	17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220			17.230
232	Fuel or charging station, without convenience store	--	--	--	--	--	--	--	--	--	--	--	17.110.293, Fuel or charging station, without convenience store.	17.415.220, Fuel or charging stations.	
234	General retail merchandise stores – less than 4,000 s.f.	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.	
236	General retail merchandise stores – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	C	ACUP	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.	
238	General retail merchandise stores – 10,000 to 15,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.	
240	General retail merchandise stores – 15,001 to 24,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.	
242	General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.	
244	Lumber and bulky building material sales	--	--	--	--	--	--	--	--	--	--	--	17.110.464, Lumber and bulky building material sales.	17.415.300, Lumber and bulky building material sales.	
246	Cannabis retailer	--	--	--	--	--	--	--	--	--	--	--	17.110.478, Cannabis retailer.	17.415.345, Cannabis retailer	
248	Nursery, retail	C	C	--	--	--	--	--	--	--	--	--	17.110.520, Nursery, retail.	17.415.370, Nursery, retail.	
250	Nursery, wholesale	P	P	P	--	P	--	--	--	--	--	--	17.110.525, Nursery, wholesale.	17.415.375, Nursery, wholesale.	
Offices and Services															
254	Automobile or recreational vehicle repair	--	--	--	--	--	--	--	--	--	--	--	17.110.094, Automobile or recreational vehicle repair.	17.415.070, Automobile or recreational vehicle repair.	

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
256	Car washes	--	--	--	--	--	--	--	--	--	--	--	17.110.149, Car washes.	17.415.095, Car washes.
258	Clinic	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.164, Clinic.	17.415.110, Clinic.
260	Day-care center	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	P	P	17.110.200, Day-care center.	17.415.140, Day-care center.
262	Day-care center, home-based	P	P	--	--	--	P	P	P	P	P	P	17.110.205, Day-care center, home-based.	17.415.145, Day-care center, home-based.
264	Dispatch facility	--	--	--	--	--	--	--	--	--	--	--	17.110.226, Dispatch facility.	17.415.150, Dispatch facility.
266	Fitness center	--	--	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	17.110.278, Fitness center.	17.415.200, Fitness center.
268	General office and management services – less than 4,000 s.f.	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.302, General office and management services.	17.415.230, General office and management services.
270	General office and management services – 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	C	ACUP	17.110.302, General office and management services.	17.415.230, General office and management services.
272	General office and management services – 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	ACUP	17.110.302, General office and management services.	17.415.230, General office and management services.
274	Kennels or pet day-cares	C	C	--	--	--	--	--	--	--	--	--	17.110.375, Kennel.	17.415.295, Kennels or pet day-cares
276	Kennels, hobby	P	P	P	--	--	-- P	P	P	P	P	--	17.415.380, Kennel, hobby.	17.415.290, Kennels, hobby.
278	Off-street parking facilities	--	--	--	--	--	--	--	--	--	--	--	17.110.531, Off-street parking facilities.	17.415.380, Off-street parking facilities.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
		Categorical Use (1)(3)(4) ↓	17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220		
280	Off-street parking facilities, structured	--	--	--	--	--	--	--	--	--	--	--	17.110.532, Off-street parking facilities, structured.	17.415.385, Off-street parking facilities, structured.
282	Personal services	--	--	--	--	--	--	--	C	C	ACUP	P	17.110.583, Personal services.	17.415.390, Personal services.
284	Research laboratory, less than 4,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.658, Research laboratory.	17.415.425, Research laboratory, less than four thousand square feet.
286	Research laboratory, 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.658, Research laboratory.	17.415.430, Research laboratory, four thousand to nine thousand nine hundred ninety-nine square feet.
288	Research laboratory, 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110.658, Research laboratory.	17.415.435, Research laboratory, ten thousand square feet or greater.
290	Tourism facilities, including outfitter and guide facilities	--	--	--	--	--	--	--	--	--	--	--		17.415.540, Tourism facilities, including outfitter and guide facilities.
292	Tourism facilities, including seaplane and tour boat terminals	--	--	--	--	--	--	--	--	--	--	--		17.415.545, Tourism facilities, including seaplane and tour boat terminals.
294	Veterinary clinics/animal hospitals/wildlife shelters	C	C	--	--	--	--	--	--	--	ACUP	ACUP	17.110.740, Veterinary clinic. 17.110.763, Wildlife shelter.	17.415.575, Veterinary clinics/animal hospitals/wildlife shelter.

Comprehensive Plan Land Use Designation	Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓	
	Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)			UH (5)
Categorical Use (1)(3)(4) ↓	17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230			
Other Commercial Uses														
296	Shared work/maker space	--	--	--	--	--	C	C	C	C	C	C	17.110.674, Shared work/maker space.	17.415.475, Shared work/maker space.
RECREATIONAL/CULTURAL USES														
300	Arboreta, botanical garden	--	--	--	--	--	C	C	--	--	--	--	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.050, Arboreta, botanical gardens
302	Campground	C	C	C	--	--	C	C	C	C	--	--	17.110.147, Campground.	17.415.090, Campground
304	Club	ACUP	C	--	--	--	C	C	C	C	ACUP	ACUP	17.110.165, Club.	17.415.115, Club.
306	Entertainment facility, indoor	--	--	--	--	--	--	--	--	--	ACUP	ACUP	17.110.261, Entertainment facility, indoor.	17.415.165, Entertainment facility, indoor.
308	Entertainment facility, outdoor	--	--	--	--	--	--	--	--	--	--	C	17.110.262, Entertainment facility, outdoor.	17.415.170, Entertainment facility, outdoor.
310	Golf courses	C	C	--	--	--	--	C	C	C	--	--	17.110.303, Golf course.	17.415.240, Golf courses.
312	Marinas	--	--	--	--	--	--	C	C	C	C	C	17.110.480, Marina.	17.415.350, Marinas.
314	Marina support services	--	--	--	--	--	--	--	--	--	--	--	17.110.482, Marina support services.	17.415.355, Marina support services.
316	Parks and open space	P	P	P	P	--	P	P	P	P	P	P	17.110.535, Open space.	
318	Racetrack	--	--	C	C	--	--	--	--	--	--	--	17.110.644, Racetrack.	17.415.405, Racetrack.
320	Recreational facilities, indoor	C	C	C	--	--	C	C	ACUP	ACUP	ACUP	ACUP	17.110.647, Recreational facility, indoor.	17.415.410, Recreational facilities, indoor.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
322	Recreational facilities, outdoor	ACUP	ACUP	C	--	--	C	C	C	C	C	C	17.110.648, Recreational facility, outdoor.	17.415.415, Recreational facilities, outdoor.
324	Shooting/gun facility, indoor	C	C	C	--	--	--	--	--	--	--	--	17.110.678, Shooting/gun facility, indoor.	17.415.485, Shooting/gun facility, indoor.
326	Shooting/gun facility, outdoor	C	C	C	--	--	--	--	--	--	--	--	17.110.679, Shooting/gun facility, outdoor.	17.415.490, Shooting/gun facility, outdoor.
328	Zoo, aquarium	--	--	--	--	--	--	--	--	--	--	--	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.595, Zoo, aquarium.
INSTITUTIONAL USES														
400	Government/public structures	ACUP	ACUP	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.304, Government/public structures.	17.415.245, Government/public structures.
402	High-risk secured facility	--	--	--	--	--	--	--	--	--	--	--	17.110.335, High-risk secured facility.	17.415.270, High-risk secured facilities.
404	Hospital	--	--	--	--	--	--	--	--	--	--	C	17.110.360, Hospital.	17.415.280, Hospital.
406	Places of worship	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.600, Places of worship.	17.415.395, Places of worship.
408	Public facilities (greater than 300 s.f.)	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.640, Public facilities.	17.415.400, Public facilities.
409	Public facilities (300 s.f. or less)	P	P	P	P	P	P	P	P	P	P	P	17.110.640, Public facilities.	17.415.400, Public facilities.
410	School, elementary and middle school/junior high	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670, School.	17.415.460, School, elementary, middle school, or junior high.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
412	School, high school	C	C	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670, School.	17.415.465, School, high school.
414	School, college/vocational – less than 8,000 s.f.	C	--	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.670, School.	17.415.120, College/vocational school.
416	School, college/vocational school – 8,000 s.f. or greater	C	--	--	--	--	--	--	--	--	--	--	17.110.670, School.	17.415.120, College/vocational school.
418	Secure community transition facility	--	--	--	--	--	--	--	--	--	--	--	17.110.671, Secure community transition facility.	17.415.470, Secure community transition facility.
420	Transportation terminals, marine	--	--	--	--	--	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.727, Transportation terminals, marine.	17.415.555, Transportation terminals, marine.
422	Transportation terminals, nonmarine	--	--	--	--	--	--	--	C	C	ACUP	ACUP	17.110.728, Transportation terminals, nonmarine.	17.415.560, Transportation terminals, nonmarine.
424	Wireless communications facilities	P	P	P	P	P	P	P	P	P	P	P	17.110.770, Wireless communication facility.	17.415.585 Wireless communications facilities
INDUSTRIAL USES														
500	Airports	--	--	--	--	--	--	--	--	--	--	--	17.110.053, Airport.	17.415.045, Airport.
502	Boat yard	--	--	--	--	--	--	--	--	--	--	--	17.110.120, Boat yard.	17.455.085, Boat yard.
504	Cemeteries	C	C	C	--	--	C	C	C	C	C	C	17.110.163, Cemeteries.	17.415.105, Cemeteries.
506	Contractor's storage yard	C	C	--	--	ACUP	--	--	--	--	--	--	17.110.195, Contractor's storage yard.	17.415.130, Contractor's storage yard.
508	Food and beverage production, less than 4,000 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
		Categorical Use (1)(3)(4) ↓	17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220		
510	Food and beverage production, 4,000 to 9,999 s.f.	--	--	--	--	--	--	--	--	--	--	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.
512	Food and beverage production, 10,000 s.f. or greater	--	--	--	--	--	--	--	--	--	--	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.
514	Fuel distributors	--	--	--	--	--	--	--	--	--	--	--	17.110.291, Fuel distributors.	17.415.215, Fuel distributors.
516	Funeral homes	C	C	C	--	--	C	C	C	C	C	C	17.110.294, Funeral home.	17.415.225, Funeral homes.
518	Helicopter pads	--	--	--	--	--	--	--	--	--	--	--	17.110.333, Helicopter pads.	17.415.265, Helicopter pads.
520	Manufactured home, mobile home, park model, tiny home – sales	--	--	--	--	--	--	--	--	--	--	--	17.110.472, Manufactured home, mobile home, park model and tiny home sales.	17.415.310, Manufactured home, mobile home, park models, tiny homes sales.
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	--	--	--	17.110.473, Manufacturing and fabrication.	17.415.315, Manufacturing and fabrication, hazardous.
524	Manufacturing and fabrication, heavy	--	--	--	--	--	--	--	--	--	--	--	17.110.473, Manufacturing and fabrication.	17.415.320, Manufacturing and fabrication, heavy.
526	Manufacturing and fabrication, light	--	--	--	--	--	--	--	--	--	--	--	17.110.473, Manufacturing and fabrication.	17.415.325, Manufacturing and fabrication, light.
528	Manufacturing and fabrication, medium	--	--	--	--	--	--	--	--	--	--	--	17.110.473, Manufacturing and fabrication.	17.415.330, Manufacturing and fabrication, medium.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) → RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
530	Cannabis processor	--	--	--	--	--	--	--	--	--	--	--	17.110.475, Cannabis processor.	17.415.335, Cannabis processor.
532	Cannabis producer, Tier 1	--	--	--	--	--	--	--	--	--	--	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
534	Cannabis producer, Tier 2	--	--	--	--	--	--	--	--	--	--	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
536	Cannabis producer, Tier 3	--	--	--	--	--	--	--	--	--	--	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
538	Recycling centers	--	--	--	--	--	--	--	--	--	--	--	17.110.653, Recycling center.	17.415.420, Recycling center.
540	Rock crushing	--	--	C	C	C	--	--	--	--	--	--	17.110.665, Rock crushing.	17.415.455, Rock crushing.
542	Slaughterhouse or animal processing	--	--	--	--	--	--	--	--	--	--	--	17.110.689, Slaughterhouse or animal processing.	17.415.505, Slaughterhouse or animal processing.
544	Storage, hazardous materials	--	--	--	--	--	--	--	--	--	--	--	17.110.692, Storage, hazardous materials.	17.415.515, Storage, hazardous materials.
546	Storage, indoor	--	--	--	--	--	--	--	C	C	C	C	17.110.695, Storage, indoor.	17.415.520, Storage, indoor.
548	Storage, outdoor	--	--	--	--	--	--	--	C	C	C	C	17.110.696, Storage, outdoor.	17.415.525, Storage, outdoor.
550	Topsoil production, stump grinding, firewood cutting, and composting	C	C	--	--	ACUP	--	--	--	--	--	--	17.110.718, Topsoil production.	17.415.535, Topsoil production, stump grinding, firewood cutting, and composting.

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓	
		RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)	UH (5)			
Zoning Classification (1)(3)(4) →		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230			
Categorical Use (1)(3)(4) ↓															
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	P	--	--	--	--	--	--	17.110.729, Transshipment facilities.	17.415.565, Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.	
554	Warehousing and distribution	--	--	--	--	--	--	--	--	--	--	--	17.110.743, Warehousing and distribution.	17.415.580, Warehousing and distribution.	
556	Wrecking yards and junkyards	--	--	--	--	--	--	--	--	--	--	--	17.110.783, Wrecking yard.	17.415.590, Wrecking yards and junkyards.	
RESOURCE															
600	Aggregate extraction sites	C	C	C	P	C	--	--	--	--	--	--	17.110.050, Aggregate extraction sites.	17.415.035, Aggregate extraction sites.	
602	Agricultural use, primary	P	P	P	P	P	P	P	--	--	--	--	17.455.030, Definitions.	17.415.040, Agricultural use, primary.	
604	Aquaculture practices	C	C	C	--	--	C	C	C	C	C	C	17.110.085, Aquaculture practices.	17.415.075, Aquaculture practices.	
606	Forestry	P	P	P	P	P	-- P	P	P	--	P	P	17.110.280, Forestry.	17.415.210, Forestry.	
608	Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	--	--	--	17.110.675, Shellfish/fish hatcheries and processing facilities.	17.415.480, Shellfish/fish hatcheries and processing facilities.	
ACCESSORY USES															
700	Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	17.110.030, Accessory use or structure.	17.415.020, Accessory use or structure.	

Comprehensive Plan Land Use Designation		Rural Residential	Rural Protection	Rural Wooded	Forest Resource Lands	Mineral Resource Overlay	Urban Low Density Residential				Urban Medium Density Residential	Urban High Density Residential	Definition ↓	Categorical Use Standards ↓
		Zoning Classification (1)(3)(4) →	RR (2)	RP	RW (2)	FRL	MRO	UR (5)	GB (5)	UL (5)	UCR (5)	UM (5)		
Categorical Use (1)(3)(4) ↓		17.130	17.140	17.150	17.160	17.170	17.180	17.190	17.200	17.210	17.220	17.230		
TEMPORARY USES														
800	Special care units residence	P	P	P	P	--	P	P	P	P	P	P	17.110.690, Special care residence.	17.415.510, Special care residence.
802	Temporary offices and model homes	ACUP	ACUP	--	--	--	P	P	P	P	P	P	17.110.709, Temporary offices and model homes.	17.415.530, Temporary offices and model homes.
804	Transitory accommodations, single-family residence	P	P	P	P	P	P	P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P	P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.

(Ord. 617 (2022) § 17, 2022; Ord. 611 (2022) § 180, 2022)

17.410.044 Commercial, industrial, parks, and public facility zones use table.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓														
RESIDENTIAL USES														
100	Accessory dwelling unit, attached	P	P	P	P	P	--	--	--	--	--	--	17.110.017, Accessory dwelling unit, attached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
102	Accessory dwelling unit, detached	P	P	P	P	P	--	--	--	--	--	--	17.110.020, Accessory dwelling unit, detached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
104	Caretaker dwelling	P	P	P	ACUP	P	P	P	P	P	P	P	17.110.150, Caretaker's dwelling.	17.415.100, Caretaker dwelling.
106	Guest house	P	P	P	P	P	--	--	--	--	--	--	17.110.317, Guest house.	17.415.260, Guest house.
Dwelling, Family Living														
108	Cottage housing development	ACUP	ACUP	-- ACUP	ACUP	ACUP	--	--	--	--	--	--	17.110.196, Cottage housing development.	17.415.135, Cottage housing development.
110	Duplex	P	P	-- P	P	P	--	--	--	--	--	--	17.110.245, Duplex.	17.415.160, Duplex.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340	Categorical Use (1)(3)(4)(5) ↓	
112	Manufactured/mobile/RV/park model/tiny home park	C	--	--	--	C	--	--	--	--	--	ACUP	17.110.467, Manufactured/mobile/RV/park model/tiny home parks.	17.415.305, Manufactured/mobile/RV/park model/tiny home park.
114	Mobile home	--	--	--	--	--	--	--	--	--	--	--	17.110.490, Mobile home.	17.415.360, Mobile home.
116	Multiple-family	P	P	-- P	ACUP P	P	--	--	--	--	--	--	17.110.504, Multiple-family.	17.415.365, Multiple-family.
118	Single-family attached	P	P	-- P	P	P	--	--	--	--	--	--	17.110.682, Single-family attached dwelling.	17.415.495, Single-family attached dwelling.
120	Single-family detached (includes manufactured homes)	P	P	P	P	P	--	--	--	--	--	--	17.110.683, Single-family detached dwelling. 17.110.470, Manufactured home.	17.415.500, Single-family detached dwelling (includes manufactured homes).
Dwelling, Group Living														
122	Adult family home	P	P	P	P	P	P	P	P	P	P	--	17.110.045, Adult family home.	17.415.030, Adult family home.
124	Group living (1 to 6 rooms)	P	P	P	ACUP P	P	P	--	--	--	--	ACUP	17.110.318, Group living.	17.415.250, Group living (one to six rooms).
126	Group living (7 or more rooms)	ACUP	ACUP	ACUP	ACUP P	ACUP	ACUP	--	--	--	--	ACUP	17.110.318, Group living.	17.415.255, Group living (seven or more rooms).
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.
Other Residential Uses														
130	Bed and breakfast house, 1 to 4 rooms	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial			Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P			
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340			
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340			
132	Bed and breakfast house, 5 or more rooms or serves meals to nonovernight guests	--	--	ACUP	C	C	C	--	--	--	--	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.	
134	Home business, incidental	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345, Home business.	17.415.275, Home business.	
136	Home business, minor	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345, Home business.	17.415.275, Home business.	
138	Home business, moderate	P	P	-- P	P	P	P	--	--	--	--	--	17.110.345, Home business.	17.415.275, Home business.	
140	Vacation rentals, 1 to 4 rooms	--	--	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.738, Vacation rental.	17.415.570, Vacation rentals.	
142	Vacation rentals, 5 or more rooms	--	--	ACUP	C	C	C	--	--	--	--	--	17.110.738 Vacation rental.	17.415.570 Vacation rentals.	
COMMERCIAL USES															
Hotels or Hospitality															
200	Adult entertainment	C	C	--	--	--	--	C	--	C	--	--	17.110.043, Adult entertainment.	17.415.025, Adult entertainment.	
202	Conference center	P	P	P	P	--	--	--	--	--	--	ACUP	17.110.177, Conference center.	17.415.125, Conference center.	
204	Drinking establishments	P	P	P	ACUP	P	ACUP	--	--	--	--	--	17.110.229, Drinking establishments.	17.415.155, Drinking establishments.	
206	Espresso stands	P	P	P	P	P	ACUP	P	P	P	ACUP	--	17.110.267, Espresso stands.	17.415.190, Espresso stands.	
208	Event facility	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	ACUP	17.110.269, Event facility.	17.415.195, Event facility.	
210	Hotel/motel	P	P	ACUP	ACUP	C	--	--	--	--	--	--	17.110.361, Hotel/motel.	17.415.285, Hotel/motel.	

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340	Definition ↓	Categorical Use Standards ↓
Categorical Use (1)(3)(4)(5) ↓														
212	Resort	ACUP	ACUP	ACUP	ACUP	--	--	--	--	--	--	ACUP	17.110.661, Resort.	17.415.440, Resort.
214	Restaurants, with drive-through service	P	P	C	ACUP	C	--	P	P	P	--	--	17.110.662, Restaurant, with drive-through service.	17.415.445, Restaurant, with drive-through service.
216	Restaurants, without drive-through service	P	P	P	P	P	P	P	P	P	--	--	17.110.663, Restaurant, without drive-through service.	17.415.450, Restaurants, without drive-through service.
Retail														
218	Auction house	P	P	P	ACUP	--	C	P	P	P	C	--	17.110.091, Auction house.	17.415.055, Auction house.
220	Automobile, recreational vehicle, or boat sales	P	P	P	--	--	--	ACUP	--	ACUP	--	--	17.110.096, Automobile, recreational vehicle or boat sales.	17.415.060, Automobile, mobile home, recreational vehicle, or boat sales.
222	Automobile, recreational vehicle or boat rentals	P	P	P	-- P	P	--	--	--	--	--	--	17.110.650, Recreational vehicle.	17.415.065, Automobile, recreational vehicle or boat rentals.
224	Equipment sales, rentals and repair, heavy	--	--	--	-- ACUP	--	C	ACUP	ACUP	P	ACUP	--	17.110.263, Equipment sales, rentals and repair, heavy.	17.415.175, Equipment sales, rentals and repair, heavy.
226	Equipment sales, rentals and repair, light	P	P	--	ACUP	--	ACUP	P	P	P	ACUP	--	17.110.264, Equipment sales, rentals and repair, light.	17.415.180, Equipment sales, rentals and repair, light.
228	Equipment sales, rentals and repair, recreational	P	P	P	ACUP P	P	P	--	--	--	--	P	17.110.266, Equipment sales, rentals and repair, recreational.	17.415.185, Equipment sales, rentals and repair, recreational.
230	Fuel or charging station, with convenience store	P	ACUP	P	--	ACUP	C	C	C	P	C	--	17.110.292, Fuel or charging station, with convenience store.	17.415.220, Fuel or charging stations.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
232	Fuel or charging station, without convenience store	P	P	P	--	P	ACUP	ACUP	ACUP	P	C	--	17.110.293, Fuel or charging station, without convenience store.	17.415.220, Fuel or charging stations.
234	General retail merchandise stores – less than 4,000 s.f.	P	P	P	P	P	ACUP	P	P	ACUP	--	P	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
236	General retail merchandise stores – 4,000 to 9,999 s.f.	P	P	P	ACUP	ACUP	C	--	--	--	--	ACUP	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
238	General retail merchandise stores – 10,000 to 15,000 s.f.	P	P	--	C	--	--	--	--	--	--	C	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
240	General retail merchandise stores – 15,001 to 24,999 s.f.	P	P	--	C	--	--	--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
242	General retail merchandise stores – 25,000 s.f. or greater	ACUP	ACUP	--	--	--	--	--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
244	Lumber and bulky building material sales	P	P	ACUP	--	--	C	P	P	P	ACUP	--	17.110.464, Lumber and bulky building material sales.	17.415.300, Lumber and bulky building material sales.
246	Cannabis retailer	P	P	P	--	P	--	--	--	--	--	--	17.110.478, Cannabis retailer.	17.415.345, Cannabis retailer.
248	Nursery, retail	P	P	P	ACUP	ACUP	ACUP	--	--	--	--	--	17.110.520, Nursery, retail.	17.415.370, Nursery, retail.
250	Nursery, wholesale	P	P	P	--	ACUP	P	--	--	--	P	--	17.110.525, Nursery, wholesale.	17.415.375, Nursery, wholesale.
Offices and Services														
254	Automobile or recreational vehicle repair	P	P	P	--	P	P	P	P	P	P	--	17.110.094, Automobile or recreational vehicle repair.	17.415.070, Automobile or recreational vehicle repair.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓	
		Zoning Classification (1)(3)(4) →													
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P			
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340			
256	Car washes	P	P	P	--	P	--	P	P	P	--	--	17.110.149, Car washes.	17.415.095, Car washes.	
258	Clinic	P	P	P	ACUP	ACUP	ACUP	P	ACUP	C	--	--	17.110.164, Clinic.	17.415.110, Clinic.	
260	Day-care center	P	P	P	P	P	ACUP	ACUP	ACUP	P	--	ACUP	17.110.200, Day-care center.	17.415.140, Day-care center.	
262	Day-care center, home-based	P	P	P	ACUP	P	--	ACUP	ACUP	--	--	--	17.110.205, Day-care center, home-based.	17.415.145, Day-care center, home-based.	
264	Dispatch facility	P	P	P	C	C	--	P	ACUP	ACUP	--	--	17.110.226, Dispatch facility.	17.415.150, Dispatch facility.	
266	Fitness center	P	P	P	C	P	P	P	--	P	P	--	17.110.278, Fitness center.	17.415.200, Fitness center.	
268	General office and management services – less than 4,000 s.f.	P	P	P	P	P	P	P	P	P	P	P	17.110.302, General office and management services.	17.415.230, General office and management services.	
270	General office and management services – 4,000 to 9,999 s.f.	P	P	P	ACUP	ACUP	C	P	P	ACUP	--	ACUP	17.110.302, General office and management services.	17.415.230, General office and management services.	
272	General office and management services – 10,000 s.f. or greater	P	P	P	ACUP	--	--	P	P	ACUP	--	--	17.110.302, General office and management services.	17.415.230, General office and management services.	
274	Kennels or pet day-cares	C	C	C	C	C	C	P	ACUP	ACUP	C	--	17.110.375, Kennel.	17.415.290, Kennels or pet day-cares.	
276	Kennels, hobby	--	--	--	P	P	--	--	--	--	--	--	17.110.380, Kennel, hobby.	17.415.295, Kennels, hobby.	
278	Off-street parking facilities	P	P	--	ACUP	ACUP	--	--	--	--	--	P	17.110.531, Off-street parking facilities.	17.415.380, Off-street parking facilities.	

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
280	Off-street parking facilities, structured	P	P	--	ACUP	P	--	--	--	C	--	ACUP	17.110.532, Off-street parking facilities, structured.	17.415.385, Off-street parking facilities, structured.
282	Personal services	P	P	P	P	P	ACUP	--	--	--	--	--	17.110.583, Personal services.	17.415.390, Personal services.
284	Research laboratory, less than 4,000 s.f.	P	P	P	ACUP	P	P	P	P	P	P	--	17.110.658, Research laboratory.	17.415.425, Research laboratory, less than four thousand square feet.
286	Research laboratory, 4,000 to 9,999 s.f.	P	P	ACUP	ACUP	ACUP	ACUP	P	P	P	P	--	17.110.658, Research laboratory.	17.415.430, Research laboratory, four thousand to nine thousand nine hundred ninety-nine square feet.
288	Research laboratory, 10,000 s.f. or greater	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	P	P	ACUP	--	17.110.658, Research laboratory.	17.415.435, Research laboratory, ten thousand square feet or greater.
290	Tourism facilities, including outfitter and guide facilities	P	P	P	P	P	ACUP	P	P	ACUP	--	--		17.415.540, Tourism facilities, including outfitter and guide facilities.
292	Tourism facilities, including seaplane and tour boat terminals	ACUP	ACUP	--	C	--	C	--	--	--	--	--		17.415.545, Tourism facilities, including seaplane and tour boat terminals.
294	Veterinary clinics/animal hospitals/wildlife shelters	P	P	P	ACUP	ACUP	P	P	P	P	--	--	17.110.740, Veterinary clinic. 17.110.763, Wildlife shelter.	17.415.575, Veterinary clinics/animal hospitals/wildlife shelter.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓		
		Zoning Classification (1)(3)(4) →		C	RC	LIC	UVC	NC	RCO	BC	BP	IND			RI	P
		Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320			17.330	17.340
Other Commercial Uses																
296	Shared work/maker space	P	P	P	P	P	P	P	P	P	P	--	17.110.674, Shared work/maker space.	17.415.475, Shared work/maker space.		
RECREATIONAL/CULTURAL USES																
300	Arboreta, botanical garden	P	P	ACUP	P	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.050, Arboreta, botanical gardens		
302	Campground	C	--	--	--	C	--	--	--	--	--	ACUP	17.110.147, Campground.	17.415.090, Campground.		
304	Club	P	P	P	ACUP	P	P	ACUP	--	ACUP	--	ACUP	17.110.165, Club.	17.415.115, Club.		
306	Entertainment facility, indoor	P	P	P	P	P	ACUP	P	P	--	--	P	17.110.261, Entertainment facility, indoor.	17.415.165, Entertainment facility, indoor.		
308	Entertainment facility, outdoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.262, Entertainment facility, outdoor.	17.415.170, Entertainment facility, outdoor.		
310	Golf courses	--	--	--	--	--	--	--	--	--	--	ACUP	17.110.303, Golf course.	17.415.240, Golf courses.		
312	Marinas	ACUP	ACUP	C	C	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	17.110.480, Marina.	17.415.350, Marinas.		
314	Marina support services	P	P	P	P	P	P	P	P	P	P	P	17.110.482, Marina support services.	17.415.355, Marina support services.		
316	Parks and open space	P	P	P	P	P	P	P	P	P	P	P	17.110.535, Open space.			
318	Racetrack	--	--	--	--	--	--	--	--	C	--	C	17.110.644, Racetrack.	17.415.405, Racetrack.		
320	Recreational facilities, indoor	P	P	P	ACUP	P	ACUP	P	P	--	--	P	17.110.647, Recreational facility, indoor.	17.415.410, Recreational facilities, indoor.		
322	Recreational facilities, outdoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	--	--	P	17.110.648, Recreational facility, outdoor.	17.415.415, Recreational facilities, outdoor.		

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
324	Shooting/gun facility, indoor	ACUP	ACUP	--	--	--	C	ACUP	ACUP	ACUP	C	--	17.110.678, Shooting/gun facility, indoor.	17.415.485, Shooting/gun facility, indoor.
326	Shooting/gun facility, outdoor	--	--	--	--	--	C	--	--	C	C	--	17.110.679, Shooting/gun facility, outdoor.	17.415.490, Shooting/gun facility, outdoor.
328	Zoo, aquarium	C	C	C	P	--	--	--	--	--	--	C	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.595, Zoo, aquarium.
INSTITUTIONAL USES														
400	Government/public structures	P	P	P	ACUP	P	P	P	P	P	C	P	17.110.304, Government/public structures.	17.415.245, Government/public structures.
402	High-risk secured facility	C	C	--	--	--	--	C	C	C	--	--	17.110.335, High-risk secured facility.	17.415.270, High-risk secured facilities.
404	Hospital	P	ACUP	--	C	--	--	C	C	C	--	--	17.110.360, Hospital.	17.415.280, Hospital.
406	Places of worship	P	ACUP	P	C	C	ACUP	C	C	C	--	--	17.110.600 Places of worship.	17.415.395 Places of worship.
408	Public facilities (greater than 300 square feet)	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	P	17.110.640, Public facilities.	17.415.400, Public facilities.
409	Public facilities (300 s.f. or less)	P	P	P	P	P	P	P	P	P	P	P	17.110.640, Public facilities.	17.415.400, Public facilities.
410	School, elementary and middle school/junior high	P	P	P	C	P	P	P	P	P	P	--	17.110.670, School.	17.415.460, School, elementary, middle school, or junior high.
412	School, high school	ACUP	ACUP	ACUP	C	ACUP	ACUP	P	P	P	P	--	17.110.670, School.	17.415.465, School, high school.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340	Categorical Use (1)(3)(4)(5) ↓	
414	School, college/vocational – less than 8,000 s.f.	ACUP	ACUP	ACUP	C	ACUP	ACUP	P	P	P	P	--	17.110.670, School.	17.415.120, College/vocational school.
416	School, college/vocational school – 8,000 s.f. or greater	C	C	C	C	C	C	ACUP	ACUP	ACUP	ACUP	--	17.110.670, School.	17.415.120, College/vocational school.
418	Secure community transition facility	--	--	--	--	--	--	--	--	C	--	--	17.110.671, Secure community transition facility.	17.415.470, Secure community transition facility.
420	Transportation terminals, marine	C	C	C	C	C	C	ACUP	--	ACUP	C	C	17.110.727, Transportation terminals, marine.	17.415.555, Transportation terminals, marine.
422	Transportation terminals, nonmarine	ACUP	ACUP	C	C	C	--	P	--	ACUP	--	C	17.110.728, Transportation terminals, nonmarine.	17.415.560, Transportation terminals, nonmarine.
424	Wireless communications facilities	P	P	P	P	P	P	P	P	P	P	P	17.110.770, Wireless communication facility.	17.415.585, Wireless communications facilities
INDUSTRIAL USES														
500	Airports	--	--	--	--	--	--	--	--	C	C	--	17.110.053, Airport.	17.415.045, Airport.
502	Boat yard	ACUP	ACUP	--	--	--	--	P	ACUP	ACUP	C	--	17.110.120, Boat yard.	17.455.085, Boat yard.
504	Cemeteries	ACUP	ACUP	--	--	C	C	ACUP	--	ACUP	C	--	17.110.163, Cemeteries.	17.415.105, Cemeteries.
506	Contractor's storage yard	--	--	--	--	--	--	P	--	P	ACUP	--	17.110.195, Contractor's storage yard.	17.415.130, Contractor's storage yard.
508	Food and beverage production, less than 4,000 s.f.	ACUP	ACUP	--	C	--	C	P	P	P	P	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
510	Food and beverage production, 4,000 to 9,999 s.f.	ACUP	ACUP	--	C	--	C	P	P	P	P	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.
512	Food and beverage production, 10,000 s.f. or greater	C	C	--	C	--	C	C	C	C	C	--	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.
514	Fuel distributors	--	--	--	--	--	--	C	--	C	C	--	17.110.291, Fuel distributors.	17.415.215, Fuel distributors.
516	Funeral homes	ACUP	ACUP	C	C	C	C	ACUP	--	ACUP	C	--	17.110.294, Funeral home.	17.415.225, Funeral homes.
518	Helicopter pads	C	C	C	C	--	--	C	C	C	C	--	17.110.333, Helicopter pads.	17.415.265, Helicopter pads.
520	Manufactured home, mobile home, park model, tiny home – sales	--	--	--	--	--	--	--	--	ACUP	C	--	17.110.472, Manufactured home, mobile home, park models, tiny home sales.	17.415.310, Manufactured home, mobile home, park models, tiny homes sales.
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--	--	--	C	--	--	17.110.473, Manufacturing and fabrication.	17.415.315, Manufacturing and fabrication, hazardous.
524	Manufacturing and fabrication, heavy	--	--	--	--	C	--	C	C	ACUP	C	--	17.110.473, Manufacturing and fabrication.	17.415.320, Manufacturing and fabrication, heavy.
526	Manufacturing and fabrication, light	C	--	C	C	--	--	P	P	P	ACUP	--	17.110.473, Manufacturing and fabrication.	17.415.325, Manufacturing and fabrication, light.
528	Manufacturing and fabrication, medium	--	--	--	--	C	--	ACUP	ACUP	P	C	--	17.110.473, Manufacturing and fabrication.	17.415.330, Manufacturing and fabrication, medium.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340	Categorical Use (1)(3)(4)(5) ↓	
530	Cannabis processor	--	--	--	--	--	--	P	P	P	--	--	17.110.475, Cannabis processor.	17.415.335, Cannabis processor.
532	Cannabis producer, Tier 1	--	--	--	--	--	--	--	P	P	P	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
534	Cannabis producer, Tier 2	--	--	--	--	--	--	P	P	P	P	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
536	Cannabis producer, Tier 3	--	--	--	--	--	--	P	--	P	--	--	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
538	Recycling centers	--	--	--	--	--	C	--	--	ACUP	C	--	17.110.653, Recycling center.	17.415.420, Recycling center.
540	Rock crushing	--	--	--	--	--	--	--	--	C	C	--	17.110.665, Rock crushing.	17.415.455, Rock crushing.
542	Slaughterhouse or animal processing	--	--	--	--	--	C	ACUP	ACUP	C	ACUP	--	17.110.689, Slaughterhouse or animal processing.	17.415.505, Slaughterhouse or animal processing.
544	Storage, hazardous materials	--	--	--	--	--	--	C	C	C	C	--	17.110.692, Storage, hazardous materials.	17.415.515, Storage, hazardous materials.
546	Storage, indoor	ACUP	ACUP	ACUP	ACUP	ACUP	C	P	P	P	ACUP	--	17.110.695, Storage, indoor.	17.415.520, Storage, indoor.
548	Storage, outdoor	--	--	--	-- C	--	C	ACUP	ACUP	P	P	--	17.110.696, Storage, outdoor.	17.415.525, Storage, outdoor.
550	Topsoil production, stump grinding, firewood cutting, and composting	--	--	--	--	--	C	--	--	ACUP	ACUP	C	17.110.718, Topsoil production.	17.415.535, Topsoil production, stump grinding, firewood cutting, and composting.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--	P	C	C	C	--	17.110.729, Transshipment facilities.	17.415.565, Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
554	Warehousing and distribution	--	--	--	--	--	--	P	P	P	ACUP	--	17.110.743, Warehousing and distribution.	17.415.580, Warehousing and distribution.
556	Wrecking yards and junkyards	--	--	--	--	--	--	--	--	ACUP	ACUP	--	17.110.783, Wrecking yard.	17.415.590, Wrecking yards and junkyards.
RESOURCE														
600	Aggregate extraction sites	--	--	--	--	--	C	P	--	C	C	--	17.110.050, Aggregate extraction sites.	17.415.035, Aggregate extraction sites.
602	Agricultural use, primary	--	--	--	--	--	--	P	P	P	P	P	17.455.030, Definitions.	17.415.040, Agricultural use, primary.
604	Aquaculture practices	C	C	C	C	C	C	P	--	C	C	P	17.110.085, Aquaculture practices.	17.415.075, Aquaculture practices.
606	Forestry	P	P	P	--	P	P	P	P	P	P	P	17.110.280, Forestry.	17.415.210, Forestry.
608	Shellfish/fish hatcheries and processing facilities	--	--	--	--	--	--	--	--	C	C	P	17.110.675, Shellfish/fish hatcheries and processing facilities.	17.415.480, Shellfish/fish hatcheries and processing facilities.
ACCESSORY USES														
700	Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	17.110.030, Accessory use or structure.	17.415.020, Accessory use or structure.

Comprehensive Plan Land Use Designation →		Urban High Intensity Commercial			Urban Low Intensity Commercial		Rural Commercial	Urban Industrial			Rural Industrial	Public Facilities	Definition ↓	Categorical Use Standards ↓
		C	RC	LIC	UVC	NC	RCO	BC	BP	IND	RI	P		
Zoning Classification (1)(3)(4) →		17.240	17.250	17.280	17.260	17.270	17.290	17.300	17.310	17.320	17.330	17.340		
Categorical Use (1)(3)(4)(5) ↓														
TEMPORARY USES														
800	Special care units residence	P	P	P	P	P	--	--	--	--	--	--	17.110.690, Special care residence.	17.415.510, Special care residence.
802	Temporary offices and model homes	--	--	--	--	--	--	--	--	--	--	P	17.110.709, Temporary offices and model homes.	17.415.530, Temporary offices and model homes.
804	Transitory accommodations, single-family residence	P	P	P	P	P	P	P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P	P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.

(Ord. 617 (2022) § 18, 2022; Ord. 611 (2022) § 181, 2022)

17.410.046 Limited areas of more intensive rural development (LAMIRD) zones use table.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓			
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D			REC 17.360E			TTEC 17.360E		
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR						
RESIDENTIAL USES																			
100	Accessory dwelling unit, attached	ACUP	P	P	--	P	P	See Chapter 17.700 Appendix F					C	P	P	--	--	17.110.017, Accessory dwelling unit, attached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
102	Accessory dwelling unit, detached	ACUP	P	P	--	ACUP	ACUP						C	ACUP	ACUP	--	--	17.110.020, Accessory dwelling unit, detached.	17.415.010, Accessory dwelling unit (ADU) located in an urban growth area. 17.415.015, Accessory dwelling unit (ADU) located outside an urban growth area.
104	Caretaker dwelling	ACUP	--	--	--	--	--						--	--	--	P	P	17.110.150, Caretaker's dwelling.	17.415.100, Caretaker dwelling.
106	Guest house	--	--	--	--	P	P						C	P	P	--	--	17.110.317, Guest house.	17.415.260, Guest house.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓						
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E				
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR								
Dwelling, Family Living																					
108	Cottage housing development	ACUP	P	P	--	--	--	See Chapter 17.700 Appendix F				--	ACUP	ACUP	--	--	17.110.196, Cottage housing development.	17.415.135, Cottage housing development.			
110	Duplex	ACUP	P	P	--	P	P					--	P	P	--	P	P	--	--	17.110.245, Duplex.	17.415.160, Duplex.
112	Manufactured/mobile/RV/park model/tiny home park	--	--	--	--	--	--					--	--	--	--	--	--	--	--	17.110.467, Manufactured/mobile/RV/park model/tiny home parks.	17.415.305, Manufactured/mobile/RV/park model/tiny home park.
114	Mobile home	C	C	C	--	--	--					--	--	--	--	--	--	--	--	17.110.490, Mobile home.	17.415.360, Mobile home.
116	Multiple-family	ACUP	ACUP	ACUP	--	--	--					--	--	--	--	--	--	--	--	17.110.504, Multiple-family.	17.415.365, Multiple-family.
118	Single-family attached	C	P	P	--	P	P					--	P	P	--	P	P	--	--	17.110.682, Single-family attached dwelling.	17.415.495, Single-family attached dwelling.
120	Single-family detached (includes manufactured homes)	C	P	P	P	P	P					--	P	P	--	P	P	--	--	17.110.683, Single-family detached dwelling. 17.110.470, Manufactured home.	17.415.500, Single-family detached dwelling (includes manufactured homes).
Dwelling, Group Living																					
122	Adult family home	P	P	P	P	P	P	See Chapter 17.700 Appendix F				P	P	P	--	--	17.110.045, Adult family home.	17.415.030, Adult family home.			
124	Group living (1 to 6 rooms)	ACUP	ACUP	ACUP	ACUP	C	C					ACUP	C	C	--	C	C	--	--	17.110.318, Group living.	17.415.250, Group living (one to six rooms).

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
126	Group living (7 or more rooms)	C	C	C	C	--	--				C	--	--	--	--	17.110.318, Group living.	17.415.255, Group living (seven or more rooms).
128	Permanent transitory accommodations, small, large, safe parks, and indoor	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.
Other Residential Uses																	
130	Bed and breakfast house, 1 to 4 rooms	ACUP	P	P	--	ACUP	ACUP	See Chapter 17.700 Appendix F			ACUP	ACUP	ACUP	--	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.
132	Bed and breakfast house, 5 or more rooms or serves meals to nonovernight guests	C	C	C	--	C	C				C	C	C	--	--	17.110.105, Bed and breakfast house.	17.415.080, Bed and breakfast house.
134	Home business, incidental	P	P	P	--	P	P				--	--	17.110.345, Home business.	17.415.275, Home business.			
136	Home business, minor	P	P	P	--	P	P				--	--	17.110.345, Home business.	17.415.275, Home business.			
138	Home business, moderate	ACUP	ACUP	ACUP	--	ACUP	ACUP				--	--	17.110.345, Home business.	17.415.275, Home business.			
140	Vacation rentals, 1 to 4 rooms	ACUP	ACUP	ACUP	--	ACUP	ACUP				ACUP	ACUP	ACUP	--	--	17.110.738, Vacation rental.	17.415.570, Vacation rentals.
142	Vacation rentals, 5 or more rooms	C	C	C	--	C	C				C	C	C	--	--	17.110.738, Vacation rental.	17.415.570, Vacation rentals.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓					
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D		REC 17.360E	TTEC 17.360E							
Zoning Classification (1)(3)(4) →	KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR									
Categorical Use (1)(3)(4) ↓																					
COMMERCIAL USES																					
Hotels or Hospitality																					
200	Adult entertainment	--	--	--	--	--	--	--	See Chapter 17.700 Appendix F			--	--	--	--	--	17.110.043, Adult entertainment.	17.415.025, Adult entertainment.			
202	Conference center	--	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.177, Conference center.	17.415.125, Conference center.
204	Drinking establishments	ACUP	--	--	ACUP	--	--	--				ACUP	--	--	P	P				17.110.229, Drinking establishments.	17.415.155, Drinking establishments.
206	Espresso stands	ACUP	--	--	P	--	--	--				C	--	--	P	P				17.110.267, Espresso stands.	17.415.190, Espresso stands.
208	Event facility	--	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.269, Event facility.	17.415.195, Event facility.
210	Hotel/motel	ACUP	--	--	ACUP	--	--	--				ACUP	--	--	--	--	--	--	--	17.110.361, Hotel/motel.	17.415.285, Hotel/motel.
212	Resort	--	--	--	--	--	--	--				--	--	--	--	--	--	--	--	17.110.661, Resort.	17.415.440, Resort.
214	Restaurants, with drive-through service	C	--	--	ACUP	--	--	--				C	--	--	P	--				17.110.662, Restaurant, with drive-through service.	17.415.445, Restaurant, with drive-through service.
216	Restaurants, without drive-through service	P	--	--	P	--	--	--				P	--	--	P	P				17.110.663, Restaurant, without drive-through service.	17.415.450, Restaurants, without drive-through service.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓								
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D			REC 17.360E			TTEC 17.360E							
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR											
Retail																								
218	Auction house	--	--	--	--	--	--	See Chapter 17.700 Appendix F					--	--	--	P	P	17.110.091, Auction house.	17.415.055, Auction house.					
220	Automobile, recreational vehicle, or boat sales	--	--	--	--	--	--						--	--	--	--	--	--	--	--	--	--	17.110.096, Automobile, recreational vehicle or boat sales.	17.415.060, Automobile, mobile home, recreational vehicle, or boat sales.
222	Automobile, recreational vehicle or boat rentals	C	--	--	--	--	--						--	--	--	--	--	--	--	--	--	--	17.110.650, Recreational vehicle.	17.415.065, Automobile, recreational vehicle or boat rentals.
224	Equipment sales, rentals and repair, heavy	--	--	--	--	--	--						--	--	--	--	--	--	P	--	--	--	17.110.263, Equipment sales, rentals and repair, heavy.	17.415.175, Equipment sales, rentals and repair, heavy.
226	Equipment sales, rentals and repair, light	ACUP	--	--	ACUP	--	--						--	--	--	ACUP	--	--	P	P	--	--	17.110.264, Equipment sales, rentals and repair, light.	17.415.180, Equipment sales, rentals and repair, light.
228	Equipment sales, rentals and repair, recreational	ACUP	--	--	ACUP	--	--						--	--	--	ACUP	--	--	P	P	--	--	17.110.266, Equipment sales, rentals and repair, recreational.	17.415.185, Equipment sales, rentals and repair, recreational.
230	Fuel or charging station, with convenience store	--	--	--	--	--	--						--	--	--	ACUP	--	--	ACUP	--	--	--	17.110.292, Fuel or charging station, with convenience store.	17.415.220, Fuel or charging stations.
232	Fuel or charging station, without convenience store	ACUP	--	--	ACUP	--	--						--	--	--	ACUP	--	--	ACUP	--	--	--	17.110.293, Fuel or charging station, without convenience store.	17.415.220, Fuel or charging stations.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS									TYPE III LAMIRDS			Definition ↓	Categorical Use Standards ↓		
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
Categorical Use (1)(3)(4) ↓																	
234	General retail merchandise stores – less than 4,000 s.f.	P	--	--	P	--	--				P	--	--	--	P	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
236	General retail merchandise stores – 4,000 to 9,999 s.f.	P	--	--	P	--	--				P	--	--	ACUP	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
238	General retail merchandise stores – 10,000 to 15,000 s.f.	C	--	--	--	--	--				C	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
240	General retail merchandise stores – 15,001 to 24,999 s.f.	C	--	--	--	--	--				--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
242	General retail merchandise stores – 25,000 s.f. or greater	--	--	--	--	--	--				--	--	--	--	--	17.110.301, General retail merchandise stores.	17.415.235, General retail merchandise stores.
244	Lumber and bulky building material sales	--	--	--	--	--	--				ACUP	--	--	P	--	17.110.464, Lumber and bulky building material sales.	17.415.300, Lumber and bulky building material sales.
246	Cannabis retailer	--	--	--	--	--	--				--	--	--	P	--	17.110.478, Cannabis retailer.	17.415.345, Cannabis retailer.
248	Nursery, retail	P	--	--	P	--	--				P	--	--	P	--	17.110.520, Nursery, retail.	17.415.370, Nursery, retail.
250	Nursery, wholesale	ACUP	C	C	--	C	C				ACUP	C	C	P	P	17.110.525, Nursery, wholesale.	17.415.375, Nursery, wholesale.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D			REC 17.360E			TTEC 17.360E	
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR					
Offices and Services																		
254	Automobile or recreational vehicle repair	ACUP	--	--	--	--	--	See Chapter 17.700 Appendix F				ACUP	--	--	ACUP	--	17.110.094, Automobile or recreational vehicle repair.	17.415.070, Automobile or recreational vehicle repair.
256	Car washes	P	--	--	--	--	--					P	--	--	ACUP	--	17.110.149, Car washes.	17.415.095, Car washes.
258	Clinic	P	--	--	P	--	--					ACUP	--	--	C	P	17.110.164, Clinic.	17.415.110, Clinic.
260	Day-care center	P	C	C	P	C	C					P	C	C	P	P	17.110.200, Day-care center.	17.415.140, Day-care center.
262	Day-care center, home-based	P	P	P	ACUP	P	P					P	P	P	--	--	17.110.205, Day-care center, home-based.	17.415.145, Day-care center, home-based.
264	Dispatch facility	--	--	--	--	--	--					--	--	--	ACUP	ACUP	17.110.226, Dispatch facility.	17.415.150, Dispatch facility.
266	Fitness center	P	--	--	P	--	--					P	--	--	P	P	17.110.278, Fitness center.	17.415.200, Fitness center.
268	General office and management services – less than 4,000 s.f.	P	--	--	P	--	--					P	--	--	P	P	17.110.302, General office and management services.	17.415.230, General office and management services.
270	General office and management services – 4,000 to 9,999 s.f.	ACUP	--	--	ACUP	--	--					ACUP	--	--	ACUP	P	17.110.302, General office and management services.	17.415.230, General office and management services.
272	General office and management services – 10,000 s.f. or greater	C	--	--	--	--	--					C	--	--	C	P	17.110.302, General office and management services.	17.415.230, General office and management services.
274	Kennels or pet day-cares	ACUP	--	--	--	C	C					--	--	--	P	P	17.110.375, Kennel.	17.415.295, Kennels or pet day-cares.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
Categorical Use (1)(3)(4) ↓																	
276	Kennels, hobby	ACUP	ACUP	ACUP	--	P	P				ACUP	P	P	--	--	17.110.380 Kennel, hobby.	17.415.290, Kennels, hobby.
278	Off-street parking facilities	C	--	--	C	--	--				C	--	--	--	--	17.110.531, Off-street parking facilities.	17.415.380, Off-street parking facilities.
280	Off-street parking facilities, structured	ACUP	--	--	ACUP	--	--				--	--	--	--	--	17.110.532, Off-street parking facilities, structured.	17.415.385, Off-street parking facilities, structured.
282	Personal services	P	--	--	P	--	--				P	--	--	--	--	17.110.583, Personal services.	17.415.390, Personal services.
284	Research laboratory, less than 4,000 s.f.	P	--	--	--	--	--				--	--	--	P	P	17.110.658, Research laboratory.	17.415.425, Research laboratory, less than four thousand square feet.
286	Research laboratory, 4,000 to 9,999 s.f.	ACUP	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.658, Research laboratory.	17.415.430, Research laboratory, four thousand to nine thousand nine hundred ninety-nine square feet.
288	Research laboratory, 10,000 s.f. or greater	C	--	--	--	--	--				--	--	--	--	--	17.110.658, Research laboratory.	17.415.435, Research laboratory, ten thousand square feet or greater.
290	Tourism facilities, including outfitter and guide facilities	C	--	--	P	--	--				C	--	--	ACUP	P		17.415.540, Tourism facilities, including outfitter and guide facilities.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓			
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Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR						
292	Tourism facilities, including seaplane and tour boat terminals	C	--	--	--	--	--				C	--	--	--	--		17.415.545, Tourism facilities, including seaplane and tour boat terminals.		
294	Veterinary clinics/animal hospitals/wildlife shelters	ACUP	--	--	ACUP	--	--				ACUP	C	C	ACUP	ACUP	17.110.740, Veterinary clinic. 17.110.763, Wildlife shelter.	17.415.575, Veterinary clinics/animal hospitals/wildlife shelter.		
Other Commercial Uses																			
296	Shared work/maker space	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	ACUP	17.110.674, Shared work/maker space.	17.415.475, Shared work/maker space.		
RECREATIONAL/CULTURAL USES																			
300	Arboreta, botanical garden	ACUP	--	--	ACUP	--	--	See Chapter 17.700 Appendix F			ACUP	--	--	--	--	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.050, Arboreta, botanical gardens.		
302	Campground	--	--	--	--	--	--				--	--	--	--	--	--	--	17.110.147, Campground.	17.415.090, Campground.
304	Club	P	ACUP	ACUP	P	ACUP	ACUP				P	ACUP	ACUP	--	--	--	--	17.110.165, Club.	17.415.115, Club.
306	Entertainment facility, indoor	P	--	--	P	--	--				P	--	--	--	--	--	--	17.110.261, Entertainment facility, indoor.	17.415.165, Entertainment facility, indoor.
308	Entertainment facility, outdoor	ACUP	--	--	ACUP	--	--				--	--	--	--	--	P	--	17.110.262, Entertainment facility, outdoor.	17.415.170, Entertainment facility, outdoor.
310	Golf courses	--	--	--	--	--	--				--	--	--	--	--	--	--	17.110.303, Golf course.	17.415.240, Golf courses.
312	Marinas	C	--	--	C	--	--				--	--	--	C	C	C	--	--	17.110.480, Marina.

