



CITY OF PORT ORCHARD

Planning Commission

216 Prospect Street, Port Orchard, WA 98366

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PLANNING COMMISSION MEETING AGENDA

Tuesday, August 7, 2018

- 1. Call to Order: 6:00 p.m.**
Pledge of allegiance
- 2. Audience Comments – Not on the Agenda**
Please limit comments to **3 minutes**.
- 3. Business Items**
 - A. Presentation: Zoning Code Survey Results
 - B. Public Hearing: Zoning Code Update Draft Chapters
 - C. Discussion: Planning Commission Retreat
- 4. Approval of Minutes from June 5 and July 12, 2018**
- 5. Adjourn**

The public is invited to speak and give testimony on any item under discussion by the Planning Commission. Please sign in prior to speaking, walk to the podium, and after receiving recognition by the Chairman, state your name, address and purpose for appearing. Please use the microphone for all of your testimony or comments.

Chapter 20.30
INTRODUCTION TO ZONING, LAND USES, AND BUILDING TYPES

Sections:

20.30.010 Purpose

20.30.020 Application

20.30.010 Purpose.

- (1) This subtitle is adopted for the purpose of guiding development in accordance with the Port Orchard Comprehensive Plan and to protect, promote, and improve the public health, safety, and general welfare.
- (2) This subtitle is enacted to exercise the full range of authority under Washington law to establish standards to regulate and restrict the:
 - (a) Height, number of stories, size, construction, reconstruction, alteration, repair, or use of buildings and structures;
 - (b) Percentage of lot occupancy, size of courts, yards, and open spaces;
 - (c) The dimensions of lots and density of development;
 - (d) The location and use of buildings and structures.
- (3) This subtitle is enacted for the following purposes:
 - (a) To ensure that important environmental features are protected;
 - (b) To encourage the urban development within the City of Port Orchard consistent with the Growth Management Act, the Countywide Planning Policies, and the Regional Growth Strategy;
 - (c) To protect life and property in areas subject to natural hazards and disasters;
 - (d) To protect fish, wildlife, and recreation resources;
 - (e) To avoid undue water and air pollution;
 - (f) To provide standards for the subdivision of land in addition to those listed in Subtitle V of this Title.
 - (g) To encourage economically sound, fiscally sustainable, orderly, and compatible land development practices in accordance with the comprehensive plan;
 - (h) To ensure that adequate public facilities and services are provided to Port Orchard residents at a reasonable cost;
 - (i) To ensure that development on land is commensurate with the physical characteristics of the land;
 - (j) To assure the provision of needed open spaces and public facility sites.
- (4) This Subtitle is intended to provide a mechanism for achieving the following goals:
 - (a) Mix of land uses;
 - (b) Compact building design;
 - (c) Creating a range of housing opportunities and choices;
 - (d) Creating walkable neighborhoods;
 - (e) Fostering distinctive, attractive communities with a strong sense of place;
 - (f) Preserving open spaces and natural beauty;
 - (g) Providing a variety of transportation choices; and
 - (h) Making development decisions predictable, fair, and cost effective;

20.30.020 Application

- (1) Territorial Application. This Subtitle applies to all land, uses, buildings and structures within Port Orchard.
- (2) General Application. In their interpretation and application, the provisions of this subtitle are the minimum requirements necessary to meet the purpose and intent of these regulations.
- (3) Required Conformance. All buildings, structures or land, in whole or in part, must be used or occupied in accordance with this subtitle.
- (4) Control over less restrictive laws and regulations. If any condition or requirement imposed by this subtitle is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.
- (5) Conflict. If any condition or requirement imposed by this subtitle contains an actual, implied, or apparent conflict, the more restrictive condition or requirement controls.
- (6) References to Other Laws. Whenever a provision of this subtitle refers to any other part of the Port Orchard Municipal Code or to any other law, the reference applies to any subsequent amendment of that law.
- (7) Text and Graphics. Illustrations and photographs are included in this Subtitle to illustrate the intent and requirement of the text. In cases of a conflict between the text and illustrations, photos, and graphics, the text controls.

Chapter 20.31
ZONES AND ZONING MAP

Sections:

20.31.010 Zones established.

20.31.020 Boundary questions.

20.31.021 Interpretation – Right-of-way.

20.31.030 Changes.

20.31.040 Annexed land.

20.31.010 Zones established.

(a) The following zones are hereby established:

- (1) Greenbelt (GB)
- (2) Residential 1 (R1)
- (3) Residential 2 (R2)
- (4) Residential 3 (R3)
- (5) Residential 4 (R5)
- (6) Residential 5 (R5)
- (7) Residential 6 (R6)
- (8) Residential Mixed-Use (RMU)
- (9) Neighborhood Mixed-Use (NMU)
- (10) Commercial Mixed-Use (CMU)
- (11) Business Professional Mixed-Use (BPMU)
- (12) Downtown Mixed-Use (DMU)
- (13) (Downtown) Gateway Mixed-Use (GMU)
- (14) Commercial Corridor (CC)
- (15) Commercial Heavy (CGH)
- (16) Industrial Flex (IF)
- (17) Light Industrial (LI)
- (18) Heavy Industrial (HI)
- (19) Civic Institutional (CI)
- (20) Parks and Recreation (PR)
- (21) Public Facilities (PF)

(b) The following Overlay Districts are hereby established:

- (1) View Protection Overlay District (VPOD)
- (2) Downtown Height Overlay District (DHOD)
- (3) Self-Storage Overlay District (SSOD)

(c) The location and boundaries of the various zones are shown on the city's adopted zoning map and are codified in this title and made a part of this title. Overlay District Boundaries may be shown on the City's adopted zoning map, may be codified elsewhere in this code, or be adopted as a standalone map. Changes in the boundaries of the zones or overlay districts, including application or amendment or interim zoning, shall be made by ordinance adopting or amending the zoning map or alternatively in the case of an overlay district, by amending the standalone overlay district map or code section.

- (d) Maps may be kept electronically in a Geographic Information System (GIS). Copies published online or electronically do not constitute originals. Map originals must be kept on file with the Port Orchard City Clerk and must indicate the date of the adoption and most recent amendment.

20.31.020 Boundary questions.

Where uncertainty exists as to the boundaries of any zone or overlay district, the following rules of construction, listed in priority order, shall apply:

- (1) Where boundaries are indicated as following approximate lot lines, the actual lot lines shall be considered the boundaries.
- (2) Where boundaries are indicated as following lines of ordinary high water, or government meander lines, the lines shall be considered to be actual boundaries. If these lines should change, the boundaries shall be considered to move with them.
- (3) If none of the rules of interpretation described in the above subsections apply, then the zoning boundary shall be determined by map scaling.

20.31.030 Interpretation – Right-of-way.

- (1) Except when such areas are specifically designated on the zoning map as being classified in one of the zones provided in this title, land contained in rights-of-way for streets or alleys shall be considered unclassified.
- (2) Within street or alley rights-of-way, uses shall be limited to street purposes as defined by law.
- (3) Where such right-of-way is vacated, the vacated area shall have the zone classification of the adjoining property with which it is first merged.

20.31.040 Changes.

No change shall be made to a zoning map except by authority of an amending ordinance. Any changes made otherwise shall be in violation of this title.

20.31.050 Annexed land.

- (1) The City's Comprehensive Plan has predesignated land use and zoning designations for all areas of the Port Orchard Urban Growth Area as shown on the Land Use Map in the Comprehensive Plan and on the City's adopted zoning map. Upon annexation, these predesignated land use and zoning designations shall apply unless the City Council designates some other zoning designation in the annexation ordinance.
- (2) Any lot subdivided under authority of the county and recognized by the county as a buildable lot will, upon annexation to the city, be considered a buildable lot, even though it may be smaller than the city zoning requires for that vicinity and zone.

Commented [NB1]: Conflicts with design standards – Design Standards Control

Chapter 20.32 BUILDING TYPES

Sections:

- 20.32.005 Purpose.**
- 20.32.010 Building Type Descriptions.**
- 20.32.020 Detached House.**
- 20.32.030 Backyard Cottage.**
- 20.32.040 Cottage Court.**
- 20.32.050 Duplex: Side by Side.**
- 20.32.060 Duplex: back to Back.**
- 20.32.070 Attached House.**
- 20.32.080 Four Plex.**
- 20.32.090 Townhouse.**
- 20.32.100 Apartment.**
- 20.32.110 Live Work.**
- 20.32.120 Shopfront House.**
- 20.32.130 Single Story Shopfront.**
- 20.32.140 Mixed Use Shopfront.**
- 20.32.150 General Building.**

20.32.005 Purpose.

The purpose of this chapter is to differentiate building types and provide standards for the construction of different building types to ensure a high quality public realm.

20.32.010 Building Type Descriptions.

(1) Detached House.

- a. A building type that accommodates one dwelling unit on an individual lot with yards on all sides. A new manufactured home shall be considered a detached house for the purposes of this Title. "New manufactured home" means any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW 82.45.032(2). A new Manufactured Home shall be treated as a Detached House for the purposes of this Title.



- b. Zones where permitted: R1, R2, R3, R6, RMU, NMU, BPMU

(2) Backyard Cottage.

- a. A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated.



b. Zones where permitted:

(3) Cottage Court.

- a. A building type that accommodates 5 to 9 detached dwelling units organized around an internal shared courtyard.



b. Zones where permitted:

(4) Duplex: Side by Side.

- a. A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.



b. Zones where permitted:

(5) Duplex: Back to back.

- a. A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.



b. Zones where permitted:

(6) Attached House.

- a. A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.



- b. Zones where permitted:

(7) Four-plex.

- a. A building type that accommodates 3 to 4 dwelling units vertically or horizontally integrated.



- b. Zones where permitted:

(8) Townhouse.

- a. A building type that accommodates 3 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.



- b. Zones where permitted.

(9) Apartment.

- a. A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.



- b. Zones where permitted.

(10) Live Work.

- a. A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.



- b. Zones where permitted:

(11) Shopfront House.

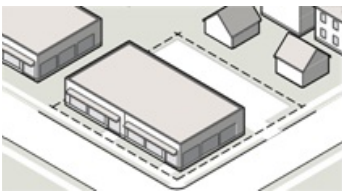
- a. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.



- b. Zones where permitted:

(12) Single-Story Shopfront

- a. A single-story building type that typically accommodates retail or commercial uses.



- b. Zones where permitted:

(13) Mixed Use Shopfront.

- a. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses



b. Zones where permitted:

(14) General Building.

- a. A building type that typically accommodates ground floor retail, office, or commercial uses with upper-story residential or office uses.



b. Zones where permitted:

(15) Manufactured or Mobile Home Park.

- a. A cluster of manufactured or mobile homes configured such that more than one mobile home is located on a lot, parcel, or tract. A Manufactured Home Park typically features land or un-subdivided lots leased or rented by the manufactured home owner.
- b. Zones where permitted: None. New mobile home parks are not permitted. Existing legal nonconforming mobile home parks may be maintained.

