



Planning Commission Executive Summary

Issue Title: Zoning Use Table Update
Meeting Date: July 20, 2021
Time Required: 60 minutes
Department: Department of Community Development (DCD)
Attendees: Angie Silva, Liz Williams, Darren Gurnee

Action Requested At This Meeting:

1) No action requested – review and discuss the scope of amendments matrix for the Zoning Use Table Update.

Background

Since 2019, the Department of Community Development (DCD) has been working to update the allowed use tables found in Kitsap County Code Title 17 ‘Zoning’, Chapter 17.410.

Following multiple months of review and outreach on a preliminary draft, DCD postponed this project in October 2020 to 1) recognize budget reductions due to COVID-19 2) work with Port Gamble landowner and Tribes on Port Gamble use table amendments adopted in April, 2020 and 3) allow DCD to focus on two state-mandated projects. Internal coordination between County Departments and feedback from interested parties and key partners supported the development of proposed revisions throughout the process.

The primary goal of the Zoning Use Table Update is to reduce barriers to investment in Urban Growth Areas (UGA), Limited Areas of More Intense Rural Development (LAMIRD), and the rural commercial and rural industrial zones. Attachment 1: Zoning Use Table Update – Scope of Amendments Matrix discusses how the proposal achieves this goal and provides more detail for each of the following topics:

- Housing Equity and Diversity (including “missing-middle”, multi-family, accessory, and attached housing). The proposal:
 - Diversifies the types of housing allowed, consistent with allowed densities.
 - Aligns permissibility review with the purpose and intent of the zone for all housing types.
 - Revises development standards for Accessory Dwelling Units (ADU) located in Urban Growth Areas.
 - Applies multi-family housing design criteria to all multi-family developments.
- Economic Development (including local services, complete communities, trip reduction, and walkable and bikeable communities). The proposal:

- Allows uses or reduces the permit review required based on the scale of the project.
- Allows small scale commercial uses in residential zones .
- Allows small scale commercial uses in industrial zones.
- Reduces permit review requirements for public facilities in most zones.
- Combines categorical uses.
- Adds categorical uses.
- Splits categorical uses into more specific categories, typically differentiated by size.
- Establishes use standards for new categorical uses.
- Allows activities in the Parks zone that create a community benefit and support Parks operations.
- Making the Code Easier to Use. The proposal:
 - Adds or clarifies definitions
 - Relocates use table footnotes
 - Transfers uses from other locations in code
 - Revises the use table format to make it user friendly
 - Adds Appendix F to carve out code adopted in April 2020 regarding the Port Gamble Redevelopment Plan.

This update and scope of work does not:

- Revise Comprehensive Plan or Sub-Area Plans Vision, Goals and Policies.
- Revise other development requirements in Title 17 (Zoning) such as allowed density and zone purposes.
- Does not revise allowed uses for the unincorporated Poulsbo UGA as it is governed by a separate Interlocal Agreement with the City of Poulsbo as it pertains to zoning requirements.

The July 20 meeting will review the public feedback received in the past (see Attachment 1: Zoning Use Table Update – Preliminary Public Feedback) and the summary of the code amendments proposed by the Department (see Attachment 1: Zoning Use Table Update – Scope of Amendments Matrix) ahead of releasing the public draft and staff report at the end of July, 2021. The preliminary feedback document includes feedback received up to January 2020. The preliminary feedback document does not include the additional discussions regarding regulations for urban Accessory Dwelling Units, the Port Gamble Redevelopment Plan area “carve out”, or splitting the Public Facilities categorical use.

Attachments:

Attachment 1: Zoning Use Table Update – Preliminary Public Feedback

Attachment 2: Zoning Use Table Update – Scope of Amendments Matrix



Preliminary Feedback

This attachment summarizes input received during development of conceptual changes to the zoning use table. The Department will analyze these comments when developing a preliminary draft for the planning commission public review process.

This document reflects meetings with:

• Planning Commission Work Study Sessions (PC)	July – Sept 2019
• Presentation Group Comments (PG)	Oct – Nov 2019
• Online Comments (OC)	Nov – Dec 2019
• Workshop Group (WG) – Conceptual Changes	12/10/2019
• Workshop Group (WG) – Conceptual Changes	12/11/2019

Workshop Group – Conceptual Changes Attendance			
Organization	Last Name	First Name	Workshop Group
DAG	Disney	Bob	1
KCAC	Skalican	Svetlana	2
Kitsap Commercial / Investment Brokers	Killoran	Merv	2
MCAC	Kaltenborn-Corey	Kari	2
KBA Developers Council	Shipplet	Russ	2
KEDA	Powers	John	3
DAG	Palmer	Bill	3
Kitsap Commercial / Investment Brokers	Johnson	Loren	3
DAG	Coombe	Jeff	1
All Ports	Bailey	Jack	1
MCAC	Thomspon	Carrilu	1
DAG	Kenworthy	Berni	2
KAPO	Gustavson	Michael	2
KBA Developers Council	Lindsey	Gary	2
All Ports	Bakker	Arne	2
KBA Developers Council	Holmes	Levi	3
Kitsap Commercial / Investment Brokers	Sly	Morgan	3
Kitsap Commercial / Investment Brokers	Gartin	Garet	3



Table of Contents

GENERAL COMMENTS 6

1. Project Process..... 6
2. Why is a use P, ACUP, or CUP? 6
3. Uses – Integration..... 6
4. Allow commercial in residential?..... 6
5. Allow residential in commercial, industrial in commercial? Commercial in industrial? 6
6. Density applied to building permits?..... 6
7. Uses – Mixed-use development. 7
8. Cottage homes vs. manufactured home park? 7
9. Zones – Rural Industrial and Rural Commercial. 7
10. Development measures. 7
11. Open Houses. 7
12. Climate change..... 7

RESIDENTIAL USES (RES) 7

13. RES – Accessory Dwelling Units (ADU) and Accessory Living Quarters (ALQ). 7
14. RES – Guest house..... 8
15. RES – Adult family home. 8
16. RES – Boarding house..... 8
17. RES – Domestic Violence Shelter. 8
18. RES – Duplex..... 8
19. RES – Assisted or independent living facility. 8
20. RES – Convalescent housing or congregate care facility..... 8
21. RES – Cottage homes. 8
22. RES – Dwelling, existing..... 9
23. RES – Dwelling, multifamily..... 9
24. RES – Apartments..... 9
25. RES – Dwelling, Condominium or Townhouse..... 9
26. RES – Single Family Home Detached..... 9
27. RES – Manufactured homes..... 9
28. RES – Manufactured home/RV/park model/tiny home park, long-term. 9
29. RES – Mobile homes..... 9
30. RES – Tiny homes. 9
31. RES – Home business. 10
32. RES – Live work units..... 10
33. RES – Day cares and Montessori schools..... 10
34. RES – Manchester Village Commercial (MVC). 10
35. RES – Zone consolidation - LAMIRDS..... 10
36. RES – Zone consolidation. 10
37. RES – Port properties. 10
38. RES – Frontage improvements..... 10
39. RES – Consolidate residential uses into fewer categories. 10
40. RES – Housing shortage..... 11

