



Executive Summary

Issue Title: Department of Community Development Update

Meeting Date: October 4, 2017

Time Required: 15 minutes

Attendees: Louisa Garbo, Jim Bolger, Dave Ward

Action Requested At This Meeting:

1) Obtain feedback on 2017 administrative amendments to Kitsap County Code and proposed project timeline

Topics:

1. Code Amendments

Pursuant to Kitsap County Code (KCC), the Department of Community Development (DCD) is required to maintain an ongoing catalog of potential amendments to existing development regulations. The current catalog contains approximately 200 potential amendments which vary in complexity and priority. In 2016, DCD conducted a process improvement effort to identify metrics for determining whether proposed amendments are administrative, minor, or major code revisions. The graphic below summarizes the characteristics used to identify administrative, minor, and major code amendments.

Administrative	Minor	Major
<ul style="list-style-type: none">• Clarify code intent• Simplify code for the public and staff• Increase internal consistency of code• Increase efficiency and effectiveness of code• Remove redundancy or regulation that is no longer applicable• Standard public outreach process• 3 to 6 months to complete administrative process	<ul style="list-style-type: none">• Research and analysis of potential amendments• Standard public outreach process• Extended public comment period during administrative review process• 5 to 12 months to complete administrative process	<ul style="list-style-type: none">• Substantial research and analysis of potential amendments• Enhanced public outreach process• Extended public comment period during administrative process• 12 to 24 months to complete administrative process

2017 Administrative Code Amendments (Attachment A)

Over the next four months, DCD is proposing to process a batch of thirty-four administrative code amendments. A summary of the proposed administrative code revisions is provided within Attachment 1. The proposed schedule for processing this batch of administrative code amendments is as follows:

Administrative Code Amendments Schedule*

- October 17, 2017 – Planning Commission work study session
- October 18 to November 3, 2017 – Public outreach
- November 14, 2017 – Planning Commission public hearing
- November 21, 2017 – Planning Commission deliberation & recommendation
- November 22 or 27, 2018 – Board briefing
- November 29, 2017 – Board work study session
- December 11, 2017 – Board public hearing, deliberation, & tentative adoption
- Jan 8, 2018 – Board deliberations & ordinance adoption

**Schedule may be modified should additional public comment or deliberation be required.*

2017 Minor Code Amendments (Attachment B)

Over the next six months, DCD is proposing to process a batch of four minor code amendments. The topics of the proposed amendments include:

- Vacation Rental and Bed and Breakfast permit requirements;
- Frontage improvement requirements in Urban Growth Areas (UGA);
- Maximum lot size exemptions; and
- Paved parking areas in Urban Growth Areas (UGA)

A summary of the proposed minor code amendments is provided within Attachment 2. The proposed schedule for processing this batch of minor code amendments is as follows:

Minor Code Amendments Schedule*

- October 17, 2017 – Planning Commission work study session
- October 18 to November 3, 2017 – Public outreach
- November 14, 2017 – Planning Commission public hearing
- November 15 to November 30, 2017 – Extended public comment period
- December 5, 2017 – Planning Commission deliberation
- December 6, 2017 – Board briefing (regarding Planning Commission deliberation)
- December 19, 2017 – Planning Commission recommendation
- January 3, 2018 – Board briefing
- January 10, 2018 – Board work study session
- January 22, 2018 – Board public hearing
- February, 2018 – Board deliberations & ordinance adoption

**Schedule may be modified should additional public comment or deliberation be required.*

Public Outreach Approach

To aid with public outreach throughout the process, DCD is developing a webpage to provide an overview of the development regulation amendment process. The webpage will provide an opportunity for the public to review and comment on the proposed changes. The webpage will also include an option for the public to suggest future code amendments for consideration. In addition, DCD plans to notify various stakeholders via email, GovDelivery, and public notice published in the Kitsap Sun to create awareness regarding the proposed 2017 code amendments. DCD is also planning to present proposed code amendments to groups that are interested in discussing the proposed amendments in greater detail.