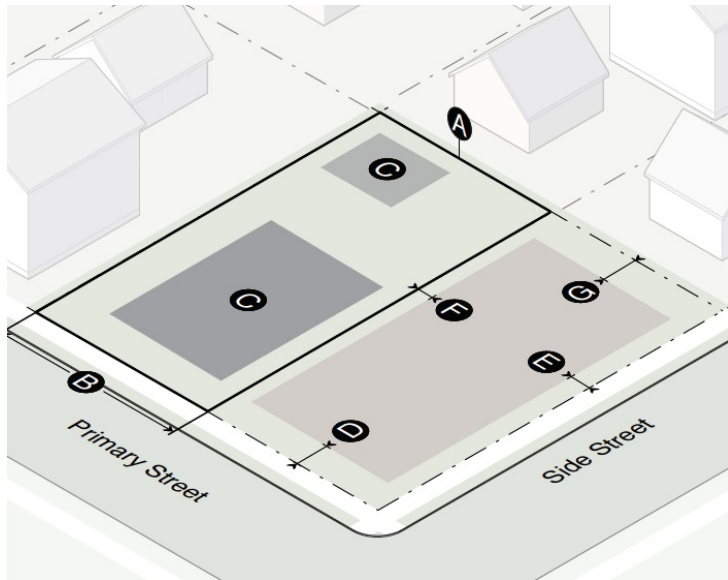
(16) Accessory Building:

- a. An accessory building is any building of which the form and use are subordinate in both purpose and size, incidental to and customarily associated with a permitted principal building and use located on the same lot.

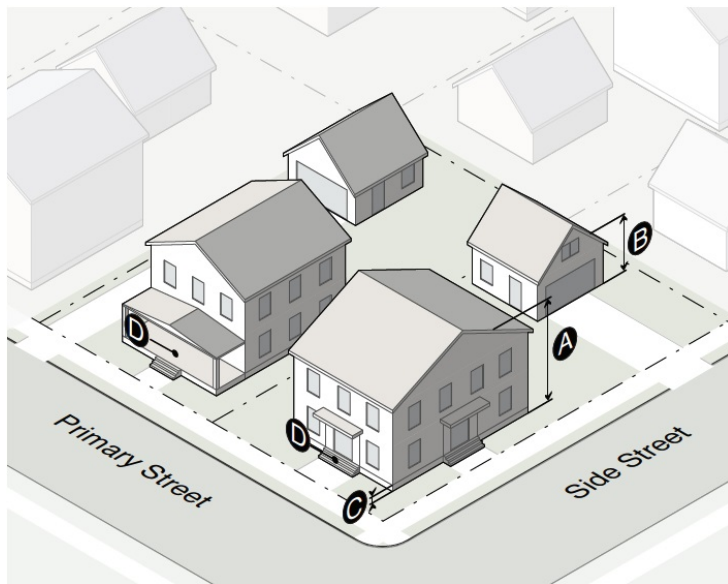
20.32.020 Detached House.



- (1) Definition: A building type that accommodates one dwelling unit on an individual lot with yards on all sides.
- (2) Districts where allowed: GB, R1, R2, R3, R6, NMU, BPMU
- (3) Lot and Placement:



- a. Minimum/Maximum Lot Area: Set by District.
 - b. Minimum Lot Width. Set by District.
 - c. Maximum Lot Coverage: Set by District.
 - d. Building and Structure Setback from Primary Street lot line: Set by District.
 - e. Building and Structure Setback from Side Street lot line: Set by District.
 - f. Building and Structure Setback from Side Interior lot line: Set by District.
 - g. Building and Structure Setback from Rear lot line: Set by District
- (4) Maximum dwelling units per lot: 1 Primary, 1 Accessory
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.

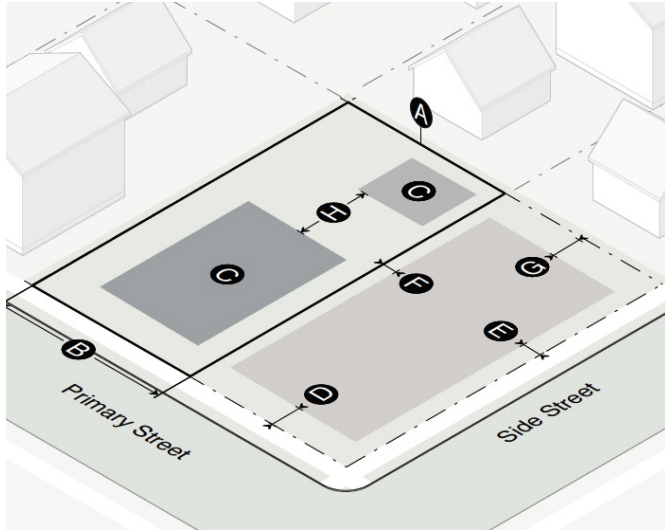


- a. Maximum Principal Building Height: 3 stories / 35 feet max
- b. Accessory Structure: 24 feet max
- c. Minimum Ground Floor Elevation: 2 Feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.122.070
 - ii. Garage door restrictions: See 20.122.070

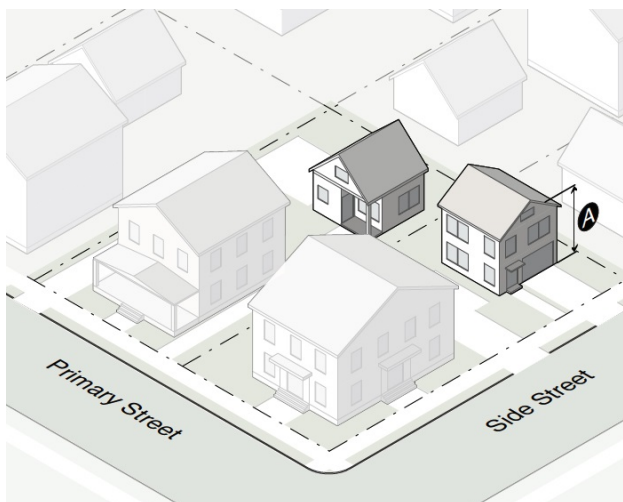
20.32.030 Backyard Cottage



- (1) Definition: A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.
- (2) Districts where allowed: R1, R2, R3, R6, NMU, RMU, BPMU
- (3) Lot and Placement:



- a. Minimum/Maximum Lot Area: Set by District.
 - b. Minimum Lot Width: Set by District.
 - c. Maximum Lot Coverage: Set by District.
 - d. Building and Structure Setback from Primary Street lot line: Set by District.
 - e. Building and Structure Setback from Side Street lot line: Set by District.
 - f. Building and Structure Setback from Side Interior lot line: Set by District.
 - g. Building and Structure Setback from Rear lot line: Set by District
 - h. Minimum Building separation: 10'
 - i. Maximum Heated floor area: **See section 20.32.080.**
- (4) Max dwelling units per lot: 1 Backyard Cottage may be permitted as an accessory use to 1 detached house or New Manufactured Home on a lot.
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.



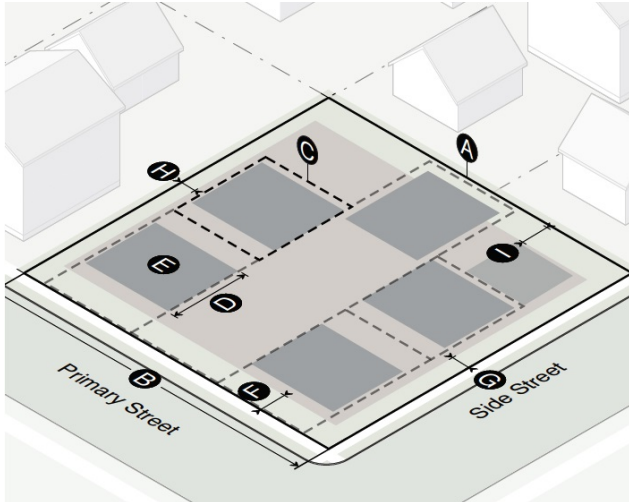
- a. Maximum Accessory Structure Height: 24 Feet

- b. Minimum Ground Floor Elevation: 2 Feet Minimum
- c. Pedestrian Access.
 - i. Entrance facing primary street: Does not apply.
- d. Building Elements Allowed:
 - i. Balcony. Does not apply.
 - ii. Porch. Does not apply.
 - iii. Stoop. Does not apply.
- e. Parking Location
 - i. Front/corner yard restrictions: Does not apply.
 - ii. Garage door restrictions: See Section 20.32.170.
 - iii. Additional on-site parking required: See section XXXX.

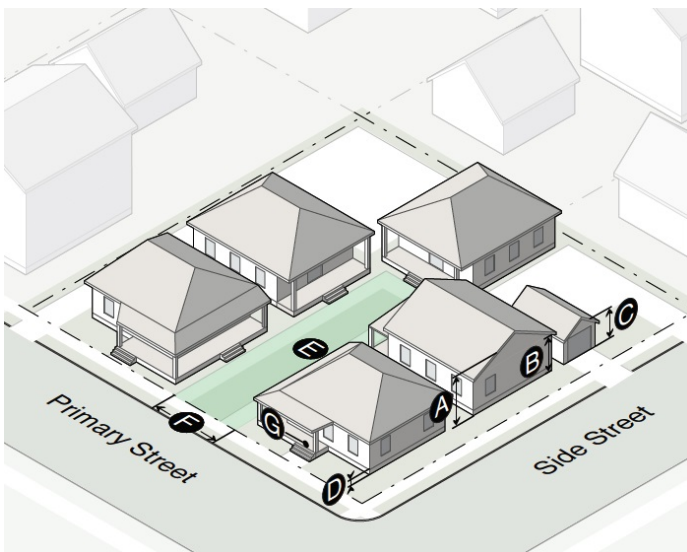
20.32.040 Cottage Court.



- (1) Definition: A building type that accommodates 5 to 12 detached dwelling units on individual lots organized around an internal shared courtyard.
- (2) Districts where allowed: R2, R3, R6, RMU, NMU
- (3) Lot and Placement



- a. Minimum Site Area: 22,500 square feet
- b. Minimum Site Width and Depth: 150'
- c. Minimum Lot Area: 1,200 square feet
- d. Minimum Lot Width: 20'
- e. Maximum Principal Building Footprint: 1,200 square feet
- f. Building and Structure Setback from Primary Street lot line: Set by District.
- g. Building and Structure Setback from Side Street lot line: Set by District.
- h. Building and Structure Setback from Side Interior lot line: Set by District.
- i. Building and Structure Setback from Rear lot line: Set by District
- (4) Maximum Dwelling Units allowed per site: 5-12
- (5) Additional site area required per dwelling unit beyond 5: 4,500 square feet
- (6) Maximum Lot Coverage: Does not apply
- (7) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (8) Height and Form.