COMMERCIAL USES (COMM)..... 11



41. COMM – Auction House..... 11

42. COMM – Car washes..... 11

43. COMM – Fuel or charging station, without convenience store..... 11

44. COMM – Automobile, recreational vehicle or boat sales..... 11

45. COMM – Brew pubs..... 11

46. COMM – Clinic, medical..... 11

47. COMM – Conference center..... 11

48. COMM – Drinking establishments..... 11

49. COMM – Fitness center..... 12

50. COMM – General office and management stores..... 12

51. COMM – General retail merchandise stores..... 12

52. COMM – Kennels or pet day-cares..... 12

53. COMM – Nursery (retail and wholesale)..... 12

54. COMM – Personal services..... 12

55. COMM – Research laboratory..... 12

56. COMM – Restaurants..... 12

57. COMM – Marijuana retailer..... 13

58. COMM – Event facility..... 13

59. COMM – Event facility – Regulations..... 13

60. COMM – Event facility – Parking..... 13

61. COMM – Resort..... 13

62. COMM – Adaptive reuse of commercial buildings..... 13

63. COMM – Wireless communication facilities..... 13

64. COMM – Hotel/motel..... 13

65. COMM – Veterinary clinics..... 13

66. COMM – Shared work/maker space..... 13

67. COMM – Scaling..... 14

68. COMM – Easements..... 14

INDUSTRIAL USES (Ind)..... 14

69. IND – Assembly and packaging operations..... 14

70. IND – Funeral homes..... 14

71. IND – Contractor’s storage yard..... 14

72. IND – Recycling centers..... 14

73. IND – Storage..... 14

74. IND – Marijuana processor..... 14

75. IND – Marijuana producer..... 14

76. IND – Data center..... 15

INSTITUTIONAL USES (INST)..... 15

77. INST – Hospitals..... 15

78. INST – Places of worship..... 15

79. INST – Schools in residential areas..... 15

80. INST – Schools – Splitting..... 15

81. INST – Stormwater infrastructure/Wetland mitigation bank..... 15

82. INST – Transportation terminals, non-marine..... 15



RECREATIONAL USES (REC) 16

83. REC – Club, civic or social. 16

84. REC – Marinas..... 16

85. REC – Marina support services..... 16

86. REC – Entertainment facility, outdoor. 16

87. REC – Aquarium, arboreta, botanical garden, zoo..... 16

88. REC – Parks..... 16

89. REC – Race track..... 16

90. REC – Recreational facilities..... 16

91. REC – Shooting/gun range, indoor..... 17

92. REC – Shooting/gun range, outdoor..... 17

RESOURCE USES 17

93. Resource Uses – Mineral Resource Overlay (MRO)..... 17

94. Resource Uses – Hatcheries..... 17

ACCESSORY (ACC) AND TEMPORARY USES (TEMP) 17

95. ACC – Caretaker’s dwelling..... 17

96. TEMP – Special care residence..... 17

97. TEMP – Espresso stands..... 17

98. TEMP – Garage sales..... 17

99. TEMP – Mobile vendor..... 18

100. TEMP – Farmer’s market..... 18

101. TEMP – Firework sales..... 18

102. TEMP – Carnival or circus..... 18

PARKING LOT ITEMS (PL) 18

103. PL – Transitory Accommodations..... 18

104. PL – Shipyard..... 18

105. PL – Bed and Breakfast House..... 18

106. PL – Predictable sewer needed..... 19

107. PL – Sewer – Footnote 48..... 19

108. PL – Housing Affordability/GMA..... 19

109. PL – Nonconforming uses..... 19

110. PL – Max lot size..... 19

111. PL – LAMIRDs..... 19

112. PL – Vacation Rentals..... 19

113. PL – Rural Zones – RES – ADU’s..... 20

114. PL – Rural Zones – RES – Home businesses..... 20

115. PL – Rural Zones – RES – Urban Fringe..... 20

116. PL – Rural Zones – COMM – Fuel or charging station, without convenience store... 20

117. PL – Rural Zones – IND – Boat yard..... 20

118. PL – Rural Zones – REC – Marina support services..... 20

119. PL – Rural Zones – REC – RV camp park..... 20

120. PL – Rural Zones – Resource Uses – Aggregate extraction..... 20

121. PL – Rocky Point Annexation..... 20

122. PL – Hwy 303/Brownsville Hwy Zoning..... 20



123. PL – Manchester parcels..... 21



GENERAL COMMENTS

1. Project Process.

- **WG:** A general legislative history of the document and/or explanation for changes would be helpful.
- **WG:** Six-month minimum rollout requested.
- **WG:** Would be helpful to do this exercise with DSE staff.
- **OC – 2019 ZUT-005:** Would like to be involved in the process. Who should I contact?

2. Why is a use P, ACUP, or CUP?

- **WG:** CUP cost can effectively prohibit the use, shouldn't be required for small impact uses.
- **WG:** CUP provides more opportunity for public input.
- **WG:** Need for SEPA mitigation could prompt the need for a CUP.
- **WG:** Appeal routes are different
 - Building permit through LUPA vs. hearing examiner through GMHB or superior court.

3. Uses – Integration.

- **WG:** The more we can integrate low intensity commercial uses in residential areas, the better.
- **WG:** Allow more residential in commercial areas. We need to be flexible. Need for live/work.
- **WG:** Allow more businesses and services in neighborhoods. People want them close to their homes.
- **WG:** Commercial uses to allow in residential zones: personal services, retail, food/beverages bars, day-care centers - create sense of community, third places.
- **WG:** Generally supportive of mingled uses.
- **WG:** Allowing general office (uses 246 & 248) and general retail (uses 252 & 254) supports GMA Goal 3 "Transportation." While GMA goal 3 "Transportation" does not address reducing trips through "work from home," the commercial use tables are far too restrictive in that they fail to recognize time and distance travel reduction benefits of siting employment in or close to home. As much as possible, work related activities should be allowed in each zone.

4. Allow commercial in residential?

- Scaled appropriately
- Conditions prescribed in code

5. Allow residential in commercial, industrial in commercial? Commercial in industrial?

- Are we ok if commercial and industrial lands develop without the intended primary use.

6. Density applied to building permits?

- Do we have an official interpretation. Changes whether we allow all residential product types in all zones.