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		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E		
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR						
Categorical Use (1)(3)(4) ↓																			
314	Marina support services	ACUP	--	--	ACUP	--	--				ACUP	ACUP	ACUP	--	--	17.110.482, Marina support services.	17.415.355, Marina support services.		
316	Parks and open space	P	P	P	P	P	P				P	P	P	P	P	17.110.535, Open space.			
318	Racetrack	--	--	--	--	--	--				--	--	--	--	--	17.110.644, Racetrack.	17.415.405, Racetrack.		
320	Recreational facilities, indoor	ACUP	C	C	ACUP	C	C				ACUP	C	C	--	--	17.110.647, Recreational facility, indoor.	17.415.410, Recreational facilities, indoor.		
322	Recreational facilities, outdoor	C	C	C	C	C	C				C	C	C	--	--	17.110.648, Recreational facility, outdoor.	17.415.415, Recreational facilities, outdoor.		
324	Shooting/gun facility, indoor	--	--	--	--	--	--				--	--	--	--	--	17.110.678, Shooting/gun facility, indoor.	17.415.485, Shooting/gun facility, indoor.		
326	Shooting/gun facility, outdoor	--	--	--	--	--	--				--	--	--	--	--	17.110.679, Shooting/gun facility, outdoor.	17.415.490, Shooting/gun facility, outdoor.		
328	Zoo, aquarium	ACUP	--	--	--	--	--				--	--	--	--	--	17.110.086, Aquarium, arboretum, botanical garden, zoo.	17.415.595, Zoo, aquarium.		
INSTITUTIONAL USES																			
400	Government/public structures	P	C	C	P	C	C	See Chapter 17.700 Appendix F			P	C	C	P	P	17.110.304, Government/public structures.	17.415.245, Government/public structures.		
402	High-risk secured facility	--	--	--	--	--	--				--	--	--	--	--	--	--	17.110.335, High-risk secured facility.	17.415.270, High-risk secured facilities.
404	Hospital	--	--	--	--	--	--				--	--	--	--	--	--	--	17.110.360, Hospital.	17.415.280, Hospital.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
Categorical Use (1)(3)(4) ↓																	
406	Places of worship	ACUP	C	C	ACUP	C	C				ACUP	C	C	--	--	17.110.600, Places of worship.	17.415.395, Places of worship.
408	Public facilities (greater than 300 s.f.)	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP				ACUP	ACUP	ACUP	ACUP	ACUP	17.110.640, Public facilities.	17.415.400, Public facilities.
409	Public facilities (300 s.f. or less)	P	P	P	P	P	P				P	P	P	P	P	17.110.640, Public facilities.	17.415.400, Public facilities.
410	School, elementary and middle school/junior high	ACUP	C	C	ACUP	C	C				ACUP	C	C	ACUP	ACUP	17.110.670, School.	17.415.460, School, elementary, middle school, or junior high.
412	School, high school	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	ACUP	17.110.670, School.	17.415.465, School, high school.
414	School, college/vocational – less than 8,000 s.f.	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	ACUP	17.110.670, School.	17.415.120, College/vocational school.
416	School, college/vocational school – 8,000 s.f. or greater	--	--	--	--	--	--				--	--	--	--	--	17.110.670, School.	17.415.120, College/vocational school.
418	Secure community transition facility	--	--	--	--	--	--				--	--	--	--	--	17.110.671, Secure community transition facility.	17.415.470, Secure community transition facility.
420	Transportation terminals, marine	C	--	--	C	--	--				C	--	--	--	--	17.110.727, Transportation terminals, marine.	17.415.555, Transportation terminals, marine.
422	Transportation terminals, nonmarine	ACUP	--	--	ACUP	--	--				ACUP	--	--	ACUP	ACUP	17.110.728, Transportation terminals, nonmarine.	17.415.560, Transportation terminals, nonmarine.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓					
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E			
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR							
424	Wireless communications facilities	P	P	P	P	P	P				P	P	P	P	P	17.110.770, Wireless communication facility.	17.415.585, Wireless communications facilities.			
INDUSTRIAL USES																				
500	Airports	--	--	--	--	--	--	See Chapter 17.700 Appendix F				--	--	--	C	C	17.110.053, Airport.	17.415.045, Airport.		
502	Boat yard	ACUP	--	--	--	--	--					--	--	--	--	--	P	P	17.110.120, Boat yard.	17.455.085, Boat yard.
504	Cemeteries	--	--	--	--	--	--					--	--	--	--	--	--	--	17.110.163, Cemeteries.	17.415.105, Cemeteries.
506	Contractor's storage yard	C	--	--	--	C	C					--	--	--	P	--	17.110.195, Contractor's storage yard.	17.415.130, Contractor's storage yard.		
508	Food and beverage production, less than 4,000 s.f.	--	--	--	--	--	--					--	--	--	P	P	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.		
510	Food and beverage production, 4,000 to 9,999 s.f.	--	--	--	--	--	--					--	--	--	ACUP	ACUP	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.		
512	Food and beverage production, 10,000 s.f. or greater	--	--	--	--	--	--					--	--	--	C	C	17.110.279, Food and beverage production.	17.415.205, Food and beverage production.		
514	Fuel distributors	--	--	--	--	--	--					--	--	--	P	ACUP	17.110.291, Fuel distributors.	17.415.215, Fuel distributors.		
516	Funeral homes	C	--	--	C	C	C					C	C	C	P	P	17.110.294, Funeral home.	17.415.225, Funeral homes.		
518	Helicopter pads	--	--	--	--	--	--	--	--	--	C	C	17.110.333, Helicopter pads.	17.415.265, Helicopter pads.						

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓	
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D			REC 17.360E			TTEC 17.360E
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
Categorical Use (1)(3)(4) ↓																	
520	Manufactured home, mobile home, park model, tiny home – sales	--	--	--	--	--	--				--	--	--	--	--	17.110.472, Manufactured home, mobile home, park models, tiny homes sales.	17.415.310, Manufactured home, mobile home, park models, tiny homes sales
522	Manufacturing and fabrication, hazardous	--	--	--	--	--	--				--	--	--	C	C	17.110.473, Manufacturing and fabrication.	17.415.315, Manufacturing and fabrication, hazardous.
524	Manufacturing and fabrication, heavy	--	--	--	--	--	--				--	--	--	C	C	17.110.473, Manufacturing and fabrication.	17.415.320, Manufacturing and fabrication, heavy.
526	Manufacturing and fabrication, light	--	--	--	--	--	--				--	--	--	P	P	17.110.473, Manufacturing and fabrication.	17.415.325, Manufacturing and fabrication, light.
528	Manufacturing and fabrication, medium	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.473, Manufacturing and fabrication.	17.415.330, Manufacturing and fabrication, medium.
530	Cannabis processor	--	--	--	--	--	--				--	--	--	P	P	17.110.475, Cannabis processor.	17.415.335, Cannabis processor.
532	Cannabis producer, Tier 1	--	--	--	--	--	--				--	--	--	P	P	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
534	Cannabis producer, Tier 2	--	--	--	--	--	--				--	--	--	P	P	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
536	Cannabis producer, Tier 3	--	--	--	--	--	--				--	--	--	P	P	17.110.476, Cannabis producer.	17.415.340, Cannabis producer.
538	Recycling centers	--	--	--	--	--	--				--	--	--	ACUP	--	17.110.653, Recycling center.	17.415.420, Recycling center.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS										TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D					REC 17.360E	TTEC 17.360E
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
Categorical Use (1)(3)(4) ↓																	
540	Rock crushing	--	--	--	--	--	--				--	--	--	C	C	17.110.665, Rock crushing.	17.415.455, Rock crushing.
542	Slaughterhouse or animal processing	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.689, Slaughterhouse or animal processing.	17.415.505, Slaughterhouse or animal processing.
544	Storage, hazardous materials	--	--	--	--	--	--				--	--	--	C	P	17.110.692, Storage, hazardous materials.	17.415.515, Storage, hazardous materials.
546	Storage, indoor	--	--	--	--	--	--				--	--	--	P	P	17.110.695, Storage, indoor.	17.415.520, Storage, indoor.
548	Storage, outdoor	--	--	--	--	--	--				--	--	--	P	--	17.110.696, Storage, outdoor.	17.415.525, Storage, outdoor.
550	Topsoil production, stump grinding, firewood cutting, and composting	--	--	--	--	--	--				--	--	--	P	--	17.110.718, Topsoil production.	17.415.535, Topsoil production, stump grinding, firewood cutting, and composting.
552	Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities	--	--	--	--	--	--				--	--	--	C	C	17.110.729, Transshipment facilities.	17.415.565, Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
554	Warehousing and distribution	--	--	--	--	--	--				--	--	--	P	P	17.110.743, Warehousing and distribution.	17.415.580, Warehousing and distribution.
556	Wrecking yards and junkyards	--	--	--	--	--	--				--	--	--	ACUP	ACUP	17.110.783, Wrecking yard.	17.415.590, Wrecking yards and junkyards.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓		
Zoning Classification (1)(3)(4) →		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D		REC 17.360E	TTEC 17.360E				
Categorical Use (1)(3)(4) ↓		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR					SVR	
RESOURCE																		
600	Aggregate extraction sites	--	--	--	--	--	--	See Chapter 17.700 Appendix F				--	--	--	C	C	17.110.050, Aggregate extraction sites.	17.415.035, Aggregate extraction sites.
602	Agricultural use, primary	--	P	P	--	P	P					--	P	P	P	P	17.455.030, Definitions	17.415.040, Agricultural use, primary.
604	Aquaculture practices	--	ACUP	ACUP	--	ACUP	ACUP					--	--	--	ACUP	--	17.110.085, Aquaculture practices.	17.415.075, Aquaculture practices.
606	Forestry	--	--	--	--	--	--					--	--	--	--	--	17.110.280, Forestry.	17.415.210, Forestry.
608	Shellfish/fish hatcheries and processing facilities	C	--	--	--	--	--					--	--	--	C	--	17.110.675, Shellfish/fish hatcheries and processing facilities.	17.415.480, Shellfish/fish hatcheries and processing facilities.
ACCESSORY USES																		
700	Accessory use or structure	P	P	P	P	P	P	See Chapter 17.700 Appendix F				P	P	P	P	P	17.110.030, Accessory use or structure.	17.415.020, Accessory use or structure.
TEMPORARY USES																		
800	Special care units residence	P	P	P	--	P	P					P	P	P	--	--	17.110.690, Special care residence.	17.415.510, Special care residence.
802	Temporary offices and model homes	C	--	--	--	ACUP	ACUP					--	--	--	ACUP	ACUP	17.110.709, Temporary offices and model homes.	17.415.530, Temporary offices and model homes.
804	Transitory accommodations, single-family residence	P	P	P	P	P	P					P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.

Comprehensive Plan Land Use Designation		TYPE I LAMIRDS											TYPE III LAMIRDS		Definition ↓	Categorical Use Standards ↓	
		Keyport Rural Village 17.360A			Manchester LAMIRD 17.360B			Rural Historic LAMIRD 17.360C			Suquamish LAMIRD 17.360D		REC 17.360E	TTEC 17.360E			
Zoning Classification (1)(3)(4) →		KVC	KVL R	KVR	MVC	MVL R	MVR	RHTC (2)	RHTR (2)	RHTW (2)	SVC	SVLR	SVR				
806	Transitory accommodations, small, large, safe parks, and indoor	P	P	P	P	P	P				P	P	P	P	P	17.110.726, Transitory accommodations.	17.415.550, Transitory accommodations.

(Ord. 617 (2022) § 19, 2022; Ord. 611 (2022) § 182, 2022)

17.410.050 Footnotes for zoning use tables.

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

1. The use is subject to special provisions in Chapter 17.415, Allowed Use Standards, that may change to the level of permit review indicated above. All applicable requirements shall govern a use whether specifically identified in this chapter or not.

2. Parcels located within the boundary of the Port Gamble redevelopment plan approved pursuant to Section 17.360C.030 shall refer to Appendix F to determine allowed uses, permits required, and definitions. All development of these uses must be consistent with town development standards pursuant to Section 17.360C.020. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

3. Pets and Exotic Animals. The keeping of pets, nontraditional pets and exotic animals is 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 section. 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 twenty thousand square feet in area, only one of which may be a nontraditional pet; five per household on lots of twenty thousand to thirty-five thousand square feet, only two of which may be nontraditional pets; with an additional two pets per acre of site area over thirty-five thousand square feet up to a limit of twenty; and

c. 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.

4. 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:

a. Any junk motor vehicle(s) stored outdoors must be completely screened by a 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

b. Any junk motor vehicle(s) stored outdoors must be stored more than two hundred fifty feet away from all property lines.

c. 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.

i. 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 cleanup costs associated with the administration of Chapter 9.56.

ii. 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, transmis-

sion 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.

(c) 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 reinspection 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 this section and could later be deemed a nuisance in accordance with Chapter 9.56.

5. In urban zones, all new residential subdivisions, single-family or multifamily developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units unless exemptions identified in Section 17.460.020 allow for the implementation of a dry sewer.

(Ord. 611 (2022) § 183, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 586 (2020) § 8, 2020; Ord. 550 (2018) § 16, 2018; Ord. 543 (2017) § 2 (App. B), 2017; Ord. 541 (2017) § 9, 2017; Ord. 538 (2016) § 3 (App. A), 2016; Ord. 536 (2016) § 3 (App. C), 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.410.060 (Repealed)*

* **Editor's Note:** Former Section 17.410.060, "Provisions applying to special uses," was repealed by Section 184 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016), Section 17 of Ordinance 550 (2018) and Section 7 of Ordinance 574 (2019) were formerly codified in this section.

Chapter 17.415

ALLOWED USE STANDARDS

Sections:

- 17.415.005 Purpose.
- 17.415.010 Accessory dwelling unit (ADU) located in an urban growth area.
- 17.415.015 Accessory dwelling unit (ADU) located outside an urban growth area.
- 17.415.020 Accessory use or structure.
- 17.415.025 Adult entertainment.
- 17.415.030 Adult family home.
- 17.415.035 Aggregate extraction sites.
- 17.415.040 Agricultural use, primary.
- 17.415.045 Airport.
- 17.415.050 Arboreta, botanical gardens.
- 17.415.055 Auction house.
- 17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.
- 17.415.065 Automobile, recreational vehicle or boat rentals.
- 17.415.070 Automobile or recreational vehicle repair.
- 17.415.075 Aquaculture practices.
- 17.415.080 Bed and breakfast house.
- 17.455.085 Boat yard.
- 17.415.090 Campground.
- 17.415.095 Car washes.
- 17.415.100 Caretaker dwelling.
- 17.415.105 Cemeteries.
- 17.415.110 Clinic.
- 17.415.115 Club.
- 17.415.120 College/vocational school.
- 17.415.125 Conference center.
- 17.415.130 Contractor's storage yard.

- 17.415.135 Cottage housing development.
- 17.415.140 Day-care center.
- 17.415.145 Day-care center, home-based.
- 17.415.150 Dispatch facility.
- 17.415.155 Drinking establishments.
- 17.415.160 Duplex.
- 17.415.165 Entertainment facility, indoor.
- 17.415.170 Entertainment facility, outdoor.
- 17.415.175 Equipment sales, rentals and repair, heavy.
- 17.415.180 Equipment sales, rentals and repair, light.
- 17.415.185 Equipment sales, rentals and repair, recreational.
- 17.415.190 Espresso stands.
- 17.415.195 Event facility.
- 17.415.200 Fitness center.
- 17.415.205 Food and beverage production.
- 17.415.210 Forestry.
- 17.415.215 Fuel distributors.
- 17.415.220 Fuel or charging stations.
- 17.415.225 Funeral homes.
- 17.415.230 General office and management services.
- 17.415.235 General retail merchandise stores.
- 17.415.240 Golf courses.
- 17.415.245 Government/public structures.
- 17.415.250 Group living (one to six rooms).
- 17.415.255 Group living (seven or more rooms).
- 17.415.260 Guest house.
- 17.415.265 Helicopter pads.
- 17.415.270 High-risk secured facilities.
- 17.415.275 Home business.
- 17.415.280 Hospital.
- 17.415.285 Hotel/motel.
- 17.415.290 Kennels, hobby.
- 17.415.295 Kennels or pet day-cares.
- 17.415.300 Lumber and bulky building material sales.
- 17.415.305 Manufactured/mobile/RV/park model/tiny home park.
- 17.415.310 Manufactured home, mobile home, park models, tiny homes sales.
- 17.415.315 Manufacturing and fabrication, hazardous.
- 17.415.320 Manufacturing and fabrication, heavy.
- 17.415.325 Manufacturing and fabrication, light.
- 17.415.330 Manufacturing and fabrication, medium.
- 17.415.335 Cannabis processor.
- 17.415.340 Cannabis producer.
- 17.415.345 Cannabis retailer.
- 17.415.350 Marinas.
- 17.415.355 Marina support services.
- 17.415.360 Mobile home.
- 17.415.365 Multiple-family.
- 17.415.370 Nursery, retail.
- 17.415.375 Nursery, wholesale.
- 17.415.380 Off-street parking facilities.
- 17.415.385 Off-street parking facilities, structured.
- 17.415.390 Personal services.
- 17.415.395 Places of worship.
- 17.415.400 Public facilities.
- 17.415.405 Racetrack.
- 17.415.410 Recreational facilities, indoor.
- 17.415.415 Recreational facilities, outdoor.
- 17.415.420 Recycling center.
- 17.415.425 Research laboratory, less than four thousand square feet.
- 17.415.430 Research laboratory, four thousand to nine thousand nine hundred ninety-nine square feet.
- 17.415.435 Research laboratory, ten thousand square feet or greater.
- 17.415.440 Resort.
- 17.415.445 Restaurant, with drive-through service.
- 17.415.450 Restaurants, without drive-through service.
- 17.415.455 Rock crushing.
- 17.415.460 School, elementary, middle school, or junior high.

- 17.415.465 School, high school.
- 17.415.470 Secure community transition facility.
- 17.415.475 Shared work/maker space.
- 17.415.480 Shellfish/fish hatcheries and processing facilities.
- 17.415.485 Shooting/gun facility, indoor.
- 17.415.490 Shooting/gun facility, outdoor.
- 17.415.495 Single-family attached dwelling.
- 17.415.500 Single-family detached dwelling (includes manufactured homes).
- 17.415.505 Slaughterhouse or animal processing.
- 17.415.510 Special care residence.
- 17.415.515 Storage, hazardous materials.
- 17.415.520 Storage, indoor.
- 17.415.525 Storage, outdoor.
- 17.415.530 Temporary offices and model homes.
- 17.415.535 Topsoil production, stump grinding, firewood cutting, and composting.
- 17.415.540 Tourism facilities, including outfitter and guide facilities.
- 17.415.545 Tourism facilities, including seaplane and tour boat terminals.
- 17.415.550 Transitory accommodations.
- 17.415.555 Transportation terminals, marine.
- 17.415.560 Transportation terminals, nonmarine.
- 17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.
- 17.415.570 Vacation rentals.
- 17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.
- 17.415.580 Warehousing and distribution.
- 17.415.585 Wireless communications facilities.
- 17.415.590 Wrecking yards and junkyards.
- 17.415.595 Zoo, aquarium.

17.415.005 Purpose.

This chapter establishes special provisions for allowed uses identified in Sections 17.410.042 through 17.410.046. In addition to other standards and requirements imposed by this title and other requirements in the Kitsap County Code, all uses shall comply with the provisions stated herein. Should a conflict arise between the requirements of this chapter and other requirements of the Kitsap County Code, the most restrictive shall apply.

(Ord. 611 (2022) § 185, 2022)

17.415.010 Accessory dwelling unit (ADU) located in an urban growth area.

To encourage the provision of affordable housing, an accessory dwelling unit (ADU) located in an urban growth area (UGA) shall meet the following criteria:

A. Number. The number of ADUs, attached or detached, shall not exceed two per lot.

B. Location. An ADU shall be located to not preclude future subdivision of the lot to meet minimum density for the zone.

C. Access. Access to the lot shall use the same entrance as the primary residence unless Kitsap County Code allows for multiple access points to the lot for a single-family dwelling.

D. Water. The ADU shall comply with regulations that govern water provisions.

E. Sewage. The ADU shall provide an urban level of sanitary sewer service.

F. Design Standards. Unless otherwise noted in this section, an ADU shall meet the design standards of the underlying zone and design districts.

G. Size. Dimensions are determined by interior measurements. An ADU shall not exceed one thousand square feet or sixty percent of the habitable area of the primary dwelling, whichever is smaller. The director may allow equal square footage for the primary dwelling and the ADU if the ADU is located completely on a single floor of the existing residence.

H. Parking. The site shall comply with Chapter 17.490, Off-street parking and loading.

1. A single ADU on a lot is not required to provide the additional off-street parking space specified in Chapter 17.490, Off-Street Parking and Loading, if one of the following criteria is met:

- a. The primary dwelling unit meets all parking requirements;
- b. On-street parking is available; or
- c. The ADU is within a quarter mile of a transit stop.

2. The second ADU shall provide one off-street parking space in addition to that which is required for the primary dwelling unit.

I. Additional Standards. An ADU shall provide urban services and comply with the provisions of Kitsap County Code, including, but not limited to, setbacks, height, and lot coverage.

J. Existing, unpermitted ADUs shall acquire a permit through the provisions of this chapter and Chapter 17.410, Allowed Uses. (Ord. 611 (2022) § 185, 2022)

17.415.015 Accessory dwelling unit (ADU) located outside an urban growth area.

A. In order to encourage the provision of affordable housing, an accessory dwelling unit (ADU), attached, located outside an urban growth area (UGA) may be located in residential zones, subject to the following criteria:

1. ADU, attached shall be located within an owner-occupied primary residence;
2. ADUs, attached, are limited in size to no greater than fifty percent of the habitable area of the primary residence;
3. The ADU, attached, is subject to applicable health district standards for water and sewage disposal;
4. Only one ADU, attached, shall be allowed per lot;
5. ADUs, attached, are to provide additional off-street parking with no additional street-side entrance; and

6. ADUs, attached, are not allowed where an accessory dwelling unit exists.

7. Existing Unpermitted ADU, Attached. Existing unpermitted ADU, attached, may be approved under the provisions of subsection (B)(11) of this section.

B. In order to encourage the provision of affordable housing, an accessory dwelling unit (ADU), detached, located outside an urban growth area shall meet the following criteria:

1. Only one ADU shall be allowed per lot;
2. Owner of the property must reside in either the primary residence or the ADU;
3. The ADU shall not exceed fifty percent of the square footage of the habitable area of the primary residence or nine hundred square feet, whichever is smaller. Dimensions are determined by interior measurements;
4. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (e.g., garage);
5. The ADU shall be designed to maintain the appearance of the primary residence;
6. All setback requirements for the zone in which the ADU is located shall apply;
7. The ADU shall meet the applicable health district standards for water and sewage disposal;
8. No mobile homes or recreational vehicles shall be allowed as an ADU;
9. An ADU shall use the same side-street entrance as the primary residence and shall provide additional off-street parking; and
10. An ADU is not permitted on the same lot where an accessory dwelling unit, attached (ADU-A), exists.
11. Existing, Unpermitted Accessory Dwelling Units, Attached or Detached, located Outside an Urban Growth Area.
 - a. Applicability. The provisions of this subsection shall only apply to property and property owners who can establish all of the following criteria:
 - i. The parcel is within the unincorporated area of Kitsap County;

ii. An accessory dwelling unit (ADU), attached or detached, or similar dwelling previously defined as an accessory living quarters (ALQ) or an accessory rental unit (ARU) is located on the parcel;

iii. The accessory dwelling has not received any prior review and/or approval by Kitsap County;

iv. The property owner did not construct or cause to have the accessory dwelling constructed;

v. The property owner did not own the property when the accessory dwelling was constructed;

vi. The property owner exercised due diligence when purchasing the property with the existing accessory dwelling to discover whether or not the accessory dwelling was approved when purchasing the property. Due diligence is presumed to have occurred if the property owner can document the following conditions:

(a) That county tax records or parcel records contain no inquiry or other notice that the ADU was unpermitted; and

(b) That the current owner requested and obtained a title report with no exceptions, restrictions, enforcement actions, permitting or similar issues pertinent to the ADU; and

(c) That the prior owner's property and improvement disclosures at the time of sale did not indicate any permitting, compliance or similar issues pertinent to the ADU; and

(d) That any third party involved in the sale or inspection of the ADU did not disclose any permitting, compliance or other issues pertinent to the ADU;

vii. The parcel has a history of property tax assessment and a history of continuous tax payments on the principal and the accessory dwelling;

viii. Acceptable documentation for subsection (B)(11)(a)(i) of this section may include but is not limited to current or previous county assessment records, real estate disclosure forms, listing agreements, records of sale, title

reports and aerial photography establishing compliance with the required conditions.

b. Application. Persons who meet the criteria of subsection (B)(11)(a) of this section desiring to gain approval of their accessory dwelling shall make application to the director of the department of community development on forms provided by the department, with fees to be paid at the time of application as provided in subsection (B)(11)(e) of this section. Such application shall be a Type II permit under Chapter 21.04.

c. Approval. The director, or his designee, is authorized to approve submitted applications that satisfy all of the following criteria. When approved, the use shall be considered a legal nonconforming use.

i. All the requirements of this section;

ii. All the applicable zoning, health, fire safety and building construction requirements:

(a) The applicable requirements shall be those in effect when the accessory dwelling was constructed. The burden of proof of when the accessory dwelling was constructed shall be upon the applicant and may consist of dated aerial photography, tax assessments, surveys or similar documents.

(b) If the applicant cannot prove a date of construction, the applicable requirements shall be those currently in effect on the date of application.

(c) If the applicant can only show a date range for construction, the applicable requirements shall be the latest requirements of the range;

iii. Proof of adequate potable water;

iv. Proof of adequate sewage disposal systems for both the principal and the accessory dwelling. Proof shall be shown by Kitsap County health district approval; and

v. Verification by Kitsap County inspection staff that the accessory dwelling is habitable.

d. Variances.

i. When reviewing the application, the director is authorized to grant an administrative

variance to the requirements of subsection (B)(11)(c)(ii) of this section only when unusual circumstances relating to the property cause undue hardship in the application of subsection (B)(11)(c)(ii) of this section. The granting of an administrative variance shall be in the public interest. An administrative variance shall be granted at the director's sole discretion only when the applicant has proven all of the following:

(a) There are practical difficulties in applying the regulations of subsection (B)(11)(c)(ii) of this section;

(b) The applicant did not create or participate in creating the practical difficulties;

(c) A variance meets the intent and purpose of this section;

(d) The variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and

(e) The variance is the minimum necessary to grant relief to the applicant.

ii. The director is authorized to require mitigation in connection with the administrative variance to minimize the effect of the variance on surrounding properties.

iii. In reviewing a request for an administrative variance, the director shall notify and solicit comments from surrounding property owners of the application and the intended variance and mitigation. The director shall consider such comments when determining whether or not to approve the variance. The director is further authorized to require mediation to resolve issues arising from the notification process and the costs of such mediation shall be paid by the applicant.

iv. Variance requests submitted as part of this subsection shall be considered as part of the original application and not subject to additional procedural or fee requirements.

e. Fees. Applicants shall pay a fee established by resolution at the time of application. Additionally, applicants shall pay notification costs, reinspection fees, additional review and

other applicable fees in accordance with Chapter 21.10. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.10 shall not, however, be credited towards any subsequent application submitted under these provisions.

f. Land Use Binder. Following approval of the accessory dwelling and any administrative variance, the applicant shall record a land use permit binder with the county auditor using forms provided by the Kitsap County department of community development.

g. Expiration. Qualifying property owners shall have one year from the time that the non-compliant ADU is discovered to submit an application for approval of the ADU.

(Ord. 611 (2022) § 185, 2022)

17.415.020 Accessory use or structure.

A. 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.

B. Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.105.090(I).

(Ord. 611 (2022) § 185, 2022)

17.415.025 Adult entertainment.

A. The following uses are designated as adult entertainment uses:

1. Adult bookstore;
2. Adult mini-motion picture theater;
3. Adult motion picture theater;
4. Adult novelty store; and
5. Cabaret.

B. Restrictions on Adult Entertainment Uses. In addition to complying with the other

sections of this title, 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:
 - a. Churches, monasteries, chapels, synagogues, convents, rectories, or church-operated camps;
 - b. Schools, up to and including the twelfth grade, and their adjunct play areas;
 - c. Public playgrounds, public swimming pools, public parks and public libraries;
 - d. Licensed day-care centers for more than twelve children;
 - e. Existing residential use within a commercial zone.
 - f. 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 special provisions relating to signage in this title, 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:

- a. Be a flat plane, rectangular in shape;
- b. Not exceed seventy-five square feet in area; and
- c. 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:

- a. The name of the regulated establishment; and/or
- b. One or more of the following phrases:
 - i. "Adult bookstore";
 - ii. "Adult movie theater";
 - iii. "Adult cabaret";
 - iv. "Adult novelties";
 - v. "Adult entertainment."
4. Primary signs for adult movie theaters may contain the additional phrase, "Movie Titles Posted on Premises."
 - a. 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.
 - b. 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.

(Ord. 611 (2022) § 185, 2022)

17.415.030 Adult family home.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.035 Aggregate extraction sites.

A. Must comply with Chapter 17.170, Mineral Resource Overlay.

B. In the business center (BC) zone, aggregate production and processing allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).

C. In the forest resource land (FRL) zone, aggregate extraction sites shall be 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.

(Ord. 611 (2022) § 185, 2022)

17.415.040 Agricultural use, primary.

Must comply with Chapter 17.455, Agriculture Code.

(Ord. 611 (2022) § 185, 2022)

17.415.045 Airport.

A. All heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit.

B. All private landing strips, runways, and heliports shall be so designed and oriented that the incidences of aircraft passing directly over dwellings during their landing or taking off patterns are 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.

C. In the rural industrial (RI) zone, uses necessary for airport operation such as runways, hangars, fuel storage facilities, and control towers shall be limited to modifications or expansions of existing airports.

(Ord. 611 (2022) § 185, 2022)

17.415.050 Arboreta, botanical gardens.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.055 Auction house.

A. An auction house and all items to be auctioned shall be fully enclosed within a structure.

B. In the rural employment center (REC) and Twelve Trees employment center (TTEC) zones, an auction house shall be subject to the following permit review:

1. 0 – 3,999 square feet = P.
2. 4,000 – 10,000 square feet = ACUP.
3. 10,001 – 15,000 square feet = C.
4. 15,001 square feet and above = X.

(Ord. 611 (2022) § 185, 2022)

17.415.060 Automobile, mobile home, recreational vehicle, or boat sales.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

C. In the industrial (I) or business center (BC) zone, automobile, recreational vehicle, or boat sales shall be accessory and shall not occupy more than twenty-five percent of the project area.

(Ord. 611 (2022) § 185, 2022)

17.415.065 Automobile, recreational vehicle or boat rentals.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

C. In the urban village center (UVC) or neighborhood commercial (NC) zone, no more than six rental vehicles shall be kept on site at any given time.

D. In the urban village center (UVC) zone, recreational vehicle rentals are prohibited.

(Ord. 611 (2022) § 185, 2022)

17.415.070 Automobile or recreational vehicle repair.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas sta-

tions) shall not be located in the Gorst Creek floodplain.

C. In the industrial (I) zone, automobile or recreational vehicle repair shall be located and designed to serve adjacent area.

D. In the neighborhood commercial (NC) zone, automobile or recreational vehicle repair shall not exceed four thousand square feet of gross floor area.

(Ord. 611 (2022) § 185, 2022)

17.415.075 Aquaculture practices.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.080 Bed and breakfast house.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

(Ord. 611 (2022) § 185, 2022)

17.455.085 Boat Yard.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.090 Campground.

Campgrounds shall be recreational and transient and shall not allow:

A. Camping for more than thirty days within a forty-day time period. Campers must vacate the overnight park facilities for ten consecutive nights between allowed stays. The time period shall begin on the date for which the first night's fee is paid. The campground operator shall keep a log of all members of the camping party and ensure that the allowed number of days stay is not exceeded. Kitsap County may request to view the log to confirm that the campground is recreational and transient.

B. The designation of the campground as a permanent or temporary address on official

documents or applications submitted to public or private agencies or institutions.

(Ord. 611 (2022) § 185, 2022)

17.415.095 Car washes.

A. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

B. In the neighborhood commercial (NC) zone, car washes shall not exceed four thousand square feet of gross floor area.

(Ord. 611 (2022) § 185, 2022)

17.415.100 Caretaker dwelling.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.105 Cemeteries.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use shall have its principal access on a county roadway. Ingress and egress shall be designed to minimize traffic congestion. The use shall provide required off-street parking spaces. No mortuary or crematorium in conjunction with a cemetery is permitted within two hundred feet of a lot in a residential zone.

(Ord. 611 (2022) § 185, 2022)

17.415.110 Clinic.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.115 Club.

In rural protection (RP), rural residential (RR), or parks (P) zone, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such

use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

(Ord. 611 (2022) § 185, 2022)

17.415.120 College/vocational school.

Site plans for public college/vocational 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.

(Ord. 611 (2022) § 185, 2022)

17.415.125 Conference center.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.130 Contractor's storage yard.

A. In the rural residential (RR) and rural protection (RP) zones, a contractor's storage yard accessory to a primary residence shall be limited to not more than ten heavy equipment vehicles or heavy construction equipment. The use shall be contained outside of required setbacks within a contained yard or storage building. The storage yard and/or building shall be screened from adjacent properties with a screening buffer a minimum of twenty-five feet in width and capable of providing functional screening of the use. Minimum lot size shall be one hundred thousand square feet.

B. In the rural protection (RP), rural residential (RR), or parks (P) zone, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residen-

tial development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

C. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.135 Cottage housing development.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.140 Day-care center.

A. In the business center (BC), business park (BP), or industrial (I) zone, a day-care center shall be located and designed to serve adjacent area.

B. In the urban village commercial (UVC) zone or neighborhood commercial (NC) zone, a day-care center shall not exceed four thousand square feet of gross floor area.

C. In those zones that prohibit residential uses, day-care centers:

1. Shall have a minimum site area of ten thousand square feet.

2. Shall provide and maintain outdoor play areas with a minimum area of seventy-five square feet per child of total capacity. A sight-obscuring fence of at least four feet in height shall be provided, separating the play area from abutting lots.

3. Shall provide adequate off-street parking and loading space shall be provided.

D. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

(Ord. 611 (2022) § 185, 2022)

17.415.145 Day-care center, home-based.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

C. In the business center (BC) or business park (BP) zone, a day-care center, home-based, shall be located and designed to serve adjacent area.

D. In the urban village commercial (UVC) zone or neighborhood commercial (NC) zone, a day-care center, home-based, shall not exceed four thousand square feet of gross floor area.

E. In those zones that prohibit residential uses, day-care centers, home-based, are only allowed in existing residential structures. (Ord. 611 (2022) § 185, 2022)

17.415.150 Dispatch facility.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.155 Drinking establishments.

In the business center (BC) or business park (BP) zone, drinking establishments shall be located and designed to serve adjacent area. (Ord. 611 (2022) § 185, 2022)

17.415.160 Duplex.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.165 Entertainment facility, indoor.

In the Manchester village commercial (MVC) zone, any combination of structures shall not exceed five thousand square feet. (Ord. 611 (2022) § 185, 2022)

17.415.170 Entertainment facility, outdoor.

In the Manchester village commercial (MVC) zone, any combination of structures shall not exceed five thousand square feet. (Ord. 611 (2022) § 185, 2022)

17.415.175 Equipment sales, rentals and repair, heavy.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In the rural industrial (RI) zone, equipment sales, rentals and repair, heavy, must limit the inventory to heavy construction, farming, or forestry equipment.

(Ord. 611 (2022) § 185, 2022)

17.415.180 Equipment sales, rentals and repair, light.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.185 Equipment sales, rentals and repair, recreational.

Nonmotorized recreational equipment rentals shall be permitted on all port district owned property regardless of the allowances of the zone.

(Ord. 611 (2022) § 185, 2022)

17.415.190 Espresso stands.

A. Espresso stands are subject to the following conditions:

1. Must be accessory to an immediate primary use.

2. Drive aisles/stacking lanes shall be designed to accommodate a minimum of three vehicles per service window/door (i.e., eight and one-half feet in width and sixty feet in length) with direct access to the service window. The drive aisles/stacking lanes shall be designed to prevent any vehicles from interfering with public or private roadways, pedestrian circulation, traffic circulation, parking areas or other required development amenities.

3. Subject to provisions set forth in Chapter 17.490, drive aisles and parking areas must also be paved in urban growth areas and include, at minimum, hard compacted surfaces in rural areas. Such surfaces must be addressed with required drainage facilities. A joint parking agreement shall be required if parking cannot be accommodated on site.

4. All structures must be permanently secured to the ground.

5. Restroom facilities must be available for employees. Portable or temporary restroom facilities shall not be used to meet this requirement.

B. In the business center (BC), business park (BP), or industrial (I) zone, espresso stands shall be located and designed to serve adjacent area.

C. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).
(Ord. 611 (2022) § 185, 2022)

17.415.195 Event facility.

In rural residential and rural protection zones, an event facility shall comply with the following standards:

A. Number of Event Participants. An event participant includes, but is not limited to, participants, attendees, guests, officials, on-site staff, vendors and other service providers involved in the setup, operation, and takedown of an event. The event facility shall limit the number of event participants to:

1. Two hundred persons per outdoor event. For open events such as fairs, markets or bazaars, participant volume shall be limited to two hundred persons maximum on site at any one time. The director or hearing examiner may increase or decrease the number of persons to reduce the potential impact to neighbors. Considerations shall include site size, access and parking, hours of operation, proximity to neighbors and screening, noise, or other site-specific circumstances.

2. Maximum building occupancy for indoor only events. Maximum building occupancy is established through a building occupancy permit with the department of community development.

B. Number and Frequency of Events. The event facility shall:

1. Not exceed one event per day; each day shall be considered its own event, regardless if the event occurs over multiple days.

2. Leave ten consecutive days of each month free of events, which must begin with the same Friday each month (e.g., first Friday). The applicant must submit the preferred schedule as part of the permit application.

3. The director or hearing examiner may increase or decrease the number and frequency of events to reduce the potential impact to neighbors.

C. Hours of Operation. The event facility shall limit all event activities to occur between the hours of operation specified below. All noise, music, amplified sound, and sound-related equipment shall be turned off or stop at the end-time specified. Any alcohol sales shall cease half an hour before the end-time. All participants shall be off the property no later than half an hour after the last time specified. The director or hearing examiner may increase or decrease the hours of operation allowed per outdoor event based on site size or conditions implemented to reduce the potential impact to neighbors. Event facility hours of operation:

Monday through

Saturday: 8:00 a.m. to 8:30 p.m.

Sunday: 8:00 a.m. to 8:00 p.m.

D. Access, Parking, and Traffic. The event facility shall:

1. Access directly from a Kitsap County maintained right-of-way.

2. Provide and implement a parking plan for the site. This plan must:

a. Detail the types of events to occur and recommend minimum and maximum parking areas for the facility.

b. Require striping of unmarked parking areas prior to each scheduled event. Temporary striping is acceptable.

c. Clearly prohibit parking on any public rights-of-way.

3. Provide and implement a traffic management plan. This plan must include:

a. An application for concurrency test as required by Section 20.04.030, Concurrency application.

b. The road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County road standards as established in Title 11.

E. Landscaping and fencing. The event facility shall include a site-obscuring fence, wall or landscape buffer as defined in Section 17.500.027(B)(1):

1. Around the perimeter of the entire parcel; or

2. Around the proposed use area that accommodates outdoor events.

3. A facility may use supplemental plantings within an existing vegetation to accomplish a landscape buffer. Irrigation must be provided meeting the standards set forth in county codes.

4. Landscaping shall be installed and maintained in conformance with the requirements of Chapter 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of one hundred fifty percent of the cost of installation.

F. For certain event activities, such as those using amplified sound, a noise analysis may be required consistent with Chapter 18.04. If required, the applicant will prepare a noise level assessment, which may result in noise mitigation or attenuation requirements consistent with Chapter 10.28.

(Ord. 611 (2022) § 185, 2022)

17.415.200 Fitness center.

Fitness centers shall not exceed five thousand square feet in size in the following zones:

- A. Rural commercial.
- B. Business center.
- C. Industrial.
- D. Rural industrial.

E. Rural employment center.

F. Twelve Tree employment center.
(Ord. 611 (2022) § 185, 2022)

17.415.205 Food and beverage production.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.210 Forestry.

Use prohibited in the Gorst urban growth area when located in the urban restricted zoning designation.

(Ord. 611 (2022) § 185, 2022)

17.415.215 Fuel distributors.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.220 Fuel or charging stations.

A. When abutting the Suquamish village residential (SVR) zone or Suquamish village low residential (SVLR) zone, this use requires a conditional use permit.

B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

C. Use must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

D. Fueling or charging stations, with or without convenience store, shall locate on a parcel at least ten thousand square feet in size.

E. Pump islands shall be located a minimum of twenty feet from a property line. However, a canopy or roof structure over a pump island may encroach up to ten feet within this distance. Additionally, the cashier location shall provide direct visual access to the pump

islands and the vehicles parked adjacent to the islands.

F. The maximum number of points of ingress/egress to any one street shall be two.

G. There shall be a minimum distance of thirty feet between curb cuts along a street frontage.

H. The width of a driveway may not exceed forty feet at the sidewalk intersection.

I. A sight-obscuring fence or wall, not less than five feet nor more than six feet in height, shall be provided between the service station and abutting property in any residential zone.

J. All lighting shall be of such illumination, direction, and color as not to create a nuisance in adjoining property or a traffic hazard. Under-canopy lighting shall be recessed.

K. When a convenience store, restaurant, or other commercial use is located in conjunction with the service or gas station, a pedestrian walkway from the primary sidewalk and pumping area shall be provided. The walkway shall be clearly delineated and may be painted.

L. Sale of merchandise shall be conducted within a building, except for items used for the maintenance and servicing of automotive vehicles.

M. No automotive repairs other than incidental minor repairs or battery or tire changing shall be allowed.

N. The station shall not directly abut a residential zone.

O. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard. (Ord. 611 (2022) § 185, 2022)

17.415.225 Funeral homes.

Use shall have its principal access on a county roadway. Ingress and egress shall be designed to minimize traffic congestion. The use shall provide required off-street parking spaces. No mortuary or crematorium in con-

junction with a cemetery is permitted within two hundred feet of a lot in a residential zone. (Ord. 611 (2022) § 185, 2022)

17.415.230 General office and management services.

A. In the business park (BP) zone or industrial (I) zone, engineering and construction offices and financial, banking, mortgage and title institutions must be located and designed to serve adjacent area.

B. In the industrial (I) zone, general office and management services that are less than four thousand square feet must be located and designed to serve adjacent area.

C. In the neighborhood commercial (NC) zone, engineering and construction offices must not exceed four thousand square feet of gross floor area.

D. In the urban village commercial (UVC) zone or neighborhood commercial (NC) zone, financial, banking, mortgage and title institutions and laundromats and laundry services must not exceed four thousand square feet of gross floor area.

E. In the rural industrial (RI) zone, use must be accessory to an immediate primary use.

(Ord. 611 (2022) § 185, 2022)

17.415.235 General retail merchandise stores.

A. General retail merchandise stores greater than one hundred twenty-five thousand square feet in size are prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3). Additional square footage may be allowed for projects greater than twenty-five acres in size.

B. In the low intensity commercial (LIC) zone, auto parts and accessory and boat/marine supply stores must take access from state route in the Gorst urban growth area. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain.

C. In the business center (BC) zone, business park (BP) zone, or industrial (I) zone, general retail merchandise stores that are less than four thousand square feet must be located and designed to serve adjacent area.

D. In the regional center (RC) zone, pet shops must not exceed four thousand square feet of gross floor area.

E. In the urban village commercial (UVC) zone or neighborhood commercial (NC) zone, custom art and craft stores shall not exceed four thousand square feet of gross floor area.

F. In the rural commercial (RCO) zone, custom art and craft stores are limited to studio type and size only.

(Ord. 611 (2022) § 185, 2022)

17.415.240 Golf courses.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use prohibited in the Gorst urban growth area when located in the urban restricted zoning designation.

C. In the rural residential (RR) or rural protection (RP) zones, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

(Ord. 611 (2022) § 185, 2022)

17.415.245 Government/public structures.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.250 Group living (one to six rooms).

A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

B. Boarding houses shall meet the minimum density and shall not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Each room shall be considered a dwelling unit when calculating the required minimum or maximum density.

C. Boarding houses must have health district approval prior to occupancy.

D. In the urban village center (UVC) zone, a boarding house shall be permitted outright.

E. Except in the Manchester village commercial (MVC), Manchester village residential low (MVL) and Manchester village residential (MVR), cottage housing may be used in conjunction with group living (one to six rooms) facilities and reviewed under the group living (one to six rooms) permit review process.

(Ord. 611 (2022) § 185, 2022)

17.415.255 Group living (seven or more rooms).

A. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

B. Boarding houses shall meet the minimum density and shall not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Each room shall be considered a dwelling unit when calculating the required minimum or maximum density.

C. Except in the Manchester village commercial (MVC), cottage housing may be used in conjunction with group living (seven or more rooms) facilities and reviewed under the group living (seven or more rooms) permit review process.

(Ord. 611 (2022) § 185, 2022)

17.415.260 Guest house.

A. Guest houses shall not exceed nine hundred square feet. Dimensions are determined by exterior measurements;

B. Guest houses shall not include any kitchen plumbing, appliances or provisions for cooking;

C. Guest houses shall not include more than one bathroom (may be full bathroom);

D. Guest houses shall not include more than two habitable rooms;

E. Guest houses shall not be rented separately from the primary residence;

F. Only one guest house is allowed per parcel;

G. No guest house is allowed on a parcel with an existing accessory dwelling unit, detached;

H. Newly constructed guest houses must meet the required setbacks for a single-family dwelling consistent with their zone. Legally established, existing structures built before May 7, 1998, may be remodeled into guest houses at their existing setback;

I. Guest houses must be within one hundred fifty feet of the primary residence;

J. Guest houses must use the same street entrance as the primary structure;

K. Guest houses must meet all applicable health district standards for water provision and sewage disposal; and

L. The property owner must record a notice to title outlining these conditions. This notice must be approved by the department and may not be extinguished without the county's written permission.

(Ord. 611 (2022) § 185, 2022)

17.415.265 Helicopter pads.

A. Heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit.

B. All private landing strips, runways, and heliports shall be so designed and oriented that the incidences of aircraft passing directly over dwellings during their landing or taking off patterns are 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.

C. In the rural industrial (RI) zone, uses necessary for airport operation such as runways, hangars, fuel storage facilities, and control towers shall be limited to modifications or expansions of existing airports. (Ord. 611 (2022) § 185, 2022)

17.415.270 High-risk secured facilities.

A. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-risk secured facility. The project applicant shall cover all meeting costs.

B. The county shall mail community notification to the school district and all landowners within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to the required neighborhood meeting. The project applicant shall cover all community notification costs.

C. A high-risk secured facility shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of a risk-potential activity or facility in existence at the time a facility is established.

1. "Within the line of sight" means that it is possible to reasonably visually distinguish and recognize individuals.

2. "Risk-potential activities and facilities" means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk-potential activities and facilities include: public and private schools, school bus stops, licensed day-care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and other specific uses identified during a neighborhood hearing. For the purpose of this section, "school bus stops" does not include bus stops established primarily for public transit.

D. A high-risk secured facility shall not be located in a community protection zone as defined in RCW 9.94A.030(6). Distance shall be measured from all property lines of a high-risk secured facility from all property lines of the facilities and grounds of a public or private school.

E. A high-risk secured facility shall meet the applicable health district standards for water and sewage disposal to account for staff and residents.

F. Principal access to the site shall be from a county-maintained right-of-way.

G. A high-risk secured facility shall be equipped with an automatic fire sprinkler system, installed in accordance with applicable building and fire codes.

H. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the fire protection system to automatically release any facility security locks and allow safe egress from the structure in the event of fire or other emergency.

I. A high-risk secured facility shall be equipped with a backup power system and an automatic transfer switch sufficient to energize and maintain the function of safety, security, and surveillance systems in the event of a power outage.

(Ord. 611 (2022) § 185, 2022)

17.415.275 Home business.

A. Commercial or industrial uses otherwise prohibited in the zone may be allowed as a component of a home business subject to the requirements in this section.

B. In the forest resource lands (FRL) zone, home businesses must be associated with timber production and/or harvest.

C. Incidental home businesses shall be allowed subject to the following standards and have no permit required:

1. Business uses shall be secondary to the dominant residential use;

2. The residential character of the building shall be maintained and the business shall be

conducted in such a manner as not to give an outside appearance of a business;

3. The business shall be conducted entirely within the residence;

4. The residence shall be occupied by the owner of the business;

5. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;

6. No clients or customers shall visit or meet for an appointment at the residence;

7. No employees or independent contractors are allowed to work in the residence other than family members who reside in the residential dwelling;

8. No activities that create noise, increase risk of fire, or in any way threaten the safety and tranquility of neighboring residents are permitted;

9. No more than two pickups and/or deliveries for business activities or purposes 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 mailbox not to exceed one square foot).

D. Minor home businesses shall be allowed subject to the following standards. Said approval is not transferable to any individual, future property owner or location.

1. Business uses shall be secondary to the dominant residential use;

2. The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business;

3. The residence shall be occupied by the owner of the business;

4. The business shall occupy no more than thirty percent of the gross floor area of the residence;

5. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;

6. No more than two employees, including proprietors (or independent contractors), are allowed;

7. Nonilluminated 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.

E. Moderate home businesses shall be allowed subject to the following standards. Said approval is not transferable to any individual, future property owner or location.

1. Business uses shall be 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. Nonilluminated 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. Other reasonable conditions.

(Ord. 611 (2022) § 185, 2022)

17.415.280 Hospital.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.285 Hotel/motel.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

(Ord. 611 (2022) § 185, 2022)

17.415.290 Kennels, hobby.

Use prohibited in the Gorst urban growth area when located in the urban restricted zoning designation.

(Ord. 611 (2022) § 185, 2022)

17.415.295 Kennels or pet day-cares.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In rural wooded (RW), rural protection (RP), or rural residential (RR) zone, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

(Ord. 611 (2022) § 185, 2022)

17.415.300 Lumber and bulky building material sales.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

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 sight-obscuring fence or wall.

(Ord. 611 (2022) § 185, 2022)

17.415.305 Manufactured/mobile/RV/park model/tiny home park.

Manufactured home/mobile/RV park/park model/tiny home park must meet the following requirements:

A. Utilities. The use, individual units, or individual sites shall be completely and adequately served by utilities for potable water and sanitation approved by the health district.

B. Accessory Buildings. Buildings and structures accessory to a home shall be allowed. Automobile parking spaces may be covered with a carport.

C. Access. All drives within the park shall be constructed in accordance with Title 12. Drives, sidewalks and paths shall be provided consistent with county road standards.

D. Screening. There shall be sight-obscuring fencing, or landscaping or natural vegetated buffers, at least eight feet wide on all sides of the park. Such screening shall contain openings suitable to provide direct pedestrian access to adjoining streets and trails.

E. Site Plan. A complete and detailed site plan shall be submitted in support of the permit. The site plan shall show the locations and dimensions of all contemplated buildings, structures, spaces, driveways, parking, and roads and recreational areas. Consistent with the underlying zoning, standards set forth in Sections 16.24.040 and 16.24.050 apply. The director may also require additional information as necessary to determine whether all the above conditions and other applicable provisions of this code are met.

(Ord. 611 (2022) § 185, 2022)

17.415.310 Manufactured home, mobile home, park models, tiny homes sales.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.315 Manufacturing and fabrication, hazardous.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.320 Manufacturing and fabrication, heavy.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.325 Manufacturing and fabrication, light.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.330 Manufacturing and fabrication, medium.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In the business center (BC) zone, aggregate production and processing allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR).

(Ord. 611 (2022) § 185, 2022)

17.415.335 Cannabis processor.

A. Findings and Application.

1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.

2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section shall be construed as an authorization to circumvent or violate state or federal law, as permission to any person or entity to violate federal law, or to supersede any legislation prohibiting the uses subject to this section.

3. This section shall apply to those marijuana processors that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.

B. Where allowed, a marijuana processor:

1. Facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and Kitsap County Code.

2. Must be a minimum of one thousand feet away, as measured by the shortest straight line between property boundaries, from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or game arcade as defined in WAC 314-55-010.

C. Permits.

1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.

2. Only state-licensed marijuana processors may locate within unincorporated Kitsap County. Upon request, all processors must supply a copy of the state-issued license.

3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

D. Nonconforming Uses. No use that constitutes or purports to be a marijuana processor as those terms are defined in this title that was engaged in that activity prior to the enactment of these provisions shall be deemed to have been a legally established use under Kitsap

County Code and that use shall not be entitled to claim legal nonconforming status.

(Ord. 611 (2022) § 185, 2022)

17.415.340 Cannabis producer.

A. Findings and Application.

1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.

2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section shall be construed as an authorization to circumvent or violate state or federal law, as permission to any person or entity to violate federal law, or to supersede any legislation prohibiting the uses subject to this section.

3. This section shall apply to those marijuana producers that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.

B. Where allowed, a marijuana producer:

1. Facilities and uses may only be located at designated sites licensed by the state of Washington and fully conforming to state law and this section.