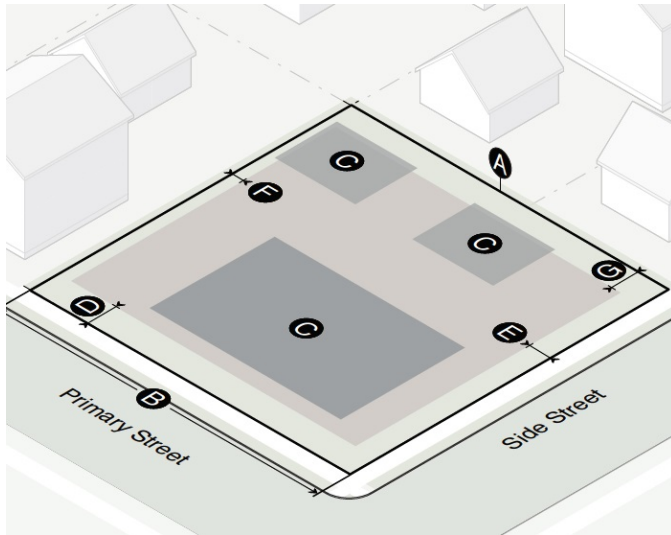


- a. Maximum Principal Building Height: 1.5 stories / 24 feet Max
- b. Maximum Building Wall Plate Height: 18 feet
- c. Maximum Accessory Structure Height: 18 feet
- d. Minimum Ground Floor Elevation: 2 feet
- e. Courtyard Area:
 - a. Minimum Area: 3,000 square feet
 - b. Additional Minimum Courtyard Area per dwelling unit beyond 5 units: 600 square foot minimum.
 - c. Courtyard cannot be parked or driven on, except for emergency access and as permitted for temporary events.
- f. Minimum Courtyard Width
 - a. 40 feet
- g. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- h. Parking Location
 - i. Front/corner yard restrictions: Not allowed.
 - ii. Garage door restrictions: See 20.32.070

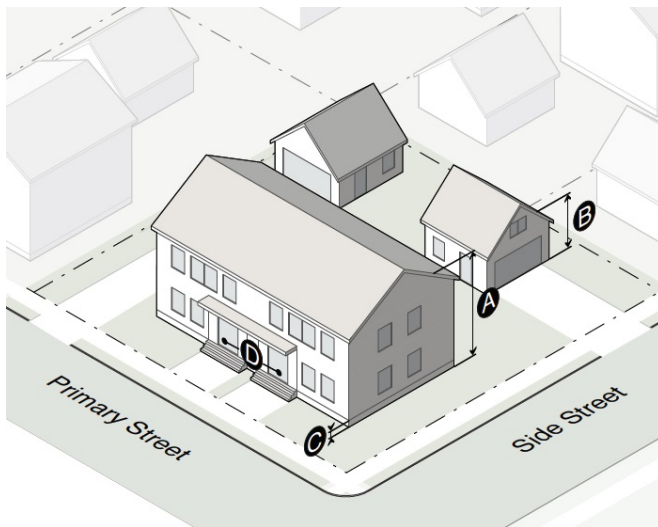
20.32.050 Duplex: Side by Side.



- (1) Definition: A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.
- (2) Districts where allowed: R2, R3, RMU, NMU, BPMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by district.
 - b. Minimum Lot Width: Set by district.
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 2 min, 2 max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24' feet

- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070
- g. Maximum Garage Door Width for garage bays facing primary street: 10 feet.

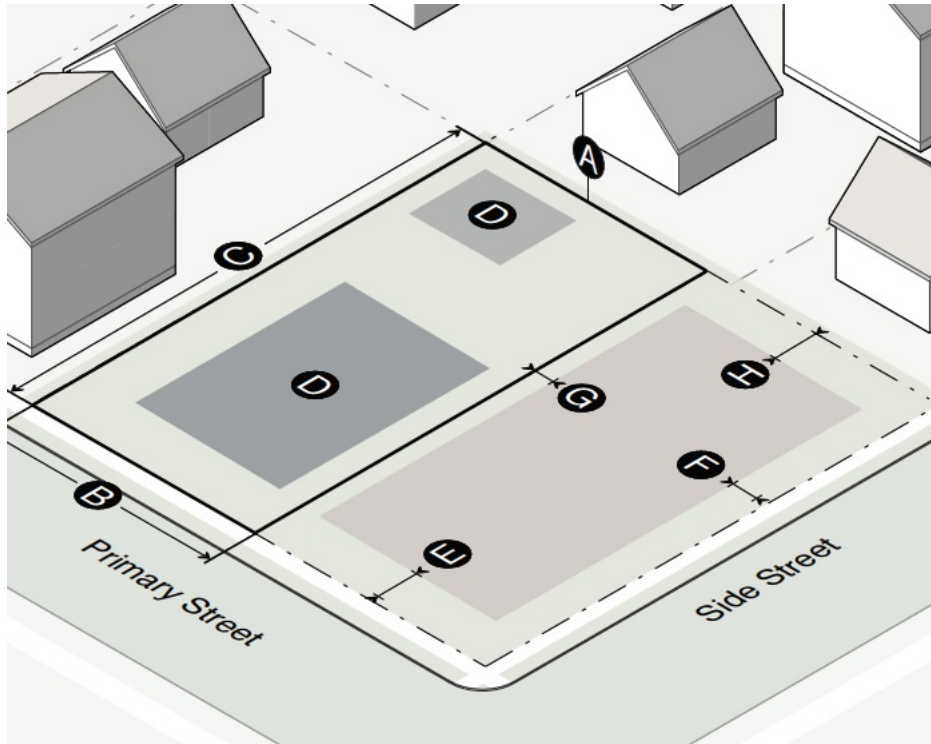
20.32.060 Duplex: Back to Back.



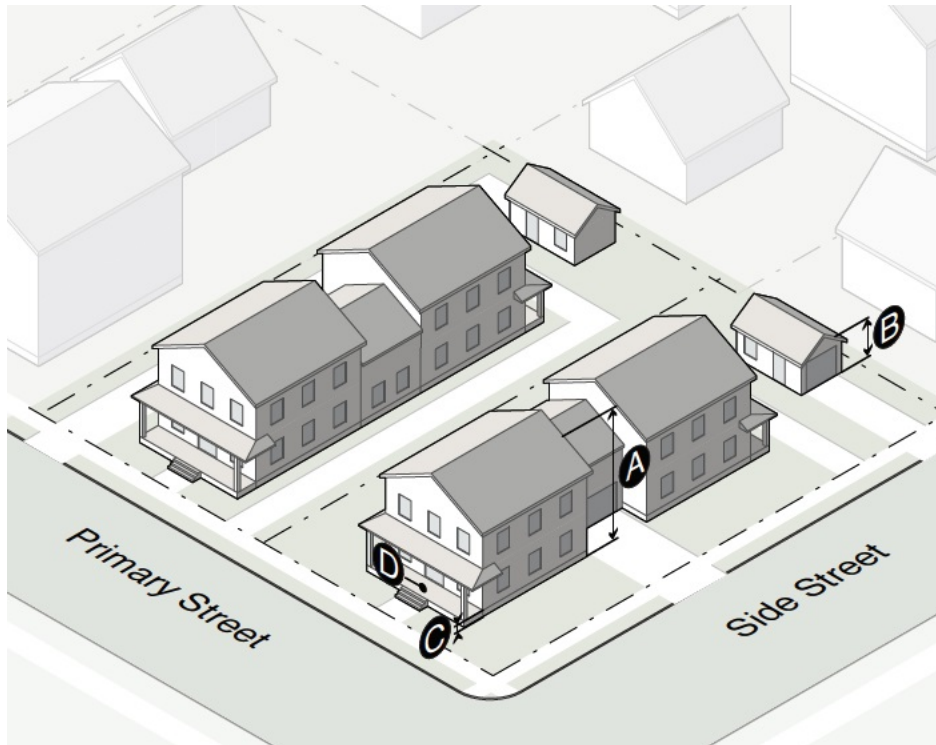
- (1) Definition: A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.

(2) Districts where allowed: R2, R3, RMU, NMU, BPMU

(3) Lot and Placement:



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 2 min, 2 max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet Max
- b. Maximum Accessory Structure Height: 24 feet Max
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.32.070
 - ii. Porch. See section 20.32.070
 - iii. Stoop. See section 20.32.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070

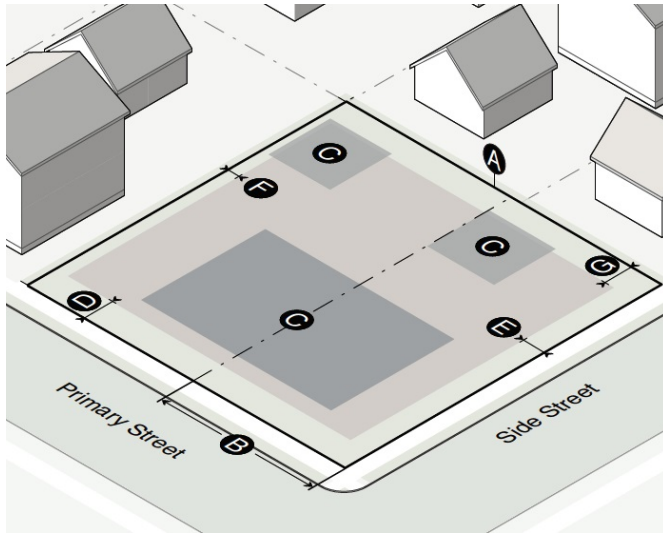
POMC 20.32.070 Attached House



- (1) Definition: A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.

(2) Districts where allowed: R2, R3, RMU, NMU, BPMU

(3) Lot and Placement



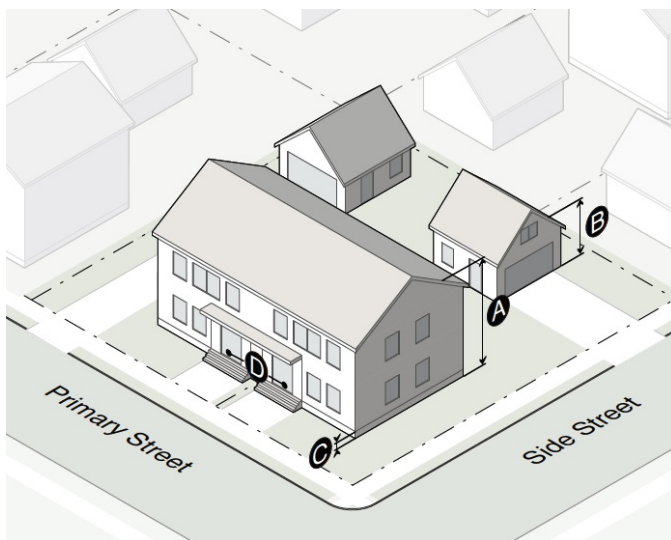
- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District

(4) Dwellings allowed per lot: 1 min, 1 max

(5) Build to Zone (BTZ)

- a. Building Façade in primary street BTZ: Does not apply.
- b. Building façade in secondary street BTZ: Does not apply.

(6) Height and Form.



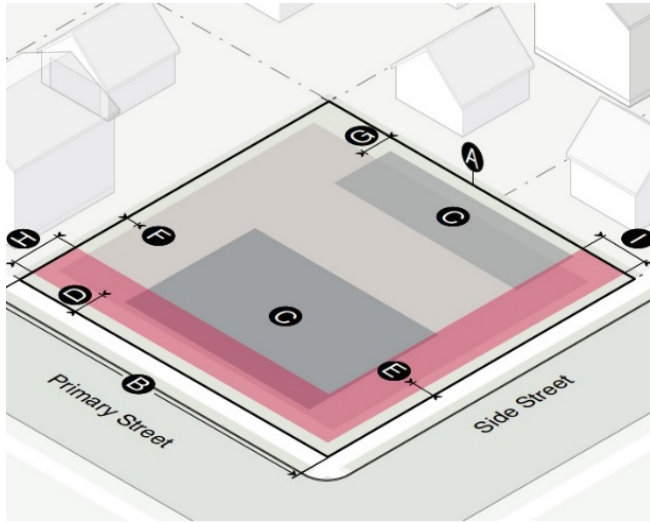
- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24 feet
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.32.070
 - ii. Porch. See section 20.32.070
 - iii. Stoop. See section 20.32.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070

20.32.080 Four-Plex.



(1) Definition: A building type that accommodates 3-4 dwelling units vertically or horizontally integrated.