7. Uses – Mixed-use development.

- **WG:** Mixed-use development should be included back into the use table. It was removed in 2016. Permitted across urban commercial zones.

8. Cottage homes vs. manufactured home park?

- Same thing according to the definitions, do we want to separate and clarify? Cottage home can't be a manufactured home that is driven onto the site? Modular homes?

9. Zones – Rural Industrial and Rural Commercial.

- **WG:** These zones and the amount of industrial land is very limited. Don't do anything to preclude commercial and industrial uses on these lands.

10. Development measures.

- **OC – 2019 ZUT-002:** No development measures should be drafted or promoted by the County. When we want something we will tell you. Nothing new needed or wanted.

11. Open Houses.

- **OC – 2019 ZUT-011:** Have text bigger on zoning maps – could blur out or eliminate the rest of the maps besides zones focused on.
- **OC – 2019 ZUT-012:** Focus more on proposed changes.

12. Climate change.

- **OC – 2019 ZUT-014:** These plans seem to focus on economic development without attention to climate change, sea level rise, temperature change. Data suggests that in 30 years major portions of the businesses in Poulsbo, Silverdale, etc. will be in the annual flood plane – why promote economic development without first looking at the environmental change that will overwhelm these areas?

RESIDENTIAL USES (RES)

13. RES – Accessory Dwelling Units (ADU) and Accessory Living Quarters (ALQ).

- **WG:** Add minimum square footage in the definition.
- **WG:** Should be permitted outright where primary residential uses are allowed. Directly supports affordable housing efforts.
- **WG:** Allow multiple ADU's in high density zone.
 - Condition only one parking space per unit.
- **WG:** Apply condition to require consistent architecture for visual compatibility.
- **WG:** Make sure to explicitly state that a manufactured homes qualifies as an ADU. These may get confused with the exclusion of a mobile home as an ADU.
- **WG:** Kitsap is the most restrictive of the Central Puget Sound Counties. We need to eliminate the various size, location and access restrictions. Eliminate the requirement that the property owner reside in one of the structures, since it is waived for a



subsequent owner.

14. RES – Guest house.

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15. RES – Adult family home.

- **WG:** Allow in GB (if GB is retained). It's the only use that separates GB and UR.
-

16. RES – Boarding house.

- **WG:** Allow in all residential areas. I see no reason to restrict these in location or to 6 boarding rooms.
-

17. RES – Domestic Violence Shelter.

- .
-

18. RES – Duplex.

- .
-

19. RES – Assisted or independent living facility.

- **WG:** The demand for this use will only increase in the future with our increase in population.
 - **WG:** Should be allowed in rural locations – rural lifestyle has the amenities desired by both employees and residents.
 - **WG:** Combine assisted or independent living facilities with convalescent homes and permit them outright.
 - Separate facilities with skilled nursing. Parking for these facilities should be reduced because the residents can't drive.
 - **WG:** Use the state separation for permitting by scaling
 - Permit (P) for small scale (4-5 bedrooms).
 - Administrative Conditional Use Permit (ACUP) for larger facility.
 - **WG:** Allow where dwelling units are allowed.
 - **WG:** Allow in single family residences (SFR) – detached. SFR's are readily available, the use means that someone is living in the home.
 - Look at boarding house definition but add the care factor.
 - **WG:** Include care for indigent, mental health, substance abuse in definition.
 - **PC:** Consider scaling?
 - **PC:** What about temporary uses/rehab? Pick up in the definition?
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20. RES – Convalescent housing or congregate care facility.

- **WG:** Change C and ACUP to P. These are best sited near a person's neighborhood, so they have social connections with other residents who may have been their neighbors.
-

21. RES – Cottage homes.

- **WG:** Definition should allow both attached or detached.
- **WG:** Permit outright where residential uses are allowed.
- **WG:** Permit based on the scale of development
 - Small scale permitted outright (P).



- Large scale through an administrative conditional use permit (ACUP).

22. RES – Dwelling, existing.

- .

23. RES – Dwelling, multifamily.

- **WG:** Replace C with ACUP and ACUP with P.
- **WG:** Eliminate footnote 80. Gorst is close to both Puget Sound Naval Shipyard and our County Industrial Area and is natural for higher density housing.

24. RES – Apartments.

- **WG:** Apartments and hotels as defined should be merged into a commercial use. Don't know why these uses are different, by definition they are almost identical.
- **WG:** Hotels are sometimes used for long term renters, impacts are similar.

25. RES – Dwelling, Condominium or Townhouse.

- **WG:** Don't remove single family residence from the title or definition.
- **WG:** Don't use condominium term in this use or in the definition.
- **WG:** Include attached in definition.

26. RES – Single Family Home Detached.

- **WG:** Should be allowed in all zones, subdivision already requires a CUP.
- **WG:** Permit outright on an existing lot.
- **WG:** Be careful, allowing residential in commercial areas can preclude the intended commercial use of the area.
- **WG:** Make sure that all mobile home references clarify between mobile and manufactured.
- **WG:** Allow adaptive reuse from commercial to residential. Example used: existing church could transition into a single family home or boarding house, flexible standards needed to account for the amphitheater style foundation.
- **WG:** Remove footnote 26 for both UM, UH, and KVC.
- **WG:** Application of footnote 43 conflicts with category 116 "dwelling, duplex" which is allowed in zones UR through UH. Eliminate 43.

27. RES – Manufactured homes.

- **WG:** Manufactured home parks should be considered a cottage housing development.
- **WG:** Park model homes should be allowed as a permanent residence.

28. RES – Manufactured home/RV/park model/tiny home park, long-term.

- **WG:** P or ACUP in C zone. No reason for a CUP.
- **WG:** Include in more commercial zones.

29. RES – Mobile homes.

- **WG:** Remove footnote 43. Change C to P. The policy of expanding UGAs may well bring allowed rural mobile homes into new zoning.

30. RES – Tiny homes.

- **WG:** Should be allowed as a single use, not just in a Tiny home park. Permit outright



where residential uses are allowed.

31. RES – Home business.

- **WG:** Allow via P where residential uses are allowed.
- **WG:** Residence with a business in the garage, if the residence sells - the business should be allowed to continue in a new location without obtaining a new permit.

32. RES – Live work units.

- **WG:** Make these available through single family homes in commercial zones. Financing a commercial structure is much more difficult, it is easier to build a single-family home and conduct a home business.

33. RES – Day cares and Montessori schools.

- **WG:** Code needs to account for Montessori schools.
- **WG:** Should be permitted in all zones where residential uses are allowed.