2. Must be a minimum of one thousand feet away, as measured by the shortest straight line between property boundaries, from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or game arcade as defined in WAC 314-55-010.

C. Permits.

1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.

2. Only state-licensed marijuana producers may locate within unincorporated Kitsap County. Upon request, all producers must supply a copy of the state-issued license.

3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

D. Nonconforming Uses. No use that constitutes or purports to be a marijuana producer as those terms are defined in this title that was engaged in that activity prior to the enactment of these provisions shall be deemed to have been a legally established use under Kitsap County Code and that use shall not be entitled to claim legal nonconforming status.

(Ord. 611 (2022) § 185, 2022)

17.415.345 Cannabis retailer.

A. Findings and Application.

1. Marijuana is illegal under Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq. People and businesses involved in the production, processing, sales, and possession of marijuana could still be subject to prosecution under federal law. State and local regulations do not preempt federal law. Local zoning and other regulations are not a defense against a violation of federal law.

2. This section is necessary to protect the public health, safety and welfare of Kitsap County citizens. Nothing in this section shall be construed as an authorization to circumvent or violate state or federal law, as permission to any person or entity to violate federal law, or to supersede any legislation prohibiting the uses subject to this section.

3. This section shall apply to those marijuana retailers that are licensed by the Washington State Liquor and Cannabis Board under Chapter 314-55 WAC.

B. Where allowed, a marijuana retailer:

1. Both with and without endorsements, may be located at designated sites licensed by the state of Washington and fully conforming to state law and Kitsap County Code.

2. Must be a minimum of one thousand feet away, as measured by the shortest straight line between property boundaries, from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library or game arcade as defined in WAC 314-55-010.

C. Permits.

1. Kitsap County makes no representations as to the legality of the use subject to this section. All applicable permits (e.g., administrative conditional use permits, building permits or tenant improvement permits) shall be required.

2. Only state-licensed marijuana retailers may locate within unincorporated Kitsap County. Upon request, all retailers must supply a copy of the state-issued license.

3. No permit shall be approved unless the applicant demonstrates full compliance with Chapter 69.50 RCW and Chapter 314-55 WAC.

D. Nonconforming Uses. No use that constitutes or purports to be a marijuana retailer as those terms are defined in this title that was engaged in that activity prior to the enactment of these provisions shall be deemed to have been a legally established use under Kitsap County Code and that use shall not be entitled to claim legal nonconforming status.

(Ord. 611 (2022) § 185, 2022)

17.415.350 Marinas.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use prohibited in the Gorst urban growth area when located in the urban restricted zoning designation.

(Ord. 611 (2022) § 185, 2022)

17.415.355 Marina support services.

Marina support services shall be accessory to a marina.

(Ord. 611 (2022) § 185, 2022)

17.415.360 Mobile home.

In the urban restricted (UR), greenbelt (GB), urban low residential (UL), and the urban cluster residential (UCR) and urban village center (UVC) zones, mobile homes are prohibited, except in approved mobile home parks. (Ord. 611 (2022) § 185, 2022)

17.415.365 Multiple-family.

A. All multiple-family development shall comply with Chapter 17.470, Multifamily Development – Design Criteria.

B. Use prohibited in the Gorst urban growth area when located in the urban restricted zoning designation. (Ord. 611 (2022) § 185, 2022)

17.415.370 Nursery, retail.

In the Manchester village commercial (MVC) zone, nursery, retail, is permitted if less than five thousand square feet. (Ord. 611 (2022) § 185, 2022)

17.415.375 Nursery, wholesale.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3). (Ord. 611 (2022) § 185, 2022)

17.415.380 Off-street parking facilities.

Reserved. (Ord. 611 (2022) § 185, 2022)

17.415.385 Off-street parking facilities, structured.

Reserved. (Ord. 611 (2022) § 185, 2022)

17.415.390 Personal services.

A. In the business Center (BC) zone, laundromats and laundry services shall be located and designed to serve adjacent area.

B. In the rural commercial (RCO) zone, personal services cannot exceed four clients and must be intended for local use.

C. In the urban village (UVC), neighborhood commercial (NC) and rural commercial (RCO) zones:

1. Personal services shall not exceed four thousand square feet.

2. Pet grooming shall require an administrative conditional use permit. (Ord. 611 (2022) § 185, 2022)

17.415.395 Places of worship.

In the rural protection (RP) or rural residential (RR) zones, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts. (Ord. 611 (2022) § 185, 2022)

17.415.400 Public facilities.

A. Public facilities of any size shall meet the following criteria:

1. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.530.

2. 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.

3. In the forest resource lands (FRL) zone, public facilities shall not inhibit forest practices.

4. In the mineral resource overlay (MRO), public facilities shall not inhibit mineral resource extraction, processing, or production.

5. Water towers which exceed the height requirements of the zone in Chapter 17.420,

solid waste collection, or transfer and/or handling sites in any zone shall be subject to a conditional use permit (C).

6. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title.

7. The public facility shall not substantially interfere with or detract from the intent of the zone district, as determined by the director.

8. The public facility shall provide a solid screening buffer to mitigate impacts on the visual character of a neighborhood as seen from rights-of-way or adjacent properties. Landscaping shall be installed and maintained in conformance with the requirements of Chapter 17.500.

9. Noise, odor, dust and light impacts shall be mitigated from adjacent properties consistent with Section 17.105.110, Obnoxious things.

10. Additional review for stormwater management may be required consistent with Title 12, Storm Water Drainage.

B. Public facilities three hundred square feet or less shall meet the criteria in subsection (A) of this section except the setback requirements outlined in Chapter 17.420 are reduced for all structures and associated improvements to a minimum five-foot setback from all property lines.
(Ord. 611 (2022) § 185, 2022)

17.415.405 Racetrack.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In the rural wooded (RW), forest resource lands (FRL) or parks (P) zones, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential

streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.
(Ord. 611 (2022) § 185, 2022)

17.415.410 Recreational facilities, indoor.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
(Ord. 611 (2022) § 185, 2022)

17.415.415 Recreational facilities, outdoor.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.
(Ord. 611 (2022) § 185, 2022)

17.415.420 Recycling center.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.425 Research laboratory, less than four thousand square feet.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.430 Research laboratory, four thousand to nine thousand nine hundred ninety-nine square feet.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.435 Research laboratory, ten thousand square feet or greater.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.440 Resort.

Reserved.
(Ord. 611 (2022) § 185, 2022)

17.415.445 Restaurant, with drive-through service.

A. In all urban commercial and industrial zones, restaurants with drive-through service must be located and designed to serve the adjacent area.

B. In the urban village commercial (UVC) and neighborhood commercial (NC) zones restaurants with drive-through service shall not exceed four thousand square feet of gross floor area.

C. In the Manchester village commercial (MVC) zone, drive-through lanes are not allowed.

D. In the rural employment center (REC) zone, restaurant, with drive-through service, shall be subject to the following permit review:

1. 0 – 3,999 square feet = P.
2. 4,000 – 10,000 square feet = ACUP.
3. 10,001 – 15,000 square feet = C.
4. 15,001 square feet and above = X.

(Ord. 611 (2022) § 185, 2022)

17.415.450 Restaurants, without drive-through service.

A. In the business center (BC), business park (BP), or industrial (I) zone, restaurants, without drive-through, shall be located and designed to serve the adjacent area.

B. In the urban village commercial (UVC) zone and neighborhood commercial (NC) zone, restaurants, without drive-through service, shall not exceed four thousand square feet of gross floor area.

C. In the rural employment center (REC) and Twelve Trees employment center (TTEC) zones, restaurants, without drive-through service, shall be subject to the following permit review:

1. 0 – 3,999 square feet = P.
2. 4,000 – 10,000 square feet = ACUP.
3. 10,001 – 15,000 square feet = C.
4. 15,001 square feet and above = X.

(Ord. 611 (2022) § 185, 2022)

17.415.455 Rock crushing.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.460 School, elementary, middle school, or junior high.

Site plans for public elementary, middle school, or junior high 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.

(Ord. 611 (2022) § 185, 2022)

17.415.465 School, high school.

Site plans for public high 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.

(Ord. 611 (2022) § 185, 2022)

17.415.470 Secure community transition facility.

All projects shall comply with state law.

(Ord. 611 (2022) § 185, 2022)

17.415.475 Shared work/maker space.

Limited to less than four thousand square feet in the Keyport village commercial (KVC), Manchester village commercial (MVC), Suquamish village commercial (SVC), rural employment center (REC), and Twelve Trees employment center (TTEC) zones.

(Ord. 611 (2022) § 185, 2022)

17.415.480 Shellfish/fish hatcheries and processing facilities.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.485 Shooting/gun facility, indoor.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.490 Shooting/gun facility, outdoor.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.495 Single-family attached dwelling.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

(Ord. 611 (2022) § 185, 2022)

17.415.500 Single-family detached dwelling (includes manufactured homes).

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.505 Slaughterhouse or animal processing.

In the rural commercial (RCO) and rural industrial (RI) zones, a slaughterhouse or animal processing facility may include a retail component that shall not exceed four thousand square feet.

(Ord. 611 (2022) § 185, 2022)

17.415.510 Special care residence.

Where a family member needs 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.

(Ord. 611 (2022) § 185, 2022)

17.415.515 Storage, hazardous materials.

A. In the rural commercial (RCO) or rural industrial (RI) zone, storage, hazardous materials, shall be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. The applicant must demonstrate how the storage serves the immediate population.

B. In the rural industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.

(Ord. 611 (2022) § 185, 2022)

17.415.520 Storage, indoor.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

C. In any urban residential zone, storage, indoor, shall be:

1. Accessory to the predominant residential use of the property.

2. Sized consistently for the number of lots/units being served.

3. Shall serve only the residents of a plat- ted development or multifamily project.

D. In the rural commercial (RCO) or rural industrial (RI) zone, storage, indoor, must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility.

The applicant must demonstrate how the storage serves the immediate population.

E. In the rural industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.

F. In the urban village center (UVC) zone:

1. Self-service storage shall require a conditional use permit (C).

2. Cold storage facilities and storage of vehicles and equipment shall be prohibited.

G. One piece of heavy equipment may be stored in any residential zone; provided, that it is either enclosed within a permitted structure, or screened to the satisfaction of the director.

(Ord. 611 (2022) § 185, 2022)

17.415.525 Storage, outdoor.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In any urban residential zone, storage, outdoor, shall:

1. Be allowed only in conjunction with storage, indoor.

2. Be accessory to a platted development or multifamily project.

3. Be sized for the number of lots/units being served.

4. Only serve the residents of the associated platted development or multifamily project.

5. Be visually screened from adjacent properties by a sight-obscuring fence or natural vegetation buffer.

C. In the rural commercial (RCO) or rural industrial (RI) zone, storage, outdoor, must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. The applicant must demonstrate how the storage serves the immediate population.

D. In the rural industrial (RI) zone, cold storage facilities are only allowed for agricultural and food uses.

E. In the urban village center (UVC) zone, self-service storage shall require a conditional use permit (C).

F. One piece of heavy equipment may be stored in any residential zone; provided, that it is either enclosed within a permitted structure or screened to the satisfaction of the director.

(Ord. 611 (2022) § 185, 2022)

17.415.530 Temporary offices and model homes.

A. Temporary offices and model homes must comply with the temporary permit provisions of Chapter 17.105.

B. In the rural employment center (REC) and Twelve Trees employment center (TTEC) zones, temporary offices and model homes shall be subject to the following permit review:

1. 0 – 3,999 square feet = P.

2. 4,000 – 10,000 square feet = ACUP.

3. 10,001 – 15,000 square feet = C.

4. 15,001 square feet and above = X.

C. A model home may be constructed within a subdivision prior to final plat approval. The purpose of the model homes shall be to demonstrate a variety of housing designs together with associated on-site improvements, e.g., landscaping, improved driveway, patios. Model homes shall be subject to the following requirements:

1. The subdivision shall have received preliminary plat approval;

2. One model home may be occupied as a temporary real estate office;

3. A model home may not be occupied as a dwelling unit or sold until the approved final plat is recorded;

4. The number of model home permits that may be issued for any approved preliminary plat or division thereof shall not exceed six;

5. If the lots to be used for model home purposes are in a block of two or more contiguous lots, temporary uses may be incorporated onto one or more lots, including temporary offices, parking, parks and playgrounds, sub-

ject to the approval of the director, and subject to obtaining a temporary use permit, which shall authorize the temporary uses for a period of one year. The director may extend the temporary use permit for up to two additional periods of six months each;

6. Lots used for model homes must be clear of restrictions or easements that may be subject to line changes before recording;

7. Stormwater management facilities must be in place and/or approved for recording. Temporary erosion control must be completed prior to occupancy of a model home;

8. Roads must be constructed to final alignment and grade such that the building inspector can determine if connecting driveways meet county standards prior to occupancy of a model home;

9. Permanent or temporary fire flow for the final plat must be approved by the fire marshal, constructed and operational prior to occupancy of a model home; and

10. Final plat restoration bonds must be posted prior to occupancy of a model home. (Ord. 611 (2022) § 185, 2022)

17.415.535 Topsoil production, stump grinding, firewood cutting, and composting.

In the rural residential (RR) or the rural protection (RP) zone, topsoil production, stump grinding, firewood cutting, and composting shall meet the following requirements:

A. The site must be one hundred thousand square feet or greater in size;

B. The use must take direct access from a county-maintained right-of-way;

C. A fifty-foot natural vegetation buffer must be maintained around the perimeter of the property(ies) to provide adequate screening of the use from neighboring properties;

D. The subject property(ies) must be adjacent to an industrial zone or a complementary public facility such as a sewage treatment plant or solid waste facility;

E. The use must mitigate noise, odor, dust and light impacts from the project; and

F. The use must meet all other requirements of this title.

(Ord. 611 (2022) § 185, 2022)

17.415.540 Tourism facilities, including outfitter and guide facilities.

A. In the Manchester village commercial (MVC) zone, terminals or facilities for motorized equipment are prohibited.

B. In the rural employment center (REC) zone, tourism facilities, including outfitter and guide facilities, shall be subject to the following permit review:

1. 0 – 3,999 square feet = P.
2. 4,000 – 10,000 square feet = ACUP.
3. 10,001 – 15,000 square feet = C.
4. 15,001 square feet and above = X.

(Ord. 611 (2022) § 185, 2022)

17.415.545 Tourism facilities, including seaplane and tour boat terminals.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.550 Transitory accommodations.

Use shall comply with Chapter 17.505.

(Ord. 611 (2022) § 185, 2022)

17.415.555 Transportation terminals, marine.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.560 Transportation terminals, nonmarine.

Reserved.

(Ord. 611 (2022) § 185, 2022)

17.415.565 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities.

Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.570 Vacation rentals.

Use prohibited within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16.

(Ord. 611 (2022) § 185, 2022)

17.415.575 Veterinary clinics/animal hospitals/wildlife shelter.

In the rural protection (RP) or rural residential (RR) zone, all buildings and activities shall be set back a minimum of fifty feet and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.

(Ord. 611 (2022) § 185, 2022)

17.415.580 Warehousing and distribution.

A. In the rural industrial (RI) zone, warehousing and distribution shall be focused on agricultural, food, or forestry uses only.

B. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

(Ord. 611 (2022) § 185, 2022)

17.415.585 Wireless communications facilities.

Uses shall comply with Chapter 17.530. (Ord. 611 (2022) § 185, 2022)

17.415.590 Wrecking yards and junkyards.

Reserved. (Ord. 611 (2022) § 185, 2022)

17.415.595 Zoo, aquarium.

A. Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards located in Chapter 17.700, Appendix C3).

B. In the rural commercial (RCO) zone, an aquarium is prohibited.

(Ord. 611 (2022) § 185, 2022)

Chapter 17.420

DENSITY, DIMENSIONS, AND DESIGN

Sections:

- 17.420.010 Standards established.
- 17.420.020 Measurement methods.
- 17.420.030 Design standards.
- 17.420.035 Additional mixed use development standards.
- 17.420.037 Single-family subdivision/development standards.
- 17.420.040 Interpretation of tables.
- 17.420.050 Tables.
- 17.420.052 Rural, resource, and urban residential zones density and dimensions table.
- 17.420.054 Commercial, industrial, and parks zones density and dimensions table.
- 17.420.056 Limited areas of more intensive rural development (LAMIRD) density and dimensions table.
- 17.420.058 Silverdale regional center and design district density and dimension table.
- 17.420.060 Footnotes for tables.

17.420.010 Standards established.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.020 Measurement methods.

A. Density. Except as provided in Section 17.420.060(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. If a calculation results in a partial dwelling unit, the partial dwelling unit shall be rounded to the nearest whole number. Less than one-half shall be rounded down. Greater than or equal to one-half 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 17.420.060(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 sur-

face described in subsection (C)(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, lakes, streams, and lands covered regularly or continuously by water (ordinary high water mark), except as otherwise provided in code, as well as 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 one-one-hundred-twenty-eighth of a section, ten acres if the lot is one-sixty-fourth of a section, and twenty acres if the lot is one-thirty-second 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.

(Ord. 617 (2022) § 11, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.030 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 MRO zones shall comply with the provisions

stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.

B. Landscaping, Building Height, Buffering and Screening.

1. The development must comply with Chapter 17.500 regarding landscaping standards.

2. The director may require increased landscaping, screening and setbacks to minimize conflicts and improve compatibility with adjacent uses.

3. The director may reduce landscaping, screening, and setback requirements:

a. Where the nature of established development on adjacent parcels partially or fully provides the screening and buffering which otherwise would be required;

b. Where the density of the proposed development is less than that permitted by the zone; or

c. Where topographical or other site conditions provide natural screening and buffering.

4. A reduction in landscaping/screening requirements may be approved by the director in conjunction with a joint landscape screening proposal submitted by adjacent landowners for their combined boundaries or for an integrated project located within two or more zones.

C. Exterior Lighting. In all zones, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.

D. Screening of Equipment, Storage, and Refuse Areas.

1. All roof-mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from any abutting lot, or any public street or right-of-way as feasible. This shall be accomplished through the use of parapet roof extensions, or screened in a manner which is architecturally integrated with the main structures;

2. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. Building materials for use on the same premises may be stored on the par-

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cel 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 one thousand two hundred feet of the site and incorporate transit stops within the site plan design as appropriate;

2. Developments shall be limited to one ingress/egress per three hundred lineal feet along a public arterial. Small parcels that provide less than two hundred fifty feet of road frontage shall be limited to one parking lot entrance lane and one exit lane. Access points may be required at greater intervals as directed by the director of public works as demonstrated through a traffic analysis. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographical relief, or existing development that precludes the ability to share access. Developments shall attempt to minimize vehicular movement conflicts with public roadways by use of connected frontage lanes.

F. Off-Street Parking. The development must comply with the off-street parking requirements prescribed by Chapter 17.490.

G. Solid Waste. The development must comply with the guidelines set forth in the Kit-sap County Comprehensive Solid Waste Plan. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.035 Additional mixed use development standards.

A. Total gross floor area devoted to residential uses in any mixed use development project shall not exceed eighty percent of the proposed gross floor area.

B. Total gross floor area dedicated to commercial uses in any mixed use development shall not exceed fifty percent of the proposed gross floor area.

C. If the mixed use development is phased, the development's commercial uses shall be constructed concurrent with or subsequent to the residential uses.

D. Development standards for mixed use development may be modified or waived, as set forth in Chapter 17.430 and Title 21, provided the applicant can demonstrate that the modification or waiver request will result in a project that:

1. Fosters a development pattern focused on the public street;
2. Provides for community spaces such as plazas, atriums or pocket parks;
3. Provides for a compatible mix of multi-family housing and commercial businesses and services;
4. Better meets the intent of the Comprehensive Plan;
5. Provides for compatibility with surrounding uses and zones; and
6. The commercial and residential components are constructed concurrently.

E. The following development standards may be modified or waived consistent with the criteria outlined in subsection (D) of this section:

1. Screening requirements in this title, provided the modification or waiver complies with the provisions of Section 17.420.030(B);

2. Landscaping requirements in this title, provided the modification or waiver complies with the provisions of Section 17.420.030(B);

3. Parking layout, access and dimensional standards in Chapter 17.490, provided the modification or waiver results in a design that provides safe and efficient pedestrian and vehicular circulation;

4. Minimum parking requirements in Chapter 17.490, 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 17.420; provided, that this shall not apply in the Gorst UGA, which instead is subject to Section 17.400.080;

6. Setback requirements in this chapter;

7. Residential open space requirements in this title; and

8. Height and density restrictions in this chapter, provided the modification or waiver is consistent with the recommendations of the fire marshal/fire district and results in 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 17.420.060(A)(17). In the Gorst UGA, maximum height may only be earned through the incentives in Section 17.400.080.

F. The criteria and provisions of this section supersede other variance, modification or waiver criteria and provisions contained in this title.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.037 Single-family subdivision/development standards.

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

A. Sidewalk Requirements.

1. Sidewalks shall be required on both sides of all public or private streets meeting the criteria for classification as a principal or minor arterial, collector, local subcollector or local minor roads as described by the Kitsap County road standards. Sidewalk design shall be developed consistent with the requirements of the Kitsap County road standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Landscaping Requirements.

1. A landscaped area will be provided at all entrances to the subdivision or development consistent with the landscaping standards of Chapter 17.500.

2. Street trees consistent with Chapter 17.500 shall be provided along all streets with the road classification of principal or minor arterial, collector, or local subcollector as determined by the Kitsap County road standards or of similar traffic volume. Street trees shall be located in the road right-of-way or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certifi-

cate of occupancy for individual building permits.

E. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter 17.490.

2. All fractional parking spaces shall be rounded up to the nearest whole number.

3. If the development includes set-aside parking areas, each area shall not include more than ten spaces each and shall be in locations throughout the development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.040 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 (min) and, in some cases, maximum (max) 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 17.420.060. A cell marked with “NA” indicates there are no specific requirements.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.050 Tables.

There are four separate tables addressing the density, dimensions, and design standards as applied to the following general land use categories and zones:

A. Section 17.420.052, Rural, Resource, and Urban Residential Zones Density and Dimensions Table.

1. Rural residential (RR).
2. Rural protection (RP).
3. Rural wooded (RW).
4. Forest resource lands (FRL).
5. Mineral resource overlay (MRO).
6. Urban restricted (UR).
7. Greenbelt (GB).
8. Urban low residential (UL).
9. Urban cluster residential (UCR).
10. Urban medium residential (UM).
11. Urban high residential (UH).

B. Section 17.420.054, Commercial, Industrial, and Parks Zones Density and Dimensions Table.

1. Urban village center (UVC).
2. Neighborhood commercial (NC).
3. Commercial (C).
4. Regional center (RC).
5. Low intensity commercial (LIC).
6. Rural commercial (RCO).
7. Business park (BP).
8. Business center (BC).
9. Industrial (IND).
10. Rural industrial (RI).
11. Parks (P).

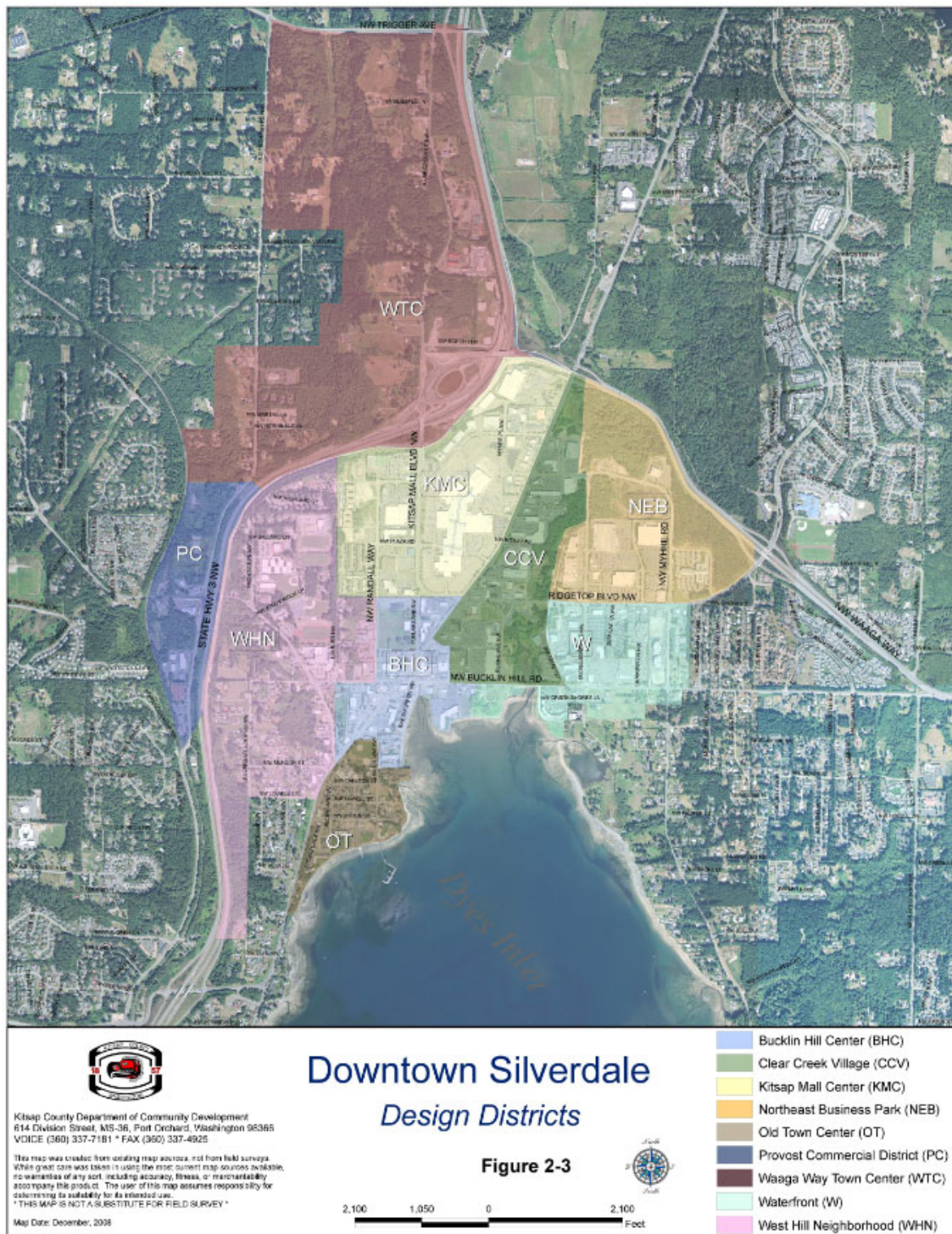
C. Section 17.420.056, Limited Areas of More Intensive Rural Development (LAMIRD) Zones Density and Dimensions Table.

1. Keyport village commercial (KVC).
2. Keyport village low residential (KVLR).
3. Keyport village residential (KVR).
4. Manchester village commercial (MVC).
5. Manchester village low residential (MVLRL).
6. Manchester village residential (MVR).
7. Port Gamble rural historic town commercial (RHTC).
8. Port Gamble rural historic town residential (RHTR).
9. Port Gamble rural historic town waterfront (RHTW).
10. Suquamish village commercial (SVC).
11. Suquamish village low residential (SVLR).
12. Suquamish village residential (SVR).
13. Rural employment center (REC).
14. Twelve Trees employment center (TTEC).

D. Section 17.420.058, Silverdale Regional Center and Design District Density and Dimension Table.

1. Old Town.
2. Bucklin Hill center.
3. Clear Creek Village.

4. Kitsap Mall center.
5. West Hill.
6. Northeast business.
7. Waterfront.



(Ord. 550 (2018) § 18, 2018; Ord. 538 (2016) § 4 (App. B), 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.420.052 Rural, resource, and urban residential zones density and dimensions table.

Standard	Rural			Resource		Urban Low Density Residential				Urban Medium/High Density Residential	
	RR	RP	RW	FRL	MRO	UR (33)(53)	GB (33)	UL (5)(33)	UCR (5)	UM (5)	UH (33)(55)
Min. density (du/acre)	NA	NA	NA	NA	NA	1 (3)(18)	1 (3)(18)	5	5	10	19
Max. density (du/acre)	1 du/5 acres	1 du/10 acres	1 du/20 acres	1 du/40 acres	0 (19)	5, up to 10 in Gorst (18)(53)	4 (18)	9	9	18	30
Min. lot size	5 acres	10 acres	20 acres	40 acres	20 acres (30)	5,800 s.f.	5,800 s.f.	2,400 s.f.	2,400 s.f.	NA for multifamily; 2,400 s.f. for single-family	NA
Max. lot size	NA	NA	NA	NA	NA	NA	NA	9,000 s.f. (25)	9,000 s.f. (25)	NA	NA
Min. lot width (feet)	140	140	140	140	60 (31)	60	60	40	40	NA for multifamily; 40 for single-family	60
Min. lot depth (feet)	140	140	140	140	NA	60	60	60	60	NA for multifamily; 60 for single-family	60
Max. height (feet) (37)(40)(50)	35 (2)	35 (2)	35 (2)	35 (1)	NA	35	35	35	35	45 (17)	55 (17)
Max. impervious surface coverage	NA	NA	NA	NA	NA	50%, up to 55% in Gorst (53)	40%	NA	NA	85%	85%
Max. lot coverage	NA	NA	NA	NA	NA	50%, up to 55% in Gorst (53)	40%	NA	NA	85%	85%

Standard	Rural			Resource		Urban Low Density Residential				Urban Medium/High Density Residential	
	RR	RP	RW	FRL	MRO	UR (33)(53)	GB (33)	UL (5)(33)	UCR (5)	UM (5)	UH (33)(55)
Setbacks (34)(35)(48)											
Min. front (feet) (41)(42)(43)	50 (29)	50 (29)	50 (29)	50 (29)	NA	20, 15 in Gorst (29)(54)	20 (29)	20 for garage or carport; 10 for habitable area (29)	10 for single-family, duplex and townhouse; 10 for multifamily when abutting a single- family, duplex or townhouse on the same side of the street, otherwise NA (29)	10 for multifamily; for single-family: 20 for garage or carport, 10 for habitable area (29)	20 (29)
Max. front (feet)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Min. side (feet) (42)(43)	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	20 (29)	NA	5 (29)	5 (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (28)(29)	5 If on an alley, 10 feet for a garage or carport opening directly onto the alley or 5 feet in all other instances (29)	5 (29)
Min. rear (feet) (42)(43)	20 feet; 5 feet for accessory structures (29)	20 feet; 5 feet for accessory structures (29)	20 (29)	20 (29)	NA	10, 15 in Gorst (29)(54)	10 (29)	10 If on an alley, 20 feet for a garage or carport opening directly onto the alley (29)	5 If on an alley, 20 feet for a garage or carport opening directly onto the alley (28)(29)	10 If on an alley, 20 feet for a garage or carport opening directly onto the alley (29)	10 (29)

(Ord. 617 (2022) § 20, 2022; Ord. 565 (2018) § 14(7) (Att. 7) (part), 2018; Ord. 550 (2018) § 19, 2018)

17.420.054 Commercial, industrial, and parks zones density and dimensions table.

Standard	Commercial						Industrial				Public Facilities	
	UVC (5)	NC (5)(33)	C (5)(33)	RC (33)	LIC	RCO (12)	BC	BP	IND (5)(36)	RI	P	--
Min. density (du/acre) (57)	10	10	10	See Section 17.420.058	10	NA	NA	NA	NA	NA	NA	
Max. density (du/acre)	NA	30	30		20; up to 30 in Gorst (53)	0 (19)	0 (19)	0 (19)	0 (19)	0 (19)	0 (19)	
Min. lot size	NA	NA	NA		NA	NA	NA	7 acres (49)	NA	NA	NA	
Max. lot size	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	
Min. lot width (feet)	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	
Min. lot depth (feet)	NA	NA	NA		NA	NA	NA	NA	NA	200	NA	
Max. height (feet) (37)(40)(50)	45	35 (17)	35 (17)		25; up to 45 in Gorst (53)	35	35 (17)	35 (17)	35 (17)	35	35 (17)	
Max. impervious surface coverage	85%	85%	85%		35%; up to 50% in Gorst (53)	85%	NA	50%	NA	85%	NA	
Max. lot coverage	Total gross floor area devoted to nonresidential use in any one structure shall not exceed 25,000 square feet.	NA	NA		35%	NA	60% building coverage or as determined by master plan process	NA	60% lot coverage	NA	NA	

Standard	Commercial						Industrial				Public Facilities		
	UVC (5)	NC (5)(33)	C (5)(33)	RC (33)	LIC	RCO (12)	BC	BP	IND (5)(36)	RI	P	--	
Setbacks (34)(35)(48)													
Min. front (feet) (29)(41)(42) (43)(46)	NA	20	20	See Section 17.420.058	NA	20 (26)	20 (23)(26)	20 (23)(26)	20 (27)	20 (26)	20; 0 in Gorst (54)		
Max. front (feet) (41)(42)(43)	NA	NA	NA		10 (52)	NA	NA	NA	NA	NA	NA	NA	
Min. side (feet) (29)(42)(43)	NA	10 (21)	10 (21)		NA	20, 50 when abutting residential zone (26)	20 (23)(26)	20 (23)(26)	NA (27)	20, 50 when abutting residential zone (26)	10		
Min. rear (feet) (29)(42)(43)	NA	10 (21)	10 (21)		15	20, 50 when abutting residential zone (26)	20 (23)(26)	20 (23)(26)	NA (27)	20, 50 when abutting residential zone (26)	10; 0 in Gorst (54)		

(Ord. 617 (2022) § 21, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 565 (2018) §§ 14(2) (Att. 2) (part), 14(7) (Att. 7) (part), 2018: Ord. 550 (2018) § 20, 2018)

17.420.056 Limited areas of more intensive rural development (LAMIRD) density and dimensions table.

(Supp. No. xx - 3/14/2023)

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17.420.056

Standard	TYPE I LAMIRDS												TYPE III LAMIRDS	
	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic Town			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Min. density (du/acre)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Max. density (du/acre)	5	2 (45)	5	5 (15)	2 (15)	4 (15)	2.5 (7) (58)	2.5 (7) (58)	2.5 (7) (58)	0 (19)	2	2	0 (19)	0 (19)
Min. lot size	NA	12,500 s.f.	4,000 s.f.	NA	21,780 s.f. (12)	10,890 s.f. (12)	NA	3,500 s.f. (7)	NA	NA (11)	4,500 s.f. (4)(11)	4,000 s.f. (4)(11)	NA	NA
Max. lot size	NA	NA	NA	NA	NA	NA	NA	7,500 s.f. (7)	NA	NA (11)	NA (11)	NA (11)	NA	NA
Min. lot width (feet)	30	80	40	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	50 (4)(11)	40 (4)(11)	NA	NA
Min. lot depth (feet)	NA	80	80	NA	60 (12)	60 (12)	NA	NA	NA	NA (11)	90 (4)(11)	75 (4)(11)	NA	NA
Max. height (feet) (37)(40)	35	35	35	28 (13)	35 (14)	35 (14)	35 (8)	30	35 (22)	35	30, Max of 2 habitable floors	30, Max of 2 habitable floors	35	35
Max. impervious surface coverage	NA	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres (16)	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres (16)	50% for residential properties less than or equal to 0.50 acres; 40% for residential properties greater than or equal to 0.51 acres (16)	NA	NA	NA	40% (6)	40% (6)	40% (6)	85%	85%

Standard	TYPE I LAMIRDS												TYPE III LAMIRDS	
	Keyport Rural Village			Manchester Village			Port Gamble Rural Historic Town			Suquamish Village			REC	TTEC
	KVC	KVLR	KVR	MVC (47)	MVLR	MVR	RHTC	RHTR	RHTW	SVC	SVLR	SVR		
Max. lot coverage	NA	NA	NA	NA	NA	NA	50%	50% or 2,000 s.f., whichever is greater	50%	NA	NA	NA	NA	NA
Setbacks (34)(35)(48)														
Min. front (feet) (41)(42) (43)	NA	10 for habitable area, 20 for garage or carport	10 for habitable area, 5 for porch, 20 for garage or carport (46)	NA	20	20	NA	20 (9)	NA	10 (11)	20 (11)	20 (11)	20	20
Max. front (feet)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Min. side (feet) (42)(43)	NA	5	5	NA	5	5	Per Title 14	5 (10)	Per Title 14	NA (11) (21)	5 (11)	5 (11)	10 (21)	10 (21)
Min. rear (feet) (42)(43)	NA	5	5	NA	5	5	Per Title 14	5 (10)	Per Title 14	10 (11) (21)	5 (11)	5 (11)	10 (21)	10 (21)

(Ord. 617 (2022) § 22, 2022; Ord. 586 (2020) § 9, 2020; Ord. 565 (2018) § 14(7) (Att. 7) (part), 2018; Ord. 550 (2018) § 21, 2018)

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17.420.056

17.420.058 Silverdale regional center and design district density and dimension table.

Standard	Old Town	Bucklin Hill Center	Clear Creek Village	Kitsap Mall Center	West Hill	Northeast Business	Waterfront
Min. density (du/acre) (57)	10	10	10	10	UH: 19 RC: 10	10	10
Max. density (du/acre) (56)	30/60	30/60	30/60	30/60	UH: 30/60 RC: 30/60	30/60	30/60
Min. height (feet)	NA	35 ft fronting Silverdale Way	35 ft fronting Silverdale Way	35 ft fronting Silverdale Way	35 ft fronting Silverdale Way	35 ft	NA
Max. height (feet) (33)(37)(40) (56)	35/45 ft	55 ft/85 ft	55 ft/85 ft	55 ft/85 ft	UH: 55 ft/85 ft RC: 55 ft/85 ft	65 ft/125 ft	55 ft/85 ft
Max. impervious surface coverage	85%	85%	85%	85%	UH: 85% RC: NA	85%	85%
Max. lot coverage	NA	NA	NA	NA	NA	NA	NA
Setbacks (34)(35)(48)							
Min. front (feet)	20 ft	20 ft	20 ft	20 ft	UH: 20 ft RC: 20 ft	20 ft	20 ft
Max. front (feet) (29)(41)(42) (43)(45)	NA	NA	NA	NA	NA	NA	NA
Side (feet) (29)(42)(43) (45)	10 ft	10 ft	10 ft	10 ft	UH: 5 ft RC: 10 ft	10 ft	10 ft
Rear (feet) (29)(42)(43)	10 ft	10 ft	10 ft	10 ft	UH: 5 ft RC: 10 ft	10 ft	10 ft

(Ord. 617 (2022) § 23, 2022; Ord. 550 (2018) § 22, 2018)

17.420.060 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 and greenbelt (GB) 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 in Chapter 17.700, Appendix C1.

6. Building replacements and remodels shall not create in excess of a total of forty percent hard surface for lot area or more than the total existing hard 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 three thousand five hundred and seven thousand five hundred square feet. New proposals may then proceed using the five-acre lot requirements 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 ten 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 ten feet and minimum rear setbacks of twenty feet.

11. Any newly created lot within the Suquamish rural village shall be subject to Chapter 16.48, Short Subdivisions, and must meet the lot requirements below:

a. Lot Requirements.

i. Minimum lot size: twenty-one thousand seven hundred eighty square feet.

ii. Minimum lot width: one hundred feet.

iii. Minimum lot depth: one hundred feet.

b. Setbacks.

i. Front: twenty feet.

ii. Side: five feet.

iii. Rear: five feet.

12. 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 eight thousand seven hundred twelve 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.

b. 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 are less than eight thousand seven hundred

twelve square feet in size or do not meet the dimensional requirements of its zone and, at the time of adoption of the Manchester Community Plan (March 18, 2002), either (i) a residential structure encumbered more than one of the contiguous lots or (ii) 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 twenty-eight feet.

14. Within the view protection overlay, the maximum height for buildings and new vegetation shall be twenty-eight feet. Height shall be measured from the average elevation of the property's buildable area to the structure's highest point. Kitsap County will not enforce vegetation height standards. 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 or have new vegetation as high as thirty-five 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 forty percent 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 forty percent 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.

17. A greater height may be allowed as set forth below and in accordance with the procedures in Title 21. 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 NC and P zones: forty-five feet.
- b. In the UH and C zones: sixty-five feet.
- c. In the UM, BP, BC, and IND zones: fifty-five feet.
- d. Height and density requirements for urban high and regional center reflected in Section 17.420.058, Silverdale regional center and design district density and dimension table.

18. The minimum and maximum densities within the range are based upon the net acreage of the property(ies) after the removal of critical areas. In determining a development proposal's actual density within the range, the features of the subject parcel including on-site or adjacent wetlands, streams or steep slopes shall be considered first.

19. These zones are not intended to accommodate population growth and therefore do not have allowed density. However, limited new residential uses may occur in these zones which support the intent of these zones to provide employment and services. Therefore, up to one dwelling unit may be allowed per existing parcel for the limited residential uses allowed in Chapter 17.410.

20. The Design Standards for the Community of Keyport sets forth policies and regulations for properties within the downtown area of Keyport. All development within this area must be consistent with these standards in Chapter 17.700, Appendix C2.

21. Twenty feet when abutting a residential zone.

22. Maximum height shall be thirty feet when located within the two-hundred-foot shoreline area.

23. The minimum site setback shall be seventy-five 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 seventy-five feet but no less than twenty-five feet. In all other cases, minimum site setbacks shall be twenty feet.

24. Reserved.

25. For new building permit applications for residential dwelling units on vacant lots over eighteen thousand square feet located in urban low residential (ULR) and urban cluster residential (UCR) zones, the maximum lot size shall not exceed nine thousand square feet. This restriction shall not apply if:

a. The net developable area of the existing parcel is less than eighteen thousand square feet; or

b. The project application will meet minimum density requirements as established by this chapter.

26. No service road, spur track, or hard stand shall be permitted within required yard areas that abut a residential zone.

27. As approved by the director, wherever an industrial zone abuts a residential zone, a fifty-foot screening buffer area shall be provided. This screening buffer is intended to reduce impacts to abutting residential uses such as noise, light, odors, dust and structure bulk. No structures, open storage, or parking shall be

allowed within this area. The director shall only approve screening buffers that improve the compatibility between the proposed use and the residential zone. The director may reduce this buffer to a minimum of twenty-five-foot width only when based upon a site-specific determination that topography, berming or other screening features will effectively screen industrial activities from the residential zone. Conversely, based upon a similar site-specific determination, the director may increase the buffer width from fifty feet to ensure adequate buffering and compatibility between uses.

28. Unless part of an approved zero-lot-line development.

29. One-hundred-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. Three hundred thirty feet if activity includes any uses in Section 17.170.020.

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. Except for the height and density requirements reflected in Section 17.420.058, Silverdale regional center and design district density and dimension table, all development within the Silverdale design district boundaries must be consistent with the Silverdale Design Standards found in Chapter 17.700, Appendix C3.

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. For setback standards applicable to agricultural structures, see Section 17.455.080.

36. For standards applicable to master planned industrial developments and approved industrial parks, see Sections 17.320.030 and 17.330.030.

37. 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. Reserved.

39. Reserved.

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 for dwellings:

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 halfway 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 ten 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. Reserved.

45. Density in the KVLR zone may be increased to three units per acre through a performance-based development (PBD) process pursuant to the regulations cited in Section 17.360A.030(B).

46. A front porch and associated steps shall meet a minimum five-foot setback from the front property line and the following requirements:

a. Porches shall be at least forty percent open on each of two sides.

b. Porches shall be a minimum of four feet by six feet.

47. The Manchester Design Standards sets forth policies and regulations for properties within the Manchester village commercial (MVC) zone. All developments within the MVC zone must be consistent with the standards found in Chapter 17.700, Appendix C4.

48. Shoreline properties are subject to Title 22 and may have additional buffers and setbacks requirements not listed in the density and dimension tables. Properties constrained by critical areas are subject to Title 19 and may have additional buffers and setbacks requirements not listed in the density and dimension tables. Cornices, canopies, eaves, belt courses, sills, bay windows, fireplaces or other similar cantilevered features may extend up to twenty-four inches into any required yard area. In no case shall a habitable area be considered for encroachment into a required yard through any land use process. Additionally, fire escapes, open/uncovered porches, balconies, landing places or outside stairways may extend up to twenty-four inches into any required side or rear yards. Open/uncovered porches, balconies, landing places, or outside stairways shall not extend more than six feet into any required front yard and shall be a minimum of five feet from the front property line.

49. Minimum project size applies to the initial land use application for the property such as master plan, PBD or other mechanism. Subsequent subdivision through platting or binding

site plan consistent with scope and conditions of the land use approval is not required to meet this minimum size.

50. New or remodeled structures within the Illahee View Protection Overlay may not exceed twenty-eight feet. Kitsap County will not enforce vegetation height standards.

51. Reserved.

52. No motor vehicle parking allowed within the front yard setback. See also Section 17.400.060 regarding conditions under which maximum setbacks may increase, as well as parking location standards.

53. Within the Gorst urban growth area, density, impervious surface coverage and height may be increased to the maximum listed in the density and dimensions table through compliance with the incentive program described in Section 17.400.080(B).

54. Standard listed applicable to Gorst UGA only.

55. Parcels located within the Silverdale Regional Growth Center shall refer to the design standards identified in Section 17.420.058, Silverdale regional center and design district density and dimension table.

56. Height and density may be increased through Chapter 17.450, Performance Based Development, or if a project qualifies as mixed use development and meets modification or waiver request criteria as identified in Section 17.420.035, Additional mixed use development standards.

57. Mixed use projects are not required to meet the minimum density requirements.

58. As part of a town master plan developed under Section 17.360C.030, maximum density shall apply to the entirety of the RHT rather than a specific RHT zone. The density of any specific development shall maintain the historic character of the RHT and shall not cause the total number of dwelling units within the RHT to exceed two hundred ninety-five. How-

ever, no units shall be transferred into the RHTW zone from other zones in the RHT.

(Ord. 617 (2022) §§ 4, 24, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 586 (2020) § 10, 2020; Ord. 565 (2018) §§ 14(2) (Att. 2) (part), 14(7) (Att. 7) (part), 2018; Ord. 559 (2018) § 4, 2018; Ord. 550 (2018) § 23, 2018; Ord. 540 (2016) § 38, 2016; Ord. 538 (2016) § 5 (App. B), 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.430

LAND USE REVIEW

Sections:

- 17.430.010 Purpose.
- 17.430.020 Code compliance review.
- 17.430.030 Review authority.
- 17.430.040 Appeals.
- 17.430.050 Minimum application requirements.

17.430.010 Purpose.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.430.020 Code compliance review.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.430.030 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 17.410 and this title.

B. The proposal may also be subject to various project permit reviews as set forth in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.430.040 Appeals.

All appeals shall follow the procedures set forth in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.430.050 Minimum application requirements.

A. Except as provided elsewhere in this code, the department shall establish and may revise written submittal requirements for each type of project permit application required by this title. The department shall prescribe checklist forms which shall clearly describe the material that must be submitted for an application to be accepted for processing.

B. Additional materials may be required by the department as it determines necessary for review of the application, regardless of whether a waiver has been granted.

C. All applications shall be accompanied with electronic 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 setback dimensions, intended use of each, and, if appropriate, the number of dwelling units;
4. Drawings and dimensions of proposed buildings and structures;
5. Location of walls and fences, indication of their height and construction materials;
6. Existing and proposed topography at contour intervals of no more than five feet as stamped by a certified surveyor or engineer;

7. Streets adjacent to, surrounding or intended to serve the property, curbcuts and internal pedestrian and vehicular traffic circulation routes;
 8. Existing and proposed exterior lighting;
 9. Location and size of exterior signs and outdoor advertising;
 10. Preliminary landscaping plan;
 11. Location and layout of off-street parking and loading facilities;
 12. Proposed location of utility, sewage and drainage facilities;
 13. Other architectural or engineering data which may be necessary to determine compliance with applicable regulations;
 14. Location of any critical areas and their associated buffer and/or setback requirements; and
 15. Other information as required.
- (Ord. 617 (2022) § 25, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.440

MASTER PLANNING

Sections:

- 17.440.010 Purpose.
- 17.440.020 Minimum project size.
- 17.440.030 Master plan – When required.
- 17.440.032 Parties to master plan.
- 17.440.040 Use of existing master plan.
- 17.440.060 Subarea conceptual development plan update.
- 17.440.065 Master plan review process.
- 17.440.070 Master plan components – General.
- 17.440.075 Land use component of master plan.
- 17.440.080 Storm water component of master plan.
- 17.440.085 Storm water control standards.
- 17.440.090 Sanitary sewer service component of master plan.
- 17.440.095 Sanitary sewer standards.

- 17.440.100 Public water system component of master plan.
- 17.440.105 Public water system standards.
- 17.440.200 Transportation analysis component of master plan.
- 17.440.205 Transportation service standards.
- 17.440.300 Open space component of master plan.
- 17.440.500 Environmental analysis component of master plan.
- 17.440.505 Environmental standards.
- 17.440.525 Environmental review.
- 17.440.535 Economic development component of master plan.
- 17.440.550 Third party review.
- 17.440.625 Concurrent permit processing.
- 17.440.650 Subdivision of areas subject to a master plan requirement.
- 17.440.675 Decision criteria for master plan approval.
- 17.440.700 Duration of master plan approval.
- 17.440.750 Extensions of master plan approval.
- 17.440.800 Amendment of master plans.

17.440.010 Purpose.

The master plan is intended to provide means for planning and assessing sites for a wide range of activities such as residential, commercial and industrial. Such plans are to be based on a larger area to provide a more comprehensive view of the proposed uses and their impacts on surrounding properties. Projects are encouraged to use innovative development techniques to maximize open space and trail systems, enhance environmental protection and minimize impervious surface and storm water runoff. Development of master plans is also intended to ensure the availability of adequate capital facilities and infrastructure to support these uses and the adequate protection of environmental resources located in these areas. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.020 Minimum project size.

The minimum project size for master plans is forty gross acres.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.030 Master plan – When required.

The development of a master plan is optional. The director may either increase or decrease the area that will be included in the master plan in order to maximize the efficiency of the process and assure coordination with areas that may be affected by the proposed new developments.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.032 Parties to master plan.

The parties to the master plan must include all legal owners of the subject properties. These master plans may include the properties of non-participants in the master plan development process.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.040 Use of existing master plan.

Development in zones requiring or allowing master planning may use an existing master plan under the following circumstances:

A. The property has a previously approved master plan, which the director determines to be sufficient to permit review of the potential impacts of the development and identification of necessary mitigation measures; or

B. An existing master plan prepared for other properties in the vicinity of a develop-

ment site, which addresses some, but not all, of the substantive issues set forth in the subarea plan may be supplemented by an addendum, which addresses only those issues not previously analyzed. Such an addendum and the initial master plan must be reviewed by the director pursuant to the procedures set forth in this chapter for review and approval of a master plan.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.060 Subarea conceptual development plan update.

The county may use these approved master plans as an inventory, planning and/or economic development tool to update existing subarea plans or the Comprehensive Plan. Final approved master plans, including infrastructure and other master plan elements, must be submitted in a data format compatible with ongoing update requirements.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.065 Master plan review process.

A proposed master plan shall be processed as a Type III development application under Section 21.04.080, which will include the following process:

A. An application for master plan and a SEPA checklist shall be submitted to the department.

B. A master plan scoping conference will be held between the department and the applicants to identify the required components of the master plan; to determine the assumptions and standards to be applied in the plan; and to identify existing information and analyses which may be used in the master plan process together with any site-specific issues of concern. The applicant will provide preliminary project information to the extent required to complete the scoping process.

C. Within thirty days of the scoping conference, a written master plan scoping summary notice will be mailed to the applicant. This notice will include a summary of overall scoping conclusions and a review of elements

necessary for an application for a master plan and will direct the applicant to proceed with development of the master plan. The master plan scoping summary notice will also describe the level of environmental review needed for the master plan, which may include a SEPA threshold determination. Upon receipt of the master plan scoping summary notice, the applicant will return a signed copy to the department of community development.

D. The applicant shall be responsible for all analysis and planning involved in the preparation of a completed master plan. Upon completion of the master plan, the applicant shall submit an application for master plan approval. Within forty-five days of such application, and in order to ensure that all master plan requirements have been addressed, the department will issue a notice, using the procedure described in Section 21.04.050, declaring the master plan application to be complete or incomplete.

E. Upon determination that the master plan application is complete and ready for review, the department shall complete a technical review of the master plan and will act on the application in accordance with the procedures and time lines of Section 21.04.080 for a Type III application. Approval of a master plan shall be subject to the appeal procedures set forth for such Type III decisions in Section 21.04.080.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.070 Master plan components – General.

During the preapplication stages of the master planning process, the director of the Kitsap County department of community development shall determine the extent and adequacy of the

analyses to be included in the master plan. These required elements will result in a master plan scoping summary notice. The purpose of this approach is to allow the director and the applicant to tailor the extent of the submittals to the actual and unique circumstances of the proposed development seeking master plan approval. A master plan prepared for purposes of this section shall address the following issues to the extent required by the master plan scoping summary notice:

- A. Land use;
- B. Storm water controls, including both quantity and water quality;
- C. Sanitary sewer service;
- D. Public water service;
- E. Public street and transportation facilities;
- F. Open space facilities;
- G. Environmental protection and resources;
- H. Other infrastructure/utility requirements, which the director determines, based on review under the State Environmental Policy Act, should be analyzed in a master plan in order to assure that such facilities are available to serve the proposed development in a timely manner and that such facilities are designed and developed in a manner which is coordinated with the infrastructure needs of other properties in the area.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.075 Land use component of master plan.

Based on elements required in the approved master plan scoping summary notice, a master plan shall include a description and site plan consistent with the underlying zone(s) and other requirements of this title. The submittal must include the location within the master plan area of all proposed residential densities and housing types, commercial developments and/or industrial/business center uses.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.080 Storm water component of master plan.