- (2) Districts where allowed: R3, R4, R5, RMU, NMU
- (3) Lot and Placement



- a. Minimum Lot Area: 7,000 square feet
- b. Minimum Lot Width: 65'
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: Minimum 3, Maximum 4
- (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by District.
 - b. Building façade in secondary street BTZ: Set by District.
- (6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24 feet
- c. Minimum Ground Floor Elevation: 2 feet
- d. Minimum Ground Floor Transparency: 20%
- e. Minimum Upper Floor Transparency: 20%
- f. Maximum Blank Wall Area: 35'
- g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- h. Building Elements Allowed:
 - i. Awning/canopy. See Section 20.32.160
 - ii. Balcony. See section 20.32.070
 - iii. Porch. See section 20.32.070
 - iv. Stoop. See section 20.32.070
- i. Parking Location
 - i. Front/corner yard restrictions: Parking Not allowed in front/corner yards.
 - ii. Garage Door Restrictions: See section 20.32.170.

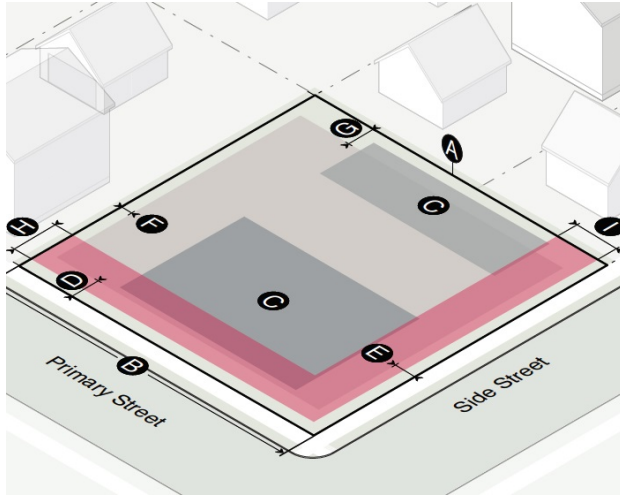
20.32.090 Townhouse



- (1) Definition: A building type that accommodates 3 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

(2) Districts where allowed: R3, R4, R5, RMU, CMU, GMU, BPMU

(3) Lot and Placement



- a. Minimum Site Area: 5,000 SF Min
 - b. Minimum Site Width: 70'
 - c. Minimum Lot Area: 1,500 square feet
 - d. Minimum Lot Width (Set by district):
 - e. Maximum Lot Coverage: Set by District
 - f. Primary Street Setback: Set by District.
 - g. Side Street Setback: Set by District.
 - h. Side Interior Setback: Set by District.
 - i. Rear Setback: Set by District
- (4) Dwellings allowed per site/lot: 1 min, no max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Set by District
 - b. Building façade in secondary street BTZ: Set by District
- (6) Height and Form.



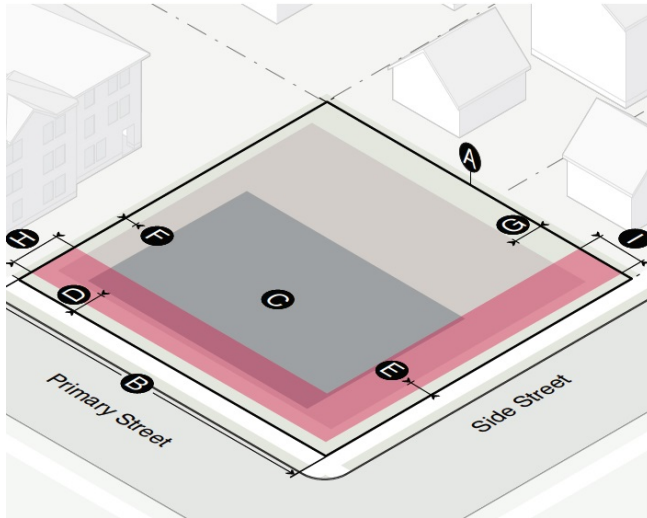
- a. Maximum Principal Building Height: 3 stories / 35 feet Max
- b. Accessory Structure: 24 feet Max
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Unit Width: 20 foot Min
- e. Number of Units Permitted in a row: 6 max
- f. Transparency ground story: 20% minimum
- g. Transparency upper story: 20% minimum
- h. Blank wall area: 35 feet max.
- i. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- j. Building Elements Allowed:
 - i. Awning/canopy: See section 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
- k. Parking Location
 - i. Front/corner yard restrictions: Not allowed in front/corner yards.
 - ii. Garage door restrictions: See section 20.32.170.

20.32.100 Apartment.



- (1) Definition: A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.

- (2) Districts where allowed: R3, R4, R5, RMU, NMU, GMU, CC
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 5 min, no max
- (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by district.
 - b. Building façade in secondary street BTZ: Set by district.
- (6) Height and Form.

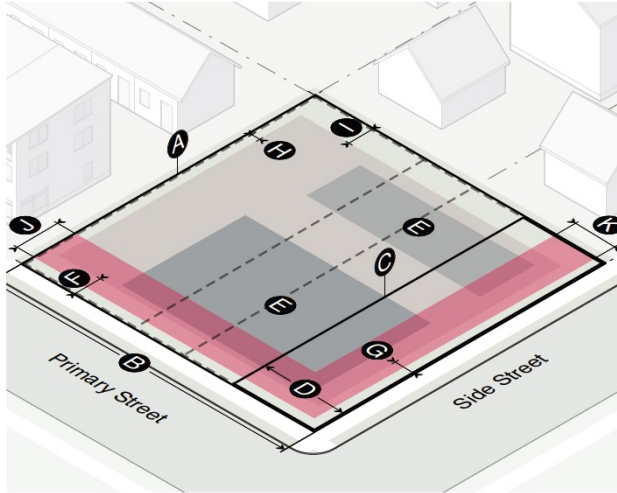


- a. Maximum building and structure height: Set by district
- b. Minimum Ground Floor Elevation: 2 feet Minimum
- c. Maximum building length:
- d. Minimum ground story transparency: 20%
- e. Minimum upper story transparency: 20%
- f. Maximum blank wall area: 35'
- g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
 - ii. Entrance spacing along primary street: 100' max.
- h. Building Elements Allowed:
 - i. Awning/canopy: See section 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Forecourt: See section 20.32.170
 - iv. Porch. See section 20.32.170
 - v. Stoop. See section 20.32.170
- i. Parking Location
 - i. Front/corner yard restrictions: Not allowed.

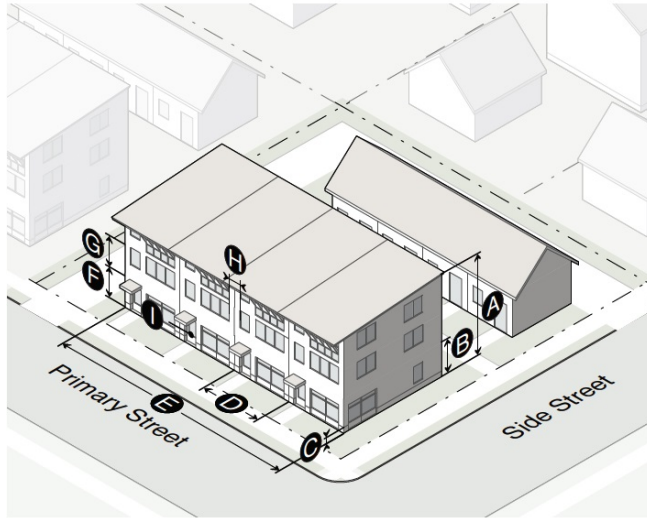
20.32.110 Live Work.



- (1) Definition: A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.
- (2) Districts where allowed: RMU, NMU, BPMU, CMU, GMU, DMU, IF, CC
- (3) Lot and Placement



- a. Minimum Site Area: 4,000 square feet
 - b. Minimum Site Width: 55 feet
 - c. Minimum Lot size: 1,000 SF min
 - d. Minimum Lot Width: 16 feet Min
 - e. Maximum Lot Coverage: Set by District
 - f. Primary Street Setback: Set by District.
 - g. Side Street Setback: Set by District.
 - h. Side Interior Setback: Set by District.
 - i. Rear Setback: Set by District
- (4) Units per lot: 1 min / no max
 - (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by District.
 - b. Building façade in secondary street BTZ: Set by District.
 - (6) Height and Form.



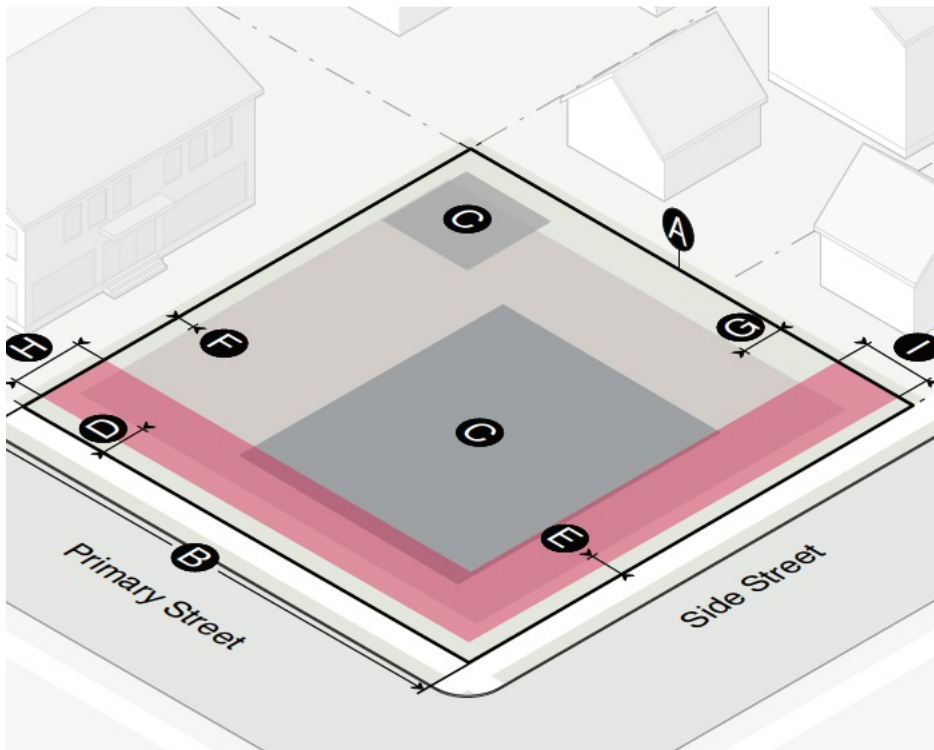
- a. Maximum Building and Structure Height: 3 stories / 35 feet
- b. Minimum Ground Story Height: 12 feet
- c. Minimum Ground Floor Elevation: 2 feet
- d. Unit Width: 15 feet Min / 30 feet Max
- e. Number of Units Permitted in a Row: 6
- f. Minimum ground story transparency: 20%
- g. Minimum upper story transparency: 20%
- h. Maximum blank wall area: 35 feet
- i. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- j. Building Elements Allowed:
 - i. Awning/Canopy: See 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
- k. Parking Location
 - i. Front/corner yard restrictions: See 20.32.170
 - ii. Garage Door Restrictions: See section 20.32.170