34. RES – Manchester Village Commercial (MVC).

- **WG:** Manchester Village Commercial (MVC)
 - should allow townhomes and condominiums, not multi-family apartments.
 - Shouldn't have minimum density requirement, but should require commercial on the ground floor.
 - Residential uses should be allowed in residential and commercial zones.
 - Commercially zoned areas are limited. Don't allow residential uses to preclude future commercial development in the commercial zone.
- **OC – 2019 ZUT-007&8:** Own the land on the corner of Spring & Main. Had a permitted 9-unit condo project before breakdown of financial markets (2008-14) in that time, MCAC revisited zoning – want higher residential density in MVC.

35. RES – Zone consolidation - LAMIRDs.

- **WG:** Don't align for consolidation, development regulations and allowed uses should account for geospecific circumstances. Manchester is one giant hill down to the water.

36. RES – Zone consolidation.

- **WG:** UL and UCR: Keep the zones separate but permit outright most if not all uses allowed in UCR. Zone intends for a master plan to guide development – the desired way to develop land. Encourages cohesive urban nature.
- **WG:** UR and GB: Uses permitted in Urban Restricted (UR) and Greenbelt (GB) are virtually identical. Align uses for consolidation. However, the greenbelt zone requires understanding the reason why the zone was created in the first place.

37. RES – Port properties.

- **WG:** Campgrounds are desirable with park like properties. Not RV parks – traffic, septic, and aesthetic issues.

38. RES – Frontage improvements.

- **WG:** Use no-curb sidewalks for ADA accessibility at any point in the sidewalk.

39. RES – Consolidate residential uses into fewer categories.

- **WG:** The use table has far too many residential categories. Allowing individuals to find their way in the marketplace is a hallmark of the uniqueness of America. I see little harm



in combining all numbered categories into one “Residential” category. Availability of sewers and soil perc tests will determine feasibility for most applications. The health issue rests with our Health Department.

40. RES – Housing shortage.

- **WG:** Residential uses should be allowed in all non-industrial zones to address housing crisis.
- **WG:** Let density be the driver. Allow a developer to meet density with any product type (e.g., allow SFR, duplex, multi-family).

COMMERCIAL USES (COMM)

41. COMM – Auction House.

- **WG:** Split out based on livestock.

42. COMM – Car washes.

- **WG:** Concerned with s.f. of car washes in RC zone. Concern is scale – could scale consistent with other uses broken out.

43. COMM – Fuel or charging station, without convenience store.

- **WG:** Charging stations should be separated from fuel stations as a less intense use (P).

44. COMM – Automobile, recreational vehicle or boat sales.

- **WG:** Should be allowed in RCO zone. Would like to see a U-Haul in Brownsville. Maybe this falls under marina support services?

45. COMM – Brew pubs.

- **WG:** When combined with restaurant, it is less permissive- even though it is a less intensive use.
- **PC:** Smells associated with brewing have an impact on the neighborhood.
- **PC:** Operation of brewing hours – pick up in development standards?
- **PC:** Sales/s.f. associated with brewing threshold before it reaches food and beverage production.
- **PG:** Operational hours – brew pubs may operate later than restaurants.
- **PG:** Can lose some of the specifics if we overgeneralize.

46. COMM – Clinic, medical.

- **OC – 2019 ZUT-006:** I do not see anything listed for Health and Well Being (medical/dental, massage, chiropractic, healing) – did I miss something?

47. COMM – Conference center.

- **PC:** Remove overnight accommodations from definition.

48. COMM – Drinking establishments.

- **WG:** Having drinking establishments in residential areas promotes walkability, can reduce DUIs.



49. COMM – Fitness center.

- **WG:** Micro gyms (ex. CrossFit) have different traffic patterns/impacts than other gyms. They may have a certain number of classes a day and/or limits to size of those classes. This is different from a gym with people going in and out all day.
- **WG:** Should be allowed in more zones.
- **WG:** Maybe split out based on max occupancy?

50. COMM – General office and management stores.

- **WG:** 4,000 to 9,999 s.f. should be an ACUP in rural commercial zone. It is still appealable and under same scrutiny as a CUP.
- **WG:** Less than 4,000 s.f., and 4,000 – 9,999 s.f. should be permitted in all zones.

51. COMM – General retail merchandise stores.

- **WG:** Less than 4,000 s.f. and 4,000 to 9,999 s.f. should be permitted in all zones.

52. COMM – Kennels or pet day-cares.

- **WG:** Permit same as kennels, hobby.
- **WG:** Eliminate footnote 80.

53. COMM – Nursery (retail and wholesale).

- **OC- 2019 ZUT-015:** Request to allow nursely retail and wholesale as conditional uses in MRO.

54. COMM – Personal services.

- **WG:** Should be permitted in all residential zones.
- **PC:** Laundromats/laundry services don't seem to fit in this category.
- **PC:** There is a difference between a 'drop off' dry cleaning facility and the facility actually doing the cleaning. Dry cleaning is more of an industrial use.
- **PC:** Is there a name other than 'personal services'?
- **PG:** Laundromats don't seem to fit in this category.
- **PG:** Perhaps it all falls under 'general retail'?
- **OC – 2019 ZUT-006:** Do personal services (such as beauty salon and barber shop) fall under retail?

55. COMM – Research laboratory.

- **PC:** Biohazards – pick up in the definition or development standards.
- **PG:** What is the concern? Why are we scaling?

56. COMM – Restaurants.

- **WG:** Scale.
- **WG:** ACUP in residential and UL.
- **WG:** High turnover to drive thru is a good change.
- **WG:** Without drive-thru change C to P and eliminate footnote 28.



- **WG:** With drive-thru change C to P in UM and UH.

57. COMM – Marijuana retailer.

- **WG:** Would like to see an ACUP instead of P.
- **PG:** Why can't this go into 'general retail'?

58. COMM – Event facility.

- **WG:** Modify definition to include publicly or privately owned. No difference in permissibility.
- **WG:** Allow in all urban residential zones. Has been enjoyed by neighborhoods.
- **OC – 2019 ZUT-013:** Strongly disapprove of an event facility being allowed in Parks zoning areas. I feel these ideas oppose each other and would not develop well together.

59. COMM – Event facility – Regulations.

- **WG:** Outdoor facilities are predominantly a seasonal use, so making one weekend a month event free takes away ¼ of their revenue.
- **WG:** Noise impacts may be regulated through setbacks and landscaping for buffer.

60. COMM – Event facility – Parking.

- **WG:** Parking will be important. Maybe a portion of the parking lot could be used for park and ride during the day.

61. COMM – Resort.

- **WG:** Vague language in definition ('amenities') – could be firmed up to avoid people finding loopholes.
- **WG:** Allow in all urban residential zones. Has been enjoyed by neighborhoods.
- **OC – 2019 ZUT-013:** Strongly disapprove of a resort being allowed in Parks zoning areas. I feel these ideas oppose each other and would not develop well together.