Based on elements required in the approved master plan scoping summary notice, a master plan shall include a storm water analysis meeting the requirements of Title 12 (the Kitsap County storm water management ordinance) and the following criteria:

A. Based on the approved master plan scoping summary notice, the storm water analysis shall be based on an approved hydrologic model, as determined by the most recent version of the Kitsap County Storm Water Manual.

B. The storm water analysis shall provide a comprehensive analysis of existing and proposed surface water quantity and quality conditions for all subbasins in which any portion of the development site is located as well as upstream basins which contribute flow to any portion of the development site and downstream basins which receive flows from any portion of the development site. The director may waive the requirement for analysis in any subbasin in which the proposed development will not create the need for storm water facilities. Downstream analysis shall extend to an acceptable receiving body of water.

C. The storm water analysis shall assume full build-out of the subbasins, including upstream and downstream basins, at levels of development permitted by applicable county regulations in effect at the time of master plan preparation.

D. At a minimum, specific technical elements of the storm water analysis shall include:

1. A conceptual or preliminary plan of the proposed drainage collection and flow control systems, based upon accurate topographic mapping and geologic data.

2. All assumptions, parameters, and input data used in the hydrologic model.

3. Hydrologic performance data (stage, storage, discharge) for all elements of the hydrologic system, whether existing or proposed.

4. Flow data for all existing and proposed conveyance facilities, including swales, streams, pipes, and ditches which will support the proposed system.

5. Floodplain analysis identifying flows, velocities, and extent of flooding for the existing and proposed conditions, including backwater or tailwater analysis as appropriate.

6. Erosion analysis of on-site and downstream open-drainage systems, identifying flows, velocities, areas of existing and future deposition and channel erosion, and characterization of sediment.

7. Geotechnical analysis of the site and proposed improvements which addresses soils and slope stability for proposed lakes/ponds, road alignments, channel/ravine conditions, building setbacks from steep slopes, vegetation preservation and controls, existing and proposed drainage facilities, and downstream system stability.

8. Method and conceptual design for maintaining existing flow regimes in any swales/ravines that may be altered by the development.

9. Method, conceptual design, and location of water quality compensating facilities that may be necessary to replace naturally occurring biofiltration functions of site vegetation.

10. Description of maintenance design features and provisions that will ensure reliable and long-term facility operation.

11. A construction phasing plan that will ensure storm water/erosion control during development of individual subbasins.

12. Mapping must be of adequate scale and detail for accurate definition and location of all system elements, both on-site and off-site, and must provide support for hydrologic model characterization.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.085 Storm water control standards.

A. Design Standards. Storm water control facilities, including both flow control and water

quality systems, shall be designed in accordance with and shall meet the standards of Title 19 (the Kitsap County critical areas ordinance) and Title 12 (the Kitsap County storm water management ordinance).

B. Reserve Areas. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of storm water control facilities identified in the master plan to adjoining properties in the vicinity of the development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.090 Sanitary sewer service component of master plan.

Based on elements required in the approved master plan scoping summary notice, a master plan shall include a sanitary sewer service analysis meeting the following criteria:

A. The analysis shall include all drainage subbasins in which any portion of the development site is located, provided the director may waive the requirement for analysis in any subbasin in which the proposed development will not create the need for sanitary sewer service.

B. The analysis shall identify the sanitary sewer service infrastructure needed to provide sewer service to all subbasins affected by the proposed development, assuming full build-out of the subbasins at levels of development permitted by the zoning in effect at the time of master plan preparation. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected subbasins at full build-out, including transmission facilities, treatment facilities and related improvements.

C. The sanitary sewer service analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected subbasins at full build-out, including transmission facilities, treatment facilities and related improvements.

D. The sanitary sewer service analysis may provide for phased implementation of the

identified improvements; provided, that no development subject to master planning requirements shall be approved until a commitment to provide that portion of the improvements identified by the sanitary sewer service analysis as necessary to serve the development site has been provided, including adequate provision for funding. No development subject to master plan requirements may be occupied until the sanitary sewer service facilities needed to provide service meeting applicable standards to the development site are completed and operational.

E. No new permanent or interim on-site septic systems will be permitted in areas required to use the master planning process, except as expressly allowed by subarea plans. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.095 Sanitary sewer standards.

A. Sanitary sewer facilities shall be designed in accordance with and shall meet the standards of Chapter 13.12, as applicable, and the standards for the design and construction of sanitary sewer systems adopted by the appropriate sewer system purveyor, the Kitsap County Comprehensive Sewer Plan, and the Washington State Departments of Health and Ecology in effect at the time the master plan is prepared.

B. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of sanitary sewer facilities identified in the master plan to adjoining properties in the vicinity of the development. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.100 Public water system component of master plan.

Based on elements required in the master plan scoping summary notice, a master plan shall include a public water system analysis meeting the following criteria:

A. The analysis shall include all of the development site and all additional areas, as

determined by the director, which would logically be served by a water system extended to serve the development site, provided the director may waive the requirement for analysis in any portion of the proposed development site that will not create the need for public water service.

B. The analysis shall identify the public water service infrastructure needed to provide water service to all of the proposed development, assuming full build-out of site and other areas logically served by a water system extension to the development site, based on the levels of development that are permitted by the zoning in effect at the time of master plan preparation. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected areas at full build-out, including transmission facilities, storage facilities and related improvements.

C. The public water service analysis shall identify any feasible alternatives for providing water service in the affected areas.

D. The public water service analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected areas at full build-out, including transmission facilities, storage facilities and related improvements.

E. The public water service analysis may provide for phased implementation of the identified improvements; provided, that no development subject to master planning requirements shall be approved until a commitment to provide that portion of the improvements identified by the public water service analysis as necessary to serve the development site has been provided, including adequate provision for funding. No development subject to master plan requirements may commence combustible construction or be occupied until the public water service facilities needed to provide service meeting applicable standards to

the development site are completed and operational.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.105 Public water system standards.

A. Public water system facilities, including transmission and storage systems, shall be designed and constructed in accordance with and shall meet the standards of Chapter 13.28, as applicable, and the standards for the design and construction of public water systems adopted by the water system purveyor, the adopted Coordinated Water System Plan, and the Washington State Departments of Health and Ecology in effect at the time the master plan is prepared.

B. The water system or systems shall provide adequate potable water and adequate pressure to meet minimum fire flow standards as required under the applicable fire regulations and standards.

C. Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of public water facilities identified in the master plan to adjoining properties in the vicinity of the development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.200 Transportation analysis component of master plan.

Based on elements required in the approved master plan scoping summary notice, a master plan shall include a transportation analysis meeting the following criteria:

A. The analysis shall include all Kitsap traffic analysis zones, as defined pursuant to Section 20.04.020(19), in which any portion of the development site is located. The director of public works may waive the requirement for analysis of any area that will not be affected by the road system needed to serve the development site. The director of public works may also require analysis of arterials located outside the affected Kitsap County traffic analysis zones if the director determines that develop-

ment in the master plan area may generate the need for traffic mitigation measures on such arterials. Washington State Department of Transportation shall review transportation analyses for any area which is likely to affect traffic on state highways.

B. The analysis shall identify a multi-modal circulation and access plan identifying transportation infrastructure improvements, including changes to existing roads, new roads, transit service and nonmotorized transportation facilities which are needed to provide transportation service to all of the proposed development, assuming full build-out of site and the Kitsap County traffic analysis zones in which any portion of the development site is located, based on the levels of development permitted. This analysis shall include a capacity analysis of existing facilities and identify improvements and extensions needed to serve the affected areas at full build-out. The transportation analysis shall identify a transportation demand management plan (TDMP) for the area and identify how the TDMP coordinates with other TDMPs in the vicinity of the development, commute trips made by single occupant vehicles and vehicle miles traveled (VMT) per employee. The following listing is intended to provide a broad list of potential TDM strategies for incorporation into the TDMPs.

1. Provision of preferential parking for carpools and vanpools; bicycle parking facilities; changing areas/showers for employees who walk or bike to work;

2. Provision of commuter ride matching services to facilitate employee ridesharing;

3. Provision of subsidies for transit fares, carpooling and/or vanpooling;

4. Alternate work schedules/flex time;

5. On-site amenities such as cafeterias and restaurants, ATMs and other services that would eliminate the need for additional trips;

6. Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;

7. Implementation of other measures designed to facilitate the use of high-occupancy vehicles such as on-site day care and emergency ride home service; and

8. Employers or owners of worksites may form or utilize existing transportation management associations to assist members in developing and implementing transportation demand management plans.

C. The transportation analysis shall identify any feasible alternatives for providing transportation service in the affected areas.

D. The transportation analysis shall identify potential methods for funding the design and construction of the system improvements needed to serve the affected areas at full build-out.

E. The transportation analysis may provide for phased implementation of the identified improvements; provided, that no development subject to master planning requirements shall be approved until a commitment to provide developer improvements identified by the transportation analysis. All improvements shall meet the adopted concurrency standards of Kitsap County, as set forth in Chapter 20.04.

F. The transportation analysis shall include appropriate trip generation analyses, trip distribution analyses, and level of service analyses. The director of public works shall require the applicant to use standard trip generation rates published by the Institute of Transportation Engineers or other documented information and surveys approved by the department. The director of public works may approve a reduction in generated vehicle trips based on additional information supplied by the applicant, including information related to commute trip reduction programs pursuant to Chapter 20.08. The calculation of vehicle trip reductions shall be based upon recognized technical information and analytical process that represent current engineering practice. The director of public works shall have final approval of such data, information and techni-

cal procedures as are used to develop trip generation analyses, trip distribution analyses, and level of service analyses.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.205 Transportation service standards.

Public transportation facilities, including road, transit and nonmotorized vehicle systems, shall be designed and constructed in accordance with and shall meet the level of service standards set forth in the Kitsap County Comprehensive Plan, and all applicable standards for the design and construction of roads and streets for the agency or agencies with jurisdiction over the particular transportation improvement in effect at the time the master plan is prepared.

Any development subject to a master plan shall make provision for such reserved tracts, easements and/or rights-of-way as may be necessary to facilitate extension of transportation facilities identified in the master plan to adjoining properties in the vicinity of the development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.300 Open space component of master plan.

Based on elements required in the master plan scoping summary notice, a master plan shall include an open space component meeting the following criteria:

A. The master plan shall identify an interconnected system of passive open spaces, habitat areas and recreational trails accessible to the public and coordinated with and linked to adjacent regional trails. All proposed open spaces and trails shall be based on adopted standards and shall be consistent with and coordinated with adopted county park, open space and trail plans and with the Kitsap County critical areas ordinance.

B. Master plans shall provide for the construction and long-term maintenance of identified trails and open space, based on National Park and Recreation Association guidelines for

accessibility. Construction and long-term maintenance of trails and open space may be achieved through dedication of conservation easements, or other public or private means. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.500 Environmental analysis component of master plan.

Based on elements required in the master plan scoping summary notice a master plan shall include an environmental analysis meeting the following criteria:

A. The master plan shall identify existing conditions on the site, including the delineation of all critical areas, as defined in Title 19 (Critical Areas Ordinance), which are located in whole or in part in the master planning area for the proposed development.

B. The master plan shall, to the extent as may be otherwise required by Chapter 19.700, include the following special reports:

1. Wetland Report/Wetland Mitigation Plan;
2. Habitat Management Plan, including wildlife corridor links and connections;
3. Geotechnical Report/Geological Report; and
4. Hydrogeological Report which addresses aquifer recharge area protection and includes analysis of groundwater quantity and quality, hydrologic continuity and impacts to stream flow in adjacent streams.

C. The master plan shall identify all federal and state permits and approvals required for development of the site, including but not limited to NPDES permits, HPA approvals, and approvals required pursuant to the Endangered Species Act. To the extent that mitigation plans are required for such permits, conceptual plans for such mitigation shall be identified in the master plan, recognizing that final approval authority for such mitigation plans may rest with agencies other than Kitsap County. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.505 Environmental standards.

Development within a master plan area shall comply with the substantive environmental standards identified in other regulations pertinent to the specific subarea and Title 19 (Critical Areas Ordinance) in effect at the time a master plan is prepared.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.525 Environmental review.

Kitsap County staff shall make a SEPA determination at the earliest possible stage in the master plan review process. If at any time during the master plan review process an environmental impact statement is determined to be required, timelines and processes shall revert to those under Title 18. If an EIS is required, the development of the master plan may be completed concurrently with development of environmental documents.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.535 Economic development component of master plan.

Based on elements required in the master plan scoping summary notice, a master plan shall include an economic development component meeting the following criteria:

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

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

B. Technology Infrastructure. Master plans shall contain a plan for technology infrastructure to be constructed by the developer,

according to adopted county technology regulations and the following criteria:

1. The plan shall depict the type and siting of technology infrastructure serving planned and future development in the area. The plan shall include fiber optic or other high-speed data links or conduit for fiber optic or other high-speed data links to regional technology infrastructure and to other technology infrastructure within the master planned area.

2. The plan shall demonstrate a provision for reserve capacity and/or potential for future expansion of technological capability. Upon adoption of regional technology guidelines, goals, policies and/or standards, these shall be consulted as to the suitability of the type of infrastructure to be installed and/or accommodated in the future.

C. Design Standards. Master plans shall adhere to any design standards adopted as a requirement of the subarea in which the development is located. No master plan shall be approved for a subarea requiring design standards until design standards have been developed and approved in accordance with subarea plan policies.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.550 Third party review.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.625 Concurrent permit processing.

In a zone wherein some uses require a conditional use permit, the master plan process pro-

vided by this chapter may be used in lieu of those processes. Proposed development must still meet the approval criteria required by Chapter 17.540 as well as those required by this section.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.650 Subdivision of areas subject to a master plan requirement.

Properties subject to master planning may not be subdivided pursuant to Title 16 until a master plan has been approved. Property owners subject to master planning who desire subdivision may subdivide under Title 16 concurrently with a master plan approval process.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.675 Decision criteria for master plan approval.

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

A. The master plan is consistent with the goals and policies of the Comprehensive Plan and complies with all other applicable codes and policies of the county.

B. The master plan demonstrates superior site design by incorporating the following:

1. Provisions for public facilities and/or amenities.

2. Clustering of development, as applicable.

3. Innovative site design that complies with the development and design standards of the master plan and underlying zoning code.

4. Preservation of critical areas, resource areas and natural features.

5. Provision for a coordinated, comprehensive, interconnected and integrated system of parks, open spaces and recreational areas.

6. Placement of structures, circulation systems and utilities that minimizes impervious surface and the alteration of the land and also responds to physical characteristics of the property.

7. Site design that reduces dependency on automobiles by providing for pedestrian, bicycle and transit uses.

C. Adequate public services are available, including water, sewer, roads, including access roads, fire and storm drainage. Approval of the master plan should not reduce existing public service levels for surrounding properties below acceptable levels without mitigation measures.

D. If development under a master plan will be phased, each phase of a proposed development must contain adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the master plan to stand alone if no other subsequent phases are developed.

E. The master plan sets forth the terms, conditions, covenants, and agreements regarding the intended development and terms, conditions, covenants, and agreements under which the property is bound.

F. 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.700 Duration of master plan approval.

Section 21.04.150, timelines and duration of approval, shall not apply to master plans approved under this chapter. Master plans approved pursuant to this chapter will be valid for a period of ten years from the date of approval.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.750 Extensions of master plan approval.

Master plans approved under this chapter may be eligible for five-year extensions to be reviewed using the following process and criteria:

A. A request for extension must be filed in writing with the director no later than sixty days prior to the expiration of the approval period;

B. A request for extension will be processed as a Type II decision pursuant to Section 21.04.070;

C. The applicant must demonstrate tangible progress toward completion of approved master planned project;

D. The applicant must demonstrate that no significant changes in the technical components of the approved master plan are necessary to protect natural systems, or the public's health, safety and welfare; and

E. The director may approve, approve with conditions or deny the timely request for extension.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.440.800 Amendment of master plans.

Master plans may be amended or changed through a Type II application consistent with Section 21.04.070 if the amendment meets the following criteria:

A. The applicant must have approval of all parties to the existing master plan whose ownership portion of the master planned area would be physically changed by the proposed amendment;

B. The amended master plan must conform to all requirements of this chapter;

C. The applicant must demonstrate to the director that there are no significant changes in conditions, which would render approval of the amendment contrary to the public health, safety or general welfare; and

D. The director shall approve the amendment if it conforms to the requirements of this chapter.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.450

PERFORMANCE BASED DEVELOPMENT

Sections:

17.450.010 Purpose.

17.450.020 Authority.

17.450.030 Uses permitted.

- 17.450.040 Standards and requirements – Residential.
- 17.450.045 Standards and requirements – Commercial, industrial and institutional.
- 17.450.050 Decision findings.
- 17.450.060 Application.
- 17.450.070 Public hearing and notice.
- 17.450.100 Effect.
- 17.450.110 Revision of performance based development.
- 17.450.120 Revocation of permit.
- 17.450.130 Land use permit binder required.

17.450.010 Purpose.

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

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

- A. Lot size.
- B. Lot width and depth.
- C. Structure height (only within designated urban growth areas).
- D. Setbacks (front, side and rear yards).

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.020 Authority.

The hearing examiner shall have the authority to recommend approval, approval with conditions, disapproval, or revoke performance based developments, subject to the provisions

of this section. Changes in use of site area, or alteration of structures or uses classified as residential and commercial performance based developments, and existing prior to the effective date of this title, shall conform to all regulations pertaining to performance based developments. An application for PBD shall be accompanied by an application for subdivision, when applicable.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.030 Uses permitted.

Uses permitted in a PBD are those allowed in the underlying zone. The hearing examiner shall hold a public hearing and render a decision as set forth in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.040 Standards and requirements – Residential.

A. Access, Parking and Circulation.

1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.

2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access.

3. Parking. The number of vehicular parking spaces shall be provided in accordance with Section 17.490.030. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements.

4. Pedestrian Circulation. Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

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

1. The location, shape, size, and character of the common open space is suitable for the performance based development, however in no case shall the common open space be less than fifteen percent of the gross acreage of the subject property(s). No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD;

2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided;

3. Common open space may be improved for its intended use. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance. Vegetation-based LID BMPs are permitted within common open space areas. The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and

4. Land shown in the final development plan as common open space, and the landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:

a. An association of owners formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state of Washington and shall adopt articles of incorporation of association and bylaws. The association shall adopt, in a form acceptable to the prosecuting attorney, covenants and restrictions on the open space providing for the continuing care of the area. No common open space may be altered or put to a

change in use in a way inconsistent with the final development plan unless the final development plan is first amended. No change of use or alteration shall be considered as a waiver of any covenants limiting the use of the common open space, and all rights to enhance these covenants against any use permitted are expressly reserved;

b. A public agency which agrees to maintain the common open space and any buildings, structures, or other improvements which have been placed on it; or

c. A private nonprofit conservation trust or similar entity with a demonstrated capability to carry out the necessary duties and approved by the county. Said entity shall have the authority and responsibility for the maintenance and protection of the common open space and all improvements located in the open space.

C. Recreational Open Space. All residential PBDs within urban zones shall provide a developed recreational area that meets the following requirements:

1. A contiguous area that is a minimum of five percent of the gross acreage of the subject property(s) (excluding perimeter screening buffers, critical areas and critical area buffers). No area shall be calculated as recreational open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD. Said area shall meet the following additional requirements:

a. Developed as an open grass field or a natural area (not inside perimeter buffers, critical areas or their buffers);

b. Owned in common and/or available for use by all residents of the PBD; and

c. A provision made by the covenants for perpetual maintenance.

2. A developed active recreation amenity(s) consistent with the number of units/lots contained within the PBD. Amenities shall be provided as follows:

a. Developments of zero to nineteen lots/units are not required to have such an amenity;

b. For developments with greater than nineteen lots or units, one amenity shall be provided for every twenty lots/units within the development. Required amenities shall be sized to accommodate three hundred ninety square feet per lot/unit;

c. Amenities shall be centrally located within the development in clearly visible areas on property suitable for such development. Amenities may be located in other areas of the development if directly linked with a regional trail system or other public park facility;

d. Based upon topographical or site design characteristics of the subject property(s), amenities may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD;

e. Amenities may be located within, and be calculated towards, the recreational open space area if contiguous;

f. An athletic field with a minimum size of one hundred twenty yards long and sixty yards wide or swimming pool shall count as two amenities;

g. An equestrian development or similar theme community may be provided in lieu of other amenities;

h. Owned in common and available for use by all residents of the PBD;

i. The active recreational amenity(s) shall be located on five percent grade or less, except if a greater grade is necessary for the activities common to the amenity, e.g., skate park, trails; and

j. Written provisions or agreement for perpetual maintenance by the homeowners' association or a public agency willing to assume ownership and maintenance.

3. In rural zones, common open space shall be no less than fifty percent of the total site area. All open space, other than those areas

needed for utilities or other infrastructure, shall be retained in native vegetation unless the PBD specifically provides for an alternative use. PBDs in rural zones shall be exempt from the requirements for contiguous developed recreation space as contained in subsection (C)(1) of this section, but shall be subject to the active recreational area requirements of subsection (C)(2) of this section.

4. In order to promote creativity and innovation, these standards and criteria may be modified or substituted with other design concepts if so approved by the board of county commissioners.

(Ord. 540 (2016) § 39, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.045 Standards and requirements – Commercial, industrial and institutional.

A. Access, Parking and Circulation.

1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate;

2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access;

3. Parking. The number of vehicular parking spaces shall be provided in accordance with Section 17.490.030. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements; and

4. Pedestrian Circulation. Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, and convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

B. Common Open Space.

1. Common open space shall be for public use and may include active or passive recreational uses such as trails or pathways, tot lots, plazas, patios or other amenities;

2. Common open space shall be located in a manner suitable for the uses proposed;

3. Each project shall contain a minimum of fifteen percent common open space based upon the gross acreage of the site; and

4. No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the users of the PBD. Vegetation-based LID BMPs within common open space areas shall not be deducted from the area calculation of a common open space area. Covered or internal open space areas may be used.

C. Site Design.

1. The project design shall provide a more efficient use of land within the urban areas;

2. Amenities intended for public use shall be coordinated with regional trail, park or other facility plans;

3. Design shall provide innovations to decrease building footprint and other site disturbances; and

4. Design shall include architectural features and other aesthetics to address site impacts.

D. Structure Height.

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

2. The increase in height shall minimize site disturbance necessary to accommodate the proposed use.

(Ord. 540 (2016) § 40, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.050 Decision findings.

In recommending approval of the preliminary development plans for a performance based development, conditionally or otherwise,

the hearing examiner shall first make a finding that all of the following conditions exist:

A. The design of the PBD meets the requirements of this section, other sections of the county code and the goals and policies of the Comprehensive Plan and the site is adequate in size and character to accommodate the proposed development;

B. The design of the PBD is compatible with neighboring conforming land uses. An assessment of compatibility shall include, but not be limited to, the consideration of association with adjacent land uses and the proposed project's effects on existing views, traffic, blockage of sunlight, and noise production;

C. If the development is phased, each phase of the proposed development shall meet the requirements of this chapter;

D. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

E. The proposed and/or existing public facilities and utilities are adequate to serve the project; and

F. The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety or welfare of persons residing or working in a neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, or contrary to orderly development.

G. Innovations and/or public benefits shall be commensurate with the code modifications proposed.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.060 Application.

A. In addition to all requirements of Chapter 17.430, an application for PBD shall contain the information identified by the submittal requirements checklist established by the

department as set forth in Section 21.04.160 in addition to the following:

1. Reserved;
2. Three copies of the landscaping plan, drawn to scale, showing the location of landscaped areas;
3. A written statement by the landowner or his agent setting forth the reasons why the performance based development would be in the public interest;
4. Environmental checklist and, if required, environmental impact statement; and
5. Other information as required in the preapplication meeting checklist and PBD application.

B. The following information shall be submitted to the department for review of the final development plan to ensure compliance with conditions of preliminary approval. The director shall transmit his findings to the board of county commissioners who shall act on the final development plan.

1. Fourteen copies of the site plan, drawn to scale with dimensions, showing all required elements including but not limited to: the proposed layout of structures, off-street parking and loading areas, landscape areas, pedestrian walkways, driveways, ornamental lighting, screening, fences and walls;

2. If applicable, a schedule showing the proposed time and sequence within which the applications for final approval of all sections of the performance based development are intended to be filed.

C. Following the approval of the preliminary development plan, the applicant shall file with the department a final development plan containing the information required in subsection (B) of this section in a time frame consistent with Title 21.

If the director finds evidence of a significant deviation from the preliminary development plan, the director shall advise the applicant to submit an application for amendment of the preliminary development plan. An amendment

shall be considered in the same manner as an original application.

D. In granting any final performance based development, the board may require adequate guarantees of compliance with the final development plan. Such guarantee may be a performance bond or other form of security in an amount sufficient to ensure compliance, and may provide that such security be reduced as stages of construction are completed. Alternatively, or in addition to the security, conditions may be imposed requiring other adequate assurances that the structures and improvements will be completed, subject to the review and approval as to form by the prosecuting attorney; or that the county may, in the event of the applicant's failure to comply, take steps necessary to ensure compliance, including performing the construction or maintenance itself, and levy a lien for all costs thereof against the property.

(Ord. 550 (2018) § 25, 2018: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.070 Public hearing and notice.

PBDs shall be considered by the hearing examiner. Public notice shall be given as provided for in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.100 Effect.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.110 Revision of performance based development.

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

1. Minor revisions may be permitted by the department and shall be properly recorded in the official case file. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application; and

2. Major revisions, including any requested change in permit conditions, shall be processed as a Type III application if the performance based development is in conjunction with a subdivision. All other major revisions shall be processed as a Type II application.

B. Minor and major revisions are defined as follows:

1. A "minor" revision means any proposed change which does not involve substantial alteration of the character of the plan or previous approval; and

2. A "major" revision means any expansion of the lot area covered by the permit or approval, or any proposed change that includes any one of the following:

a. Substantial relocation of buildings, parking or streets;

b. A reduction in any perimeter setback;

c. An increase in the residential density;

d. An increase in the gross floor area of a multifamily, commercial, industrial or commercial component of a project greater than ten percent;

e. Any relocation of the common open space which makes it less accessible or reduces the area greater than five percent;

f. Any change in the landscape buffers resulting in a reduction in width or density of planting between the development and adjoining properties;

g. Any substantial change in the points of access;

h. Any increase in structure height; or

i. An alteration in dwelling unit separation, e.g., attached or detached dwelling units.

3. Any increase in vehicle trip generation shall be reviewed to determine whether the revision is major or minor. The traffic analysis shall be filed by the applicant at the same time as the request for revision. The traffic analysis will follow traffic impact analysis guidelines as set forth in Chapter 20.04.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.120 Revocation of permit.

Any revocation proceeding shall be conducted in accordance with Chapter 17.600.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.450.130 Land use permit binder required.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.455

AGRICULTURE CODE

Sections:

- 17.455.010 Purpose.
- 17.455.020 Applicability.
- 17.455.030 Definitions.
- 17.455.040 Additional regulatory references.
- 17.455.050 Agricultural use, primary.
- 17.455.060 Agricultural, accessory use or agritourism.
- 17.455.070 Livestock and dairy management.
- 17.455.080 Agriculture structure requirements.
- 17.455.090 Existing agricultural uses, activities, or structures.
- 17.455.100 Right to farm and notifications.

17.455.010 Purpose.

The purpose of this chapter is to:

- A. Encourage agricultural uses and activities in rural Kitsap County;
- B. Provide guidance for rural land owners to engage in the local food system through agricultural uses and activities, accessory agricultural and agritourism uses;
- C. Protect and promote the local food system and agriculture in the Kitsap County economy;
- D. Empower farmers and other rural land owners to continue or start new businesses that

support local agriculture and the local food system;

E. Provide for agritourism in Kitsap County that permits visitors to experience local agricultural lands;

F. Encourage the conservation of lands which have the growing capacity, productivity, soil composition, and surrounding land use to have long-term commercial significance for agriculture and associated resource production;

G. Enable implementation of the Kitsap County Comprehensive Plan Goals and the Kitsap County Agricultural Strategic Plan;

H. Provide local right to farm provisions consistent with Chapter 7.48 RCW; and

I. Provide a framework of standards that will allow agriculture to thrive while protecting water, land, and air resources and public health in Kitsap County.

(Ord. 536 (2016) § 4 (part), 2016)

17.455.020 Applicability.

Primary agricultural uses and accessory agricultural uses or agritourism, as defined by this chapter, shall be allowed in farm focus areas and in zones as indicated in Table 1: Kitsap County Agriculture Use Permissibility. Farms that file a schedule F or schedule C with the Internal Revenue Service or have an agricultural land designation tax exemption status with the Kitsap County assessor shall have the same permissibility and protections as farm focus areas.

Table 1: Kitsap County Agriculture Use Permissibility

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Permissibility
Rural Residential	Rural Residential	RR	P
Rural Protection	Rural Protection	RP	P
Rural Wooded	Rural Wooded	RW	P
Forest Resource Lands	Forest Resource Lands	FRL	P
Mineral Resource	Mineral Resource Overlay	MRO	P

Table 1: Kitsap County Agriculture Use Permissibility (Continued)

Comprehensive Plan Land Use Designation	Zone Classification	Map Symbol	Permissibility
Urban Low-Density Residential	Urban Restricted	UR	P (2) / --
	Greenbelt	GB	P
	Urban Low Residential	UL	-- (1)
	Urban Cluster Residential	UCR	-- (1)
Urban Medium-Density Residential	Urban Medium Residential	UM	--
Urban High-Density Residential	Urban High Residential	UH	--
Urban Low Intensity Commercial	Urban Village Center	UVC	--
	Neighborhood Commercial	NC	--
Urban High Intensity Commercial	Commercial	C	--
	Regional Center	RC	--
	Low Intensity Commercial	LIC	--
Rural Commercial	Rural Commercial	RCO	-- (1)
Urban and Rural Industrial	Business Park	BP	P
	Business Center	BC	P
	Industrial	IND	P
	Rural Industrial	RI	P
Public Facilities	Parks	P	P
Limited Area of More Intensive Rural Development (LAMIRD) Type I	Keyport Village Commercial	KVC	-- (1)
	Keyport Village Low Residential	KVLR	P
	Keyport Village Residential	KVR	P
	Manchester Village Commercial	MVC	-- (1)
	Manchester Village Low Residential	MVLR	P
	Manchester Village Residential	MVR	P
	Port Gamble Rural Historic Town Commercial	RHTC	-- (1)
	Port Gamble Rural Historic Town Residential	RHTR	P
	Port Gamble Rural Historic Waterfront	RHTW	P
	Suquamish Village Commercial	SVC	-- (1)
	Suquamish Village Low Residential	SVLR	P
Suquamish Village Residential	SVR	P	
Limited Area of More Intensive Rural Development (LAMIRD) Type III	Rural Employment Center	REC	P
	Twelve Trees Employment Center	TTEC	P

Footnotes:

- (1) Residents or community gardens may keep up to eight hens (no roosters) and two bee colonies for their own use.
- (2) Use prohibited within the Gorst Urban Growth Area.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 565 (2018) § 14(7) (Att. 7) (part), 2018: Ord. 536 (2016) § 4 (part), 2016)

17.455.030 Definitions.

For the purposes of this chapter, the following definitions shall apply:

“Agricultural activity” means a condition or activity that occurs on a farm in connection with the production of farm products and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial application of seed, fertilizers, conditioners, and plant protection products; keeping of bees for production of agricultural or apicultural products; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, ditches, waterways, and similar features and maintenance of stream banks and watercourses; and conversion from one agricultural activity to another, including a change in the type of farm product being produced. The term includes use of new practices and equipment consistent with technological development within the agricultural industry.

“Agricultural use, accessory or agritourism” means a use that directly supports, promotes and is incidental to a permitted primary agricultural use or agricultural activity on a farm. Such accessory and agritourism uses shall include, but are not limited to, temporary mobile slaughtering units or other activities which add value to a farm product such as processing or a commercial kitchen, warehousing of farm products, cold storage, farm stands or farm markets, community supported agriculture (CSA), u-pick self harvest activities and sales, educational how-to-farm workshops, farm tours, recreational hayrides and corn mazes, equine riding lessons and training clinics, seasonal harvest and holiday activities and other similar uses and activities.

“Agricultural use, primary” means using land for the production of food and fiber, dairy-ing, pasturage, equine boarding or training,

horticulture, floriculture, viticulture, apiaries, animal husbandry, and wholesale nurseries.

“Agriculture structure” means a structure designed and constructed for agricultural use and activities or to store, repair, service or maintain farm implements, hay, grain, poultry, livestock or other horticultural products, for occasional or seasonal processing, treating, or packaging, of farm products, and for stabling or training equines, or riding lessons and training clinics.

“Assembly event” means a use or activity where a group of persons gather to participate in a commercial or marketed event or activity including, but not limited to, entertainment, equestrian events, recreational or celebratory events or activities, conventions, retreats, or weddings.

“Best management practices (BMPs)” means established management practices that farmers use to provide for the economic, environmental and agronomic efficiency of a farm when raising crops and/or livestock to achieve the least possible adverse impact on the environment, and to minimize possible adverse impacts on human, animal and plant health. These practices are highly adaptable and reflect the individual conditions and capabilities of the farm where they are applied. One guide for BMPs is the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG).

“Equestrian facility” means a facility designed for equestrian activities and events, including boarding, breeding and training facilities. May offer occasional assembly events but is intended primarily for routine daily equestrian activities.

“Farm” means any size parcel or parcels owned or leased by the same person or entity, wherein a majority of the net developable acreage is managed for primary agriculture uses. Multiple contiguous parcels in the same ownership or leased may be considered one parcel for the purposes of livestock management calculations. Multiple noncontiguous parcels under

the same ownership or leased may be considered a single farm.

“Farm equipment” means, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in agricultural activities such as planting, cultivating, irrigation, harvesting, butchering, slaughtering, and marketing of agricultural, horticultural, or livestock products.

“Farm focus areas” means areas identified by the Kitsap County Agricultural Strategic Plan that are prioritized by using subjective criteria which includes density of agricultural uses, lot sizes, and proximity to water service areas, watersheds and water quality hazard areas.

“Farm personnel” means an individual involved in the operational aspects of a farm including the farm owner and family, employees, interns, and volunteers.

“Farm plan” means a written report that explains how a crop or livestock operation can be conducted using best management practices (BMPs).

“Farm product” means part or all of a plant or animal, or byproduct thereof useful to humans and includes, but is not limited to, forages and sod, fruits, vegetables, flowers, seeds, grasses, trees, livestock, dairy, poultry, freshwater fish, apiaries, equine, or any other product which incorporates the use of food, feed, fiber, or fur.

“Farm stand or farm market” means a structure located on a farm which is used for the sale of farm products grown, produced or processed primarily in Kitsap County or counties immediately adjacent to Kitsap County and from Washington State.

“Farm stay” means any type of paid accommodation on a working farm where guests partake in operating the farm.

Federal Safety Inspection Service Slaughter Plant Categorization. The FSIS categorizes slaughter plants by size based on the number of employees as follows:

A. Very small establishments: have fewer than ten employees;

B. Small establishments: have from ten employees to five hundred; and

C. Large establishments: have more than five hundred employees.

“Livestock” means (A) horses, bovine, sheep, goats, swine, reindeer, donkeys, mules, llamas and any other hoofed animal, large and small (small being one hundred fifty pounds or less), (B) poultry, (C) and ratites.

“Locally produced food” means food produced for an end user within four hundred miles from its origin, or within the state in which it is produced as defined by the United States Congress in the 2008 Food, Conservation, and Energy Act.

“Mobile slaughter unit” means a self-contained slaughter facility that can travel from site to site as defined by the Federal Safety Inspection Service.

“Nursery, wholesale” 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.

“Paddock” means a small enclosure used to house livestock.

“Poultry” means birds kept for their eggs, meat, or feathers.

“Tasting room” means a facility or portion of a facility supporting a winery, brewery, cidery, or distillery where the public may sample products produced by the facility and which has ancillary farm-related retail sales not including restaurant style food service.

“Temporary farm worker/intern” means an individual who works intermittently at one or more agricultural worksites, not having a pri-

mary residence, and doesn't reside at the same worksite year-round.

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

“Winery, brewery, cidery, distillery” means a licensed facility designed for the crushing, fermentation, and/or barrel aging of wine, beer, cider, or liquor, and which may include barrel rooms, bottling rooms, tank rooms, laboratories, case goods storage, on-site sales, and offices. “Licensed” for the purposes of this title means a facility that has met the requirements of Chapter 66.24 RCW and 27 CFR Chapter I, Subchapter A, Part 1.

(Ord. 586 (2020) § 11, 2020: Ord. 536 (2016) § 4 (part), 2016)

17.455.040 Additional regulatory references.

Uses permitted by this section shall comply with the following regulatory elements:

A. Kitsap County fire codes and building codes unless specifically exempted in this chapter; see Section 17.455.080, Agriculture structure requirements.

B. Title 12, Storm Water Drainage;

C. Title 15, Flood Hazard Areas;

D. Chapter 17.520, Marijuana Regulations;

E. Chapter 18.16, Timber Harvest;

F. Title 19, Critical Areas Ordinance;

G. Title 22, Shoreline Master Program;

H. Kitsap Public Health District (e.g., sewage, solid waste, food handling or other applicable regulations);

I. Livestock management using best management practices (BMPs); and

J. Other applicable regulations from a county, state, or federal jurisdiction including, but not limited to, the Washington State Department of Ecology and United States Department of Fish and Wildlife. Examples of permit requirements include, but are not lim-

ited to, Washington Department of Ecology Water Rights and Washington Department of Fish and Wildlife Hydraulic Project Approval requirements for surface water maintenance activities.

(Ord. 536 (2016) § 4 (part), 2016)

17.455.050 Agricultural use, primary.

A primary agricultural use, activity, and/or structure shall be a permitted use in the zones identified in Section 17.455.020, Applicability; provided, that the uses comply with this chapter. Agricultural uses, activities, and structures are allowed on vacant land where such uses, activities and structures are allowed in the applicable zone.

(Ord. 536 (2016) § 4 (part), 2016)

17.455.060 Agricultural, accessory use or agritourism.

An accessory agricultural use or agritourism use is allowed on a farm where a primary agricultural use exists and is allowed. The accessory agricultural or agritourism use shall be operated so as to not interfere with the primary agricultural use and shall not significantly interfere with the rural character of an area.

A. A farm stand or farm market is an allowed accessory agricultural use; provided, that:

1. At least fifty percent of farm products available for sale must be grown or processed on the farm where the farm stand is located;

2. At least seventy-five percent of farm products available for sale must be grown or processed within Kitsap County or counties immediately adjacent to Kitsap County;

3. Farm support items or other incidental items available for sale must directly relate to the farm products sold at the farm stand such as seeds, garden and hand tools and supplies, feed and forage, agricultural education and training or show materials, compost, and other similar items. Sales of farm support or incidental items shall not exceed ten percent of the products available for sale;

4. A farm stand does not include structures designed for occupancy as a residence or for activities other than the sale of farm crops, livestock, and incidental items identified in subsection (A)(3) of this section and does not include structures for banquets, public gatherings or public entertainment; and

5. A farm stand shall use legal access, off-street parking, and implement traffic planning measures so that adjacent properties are not impacted.

B. Mobile agricultural processing or production facilities, including for slaughtering, are allowed; provided, that:

1. The facility and operations are shielded to minimize visibility from immediately adjacent residences and public rights-of-way; and

2. The facility must have all appropriate registrations and licenses necessary to operate as a mobile slaughtering facility.

C. A permanent use meeting the Food Safety and Inspection Service definition of a very small processing facility or a very small slaughtering facility may be allowed on a farm as an accessory agricultural use; provided, that a site plan review permit is acquired.

D. A permanent use meeting the Food Safety and Inspection Service definition of a small or large processing or slaughtering facility may be an allowed use in industrial zones subject to a conditional use permit (CUP).

E. A use meeting the state or federal definition for a certified feed lot, public livestock market, stockyard, warehouse, or grain elevator may be allowed in industrial zones subject to a conditional use permit (CUP).

F. A facility used to breed, maintain, and sell herding dogs as defined by the American Kennel Club or livestock guardian dogs shall be considered an accessory agricultural use.

G. Farm stays and agricultural schools may be allowed as an accessory agricultural use subject to an administrative conditional use permit (ACUP).

H. Wineries, Breweries, Cideries, and Distilleries. A winery, brewery, cidery, or distill-

ery as defined in this chapter is allowed as an accessory agricultural use; provided, that:

1. A tasting room under this chapter may be allowed in conjunction with a winery, brewery, or distillery licensed by the Washington State Liquor and Cannabis Board subject to an administrative conditional use permit (ACUP). As part of the ACUP applications shall include:

a. A site plan review with a fee established by county resolution;

b. A traffic management plan;

c. Except as included in a town master plan approved pursuant to Section 17.360C.030, a parcel(s) without direct access to a Kitsap County maintained right-of-way shall require the farm owner to obtain written consent by a majority of the owners of an easement used to access the farm. A notice to title for each owner of the easement shall be required and submittal of the associated fee established by county resolution;

d. A written agreement to not serve products in serving glassware, cups, or containers greater than a four-ounce capacity except when included in a town master plan approved pursuant to Section 17.360C.030, glassware with larger capacity may be served with a conditional use permit;

2. Structures and equipment related to the operations of a winery, brewery, cidery, or distillery shall comply with Titles 14 and 17 and are not exempted from building permits; and

3. Retail sales are directly related to the facility, such as sales of wine, beer, cider, or spirits and related merchandise.

I. Assembly Events. Assembly events as defined in this chapter are allowed on a farm; provided, that:

1. The event(s) must be incidental and secondary to a primary agricultural use and may be subject to an assembly permit pursuant to Title 14;

2. All operations comply with Title 10, Peace, Safety and Morals;

3. A parcel(s) without direct access to a Kitsap County maintained right-of-way shall

require the farm owner to obtain written consent by a majority of the owners of an easement used to access the farm. A notice to title for each owner of the easement shall be required and submittal of a fee established by county resolution;

4. Attendance shall not exceed two hundred persons at any given time. A venue where the attendance will exceed two hundred persons may be allowed subject to an administrative conditional use permit (ACUP);

5. Up to eight assembly events per calendar year are allowed; provided, that:

a. Not more than one event can occur per twelve days;

b. A permit is obtained after a site plan review and submittal of a fee established by county resolution;

c. Access, egress, and parking facilities must be clearly identified on site. Adjacent properties can be used for parking if:

i. A written agreement between the assembly event location owner and the owner of the parcel used for parking is provided; and

ii. The off-site parking is included in the site plan review.

d. Written notification shall be provided to the owner of any parcel immediately adjacent to the farm either six weeks prior to each event, or four weeks prior to the first event of the year where such notice is provided with a calendar indicating the date of future events. Noticing shall include the event, hours of the event, and contact information for the event manager that is available at all times during the event;

6. Nine or more assembly events may be allowed subject to an administrative conditional use permit (ACUP). As included in a town master plan approved pursuant to Section 17.360C.030, sixteen or more events may be allowed with each occurring no less than six days apart with a conditional use permit. Kitsap County staff may restrict the number of events or timing of events during the permit process;

7. Each scheduled assembly event shall be considered a separate assembly event from any that preceded or came after;

8. The duration of an assembly event or activity shall not exceed forty-eight consecutive hours including set-up and clean-up;

9. Sanitation and solid waste shall conform to Kitsap Public Health District requirements; and

10. Land use approvals for events or activities are transferable with the land. Occupancy and assembly permits are not transferable.

J. Farm workers or interns may be housed on a farm in structures permitted through one of the two following processes:

1. A temporary permit issued pursuant to Section 17.105.090 for a farm worker or intern to occupy a recreational vehicle (RV) on the farm where he or she works subject to the following conditions:

a. The subject property must be located on a farm;

b. The RV must be occupied by the farm worker or intern;

c. The RV must be provided with water, electrical power, and obtain health district approval;

d. The location of the RV must meet all setbacks required by the underlying zone;

e. The minimum RV size shall be two hundred square feet; and

f. A permit will be required each time the RV is placed on a parcel. If the RV is placed on the same parcel each year the application fee will be half of the initial fee.

2. Where farm workers are needed to assist in the operation of a farm, a manufactured home or mobile home may be placed upon the same lot as a single-family dwelling for occupancy by the individual and their family subject to the following limitations:

a. The subject property must be located on a farm;

b. The farm worker must be actively working on the farm where the manufactured or mobile home is located;

c. The manufactured/mobile home must meet the setback requirements of the zone in which it is situated;

d. A permit must be obtained for a 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 structure is no longer used for housing a farm worker; and

f. Placement of the manufactured/mobile home is subject to applicable health district standards for water service and sewage disposal.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 586 (2020) § 12, 2020: Ord. 536 (2016) § 4 (part), 2016)

17.455.070 Livestock and dairy management.

The purpose of the livestock and dairy management section is to allow farmers with smaller parcels the opportunity to participate in animal based agriculture while minimizing negative impact to neighboring properties.

A. Best management practices shall govern animal densities.

B. Manure piles and animal enclosures, including active pastures, shall maintain minimum horizontal separations for new and existing public/private water supplies pursuant to Kitsap Public Health District drinking water regulations.

(Ord. 536 (2016) § 4 (part), 2016)

17.455.080 Agriculture structure requirements.

All agricultural structures, including those exempted from a building permit, shall be constructed to the standards in Title 14, Buildings and Construction. An agriculture structure where public access is allowed shall require a building permit and certificate of occupancy regardless of size or exemptions stated below.

A. Setbacks. Agricultural structures shall comply with all setback requirements explicitly stated or referenced in this section.

1. Structures which house, confine, or feed livestock shall be located no closer than fifty feet from any perimeter parcel line and must comply with the underlying zone minimum setback requirements for internal parcel lines. This fifty-foot setback does not apply to interior parcel lines within a town master plan for a rural historic town (RHT).

2. Animal enclosures, including active pastures, shall maintain minimum horizontal separations for new and existing public/private water supplies pursuant to Kitsap Public Health District drinking water regulations;

3. Setbacks pursuant to Titles 19, Critical Areas Ordinance, and 22, Shoreline Master Program.

B. Building Permit Exemptions.

1. Temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits are not considered structures subject to the State Building Code, Chapter 19.27 RCW, pursuant to RCW 19.27.065; and

2. An agricultural structure is exempt from acquiring a building permit; provided, that:

a. Agricultural buildings are no larger than eight hundred sixty-four square feet; erected exclusively for the storage of livestock, feed, and/or farm implements; located no closer than ten feet from the nearest structure and not attached to any structure; do not contain plumbing, except as necessary to maintain farm animals; do not contain a heat source, such as a wood stove or electric heat, unless specifically permitted;

b. Agricultural buildings that contain plumbing other than that as authorized above must obtain a plumbing installation permit and health department approval;

c. Agricultural buildings that contain a heat source for an agricultural purpose must

obtain a wood stove permit or an electrical permit as appropriate; and

d. All exempt permanent agricultural structures are registered with the Kitsap County department of community development and are fully taxable as land improvements by the Kitsap County assessor.

C. Existing and Ongoing Structure. A legally constructed nonconforming agricultural structure may allow access to the general public subject to an assembly permit pursuant to Title 14.

D. Maintenance. Maintenance or repair of an existing structure with materials comparable to the existing structure, or new materials, is allowed, so long as any required permit is secured for repair or maintenance in accordance with Title 14, Buildings and Construction.

(Ord. 586 (2020) § 13, 2020: Ord. 536 (2016) § 4 (part), 2016)

17.455.090 Existing agricultural uses, activities, or structures.

An agricultural use, agricultural activity, use of a structure or a structure that was legally established at or prior to the date of the applicable regulations or surrounding nonagricultural uses or activities shall be allowed to continue; provided, that they comply with Title 19, Critical Areas Ordinance, definitions and regulations.

(Ord. 536 (2016) § 4 (part), 2016)

17.455.100 Right to farm and notifications.

The conservation and protection of agricultural lands or farms in Kitsap County is considered economically and nutritionally beneficial. Protection of these lands will enhance the cultural and economic diversity and retain the Kitsap County character.

Right to farm protection for agricultural uses and activities that are consistent with best management practices included in this code shall apply to all farms which were established prior to surrounding nonagricultural uses or activities.

A. In addition to Chapter 7.48 RCW (Right to Farm), Kitsap County declares that agricultural operations in conformance with agricultural best management practices are not a public or private nuisance under this code;

B. No agricultural operation or any of its appurtenances will be considered by Kitsap County to be or become a nuisance, private or public, by any changes in or on the surrounding land; provided, that the provisions of this subsection shall not apply whenever a nuisance results from the unlawful operation of any such agricultural operation or its appurtenances;

C. Notification. All landowners in Kitsap County shall receive a notice in the annual tax statement newsletter that unincorporated parcels in Kitsap County may be within or near agricultural lands on which a variety of commercial activities may occur.

(Ord. 536 (2016) § 4 (part), 2016)

Chapter 17.460

DEVELOPMENT REGULATIONS FOR PUBLIC SEWER SYSTEMS, COMMUNITY SEWAGE DISPOSAL SYSTEMS AND LARGE ON-SITE SEWAGE SYSTEMS

Sections:

17.460.010 Applicability.

17.460.020 Public sewer connections in UGAs.

17.460.030 Community sewage disposal system or large on-site sewage disposal system located in rural areas.

17.460.010 Applicability.

This chapter applies to both urban and rural development. Additional wastewater requirements located in Kitsap County Code and other applicable local and state regulations shall also apply.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.460.020 Public sewer connections in UGAs.

In accordance with Sections 13.12.020 and 13.12.025, Health District Ordinance 2008A-01 and WAC 246-272A-0025, all new development or existing development requiring a replacement on-site septic system that is located within an urban growth area must connect to public sewer if the property is within two hundred feet of an existing public sewer main that has adequate capacity for the development.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.460.030 Community sewage disposal system or large on-site sewage disposal system located in rural areas.

The provisions in this section apply to all development located outside of urban growth areas (UGAs) and limited areas of more intensive rural development (LAMIRDs).

A. New construction of a community sewage disposal system or large on-site sewage disposal system and subsequent connection(s) to such systems for existing or new development shall be allowed only:

1. Where it is a necessary response to a documented public health or environmental hazard by the Kitsap County health district or the Kitsap County health district recommends that new development be connected to such systems; or

2. If the system is providing service to an essential public facility; or

3. If the system is providing service for an approved rural clustering program; or

4. The property is zoned as a rural commercial or rural industrial site.

B. All such connections to a community sewage disposal system or large on-site sewage disposal system shall also meet the following criteria, in addition to the criteria set forth in subsection (A) of this section:

1. Such connection does not allow for further development on the property that would

not conform to current Comprehensive Plan land use and zoning designations; and

2. For new development, the development shall be at a total gross density equal to or less than that permitted by the zone(s) which it occupies and meets all other zoning requirements such as setbacks, dimensions, et cetera. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.470

MULTIFAMILY DEVELOPMENT – DESIGN CRITERIA

Sections:

- 17.470.010 Purposes and intent.
- 17.470.020 Applicability – How to use the design criteria.
- 17.470.030 Multifamily site design – Orientation (UCR, UM and UH zones).
- 17.470.040 Fences and walls.
- 17.470.050 Recreation centers, mailboxes, site lighting, bus stops.
- 17.470.060 Grading and tree/vegetation retention.
- 17.470.070 Open space.
- 17.470.080 Landscape design.
- 17.470.090 Multifamily – Site design – Parking location and design.
- 17.470.100 Multifamily – Site design – Screening.
- 17.470.110 Multifamily – Signs.

17.470.010 Purposes and intent.

The general purposes of these design criteria are as follows:

A. To encourage better design and site planning.

B. To ensure that new multifamily development is sensitive to the character of the surrounding neighborhoods.

C. To enhance the built environment for pedestrians in higher-density areas.

D. To provide for development of neighborhoods with attractive, well-connected streets, sidewalks, and trails that enable conve-

nient, direct access to neighborhood centers, parks, and transit stops.

E. To ensure adequate light, air, and readily accessible open space for multifamily development in order to maintain public health, safety and welfare.

F. To ensure the compatibility of dissimilar adjoining land uses.

G. To maintain or improve the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, loss of privacy, and similar significant impacts.

H. To encourage creativity and flexibility in the design of multifamily developments in a manner that maximizes unique site attributes and is compatible with the character and intensity of adjoining land uses.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.020 Applicability – How to use the design criteria.

A. Applicability.

1. The “requirement” subsections in the following design criteria apply to each multifamily project.

2. In addition to the requirements set forth in this chapter, the “requirement” subsections set forth in Sections 17.470.090, 17.470.100 and 17.470.110 shall apply to each multifamily project.

B. How to Use the Design Criteria. The “requirement” subsections state the design criteria that each project shall meet. The provisions of the zoning district shall apply if in conflict with this chapter. 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 characteris-

tics 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.

C. Parcels located within the boundary of the Port Gamble Redevelopment Plan approved pursuant to Section 17.360C.030 shall refer to Appendix F to determine allowed uses, permits required, and definitions. All other chapters of Kitsap County Code or an approved development agreement not included in Appendix F shall still apply.

(Ord. 611 (2022) § 186, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.030 Multifamily site design – Orientation.

A. Requirement. Design multifamily projects to be oriented to public streets or common open spaces and to provide pedestrian and vehicular connections to existing neighborhoods.

B. Guidelines. Possible ways to achieve neighborhood connections include:

1. Use a modified street grid system where most buildings in a project front on a street. Where no public streets exist, create a modified grid street system within the project.