Attachments

Attachment A - Summary of 2017 Administrative Code Amendments

Attachment B - Summary of 2017 Minor Code Amendments

Attachment 1

2017 Administrative Updates to Kitsap County Code (KCC): Summary of Changes				
ID	Topic (Subject)	Current KCC Reference	Action	Goal, Policy, or Explanation
1.	Storm Water Drainage (Permit duration)	12.10.055 (2)	Change the permit duration from 360 to “365 days”.	<ul style="list-style-type: none"> Internal code consistency
2.	Land Division and Development (Amendments to approved preliminary subdivisions)	16.40.040 B. 2. a.	Revise to read “The proposal does not result in significant “ <i>adverse</i> ” impacts to the subdivision or the surrounding property. Impacts may include, but are not limited to, storm water, traffic, open space, landscaping, screening, on-street or set-aside parking, or noise;”	<ul style="list-style-type: none"> Clarification of code intent
3.	Land Division and Development (Amendments to preliminary short subdivisions)	16.48.030 B. 2. a.	See Topic #2: Action for 16.40.040 B.2.a	<ul style="list-style-type: none"> See Topic #2: Goal, Policy, or Explanation for 16.40.040 B.2.a
4.	Land Division and Development (Amendments to preliminary large lot subdivisions)	16.52.030 B. 2. a.	See Topic #2: Action for 16.40.040 B.2.a	<ul style="list-style-type: none"> See Topic #2: Goal, Policy, or Explanation for 16.40.040 B.2.a

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5.	Zoning Definitions (Day-care center)	17.110.200	Change the number of individuals permitted within a day-care center from more than seven to “seven or more”.	<ul style="list-style-type: none"> • Clarification of code intent
6.	Zoning Definitions (Junk motor vehicle)	17.110.369	Revise definition of “junk motor vehicle” to be consistent with Kitsap Public Health District.	<ul style="list-style-type: none"> • Internal code consistency • Efficiency and effectiveness of the code
7.	Zoning Definitions (Recreational amenity, active)	17.110.646	Revise current definition to include reference to “multi-generational play and stretching”.	<ul style="list-style-type: none"> • Clarification of code intent • Supports Comprehensive Plan Land Use Goal 2: Promote health in the built environment.
8.	Zoning Allowed Use Table (Table numbering)	17.410.040 (A) (B) and (C)	<p>Changing section numbering from 17.410.040 (A) to “17.410.042”</p> <p>Changing section numbering from 17.410.040 (B) to “17.410.044”</p> <p>Changing section numbering from 17.410.040 (C) to “17.410.046”</p>	<ul style="list-style-type: none"> • Simplification of code
9.	Zoning Allowed Use Table (Format and content)	17.410.040 (A) (B) and (C)	Add headings for “Comprehensive Plan Land Use Designation” and “Zoning Classification” consistent with 17.120.010.	<ul style="list-style-type: none"> • Internal code consistency • Clarification of code intent • Simplification of code
10.	Zoning Allowed Use Tables (Accessory use or structure)	17.410.040 (B) 104, 200, 300, 400, 500, 600,	Revise table to permit “accessory uses or structures” within all zoning classifications.	<ul style="list-style-type: none"> • Clarification of code intent • Internal code consistency
		17.410.040 (C) 104, 200, 300, 400, 500, 600,	Revise table to permit “accessory uses or structures” within all zoning classifications.	<ul style="list-style-type: none"> • Clarification of code intent • Internal code consistency

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11.	Zoning Allowed Use Tables (Manufactured homes)	17.410.040 (A) 124	Add <i>"includes manufactured homes"</i> below dwelling, single-family, detached in zoning use table.	<ul style="list-style-type: none"> • Clarification of code intent • State mandate • Internal code consistency
		17.410.040 (B) 124	Add <i>"includes manufactured homes"</i> below dwelling, single-family, detached in zoning use table.	<ul style="list-style-type: none"> • Clarification of code intent • State mandate • Internal code consistency
		17.410.040 (C) 124	Add <i>"includes manufactured homes"</i> below dwelling, single-family, detached in zoning use table.	<ul style="list-style-type: none"> • Clarification of code intent • State mandate • Internal code consistency
12.	Zoning Allowed Use Table (Home business footnote reference)	17.410.040 (A) 128	Change the footnote reference for home businesses from 52 to <i>"53"</i> .	<ul style="list-style-type: none"> • Incorrect code reference • Clarification of code intent
		17.410.040 (C) 128	Change the footnote reference for home businesses from 52 to <i>"53"</i> .	<ul style="list-style-type: none"> • Incorrect code reference • Clarification of code intent
13.	Footnotes for Zoning Use Tables (Circus, carnival, animal display or amusement ride)	17.410.05 A. 11.	Change footnote requirement from administrative review to <i>"a Type 1 administrative review"</i> .	<ul style="list-style-type: none"> • Clarification of code intent • Internal code consistency
14.	Footnotes for Zoning Use Tables (Accessory automobile, recreational vehicle or boat sales use in industrial zones)	17.410.050A. 35.	Revise footnote restriction from no more than twenty-five percent of the floor area to <i>"no more than twenty-five percent of the site development area"</i> .	<ul style="list-style-type: none"> • Clarification of code intent