62. COMM – Adaptive reuse of commercial buildings.

- **WG:** Should be a permitted use.
- **WG:** Why are we having a C for something to be rehabilitated?
- **WG:** For infill redevelopment, should allow uses consistent with NC zone.
- **WG:** Allow in all urban residential zones. Has been enjoyed by neighborhoods.

63. COMM – Wireless communication facilities.

- **WG:** Should be allowed with reference to 17.350.

64. COMM – Hotel/motel.

- **WG:** Permit in every zone.

65. COMM – Veterinary clinics.

- **WG:** Footnote 9 allows and disallows outdoor structures/enclosures.

66. COMM – Shared work/maker space.

- **WG:** Should be permitted in all urban residential zones.



67. COMM – Scaling.

- **WG:** Does this scaling apply to the use or the structure?
- **WG:** Scaling not capturing what is feasible in market.
- **WG:** Smaller break out (less than 4,000 s.f.) should be P and the middle scaling (4,000 to 9,999 s.f.) should be ACUP.

68. COMM – Easements.

- **OC – 2019 ZUT-009:** Concerned about permissibility of uses (such as garage sales, events, farmer’s markets) on properties accessed by private easements. While terms of easement will dictate use, it would be valuable to direct homeowners to check before hosting such uses. Enforcement is critical and not being done.

INDUSTRIAL USES (Ind)

69. IND – Assembly and packaging operations.

- **PG:** See assembly and packaging operations as different uses with different impacts than manufacturing and fabrication. Manufacturing implies creating parts, potentially loud/machinery/other impacts depending on what is being manufactured.
- **PG:** Can lose some of the specifics if we overgeneralize.

70. IND – Funeral homes.

- **PG:** Break out crematorium as a separate use. It has different impacts (ex – air quality) than a funeral home.

71. IND – Contractor’s storage yard.

- **WG:** Contractor’s storage yard is too restrictive. Not an intensive use.

72. IND – Recycling centers.

- **PC:** These facilities have the potential to have large environmental impacts. Is this a clean transfer station?

73. IND – Storage.

- **WG:** These facilities should be an ACUP (at most) in UCR, UM, and UH. They are amenities. At 5-9 du/acre, there is nowhere for people to put their stuff.
- **WG:** Supportive of allowing storage in residential and commercial zones. Especially near multifamily. B-Flats in Bremerton as a good example.

74. IND – Marijuana processor.

- **PG:** Should allow a grower in a retail or office building. State licensing already puts restrictions on these uses (siting etc.)

75. IND – Marijuana producer.

- **PG:** Are these uses required to be on PUD water/electricity? They require a lot of electricity.



76. IND – Data center.

- **PC:** What does this use fall into? It may be missing. Loud, large impact – seems like an industrial use.

INSTITUTIONAL USES (INST)

77. INST – Hospitals.

- **WG:** If owners/operators can make it work with State requirements, County should have more permissibility in residential zones.

78. INST – Places of worship.

- **WG:** Remove footnote 12. Setbacks are excessive.
- **WG:** The freedom of religion clause of the US Constitution would require this use to be permitted outright in all zones.

79. INST – Schools in residential areas.

- **WG:** In areas where there are high concentrations of people and housing, there should be schools for residents to attend.
- **WG:** Schools should be in residential areas where they are not taking up commercial space. Existing schools in the County are in residential areas. Commercial space is hard to come by and we shouldn't preclude that with allowing schools.
- **WG:** Require buffer for schools in residential areas.
- **WG:** Montessori function like day care, should be allowed where residential is allowed.

80. INST – Schools – Splitting.

- **WG:** High school should be in same category as elementary/middle schools.
- **WG:** Square footage isn't relevant for schools – should be based on need.
- **WG:** 8,000 s.f. or greater should be ACUP (C, RC, NC, LIC, RCO).
- **WG:** Montessori and pre-school should be close to homes, promotes walkability, permitted outright. The need is huge.
- **WG:** Private and public schools should be permitted in all zones. Eliminate ACUP restriction. It is hard enough to find enough land to site one of these facilities without the additional ACUP burden.
- **PG:** What is the concern? Why are we splitting?

81. INST – Stormwater infrastructure/Wetland mitigation bank.

- **WG:** Is there a lot of room for wetland mitigation? We are running out of land in Kitsap County. Should protect our wetlands.
- **WG:** Stormwater infrastructure should not be forced into a commercial area.
- **WG:** Should have nothing in here to prohibit these uses. Allow them in every zone (P).
- **WG:** These are almost accessory uses and should go along with the primary use.
- **WG:** Split into two uses. They are different.

82. INST – Transportation terminals, non-marine.

- **WG:** Should be ACUP in UL and UCR. Allow in UR and GB.



- **WG:** Should be permitted in all zones. Eliminate ACUP. It is hard enough to find enough land to site one of these facilities without the additional ACUP burden.

RECREATIONAL USES (REC)

83. REC – Club, civic or social.

- **WG:** In residential communities, there should be a meeting hall for events and for communities to be able to support their own needs. Square footage is important – facility wouldn't need to be larger than 4,000 – 5,000 s.f. and should have minimal kitchen facilities.
- **WG:** Should be an ACUP in UCR and UL.
- **WG:** Eliminate footnote 12. The setbacks are excessive.

84. REC – Marinas.

- **WG:** Remove footnote 80. It is redundant.

85. REC – Marina support services.

- **WG:** Remove footnote 80 in UR. It is redundant.
- **WG:** Supportive of marina support services. See as valuable.

86. REC – Entertainment facility, outdoor.

- **WG:** Should have more areas where permitted outright.

87. REC – Aquarium, arboreta, botanical garden, zoo.

- **WG:** There is no room in Manchester for a zoo. The animals would cause a disturbance.
- **WG:** Separate into two uses: combine 'arboreta and botanical garden' and 'aquarium and zoo'.

88. REC – Parks.

- **WG:** Should in all zones be an ACUP to address impacts (noise, traffic, dogs).
- **WG:** Should these be in industrial areas?

89. REC – Race track.

- **WG:** Should have same considerations as shooting/gun range, outdoor.
- **WG:** Maybe it is noise that makes it go from ACUP to a C.
- **WG:** Supportive of splitting race track into categories (major and minor).
- **WG:** Could use mileage of track, facilities for spectators to separate.

90. REC – Recreational facilities.

- **WG:** In areas where there are high concentrations of people, there should be recreational facilities for residents to use. There should be more integration of uses, except separate the more offensive/ nuisance generating uses from residential areas/uses.
- **WG:** Use 318 (outright permitted) conflicts with uses 324 and 326 (permitted commercial uses). Recommend combining into one use or outright permitting uses 324



& 326. They should have the same restrictions and level of review.