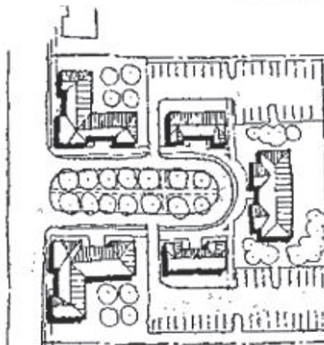
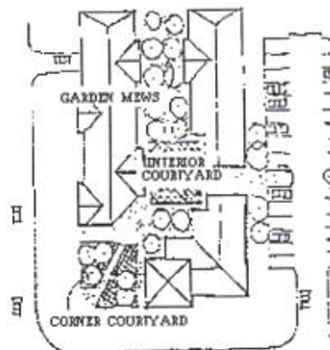
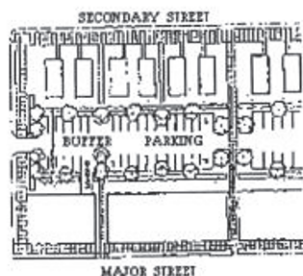
2. Locate parking areas behind or under building and access such parking from alley-type driveways. If driveway access from streets is necessary, minimum width driveway providing adequate firefighting access should be used.

3. Provide each building with direct pedestrian access from the main street fronting the building and from the back where the parking is located.

4. Another alternative may be to orient the buildings into U-shaped courtyards where the front door/main entry into the building is from a front courtyard. Access to the courtyard from the rear parking area should be through a well-lighted breezeway or stairway. This alternative will work where projects abut an arterial or

major collector street where the quality of living could be enhanced with building facing into the courtyard. The buildings would still be located between the street and parking lot.

5. The following illustrations depict site-planning techniques that orient multifamily projects to streets, adding value and identity to the complex, by siting parking behind the buildings:



Examples of preferred site planning that orients multifamily projects to streets, adding value and identity to the complex, by siting parking behind the buildings.

(Ord. 611 (2022) § 187, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.040 Fences and walls.

A. Requirement. Design the site to minimize the need for fences and walls that inhibit or discourage pedestrian use of sidewalks or paths, isolate neighborhoods, or separate neighborhoods from main roads.

B. Guidelines.

1. Place pedestrian breaks and/or crossing at frequent intervals where a fence, wall or landscaped area separates a sidewalk from a building or one development from another.

2. Employ small setbacks, indentations, stepped fence heights, or other means of breaking up the wall or fence surface and height.



Alternative to solid or blank-looking fence.

3. Employ different textures, color or materials (including landscape materials) to break up the wall's surface and add visual interest.

4. If fencing is required, repeat the use of building facade materials on fence columns and/or stringers.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.050 Recreation centers, mailboxes, site lighting, bus stops.

A. Requirement. Provide adequate lighting, screening and pedestrian access to supporting facilities such as recreation centers, mailboxes, play yards, bus stops and dumpsters. If otherwise required as a condition of project approval, locate passenger shelters in well-lit areas with access to the multifamily walkway network. Provide for shielding and directing of light to minimize impacts upon residents and abutting property owners.

B. Guidelines.

1. Recreation Centers.

a. Recreation centers should have adequate parking and bike racks for the guests of tenants.

b. The center should be directly connected by a series of walkways to all the multifamily buildings in the complex. These walkways should be barrier free, landscaped, and lighted with fixtures not to exceed fifteen feet in height. The walkways should provide visual contrast where they cross driveways or streets.

2. Site Lighting.

a. Site lighting (pedestrian-scale and low level) should be provided throughout the project.

b. Security lighting should be provided in parking areas and play areas.

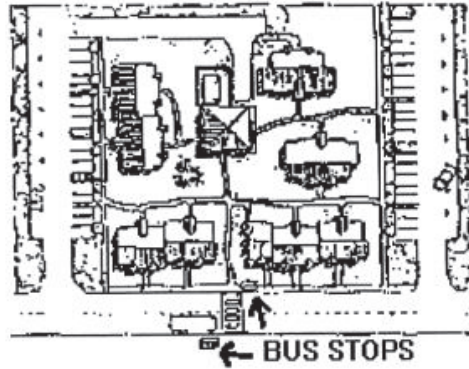
c. Lighting should not shine into the dwelling units in the development.

d. Lighting should be directed away from neighboring development.

3. Mailboxes. If common mailboxes are used, they should be located near the project entry or near the recreational facilities. The

architectural character should be similar in form, materials, and colors to the surrounding buildings. Mailboxes should be well lighted and pedestrian accessible.

4. Bus Stops. The multifamily walkway network shall provide convenient pedestrian access to the nearest transit stop.



(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.060 Grading and tree/vegetation retention.

A. Requirement. To the extent reasonable and practicable, multifamily projects shall be designed to minimize impacts to existing topography and vegetation.

B. Guidelines.

1. Incorporate the natural grades in the overall design of the project.

2. Incorporate existing groups of trees/vegetation to be protected and retained on the site.

3. Minimize disturbance of open space to better facilitate storm water infiltration.

4. Stepping the building down a hillside to match the topography can reduce the impact of the building on smaller, nearby buildings.



(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

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17.470.070 Open space.

A. Requirement. Open space shall be provided in or adjacent to multifamily development for all the residents of the development.

B. Guidelines.

1. Where possible, combine the open space of contiguous properties to provide for larger viable open space areas.

2. Site permanent outdoor recreation equipment away from storm drainage facilities.

3. Use walkways to connect the open spaces to the multifamily buildings, parking areas, and adjacent neighborhoods.

4. Incorporate a variety of activities for all age groups in the active recreational open space.

5. Consider drainage/retention areas that enhance the environment and open space usage.



(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.080 Landscape design.

A. Requirement. In addition to the requirements in Chapter 17.500, landscaping and supporting elements (such as trellises, planters, site furniture or similar features) shall be appropriately incorporated into the project design.

B. Guidelines.

1. Minimize tree removal and incorporate larger caliper trees to obtain the immediate impact of more mature trees when the project is completed.

2. Provide frameworks such as trellises or arbors for plants to grow on.

3. Incorporate planter guards or low planter walls as part of the architecture.

4. Landscape the open areas created by building modulation.

5. Incorporate upper story planter boxes or roof plants.

6. Retain natural greenbelt vegetation that contributes to greenbelt preservation.

7. On streets with uniform planting of street trees and/or distinctive species, plant street trees that match the street tree spacing and/or species.

8. Use plants that require low amounts of water, including native drought-resistant species, and require low amounts of chemicals and fertilizers.

9. Incorporate vegetation-based LID BMPs.

(Ord. 540 (2016) § 41, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.470.090 Multifamily – Site design – Parking location and design.

A. Requirement. Minimize the impact of driveways and parking lots on pedestrians and neighboring properties by designing and locating parking lots, carports, and garages in a way that creates few interruptions on the street, sidewalk or building facade (UVC).

B. Guideline.

1. Locate surface parking at rear or side of lot (UVC);

2. Break large parking lots into small ones, and share with adjacent property owners where possible (UVC);

3. Minimize the number and width of driveways and curb cuts (UVC);

4. Share driveways with adjacent property owners (UVC);

5. Locate parking in areas that are less visible from the street (UVC);

6. Locate driveways so they are visually less dominant (UVC);

7. Berm and landscape parking lots when they are visible from the street (UVC);

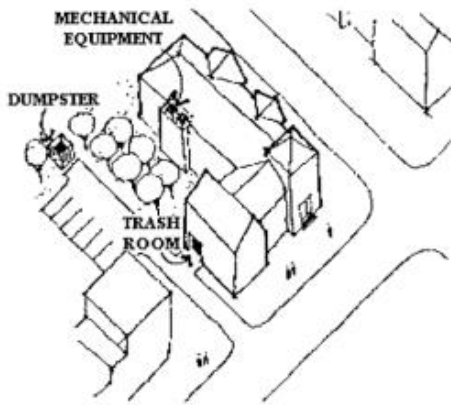
8. Screen parking lots abutting single-family residences with landscaping and/or fencing (UVC); and

9. Limit parking lots on street frontages to thirty percent of the street frontage (UVC). (Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.480.160)

17.470.100 Multifamily – Site design – Screening.

A. Requirement. Provide adequate screening for support facility needs associated with multifamily developments (UVC).

B. Guideline. Support areas should be located adjacent to parking areas and should be fully screened with a minimum six-foot-high fence. The screening material should match the main buildings, and the perimeters planted with shrubs and ornamental trees (UVC).



Service elements located away from the street edge and not generally visible from the sidewalk.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.480.180)

17.470.110 Multifamily – Signs.

A. Requirement. Minimize the amount of signage needed to identify the multifamily development (UVC). Signs shall conform to Chapter 17.510, Sign Code.

B. Guideline.

1. Multifamily projects should have a sign at the main entry from the street to identify the project. The sign should also include the street address (UVC).

2. Internal directional signs showing the building locations and building numbers are encouraged (UVC, NC).

3. Each building will have clearly displayed street numbers, building numbers, and building name, if applicable. Choose materials for the signs that are used in the architectural details of the buildings (UVC).

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016. Formerly 17.480.240)

Chapter 17.480

URBAN VILLAGE CENTER DESIGN CRITERIA

(Repealed)*

* Editor’s Note: Former Chapter 17.480, “Urban Village Center Design Criteria,” was repealed by Ordinance 587 (2020). Subsection 7(5) (App. E) (part) of Ord. 534 (2016), § 42 of Ord. 540 (2016) and § 27 of Ord. 550 (2018) were formerly codified in this chapter. Former Sections 17.480.160, 17.480.180 and 17.480.240 were recodified as Sections 17.470.090, 17.470.100 and 17.470.110, respectively.

Chapter 17.490

OFF-STREET PARKING AND LOADING

Sections:

- 17.490.010 Off-street parking requirements.
- 17.490.020 General provisions.
- 17.490.030 Number of spaces required.
- 17.490.040 Off-street parking lot design.
- 17.490.050 Off-street loading.
- 17.490.060 Handicapped parking.
- 17.490.070 Bicycle parking standards.
- 17.490.080 Electric vehicle charging standards.

17.490.010 Off-street parking requirements.

The following requirements shall be used as guidelines when determining permit application requirements and, subject to code within this chapter, may be reasonably increased or

decreased by the department depending on the specific need or use. Trip demand reduction programs and the availability of public transit may also be considered in decreasing parking requirements. Off-street parking spaces shall otherwise be provided and maintained as set forth in this chapter for all uses in all zones. Any fractional parking space shall be rounded up to the nearest whole number. Such off-street parking spaces shall be provided at the time:

A. A building is hereafter erected or enlarged;

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

C. Refer to Chapter 17.700 “Appendix A – Parking Lots: Street Trees, Landscaping, Design” for graphical assistance. (Ord. 540 (2016) § 43, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.020 General provisions.

A. Parking analyses shall be provided for all proposed uses as outlined on relevant permit application checklists.

B. More Than One Use on One or More Parcels. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the director finds that a portion of the floor area not less than a contiguous one hundred square feet in a retail store will be used exclusively for storage of merchandise which is not being displayed for sale, he may deduct such space in computing parking requirements, but the owners shall not thereafter use the space for any other purpose without furnishing additional off-street parking as required by Section 17.490.030.

C. Joint Use of Facilities. The off-street parking requirements of two or more uses, structures, or parcels of land may be satisfied by the same parking or loading space used jointly, if approved by the director, to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their operations and parking needs do not overlap in point of time. For joint use facilities (i.e., shared-use parking and shared access facilities), a parking agreement shall be required consistent with subsection (I) of this section.

D. Location of Parking Facilities.

1. Within high capacity transit station areas, required parking spaces shall be located on the same parcel or on another parcel no farther than eight hundred feet from the building or use they are intended to serve, measured in a straight line from the main entrance of the building. Public parking intended for the use of a public ferry terminal may be located on another parcel no farther than one thousand feet, measured in a straight line from the ferry terminal.

2. In all other areas, off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located on the same parcel or on another parcel not farther than three hundred feet from the building or use they are intended to serve, measured in a straight line from the main entrance of the building.

3. Off-site parking shall be connected to the building or use it is intended to serve by streets improved with sidewalks or by walkways.

4. For off-site parking, a parking agreement shall be required consistent with subsection (I) of this section.

E. Use of Parking Facilities. Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for the storage of vehicles or materials, or for the parking of trucks used in conducting the business or use.

F. Parking in Required Front, Side, Rear Yards or Setbacks. Unless otherwise provided, required parking and loading spaces shall not be located in a required yard or setback, except for development of single-family dwellings or duplexes. Automobile sales may be allowed in no more than twenty-five percent of the front yard setback, as shown on an approved site plan.

G. Off-Site Employee Parking. Off-site employee parking may be used to reduce the number of on-site parking spaces.

H. Development of and Maintenance Standards for Off-Street Parking Areas. In addition to requirements of Chapters 17.490 and 17.500 and the Kitsap Stormwater Design Manual, every parcel of land hereafter used as a public or private parking area, including commercial parking lots, shall be developed as follows:

1. An off-street parking area for more than five vehicles shall be effectively screened by a sight-obscurer fence, hedge, or planting, on each side that adjoins property situated in any residential zone, or the premises of any school or like institution;

2. Lighting shall be directed away from adjoining properties. Not more than one foot candle of illumination shall leave the property boundaries;

3. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley;

4. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all-weather use, and so drained as to avoid flow of water across sidewalks;

5. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents;

6. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, to provide maximum safety of traffic ingress and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street, other than an alley;

7. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points twenty feet from their intersection;

8. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, pedestrian walkway, or a street; and

9. When the parking standards require ten or more parking spaces, up to thirty percent of these may be compact car spaces, as identified in Section 17.490.040. Compact spaces shall be clearly labeled on the parking space.

I. Parking Agreement.

1. For off-site parking, shared-use parking, or shared access to parking, a covenant, easement or other contract approved by the director for shared parking and/or access between the cooperating property owners shall be enacted and recorded by the county with the county auditor as a deed restriction on all associated properties (i.e., the property with the use and the property providing the required parking) that cannot be modified or revoked without

the approval of the director. The parking agreement shall:

- a. Provide that the land comprising the required parking facilities shall not be encroached upon, used, sold, leased, or conveyed for any purpose except in conjunction with the building or use which the required parking serves;
- b. For commercial uses, provide for directional signage to off-site public or visitor parking;
- c. Assign maintenance provisions for the parking facilities and landscaping;
- d. If shared use is allowed, indicate prime hours of operation for shared uses;
- e. If shared use is allowed, designate potential times of overflow, and a parking plan

which will be implemented in the event of overflow.

2. If any of the above requirements are violated, the affected property owners must provide the full amount of required off-street parking for each use, in accordance with conditions of approval, unless a satisfactory alternative remedy is approved by the director. (Ord. 620 (2023) § 7, 2023; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 540 (2016) § 44, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.030 Number of spaces required.

Off-street parking spaces shall be provided as follows:

Land Use	Parking Spaces Required in All Zones (Except as Modified to the Right)	High Capacity Transit Station Area Modifications
Residential		
Single-Family (attached or detached)	During subdivision, 2 per unit + 0.5 per unit on street or set aside; for historical lots or lots with no standing requirement, 3 per unit. 1 additional space for accessory dwelling units or accessory living quarters. Garages are not calculated towards any parking requirement.	2 per unit, 1 additional space per guest house, accessory dwelling unit or accessory living quarter. Garages are calculated towards parking requirement.
Multifamily (Condos/Townhouses/Apartments) and Cottage Housing	1.5 per unit + 0.5 per unit on street or set aside	Units with 1 or fewer bedrooms: 1 space per unit + 0.5 spaces per unit set aside. Units with 2 or more bedrooms: 1.5 spaces per unit + 0.5 spaces per unit set aside.
Senior Housing	0.5 per unit; 1 per on-duty employee	
Institutional/Educational/Other		
Bed and Breakfast	1 per sleeping unit	
Motels and Hotels	1 per bedroom; and spaces to meet the combined requirements of the uses being conducted such as hotels, restaurants, auditoriums, etc.	

Land Use	Parking Spaces Required in All Zones (Except as Modified to the Right)	High Capacity Transit Station Area Modifications
Club/Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotels, restaurants, auditoriums, etc.	
Hospitals and Institutions	1 per bed; 1 per 2 employees; 1 per 2 guests	
Places of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium	
Library and Gallery	1 per 250 gross square feet	
Preschool-Kindergarten	1 per employee; 1 per 6 children	
Elementary/Middle or Junior High School	1 per employee; 2 per classroom	
High School	1 per employee and teacher; 1 per 10 students	
Colleges, Technical School	1 per 3 seats in classroom; 1 per employee and teacher	
Stadium, Arena, Theater	1 per 4 seats or 8 feet of bench length in the main auditorium	
Bowling Alley	6 per alley	
Dance Hall, Skating Rink	1 per 200 gross square feet	
Self Storage	1 per 3,000 gross square feet	
Commercial/Retail/Office		
Restaurants/Bars/Taverns	If under 5,000 square feet of gross floor area – 1 per 200 square feet of gross floor area; If 5,000 or more square feet of gross floor area – 20 plus 1 per each additional 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Retail stores generating relatively little automobile traffic (e.g., appliance, furniture, hardware and repair stores)	1 per 400 square feet of gross floor area	1 per 800 square feet of gross floor area
Retail and personal service establishments generating heavy automobile traffic (e.g., department, drug, and auto parts stores, fitness centers, supermarkets, ice cream parlors, bakeries and beauty and barber shops)	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Espresso Stands, Drive-In, and Fast Food Restaurants	1 per 80 square feet of gross floor area	

Land Use	Parking Spaces Required in All Zones (Except as Modified to the Right)	High Capacity Transit Station Area Modifications
Professional Office	1 per 300 square feet of gross floor area	1 per 400 square feet of gross floor area
Shops and stores for sales, service or repair of automobile, machinery and plumbing, heating, electrical and building supplies	1 per 600 square feet of gross floor area	
Mortuaries, Funeral Homes, Crematories	1 per 75 square feet of assembly area	
Medical and Dental Office or Clinic	1 per 200 square feet of gross floor area	1 per 300 square feet of gross floor area
Bank, Financial Institutions	1 per 400 square feet of gross floor area	
Industrial		
Marinas and Moorage Facilities	1 per 4 moorage slips	
Warehouse, Storage, and Wholesale Facilities	1 per 2 employees; 1 per company vehicle parked on site at night (if applicable); 1 per 300 square feet of office space	1 per 2 employees; 1 per company vehicle parked on site at night (if applicable); 1 per 400 square feet of office space
Manufacturing, Research, Testing, Processing and Assembly Facilities	1 per 1,000 square feet	
Winery/Brewery	1 per 800 square feet of gross floor area	

A. Deviation from Required Spaces.

1. The director may authorize a reduction up to twenty-five percent to the amount of required parking if a project proponent demonstrates that, due to the unusual nature of the proposed use, it is reasonable that the parking required by this section exceeds any likely need, or that trip demand reduction programs or public transit availability serves to further reduce parking demand.

2. An increase over ten percent or a reduction greater than twenty-five percent from the required parking ratio shall be processed pursuant to Chapter 17.560, except in high capacity transit station areas a reduction greater than twenty-five percent may be granted by the director if the reduction is supported by a park-

ing and traffic impact analysis and the development:

a. Provides a car share program, shuttle program, or regional transit pass/subsidy program to all residents that is adequate to offset the parking reduction;

b. Implements recorded lease/deed restrictions that limit the combined total number of vehicles owned by tenants to the number of parking spaces available for tenants;

c. Participates in a public parking management program or a parking improvement district with adequate capacity to offset the parking reduction;

d. Implements an alternative transportation management plan with measures adequate to offset the parking reduction that has been approved by the director and recorded on the title of the affected properties; or

e. Substantially replaces on-site surface parking with parking underground and/or in a structured parking facility (e.g., an under building or multi-level parking garage) located on site and/or, if otherwise allowed, off site.

3. The maximum amount of reduction in required parking spaces based on incentives used in Sections 17.490.070 and 17.490.080 may be no more than twenty-five percent. Any further reductions would be handled as outlined in subsection (A)(2) of this section.

B. Other Uses.

1. Other uses not specifically listed above shall furnish parking as required by the director. The director shall use the above list as a guide for determining requirements for said other uses.

2. Storage of junk motor vehicles is subject to the provisions of Section 17.105.090(I). (Ord. 620 (2023) § 8, 2023; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 541 (2017) § 10, 2017; Ord. 540 (2016) § 45, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.040 Off-street parking lot design.

A. Permeable Pavement and Parking Dimensions. Use of permeable pavement shall be evaluated and used unless determined by the county to be infeasible in accordance with the Kitsap Stormwater Design Manual. Design and construction shall be done in accordance with the Kitsap Stormwater Design Manual. Each parking space and parking lot aisle shall comply with the minimum dimension requirements in Table 17.490.040 and further displayed in Figure 17.490.040.

Table 17.490.040 Parking Lot Space and Aisle Dimensions

Parking Stall Type	Minimum Stall Dimensions		Minimum Width for Drive Aisle with Parking(C)	
	Width (A)	Length (B)	One-Way	Two-Way
Standard parallel	8 feet*	23 feet	12 feet	20 feet
Standard 45-degree	9 feet	20 feet	15 feet	20 feet
Standard 60-degree	9 feet	20 feet	18 feet	20 feet
Standard 90-degree	9 feet	20 feet	20 feet	24 feet
Compact – parallel	8 feet	16 feet	12 feet	20 feet
Compact – all degrees and angled	8 feet	16 feet	20 feet	24 feet

* For parallel stalls on street, eight-foot width may include up to one foot of gutter width.

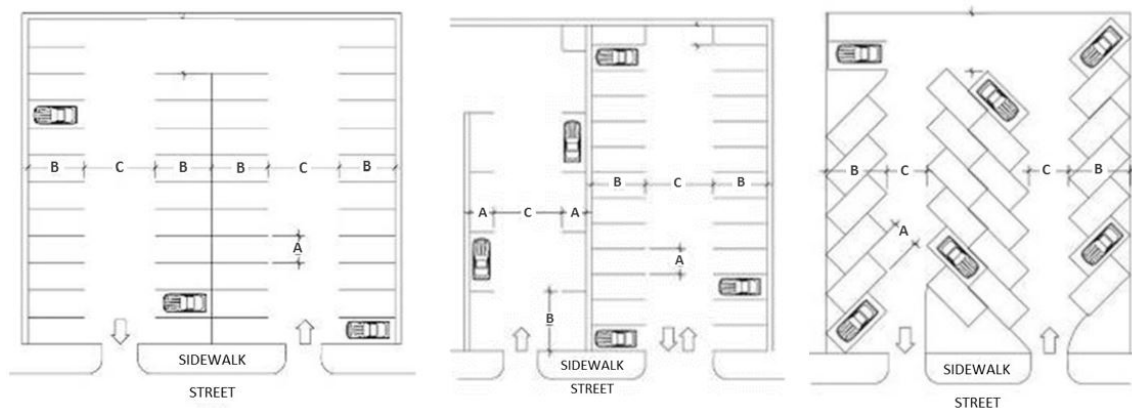


Figure 17.490.040 Parking Space and Drive Aisle Dimensions

B. Other Requirements. All surface parking lots, excluding underground or above ground parking garages, with more than fourteen stalls shall conform to Table 17.490.040.B. Landscaping shall be provided in the required front, side and rear setback area for surface parking lots and parking garages. One street tree shall be provided at the ends of each row of parking spaces, and a minimum of one street tree shall be provided for each fifteen spaces. Parking lots with one hundred or more spaces shall provide a landscape strip of street trees every other row between double-loaded rows. This design is encouraged for parking lots with more than three double-loaded rows and lots with less than one hundred spaces. Shrubs and ground cover shall be required in all landscape areas. Up to fifty percent of shrubs may be deciduous. Plant size, spacing, and installation standards shall comply with Chapter 17.500.

Table 17.490.040.B Required Landscape Area per Parking Space

Total Number of Parking Spaces	Minimum Required Landscape Area
15 to 50	15 square feet per parking space

Table 17.490.040.B Required Landscape Area per Parking Space (Continued)

Total Number of Parking Spaces	Minimum Required Landscape Area
51 to 99	25 square feet per parking space
100 or more	35 square feet per parking space

C. Screening Buffer. A screening perimeter buffer shall be provided in compliance with Chapter 17.500.

D. Pedestrian Walkways. Pedestrian walkways shall be provided from the parking lot to building entrances. Parking lots with a landscape strip between double-loaded rows shall provide pedestrian walkways next to the landscape strip leading to building entrances.

E. Refer to Appendix A, Parking Lot Design, for graphical representation of design elements for this chapter. (Ord. 540 (2016) § 46, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.050 Off-street loading.

A. When Required. Off-street loading and unloading spaces shall be required for all commercial, industrial, and multifamily uses having a gross area of over four thousand square feet and which provide or receive deliveries or

pick ups by trucks or truck-trailer combinations over thirty-five feet in length more frequently than once per month. Lots less than ten thousand square feet may share required off-street loading areas with adjacent properties, so long as there are no on-site alternatives, loading areas are consistent with dimensional requirements of subsection (B) of this section, and there is a written agreement between the property owners. Loading areas may share designated parking spaces, so long as loading/unloading occurs when the use is closed for business and during which time parking is not needed or used.

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

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

Gross Square Feet	Required Number of Spaces
4,000 – 9,999	1
10,000 – 24,999	2
25,000 – 99,999	3
100,000 – 200,000	4
Additional 50,000 over 200,000	1

(Ord. 540 (2016) § 47, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.060 Handicapped parking.

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

(Ord. 540 (2016) § 48, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.490.070 Bicycle parking standards.

A. Minimum Required Standards for Bicycle Parking. Standards shall apply in the urban growth areas, rural commercial and industrial zones, and LAMIRDs to all new construction where ten or more vehicle parking spaces are required and to redevelopment projects where the project cost is fifty percent or more of the assessed value of the buildings.

1. In urban growth areas and Type 1 LAMIRDs, one bicycle parking space is required for every ten vehicle parking spaces. In rural commercial and industrial zones and Type 3 LAMIRDs, one bicycle parking space is required for every twenty vehicle parking spaces. No more than thirty bicycle parking spaces will be required on a project.

2. Bicycle parking shall be located to be protected from motor vehicle maneuvering, and adjacent to a sidewalk or pedestrian walkway that serves the building entrance. For uses without a structure, such as transportation terminals, bicycle parking shall be located in the most visible location on the site.

3. Bicycle parking shall be constructed on a dustless, durable, rideable maneuvering surface such as pavement, concrete, or similar materials. Bicycle parking shall not be constructed on dirt, grass, or gravel.

4. Bicycle parking shall be illuminated with downcast lighting.

5. Bicycle parking rack design shall:

a. Accommodate common styles and sizes of bicycles;

b. Make contact with the bicycle frame at two points so that, if desired, both wheels can be locked to the rack without being removed from the bike;

c. Have a diameter no greater than three inches at the locking points;

d. Be constructed of durable, rust-free materials, and not damage bicycle finishes, e.g., aluminum, galvanized, and powder-coated surfaces;

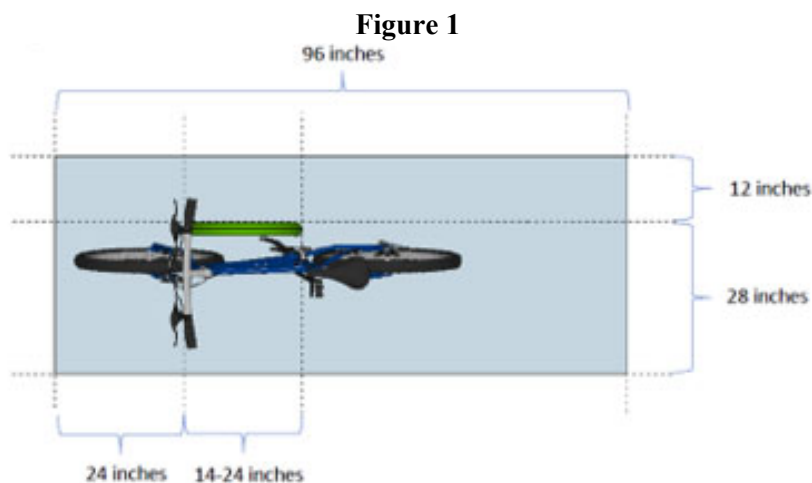
e. Be securely anchored to the ground or a wall with tamper-resistant hardware;

f. Vertical parking is allowed, so long as the provisions of subsections (A)(5)(a) through (e) of this section are met, and at least ten percent of bicycle parking provided is not vertical.

6. Bicycle Parking Dimensions.

a. A single bicycle parking space shall be forty inches wide by ninety-six inches long

(Figure 1). The bicycle rack shall be inside the bicycle parking space, twelve inches away from one of the long sides, with the first locking point located twenty-four inches back from the front of the bicycle parking space and the second locking point located fourteen to twenty-four inches back from the first.



b. A double bicycle parking space utilizing a double-sided rack shall be fifty-two inches wide by ninety-six inches long (Figure 2). The bicycle rack shall be inside the bicycle parking space, centered in double space, with the first locking point located twenty-four inches back from the front of the bicycle parking space and the second locking point located fourteen to twenty-four inches back from the first (Figure 3).

Figure 2

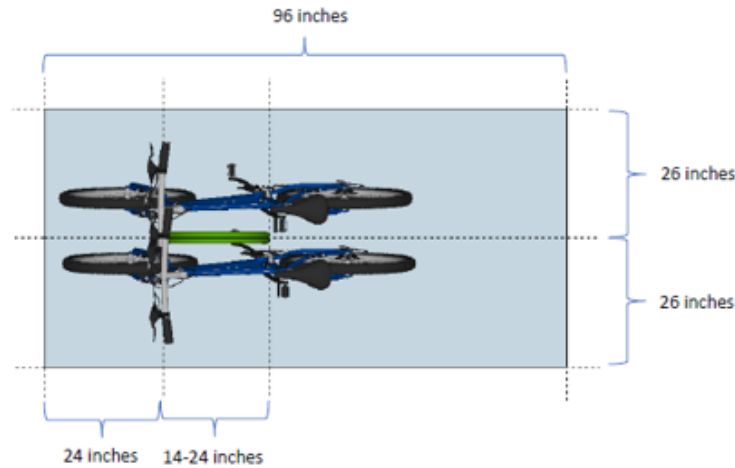
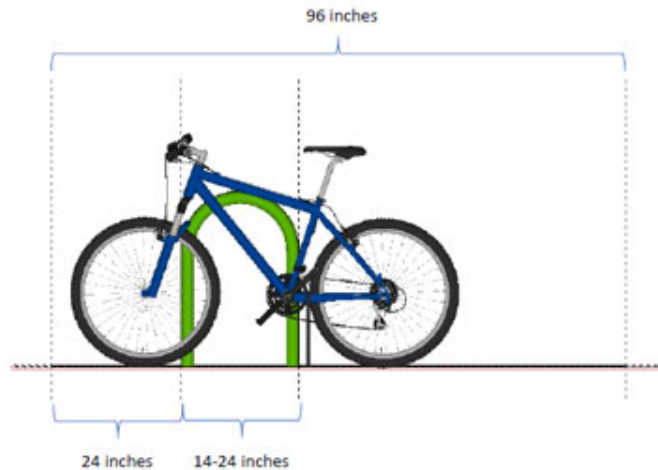


Figure 3



7. Where any covered vehicle parking on a surface parking lot is provided, covered bicycle parking shall also be provided.

B. Incentives for Bicycle Parking. When incentives are used, only the amount of required vehicle parking on the site is reduced; the number of bicycle parking spaces is calculated from the required vehicle parking amount prior to use of any reductions.

1. If bicycle parking is provided at the ratio of one bicycle parking space for every five vehicle parking spaces, required vehicle parking may be reduced by five percent.

2. If covered bicycle parking is provided when it is not required in subsection (A)(7) of

this section, required vehicle parking may be reduced by five percent.

3. If bicycle parking is provided inside the primary building, required vehicle parking may be reduced by five percent and bicycle parking dimensional standards do not apply.

4. If bicycle lockers or bicycle cages are provided instead of bicycle racks, required vehicle parking may be reduced by five percent.

5. If bicycle parking is provided that uses artistic design or adds to aesthetic values that also meets the requirements of Section 17.490.070(A)(5)(a) through (e), required

vehicle parking may be reduced by five percent.

(Ord. 620 (2023) § 9, 2023)

17.490.080 Electric vehicle charging standards.

A. Minimum Standards for Electric Vehicle Charging Spaces. Standards shall apply to all new construction, and to redevelopment projects where the project cost is fifty percent or more of the assessed value of the buildings.

1. One electric vehicle charging space is required for every ten standard vehicle parking spaces required, rounded up. Ten percent of the electric vehicle charging spaces shall be accessible parking spaces, rounded up, with a minimum of one required.

2. Electric vehicle infrastructure is required to be sized, installed, and have capacity in accordance with provisions of Chapter 14.04.

3. Electric vehicle charging stations shall be at least Level 2 chargers: two hundred eight or two hundred forty volts.

4. Electric vehicle charging spaces are reserved solely for charging of electric vehicles. Vehicles that are no longer charging should be relocated to a standard vehicle parking space. Signage to this effect shall be posted.

5. Electric vehicle charging spaces shall have the same dimensions as standard parking stalls as identified in Table 17.490.040. Accessible charging spaces shall have the dimensions required in the building code for accessible parking stalls.

6. Site lighting shall illuminate any electric vehicle charging spaces that are available for use outside of daytime hours.

7. Contact information for the charging station operator shall be posted on the charging station equipment in order to report malfunctions or other issues.

8. Provisions for shared charging infrastructure may be allowed as outlined for shared parking in Section 17.490.020(I).

B. Incentives for Electric Vehicle Charging. When incentives are used, only the amount of required non-EV vehicle parking on the site is reduced; the number of electric vehicle charging spaces is calculated from the required vehicle parking amount prior to use of any reductions.

1. The provision of Level 3 charging stations (“fast” chargers) – four hundred eighty volts – rather than Level 2 charging stations shall allow for the reduction of required parking on the site of five percent.

2. If one electric vehicle charging space is provided for every five required parking stalls, the required vehicle parking may be reduced by five percent.

3. For projects with two hundred fifty or more required parking stalls, if one electric vehicle charging space that would allow for a passenger truck towing a trailer to be charged is installed (pull-through or double-length stall with charger located to the side), the required vehicle parking may be reduced by five percent.

(Ord. 620 (2023) § 10, 2023)

Chapter 17.500

LANDSCAPING

Sections:

- 17.500.010 Purpose.
- 17.500.020 Landscape plans.
- 17.500.025 General landscaping requirements.
- 17.500.027 Buffer types – When required.
- 17.500.030 Installation and maintenance.
- 17.500.040 Drought-tolerant landscaping or xeriscaping.
- 17.500.050 Parking lot landscape and screening.
- 17.500.060 Building facade plantings.
- 17.500.070 Slope plantings.
- 17.500.080 Community themes.

17.500.010 Purpose.

This section shall establish landscaping standards for all development subject to the requirements for permitted, conditional use or performance based development, as well as landscaping standards for vegetation-based low impact development (LID) best management practices (BMPs). Single-family lots shall be exempt, except that landscaping required in Kitsap County Code shall be installed to specifications contained herein.

Refer to Chapter 17.700 “Appendix A – Parking Lots: Street Trees, Landscaping, Design” for graphical assistance.

(Ord. 540 (2016) § 49, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.020 Landscape plans.

Landscape plans required for an application shall be prepared as set forth in this section.

A. Landscape plans shall be neatly and accurately prepared, at a scale that will enable ready identification and recognition of information presented.

B. The landscape plan shall show all existing landscaping to remain and be labeled accordingly.

C. The landscape plan shall show existing vegetation to remain, including but not limited to mature trees, and be labeled accordingly. Site assessment of existing vegetation shall be performed in conformance with the Kitsap County Stormwater Design Manual.

D. The landscape plan shall show how all disturbed areas are to be replanted, where landscaping is required, including the location and variety of all trees, shrubs and ground cover.

E. The plan shall be accompanied by a plant schedule (list of plant materials used) which depicts the botanical name, common name, size at installation and spacing between individual plants shown on the plan.

F. All plans shall include the following notations:

1. Plant quantities shall be determined by required spacing.

2. All planting beds shall receive ground cover throughout except as noted.

3. All planting beds shall receive a minimum of two inches bark mulch.

G. The landscape plan shall depict areas to be retained in natural vegetation and marked with the words “Native Growth Protection Easement, Existing Native Vegetation to Remain” and refer to the following notation, which is to be included on the landscape and site plans, or in the case of subdivisions, the final plat document.

The “Native Growth Protection Easement Note” is intended to protect a sensitive area or provide and preserve a vegetated buffer by means of restricting activities that affect the vegetation existing in that area. The easement shall be maintained to exclude nonnative invasive species. The statement, “Existing Native Vegetation to Remain” is intended to differentiate between native vegetation and naturalized, nonnative vegetation that naturally occurs through reseeding. Native vegetation is that which has existed in the region and was not introduced to the area by people. Examples include; Douglas fir, salal and alder. Naturalized vegetation is a species that was introduced to the area and has spread to the extent that it occurs and propagates itself without being directly planted by people. Examples include: Scotch broom, Himalayan blackberry and purple loosestrife.

H. The landscape plan shall show buildings and structures, existing and proposed.

I. The landscape plan shall show all existing and proposed access points.

J. The landscape plan shall show all existing and proposed parking spaces and spaces shall be consecutively numbered.

K. A schematic irrigation plan shall be provided showing irrigation zones and proposed irrigation methods within each zone.

L. Irrigation requirements for drought tolerant (xeriscape) landscaping shall be as set forth in Section 17.500.040. (Ord. 540 (2016) § 50, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.025 General landscaping requirements.

In all cases where landscaping is required, a minimum of fifteen percent of the total site area shall be landscaped to the standards set forth in this chapter. (Ord. 540 (2016) § 51, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.027 Buffer types – When required.

The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. Vegetation-based LID BMPs may be utilized within buffers as long as the primary purpose of the landscaping or screening buffer is not compromised. These types of buffers shall include:

A. Partial Screening Buffer. This type of landscaping is intended to provide partial visual separation of uses from streets and between compatible uses in order to soften the appearance of parking areas and building elevations.

1. Roadside and Setback Area Buffer. Required along existing or planned roads and side and rear property lines within urban growth areas. The planting area shall encompass the required front setback area, and areas adjacent to side and rear property lines, and consist of:

- a. Evergreen and/or deciduous trees;
- b. Evergreen shrubs planted to screen parking areas, in an amount and configuration to screen parked cars;
- c. Ground covers as required;
- d. Bioretention and other drainage features, only when in a configuration that preserves the integrity of the roadside and setback area planting; and

e. Existing vegetation, where feasible and appropriate.

2. Separation Buffer. This type of landscaping is intended to create a visual separation that may be less than one hundred percent sight-obscuring between compatible land uses or zones.

Required along the perimeters of multifamily residential, commercial, industrial and public facility development which abut like zones or uses and consist of:

- a. Evergreen trees or a combination of approximately sixty percent evergreen and forty percent deciduous trees;
- b. Large shrubs planted between trees;
- c. Ground covers as required;
- d. A sight-obscuring fence may be required, if determined necessary by the department, to reduce site-specific adverse impacts to adjacent land uses.

B. Solid Screening Buffer. This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and commercial or industrial uses. It is also intended to provide a sight barrier around outdoor storage yards, service yards, trash receptacles, mechanical and electrical equipment, etc.

1. Required along the perimeters of multi-family residential, commercial, industrial, and public facility development, which abut different uses and/or zones. The buffer shall provide one hundred percent sight-obscuring screening between different uses or zones and shall consist of:

- a. Three offset rows of evergreen trees planted ten feet on center and ground cover; or
- b. A six-foot screening fence and two offset rows of evergreen trees planted ten feet on center, and ground cover.

2. Required for residential subdivisions, commercial, industrial, or public facility development abutting a rural zone, a buffer of twenty-five to fifty feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after

evaluating the effects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.

3. Required around the perimeter of storm drainage facilities, with the exception of vegetation-based LID BMPs, to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:

- a. A row of large shrubs and ground cover; and/or
- b. A row of evergreen trees planted ten feet on center and ground cover; and/or
- c. An evergreen vegetation buffer sufficient to provide screening; and/or
- d. Existing screening vegetation, where feasible and appropriate.

4. Required around trash receptacles, mechanical and electrical equipment, and other similar above ground items, and consisting of evergreen shrubs adequate to screen a majority of the equipment or item while providing access to the item.

(Ord. 540 (2016) § 52, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.030 Installation and maintenance.

Installation and maintenance of landscaping of developments shall be in accordance with the American Nursery Landscaping Association standards. Vegetation-based LID BMPs shall be in accordance with the Kitsap County Stormwater Design Manual.

A. Plant materials shall be nursery stock or the equivalent quality and installed to industry standards or better.

B. Landscape plant materials shall be staked to current industry standards or better. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.

C. Minimum sizes at installation, except drought-tolerant landscape areas, which shall be subject to the size requirements in Section 17.500.040.

1. Two-inch caliper street trees and other deciduous trees;
2. Eight feet minimum height multi-stemmed trees (e.g., vine maple);
3. Six feet minimum height coniferous/evergreen trees;
4. Eighteen to twenty-four inches height for large and medium shrubs; and
5. Twelve to eighteen inches minimum height for small shrubs.

D. Maximum Spacing.

1. Street trees and other deciduous trees shall be spaced appropriate to their pattern, generally twenty-five to thirty feet on center for large trees.

2. Coniferous/evergreen trees shall be spaced fifteen feet apart, unless they are within a screening buffer, where the maximum spacing shall be ten feet on center.

3. Large shrubs (over ten feet at maturity) shall be spaced five feet on center.

4. Medium shrubs (six to ten feet at maturity) shall be spaced four feet on center.

5. Small shrubs (less than six feet at maturity) shall be spaced three feet on center.

E. Ground covers shall be required in all planting areas, unless the entire bed is planted with shrubs that branch out so that they cover the surface of the ground. Ground cover shall be planted and spaced in a triangular pattern which shall result in complete coverage in two years. Bark and mulch shall not be considered as ground cover. Spacing shall be no greater than:

1. One-gallon pots, twenty-four inches on center;
2. Four-inch pots, eighteen inches on center;
3. Two-and-one-quarter-inch pots, twelve inches on center; and
4. Grass and sod areas to be one hundred percent.

F. Native Growth Protection Easements. A site assessment permit shall be required prior

to any vegetation removal. Authorized removal shall be as follows:

1. Removal of Naturalized Species. Vegetation removal of naturalized species shall be by hand. No machinery shall be used, except for hand-held implements that do not disturb the native vegetation or soil;

2. Other activities expressly allowed as a condition of approval.

G. Danger Tree Removal. A site assessment permit shall be required prior to any danger tree removal. Removal of any trees shall be authorized by written approval from the county. Removed trees shall be replaced at a ratio of 3:1 (three new trees for each tree removed) unless otherwise specified in writing.

H. Slopes in landscape areas shall not exceed 3:1 unless specifically approved by the director. Erosion control netting or alternative procedure may be required for slopes exceeding 3:1.

I. Automatic irrigation systems shall be required for all landscape areas except for those designed and approved as drought-tolerant plantings. In unique circumstances, alternative methods of irrigation may be approved if specifically proposed as part of the landscape plan.

J. All planting beds shall receive topsoil or soil amendments as needed to maintain the plants in a thriving condition. Soil amendments for vegetation-based LID BMPs shall comply with the standards set forth in the Kitsap manual.

K. All planting beds shall receive a minimum of two inches of bark mulch, or approved substitute.

L. Landscaping required under the provisions of this title shall be maintained in a healthy growing condition. Vegetation shall be maintained in a typical growth pattern and for its intended purpose. Vegetation-based LID BMPs shall be maintained as required by the Kitsap manual.

M. Landscaping lost due to violations of this title, Title 12, or unforeseen natural events shall be replaced immediately with vegetation

that is sufficient in size and spacing as required by this title, or the Kitsap Stormwater Design Manual, whichever is applicable.

N. All landscaping required by this title shall be installed prior to the issuance of any final certificate of occupancy permit or prior to final inspection approval when a site development activity permit is required, unless installation is bonded (or other method), for a period not to exceed six months, in an amount equal to one hundred fifty percent of the cost of material and labor. Fees at the authorized rate shall be assessed for staff to manage the landscape bond.

O. Wetland mitigation plantings shall not be considered part of the landscaping requirements.

(Ord. 617 (2022) § 26, 2022; Ord. 540 (2016) § 53, 2016; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.040 Drought-tolerant landscaping or xeriscaping.

Drought-tolerant landscaping (xeriscaping) is encouraged as a means of reducing the amount of water use. Xeriscaping reduces maintenance costs by reducing the amount of water used and by avoiding long-term maintenance of an irrigation system. Xeriscaping is especially encouraged on large sites and in those parts of a site separated from public streets and walkways. Drought-tolerant landscaping shall be installed and maintained as set forth in this section.

A. There shall be provisions made for irrigation in the first two years following planting. This may include a temporary sprinkler system or an approved means of manual irrigation. Manual irrigation methods shall be detailed in a written plan, included as a note on the landscape plan and accompanied by a maintenance bond in an amount determined by the director.

B. Minimum sizes at installation:

1. One-and-one-half-inch caliper deciduous trees;

- 2. Four-foot minimum height multi-stem trees;
- 3. Four-foot minimum height coniferous/evergreen trees;
- 4. Twelve inches minimum height for medium and large shrubs; and
- 5. One-gallon pot size for small shrubs.

C. Ground cover shall be required as in Section 17.500.030(E).

D. All plants selected shall be species generally accepted as drought-tolerant in the industry.

(Ord. 540 (2016) § 54, 2016: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.050 Parking lot landscape and screening.

A. All surface parking lots, excluding underground or above ground parking garages, with more than fourteen stalls shall conform to Table 17.500.050.A. Landscaping shall be provided in the required front, side and rear setback area for surface parking lots and parking garages. One street tree shall be provided at the ends of each row of parking spaces. There shall also be a street tree provided for each fifteen spaces. Shrubs and ground cover shall be required in all landscape areas. Up to fifty percent of shrubs may be deciduous.

Table 17.500.050.A Required Landscape Area per Parking Space

Total Number of Parking Spaces	Minimum Required Landscape Area
15 to 50	15 square feet per parking space
51 to 99	25 square feet per parking space
100 or more	35 square feet per parking space

B. Landscape Islands – Design.

1. Landscape islands shall be a minimum of one hundred forty-four square feet and no more than five hundred square feet in size. Islands shall be designed so that trees will be

planted a minimum of six feet from any hardscape surface. The maximum allowable size of five hundred square feet may be increased to allow for the preservation of existing trees and associated vegetation or to accommodate stormwater treatment/conveyance practices.

2. Islands shall be provided in the following location:

a. Landscaping islands shall be placed at the end of every parking row with a maximum spacing of at least one island for every fifteen parking spaces; and

b. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.

3. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.

C. Landscape Islands – Materials.

1. Each planting area must contain at least one tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.

2. No plant material greater than twelve inches in height shall be located within two feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.

3. Motor Vehicle Overhang. Parked motor vehicles may overhang landscaped areas up to one foot when wheel stops or curbing are provided. Plants more than twelve inches tall are not allowed within the overhang area.

(Ord. 540 (2016) § 55, 2016)

17.500.060 Building facade plantings.

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

A. A minimum four-foot-wide planting area containing shrubs and ground cover; and

B. Trees within the planting area, or within tree gates set into a walkway, when determined necessary.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.070 Slope plantings.

Slope plantings are intended to revegetate slopes (which do not require planting as any other required buffer) and shall consist of a mixture of plantings and seedling trees planted at an average spacing of ten feet on center. This shall not reduce the need for hydro-seeding required for erosion control or other purposes.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.500.080 Community themes.

Certain areas may have preferred planting schemes due to a community plan or other adopted design theme. Required landscape areas shall utilize plant materials and design concepts consistent with the local plan.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.505**TRANSITORY ACCOMMODATIONS****Sections:**

- 17.505.010 Purpose.
- 17.505.020 Definitions.
- 17.505.030 Transitory accommodations – Review and approval process.
- 17.505.040 Transitory accommodations – Types, application requirements and conditions.

17.505.045 Number of transitory accommodations per property.

17.505.050 Failure to apply.

17.505.010 Purpose.

In an effort to address homelessness issues in unincorporated Kitsap County, this chapter provides additional housing options for at-risk populations. Under the requirements of this chapter, transitory accommodations may be developed in unincorporated Kitsap County to provide short-term housing for the homeless. Review of applications for these accommodations will ensure adequate public notice in advance of any approval and impose conditions as appropriate to ensure compatibility with the surrounding area. These accommodations may be created on a temporary basis or made permanent through a future land use approval process.

(Ord. 554 (2018) § 7, 2018: Ord. 541 (2017) § 11 (part), 2017)

17.505.020 Definitions.

All definitions of Chapters 17.110 and 21.02 shall apply except as otherwise defined herein.

A. “Case management” means a process that includes a needs assessment of a homeless individual, provides knowledge of resources available to the homeless individual, assists the homeless individual in creating a housing plan to help the individual out of homelessness, and has oversight of a professional case manager. Volunteers who have completed a case management training course through a qualified human services agency may be used to assist with case management.

B. “Director” means the director of the Kitsap County department of community development or a duly authorized designee.

C. “Department” means the department of community development.

D. “Developed property” means land that has an existing building with utilities, including sewer or septic, water and electricity, provided to the site.

E. “Host agency” means a religious organization, a 501(c)(3) or a public entity that owns or controls the property on which a transitory accommodation is proposed to be located and that joins a sponsoring agency in an application for a transitory accommodation approval for providing basic services and support to transitory accommodation residents. A host agency may be the same entity as the sponsoring agency.

F. “Religious organization” or “501(c)(3)” has the same meaning as defined in RCW 36.01.290.

G. “Shelter” means a place giving temporary protection that is not on a permanent foundation and is used for the shelter of homeless or other vulnerable populations consistent with the allowance of this chapter. Allowable shelters are membrane shelters or structures made of wood, composites, metal or other suitable materials as follows:

1. A membrane shelter is any tent or other fabric enclosure that is not constructed on site, but is manufactured and approved according to manufacturer’s specifications.

2. A wood, composite, metal or other suitable material structure must be manufactured according to manufacturer’s or other specifications approved by the director and intended for temporary housing or is constructed on site and meets minimum public health and safety building code requirements as established by the building official.

H. “Sponsoring agency” means an organization that joins in an application with a host agency for a transitory accommodation approval and assumes responsibility for providing basic services and support to transitory accommodation residents. A sponsoring agency may be the same entity as a host agency.

I. “Transitory accommodation” means shelters that are not permanently attached to the ground, may easily be erected and dismantled or moved, and are intended for temporary occupancy. Transitory accommodation also

includes all other facilities specifically identified in this chapter.

J. “Undeveloped property” means raw land or land not developed with a building or utilities. Nothing herein prohibits raw land from being developed under standard development regulations within Kitsap County Code. (Ord. 554 (2018) § 8, 2018: Ord. 541 (2017) § 11 (part), 2017)

17.505.030 Transitory accommodations – Review and approval process.

The department may approve the use of property for transitory accommodations in accordance with this chapter. The specific approval shall be dependent upon the class of accommodation detailed below and shall be processed under Chapter 21.04, with fees of the base application fee plus the hourly rate as set forth in the current DCD fee schedule. The board of county commissioners may reduce or waive application fees at their discretion through resolution based upon public benefit.

A. Approval Type, Duration, Extension and Termination.

1. Approvals for small transitory accommodations, large transitory accommodations, safe parks and indoor transitory accommodations shall be a Type II decision under Chapter 21.04; all through temporary land use permits.

2. Approvals of single-family transitory accommodations shall be a Type I decision under Chapter 21.04.

3. Approvals are valid for one hundred eighty days from issuance. A single extension requested, at minimum, thirty days in advance may be approved for an additional one hundred eighty days. Such renewal shall be a Type I decision. If submitted less than thirty days before or any time after expiration, it shall be treated as a new approval application. Such extension may be granted consistent with the original conditions which may be expanded by the director based on new circumstances or other factors.

4. In addition to a potential one-hundred-eighty-day extension, small, large, safe-park and indoor transitory accommodations may apply for permanent approval after their initial one-hundred-eighty-day temporary approval. Such an approval would be through a Type II conditional use permit process consistent with Chapter 17.540. Fees for this permit review process may be reduced or waived with the approval of the board of county commissioners. Prior to decision on the ACUP, a neighborhood meeting, as described in Section 21.04.130, shall be held by the department to assess any additional concerns of the community. Feedback from this meeting will be considered by the director in establishing conditions or other mitigation measures.

5. If the host agency fails to take action against a resident who violates the terms and conditions of the approval or violates the code of conduct, the approval may be terminated. Such decision may be appealed as a Type I decision under chapter Chapter 21.04.

6. Upon expiration of the approval, the site shall be returned to the pre-transitory accommodation condition, including removal of all shelters and debris, within two weeks of the expiration.

(Ord. 554 (2018) § 9, 2018: Ord. 541 (2017) § 11 (part), 2017)

17.505.040 Transitory accommodations – Types, application requirements and conditions.

A. Single-Family Transitory Accommodation. Any person, host agency or other group may locate one recreational vehicle, as defined in Section 17.110.650, or up to two shelters on developed property that it owns or controls for the shelter of up to two households. Such approval shall be dependent on the submission of an application and subject to conditions imposed by the department.

Application requirements and conditions of approval:

1. The application for the approval must include a site diagram suitable for review.

2. If a sponsoring agency is involved, the sponsoring agency must be a co-applicant with the person who owns or controls the property on which the recreational vehicle or shelters will be located.

3. The application must be submitted at least fifteen days before the proposed use of the recreational vehicle or shelters. The director may waive this requirement in warranted circumstances.