20.32.120 Shopfront House.



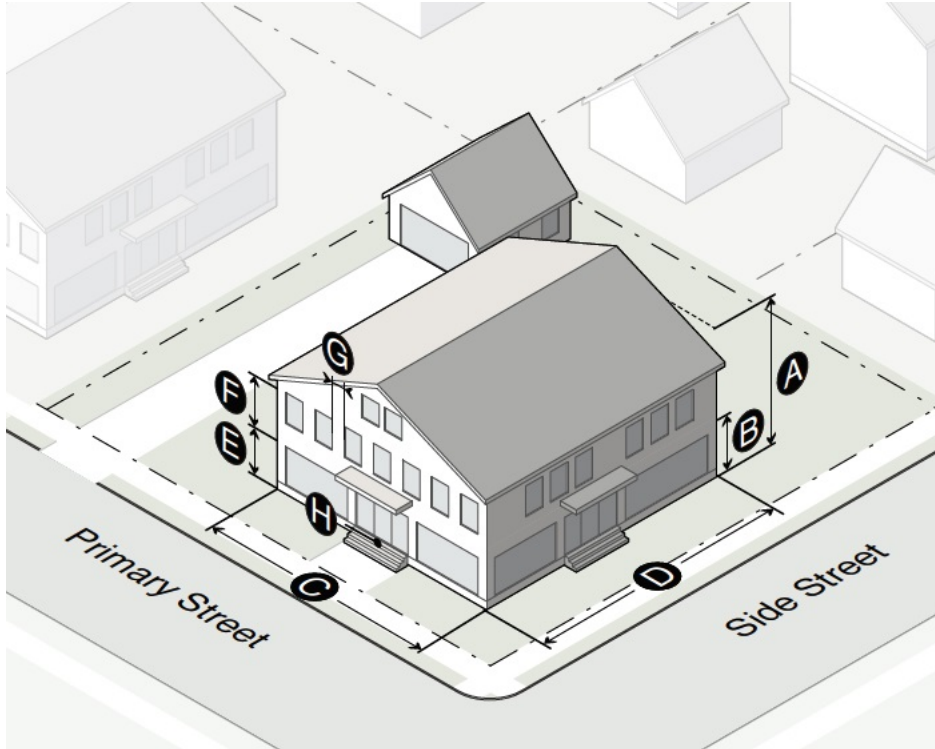


- (1) Definition: A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.
- (2) Districts where allowed: NMU, CMU, RMU, GMU, CC, BPMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.

- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 2 min, 2 max
- (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by District
 - b. Building façade in secondary street BTZ: Set by District.



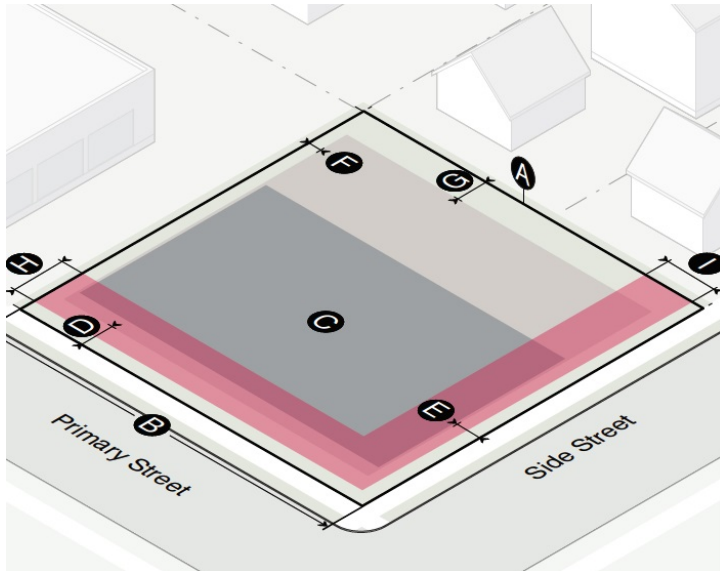
- (6) Height and Form.
 - a. Maximum Principal Building Height: 3 stories / 35 feet
 - b. Minimum Ground Story Height: 10 feet
 - c. Maximum Building Length: 50 feet
 - d. Maximum Building depth: 75 feet
 - e. Minimum ground story transparency: 40%
 - f. Minimum upper story transparency: 20%
 - g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
 - h. Building Elements Allowed:
 - i. Awning/canopy: See 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
 - i. Parking Location
 - i. Front/corner yard restrictions: Not allowed.
 - ii. Garage door restrictions: See 20.32.170.

20.32.130 Single Story Shopfront

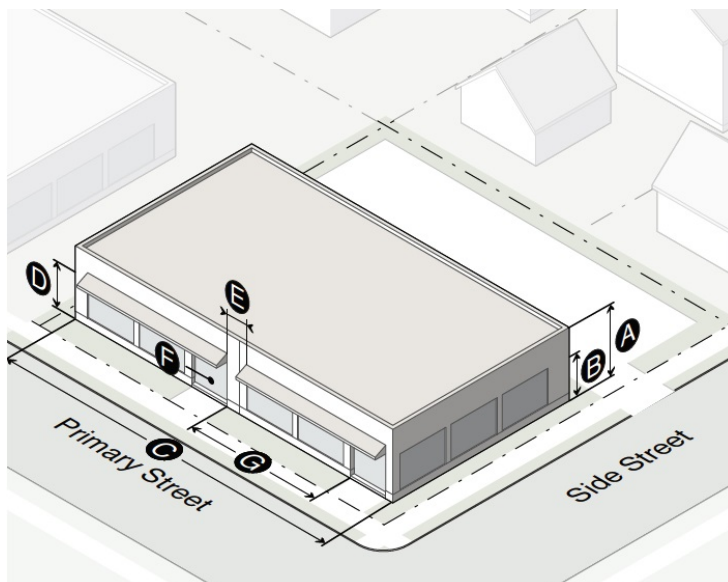


(1) Definition: A single story building type that typically accommodates retail or commercial uses.

- (2) Districts where allowed: CMU, CC, CH, DMU, GMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Set by district.
 - b. Building façade in secondary street BTZ: set by district.
- (5) Height and Form.



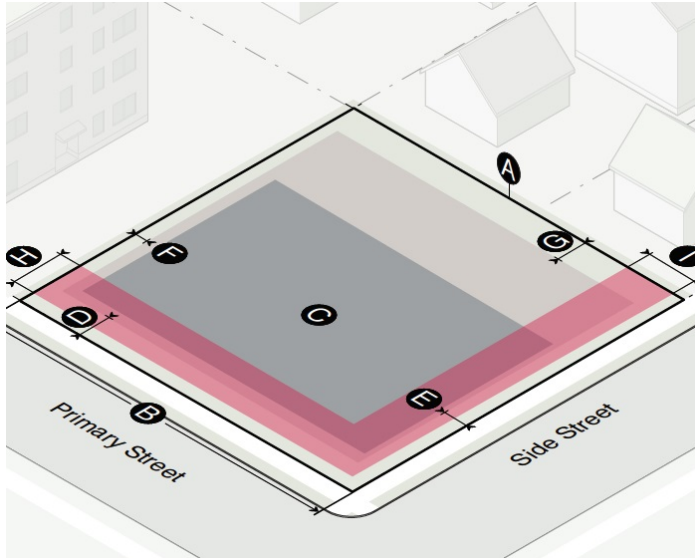
- a. Maximum Principal Building Height: 1 stories / 24 feet
- b. Minimum ground story height: 12 feet
- c. Maximum building length: 150 feet
- d. Ground story transparency:
 - i. Ground Story: 60% min
 - ii. Ground Story w/building footprint 20,000 square feet or more: 30% min
- e. Blank Wall Area:
 - i. 25 feet max
 - ii. Building footprint 20,000 square feet or more: 75 feet max
- f. Pedestrian Access - Entrance facing primary street: Required.
- g. Entrance spacing along primary street:
 - i. 75' max
 - ii. Building footprint of 20,000 sf or more: 125 feet max
- h. Building Elements Allowed:
 - i. Balcony. See section 20.32.170
 - ii. Forecourt. See section 20.32.170
 - iii. Gallery. See section 20.32.170
- i. Parking Location
 - i. Front/corner yard restrictions: Set by district.

20.32.140 Mixed Use Shopfront.

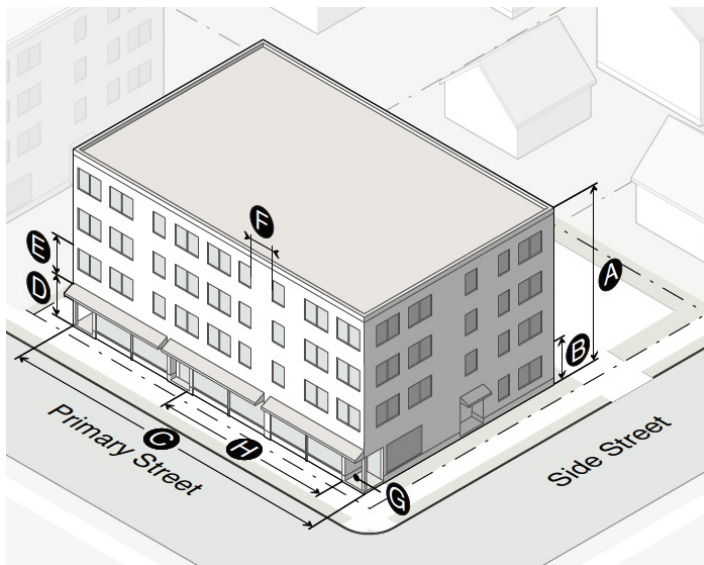


- (1) Definition: A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses

- (2) Districts where allowed: RMU, BPMU, CMU, DMU, GMU, CC
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
 - h. Build to Zone (BTZ) - Building Façade in primary street BTZ: Set by district.
 - i. Build to Zone (BTZ) - Building façade in secondary street BTZ: Set by district.
- (4) Dwellings allowed per lot: No Limit
 - (5) Height and Form.