- **WG:** Supportive of splitting uses 324 and 326 based on indoor and outdoor. Indoor should be P and outdoor should be ACUP.

91. REC – Shooting/gun range, indoor.

- **WG:** Should be considered a retail use and scaled by s.f. They are selling time, guns, bullets, etc. The facilities are contained.

92. REC – Shooting/gun range, outdoor.

- **WG:** There should be a minimum acreage size for these facilities to account for noise.
- **WG:** If the facility has been done correctly, it shouldn't be a problem.
- **WG:** Topography of the site should be a consideration – it is better to shoot into a hill than into the woods.
- **WG:** A way to preserve rural character – not going to be developed into houses.

RESOURCE USES

93. Resource Uses – Mineral Resource Overlay (MRO).

- **WG:** Mineral extraction and processing should be allowed without an MRO designation. A conditional use permit (CUP) should suffice.

94. Resource Uses – Hatcheries.

- **WG:** County regulate the on-land buildings and State regulate the water use.

ACCESSORY (ACC) AND TEMPORARY USES (TEMP)

95. ACC – Caretaker's dwelling.

- **WG:** Should be permitted outright in UCR, UM, and UH. It is just a house. Trust that most people will not take advantage of it. We need more housing.
- **WG:** Many storage facilities have caretakers.

96. TEMP – Special care residence.

- **WG:** Should allow park models and tiny homes (in addition to mobile and manufactured homes).

97. TEMP – Espresso stands.

- **WG:** Remove 'no outdoor seating' line from definition. These facilities should be for walk up and drive thru. The limitation could be on no indoor seating.
- **WG:** Supportive of expanding the permissibility of espresso stands.
- **WG:** Allow espresso stands everywhere.
- **WG:** Allow a drive thru through ACUP.

98. TEMP – Garage sales.

- **WG:** Would rather see garage sales regulated under home business.
- **WG:** There should not be any regulation on garage sales in urban areas. The place to regulate them would be in rural areas where there is more potential for impacts



(traffic).

- **WG:** Most people are going to have garage sales and it won't be a problem
- **WG:** Would only want to see them permitted if it was an over the counter permit.
- **WG:** Limit to certain amount of days annually. No outdoor storage.
- **WG:** There should be language regarding parking for garage sales. No street parking allowed, must be able to provide parking on your property.
- **WG:** Noise, hours of occupation.
- **PC:** Why is County regulating down to this level? Would not like to see homeowners need to get permits for garage sales, but rather a tool for code enforcement.

99. TEMP – Mobile vendor.

- **WG:** Allow in UL, GB, commercial areas.
- **WG:** Separate the 'one-off' for events (should be P in every zone) from the more continuous, parked uses.

100. TEMP – Farmer's market.

- **WG:** Concerned about allowing farmer's markets in urban residential areas.
- **OC – 2019 ZUT-010:** Why allow them outside city limits? They should be accessible by bus, and available to folks in areas where foot & auto traffic can support vendors by way of sufficient sales volume.

101. TEMP – Firework sales.

- **WG:** We do not want fireworks sold in Manchester.

102. TEMP – Carnival or circus.

- **WG:** Should be allowed in large, open areas.

PARKING LOT ITEMS (PL)

103. PL – Transitory Accommodations.

- **WG:** Note that these are uses from a different section and that no changes are proposed.
- **WG:** Concerned with allowing them in rural areas.
- **WG:** Should all be P. Who could be motivated to go through the ACUP process?
- **WG:** County pays for permit process to support homelessness and perhaps have facilities on County land.
- **WG:** We do not want transitory accommodations in Manchester.

104. PL – Shipyard.

- **WG:** How will shipyard be impacted by this?

105. PL – Bed and Breakfast House.

- **WG:** 1-4 rooms allow in all residential areas.
- **WG:** Combine 1-4 rooms and 5 or more rooms into one use and allow outright.



106. PL – Predictable sewer needed.

- **WG:** Capital facilities plan shows sewer buildout within a specific timeframe. Timeframe passes, sewer is not installed, timeframe extended. Require higher densities only where sewer exists, allow higher densities where sewer doesn't exist.

107. PL – Sewer – Footnote 48.

- **WG:** 'Residential' should be removed as it applies to commercial zones.
- **WG:** Change to allow septic systems.

108. PL – Housing Affordability/GMA.

- **WG:** Kitsap County is suffering a housing crisis due to low inventory and high costs imposed by regulatory barriers:
 - Inordinate building and rehabilitation regulations
 - Unreasonable maximum density allowances
 - Redundant zoning
 - Burdensome wetland or environmental restrictions
 - Cumbersome and time-consuming permitting and review procedures
 - Overhead costs of regulation impeding construction
- **WG:** Kitsap County Code has become centered on impeding construction and extracting the maximum amount of revenue from building permit applicants. Focus should be on simplification- to reduce the cost of construction and to increase housing supply.
- **WG:** Must not ignore "silver tsunami" as aging baby boomers need single story homes and care facilities- this is not the housing we are requiring be built 5-9 homes per acre.
- **WG:** Conflict between GMA Planning Goals 2 (reduce sprawl) and 4 (housing). A dramatic resolution might be for our County Commissioners to declare Kitsap a "Sanctuary County" from GMA.
- **WG:** Most expensive housing construction is found in urban settings (high cost of required utilities, urban improvements, and purchasing outdated earlier construction to create parcels for re-development).

109. PL – Nonconforming uses.

- **WG:** Definition
- **WG:** Should be allowed to be nonconforming until it is officially vacated - not 24 months.

110. PL – Max lot size.

- **WG:** Max lot size footnote.

111. PL – LAMIRDs.

- **WG:** Use RC or RI zones.

112. PL – Vacation Rentals.

- **WG:** Swapping residences - no money exchange - shouldn't count as a vacation rental.
- **WG:** How do you enforce VRBO?



- **WG:** Allow easier permitting with
 - On-site owner.
 - prescribed design standards such as buffer, setbacks from adjacent properties.
- **WG:** Don't allow VRBO in Manchester.
- **WG:** Combine 1-4 rooms and 5 or more rooms into one use and allow outright.
- **OC – 2019 ZUT-004:** Concerned with Airbnb's in residential neighborhoods with private drives and easements. Increase in traffic, guests traveling too fast, mistaking other homes for the Airbnb, long-time residents selling their homes because of this.

113. PL – Rural Zones – RES – ADU's.

- **WG:** Allow via P or ACUP in rural zones where a residential unit is allowed.

114. PL – Rural Zones – RES – Home businesses.

- **WG:** Allow via P in rural zones where a residential unit is allowed.

