



# Kitsap County Department of Community Development

## FORMAL DIRECTOR'S INTERPRETATION

**Date:** January 24, 2019

**Location:** Applicable to development within Kitsap County

### **Subject of Interpretation**

Kitsap County Code (KCC) 17.420.060.A.14 *Rural, Resource, and Urban Residential Zones Density and Dimensions Table; Footnotes* applies to the Manchester Limited Area of More Intensive Rural Development (LAMIRD) residential zones and reads in part "...Height shall be measured from the average elevation of the property's buildable area to the structure's highest point." The *average elevation* component of this section is subject to interpretation.

### **Cause for Interpretation**

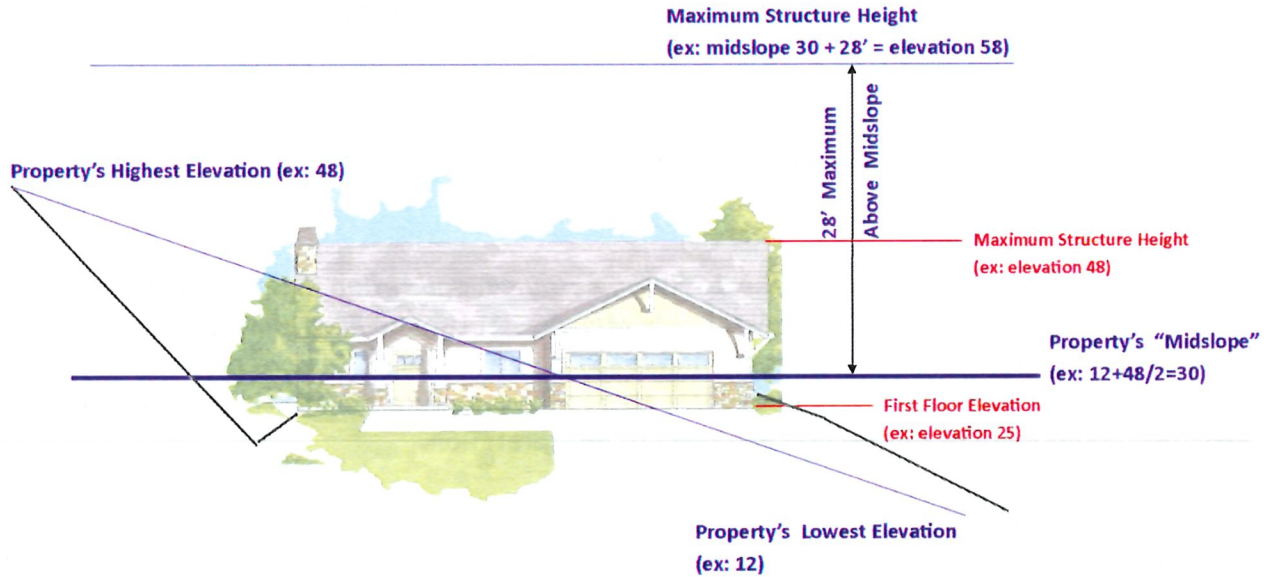
This interpretation addresses differing methods to determine height, reduce complexity and cost, and provides a consistent practice for DCD reviewers, contractors and the public for development within the Manchester LAMIRD. With the change for the Manchester LAMIRD, Kitsap County will have one consistent method to determine height.

This interpretation is solely related to height measurement standards under Title 17 17.420.060.A.14 and does not address the legalities under state law. Furthermore, this interpretation may not be construed as an authorization to circumvent or violate state or federal laws.

### **Background**

This interpretation is prompted by concerns about determining an "average elevation of a buildable area" within the Manchester LAMIRD. While the definition of a buildable area is clear, an average elevation can be difficult to determine. For example, if a rolling buildable area has four corners, each with a different elevation, determining the average elevation would require fairly complex modeling, time and costs. This is not the intent of the code, and there is a simpler alternative.

DCD Building and Fire Services have advised that the "midpoint of the slope" of the buildable area is a reasonable and practiced approach used in other areas of Kitsap County. Once the midpoint is determined, the balance of height determination falls into place, where "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." (KCC 17.420.020.C *Zoning; Measurement Methods; Height*)



**Interpretation**

Title 17 *Zoning* guides development within Kitsap County. It discusses dimensional limitations of development, including height. By using *midpoint of the slope* of a buildable area, rather than the *average elevation* of the buildable area, the code will ensure height is consistently and reasonably determined in the Manchester LAMIRD, as it is elsewhere throughout Kitsap County.

**Conclusion**

To determine height of structures as limited by KCC 17.420 *Density, Dimensions, and Design*, DCD will be using the midpoint of the slope of a buildable area Countywide. DCD will propose this administrative clarification at the next earliest opportunity.

*This decision is a final Type 1 decision of DCD and may be appealed within 14 days of the mailing date noted above pursuant to KCC 21.04.290.*

*Scott Diener*

Jan 24, 2019

*Jim Bolger*

Author of the Interpretation  
 Scott Diener  
 Manager, DSE

Date

Approved By  
 Jim Bolger  
 Interim Director