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15.	Footnotes for Zoning Use Tables (Development in commercial zones abutting residential zones)	17.410.050A. 57.	Revise footnote to read <i>““Unless the permit application is a Type III”, when a component of development located within a commercial zone involves the conversion of previously undeveloped land, “residential development, or land developed with a less intensive use” which abuts a residential zone, it shall be treated as a Type II administrative decision.”</i>	<ul style="list-style-type: none"> • Clarification of code intent
16.	Footnotes for Zoning Use Tables (Espresso stand drive aisles/stacking lanes)	17.410.050 A. 58. a.	Revise minimum stacking lane requirement from twenty feet to <i>“sixty feet minimum”</i> .	<ul style="list-style-type: none"> • Clarification of code intent • Internal code consistency
17.	Footnotes for Zoning Use Tables (drive-through service within Waaga Way Town Center)	17.410.050 A. 63.	Remove footnote	<ul style="list-style-type: none"> • Irrelevant code requirement
18.	Footnotes for Zoning Use Tables (Development in rural commercial or rural industrial zone abutting residential zones)	17.410.050 A. 64.	Revise footnote to read “When a component of development is located within the rural commercial or rural industrial zone and involves the conversion of previously undeveloped land, <i>“residential development, or land developed with a less intensive use”</i> which abuts a residential zone, it shall be treated as a Type III hearing examiner decision.”	<ul style="list-style-type: none"> • Clarification of code intent
19.	Special Use Provisions (Measuring an Accessory Dwelling Unit)	17.410.060 B. 3. e.	Add <i>“Dimensions are determined by exterior measurements;”</i> to be consistent with how guest houses are measured.	<ul style="list-style-type: none"> • Internal code consistency

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20.	<p>Density, Dimensions, and Design Tables (Table numbering)</p>	17.420.050 (A) (B) (C) (D)	<p>Changing table section numbering from 17.420.050 (A) to “17.420.052”</p> <p>Changing table section numbering from 17.410.040 (B) to “17.420.054”</p> <p>Changing table section numbering from 17.410.040 (C) to “17.420.056”</p> <p>Changing table section numbering from 17.410.040 (D) to “17.420.058”</p>	<ul style="list-style-type: none"> • Simplification of code
21.	<p>Density, Dimensions, and Design Tables (Setbacks footnote reference)</p>	17.420.050 (A) (B) (C) (D)	Change footnote reference regarding setbacks from 38 to “48”.	<ul style="list-style-type: none"> • Internal consistency of code
22.	<p>Footnotes for Density, Dimensions, and Design Tables (Footnote 38)</p>	17.420.060 A. 38	Remove footnote.	<ul style="list-style-type: none"> • Removing redundancy in code
23.	<p>Footnotes for Density, Dimensions, and Design Tables (Footnote 44)</p>	17.420.060 A. 44.	Remove footnote	<ul style="list-style-type: none"> • Irrelevant code requirement
24.	<p>Footnotes for Density, Dimensions, and Design Tables (Footnote 46)</p>	17.420.060 A. 46	<p>Revise footnote to read “<i>A front porch and associated steps shall meet a minimum five foot setback from the front property line:</i></p> <p><i>a. Porches shall be forty percent open on each of two sides;</i></p> <p><i>c. Minimum porch dimensions shall be four feet by six feet, or twenty-four square feet.</i></p> <p><i>d. Porches shall not be less than four feet in width”.</i></p>	<ul style="list-style-type: none"> • Clarification of code intent