115. PL – Rural Zones – RES – Urban Fringe.

- **WG:** Density should be allowed at the urban fringe.

116. PL – Rural Zones – COMM – Fuel or charging station, without convenience store.

- **WG:** Power grid issues for charging stations? Especially in rural areas. Ex- brownouts after Thanksgiving when lots of people tried to charge their car at once.

117. PL – Rural Zones – IND – Boat yard.

- **WG:** Should be allowed in rural zones.

118. PL – Rural Zones – REC – Marina support services.

- **WG:** Should also be allowed in rural zones.

119. PL – Rural Zones – REC – RV camp park.

- **WG:** RV parks should be allowed in rural zones (as long as there is access) and not in commercial and LAMIRDs. We should promote these facilities on the way to Hood Canal/Olympic Peninsula.
- **WG:** Recommend removal of footnote 46 and loosen up the level of permit review.

120. PL – Rural Zones – Resource Uses – Aggregate extraction.

- **WG:** Should not be allowed in rural zones.

121. PL – Rocky Point Annexation.

- **OC – 2019 ZUT-001:** What is the County's opinion (if any) regarding Bremerton's stated desire to annex Rocky Point? I understand that they now can do this without a vote of the affected property owners.

122. PL – Hwy 303/Brownsville Hwy Zoning.

- **OC – 2019 ZUT-003:** Why has the land between Hwy 303 and Brownsville zoned



Commercial? Has there been an environmental review? (Steele Creek) If protecting Steele Creek is no longer important to the County – would like to see properties east of the Commercial zone be rezoned from RR to UR to allow for more uses useful for the County, its residents, and visitors.

123. PL – Manchester parcels.

- **OC – 2019 ZUT-010:** Parcels legally created before Manchester Community Plan should be allowed when set back can be met and utilities accessible even if unable to meet 8712 s.f. The area including Daniels Loop was and should be available for smaller dwellings under 1200 s.f. livable space to support recreational use.

Scoping Matrix and Amendment Guide that address the following project goals:

The primary goal of the Zoning Use Table Update is to reduce barriers to investment in Urban Growth Areas (UGA), Limited Areas of More Intense Rural Development (LAMIRD), and the rural commercial and rural industrial zones. The project will address:

Housing Equity and Diversity. The project will encourage a wide array of housing product types within the various urban and LAMIRD zones, including addressing gaps in the land use categories and definitions.

Economic Development. The project will encourage economic development by:

- Scaling land uses to streamline the level of permit review required.
- Adding new land uses based on projects submitted to the Department and a comparison of other jurisdictions.

Making the Code Easier to Use. Finally, the project will improve predictability and ease of use for applicants and permit reviewers.

The following matrix summarizes the scope of the amendments proposed by the Department of Community Development.

Housing Equity and Diversity (including “missing-middle”, multi-family, accessory, and attached housing)	
Proposed Action	Purpose
<p><u>Diversify the types of housing allowed - Chapter 17.410 ‘Allowed Uses’.</u></p> <p>The proposal allows a variety of housing types in urban and LAMIRD residential and commercial zones. This also includes incorporating already allowed (KCC Chapter 17.505) transitory accommodations in the use table.</p> <p>The housing types added include:</p> <ul style="list-style-type: none"> • Manufactured/mobile/RV/park- model/tiny home park • Group Living (1 to 6 rooms) • Group Living (7 or more rooms) 	<p>An increase in allowed housing product types in existing zones consistent with Comprehensive Plan purpose and allowed densities. This will allow flexibility to respond to market demand and construct a variety of housing options for home buyers or renters.</p>

Housing Equity and Diversity (including “missing-middle”, multi-family, accessory, and attached housing)	
Proposed Action	Purpose
<p><u>Align permissibility review with the purpose and intent of the zone for all housing types - Chapter 17.410 ‘Allowed Uses’.</u></p> <p>The proposal aligns the level of permit review required with purpose of each zone. This includes permitting uses outright in some zones while other zones, where appropriate, may require a level of permit review that provides public notification and SEPA review to mitigate against adverse impacts at the project level. For example, the proposal allows multiple family housing product types in both Urban Restricted and Urban High Residential zoning designations consistent with allowed density ranges.</p>	<p>This allows, where appropriate, a reduction in required permissibility permit review for land uses that are expected to develop in a zone.</p> <p>This increases the opportunity to build various housing types in multiple zones which removes barriers to housing within UGAs and LAMIRDs. This effort also establishes clear and predictable processes which helps landowners and industry professionals navigate the permit process.</p>
<p><u>Accessory Dwelling Unit (ADU) – revise urban development standards - Chapter 17.410 ‘Allowed Use Standards’.</u></p> <p>The proposal revises urban ADU standards regarding the number and size of ADU’s allowed, access requirements, water and sewage provisions, design standards, and the number of required parking spaces.</p>	<p>These new standards provide more flexibility to construct an ADU in urban zones. This flexibility can encourage the development of urban ADUs which removes barriers to housing product types within UGAs consistent with the Comprehensive Plan.</p>
<p><u>Multi-family housing design criteria - Chapter 17.470.</u> Currently the multiple-family design criteria only applies to UCR, UM, and UH. Applying multiple-family housing criteria for multi-family development projects in all zones allows the proposal to reduce the level of permit review required for these types of projects.</p>	<p>Applying this design criteria to multiple family development in all zones increases predictability about what a project while balancing pedestrian and other onsite amenities desired in urban areas.</p>

Economic Development (including local services, complete communities, trip reduction, and walkable and bikeable communities)	
Proposed Action	Purpose
<p><u>Allow uses or reduce the permit review required based on the scale of the project - Chapter 17.410 'Allowed Uses'.</u></p> <ul style="list-style-type: none"> • Commercial Uses <ul style="list-style-type: none"> ○ Less permit review for small scale commercial uses in commercial zones. ○ Allows small scale commercial uses in Urban Low Residential (UL) and Urban Cluster Residential (UCR) at major transportation intersections. ○ Allows small scale service uses in Urban Medium Residential (UM), removes required residential component at project level. ○ Allows small scale professional office uses in Urban High Residential (UH), removes required residential component at project level. ○ Allows small scale uses and equipment repair/rentals in industrial zones. • Industrial uses. <ul style="list-style-type: none"> ○ Less permit review for manufacturing, production, processing in industrial zones. ○ Some storage allowed in residential zones to serve platted developments. 	<ul style="list-style-type: none"> • This topic promotes economic development by reducing the number of trips or distance of trips needed for the community to access work, services, shopping, and housing. • Scaling uses by scope provides the flexibility to allow uses where they were previously prohibited. This also allows the Department to reduce the level of permit review while still addressing compatibility with adjacent uses. • Reduces the distance between where different land uses are allowed, which can reduce the need to use a vehicle and/or increase the walkability of an area.
<p><u>Allow small scale commercial uses in Residential zones - Chapter 17.410 'Allowed Uses'.</u></p> <p>The proposal allows stand-alone commercial uses in residential zones at major intersections.</p>	
<p><u>Allow small scale commercial uses in industrial zones - Chapter 17.410 'Allowed Uses'.</u></p> <p>The proposal allows more commercial services in industrial zones. This change provides an opportunity for commercial services to locate in close proximity to industrial employment centers. For example. A café located in an industrial area can serve manufacturing or warehouse workers.</p>	