4. Provisions for adequate water supply, wastewater treatment and disposal, and garbage collection and disposal must be described and readily available for all occupants. All occupants of the property must have access to restroom, water and power accommodations.

5. The location of the recreational vehicle or shelters must meet the setbacks of the zone and public health setbacks for wells and septic systems.

6. No appliances, heaters, or electrical connections may be used in the recreational vehicle or attached between the recreational vehicle or shelters and any other sources unless they are installed or used according to manufacturer's instructions.

7. The recreational vehicle must be in operating condition and able to be moved.

8. Applicant must attest that the hosted household(s) occupying either the recreational vehicle or shelters are actively engaged with local social services and homeless housing providers, such as the Housing Solutions Center of Kitsap County (the homeless coordinated entry program).

The director may impose additional public health and safety conditions as appropriate.

B. Small Transitory Accommodation. A host agency may locate up to ten shelters on developed or undeveloped property that it owns or controls for the shelter of up to twenty-five persons. Such approval shall be dependent on the submission of an application and subject to conditions imposed by the department.

1. Public Notice. In addition to the requirements of Chapter 21.04, an applicant must provide the following public notice:

a. The site is posted with a sign at least five days after application submittal. The sign may be posted by the applicant or the applicant may request the department post the sign at the hourly fee. The sign may be removed only after approval of the application.

b. A neighborhood meeting, described in Section 21.04.130, must be held after posting of the sign and prior to approval. The responsibility of advertising and convening the meeting is that of the applicant.

2. Application.

a. Host Agency. The host agency must provide proof of ownership or control of the property to be used for the transitory accommodation.

b. Sponsoring Agency. If a sponsoring agency is involved, the sponsoring agency must be a co-applicant with the host agency. The written agreement between the host agency and the sponsoring agency must be included in the application materials.

c. The application must be submitted at least thirty days prior to the use of the accommodation(s). The director may waive this requirement in warranted circumstances. The application must include:

i. A written operational plan that contains:

(a) A site diagram, which identifies all existing and/or proposed:

(i) Location of the site, including a vicinity map.

(ii) Location of all shelters.

(iii) Location of all portable toilets, showers, hand washing stations and trash containers.

(iv) Location of neighbors and any site barriers, vegetation buffers, fences, etc.

(v) Location of security lighting, which must be directed downward, away from neighbors.

(vi) Location and number of off-street parking spots.

(vii) Location of garbage facilities or dumpster pads.

(viii) Location of access to the site.

(b) The duration of the accommodation and the hours of operation.

(c) The maximum number of residents proposed.

(d) Security protocols, including background checks and emergency phone numbers for daytime and after hours.

ii. A written management plan that contains:

(a) A general description of the daily operation, oversight, and enforcement of approval conditions.

(b) A written plan that specifies how human service will be provided to residents.

iii. A code of conduct for residents that, at a minimum, prohibits weapons, fighting or abuse of any kind, littering or disturbing neighbors. The code of conduct shall be incorporated into the conditions of approval.

iv. A severe weather plan.

v. A waste/recycle schedule.

vi. Photos showing the site prior to the transitory accommodation.

3. Conditions.

a. The site shall be of a sufficient size to support the activities of the transitory accommodation without overcrowding and without intruding into setbacks or critical areas.

b. Only shelters meeting manufacturer's specifications or approved by the building official are allowed.

c. Portable toilets or other sanitation facilities shall be provided in a number required to meet capacity guidelines and must be located within seventy-five feet of all shelters.

d. Hand washing stations with water or other approved sanitation methods shall be provided near the toilets and any food areas.

e. Trash containers shall be provided in a number and size sufficient to accommodate the number of people residing on site.

f. No cooking is allowed inside any shelter, unless the cooking appliance is factory-

installed or designed specifically for that use and the shelter is factory-designed for the installation of the cooking appliance. No heaters are allowed inside any shelter, unless the heating appliance is factory-installed or designed specifically for that use.

g. No open flames or campfires are allowed, unless approved by the local fire department.

h. Adequate access for fire and emergency medical apparatus shall be provided as determined by the fire marshal.

i. A minimum of two-foot separation must be maintained between shelters.

j. Electrical service shall be in accordance with recognized and accepted practices and approved by Washington State Labor and Industries. Electrical cords are not to be strung together and any cords must be approved and rated for their interior or exterior use.

k. The accommodation is located within one-half mile of a routed bus stop, or proof that carpools or shuttle service is available.

l. The accommodation is adequately buffered or screened from surrounding properties and rights-of-way.

m. The living space of all units is at least three inches off the ground, raised by a standard pallet or other means.

n. On-site off-street parking must be provided and must not result in inadequate parking being available for the original primary use of property.

o. All portable toilets must be screened from neighboring properties and be accessible for servicing.

p. Failure to comply with the code of conduct shall result in expulsion from the accommodation of the offending resident.

q. The director may impose additional public health and safety conditions as appropriate, including limiting the number of residents or increasing the buffer from sensitive land use activities such as daycares and schools.

r. The property owner shall allow inspections by Kitsap County staff and the Kitsap

public health district at reasonable times without prior notice for compliance with Kitsap County Code and the approval.

C. Large Transitory Accommodation. A host agency may locate eleven to forty shelters on developed or undeveloped property that it owns or controls for the shelter of up to fifty persons. Such approval shall be dependent on the submission of an application and subject to conditions imposed by the department.

1. All application requirements and conditions for a small transitory accommodation apply in addition to those described below. Where there are conflicts, the requirements of this subsection shall control.

2. Application. The application must include a written security plan that requires:

a. Security to be provided twenty-four hours a day, seven days a week.

b. A separate security office or shelter.

c. A security fence.

3. Additional Conditions.

a. A communal tent, shelter, or room in permanent building is provided for food preparation, gathering, or other common use. Cooking and heating appliances, including microwaves, may be allowed only in the communal area and only if approved by the host agency, Kitsap public health district, the fire marshal and the department of community development.

b. Showers or other bathing facilities shall be provided where warranted based on duration, number of residents, or other factors. Provisions for adequate water supply, wastewater treatment and disposal, and garbage collection and disposal must be described and readily available for all occupants.

c. The sponsoring and host agencies shall designate points of contact for the Kitsap County sheriff's department. At least one designated point of contact shall be available at all times.

d. The director may impose additional public health and safety conditions as appropriate.

D. Safe Park. Safe park is a program that allows safe and secure parking in established parking lots for people living in motor vehicles or recreational vehicles. Host agencies may apply for a safe park for six or fewer motor vehicles or recreational vehicles accommodating up to twenty-five persons.

1. Application requirements and conditions shall be those of the small transitory accommodations.

2. All applications must include an agreement with an agency certified for case management services.

E. Indoor Transitory Accommodation. A host agency may locate up to seventy-five people within an existing building provided they meet the following requirements:

1. The timing, public notice and application requirements of small transitory accommodation are satisfied. Where there are conflicts, the requirements of this subsection shall control.

2. The existing building(s) complies with county building codes, unless a particular non-compliance has been exempted pursuant to RCW 19.27.042.

3. The building(s) proposed for use shall be of sufficient size to accommodate the residents and must have necessary on-site facilities, including but not limited to the following:

- a. Adequate water supply.
- b. Sanitary toilets in the number required to meet capacity guidelines.
- c. Hand washing facilities located near the toilets and food areas.
- d. Refuse receptacles.
- e. Kitchen facilities for food preparation, if prepared on site.

4. All applicable health standards for providing and using such facilities shall be satisfied as required by the Kitsap public health district.

5. The director may impose additional public health and safety conditions as appropriate.

(Ord. 554 (2018) § 10, 2018: Ord. 541 (2017) § 11 (part), 2017)

17.505.045 Number of transitory accommodations per property.*

A property(s) may not have more than one transitory accommodation approval on the property(s) at one time.

(Ord. 541 (2017) § 11 (part), 2017)

17.505.050 Failure to apply.

If a transitory accommodation for which an approval would be required is established without an approval first having been obtained, the director shall require that all activities associated with the accommodation cease immediately and the site vacated and restored to its pre-accommodation condition unless and until such time as an approval has been obtained.

(Ord. 541 (2017) § 11 (part), 2017)

Chapter 17.510

SIGN CODE

Sections:

- 17.510.010 Purpose.
- 17.510.020 Definitions.
- 17.510.030 Permitting.
- 17.510.040 Prohibited signs.
- 17.510.050 Exempt signs.
- 17.510.060 Conditionally exempt signs.
- 17.510.070 Regulations for permanent signs.
- 17.510.080 Regulations for electronic signs.
- 17.510.090 Master sign plan.
- 17.510.100 Sign detail sheets.
- 17.510.110 Sign maintenance.
- 17.510.120 Nonconforming signs.

* Code reviser's note: Ord. 541 (2017) added two sections numbered 17.505.040. This section has been editorially renumbered to avoid duplication.

- 17.510.130 Contractor license.
- 17.510.140 Variances.
- 17.510.150 Violations.

17.510.010 Purpose.

This chapter establishes sign regulations and a clear enforcement strategy, which support and complement land use objectives set forth in the Kitsap County Comprehensive Plan, because unregulated signs may constitute a public nuisance for the health, safety, convenience, aesthetics, and welfare of Kitsap County residents. The sign code shall be updated periodically as necessary to maintain consistency with the Kitsap County Comprehensive Plan and respective subarea plans. Signs are necessary for public service and facil-

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itate competitive commerce and industry. These sign standards and regulations establish a predictable review process for the use of signs that support the business community, community organizations, and public entities while also promoting the visual quality of Kitsap County and which may be promoted in community plans. The standards also promote safety and protect the general public from damage or injury caused by, or partially attributed to, the distractions, hazards, and obstructions which result from improperly designed or located signs. The following standards should not regulate the content on a sign; rather, the standards should apply to the design and location of a sign.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.020 Definitions.

“A-frame sign” means a two-panel sign made of wood, cardboard, plastic, or other lightweight and rigid material capable to stand on its own support(s) and is portable and movable. Also known as a sandwich board.

“Abandoned sign” means a sign whose (A) message does not correspond with the current building use; or (B) a sign which does not promote a commercial product or event and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding three hundred sixty-five days.

“Advertising wind sign” means a single- or double-sided sign or device which flutters, waves, sparkles, or otherwise moves from the pressure of air movement in or around the sign used to promote a product or business.

“Animation” means a visual effect using seamless action, motion, light, or color changes through electrical or mechanical means.

“Banner sign” means a sign made from fabric, vinyl, plastic, or other lightweight and flexible materials tied or fastened to a stationary object.

“Billboard” means a large, outdoor, permanent, commercial, off-premises structure advertising products or services, typically

found in high traffic areas such as alongside busy roads. Billboards present large advertisements to passing pedestrians and drivers.

“Channel sign” means the use of bent metal or plastic to fashion channels in the shape of letters or symbols and covered with a translucent plastic face, often a colored acrylic with lighting behind it.

“Construction sign” means signs denoting a building which is under construction, structural alterations, or repair, which announce the character of the building enterprise or the purpose for which the building is intended, including names of architects, engineers, contractors, developers, financiers, and others.

“Contrast” means the difference or degree of difference in the appearance of adjacent surfaces, such as light and dark areas, different colors, or typefaces, and graphics appearing on various backgrounds.

“Copy area” means that area which displays the primary copy and secondary copy on a sign.

“County” means Kitsap County, a political subdivision of the state of Washington.

“Department” means the Kitsap County department of community development.

“Development sign” means a construction sign denoting the architect, engineer, contractor, subcontractor, financier or sponsor of a residential or commercial development which may also designate the future occupant or use of the development.

“Directional sign” means signs designed to provide direction to pedestrian and vehicular traffic.

“Electronic sign” means a static sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

“Event sign” means a sign posted to advertise a specific occurrence.

“Externally illuminated sign” means a sign illuminated by reflection of a light source aimed at its surface.

“Flashing” means a visual effect used on an electronic message center to allow one message

to disappear while it is simultaneously being replaced by another.

“Freestanding sign” means a sign that is not attached to a building.

“Halo lighting effects” means channel signs that project light behind them, causing the light to reflect off of the signs’ mounting surface creating a silhouette of the letter and/or symbol.

“Human sign” means a sign carried, held, or supported by a person.

“Inflatable sign (continuous inflation)” means a sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

“Inflatable sign (noncontinuous inflation)” means a sign that is inflated once, typically with a mixture of gases, which may be of various shapes and sizes and held in place by a cord, rope, cable or similar method.

“Internally illuminated sign” means a sign that has the light source enclosed within it so the source is not visible to the eye.

LAMIRD. “Limited areas of more intense rural development” are formally recognized areas within Kitsap County wherein land use intensity is greater than allowed by county zoning regulations. The two types of LAMIRDS existing in Kitsap County are:

A. Type I (Keyport, Manchester, Port Gamble, Suquamish): The only type of LAMIRD currently designated in Kitsap County prior to 2010, this designation is characterized as infill development or redevelopment of existing commercial, industrial, residential, or mixed use areas, whether as shoreline development, villages, hamlets, rural activity centers, or crossroads. Any industrial development within a Type I LAMIRD must be principally designed to serve the rural population. Any new development or redevelopment must be consistent with existing character of

the area with respect to building size, scale, use, or intensity. Type I LAMIRDS must have been established as more densely developed areas as of July 1990, and they must include pre-GMA existing development. Type I LAMIRDS also must be bounded by a “logical outer boundary” that mirrors the limits of the preexisting development.

B. Type III (12 Trees and Rural Employment Centers): includes intensification of or new development of lots for isolated cottage industries and isolated small-scale businesses. Residential development is prohibited. Type III LAMIRDS need not principally serve the rural population, but should provide job opportunities for rural residents. Expansion or new development must conform with the rural character of the area as defined by the local government. Public services and public facilities must be limited to those that are the minimum necessary to serve the industry or business.

“Legal nonconforming sign” means a sign that was permitted, legally erected, and is maintained but does not conform to the current sign code.

“Legibility” means the physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer’s visual acuity.

“Name plate” means a sign used to identify and display the name of a person, product, or place.

“Navigational sign” means water-based wayfinding signs as identified by the United States adopted aids to navigation (U.S. ATONS).

“Off-premises sign” means an outdoor sign whose message directs attention to something that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located.

“On-premises sign” means a sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial

cial activity sold, offered, or conducted on the same property where the sign is located.

“Organization” means an entity, including a natural person, which owns, operates, or maintains the sign.

“Permanent sign” means a sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

“Political sign” means a sign providing information relating to a local, state, or national election, initiative, or referendum.

“Primary street frontage” means the lot line where the main visual entrance to the property is located.

“Public right-of-way (ROW)” means all property in which the county has any form of real property interest, and which is held for public road, shoulder, and sidewalk purposes, regardless of whether or not any road exists thereon or whether or not it is used, improved, or maintained for public travel.

“Public safety sign” means a sign that is necessary to reduce or eliminate the risk of imminent personal or property damage.

“Reader board” means a sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

“Real estate sign” means a sign advertising the real property upon which the sign is located for rent, for lease, or for sale and providing the name and location of the owner or his agent.

“Rotating sign” means a sign wherein the faces or portions of a sign face mechanically revolve around a central axis.

“Scrolling” means a mode of message transition on an electronic message display where the message appears to move vertically across the display surface.

“Sign” means any device, structure, fixture, painting, visual image or logos associated with the business using words, graphics, symbols, numbers, or letters designed and used for the purpose of communicating a message or attracting attention.

“Signage” means an organization’s signs collectively used to communicate information or attract attention.

“Storefront facade” means the side of a building facing the street. The storefront width is measured from the walls of the structure, within which houses an organization. The height is measured from the finished grade to the top of storefront vertical wall. See Figure 1b, Attached Sign Total Area Example.

“Structural alteration” means modification of a sign, sign structure or awning that affects size, shape, height, or sign location; changes in structural materials; or replacement of electrical components with other than comparable materials. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a nonelectrified sign would all be structural alterations. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.

“Temporary sign” means any sign intended to remain in use for a short period of time which is not permanently installed.

“Traffic control sign” means any control device that is intended to communicate specific information to road users through a word, symbol, and/or arrow legend.

“Unconventional sign” means statues, structural forms, or other items related to business attraction which are not identified in this code.

“Warning sign” means a sign that indicates a particular hazard, obstacle, or condition that may not be readily apparent.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.030 Permitting.

Prior to installation of a new permanent on-premises or off-premises sign or modification of an existing sign that deviates from its originally permitted appearance or structure, an applicant shall obtain a permit from the Kitsap County department of community development, unless the sign is identified as exempt (see Section 17.510.050) or conditionally exempt (see Section 17.510.060).

A. Permit Application. A permit application is required for the placement or modification of a sign unless otherwise exempted herein. The document must include all information necessary to determine whether a sign meets all criteria to acquire a permit. Freestanding signs shall require a dimensioned site plan as part of the submittal document; see Figure 1a, Dimensioned Site Plan Example. A licensed professional entity is recommended, but is not required, to prepare the dimensioned site plan.

B. Fees. All applications for permits or requests for actions by the county shall be accompanied by a filing fee in an amount established by county resolution.

C. Permit Expiration. If the permitted sign is not constructed to completion prior to the three hundred sixty-fifth day from the day of the original permit, the permit shall expire and a new permit application is required.

D. Permit Placard. A permit placard issued by the department shall be issued to the applicant. The permit placard must be attached to the sign or available upon inspection.

E. Internal Consistency. In the event of conflict with other sign requirements that may be applicable (state or federal), the more restrictive shall apply.

F. Sign Revision. Should a conflict arise between the prior conditions of land use

approval and the code herein, a sign permit application shall be reviewed in accordance with the appropriate land use procedures under Title 21.

G. A permit is not needed when changing the text or image on a sign, where the sign’s structural size or shape is not changing, repainting, maintenance, and repair of existing signs or sign structures; provided, no structural change is made. Off-premises repairs are allowed if the sign is returned to its preresidential location in its originally permitted state.

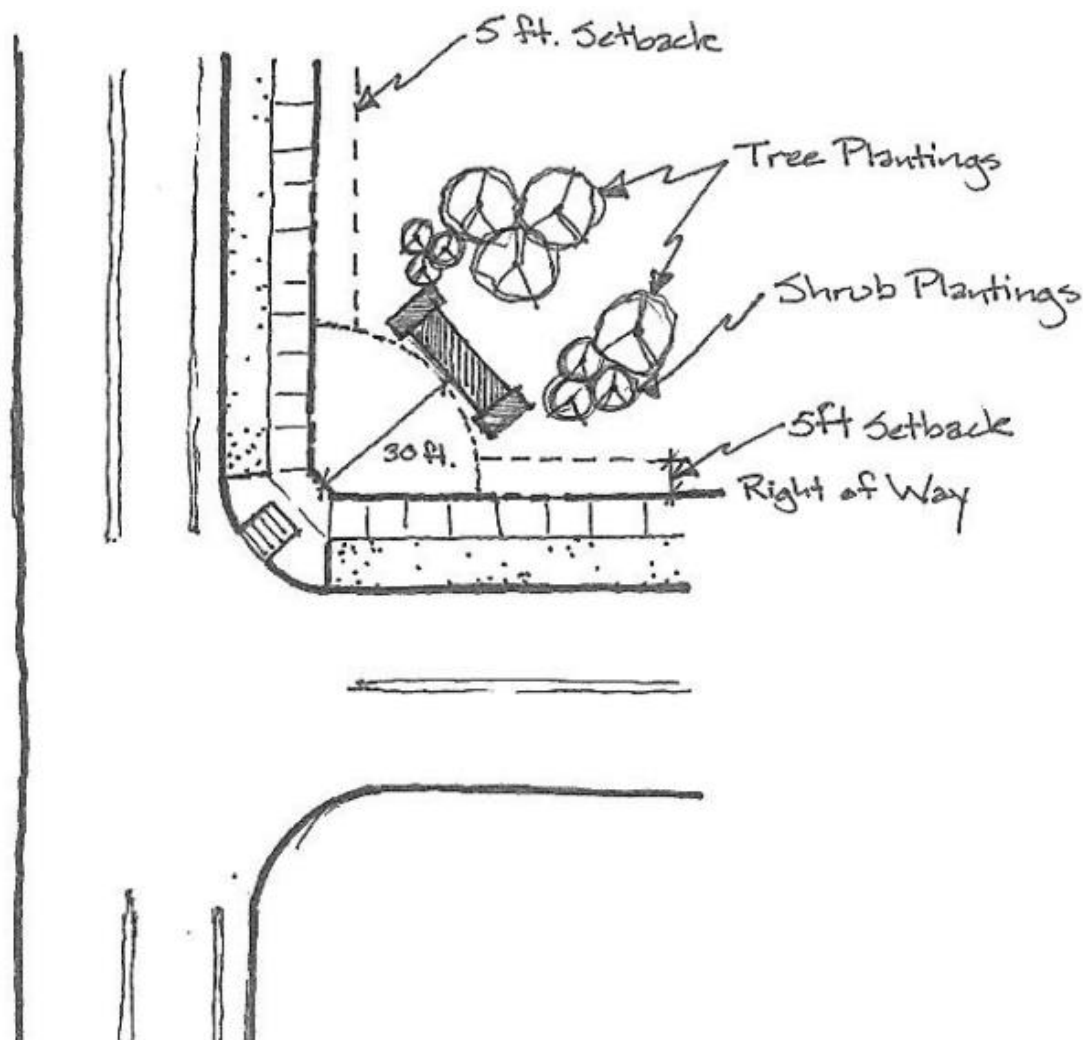


Figure 1a: Dimensioned Site Plan Example

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.040 Prohibited signs.

Unless otherwise exempt or conditionally exempt under this chapter, the following signs shall be prohibited:

A. Off-premises signs unless specifically allowed pursuant to Section 17.510.050, Exempt signs, or 17.510.060, Conditionally exempt signs.

B. Signs or sign structures which resemble or conflict with, or are attached to, a utility pole or traffic control sign, unless otherwise authorized by the director in Section 17.510.060(K), Military Appreciation Signage Program.

C. Signs or sign structures which create a safety hazard by obstructing the line of sight of pedestrians or vehicular traffic, or which obstruct a clear view of official signs or signals as determined by Kitsap County.

D. Signs or sign structures, located in traffic roundabouts, islands, or medians.

E. Signs or sign structures located within thirty feet from intersecting Kitsap County right-of-way lines; see Figure 1a, Dimensioned Site Plan Example.

F. Signs or sign structures which obstruct access to drives, doors, walks, windows, fire escapes or fire escape routes.

G. Signs, temporary or otherwise, affixed to a tree.

H. Signs placed on public property, including Kitsap County right-of-way, except when authorized by the appropriate public agency or specifically authorized in this sign code.

I. Electronic signs outside urban growth areas except traffic control signs and public safety signs as identified in Section 17.510.080, Regulations for electronic signs.

J. Abandoned or unmaintained signs.

K. Stationary or mobile billboards.

L. Signs with animation, flashing, or fluttering lights.

M. Rotating signs.

N. Audible signs, except as mandated or encouraged by the Americans with Disabilities Act.

O. Banner or continuous inflatable or non-continuous inflatable signs not associated with a special event.

P. Signs placed on a vehicle or trailer to purposefully gain additional signage which would otherwise not be allowed. This does not prohibit the identification of a business or its products on a vehicle or trailer included in the operations of the business.

Q. In the Kingston urban growth area, (1) except for halo lighted signs, internally illuminated signs in the Old Town/Waterfront or Village Green districts as defined in the Kingston subarea plan and (2) mounted or freestanding reader board signs.

R. In a limited area of more intense rural development (LAMIRD), (1) internally illuminated signs, (2) neon signs or (3) electronic signs.

S. Electronic signs in the Old Town district, Silverdale, as defined in the Silverdale subarea design standards.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.050 Exempt signs.

A sign or modification to an existing sign shall be exempt from review under this sign code and may be constructed without a permit:

A. Historic site markers or plaques, grave-stones, and address numbers.

B. Signs required by law, including but not limited to:

1. Official or legal notices issued and posted by any public agency or court; or

2. Traffic directional or warning signs.

C. Seasonal or holiday decorations that do not function as signage.

D. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed four square feet in surface area.

E. Religious symbols as recognized by the Department of Veterans Affairs National Cemetery Administration affairs religious symbol list.

F. On-premises directional signs less than four square feet.

G. Garage sale, estate sale, or other temporary signs for similar events less than four square feet.

H. Legal informational signs less than four square feet (e.g., no trespassing or no fireworks).

I. Residence identification signs (e.g., 1234 Road Name: The Smiths).

J. Information signs erected and maintained by the state, county or any city.

K. On-premises window or door signs indicating business hours of operation or when a business is open or closed. These signs may be static electronic signs regardless of where the business is located. The size cannot exceed four square feet.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.060 Conditionally exempt signs.

A temporary sign shall be conditionally exempt from this sign code and may be constructed, without permits, if consistent with the size, height, duration, maximum number limitations, and other criteria listed below. Unless expressly stated, conditionally exempt signs are not allowed to be lighted, conflict with or impede views of permanent signs or signals, or be located in Kitsap County right-of-way or publicly owned property pursuant to Section 17.510.040, Prohibited signs.

A. A-Frame Sign or Temporary Sign. Only one A-frame sign, advertising wind sign, or temporary sign, not associated with a special event, is allowed per organization and shall only be displayed during business hours, an on-premises sign, and not impede vehicular, bicycle, or pedestrian circulation.

1. An A-frame sign shall have two faces and not exceed three feet in height or width, or exceed a total of six square feet per sign face.

2. Advertising wind signs shall be no more than eight feet tall and not exceed a total of sixteen square feet per sign face.

B. Special Event A-Frame, Banner, Double Post, Inflatable, or Wall Sign:

1. All special event signs shall be placed no more than fourteen days prior to the event occurrence, and removed five days after the event has occurred. Multiple events of the same type (e.g., farmers market every Saturday between March 1st and August 31st). Four A-frame signs are allowed per special event in addition to a banner, double post, inflatable, or wall sign and shall be allowed within the Kitsap County right-of-way, sizing to be consistent with subsection (A) of this section. A-frame signs in the ROW:

a. An A-frame sign shall not impede public vehicular, bicycle, or pedestrian circulation.

b. Attachments, including balloons, shall not be placed on signs.

c. Symbols and directional arrows shall be used as the first order of preference in sign

design to minimize wording and enhance safety and legibility.

d. Wire or metal stakes shall not be utilized to secure signs within the county right-of-way. Where anchoring is utilized to stabilize signs within the Kitsap County right-of-way, sandbags shall be used.

2. Banner or wall signs shall be no more than one hundred square feet.

3. Inflatable signs flown more than twenty feet in elevation measured from finished grade shall be required to obtain a sign permit.

4. Special event double-pole signs shall be no greater than thirty-two square feet and must not exceed eight feet in height as measured from the finished grade.

C. Arm Sign. Permanent and temporary arm signs; provided, that the sign conforms to the sign detail sheet (Section 17.510.100(A), Arm Sign).

D. Window Sign. Permanent and temporary window signs; provided, that the sign conforms to the sign detail sheet (Section 17.510.100(I), Window Sign).

E. Flag. Provided the flag is attached to a permanent flagpole or side of a building. A permit may be required to erect a flagpole pursuant to 2009 International Building Code Section 1609.1.1, Determination of Wind Loads, and Section 105, Permits.

F. Political Sign.

1. A political sign is allowed in Kitsap County right-of-way; provided, that a sign:

a. Using metal faces, metal supports, metal frames, or wire frames is prohibited;

b. Is limited to a size no greater than four square feet and may not extend higher than forty inches measured from the point in which it is placed in the ground to the top of the sign; and

c. Shall be removed ten days after an election. After primary elections, political campaign signs endorsing or opposing a successful candidate or ballot measure may remain up to ten days after the succeeding general election.

2. Political campaign sign(s) are allowed on private property and may express a property owner's endorsement of a political candidate or ballot issue, provided:

- a. Political campaign signs are limited to a maximum size of thirty-two square feet; and
- b. Political campaign signs on private property must be removed within ten days after an election. After primary elections, political campaign signs endorsing or opposing a successful candidate or ballot measure may remain up to ten days after the succeeding general election.

G. On-Premises Directional Signs. Exit, entrance, or other on-site traffic directional signs are permitted. The maximum height of any directional sign shall be thirty-six inches, and the maximum area shall be nine square feet. No text shall be larger than the directional language text.

H. Community Sign Placed by Kitsap County. A community sign is exempt; provided, that the community and Kitsap County enter a written agreement wherein the community assumes ownership and responsibility for any and all installation, maintenance, repairs, and content of the sign, and conforms to sign policies developed for the particular community sign.

I. Human Sign. A human sign shall not obstruct public bicycle lanes or public sidewalks.

J. Roadside Memorial Sign. Provided, that it meets Kitsap County Public Works Roads and Traffic Roadside Memorial Policy 300.5.

K. Military Appreciation Signage Program. A sign may be placed on Kitsap County owned property provided the sign(s) placement is approved by the director. This includes, but is not exclusive to, banners attached to utility poles.

L. Agricultural and Farm Stand Signage Program.

1. Up to four off-premises A-frame signs shall be allowed within the Kitsap County

right-of-way, sizing to be consistent with subsection (A) of this section, with the seller's name and contact info on back. A-frame signs in the ROW:

- a. An A-frame sign shall not impede public vehicular, bicycle, or pedestrian circulation.
- b. Attachments, including balloons, shall not be placed on signs.
- c. Signs shall maintain a two-hundred-foot setback when approaching an intersection or a yellow and black county warning sign.
- d. Symbols and directional arrows shall be used as the first order of preference in sign design to minimize wording and enhance safety and legibility.
- e. Wire or metal stakes shall not be utilized to secure signs within the county right-of-way. Where anchoring is utilized to stabilize signs within the Kitsap County right-of-way, sandbags shall be used.

2. A farm stand sign is exempt provided the sign does not exceed six square feet.

3. A farm identification sign may be a permanent arm sign located on the premises, on or adjacent to an easement road leading to the farm, as allowed with written consent from all easement owners. The arm sign shall conform to sign detail sheet, arm sign, requirements.

M. Real Estate Signage Program.

1. All real estate signs must have the real estate broker name and phone number on any and all types of real estate signs. The name and phone number are not required to be visible to the public. All real estate signs shall be removed within ten days of the date of closing.

2. For a single-family residential property, one unlighted on-site arm sign is allowed per street frontage in addition to directional signs located on easement(s) leading to the property for sale and one attached special event banner sign located on the subject property.

3. On-site development "for sale" shall be limited to one sign per development entrance. The sign shall not exceed thirty-two square feet in area, and shall not exceed eight feet in height. A sign permit is required and shall be

issued for a three-year period. The permit is renewable annually for up to a maximum of five years.

4. On-site “for rent” shall be limited to one sign per development entrance. The sign shall not exceed twelve square feet in area, and shall not exceed eight feet in height.

5. Open House Events. A maximum of four off-premises arrow signs, A-frame signs, or combination thereof may be used to promote open house events, per property for sale or subdivision. Such signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and may be located on the right-of-way outside of vehicular and bicycle lanes and sidewalks.

6. Off-premises signs advertising subdivisions shall require a three-year sign permit. The permit may be renewed for up to five years. The sign shall be no more than twelve square feet. A letter of consent from the property owner shall be required as part of sign permit approval.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.070 Regulations for permanent signs.

A. Sign Types. For the purposes of this sign code there are two types of permanent signs: freestanding and attached. See sign type detail specification sheets, Section 17.510.100, for individual sign type requirements.

B. Quantity. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional two hundred feet of street frontage over one hundred feet of street frontage. There is no limit to the number of attached building signs, provided the maximum aggregated sign area coverage is not exceeded.

C. Master Sign Plan. A master sign plan shall be required or allowed pursuant to Section 17.510.090.

D. Attached Signage Total Area. Attached signs (1) may have an aggregated area that shall

not exceed two square feet for each one lineal foot of building facade width except when Section 17.510.100(H), Wall Sign, indicates otherwise, and (2) shall not exceed one hundred square feet in area, except it may exceed the maximum if the total sign area is less than ten percent of the total storefront area and except when Section 17.510.100(H), Wall Sign, indicates otherwise. Attached signs shall have a maximum aggregated area of one hundred square feet for all building signs attached to a single building (see Figure 1b, Attached Sign Total Area Example).

E. Sign Illumination. The artificial illumination of signs shall be designed to minimize negative impacts on surrounding properties.

1. Provided an organization is not open for business, signs located within residential areas in urban growth areas and signs located outside urban growth areas (UGA) or Type III limited areas of more intense rural development (LAMIRDs) including schools, churches, government, and quasi-government shall not be illuminated after 10:00 p.m. Signs shall include downcast lighting and not be illuminated before 6:00 a.m.

2. External light sources shall be shielded and direct illumination towards the sign only.

3. Light sources shall utilize energy-efficient fixtures wherever feasible.

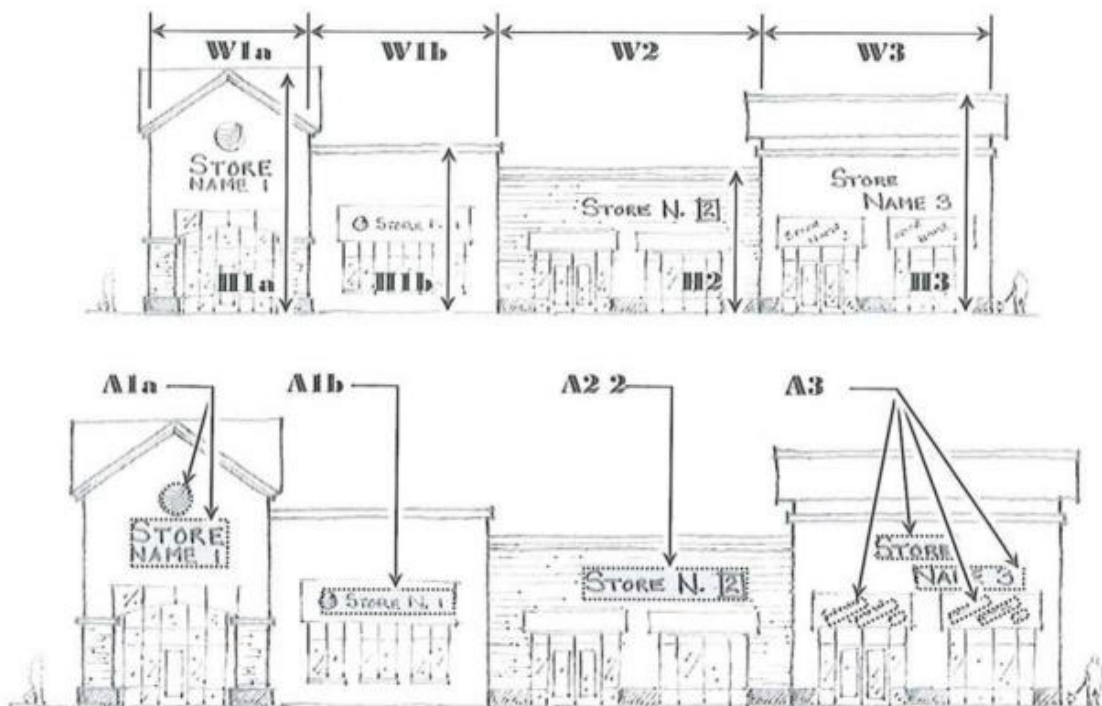
4. Pursuant to Section 17.105.110, lighting is to be directed away from adjoining properties. Not more than one foot-candle of illumination may leave the property boundaries.

F. Relationship to Buildings. Signs shall be designed to incorporate the overall architectural style and at least one of the predominant visual elements of the organization’s building or buildings, including, but not exclusive to, the type of construction materials, color, or geometric forms.

G. Landscaping. Freestanding sign applications shall include landscaping in the dimensioned site plan; see Figure 1a, Dimensioned Site Plan Example. Landscaping shall include

ground cover or shrubs which accent the sign while not blocking sign lettering or symbols used for recognition. Identification of plant species is not required in the site plan. Native, water-wise plantings are encouraged.

H. Setbacks. Freestanding signs, excluding arm signs, shall be set back a distance of thirty feet from intersecting Kitsap County right-of-way lines pursuant to Section 17.510.040, Prohibited signs, or a distance of five feet measured from the property line, whichever is greater. The nearest sign edge measurement includes cantilevering sign edges. Signs requiring relocation as a result of public projects may be allowed within setbacks if there is no alternative and approval from the Kitsap County public works traffic engineer is acquired to insure that the location will not impede sight distances or the clear zone of traffic.



W:	Width is measured from the walls of the structure.
H:	Height is measured from the finished grade to the highest point of the building's vertical wall.
A:	Attached sign area is measured pursuant to measurement calculation methods, Section 17.446.070(I)(2).
ASA:	Allowable attached sign total area for this example is 2 square feet per lineal foot of frontage; see wall sign detail sheet to determine exact square footage allowed. If the area allowed from the initial calculation is less than 10 percent of the wall area, the sign area may be increased to reach 10 percent of the wall area.
Store Name 1	
ASA1:	$(A1a + A1b) = 2 * (W1a + W1b)$ or 10 percent of the wall area = $0.10 * (W1a * H1a) + (W1b * H1b)$
Store Name 2	
ASA2:	$(A2) = 2 * (W2)$ or 10 percent of the wall area = $0.10 * (W2 * H2)$
Store Name 3	
ASA3:	$(A3) = 2 * (W3)$ or 10 percent of the wall area = $0.10 * (W3 * H3)$
Store Name 4: A large storefront with multiple businesses within it, such as a grocery store with an associated drug store and coffee store all located and operating in the same building space.	
ASA4:	$(A4) = 2 * (W1a + W1b + W2 + W3)$ or 10 percent of the wall area = $0.10 * [(W1a * H1a) + (W1b * H1b) + (W2 * H2) + (W3 * H3)]$

Figure 1b: Attached Sign Total Area Example

- I. Measurement Calculations.
1. Freestanding sign height shall be measured as the largest dimension from the highest point of the sign to where the sign intersects

with the finished grade; see Figure 1b, Attached Sign Total Area Example.

2. Measurement of the copy area is inclusive to all attributes in and around the sign not immediately related to the structure on which it is attached.

3. Simple geometric shapes (rectangles, triangles, circles, ovals, etc.) shall be used in combination to measure odd or complex text or graphics as seen in Figure 1c, Copy Area Calculation Method.

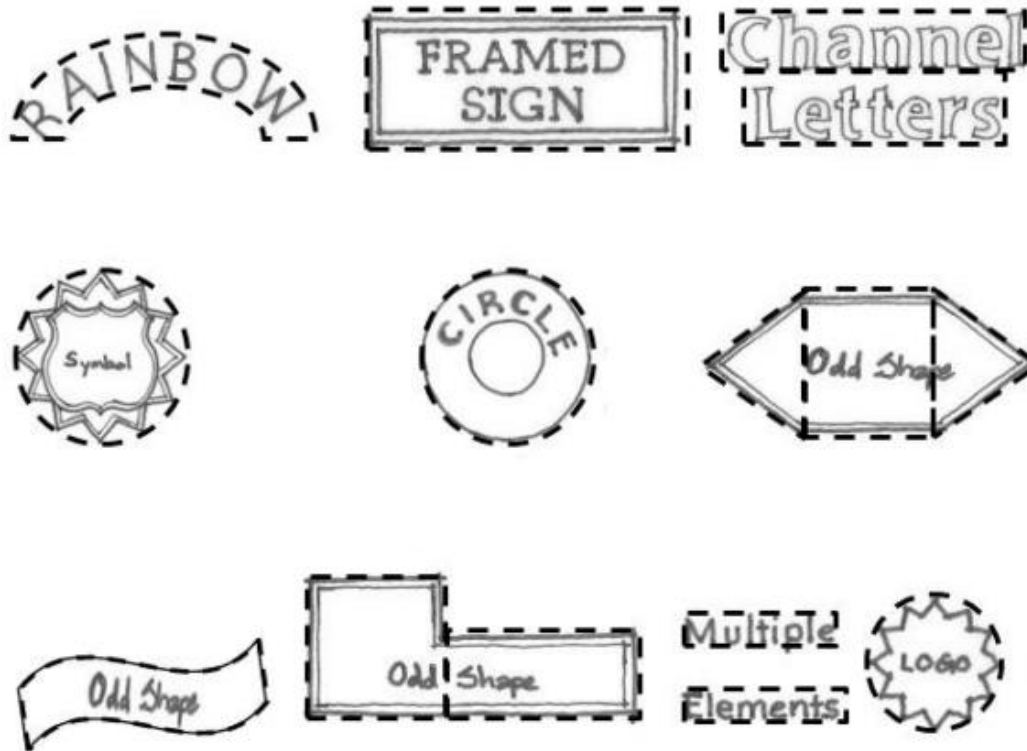


Figure 1c: Copy Area Calculation Method

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.080 Regulations for electronic signs.

Electronic signs are allowed in all commercial or industrial zones within an urban growth area (UGA). Schools, churches, or governments may have an electronic sign in any zone within a UGA. Traffic control signs or public safety signs may have an electronic sign in any zone inside or outside of a UGA. An electronic display shall not exceed fifty percent of the sign size. An electronic sign is not allowed to be part of or in its entirety a conditionally exempt sign. Notwithstanding Section 17.510.070(E), Sign Illumination, the following illumination requirements shall apply:

A. Hold Time. The digital message or static image shall remain on the display for a minimum of eight seconds. No more than three messages shall be displayed within a one-minute time frame.

B. Transition Method. A transition between messages shall be executed with a minimum fade in and out time of one second.

C. Illumination Levels. Electronic signs shall incorporate photocell/light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions. Displays shall have a brightness level of no greater than three-tenths foot candle above ambient

light conditions or shall maintain accordance with Section 17.510.070(E)(4), whichever is more restrictive. An affidavit showing compliance consent shall be required with the sign application.

D. Maintenance. Any permitted electronic changeable message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall be repaired or disconnected within five days by the owner or operator of the sign. Unless proven to be mechanical failure through no fault of the sign owner, electronic signs found to be in violation of the sign illumination requirements may be subject to code enforcement citations and penalties pursuant to Kitsap County Code. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.090 Master sign plan.

A. To achieve a more consistent and coordinated signage pattern, a master sign plan shall be required for all new, nonresidential developments of three or more separate tenant spaces that either (1) share the same parcel or structure or (2) use common access and parking facilities. A master sign plan may be allowed for developments of three or more separate tenant spaces that do not share the same parcel or structure.

B. An application for master sign plan must include the following submittals:

1. Signature of all property owners within the master sign plan boundaries.

2. A master sign plan is required to include the size, location and configuration of all proposed and/or previously approved signage.

3. The master sign plan shall identify the number of tenants to be represented in the sign plan.

4. The master sign plan shall include a strategy to provide signage for future tenant changes or increase in number above the original number of tenants identified in subsection (B)(3) of this section. The strategy shall identify how signage will change to maintain con-

formance with the sign code when the master sign plan is approved.

5. A master sign plan must be approved through a Type II review process (ACUP) consistent with the requirements of Title 21. All signage approved through a previous performance-based development, conditional use permit, variance or other approval that allowed greater sign quantities, square footage or configurations than allowed by this chapter must be amended to conform to the current sign code regulations. Revisions to previously approved master sign plans shall be treated as a Type II review process (ACUP).

C. For parcels under twenty acres in size:

1. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional one hundred fifty feet of street frontage over one hundred feet of street frontage. The plan shall meet the following criteria:

a. Signs must conform to the permitted sizes in Section 17.510.100, Sign detail sheets.

b. No one business may comprise more than fifty square feet of each sign face.

D. For individual or contiguous parcels which are twenty acres or greater in size, the following limitations shall apply:

1. An organization may place one on-site freestanding sign per street frontage in addition to attached signage. One additional freestanding sign is permitted for each additional one hundred fifty feet of street frontage over one hundred feet of street frontage. Freestanding signs inside the development shall not be counted against the number of freestanding signs allowed. The plan shall meet the following criteria:

a. Each sign may not exceed two hundred square feet per face and may not have more than two faces.

b. No one business may comprise more than fifty square feet of each sign face.

c. A monument sign shall not be limited by the minimum or maximum height require-

17.510.100

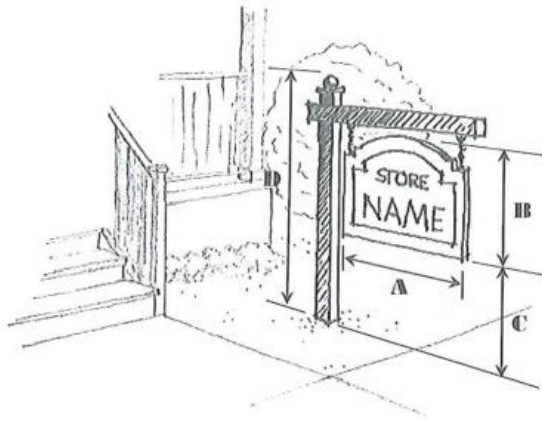
ments of Section 17.510.100, Sign detail sheets, but shall not exceed twenty-five feet in height.

2. Attached signage shall meet the following criteria:

a. Signs must conform to the permitted sizes in Section 17.510.100, Sign detail sheets, except two blade signs internal to the development shall be allowed per organization, not to exceed twenty-five square feet per face. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.100 Sign detail sheets.

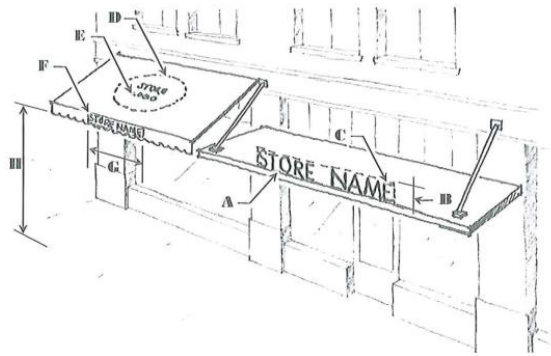
A. Arm Sign.



Arm Sign: Definition	
A sign attached to one or two freestanding post(s), with the faces of the sign generally projecting perpendicular to the public right-of-way.	
Allowed in the Following Zones	
All zones.	
Size	
Width	36 in. max. A
Height	48 in. max. B
Copy Area (B x A)	6 sf. max. Home businesses within urban growth area boundaries: 4 sf. max.
Location	
Clear Height	12 in. min. C

Overall Height	6.5 ft. max. D
Setback (measured from the closest edge to the property line)	3 ft. min.
Number	1 per street frontage max.
Miscellaneous	
Arm signs shall be registered with Kitsap County.	

B. Awning Sign.

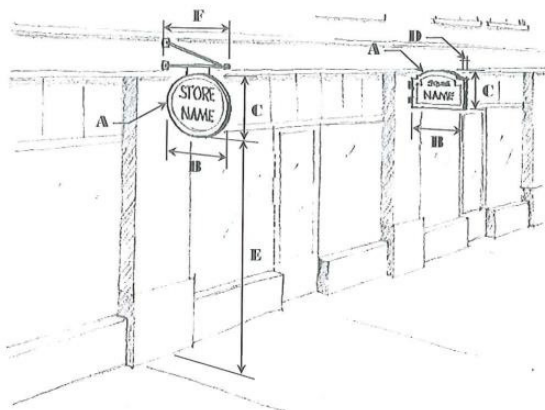


Awning Sign: Definition		
A sign located on a building-mounted shade structure that provides additional functionality as shelter.		
Allowed in the Following Zones		
All zones.		
Size		
Projecting		
Sign Area:	2 sf. per linear ft. of shopfront max.	A
Letter Height:	16 in. max.	B
Letter Thickness:	6 in. max.	C
Sloping Plane		
Copy Area:	25% coverage max.	D
Valance		
Letter Height:	80% of valance height, 16 in. max.	F

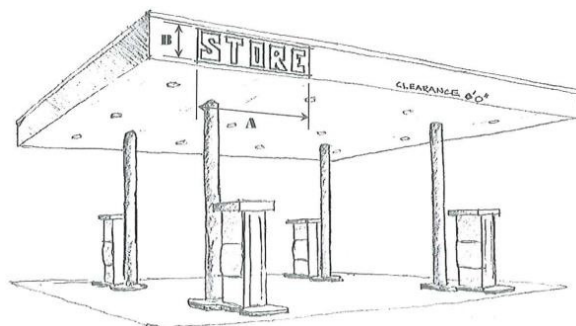
Letter Width:	75% of valance width max.	G
Location		
Clear Height:	8 ft. min	H
Miscellaneous		
Vinyl or plastic awnings are discouraged in this code.		

Projection:	5 ft. max.	F
Number:	1 per storefront max.	
Miscellaneous		
The area of a blade sign shall be included in the collaborative storefront coverage ratio.		
All exposed edges of the sign should be finished.		

C. Blade Sign.



D. Canopy Sign.



Blade Sign: Definition		
A building-mounted sign projecting 12 inches or more perpendicular to the building, or hung parallel to the building eave, with a maximum area of 10 square feet allowed.		
Allowable in the Following Zones		
All zones.		
Size		
Copy Area (B x C):	8 sf. max.	A
Width:	36 in. max.	B
Height:	36 in. max.	C
Thickness:	10 in. max.	D
Special and creative signs that have a three-dimensional quality may have a greater thickness subject to approval by the director.		
Location		
Clear Height:	8 ft. min.	E

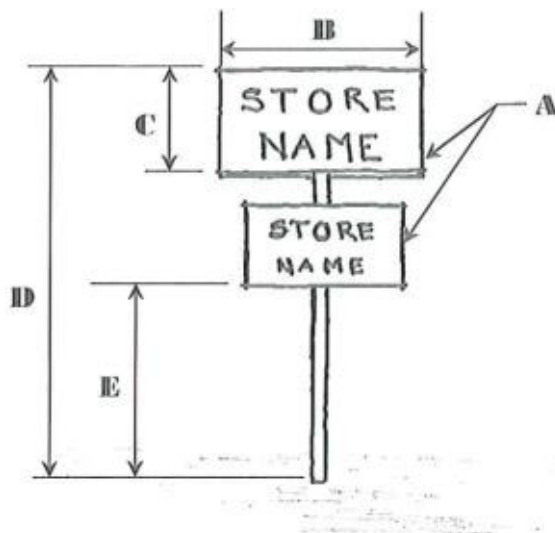
Canopy Sign: Definition		
A sign located on the edge of a freestanding canopy.		
Allowable in the Following Zones		
Commercial and industrial zones only.		
Size		
Width:	25% of canopy edge, max.	A
Height:	75% of canopy edge, max.	B
Miscellaneous		
A clearance height notification will not be calculated into the copy area.		
The sign shall not extend beyond the edge of the canopy more than 8 inches.		
Signage shall only be allowed on 3 faces of the canopy.		

E. Monument Sign.



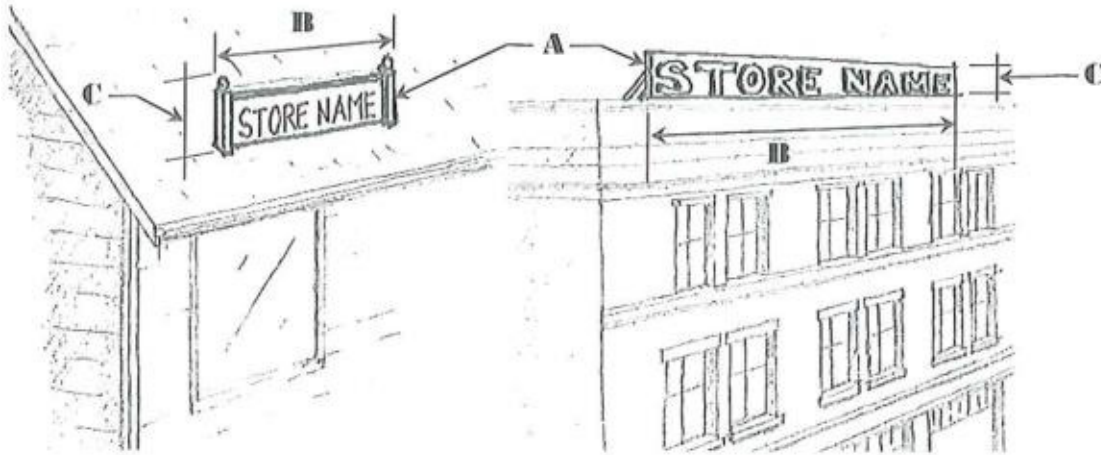
Monument Sign: Definition			
A freestanding sign, generally having a low monolithic profile such that the sign has the appearance of a solid base.			
Application			
Typically used in entrances for single or multiple commercial or industrial tenants.			
Allowable in the Following Zones			
All zones.			
Allowed Size by Zone			
Zones:		BC, BP, IND, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRD	RR, RP, RW, FRL, NC, UR, GB, UL, UCR, UM, UH, UVC, Kingston CO, SVC, SVR, SVLR, RHTC, RHTR, RHTW, MVC, MVLR, MVR, KVC, KVL, KVR
Width:	B	15 ft. max.	10 ft. max.
Height:	C	12 ft. max.	8 ft. max.
Sign Area (B x C):		Per face 100 sf. max.	Per face 50 sf. max.