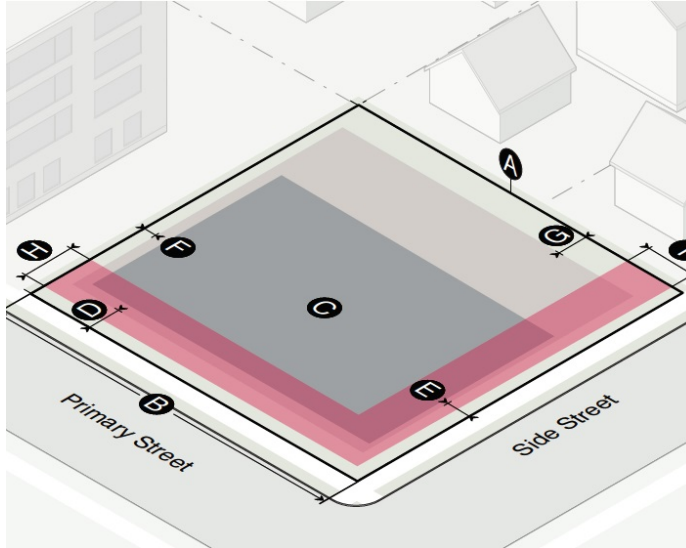


- a. Maximum Building and Structure Height: Set by District
- b. Minimum ground story height: 12 feet
- c. Maximum building length: 120 feet
- d. Minimum ground story transparency: 60%
- e. Minimum upper story transparency: 20%
- f. Blank wall area: 25 feet max
- g. Pedestrian Access - Entrance facing primary street: Required.
- h. Entrance spacing along primary street: 75 feet max
- i. Building Elements Allowed:
 - i. Awning/Canopy. See section 20.32.170
 - ii. Forecourt. See section 20.32.170
 - iii. Gallery. See section 20.32.170
- j. Parking Location: Set by District

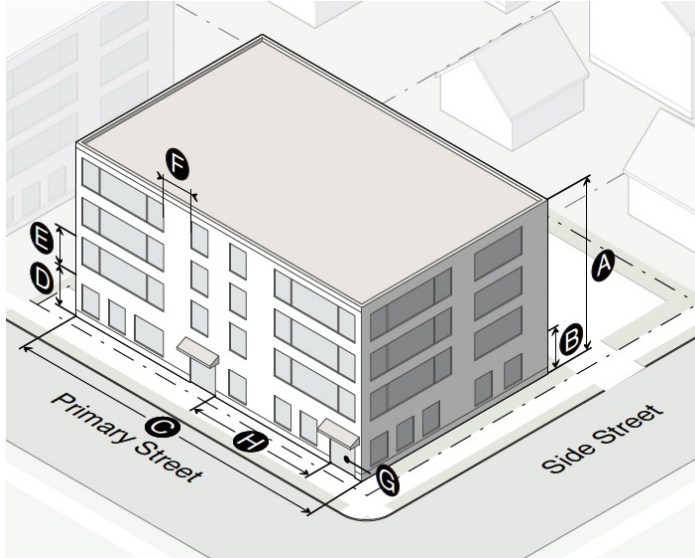
20.32.150 General Building



- (1) Definition: A building type that accommodates commercial, office, agricultural, or industrial uses.
- (2) Districts where allowed: RMU, BPMU, CMU, GMU, CC, CH, IF, IL, IH, CI, PR, PF
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
 - h. Build to Zone (BTZ) - Building Façade in primary street BTZ: set by district.
 - i. Build to Zone (BTZ) - Building façade in secondary street BTZ: set by district.
- (4) Dwellings allowed per lot: Not Permitted
 - (5) Height and Form.



- a. Maximum Building and structure Height: Set by district
- b. Minimum Ground Story Height: 10 feet
- c. Maximum building length: 120 feet
- d. Minimum ground story transparency: 40%
- e. Minimum upper story transparency: 20%
- f. Maximum blank wall area: 50 feet
- g. Pedestrian Access - Entrance facing primary street: Required.
- h. Pedestrian Access – Entrance Spacing along Primary Street 125 feet max.
- k. Building Elements Allowed:
 - iv. Awning/Canopy. See section 20.32.170
 - v. Forecourt. See section 20.32.170
 - vi. Gallery. See section 20.32.170
- i. Parking Location: Set by district.

Chapter 20.33
GREENBELT DISTRICT

Sections:

20.36.010 Greenbelt.

(1) Intent.

The Greenbelt district is intended to protect sensitive natural resources. Residential development not exceeding 1 single-family residential unit per 2 acres, and certain other compatible land uses, are allowed to supplement the protection of these resources in exchange for preserving open space.

(2) Building Types Allowed.

The following building types are allowed:

Detached single-family house

Backyard Cottage

General Building



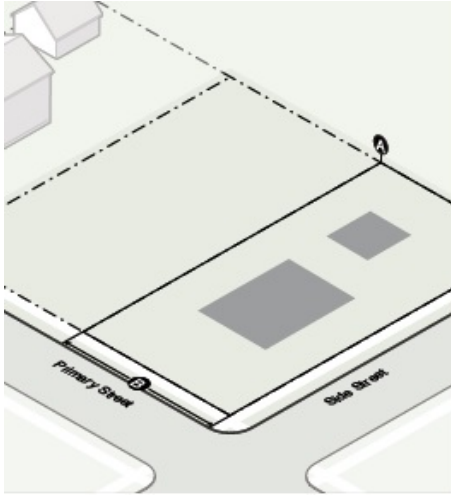
Greenbelt Buildings

(3) Lot Dimensions.

Gross Density: 1 unit/2 acres maximum

	Area (A)	Width (B)
Detached house	2 acres min	No Minimum

(4) Maximum hard surface coverage is 15%.



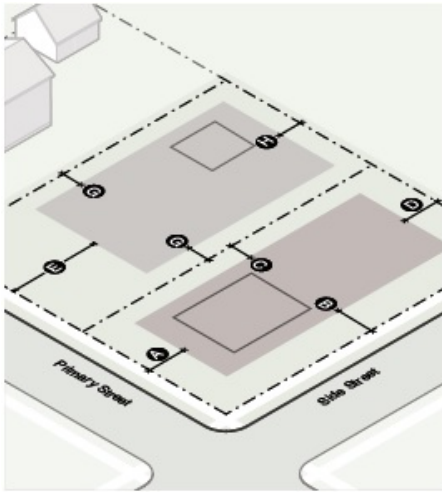
Greenbelt Lot Dimensions

(5) Building Placement.

Principal building setbacks.

Primary street	15 ft min	(A)
Side street	10 ft min	(B)
Side interior	5 ft min	(C)
Rear	10 ft min	(D)

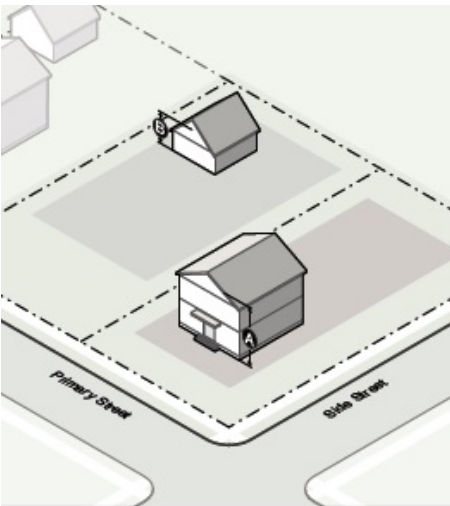
Commented [NB1]: Accessory Setback



Greenbelt Building Placement

(6) Building height.

Principal building	3 stories/35 ft max	(A)
Accessory structure	24 ft max	(B)



Greenbelt Building Height

Chapter 20.34 RESIDENTIAL DISTRICTS

Sections:

- 20.34.010 Residential 1 (R1).**
- 20.34.020 Residential 2 (R2).**
- 20.34.030 Residential 3 (R3) .**
- 20.34.040 Residential 4 (R4) .**
- 20.34.050 Residential 5 (R5).**
- 20.34.060 Residential 6 (R6) .**

20.34.010 Residential 1 (R1).

(1) Intent. The R1 district is intended to accommodate single-family detached houses with a minimum lot size of 6,000 square feet. R1 may be applied in areas designated as Residential Low in the Port Orchard Comprehensive Plan. Uses and building types that would substantially interfere with the single family residential nature of the district are not allowed.

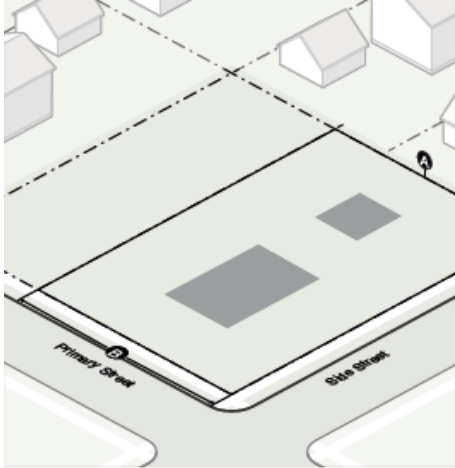
(2) Building Types Allowed. The allowed building types in the R1 zone are as follows:

- a. Detached house (POMC 20.32.020)
- b. Backyard Cottage (detached ADU) (POMC 20.32.030)
- c. Accessory Buildings (POMC 20.32.010 (16))



R1 Building Types

(3) Lot Dimensions.



- a. Minimum lot size: 6,000 square feet.
- b. Minimum lot width: 50 feet.

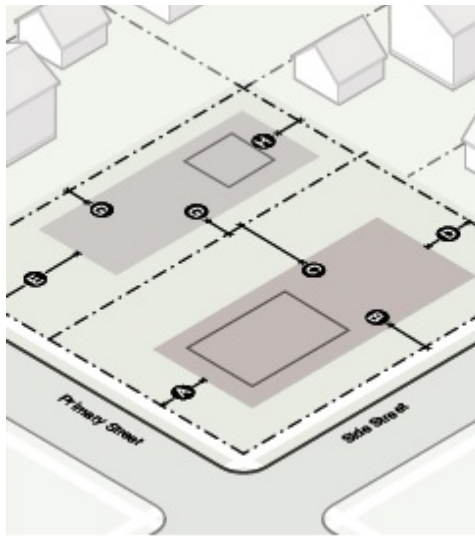
(4) Maximum hard surface coverage is 50%.

(5) Principal building setbacks.

- (a) Primary Street: 15 feet minimum or average front setback (See POMC 20.40.020)
- (b) Side Street: 10 feet minimum
- (c) Side Interior: 5 feet minimum
- (d) Rear: 10 feet minimum

(6) Accessory Structure Setbacks

- (e) Primary Street: 40 feet minimum
- (f) Side Street: 10 feet minimum
- (g) Side Interior: 5 feet minimum
- (h) Rear: 3 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)

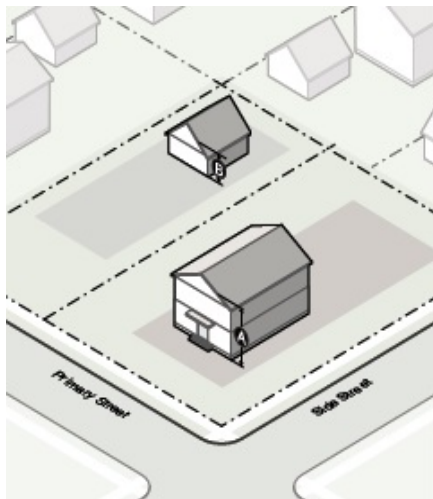


R1 Building Placement

(7) Building height.

(a) Principal building: 3 stories/35 ft max

(b) Accessory structure: 24 ft max



R1 Building Height

20.34.020 Residential 2 (R2)

(1) Intent. The R2 district is primarily intended to accommodate detached house, duplex, and townhome development with a minimum lot size that varies based on building type. The R2 district is intended to implement the residential medium density Comprehensive Plan designation. Additional building types that are allowed include backyard cottage (detached accessory dwelling unit), cottage court, duplex and attached house. Uses that would substantially interfere with the residential nature of the district are not allowed.