Economic Development (including local services, complete communities, trip reduction, and walkable and bikeable communities)	
Proposed Action	Purpose
<p><u>Reduce permit review requirements for public facilities in most zones - Chapter 17.410 'Allowed Uses'</u></p> <p>The proposal splits public facilities into two categorical uses based on the size of the facility. The proposal clearly identifies criteria that a public facility shall meet and permits outright a facility that is 300 square feet or less.</p>	
<p><u>Combines categorical uses - Chapter 17.410</u></p> <p>The proposal shifts 18 categorical uses into more generalized categories.</p> <p>For example, the general office and management services categorical use absorbs:</p> <ul style="list-style-type: none"> • engineering and construction offices. • financial, banking, mortgage, and title institutions. 	
<p><u>Add categorical uses to - Chapter 17.410 'Allowed Uses'.</u></p> <p>The proposal adds 18 categorical uses to the allowed use tables.</p> <ul style="list-style-type: none"> • Event facility • Resort • Shared work/maker space • Marina support services • Arboreta, botanical garden • Shooting/gun facility, indoor • Shooting/gun facility, outdoor • Structured parking facilities • Manufactured home, mobile home, park models, tiny homes sales 	

Economic Development (including local services, complete communities, trip reduction, and walkable and bikeable communities)	
Proposed Action	Purpose
<p><u>Splits categorical uses in Chapter 17.410 ‘Allowed Uses’.</u></p> <p>The proposal splits 12 categorical uses into more specific categories, typically differentiated by size.</p> <p>For example, the public and private schools categorical use splits into:</p> <ul style="list-style-type: none"> • School, elementary, and middle school/junior high • School, high school • School, college/vocational – less than 8,000 s.f. • School, college/vocational school – 8,000 s.f. or greater 	
<p><u>New categorical uses standards - Chapter 17.415 ‘Allowed Use Standards’.</u></p> <p>Most new uses include development standards in 17.415. Typically Urban standards vs. Rural standards.</p>	<p>Clearly stating the regulations that a project must follow increases the predictability of the code and reduces surprises during the application and permit review processes. This is consistent with Comprehensive Plan goals and policies. Establishing clear standards that would otherwise be conditions of approval for any project allows the proposal to reduce the level of permit review required while still addressing potential impacts to neighboring properties.</p>
<p><u>Allow activities in the Parks zone that create a community benefit and support Parks operations.</u></p> <p>The proposal increases the number of uses allowed in the parks zone such, primarily group living facilities and temporary uses.</p>	<p>The proposal allows operational and real estate considerations for certain County properties with a Parks zoning designation. The determination of the appropriate type of use will require, for example, title restrictions for uses on specific properties, stewardships and property master plans, etc. These operational and real estate considerations, prior to application submittal, will be determined on a case-by-case basis by the Parks Department, Parks Advisory Board and Board of County Commissioners.</p>

Making the Code Easier to Use	
Proposed Action	Purpose
<p><u>Add or clarify definitions - Chapter 17.110</u> <u>‘Definitions’.</u></p> <p>The proposal adds 88 new definitions, repeals 7 definitions, and revises 48 definitions.</p>	<p>Defining categorical uses increases predictability and reduces the potential for misinterpretation. This can save the customer time needed to prepare a permit and save the staff time needed to review a permit.</p>
<p><u>Relocate use table footnotes - Chapter 17.410</u> <u>‘Allowed Use Standards’.</u></p> <p>The proposal shifts 117 allowed use table footnotes, located in 17.410.050 and 17.410.060, into a new chapter 17.415 ‘Allowed use standards’ for categorical uses or to the zone chapter special provisions for footnotes that apply to all uses within a single zone. This shifts also removes or revises footnotes as necessary based on whether it still applies as intended or needs clarification.</p>	<p>Footnotes that apply within the allowed use table can lead to surprises in the permitting process which can increase the time needed to approve a project. Shifting the allowed use standards into a code section for each categorical use allows a customer to see all applicable regulations or references in one location. This framework also provides the opportunity to include hyperlinks in the allowed use tables that redirects a customer to only the standards that apply to the use in question.</p>
<p><u>Transfer uses from other locations in code</u> The proposal adds 7 categorical uses from other locations in the code.</p> <ul style="list-style-type: none"> • Carnival (17.410.050 A.11 ‘Footnote 11’) • Bed and breakfast house (17.410.050 A.34 ‘Footnote 34’) • Vacation rental (17.410.050 A.34 ‘Footnote 34’) • Home Business <ul style="list-style-type: none"> - incidental (17.410.060 B.1.a) - minor (17.410.060 B.1.b) - moderate (17.410.060 B.1.c) • Marijuana retailer (17.520) • Wireless communications facilities (17.530) • Marijuana processor (17.520) • Marijuana producer <ul style="list-style-type: none"> - tier 1 (17.520) - tier 2 (17.520) - tier 3 (17.520) • Agricultural activity (17.455) • Transitory accommodations (17.505) 	<p>Capturing permit review requirements for all land use categories in the allowed use tables minimizes the need for footnotes and references to other code sections. This will reduce confusion for customers and staff.</p>

Making the Code Easier to Use	
Proposed Action	Purpose
<p><u>Use table format – Chapter 17.410 ‘Allowed Uses’.</u> The proposal adds hyperlinks in the allowed use tables to zone chapters, categorical use definitions and special provisions.</p>	<p>The new use table format will allow a customer to find all pertinent information, or links to it, in one location. Including hyperlinks to the applicable definitions, zone chapters, and allowed use provisions will reduce the potential for misinterpretation of the allowed use tables.</p>
<p><u>Port Gamble - Chapter 17.700 Appendix F</u> The proposal adds an appendix in 17.700 to capture existing code for parcels located within the Port Gamble Redevelopment Plan. Multiple locations in Title 17 refers a customer to the Appendix.</p>	<p>Using an appendix will simplify the proposal by allowing it to proceed forward without worry of undoing code changes adopted in April 2020 that affect parcels within the Port Gamble Redevelopment Plan area.</p>