F. Pole Sign.



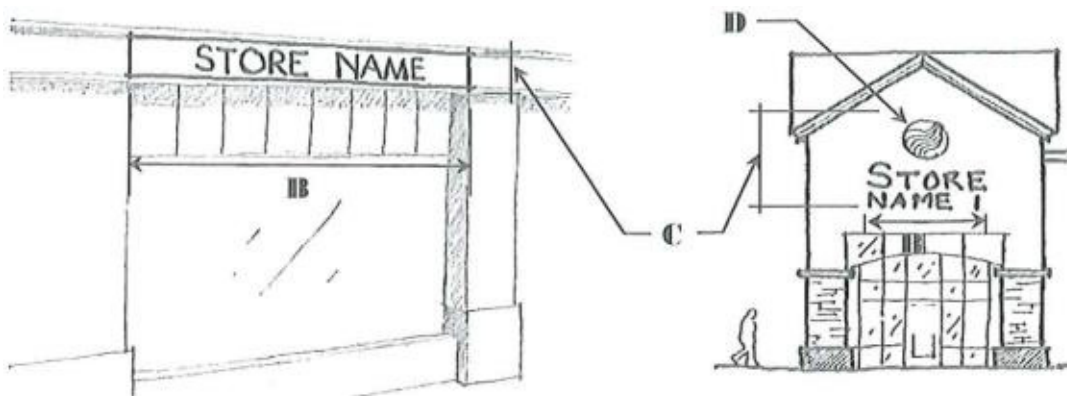
Pole Sign: Definition			
A freestanding sign supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than 1/4 the width of the sign face.			
Miscellaneous			
A pole sign shall only be used if no other feasible freestanding sign alternative exists and only when variances cannot be used. The sign cannot be used to increase visibility beyond a reasonable reach.			
Allowed Size by Zone			
Zones:		BC, BP, IND, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRD	Kingston CO, SVC, RHTC, RHTW, MVC, KVC, UVC, UCR, UM, UH, NC
Copy Area:	A	70% coverage max.	70% coverage max.
Width:	B	10 ft. max.	8 ft. max.
Height:	C	10 ft. max.	8 ft. max.
Sign Area (B x C):		Per face 100 sf. max.	Per face 50 sf. max.
Sign Height:	D	The lesser of roof height or 20 ft. max.	The lesser of roof height or 16 ft. max.
Clearance Height:	E	8 ft. min.	8 ft. min.

G. Roof Sign.



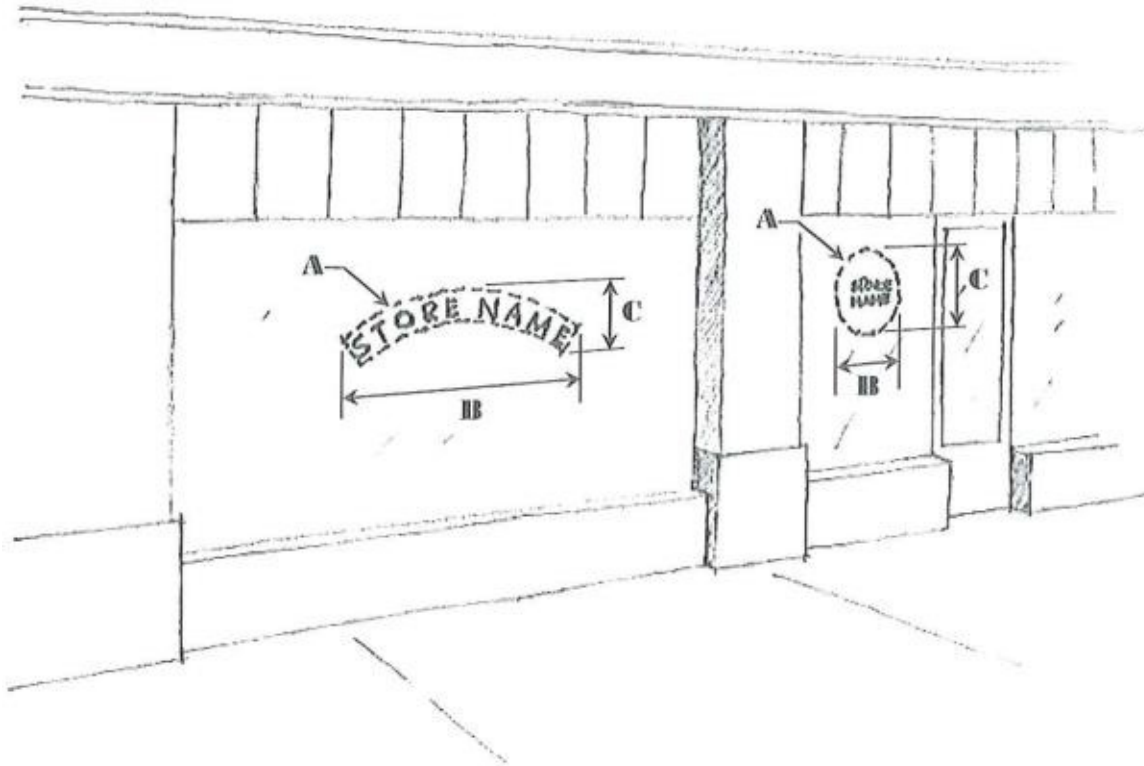
Roof Sign: Definition		
A building-mounted sign erected upon, against, or over the roof of the building.		
Allowable in the Following Zones		
All zones.		
Size		
Sign Area (B x C):	3 sf. per linear foot of shopfront, 100 sf. max.	A
Width:	50% of storefront width, max.	B
Height (Flat Roof):	12 in. min; 3 ft. max.	C
Height (Pitched Roof):	50% of the distance between the roofline and top of eave as measured in an elevation drawing, 5 ft. max.	C
Location		
Pitched Roof:	The sign's center point must be located at or below the midpoint of the roof as seen in an elevation drawing.	
Miscellaneous		
A roof sign shall only be used if no other feasible attached sign alternative exists and only when variances cannot be used. The sign cannot be used to increase visibility beyond a reasonable reach.		

H. Wall Sign.



Wall Sign: Definition		
<p>A building-mounted or wall-mounted sign which is either attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than 12 inches from such surface. A sign located on a freestanding wall or retaining wall not incorporated into a building's structure shall be considered a freestanding sign.</p>		
Miscellaneous		
<p>The copy area of a wall sign shall not extend into architectural features such as windows, eaves, cornices, and rooflines.</p>		
Allowed Size by Zone		
Zones:	BC, BP, IND, RI, CO, RC, RCO, REC, TTEC, any zone within a Type III LAMIRD	RR, RP, RW, FRL, NC, UR, GB, UL, UCR, UM, UH, UVC, Kingston CO, SVC, SVR, SVLR, RHTC, RHTR, RHTW, MVC, MVLR, MVR, KVC, KVL, KVR
Sign Area (B x C) + D:	A 3 sf. for each linear foot of storefront or wall facade, 200 sf. max. If the area allowed from the initial calculation is less than 10% of the wall area, the sign area may be increased not to exceed 10% of the wall area.	2 sf. for each linear foot of storefront or wall facade, 150 sf. max. If the area allowed from the initial calculation is less than 10% of the wall area, the sign area may be increased not to exceed 10% of the wall area.
Width:	B 75% storefront or wall width, max.	75% storefront or wall width, max.
Height:	C 8 ft. max.	5 ft. max.
Graphic or Logo:	D A sign with only a graphic or logo is subject to the maximum sizes defined by A, B, and C of the wall sign type.	
Projection from Facade:	12 in. max.	12 in. max.

I. Window Sign.



Window Sign: Definition	
A sign that is painted on, attached to, or suspended directly behind a window, the glass portion of a door, or a space providing visual access to the interior of a building (i.e., open garage bays).	
Allowable in the Following Zones	
All zones.	
Size	
Sign Area (B x C), per Window:	Permanent signage, A 50% max. Temporary signage, 25% max.
Miscellaneous	
Applied plastic or vinyl cut letters are discouraged.	

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.110 Sign maintenance.

All signs must be maintained in a condition as originally permitted. Maintenance shall

include landscaping, electrical, material blemishes, structural deficiencies, or other sign conditions changing the visual quality of the sign through neglect. Failure to maintain a sign may result in penalties and permit revocation. Violation procedures and penalty fee schedules shall be according to applicable Kitsap County Code.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.120 Nonconforming signs.

Notwithstanding Chapter 17.610, Enforcement, the continued existence of lawfully established and permitted nonconforming signs shall be subject to the following:

A. No sign previously erected in violation of any code provision, including without securing proper permit approval, shall be considered a legal nonconforming sign.

B. Legal nonconforming signs are subject to the sign maintenance requirements of this chapter.

C. A legal nonconforming sign must fully conform to current sign code regulations if

structural alterations will occur. For purposes of this subsection, normal maintenance, repair, or content change shall not be considered a structural alteration. Installation of an electronic sign into an existing sign shall be considered a structural alteration for the purposes of this chapter.

D. Any legal nonconforming sign which (1) does not promote a commercial product or event and the content of the sign pertains to a time, event or purpose which has elapsed or expired in the preceding three hundred sixty-five days; or (2) is discontinued for a period of three hundred sixty-five consecutive days, without written notice to the Kitsap County department of community development of intent to continue use, shall be deemed abandoned and shall not, thereafter, be reestablished, except in full conformance with this chapter.

E. Any legal nonconforming sign damaged or destroyed to the extent that seventy-five percent of the sign must be repaired may not be restored, and any further signage must conform to this chapter.

F. Government actions, strikes, material shortages, natural disasters, acts of God, and all natural phenomena whose effects could not be prevented by the exercise of reasonable care and foresight, may not be considered in calculating the length of discontinuance, damage, or destruction for purposes of this section. A report from an official investigative organization with the damage or destruction determination, including but not exclusive to insurance and/or police reports, must be provided in order to restore a sign to its most recent noncompliant state of existence.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.130 Contractor license.

In accordance with Table 1b, Required Contractor License by Sign Type, a permanent sign shall not be erected, altered, relocated, constructed, or maintained by any person who does not hold a valid contractor's license. All elec-

tric signs shall be constructed according to the technical standards of a certified testing laboratory.

Table 1b. Required Contractor License by Sign Type

Sign Type	Contractor License Required
Arm	No
Awning	Yes
Blade	No
Canopy	Yes
Monument	Yes
Pole	Yes
Roof	Yes
Wall	No
Wall Mural	No
Window	No

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.140 Variances.

Notwithstanding Chapter 17.560, Variances, a variance will be granted as a Type II decision. Notwithstanding Section 21.04.210(C)(1)(c), requests for sign variances outside a UGA shall require notification to owners of property within one thousand feet of the subject of the variance. Variances may be granted only when all of the following conditions and facts exist:

A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone.

B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone.

C. No other feasible signage alternative exists.

D. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located.

E. Variance does not allow for deviations from design requirements herein.

F. The variance is the minimum necessary to grant relief to the applicant.

G. The county may impose conditions on the variance, as necessary, to further the purpose of the sign code and other applicable county codes or ordinances.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.510.150 Violations.

Notwithstanding Chapter 17.610, Enforcement, any unapproved signs that are placed in violation of this chapter on public property, including county right-of-way, or that interfere with vehicular or pedestrian traffic will be subject to removal by county staff or their agents, marked and placed in a retrieval yard for the first offense, or disposed of if the first offense mark was applied in a prior incident. Repeat violators may be charged for sign removal.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.520

(Repealed)*

* **Editor’s Note:** Former Chapter 17.520, “Marijuana Regulations,” was repealed by Section 188 of Ordinance 611 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) and Sections 4 – 6 of Ordinance 535 (2016) were formerly codified in this chapter. These provisions are now located throughout Title 17 as well as in Appendix F, Chapter F.17.520, Marijuana Regulations.

Chapter 17.530

WIRELESS COMMUNICATION FACILITIES

Sections:

- 17.530.010 Purpose and applicability.
- 17.530.020 Nonconforming uses and structures.
- 17.530.030 Permitting.
- 17.530.040 General development standards.
- 17.530.050 Regulations for nontower and small wireless communication facilities.
- 17.530.060 Regulations for tower-based wireless communication facilities.
- 17.530.070 Maintenance and repair.
- 17.530.080 Abandonment and removal.

* **Editor’s Note:** Prior Legislative History: This chapter was originally adopted by Ordinance 534 (2016). Ordinance 570 (2019) reenacted the chapter and amended it in its entirety.

17.530.010 Purpose and applicability.

A. Purpose. This chapter includes regulations and development standards for wireless communication facilities (facilities) and related equipment. This chapter applies to facilities located inside and outside a county right-of-way (ROW). These regulations and development standards intend to:

1. Allow for a variety of facility types in many locations.
2. Reduce, preferably eliminate, the visual impact of facilities to surrounding properties.
3. Encourage creative approaches to locating facilities in ways that are compatible with the surroundings.
4. Encourage and facilitate collocation of antennas, support structures and related equipment on existing tower-based facilities or other structures that already support at least one non-tower facility.

5. Provide a process to locate and identify new site locations in a comprehensive manner with substantial public participation.

6. Require the use of stealth technology.

B. Exemptions. Each of the following are exempt from the regulations of this chapter and shall not require a permit under this chapter:

1. Maintenance or replacement of existing related equipment with new related equipment that has the same height, width, and appearance, or smaller dimensions and a less intrusive appearance. While a letter of exemption is not required, the maintenance or replacement shall otherwise comply with all applicable regulations.

2. Military and civilian radar, operating within the regulated frequency ranges, for the purpose of defense or aircraft safety.

3. Amateur and citizen band transmitters and antennas, satellite dishes or similar communication facilities used for noncommercial purposes.

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4. Two-way communication transmitters used on a temporary basis by “911” emergency services, including fire, police, and emergency aid or ambulance service.

5. Antennas located wholly within another structure and not visible from the outside.

6. Emergency communications equipment during a declared public emergency.

7. A temporary, commercial wireless facility installed for providing coverage of a special event such as a fair, news coverage or sporting event. The wireless facility shall be exempt from the provisions of this chapter for up to two weeks before and after the duration of the special event.

8. A temporary, commercial wireless facility installed for a period of 180 days, subject to renewals at the county’s discretion, to provide service during repair, replacement, or relocation of an existing facility or construction of a new facility.

9. Wireless communication facilities constructed to serve only first responders, such as fire, police and emergency medical response services.

C. Prohibited locations and structures.

1. A facility shall not locate:

a. On single-family residences or on any residential accessory structure.

b. On real property or structures listed, or eligible for listing, on the:

i. National or Washington Registers of Historic Places.

ii. Official historic structures or historic districts lists maintained by the county.

A facility that conducts a Section 106 review through the National Historic Preservation Act (NHPA) of 1966, 54 U.S.C. § 300101 et seq., shall not be prohibited.

c. Where the visual impacts analysis required by Section 17.530.040(B) concludes that a more than moderate visual impact will occur and cannot be mitigated.

2. Tower-based wireless communication facilities are prohibited:

a. When it meets the definition of a guy-wired tower.

b. In areas where utility lines are predominantly located underground.

c. Within 200 feet of the shoreline, as defined in Title 22, “Shoreline Master Program.”

d. Within a critical area or its buffer, as defined in Title 19, “Critical Areas Ordinance.”

e. Within three hundred feet of the boundary line of a municipal park unless the tower-based facility is disguised through stealth technology as a tree, natural feature, or structure (e.g., silo, church steeple, or clock tower) that is compatible with its surroundings and meets the requirements of Section 17.530.040(B), “Visual Appearance.”

3. Related equipment is prohibited in a right-of-way within one hundred fifty feet of a park boundary line, unless the applicant acquires written consent of the county engineer and the appropriate park director.

D. Other Regulations.

1. This chapter regulates only the land use permit from the department. A wireless communication facility may require other permits or review under other local codes or under state or federal law. This includes:

a. Chapter 14.04, “Technical Building Codes,” regarding building permits.

b. Chapter 18.04, “State Environmental Policy Act,” regarding environmental review.

c. Title 11, “Roads, Highways, and Bridges,” regarding right-of-way permits.

The time in review requirements of the Federal Communication Commission (FCC) shall apply separately to each permit.

2. Chapter 21.04, “Project Permit Application Procedures,” shall not apply unless specifically stated in this chapter.

(Ord. 570 (2019) § 24 (part), 2019)

17.530.020 Nonconforming uses and structures.

A. The nonconforming provisions of Chapter 17.570, “Nonconforming Uses, Structures and Use of Structures,” apply, except as provided in this section.

B. Nonconforming wireless communication facilities damaged or destroyed after June 10, 2019, due to any reason or cause may be repaired and restored at the same location. The wireless communication facility (facility) shall otherwise comply with the terms and conditions of this chapter. A complete application, as provided in Section 17.530.030, “Permitting,” to reconstruct the facility shall be filed with the department within one year from the date the structure was destroyed.

C. Nontower and small wireless facilities shall be allowed to collocate upon any existing nonconforming base station or tower-based facilities.

(Ord. 570 (2019) § 24 (part), 2019)

17.530.030 Permitting.

A. Permits Required. An applicant shall obtain a land use permit from the department prior to the installation or construction of any wireless communication facility (facility). This chapter requires a(n):

1. Letter of exemption to:

- a. Collocate a nontower facility that does not substantially change an existing, approved facility.

- b. Collocate a small wireless facility on any existing structure.

- c. Replace a wireless support structure with a support structure of the same height, width, and appearance, or smaller dimensions and a less intrusive appearance.

2. Administrative conditional use permit (ACUP) to:

- a. Collocate a nontower facility that substantially changes an existing, approved facility.

- b. Collocate a nontower facility on an existing structure that has not previously been approved as a facility.

- c. Construct a small wireless facility on a new structure.

- d. Locate a tower-based facility within five hundred feet of an existing tower-based facility.

- e. Construct a tower-based facility disguised through stealth technology as a tree, natural feature, or structure (e.g., silo, church steeple, or clock tower) that is compatible with its surroundings and meets the requirements of Section 17.530.040(B), “Visual Appearance.”

3. Conditional use permit (CUP) to construct a tower-based facility that does not qualify for an administrative conditional use permit (ACUP) in subsection (A)(2) of this section.

Table 1 – Wireless Communications Facility (Facility) Permit Review Summary

Type of Facility	Number of Days for Decision 17.530.030(H)	Land Use Permit		
		Letter of Exemption	ACUP	CUP
Replacement of wireless support structure with a support structure of the same height, width, and appearance, or smaller dimensions and a less intrusive appearance.	60	X		
Collocation:				
New or replacement nontower facility that does not substantially change existing facility.	60	X		

Table 1 – Wireless Communications Facility (Facility) Permit Review Summary

Type of Facility	Number of Days for Decision 17.530.030(H)	Land Use Permit		
		Letter of Exemption	ACUP	CUP
New or replacement nontower facility that substantially changes an existing facility.	90		X	
A new nontower facility on a structure not previously approved for facility use.	90		X	
Small wireless facility on any existing structure.	60	X		
New facility and support structure:				
Small wireless facility on a new structure.	90		X	
A tower-based facility within 500 feet of an existing tower-based facility.	150		X	
A tower-based facility disguised through stealth technology as a tree, natural feature, or structure (e.g., silo, church steeple, or clock tower) that is compatible with its surroundings and meets the requirements of 17.530.040(B), "Visual Appearance."	150		X	
Tower-based facility that does not qualify for the Administrative Conditional Use Permit (ACUP) process.	150			X

B. **Preapplication Meeting.** A preapplication meeting (see Section 21.04.120) is encouraged, not required. The meeting may occur by telephone or in person as deemed necessary by the department. The department shall indicate in writing when it agrees that a particular document or specific information is not required for an adequate review of the application.

C. **Applications for a Letter of Exemption.**

1. All applications must include documentation that the proposed facility, in conjunction with other facilities, shall not generate radio frequency emissions that exceed the standards and regulations of the FCC.

2. Where a new or replaced nontower facility is proposed that does not substantially

change an existing facility, the application for a letter of exemption shall contain all information necessary to determine compliance with 47 U.S.C. § 1455(a) and 47 CFR 1.16100, as now or hereafter amended. While no further information in the application is required, all facilities shall comply with Section 17.530.040, "General development standards," except for Section 17.530.040(A) and (B).

3. Where a small wireless facility on an existing structure is proposed, the application for a letter of exemption shall contain all necessary information to verify that the facility meets the definition of a small wireless facility and to determine compliance with this chapter.

4. Where the replacement of a support structure with a support structure of the same height, width, and appearance or smaller dimensions and a less intrusive appearance is proposed, the application for a letter of exemption shall contain engineer-stamped structural drawings that include:

a. The existing support structure and the proposed support structure.

b. Descriptions of each structure not shown on the drawings.

c. A description of all existing and proposed facilities to be placed on the proposed support structure.

D. Applications for an Administrative Conditional Use Permit (ACUP). An ACUP application shall contain all information necessary to determine compliance with this chapter. Unless noted otherwise, the application requires at least:

1. A site plan drawn to scale.

2. A landscape plan drawn to scale.

3. Except for small wireless facilities, a report describing the proposed facility with technical reasons for its design. The report shall describe the height, dimension, and location of the proposed facility.

4. Documentation that the proposed facility complies with all applicable state and federal laws and regulations, including radio frequency emissions and aviation safety.

5. Documentation that the proposed facility complies with this chapter.

6. A visual impact analysis as described in Section 17.530.040(B)(1).

7. Construction documents for structures:

a. That include a seal and signature of a professional structural engineer, licensed in the state of Washington.

b. Designed to sixty percent completion to consider an application complete for noticing requirements in subsection (G)(2) of this section.

c. Designed to one hundred percent completion prior to a site development activity permit, building permit, or both. Construction

documents designed to one hundred percent completion that significantly deviate from the initial submittal will result in denial of the permit.

8. When the facility is located on property not owned by the applicant, a copy of the document that grants the applicant authority to use all areas proposed and needed to comply with this chapter, including but not limited to screening, setbacks, parking, and vehicular and utility access. This submittal item:

a. Includes a letter of authorization with the initial application. The letter must reference all areas proposed and needed to comply with this chapter and shown on the site plan as required by subsection (D)(1) of this section.

b. Must be provided prior to the review of a site development activity permit, building permit, or both.

c. Must include a copy of the document that grants the applicant authority as a condition of approval and cannot be waived. An application will not be approved without legal authorization to use areas that are necessary to approve construction of the facility.

9. If the applicant is not a carrier, proof that an agreement exists between the applicant and a carrier committing the carrier to use the proposed facility in carrier's service network. This submittal item:

a. Must be provided prior to the review of a site development activity permit, building permit, or both.

b. Will be a condition of approval and cannot be waived. An application will not be approved without such commitment.

10. A State Environmental Policy Act (SEPA) checklist when required by WAC 197-11-800, as now or hereafter amended, and Chapter 18.04.

E. Applications for a Conditional Use Permit (CUP). A CUP application shall contain all information necessary to determine compliance

with this chapter. The application requires at least:

1. All information required in subsection (D) of this section, “Applications for an Administrative Conditional Use Permit (ACUP).”

2. Documented actual and reasonable efforts to collocate the facility. The documentation shall demonstrate that the applicant contacted the owners of and sought permission to install a facility on:

- a. All existing wireless support structures.
- b. Other tall structures or buildings within a one-mile radius of the proposed site.

3. Propagation Studies. The application shall include at least one propagation study that shows wireless coverage or capacity for a tower-based facility that exceeds sixty feet in height.

a. The propagation studies shall include, at a minimum, the following information:

i. The current service and the service for at least two adjustment options at existing sites, if possible.

ii. A description of the type and manufacturer of the proposed transmission/radio equipment.

iii. The frequency range (megahertz band) assigned to the carrier.

iv. The power, in watts, at which the carrier transmits.

v. Any relevant related tests conducted by the applicant or carrier in determining the need for the proposed site and installation. All reasonable designated confidential proprietary information may be redacted.

b. Only an adjustment will be allowed if a study demonstrates that the adjustment will eliminate a coverage or capacity gap.

c. An adjustment may be required as a condition of approval if a study demonstrates that the adjustment will reduce the coverage or capacity gap.

4. Future Collocation. The application shall include:

a. Documentation that the applicant requested Kitsap 911 to determine the feasibility of collocating emergency service communications facilities. The proposed tower-based facility location and technical specifications shall be included with the request.

b. A written commitment that the applicant will allow other antennas to collocate on the tower-based facility where technically feasible.

5. FCC License. Each applicant that proposes a tower-based facility shall submit a copy of its FCC license for the proposed location. The license shall include the name, address, and emergency telephone number for the operator of the facility.

F. Fees. All applications for permits or requests for actions by the county shall be accompanied by a filing fee in an amount established by county resolution. Fees for small wireless facilities must be:

1. A reasonable approximation of the county’s costs.

2. Only objectively reasonable costs.

3. No higher than the fees charged to similarly-situated competitors in similar situations.

G. Notice.

1. Letters of exemption shall not require public notice.

2. ACUPs and CUPs. Within fourteen calendar days from the submission of a complete application, the department shall:

a. Mail notice to every property owner within one thousand two hundred feet of the proposed facility. New small wireless facility support structures located in the right-of-way are exempt from this requirement.

b. Post notice on the property.

The applicant is responsible for all costs associated with such notice. All notices shall contain the applicable information required by Section 21.04.210, “Notice of application,” or be a summary postcard with a link to such information.

H. Time for Review.

1. Completeness.

a. The county shall notify the applicant in writing of any information that is required to complete an application within ten calendar days of filing the application. The permit application automatically expires if the applicant fails to submit the requested information within thirty days of the department's written request.

b. Prior to the expiration date, the applicant may request an extension to provide the required information. The department may grant up to one thirty-day extension if it is determined that the required studies or information warrants additional time. Financial hardship shall not be considered for extensions of deadlines.

c. Once the applicant has submitted the required information, the county shall notify the applicant within ten days of the submittal if the application remains incomplete.

d. The time tolled between the date of the county's written notifications to the date all requested information is received shall not count towards the number of days an application is in review for a decision.

e. The county shall follow procedures in Section 21.04.170 when an applicant does not provide information requested by the department regarding a project permit application that has been deemed complete for processing.

2. Letters of Exemption. Once an initial application has been filed, regardless of the deadlines for notice, the county has sixty calendar days, after accounting for the tolling provided above and restart time in review per subsection (H)(5) of this section, to make its final decision on the application and to advise the applicant in writing of such decision.

3. ACUPs. Once an initial application has been filed, the county has one hundred fifty calendar days for tower-based facilities and ninety calendar days for nontower facilities, after accounting for the tolling provided above and restart time in review per subsection (H)(5) of this section, to make its final decision on the

application and to advise the applicant in writing of such decision.

4. CUPs. Once an initial application has been filed, the county has one hundred fifty calendar days, after accounting for the tolling and restart time in review per subsection (H)(5) of this section, to make its final decision on the application and to advise the applicant in writing of such decision.

5. Restart Time in Review.

a. Small Wireless Facilities. Submittal of information requested through subsections (H)(1)(a) and (H)(1)(c) of this section shall restart the time in review of an application once. Requests for information by the county after the first restart shall not restart the time in review of an application again.

b. All Other Facilities. Submittal of information requested through subsections (H)(1)(a) and (H)(1)(c) of this section shall not restart time in review of an application.

6. Batching. Applicants for small wireless facilities may batch requests into a single application.

I. Experts. The department may hire any consultant(s) and/or expert(s) necessary to assist the department in reviewing and evaluating an application for a proposed facility. The applicant and/or owner of the facility shall reimburse the county for all reasonable and actual costs of the county's consultant(s) in providing expert evaluation and consultation in connection with these activities.

J. Approval. The department may approve, conditionally approve, or deny a permit for a facility. Approval or conditional approval may only be granted when the requirements of this chapter have been met. Approval may be revoked as provided in Kitsap County Code.

K. Permit Duration and Extensions. A letter of exemption issued under this chapter expires within twelve months from the date issued if construction is not complete at that time. An administrative conditional use permit (ACUP) or conditional use permit (CUP)

issued under this chapter expires within four years from the date issued if construction is not complete at that time. Incomplete construction by the permit expiration date requires submittal of a new permit application. The department may grant one one-year extension when all of the following conditions are met:

1. The extension request is submitted in writing at least thirty calendar days prior to the expiration of the permit.

2. Significant concerns with the extension can be mitigated by minor revisions to the permit.

3. Tangible progress has been made toward completion.

4. An extension would not adversely impact public health, safety or general welfare.

L. Director Interpretations. A director's interpretation per Section 21.04.040, "Director's interpretations," may resolve disputes regarding the interpretation of this chapter.

M. Appeals. A decision on a letter of exemption or an ACUP may not be appealed to the hearing examiner in accordance with Section 21.04.290, "Appeals."

N. Revoked Permit. The county may revoke a permit pursuant to Section 17.600.010, "Revocation for noncompliance with conditions." A facility with a revoked permit shall be considered abandoned and subject to Section 17.530.080(B).

(Ord. 570 (2019) § 24 (part), 2019)

17.530.040 General development standards.

A. Height. Wireless communication facilities (facilities) shall not exceed heights authorized in this chapter. Height is measured as the total vertical distance from the ground level, including any base pad, to the highest point of the facility, including any antennas, appurtenances, or related equipment.

B. Visual Appearance. All facilities shall employ the most current stealth technology to be the least visually and physically intrusive. All facilities shall also be aesthetically and

architecturally compatible with the surrounding environment and shall be designed to blend with the existing surroundings.

1. Visual Impact Analysis.

a. Compatibility and visual impact shall be determined through a visual impact analysis. The analysis must use maps, photographs, photo simulation, and other appropriate methods to show the existing topographical contours of the area and areas within a one-mile radius where any portion of the proposed facility can be seen. Line of sight includes from the ground to the rooftop of adjacent buildings.

b. When more than a moderate visual impact is likely, the visual impact analysis shall include a visual demonstration, such as the erection of a crane, a balloon in a color similar to that of the proposed structure and of a size not less than four feet and not to exceed six feet, or similar device, used to simulate the proposed dimensions and height of the structure. Ten working days prior to the demonstration, the applicant shall notify:

i. The department.

ii. All properties within eight hundred feet of the parcel where the demonstration will occur. The department shall provide the list of properties within eight hundred feet.

2. More than Moderate Visual Impact. A facility shall not be considered aesthetically compatible with the surrounding land uses if, within a one-mile radius, it results in more than a moderate visual impact. A "more than moderate" visual impact occurs when one or more of the following exist:

a. The facility becomes a predominant feature in the viewscape.

b. The facility disrupts a largely intact and unobstructed view of visually sensitive areas, which are those locations that provide views of one or more of the following: Puget Sound, lakes, large wetland complexes, major streams, valleys and ravines, large tracts of forested land, Mount Rainier, the Cascade mountain range or the Olympic mountain range. These views are particularly sensitive from certain

places of the county, including residential areas, commercial areas, major transportation corridors and arterials in rural areas.

c. The facility is not designed and painted to blend in with the surrounding environment.

d. The facility is sited above visually predominant ridge lines.

e. The facility extends forty feet or more above the tree line determined by an analysis of site potential tree height at fifty years (SPTH (50)), based on soil types.

f. Except for small wireless facilities, a nontower facility is proposed in a visually sensitive area and cannot be completely enclosed within the existing structure or camouflaged as another structure compatible with the surrounding environment.

3. Other Visual Requirements. A facility must:

a. Place all required stickers or other identifying labels on the underside of related equipment, or away from public view on ground-mounted equipment, and not near ground level if on a tower-based facility.

b. Place and size antennas and related equipment to blend into the architectural detail of the supporting structure. Paint or another coating may be required to be visually compatible with the support structure.

c. Screen electrical meter cabinets to blend with the surrounding area. Use of smart meters is preferred.

d. For proposed fences, the fence must:

i. Be at least six feet in height and no more than eight feet in height.

ii. Be of a nonobtrusive material, such as a dark vinyl coated chain link that blends with the surrounding area.

C. Lighting.

1. This chapter prohibits all artificially lighted facilities except:

a. Permanent 911 public safety facilities. This includes fire, police and emergency medical response services.

b. Facilities located at a seven-hundred-foot elevation and more than one-half mile from a residential area.

2. The applicant shall provide a detailed plan for lighting if an artificially lighted facility is allowed. The plan shall demonstrate that the proposed lighting does not have a negative impact on adjacent properties and complies with state and federal regulations for lighting. The applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities and to the county.

3. Any facility needing lighting per FAA regulations shall be altered to avoid the need for lighting unless subsection (C)(1) of this section applies.

4. The department may allow security lighting for ground mounted related equipment. Security lighting shall be directed away from adjoining properties through shielding and arrangement. No more than one footcandle of illumination may leave the property boundaries.

D. Noise. Facility operation and maintenance shall comply with Chapter 10.28, "Noise."

E. Related Equipment for Small Wireless Facilities.

1. Antennas and antenna elements shall be enclosed within the facility.

2. Antennas and antenna elements unable to be enclosed within the facility require the applicant to demonstrate the inability to do so. In such cases, the antenna and antenna elements shall be within a shroud mounted at the top of the facility. An opaque cover (e.g., dyed film) may be used to cover the antenna face. The offset distance between an antenna and pole must not exceed twelve inches. The shroud and opaque cover:

a. Shall cover all antenna and antenna elements in a single antenna shroud.

b. Shall match the support structure color, finish, and visually conceal all contents and/or

wiring to the greatest extent possible. A solid shroud is preferred.

c. Shall be cylindrical for pole facilities and match the pole shaft diameter, when feasible. The shroud diameter shall not exceed 18 inches. Once transitioned from the support structure shaft, the shroud diameter shall remain consistent.

d. Shall not exceed a height of five feet. For light standards, this dimension is measured from the top of the luminaire mast arm attachment point.

3. Antennas and antenna elements unable to be enclosed within the facility or shrouded at the top of the facility require the applicant to demonstrate the inability to do so. In such cases, a shrouded, externally mounted antenna package may be allowed if:

a. The shroud protrudes no more than thirty-six inches from the outer circumference of the support structure.

b. The shroud height does not exceed five feet, mounted longitudinally to the structure shaft.

c. The shroud and all parts of the antenna package are at least seven feet from the ground.

4. A base shroud shall fully enclose all remaining equipment located on the structure. This may include radios not mounted at top of structure, electric meters, and grounding equipment. The base shroud shall:

a. Be structurally sound to fully support the proposed structure and maximize equipment volume.

b. Not exceed a height of six feet.

c. Match the support structure color, finish, and visually conceal and lock all contents and/or wiring to the greatest extent possible. A solid shroud is preferred.

d. Where the facility is a pole, install a shroud that is cylindrical with a maximum consistent diameter of eighteen inches not including small architectural banding features. This diameter may increase up to twenty inches if the location combines multiple carriers or uses.

5. Enclosures separate from the support structure may be allowed if:

a. The applicant demonstrates the inability to enclose or shroud antenna and antenna equipment as prescribed in subsection (E)(4) of this section.

b. The enclosure is no greater than forty-two inches in any dimension.

F. Related Equipment for Non-small Wireless Facilities.

1. Antenna and antenna elements must match the support structure color, finish, and visually conceal all contents and/or wiring to the greatest extent possible.

2. Remaining equipment must be placed underground, or enclosed and screened through stealth technology or fencing and landscaping in a screening buffer. The buffer requirement shall be contained in a recorded easement. Vegetation shall not be removed without approval by the department of community development. Fencing shall be a nonobtrusive material such as a dark coated chain link to blend in with the surroundings.

G. Standard of Care. Facilities shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, and all federal, state and county laws and regulations. These include without limitation the most recent editions of the following:

1. American National Standards Institute (ANSI) Code.

2. National Electrical Safety Code.

3. National Electrical Code.

4. All aviation safety standards.

5. All accepted and responsible workmanlike industry practices of the National Association of Tower Erectors or the Telecommunication Industry Association.

H. Wind and Ice. Facility structures shall be designed to withstand the effects of wind gusts and ice. The design shall comply with the American National Standards Institute standard design prepared by the engineering depart-

ments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA-222, as amended).

I. Engineer Signature. Construction documents for structures shall contain a seal and signature of a professional structural engineer, licensed in the state of Washington.

J. Interference. Facilities shall comply with Federal Communication Commission regulations regarding interference.

K. Radio Frequency Emissions. The proposed facility, in conjunction with other facilities, shall not generate radio frequency emissions that exceed the standards and regulations of the FCC. These regulations include at least the FCC Office of Engineering Technology Bulletin 65 entitled, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

L. Agreement for Facilities on County Property. The applicant and the county shall execute an agreement to provide terms and conditions to locate a facility on county property. The agreement must:

1. Be completed prior to construction of the facility.
2. Comply with the regulations in this chapter.
3. Be submitted with the application for the facility.
4. Address the following issues:
 - a. Facilities are subject to the county's right to fix an annual fee for use and occupancy of the property.
 - b. A financial security must be submitted to protect the county from the costs and expenses due to a failure to comply with the obligations in this chapter. The amount and form of the financial security shall be decided by mutual agreement. The amount of financial security shall be at least one hundred fifty percent of the cost of the facility unless otherwise agreed.

c. Modifications requested by the county.

- i. The county may determine that a change to a facility in the ROW is reasonably necessary under the following circumstances:

(a) To facilitate or accommodate the construction, reconfiguration, completion, repair, relocation, or maintenance of a public project within the ROW.

(b) To accommodate the vacation of ROW or the release of a utility easement.

(c) As required by applicable laws or to protect or preserve the public health, safety, or welfare.

ii. Within sixty days of written notice from the county, the owner or operator of a facility in the ROW shall temporarily or permanently change, alter, relocate or remove part or all of the facility. The department may approve up to two ninety-day extensions when all of the following conditions are met:

(a) The extension request is submitted in writing at least thirty calendar days prior to the expiration of the ninety days.

(b) Any significant concerns with the extension can be mitigated.

(c) An extension would not adversely impact public health, safety or general welfare.

(d) Financial hardship shall not be considered for extensions of deadlines.

iii. Where an emergency exists, following notice from the county, the owner or operator of the facility shall immediately effect a temporary or permanent change, alteration, relocation or removal of part or all of the facility. An emergency includes, but is not limited to, any interference with:

iv. The proper operation of a county-owned light pole, traffic control device, or other county facility.

v. ROW operations or pedestrian facilities.

(Ord. 570 (2019) § 24 (part), 2019)

17.530.050 Regulations for nontower and small wireless communication facilities.

A. Development Regulations. Except as provided in subsection (B) of this section, “Development Regulations in the Public Right-of-Way (ROW),” and in addition to Section 17.530.040, “General development standards,” the following applies to all nontower wireless communication facilities and small wireless facilities (facilities) for which an ACUP is required.

1. Collocation. All facilities shall collocate on existing wireless support structures unless technologically infeasible, in which case the facility may locate on an existing pole or structure.

2. Height. The total height of any facility after installation shall not exceed the maximum height permitted in the underlying zoning district, except where the following are met:

a. The height will not exceed twenty feet above the roof surface.

b. No visual impacts to surrounding properties occurs. Visual impact is measured from the ground or roof of an adjacent building.

B. Development Regulations in the Public Right-of-Way (ROW). The following regulations apply to all nontower and small wireless facilities located in the ROW and for which an ACUP is required. If any conflict exists between these regulations and those elsewhere in this chapter, the regulations herein shall control.

1. Location.

a. All facilities located in the right-of-way shall be located, designed, and installed to match the pole placement and bolt pattern identified by Kitsap County public works design standards.

b. All facilities and related equipment in the ROW shall not cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or inconvenience public use of the ROW.

c. All equipment more than four inches above the ground shall be placed outside of the clear zone or mitigated in accordance with the current edition of the County Road Standards. Ground-mounted related equipment, walls, or landscaping shall be located at least eighteen inches from the face of the curb, sidewalk, or paved pathway.

2. Height. Related equipment located above ground, not mounted to the facility support structure, in the public ROW shall be:

a. Compatible in scale and proportion to the structures upon which they are mounted.

b. The smallest and least visibly intrusive as determined by the visual impact analysis.

c. A height not to exceed four feet from finished grade.

3. Construction Time, Place and Manner. The county shall determine the time, place and manner of construction, maintenance, repair and/or removal of all nontower facilities in the public ROW based on public safety, traffic management, physical burden on the public ROW, and related considerations. All work shall be performed at the applicant’s expense.

4. Tree Trimming. Tree trimming around facilities shall comply with industry standards. Tree trimming activities that impact traffic require a traffic control plan approved by the department of public works. Trimming that involves a wireless support structure requires submittal of written permission from the owner of the structure to the county. The county shall not be liable for any damages, injuries, or claims arising from the applicant’s actions under this subsection.

(Ord. 570 (2019) § 24 (part), 2019)

17.530.060 Regulations for tower-based wireless communication facilities.

A. Development Regulations. Except as provided in subsection (B) of this section, “Development Regulations in the Public Right-of-Way (ROW),” and in addition to Section 17.530.040, “General development standards,” the following applies to all tower-based wire-

less communication facilities (facilities) for which an ACUP or CUP is required.

1. Modification or Collocation.

a. New tower-based facilities that exceed sixty feet in height and require a CUP are prohibited unless a propagation study shows coverage or capacity gaps cannot be filled through other means. Technical evidence shall demonstrate the inability to fill coverage or capacity gaps through related equipment, such as repeaters or antennas installed on existing structures to extend or infill service.

b. A new tower-based facility that requires a CUP and is within one mile of an existing wireless support structure may not exceed forty feet in height unless collocation has been actually and reasonably considered and, despite good-faith efforts, the nontower facility cannot be accommodated on an existing structure or building for one of the following reasons, or cannot be sited on land owned and maintained by the county:

i. The proposed antenna and related equipment exceeds the structural capacity of the existing building, structure or tower.

ii. The proposed antenna and related equipment causes radio frequency interference with other existing equipment for that existing building, structure, or tower and the interference cannot be prevented.

iii. The existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.

iv. An agreement could not be reached with the owner of such building, structure, or tower after a good-faith effort.

2. Location.

a. The location of a tower-based facility that exceeds sixty feet in height and requires a CUP shall be necessary to provide coverage or capacity for the gap shown in the propagation study for the service area.

b. The location shall be the least visually intrusive to the surrounding community or shall

be the only viable location to provide coverage or capacity for a gap shown in a propagation study, when required through Section 17.530.030(E)(3).

3. Height.

a. A tower-based facility shall be constructed to:

i. The minimum functional height when applicable. A propagation study, when required through Section 17.530.030(E)(3), will state a minimum functional height necessary for a tower-based facility to fill a gap in coverage or capacity.

ii. Not exceed forty feet taller than surrounding tree height.

iii. Not exceed two hundred feet.

b. Tower-based facilities over forty feet in height shall be equipped with an anti-climbing feature.

4. Related Equipment.

a. Ground-mounted related equipment associated, or connected, with a tower-based facility must be placed underground, or enclosed and screened through stealth technology or fencing and landscaping in a screening buffer. The buffer requirement shall be contained in a recorded easement. Vegetation shall not be removed without approval by the department of community development. Fencing shall be a nonobtrusive material such as a dark coated chain link to blend in with the surroundings.

b. All related equipment, utility buildings and accessory structures shall be architecturally and aesthetically designed to blend into the environment in which they are situated and meet the minimum setback requirements of the underlying zone.

5. Signs. Tower-based facilities shall post an easily visible emergency contact sign. The sign shall include the name and phone number for a point of contact in case of an emergency. No other sign is allowed except those required by the FCC or other federal or state agencies.

6. Use of Property and Setbacks.

a. Sole Use. A tower-based facility may be allowed as the only use on a parcel if:

i. The parcel is at least six thousand square feet; and

ii. The distance between the base of the tower-based facility and the nearest property line is at least one hundred ten percent of the proposed height of the tower-based facility.

b. Combined Use. A tower-based facility may be allowed with an existing use, or on a vacant parcel in combination with another use, subject to the following minimum conditions:

i. The nonfacility use on the property is any allowed use in the zone, except residential, and need not be affiliated with the facility.

ii. The lot:

(a) Complies with the dimensional requirements of the zone; and

(b) Is sufficiently sized to accommodate the tower-based facility and any equipment buildings, security fences, buffers and setbacks.

iii. The minimum distance between the base of a tower-based facility and the nearest property line is at least one hundred ten percent of the proposed tower-based facility height or the minimum setback of the underlying zone, whichever is greater.

7. Screening, Landscaping, and Fencing.

a. A tower-based facility disguised through stealth technology as a tree, natural feature, or structure (e.g., silo, church steeple, or clock tower) that is compatible with its surroundings and meets the requirements of Section 17.530.040(B), "Visual Appearance," shall be exempt from the tower screening requirements in subsections (A)(7)(b) and (d) of this section. Related equipment screening requirements still apply.

b. Tower-based facilities shall be screened with landscaping or other screening features. This requirement applies to all associated equipment shelters, cabinets, and other ground-mounted related equipment.

c. Existing trees, shrubs, and other vegetation shall be preserved to the maximum extent possible. Removal of existing vegetation requires prior approval from the department. Existing vegetation used to screen shall provide, through size and density, adequate, long-term screening. The existing vegetative buffer shall surround the entire facility and be at least five feet wide.

d. Screening shall maximize coverage and visually cover at least seventy-five percent of the height of the tower-based facility. Recommended species for screening of tower-based facilities include Douglas fir, big leaf maple, and western red cedar. Planting height shall be at least six feet for an evergreen tree or two-inch caliper for a deciduous tree. Deciduous trees shall not exceed twenty-five percent of the trees used for screening. An analysis of the site potential tree height at fifty years (SPTH (50)), based on soil types, is required.

e. The department may require additional screening to adequately screen adjacent residential properties based on site-specific conditions.

f. The department may allow a combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping. The combination of features must:

i. Achieve the same degree of screening.

ii. Be consistent with surrounding vegetation.

iii. Not obstruct or interfere with the use of the ROW or county work.

g. Screening requirements shall be recorded as a covenant running with the permit.

8. Access Road. Tower-based facilities shall provide adequate emergency and service access to the facility. An access road, turnaround space and parking shall be provided. The access must:

a. Maximize to the extent practicable the use of existing public or private roads.

b. Match road grades to natural contours to minimize visual disturbance, soil erosion, and stormwater impacts.

c. Where the access road is not owned by the applicant, a copy of an easement authorizing the use of the access road shall be submitted to the county.

9. Parking. One tower-based facility requires at least one off-street parking space.

10. Future Use. A proposed tower-based facility shall be designed structurally, electrically, and in all respects to accommodate both the proposed antennas and comparable antennas in the future.

B. Development Regulations in the Public Right-of-Way (ROW). The following additional regulations apply to all tower-based facilities located in the ROW. If any conflict exists between these regulations and those elsewhere in this chapter, the regulations herein shall control.

1. Location.

a. All facilities located in the right-of-way shall be located, designed, and installed to match the pole placement and bolt pattern identified by Kitsap County public works design standards.

b. Tower-based facilities are prohibited from locating in the ROW in front of the facade of any structure facing the ROW.

c. Tower facilities and related equipment in the ROW shall not cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or inconvenience public use of the ROW.

d. All equipment exceeding four inches above the ground shall be placed outside of the clear zone or mitigated in accordance with the current edition of the County Road Standards. Ground-mounted related equipment, walls, or landscaping shall be located at least eighteen inches from the face of the curb, sidewalk or paved pathway.

e. Unless approved by the county engineer, ground-mounted related equipment is prohibited in a ROW when:

i. The ROW width is fifty feet or less.

ii. Exclusively single-family residential lots front both sides of the street.

2. Height. Tower-based facility height in the ROW shall not exceed forty feet.

3. Design Requirements. Ground-mounted related equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features.

4. Construction – Time, Place and Manner. The county shall determine the time, place and manner of construction, maintenance, repair and/or removal of all tower-based facilities in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. All work shall be performed at the applicant's expense.

5. Tree Trimming. Tree trimming around facilities shall comply with industry standards. Tree trimming activities that impact traffic require a traffic control plan approved by the department of public works. Trimming that involves a wireless support structure requires submittal of written permission from the owner of the structure to the county. The county shall not be liable for any damages, injuries, or claims arising from the applicant's actions under this subsection.

(Ord. 570 (2019) § 24 (part), 2019)

17.530.070 Maintenance and repair.

To the extent permitted by law, the following maintenance and repair requirements shall apply:

A. All wireless communication facilities (facilities) shall be fully automated and unattended. Visitation for maintenance or emergency repairs is allowed.

B. At all times facilities shall be kept and maintained in good condition, order and repair to eliminate danger to life or property. Maintenance and repairs must:

1. Be completed by qualified maintenance and construction personnel.

2. Use the best available technology for preventing failures and accidents.

C. Graffiti. Graffiti on a facility shall be promptly removed at the sole expense of the owner or operator. The owner or operator shall remove graffiti within fourteen calendar days of the date of county notice.

D. Replacement of a support structure with a support structure of the same height, width, and appearance, or smaller dimensions and a less intrusive appearance, requires a letter of exemption per Section 17.530.030(C). All other support structure replacements require a permit per Section 17.530.030. (Ord. 570 (2019) § 24 (part), 2019)

17.530.080 Abandonment and removal.

A. Abandonment.

1. Notice of Intent to Abandon. The owner or operator of a facility shall provide written notice to the department of the intent to abandon a facility.

2. Nonfunctioning facilities regulated by this chapter that remain unused for a period of three hundred sixty-five days shall be considered abandoned. This presumption may be rebutted by a showing that such utility or device is an auxiliary, back-up, or emergency utility or device not subject to regular use or that the facility is otherwise not abandoned.

3. Effective Date of Abandonment. Abandonment takes effect thirty days after notice is received or after the end of the rebuttable presumption period.

B. Removal.

1. All abandoned facilities, or portions thereof, shall be removed within ninety days of abandonment, unless a time extension is approved. The department may approve up to two ninety-day extensions when all of the following conditions are met:

a. The extension request is submitted in writing at least thirty calendar days prior to the expiration of the ninety days.

b. Any significant concerns with the extension can be mitigated by minor revisions to the permit.

c. Tangible process has been made toward abandonment.

d. An extension would not adversely impact public health, safety or general welfare.

2. Removal shall include restoring all affected property to substantially the same condition as it was immediately before the installation of the facility, including restoration or replacement of any damaged trees, shrubs or other vegetation, unless another arrangement is made with the property owner.

3. Removal and site restoration shall be completed at the sole expense of the owner or operator of the facility.

(Ord. 570 (2019) § 24 (part), 2019)

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Chapter 17.540

ADMINISTRATIVE CONDITIONAL USE PERMIT

Sections:

- 17.540.010 Purpose and applicability.
- 17.540.020 Administrative conditional use permit procedure.
- 17.540.030 Previous use approval.
- 17.540.035 Third party review.
- 17.540.040 Decision criteria –
Administrative conditional use permits.
- 17.540.050 (Repealed)
- 17.540.080 Transfer of ownership.
- 17.540.090 Land use permit binder required.
- 17.540.100 Effect.

17.540.010 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.020 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.

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 21.04.160.

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 21.04.180.

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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.030 Previous use approval.

Where, prior to December 11, 2006, 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.035 Third party review.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.040 Decision criteria – Administrative conditional use permits.

A. The department may approve, approve with conditions, or deny an administrative conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:

1. The proposal is consistent with the Comprehensive Plan;
2. The proposal complies with applicable requirements for the use set forth in this code;
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity; and
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

B. The department may impose conditions to ensure the approval criteria are met.

C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the administrative conditional use permit shall be denied. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.050 (Repealed)*

* **Editor’s Note:** Former Section 17.550.050 [17.540.050], “Revision of administrative conditional use permits,” was repealed by Section 28 of Ordinance 617 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.540.080 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. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.090 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.540.100 Effect.

No building or other permit shall be issued until after the end of the period allowed to appeal the administrative and/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.

Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.550

HEARING EXAMINER CONDITIONAL USE PERMIT

Sections:

- 17.550.010 Purpose and applicability.
- 17.550.020 Hearing examiner conditional use permit procedure.
- 17.550.025 Third party review.
- 17.550.030 Decision criteria – Conditional use permit.
- 17.550.040 (Repealed)
- 17.550.050 Vacation of hearing examiner conditional use permit.
- 17.550.060 Revocation of permit.
- 17.550.070 Transfer of ownership.

17.550.080 Land use permit binder required.

17.550.090 Effect.

17.550.010 Purpose and applicability.

The purpose of this chapter is to set forth the procedure and decision criteria for conditional use permit 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.020 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.

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 21.04.160.

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 21.04.180.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.025 Third party review.

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

applicant. The cost of such report will be the responsibility of the applicant.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.030 Decision criteria – Conditional use permit.

A. The hearing examiner may approve, approve with conditions, or deny a hearing examiner conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:

1. The proposal is consistent with the Comprehensive Plan;

2. The proposal complies with applicable requirements of this title;

3. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity; and

4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

B. As a condition of approval, the hearing examiner may:

1. Increase requirements in the standards, criteria, or policies established by this title;

2. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion, landslides, or traffic;

3. Require structural features or equipment essential to serve the same purpose set forth in Chapter 17.420;

4. Include requirements to improve compatibility with other uses permitted in the same zone, protecting them from nuisance generating features in matters of noise, odors, air pollution, wastes, vibration, traffic, physical hazards, and similar matters. The hearing examiner may not, in connection with action on a conditional use permit, reduce the requirements specified by this title as pertaining to any use nor otherwise reduce the requirements of

this title in matters for which a variance is the remedy provided;

5. Assure that the degree of compatibility with the purpose of this title shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses, within the general area in which the use is proposed to be located;

6. Recognize and compensate for variations and degree of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazard or public need;

7. Require the posting of construction and maintenance bonds or other security sufficient to secure to the county the estimated cost of construction and/or installation and maintenance of required improvements; and

8. Impose any requirement that will protect the public health, safety, and welfare.

C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the conditional use permit shall be denied.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.040 (Repealed)*

* **Editor's Note:** Former Section 17.550.040, "Revision of hearing examiner conditional use permits," was repealed by Section 27 of Ordinance 617 (2022). Subsection 7(5) (App. E) (part) of Ordinance 534 (2016) was formerly codified in this section.

17.550.050 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.060 Revocation of permit.

Any revocation proceeding shall be conducted in accordance with Chapter 17.600.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.070 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.080 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.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.550.090 Effect.

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

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.560

VARIANCES

Sections:

- 17.560.010 Conditions for granting a variance.
- 17.560.020 Application.
- 17.560.030 Investigation and report.
- 17.560.040 Public hearing and notice.
- 17.560.050 Action by hearing examiner.
- 17.560.060 Appeal.
- 17.560.070 Effect.
- 17.560.080 Expiration.