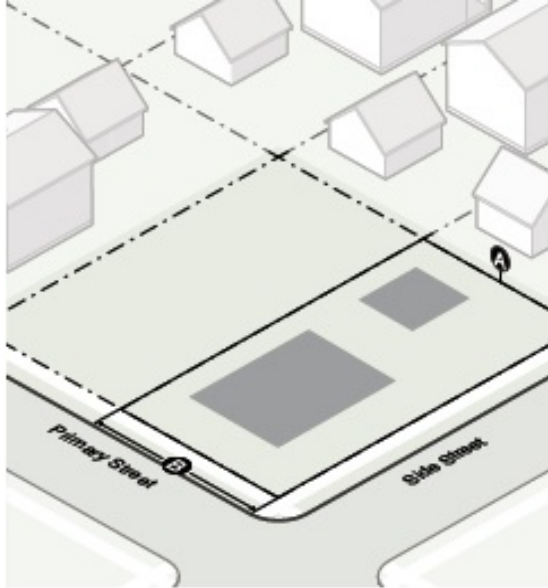
(2) Building Types Allowed. The allowed building types in the R2 zone are as follows:

- a. Detached house (POMC 20.32.020)
- b. Backyard Cottage (detached ADU) (POMC 20.32.030)
- c. Cottage Court (POMC 20.32.040)
- d. Duplex: side by side (POMC 20.32.050)
- e. Duplex: back to back (POMC 20.32.060)
- f. Attached House (POMC 20.32.070)
- g. Townhome (POMC 20.32.090) (3-4 units only)
- h. Accessory Buildings (POMC 20.32.010 (16))



R2 Building Types

(3) Lot Dimensions.



R2 Lot Dimensions

- a. Minimum Lot Size by building type:
 - i. Detached house (POMC 20.32.020):
 - (a) Lots that take vehicular access from primary street: 5,000 square feet
 - (b) Lots that do not take vehicular access from primary street: 3,000 square feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable.
 - iii. Cottage Court (POMC 20.32.040): 1,200 square feet
 - iv. Duplex: side by side (POMC 20.32.050): 5,000 square feet
 - v. Duplex: back to back (POMC 20.32.060): 5,000 square feet
 - vi. Attached House (POMC 20.32.070): 2,500 square feet
- b. Minimum Lot Width:
 - i. Detached house (POMC 20.32.020):
 - (a) Lots that take vehicular access from primary street: 50 feet
 - (b) Lots that do not take vehicular access from primary street: 30 feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable
 - iii. Cottage Court (POMC 20.32.040): 20 feet
 - iv. Duplex: side by side (POMC 20.32.050):
 - (a) Lots that take vehicular access from primary street: 60 feet
 - (b) Lots that do not take vehicular access from primary street: 40 feet
 - v. Duplex: back to back (POMC 20.32.060): 40 feet
 - vi. Attached House (POMC 20.32.070):
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 20 feet

(4) Maximum hard surface coverage is 70%.

(5) Principal building setbacks.

(a) Primary Street: 15 feet minimum or average front setback (See POMC 20.40.020)

(b) Side Street: 10 feet minimum

(c) Side Interior: 5 feet minimum (Except attached housing types with dwellings on individual lots such as townhomes or attached houses which do not require a side interior setback.)

(d) Rear: 10 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)

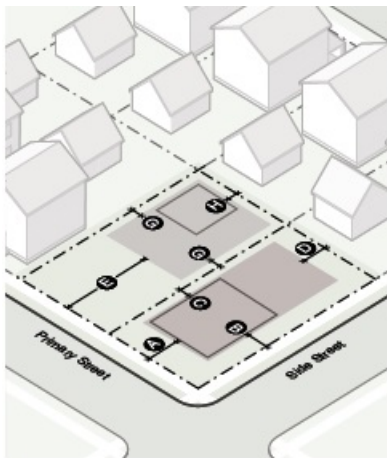
(6) Accessory Structure Setbacks

(e) Primary Street: 40 feet minimum

(f) Side Street: 10 feet minimum

(g) Side Interior: 5 feet minimum

(h) Rear: 10 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)

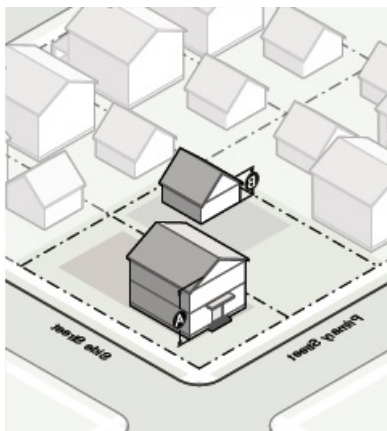


R2 Building Placement

(7) Building height.

Principal building 3 stories/35 ft max (A)

Accessory structure 24 ft max (B)



R2 Building Height

20.34.030 Residential 3 (R3)

(1) Intent. The R3 district is intended to accommodate a variety of residential options limited to 3 stories in height. The R3 zone should be applied in areas designated as residential medium density in the Port Orchard Comprehensive Plan. Uses that would substantially interfere with the residential nature of the district are not allowed.

(2) Building Types Allowed. The allowed building types in the R3 zone are as follows:

- a. Detached house (POMC 20.32.020)
- b. Backyard Cottage (detached ADU) (POMC 20.32.030)
- c. Cottage Court (POMC 20.32.040)
- d. Duplex: side by side (POMC 20.32.050)
- e. Duplex: back to back (POMC 20.32.060)
- f. Attached House (POMC 20.32.070)
- g. Four-plex (POMC 20.32.080)
- h. Townhouse (POMC 20.32.090)
- i. Apartment (POMC 20.32.100)
- j. Accessory Buildings (POMC 20.32.010 (16))

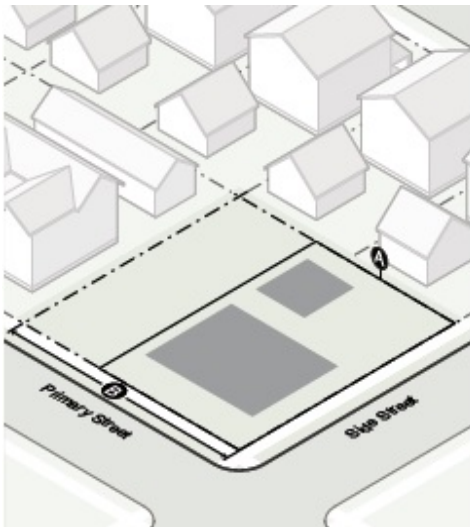


R3 Building Types

(3) Lot Dimensions.

- a. Minimum Lot Size by building type:
 - i. Detached house (POMC 20.32.020):
 - (a) Lots that take vehicular access from primary street: 4,000 square feet
 - (b) Lots that do not take vehicular access from primary street: 2,500 square feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable.
 - iii. Cottage Court (POMC 20.32.040): 1,200 square feet

- iv. Duplex: side by side (POMC 20.32.050): 5,000 square feet
- v. Duplex: back to back (POMC 20.32.060): 5,000 square feet
- vi. Attached House (POMC 20.32.070): 2,500 square feet
- vii. Four-plex: 7,000 square feet
- viii. Townhouse (POMC 20.32.090): 1,000 square feet
- ix. Apartment (POMC 20.32.100): 10,000 square feet
- b. Minimum Lot Width:
 - i. Detached house (POMC 20.32.020):
 - (a) Lots that take vehicular access from primary street: 40 feet
 - (b) Lots that do not take vehicular access from primary street: 26 feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable
 - iii. Cottage Court (POMC 20.32.040): 20 feet
 - iv. Duplex: side by side (POMC 20.32.050):
 - (a) Lots that take vehicular access from primary street: 60 feet
 - (b) Lots that do not take vehicular access from primary street: 40 feet
 - v. Duplex: back to back (POMC 20.32.060): 40 feet
 - vi. Attached House (POMC 20.32.070):
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 20 feet
 - vii. Four-plex (POMC 20.32.080): 60 feet
 - viii. Townhouse:
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 16 feet
 - ix. Apartment: 80 feet



R3 Lot Dimensions

- (4) Maximum hard surface coverage is 80%.
- (5) Principal building setbacks.
 - (a) Primary Street: 15 feet minimum or average front setback (See POMC 20.40.020)
 - (b) Side Street: 10 feet minimum

(c) Side Interior: 5 feet minimum (Except attached housing types with dwellings on individual lots such as townhomes or attached houses which do not require a side interior setback.)

(d) Rear: 10 feet minimum

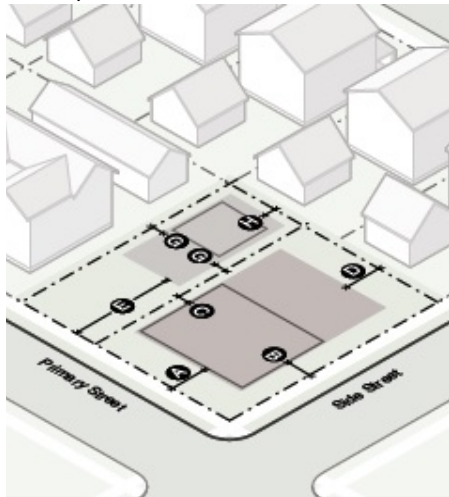
(6) Accessory Structure Setbacks

(e) Primary Street: 40 feet minimum

(f) Side Street: 10 feet minimum

(g) Side Interior: 5 feet minimum

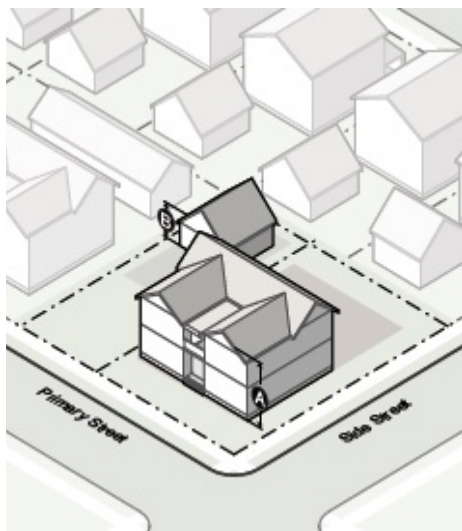
(h) Rear: 10 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)



R3 Building Placement

(7) Building height.

Principal building	3 stories/35 ft max	(A)
Accessory structure	24 ft max	(B)



R3 Building Height

Residential 4 (R4)

(1) Intent. The R4 district is intended to accommodate a variety of multifamily residential options at heights of 45 feet or less. Uses that would substantially interfere with the residential nature of the district are not allowed.