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25.	Footnotes for Density, Dimensions, and Design Tables (Footnote 48)	17.420.060 A. 48	Add reference <i>“For shoreline properties, refer to Title 19 and 22 as critical area, shoreline, or buffer setbacks, as well as view blockage standards may apply.”</i> In addition, revise to specify <i>“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.”</i>	<ul style="list-style-type: none"> • Clarification of code intent • Internal consistency of code
26.	Performance Based Development (Application requirements)	17.450.060 A.	Remove number of copies required for application submittal.	<ul style="list-style-type: none"> • Simplification of code
		17.450.060 B.	Remove number of copies required for application submittal.	<ul style="list-style-type: none"> • Simplification of code
27.	Urban Village Commercial Design Criteria (Modify title of chapter)	17.480	Change title of Chapter 17.480 from Urban Village Commercial Design Criteria to <i>“Urban Village Center Design Criteria.”</i>	<ul style="list-style-type: none"> • Internal consistency of code
28.	Urban Village Commercial Design Criteria (How to use the design criteria)	17.480.010	Change subsection reference from urban village commercial to <i>“urban village center”</i> .	<ul style="list-style-type: none"> • Internal consistency of code
29.	Urban Village Center (UVC) (Urban Village Commercial Design Criteria)	17.260.020 (B)	Add reference to <i>“Chapter 17.480 Urban Village Center (UVC) Design Criteria”</i>	<ul style="list-style-type: none"> • Simplification of code • Clarification of code intent

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30.	Zoning Variances (Application process)	17.560.010	Remove <i>“The hearing examiner may permit and authorize a”</i> .	<ul style="list-style-type: none"> • Internal consistency of code
31.	Zoning Variances (Application process)	17.560.020	Add a table to describe the application requirements <i>“Type 1, Type 2, or Type 3”</i> consistent with Title 21	<ul style="list-style-type: none"> • Internal consistency of code
32.	Zoning Variances (Expiration of granted variances)	17.560.080	Change expiration of granted variances from three to <i>“four”</i> year.	<ul style="list-style-type: none"> • Internal consistency of code
33.	Transfer of Development Rights (When transfer of development rights are required)	17.580.080 B.	Remove <i>“pursuant to Chapter 17.450”</i> because transfer of development rights are required when requesting a higher density or intensity zone.	<ul style="list-style-type: none"> • Clarification of code intent
34.	Rezone (Reference to transfer of development rights)	21.04.230 A.	Add <i>“An application for rezone may require Transfer of Development Rights as governed by Section 17.580.080”</i> .	<ul style="list-style-type: none"> • Clarification of code intent • Internal consistency of code • Simplification of code

Attachment 2

2017 Minor Updates to Kitsap County Code (KCC) Update: Summary of Changes				
ID	Topic (Subject)	KCC Ref	Action	Goal, Policy, or Explanation
1.	Vacation Rentals (Permit requirements)	17.410.050 A.34	<p>Revise footnote to add regulation for vacation rentals with more than four bedrooms.</p> <p>Staff is exploring additional amendments to the existing requirements These changes include requiring:</p> <ul style="list-style-type: none"> • All vacation rentals obtain a permit to operate within six months of the effective date of the ordinance. • A registered agent be identified that is capable of responding within a half hour to a complaint at the property. • The landowner shall provide notification to adjacent property owners regarding changes to the registered agent. 	<p>Vacation rentals have the potential to change the character of a neighborhood due to the transient nature of the use. Vacation rentals are increasingly being used for other commercial venues such as weddings or company retreats. These types of commercial venues would typically require a permit and would be subject to review for permissibility, impacts, and potential conditions of operation.</p> <p>Currently only newly created vacation rentals are regulated. Vacation rentals existing prior to June 30, 2016 are able to operate.</p> <p>The Department of Community Development is requesting feedback from the Board of County Commissioners on proposed alternative revisions to existing regulation of vacation rentals.</p>
2.	Frontage Improvements: (Requirements of development in Urban Growth Areas (UGA))	(NEW) 17.420.025	Revise language to require frontage improvements for new development within urban growth areas consistent with Kitsap County Public Works roadway design standards.	The Growth Management Act requires urban levels of infrastructure within Urban Growth Areas. Kitsap County's goals, policies, and strategies indicate that new development should install infrastructure or pay an impact fee to fund infrastructure improvements.

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3.	Maximum Lot Size: (Achieving urban density in Urban Growth Areas (UGA))	17.420.060 A.25	Provide exceptions from the subdivision requirements for lots over 18,000 square feet in Urban Growth Areas.	The need to achieve a higher urban density within Urban Growth Areas is a consistent theme throughout the 2016 Comprehensive Plan. Current code requires subdivision of lots over 18,000 square feet within urban growth area and limits the lot size to 9,000 square feet.
4.	Parking Areas: (Requirements of development in Urban Growth Areas (UGA))	17.490.020 H.4	Revise language to require new parking areas in Urban Growth Areas (UGA) to be “paved”.	Existing code requires parking lots to be “durable and dustless surfaces” which has resulted in gravel parking lots which was not the intent. Gravel parking lots can adversely impact water quality due to infiltration of chemicals leaking from a vehicle.