17.560.010 Conditions for granting a variance.

A variance may be granted to any numerical standard of this title, excluding housing density, only when unusual circumstances relating to the property cause undue hardship in the application of this title. The granting of such a variance shall be in the public interest. A variance shall be made only when all of the following conditions and facts exist:

A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone;

B. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;

C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located; and

D. The variance is the minimum necessary to grant relief to the applicant.

(Ord. 550 (2018) § 28, 2018: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.020 Application.

A request for a variance may be initiated by a property owner or his authorized agent by filing an application with the department. Applications for a variance shall be consistent with the review authority table found in Section 21.04.100 and contain the information required by the submittal requirements checklist established by the department as set forth in Section 21.04.160.

(Ord. 550 (2018) § 29, 2018: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.030 Investigation and report.

The director shall make an investigation of the application and shall prepare a report thereon. The report shall be transmitted to the applicant, representative(s) and hearing examiner in a manner consistent with Title 21 prior to the public hearing. The report shall also be made available for public inspection, at the department of community development, at least five working days prior to the public hearing.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.040 Public hearing and notice.

Variance applications shall be considered by the hearing examiner at public hearing as provided for in Title 21. Public notice shall be given as provided for in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.050 Action by hearing examiner.

The hearing examiner shall render a decision on the variance application as provided for in Title 21. The decision is final unless appealed.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.060 Appeal.

The hearing examiner's decision on a variance may be appealed as provided for in Title 21.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.070 Effect.

In any case where a variance is granted under the terms of this title, no building or other per-

17.560.080

mit shall be issued until after the end of the appeal period allowed to appeal the administrative and/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.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.560.080 Expiration.

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

(Ord. 550 (2018) § 30, 2018: Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.570

**NONCONFORMING USES,
STRUCTURES AND USE OF
STRUCTURES**

Sections:

- 17.570.010 Purpose.
- 17.570.015 Extensions.
- 17.570.020 Nonconforming uses of land.
- 17.570.030 Application for change of nonconforming uses of land.
- 17.570.040 Nonconforming structures.
- 17.570.050 Nonconforming uses of structures.

17.570.010 Purpose.

Within the zoning districts established by this title or any amendment later adopted, there

may exist uses of land and/or structures that were lawful before the effective date of the applicable regulations, but which would be restricted, regulated or prohibited under the terms of this title or future amendment. Except as specifically allowed by this chapter, this chapter is intended to permit these nonconformities to continue until they are removed or discontinued.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.570.015 Extensions.

As to time frames noted in this chapter, the director may extend time frames on a case-by-case basis where such time frames cannot be met. If the director extends the schedule and/or imposes deadlines other than are set forth in this chapter, he must make the following findings: (A) the reason for the required change is due to circumstances beyond the control of the applicant; (B) the change is the minimum necessary required to meet the conditions of this chapter; and (C) the change in time does not exceed the original time frame or deadline by more than twelve months. The decision of the director shall be considered a Type II decision and may be appealed to the hearing examiner.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.570.020 Nonconforming uses of land.

Where a lawful use of land exists that is not allowed under current regulations, but was allowed when the use was initially established, that use may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming use.

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

B. A nonconforming use not involving a structure, or one involving a structure (other

than a sign) having an assessed value of less than \$200.00, shall be discontinued within two years from the date of passage of the ordinance codified in this title.

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

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.570.030 Application for change of nonconforming uses of land.

The director may grant an application for a change of use to another nonconforming use if, on the basis of the application and the evidence submitted, the director makes the following findings:

A. That the proposed use is classified in a more restrictive category than existing or pre-existing uses by the zone regulations of this title. The classifications of a nonconforming use shall be determined on the basis of the zone in which it is first permitted; provided, that a conditional use shall be a more restrictive category than a permitted use in the same category.

B. That the proposed use will not more adversely affect the character of the zone in which it is proposed to be located than the existing or preexisting use.

C. That the change of use will not result in the enlargement of the space occupied by a nonconforming use, except as allowed by Section 17.570.020(C).

D. The decision of the director shall be considered a Type II decision and may be appealed to the hearing examiner.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.570.040 Nonconforming structures.

When, before the effective date of the adoption or amendment of the applicable regulation, a lawful structure existed that would not be permitted by the regulations thereafter imposed by this title, or amendments thereof, the structure may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming structure.

A. A structure nonconforming to the dimensional standards of this title may not be altered or enlarged in any manner unless such alteration or enlargement would bring the structure into conformity with the requirements of the zone in which it is located; provided structural change may be permitted when required to make the structure safe for occupancy or use, provided structural enlargements may be allowed in conformity with the setback requirements of the zone in which it is located, and provided structural enlargements may be allowed if they would not further violate setback requirements; and provided further, that a nonconforming mobile home may be replaced notwithstanding the setback and density provisions of this title, so long as the structure does not further encroach upon any required yard.

B. If a nonconforming structure is destroyed by any cause, it shall be allowed to be reconstructed as a nonconforming structure up to the same size (total square footage of structure, square footage of footprint of the building and height) and appearance; provided, however, the director has the discretion to allow a different appearance if he finds that it would be more compatible with the zone in which it is located. A complete application for such reconstruction must be filed with the department within a one-year period from the date the structure was destroyed.

C. A mobile home and/or single-family residence located on a legal nonconforming lot may be replaced if destroyed.

D. Notwithstanding the foregoing provisions, if a nonconforming structure presents a public health, safety or welfare hazard, it may not be considered a legal nonconforming structure.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.570.050 Nonconforming uses of structures.

When, before the effective date of the adoption or amendment of the applicable regulation, a lawful use of a structure existed that would not be permitted by the regulations thereafter imposed by this title, or amendments thereof, the use of the structure may be continued so long as it remains otherwise lawful, and shall be deemed a nonconforming use of structure.

A. Continuation of Nonconforming Use. Any nonconforming use of a structure which was lawfully established and which has been lawfully, actively and continually maintained, may be continued subject to the limitations of this section. In all proceedings other than criminal, the owner, occupant or user shall have the burden to show that the use or structure was lawfully established.

B. Change of Nonconforming Use. A nonconforming use may be changed to another nonconforming use so long as no structural alterations are needed to the structure in which the use is located, and provided the new use is a reduction in the nonconformity and intensity of the existing nonconforming use. Such determination shall be made by the director as a Type II decision and may be appealed to the hearing examiner.

C. Expansion of Nonconforming Use. A nonconforming use shall not be enlarged or expanded; provided, the structure containing the nonconforming use may be structurally altered to adapt to new technologies or equipment. A nonconforming use of a structure may be extended throughout those parts of a struc-

ture which were designed or arranged to such use prior to the date when such use of the structure became nonconforming; provided, that no structural alteration, except those required by the law, are made.

D. Destruction of Nonconforming Use of Structure. If any nonconforming use of structure is destroyed by any cause, it shall be allowed to be reconstructed as a nonconforming structure up to the same size (total square footage of structure, square footage of footprint of the building and height) and appearance; provided, however, the director has the discretion to allow a different appearance if he finds that it would be more compatible with the zone in which it is located. A complete application for such reconstruction must be filed with the department within a one-year period from the date the structure was destroyed.

E. Discontinuance of Nonconforming Use of Structures. Any nonconforming use of structure for which the use or occupancy is discontinued for a period of twenty-four months shall not thereafter be allowed as a nonconforming use of structure.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.580

TRANSFER OF DEVELOPMENT RIGHTS

Sections:

- 17.580.010 Purpose.
- 17.580.020 Authority.
- 17.580.030 Applicability.
- 17.580.040 General requirements.
- 17.580.050 Sending areas.
- 17.580.060 Sending site calculations.
- 17.580.070 Receiving areas and exchange rates.
- 17.580.080 Transfer of development rights – When required.

17.580.090 Transfer of development rights (TDR) – Application process – Letter of intent – Issuance of TDR certificates.

17.580.100 Transfer of development rights (TDR) – Conservation easement.

17.580.110 Transfer of development rights (TDR) – Conveyance of certified development rights.

17.580.120 Transfer of development rights (TDR) – Application of TDR certificates to receiving sites and extinguishment of TDR certificates.

17.580.130 Reinstating development rights of a sending site.

17.580.010 Purpose.

The purpose of this chapter is to create a process for certification and transfer of transferable development rights (TDR) from designated sending areas to designated receiving areas. 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 this title. The transfer of development rights from one property to another is allowed in order to provide the following:

A. Flexibility and efficient use of land and building techniques;

B. Preservation of rural character, promotion of farming areas, and provision of long-term open space opportunities;

C. A mechanism to work toward achieving policies outlined in the Kitsap County County-wide Planning Policies, Kitsap County Comprehensive Plan, applicable subarea plans and development regulations.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.020 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 noncontiguous receiving site only when the TDR is approved in accordance with the rules and procedures in this chapter.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.030 Applicability.

This chapter supplements county land use regulations and other land protection efforts by establishing a TDR process, which may be employed at a landowner’s option to certify and transfer development rights from an eligible sending site to an eligible receiving site, and which may include transfer through an open market or TDR bank. This chapter regulates the following with respect to the transfer of development rights:

A. Establishes candidate TDR sending sites to include specific Comprehensive Plan land use designations, zones, qualifying farming areas, and other rural lands, and establishes eligible TDR receiving areas;

B. Provides a method to determine the number of certified development rights that a sending site is eligible to transfer;

C. Provides a market-based TDR implementation system based on the issuance of TDR certificates that may be freely sold or otherwise transferred;

D. Requires the recording of conservation easements that restrict development on sending sites.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.040 General requirements.

A. Development Rights. Residential development rights are considered as interests in real property.

B. Transfer of Development Rights Permitted. The number of dwelling units allowed to be constructed on a sending parcel under Section 17.580.050 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 allowed only under the provisions in this chapter.

C. Transfer of Rights. In any transfer of rights, the sending parcel(s) may transfer all of its development rights to a receiving parcel or parcels, or sell its development rights to an individual, intermediate buyer, or entity.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.050 Sending areas.

A. Designation of Sending Areas. Use of TDR sending areas must provide a public benefit, i.e., the protection of that benefit by transferring residential development rights to another site is in the public interest. In addition to those areas that qualify as sending areas according to this chapter, the Kitsap County 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 TDR sending sites.

C. Sending Area Emphasis. While transfer of development rights from all sending sites is promoted, consistent with the Kitsap County Comprehensive Plan, specific areas or lot sizes may be emphasized as preferable sending sites. Such properties may receive additional incentives such as increased development rights to further encourage transfer. Such incentives shall be approved and further amended by board of commissioners resolution.

D. Additional Sending Site Qualifications.

1. Contiguity of Sending Site Lots. If a sending site consists of more than one lot, the lots must be contiguous. For purposes of this

chapter, lots separated only by a public street or right-of-way are considered contiguous.

2. **Code Compliance Required.** If the sending site is the subject of code enforcement action by the county, the responsible party, upon whom a notice of violation has been served pursuant to Chapter 2.116, must resolve the allegations of violation, which may include performance of any required abatement, restoration, or payment of civil penalties, or dismissal of charges pursuant to legal process, before development rights for the sending site may be certified or transferred by a sending site landowner. This requirement may be waived at the discretion of the director where a proposal is in the public interest; provided, that any outstanding code violations do not materially affect the conservation value of the sending site and the person responsible for code compliance is making a good faith effort to resolve the violations. Waivers granted pursuant to this subsection are solely for the purpose of TDR sending site eligibility and do not constitute a waiver of any county land use regulations or affect ongoing or future code enforcement actions related to the sending site.

3. **Forest Practices Compliance Required.** For sending sites on which the entire lot or a portion of the lot has been cleared or graded pursuant to a Class II, III or IV special forest practices permit as defined by RCW 76.09.050 within the six years prior to application for certification or transfer of development rights, the applicant must provide an affidavit of compliance with the reforestation requirements of RCW 76.09.070, WAC 222-34-010 and any additional reforestation conditions of their forest practice permit. Sending sites that are subject to a six-year moratorium on development applications pursuant to RCW 76.09.060 shall not be qualified as TDR sending sites until the moratorium has expired or been lifted.

4. Land already encumbered by a conservation easement shall not be eligible as a TDR sending site.

5. Any land below ordinary high water of any fresh or saltwater body shall not be eligible as a TDR sending site.

6. Development rights allocated to eligible sending sites may be converted to TDR certificates which may be transferred to eligible receiving sites through the TDR transfer process. After completion of the conveyance of a sending site's development rights, the property shall be maintained in a condition that is consistent with the TDR conservation easement imposed under Section 17.580.100. (Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.060 Sending site calculations.

A. **Calculation for Transfer Purposes Only.** The determination of the number of development rights that a sending site is eligible to transfer pursuant to this section, shall be valid for transfer purposes only, and does not entitle the sending site to building permits or other development approvals, or change the sending site property's zoning classification.

B. **Number of Certified Development Rights.** The number of residential development rights that a sending site is eligible to transfer under this program shall be the larger of:

1. The number of legal lots that comprise the sending site; or

2. The number that is determined by applying the sending site base density dictated by the underlying zoning as established in Sections 17.420.052 through 17.420.058 to the gross area of the sending site.

C. **No Fractional TDRs.** Any fractions of development rights that result from the calculations in subsection (B) of this section shall be rounded to the nearest whole number. Less than one-half shall be rounded down. Greater than or equal to one-half shall be rounded up.

D. **Sending Site Area.** For purposes of calculating the number of development rights that may be transferred from a sending site, the

gross area of a sending site shall be determined as follows:

1. If the sending site is comprised of one or more undivided tax parcels, the acreage shall be determined by:

a. Kitsap County assessor records; or

b. A survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the state of Washington.

2. If the proposed sending site includes one or more partial lots or involves a short subdivision or boundary line adjustment, then the applicant is required to provide, at the applicant's cost, a survey that has been prepared and stamped by a surveyor licensed in the state of Washington.

3. Any portion of the sending site that is already subject to a conservation easement or other recorded encumbrance restricting development on the sending site shall be subtracted from the sending site area before applying the base density calculation under subsection (B) of this section.

4. Any portion of the sending site used for residential development or reserved for future residential development shall be subtracted before applying the base density calculation under subsection (B) of this section.

E. For purposes of determining the number of development rights that may be certified for transfer from a sending site, the number of existing and proposed residential dwelling units, if any, to be retained on the sending site shall be subtracted from the number of development rights eligible for transfer as determined pursuant to subsection (B) of this section.

F. TDR Calculation Final. Upon issuance of the TDR certificate letter of intent, the determination of the number of certified development rights that a sending site is eligible to transfer to a receiving site pursuant to subsection (B) of this section is final and shall not be revised due to subsequent rezones or other changes to the sending site.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.070 Receiving areas and exchange rates.

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 are those within an urban growth area or are proposed to be included within an urban growth area by a Comprehensive Plan amendment, site-specific application or subarea plan.

C. Exchange Rates. For eligible receiving sites, the transfer to and use of TDR credits on a receiving site shall occur consistent with applicable development regulations established in the program authorizing use of TDR at the receiving site.

1. For receiving areas defined in subsection (B) of this section, exchange rates are established by resolution of the board of county commissioners.

2. Required development rights are calculated on a per acre basis. All fractional acreages shall be rounded up to the higher exchange rate.

3. Exchange rates shall be periodically evaluated and may be modified to ensure they reflect market conditions.

(Ord. 617 (2022) § 29, 2022; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

**17.580.080 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

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requesting a higher density or intensity designation may require a transfer of development rights. 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 shall be established by resolution of the board of county commissioners.

B. **Rezoning.** Rezoning requesting a higher density or intensity zone shall require a transfer of development rights. Rezoning 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 shall be established by resolution of the board of county commissioners.

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 subarea 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.

(Ord. 550 (2018) § 31, 2018; Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.090 Transfer of development rights (TDR) – Application process – Letter of intent – Issuance of TDR certificates.

A. **Application for TDR certificates.** In order to obtain TDR certificates, the sending site owner(s) or authorized agent must submit an application for TDR certificates. The applicant for TDR certificates will submit on a form provided by the county, a calculation of the number of development right credits that proposed to be certified in accordance with Section 17.580.060, subject to review and approval by the director. The department shall use the application to determine whether the sending site meets the requirements of Section 17.580.050 and, if so, the number of development rights that the sending site is eligible to transfer pursuant to Section 17.580.060. The application shall include all of the following:

1. Legal description and parcel numbers of the sending site for which TDR certificates are sought.

2. The following documents, which shall be used as the basis for determining transferable development rights pursuant to Section 17.580.050:

a. If the sending site consists of one or more undivided tax parcels, the applicant(s) shall provide either official records from the Kitsap County assessor or a survey that has been prepared and stamped by a surveyor licensed in the state of Washington.

b. If the sending site includes portions of one or more tax parcels, the applicant(s) shall provide a survey that has been prepared and stamped by a surveyor licensed in the state of Washington.

c. If one or more single-family dwellings or other residential, commercial, or industrial structures exist on the sending site, the applicant(s) shall submit a site map showing the location of each dwelling unit and other structures.

d. If the applicant(s) propose to build one or more single-family dwellings, or other residential structures permitted by the sending site

zoning, following the issuance of TDR certificates for the sending site, the applicant(s) shall submit a general site plan showing the number and location of proposed dwelling units, together with any proposed subdivision, short subdivision, boundary line adjustment, or tax lot segregation.

3. A title report issued no longer than thirty days prior to the date of application confirming that the ownership interest(s) in the sending site are in the name(s) of the person(s) whose signature(s) appear on the application for TDR certificates and that there are no existing conservation easements on the sending site.

4. A declaration by the applicant(s) describing the status of ongoing code enforcement actions, if any, relating to the sending site and the steps taken by the applicant to resolve the violations.

5. Any applicable review or other fees.

6. If the information required by this section is inadequate or unavailable, the department may require additional documentation from the applicant or rely on information contained in the county geographic information system or other county records.

B. Certification of TDR Letter of Intent.

1. Following application for TDR certificates by the sending site owner or authorized agent, staff shall verify the development right credit calculations prior to issuing a TDR certificate letter of intent.

2. The department will issue a TDR certificate letter of intent upon verification of sending site eligibility under this chapter. The letter shall contain a determination of the number of development rights calculated for the sending site pursuant to Section 17.580.060 and an agreement by the department to issue a corresponding number of TDR certificates in exchange for a sending site conservation easement granted to the county by the sending site owner pursuant to Section 17.580.100. The sending site owner may use the TDR certificate letter of intent to market sending site development rights to potential purchasers, but the

TDR certificate letter of intent shall have no intrinsic value and cannot be transferred or used to obtain increased density within receiving areas. A TDR certificate letter of intent shall be valid for a period of five years from the date of issuance. If a TDR certificate letter of intent has not been converted to serially numbered TDR certificates within five years from the date of issuance, the landowner must reapply to the program to update the determination of eligibility and calculation of development rights for the sending site.

3. As provided by the TDR certificate letter of intent, the department shall issue serially numbered TDR certificates to the sending site owner upon acceptance and recording of a county-approved conservation easement pursuant to the requirements of this section and Section 17.580.100; provided, however, that the department shall have thirty days from the date the conservation easement is offered by the sending site owner in which to conduct, at its discretion, a review of the sending site permit file and/or a site inspection. If, based on such a review, the department determines that conditions on the sending site are materially different than those documented in the application and county review under this section, the department shall reject the conservation easement and the TDR certificate letter of intent shall be null and void. Where a TDR certificate has been determined to be null and void pursuant to this subsection, a sending site owner may reapply for TDR certificates and such reapplications shall be subject to the requirements of this section.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.100 Transfer of development rights (TDR) – Conservation easement.

A. TDR Conservation Easement Required. No TDR certificates shall be issued pursuant to Section 17.580.090 unless a conservation easement is accepted by the director pursuant to the requirements of this section.

B. Acceptance and Recording of TDR Conservation Easement. Subject to the restrictions of Section 17.580.090(B)(3), the director shall accept and sign on behalf of the county a conservation easement offered by a sending site owner in exchange for TDR certificates following issuance of a TDR certificate letter of intent; provided, however, that the easement meets the requirements set forth in subsection (C) of this section. Following acceptance of a conservation easement by the director, the department shall record the easement with the county auditor and shall notify the assessor.

C. Requirements for TDR Conservation Easement. The conservation easement shall be on a form approved by the prosecuting attorney and shall be reviewed and approved by the department, subject to the requirements of this section. The easement shall contain, at a minimum, all of the following:

1. A legal description of the sending site.
2. The serial numbers of the TDR certificates to be issued by the department on the sending site that is the subject of the conservation easement.
3. A covenant prohibiting any subdivision of the sending site except for subdivisions, if any, that were proposed in the documentation submitted to the department pursuant to Section 17.580.090(A)(2)(d).
4. A covenant prohibiting all uses that impair or diminish the functions and values of the property that comprise the public benefit being conserved, which, depending on the property will include the agricultural or forest use, and may include watershed function, habitat, or open space use, and prohibiting the construction of any new residential structures in the easement area.
5. A covenant that all provisions of the conservation easement shall run with the land and bind the sending site in perpetuity, and may be enforced by the county.
6. A statement that nothing in the restrictions shall be construed to convey to the public a right of access or use of the property and that

the owner of the property, his or her heirs, successors and assigns shall retain exclusive rights to such access or use subject to the terms of the conservation easement.

7. Additional provisions that are reasonably necessary for the enforcement and administration of the conservation easement as determined by the director, including a covenant granting the county a right of entry, subject to reasonable advance notice, to conduct brief inspections for the sole purpose of determining compliance with the requirements of the easement.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.110 Transfer of development rights (TDR) – Conveyance of certified development rights.

A. Conveyance of Certified Development Rights Authorized. Subject to the requirements of this section, TDR certificates issued pursuant to Section 17.580.090 may be sold or otherwise conveyed and held indefinitely before certified development rights are applied to a receiving site pursuant to Section 17.580.120.

B. Deed of Transferable Development Rights Required. TDR certificates issued pursuant to Section 17.580.090 shall be sold or otherwise conveyed only by means of a deed of transferable development rights meeting the requirements of this section.

C. Recording of Deed and Notice of Transfer. At the time a TDR certificate is conveyed, the parties shall record the deed of transferable development rights documenting the conveyance. The department shall review and approve the deed of transferable development rights, subject to the requirements of this section, prior to its recording. Costs associated with the recordation shall be paid by the seller.

D. Contents of Deed. The deed of transferable development rights required by subsection (B) of this section shall specify the number of certified development rights sold or otherwise conveyed and shall be on a form provided by the department and approved by the prosecu-

ing attorney. The deed of transferable development rights must include:

1. A legal description and map of the sending site.

2. The names of the transferor and the transferee and the serial number(s) of the TDR certificates being transferred.

3. A covenant that the transferor grants and assigns to the transferee a specified number of certified development rights from the sending site.

4. Proof of ownership of the sending site by the transferor or, if the transferor is not the owner of the sending site, a declaration that the transferor has either:

a. Sold the sending site but retained the TDR certificates issued for the sending site pursuant to Section 17.580.090; or

b. Obtained TDR certificates previously conveyed by an original deed of transferable development rights, which shall be identified by date of execution, the names of the original transferor and transferee, and the volume and page where it was recorded with the auditor.

5. Certification of the number of certified development rights on the sending site and copies of the TDR certificates issued by the department for the sending site pursuant to Section 17.580.090.

6. Proof of payment to the state of any required excise taxes and payment to the county of recording fees for the transaction.

7. Proof of the execution and recordation of a conservation easement on the sending site, as required by Section 17.580.100.

8. The signature of the department staff member(s) who have reviewed the deed for completeness.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.120 Transfer of development rights (TDR) – Application of TDR certificates to receiving sites and extinguishment of TDR certificates.

A. Application to a TDR Receiving Site. TDR certificates shall be considered applied to

a receiving site when the agency with jurisdiction has made a final decision approving the receiving site development activity for which the TDR certificates are provided.

B. Effect of Applying TDR Certificates to a Receiving Site. TDR certificates that have been applied to a receiving site pursuant to subsection (A) of this section shall be considered void by the county and may not be applied to receiving sites pursuant to this chapter; provided, however, that if a decision approving a receiving site development activity is appealed, the TDR certificates provided in connection with that approval shall not be considered void under this section unless the decision approving the development activity is affirmed following the exhaustion of all administrative and judicial appeals.

C. TDR Extinguishment Document Required. Upon application to a receiving site pursuant to subsection (A) of this section, the applicant receiving approval of a receiving site development activity shall provide a TDR extinguishment document to the department. The TDR extinguishment document shall be on a form provided by the department and shall include the serial number of each TDR certificate that has been applied to a receiving site and the legal description of the receiving site to which the certificate(s) have been applied.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.580.130 Reinstating development rights of a sending site.

Unless otherwise prohibited by the board of county commissioners in the annual Comprehensive Plan amendment docketing resolution, properties that have transferred their development right to an approved receiving site and have been included in an urban growth area expansion through subarea plan or similar area-wide planning effort may have their development right(s) reinstated for development at urban densities. The reinstatement shall be automatic after review and approval of the Compre-

hensive Plan amendment and associated SEPA review.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.590

APPEALS

Sections:

17.590.010 Procedure.

17.590.010 Procedure.

All appeals shall follow the process outlined in Title 21, Land Use and Development Procedures.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.600

REVOCATION OF PERMITS OR VARIANCES

Sections:

17.600.010 Revocation for noncompliance with conditions.

17.600.020 Public hearing and public notice.

17.600.010 Revocation for noncompliance with conditions.

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

shall follow the procedures otherwise specified herein for zone changes.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.600.020 Public hearing and public notice.

The hearing examiner shall hold a public hearing on any proposed revocation after giving written notice to the permittee and to other owners of property consistent with Title 21.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.610

ENFORCEMENT

Sections:

17.610.010 Authorization.

17.610.020 Penalties.

17.610.030 Nuisance.

17.610.040 Permit or license in violation.

17.610.050 Written assurance of discontinuance.

17.610.010 Authorization.

The director is authorized to enforce this title, and to designate county employees as authorized representatives of the department to investigate suspected violations of this title, and to issue orders to correct violations and notices of infraction.
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.610.020 Penalties.

The violation of any provision of this title shall constitute a Class I civil infraction. Each violation shall constitute a separate infraction for each and every day or portion thereof during which the violation is committed, continued or permitted. Infractions shall be processed in accordance with the provisions of the adopted Kitsap County civil enforcement ordinance (Chapter 2.116).
(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.610.030 Nuisance.

Any use, building or structure in violation of this title is unlawful, and a public nuisance.

Notwithstanding any other remedy or means of enforcement of the provisions of this title, including but not limited to Chapter 9.56 pertaining to the abatement of public nuisances, the prosecuting attorney, any person residing on property abutting the property with the proscribed condition, and the owner or owners of land abutting the land with the proscribed condition may each bring an action for a mandatory injunction to abate the nuisance in accordance with the law. The costs of such a suit shall be taxed against the person found to have violated this title.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.610.040 Permit or license in violation.

Any permit or license issued by the county which was not in conformity with provisions of this title then in effect is null and void.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

17.610.050 Written assurance of discontinuance.

The director may accept a written assurance of discontinuance of any act in violation of this title from any person who has engaged in such act. Failure to comply with the assurance of discontinuance shall be a further violation of this title.

(Ord. 534 (2016) § 7(5) (App. E) (part), 2016)

Chapter 17.700

APPENDICES

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Appendix F	Allowed Uses and Additional Regulations for Parcels Located Within the Boundary of the Port Gamble Redevelopment Plan Approved Pursuant to Section 17.360C.030.

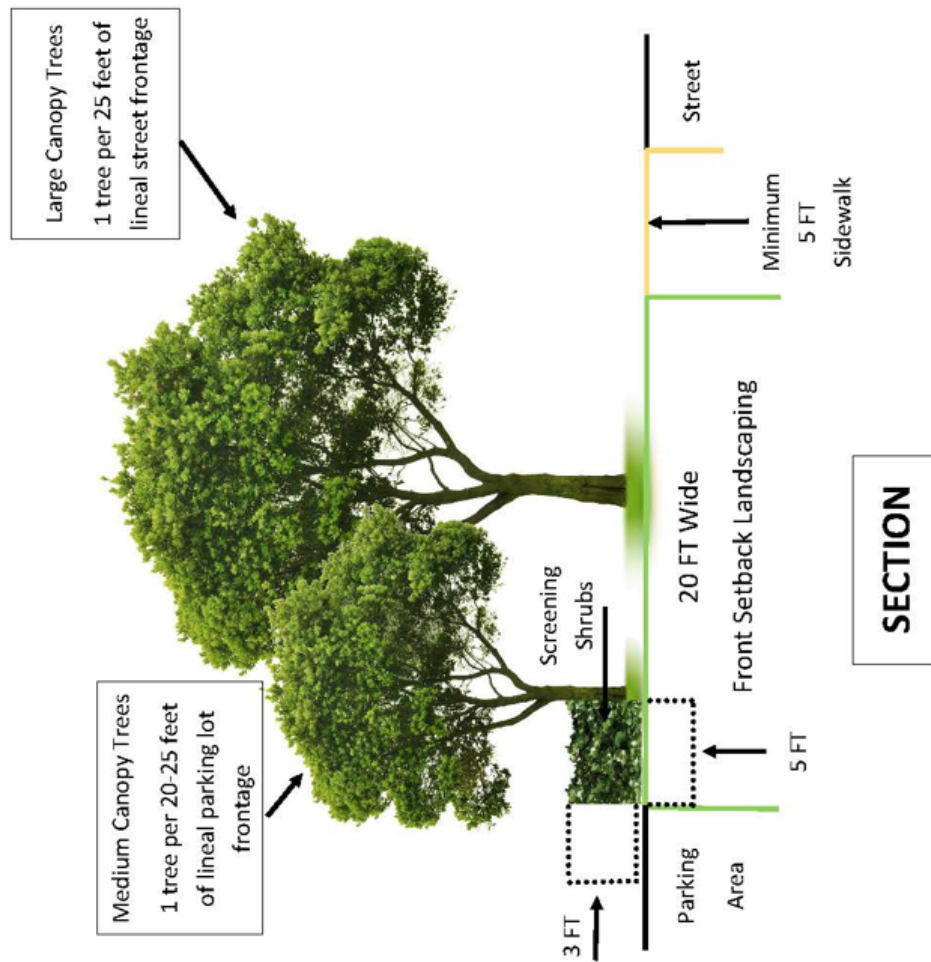
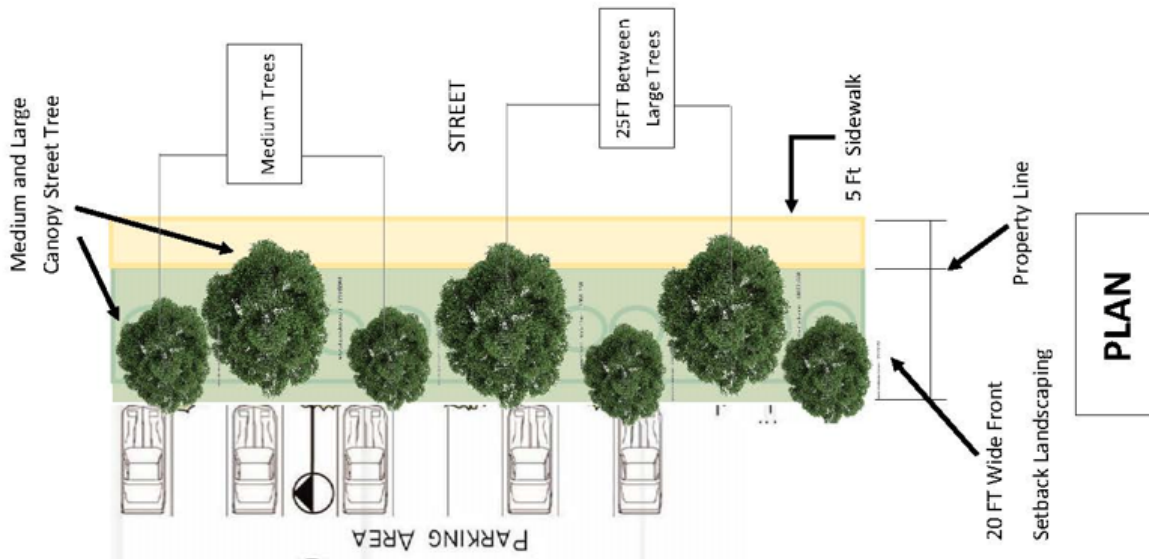
Appendix A

PARKING LOTS: STREET TREES, LANDSCAPING, DESIGN

Refer to Chapter 17.490, Off-Street Parking and Loading, and Chapter 17.500, Landscaping.

STREET TREES & PARKING LOT LANDSCAPING

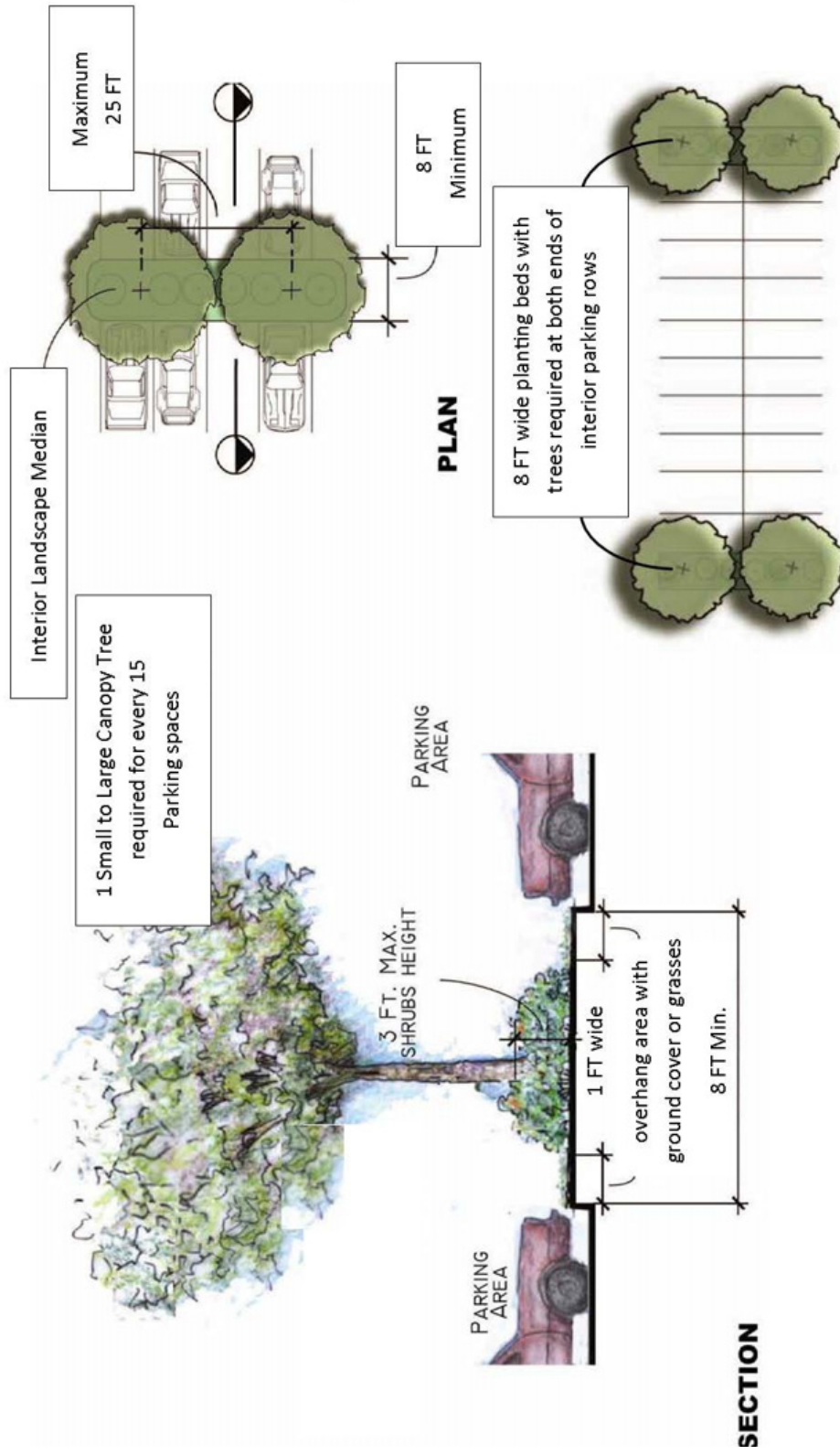
Illustrative Sketch—Not to Scale



INTERIOR PARKING LOT LANDSCAPING

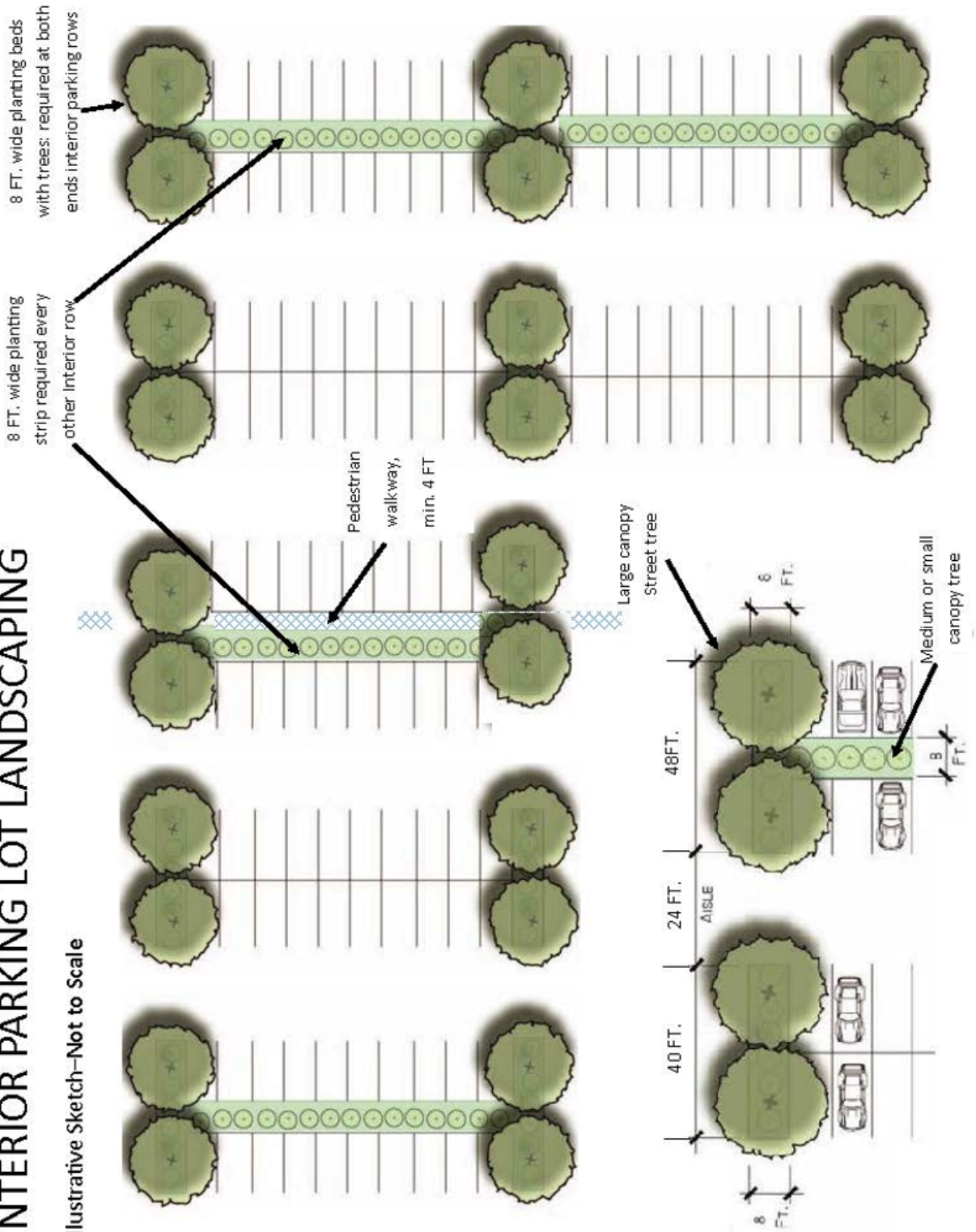
Trees, shrubs, grasses & groundcover planting

Illustrative Sketch—Not to Scale



INTERIOR PARKING LOT LANDSCAPING

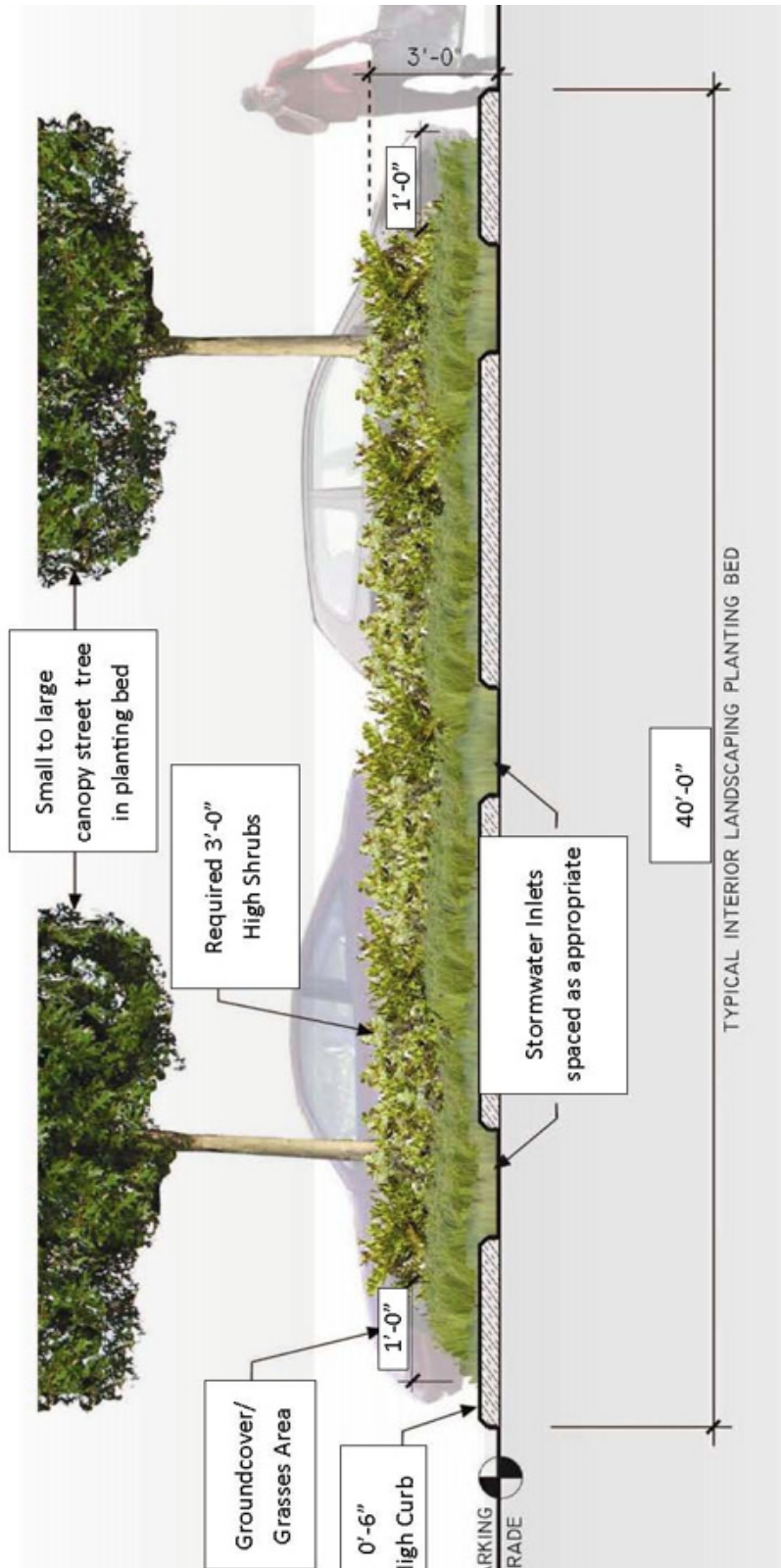
Illustrative Sketch—Not to Scale



STORMWATER RETENTION CELL

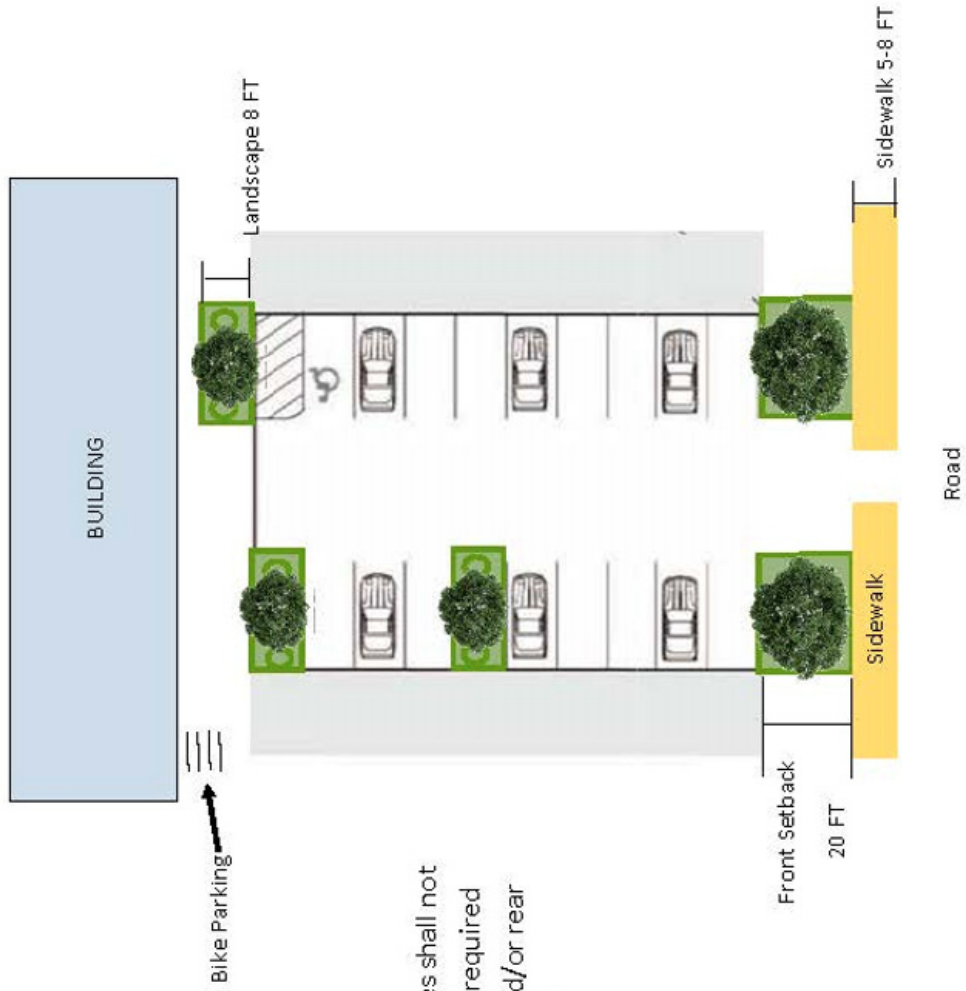
Interior Landscaping

Illustrative Sketch—Not to Scale



MALL PARKING LOT EXAMPLE

strative Sketch—**Not to Scale**

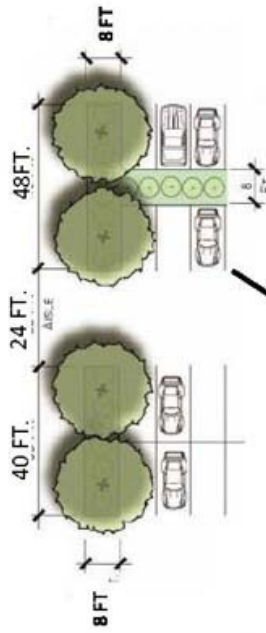


- Parking spaces shall not be located in required front, side and/or rear setback area

LARGE PARKING LOT

Illustrative Sketch—Not to Scale

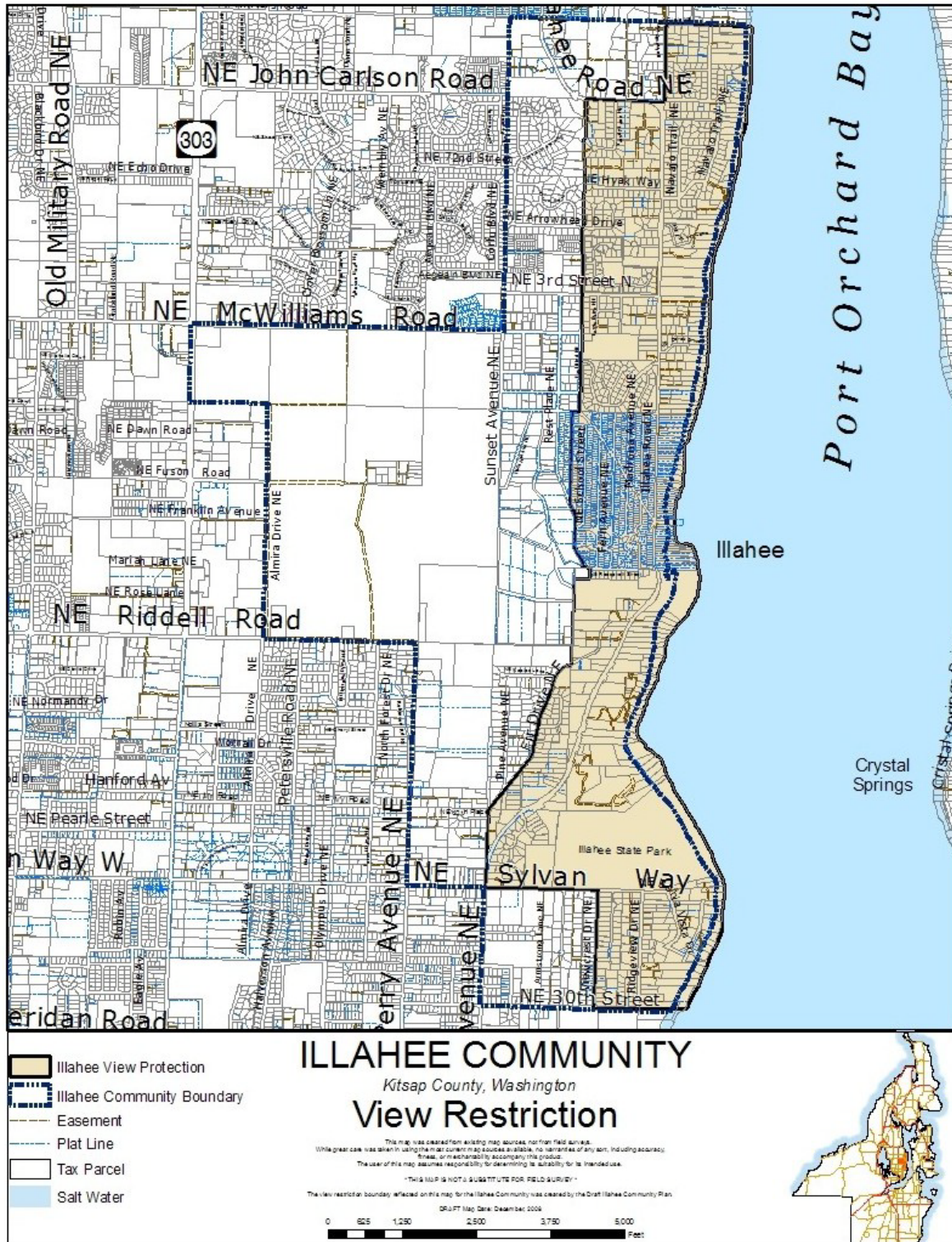
- Minimum of a 4' Parking Lot Pedestrian Access shall be provided to building entrances
- Parking spaces shall not be located in required front, side and rear setback areas



(Ord. 540 (2016) § 56 (Att. 3), 2016)

Appendix B1

ILLAHEE VIEW PROTECTION OVERLAY MAP



(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020; Ord. 565 (2018) § 14(7) (Att. 7) (part), 2018)

Appendix B2

MANCHESTER VIEW PROTECTION OVERLAY MAP

Appendix B2 is available online as a PDF document.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

Appendix C1

DESIGN STANDARDS FOR THE COMMUNITY OF KINGSTON

Appendix C1 is available online as a PDF document.

(Ord. 587 (2020) § 9(5) (Att. 5) (part), 2020)

Appendix C2

KEYPORT DESIGN STANDARDS AND DISTRICT MAP

Appendix C2 is available online as a PDF document.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

Appendix C3

SILVERDALE DESIGN STANDARDS AND DISTRICT MAP

Appendix C3 is available online as a PDF document.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

Appendix C4

MANCHESTER DESIGN STANDARDS AND DISTRICT MAP

Appendix C4 is available online as a PDF document.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

Appendix D1

KITSAP COUNTY AGRICULTURAL LANDS – FARM FOCUS AREA MAPS

Appendix D1 is available online as a PDF document.

(Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020)

Appendix E1

HIGH CAPACITY TRANSIT STATION AREA – KINGSTON

Appendix E1 is available online as a PDF document.

(Ord. 587 (2020) § 9(5) (Att. 5) (part), 2020)

Appendix F

**ALLOWED USES AND ADDITIONAL REGULATIONS FOR PARCELS LOCATED
WITHIN THE BOUNDARY OF THE PORT GAMBLE REDEVELOPMENT PLAN
APPROVED PURSUANT TO SECTION 17.360C.030.**

Appendix F is available online as a PDF document.

(Ord. 611 (2022) § 189, 2022)