(2) Building Types Allowed. The allowed building types in the R4 zone are as follows:

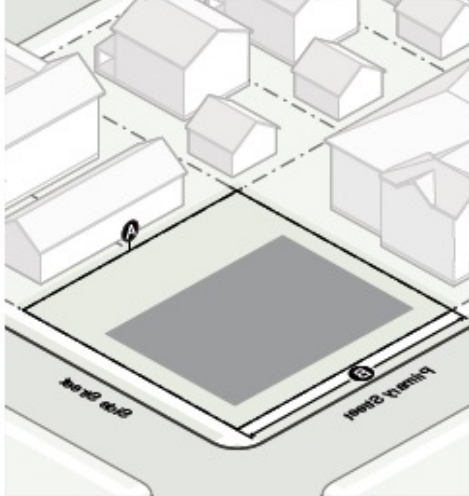
- a. Cottage Court (POMC 20.32.040)
- b. Four-plex (POMC 20.32.080)
- c. Townhouse (POMC 20.32.090)
- d. Apartment (POMC 20.32.100)
- e. Accessory Buildings (POMC 20.32.010 (16))



R4 Building Types

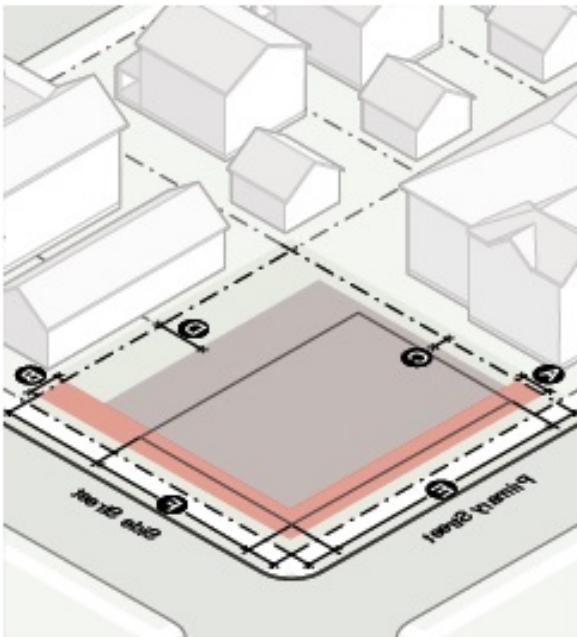
(3) Lot Dimensions.

- a. Minimum Lot Size by building type:
 - i. Cottage Court (POMC 20.32.040): 1,200 square feet
 - ii. Four-plex: 7,000 square feet
 - iii. Townhouse (POMC 20.32.090): 1,000 square feet
 - iv. Apartment (POMC 20.32.100): 10,000 square feet
- b. Minimum Lot Width:
 - i. Cottage Court (POMC 20.32.040): 20 feet
 - ii. Four-plex (POMC 20.32.080): 60 feet
 - iii. Townhouse:
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 16 feet
 - iv. Apartment: 80 feet



R4 Lot Dimensions

- (4) Maximum hard surface coverage is: 80%.
- (5) Building setbacks.
 - (a) Primary Street: 15 feet minimum or average front setback (See POMC 20.40.020)
 - (b) Side Street: 10 feet minimum
 - (c) Side Interior: 5 feet minimum (Except attached housing types with dwellings on individual lots such as townhomes which do not require a side interior setback.)
 - (d) Rear: 10 feet minimum (4 feet minimum where abutting an alley).
- (6) Build-to-Zone (BTZ)
 - (e) Building façade in primary street: 60% min BTZ (% of lot width)
 - (f) Building façade in side street: 30% min BTZ (% of lot width)



R4 Building Placement

(7) Building height.

a. All buildings and structures: 4 stories/45 feet maximum



R4 Building Height

Residential 5 (R5)

(1) Intent. The R5 district is intended to accommodate a variety of multifamily residential options at heights of 55 feet or less. Uses that would substantially interfere with the residential nature of the district are not allowed.

(2) Building Types Allowed. The allowed building types in the R5 zone are as follows:

- f. Cottage Court (POMC 20.32.040)
- g. Four-plex (POMC 20.32.080)
- h. Townhouse (POMC 20.32.090)
- i. Apartment (POMC 20.32.100)
- j. Accessory Buildings (POMC 20.32.010 (16))



R5 Building Types

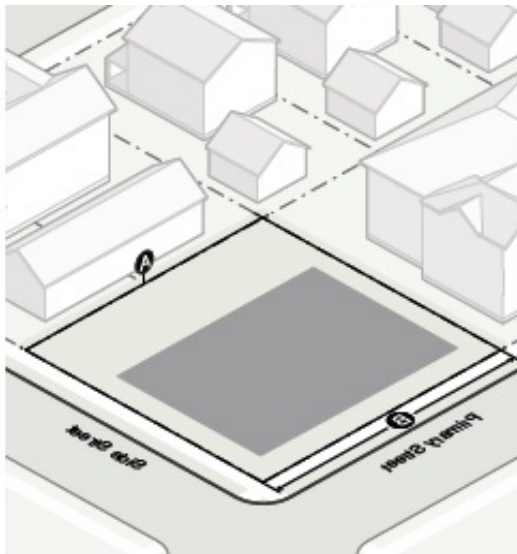
(3) Lot Dimensions.

c. Minimum Lot Size by building type:

- i. Cottage Court (POMC 20.32.040): 1,200 square feet
- ii. Four-plex: 7,000 square feet
- iii. Townhouse (POMC 20.32.090): 1,000 square feet
- iv. Apartment (POMC 20.32.100): 10,000 square feet

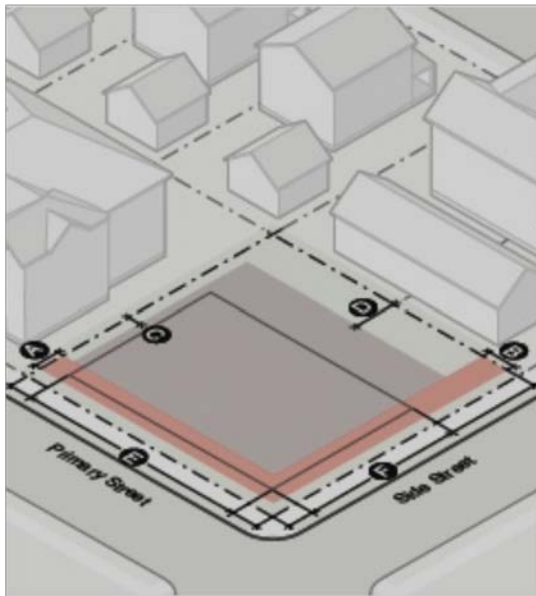
d. Minimum Lot Width:

- i. Cottage Court (POMC 20.32.040): 20 feet
- ii. Four-plex (POMC 20.32.080): 60 feet
- iii. Townhouse:
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 16 feet
- iv. Apartment: 80 feet



R5 Lot Dimensions

- (4) Maximum hard surface coverage is 80%.
- (5) Principal building setbacks.
 - (a) Primary Street: 15 feet minimum or average front setback (See POMC 20.40.020)
 - (b) Side Street: 10 feet minimum
 - (c) Side Interior: 5 feet minimum (Except attached housing types with dwellings on individual lots such as townhomes which do not require a side interior setback.)
 - (d) Rear: 10 feet minimum (4 feet minimum where abutting an alley).
- (6) Build-to-Zone (BTZ)
 - (e) Building façade in primary street: 60% min BTZ (% of lot width)
 - (f) Building façade in side street: 30% min BTZ (% of lot width)



R5 Building Placement

- (7) Building height.
 - a. All buildings and structures: 5 stories/55 feet maximum
 - b. TDR height bonuses may be approved in accordance with POMC 20.41.



R5 Building Height

20.34.020 Residential 6 (R6)

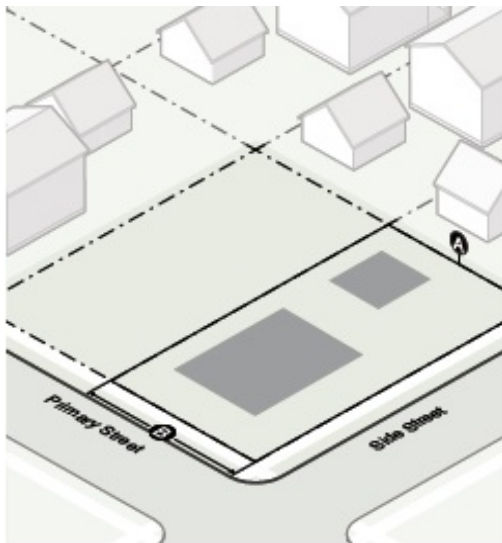
(1) Intent. The R6 district is primarily intended to accommodate detached house, duplex, and townhome development with a minimum lot size that varies based on building type. The R6 district is intended to implement the residential medium density Comprehensive Plan designation in selected parts of the McCormick Woods master planning area. Additional building types that are allowed include backyard cottage (detached accessory dwelling unit), cottage court, duplex and attached house. Uses that would substantially interfere with the residential nature of the district are not allowed.

- (2) Building Types Allowed. The allowed building types in the R6 zone are as follows:
- a. Detached house (POMC 20.32.020)
 - b. Backyard Cottage (detached ADU) (POMC 20.32.030)
 - c. Accessory Buildings (POMC 20.32.010 (16))



R6 Building Types

(3) Lot Dimensions.



R6 Lot Dimensions

- c. Minimum Lot Size by building type:
 - i. Detached house (POMC 20.32.020): 4,000 square feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable.
- d. Minimum Lot Width:
 - i. Detached house (POMC 20.32.020): 40 feet
 - ii. Backyard Cottage (detached ADU) (POMC 20.32.030): Not Applicable

(4) Maximum hard surface coverage is 75%.

(5) Principal building setbacks.

(a) Primary Street: 10 feet minimum or average front setback (See POMC XXXX)

(b) Side Street: 10 feet minimum

(c) Side Interior: 5 feet minimum

(d) Rear: 10 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)

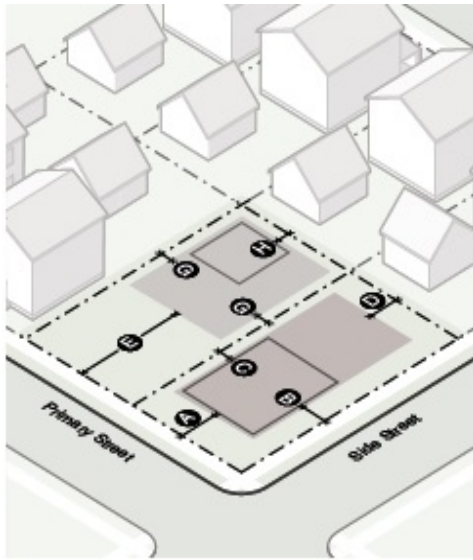
(6) Accessory Structure Setbacks

(e) Primary Street: 40 feet minimum

(f) Side Street: 10 feet minimum

(g) Side Interior: 5 feet minimum

(h) Rear: 10 feet minimum (Rear setback for an accessory structure abutting an alley may be reduced to 2 feet)

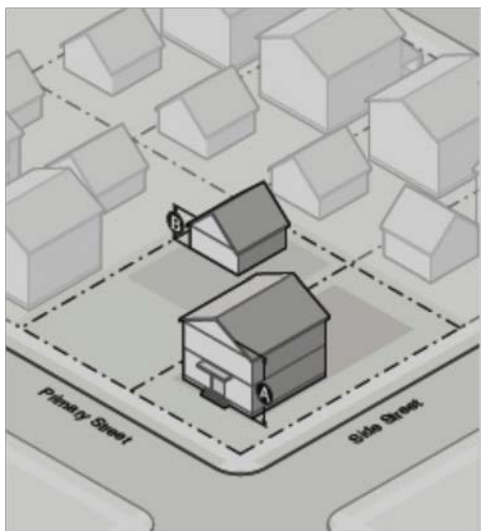


R6 Building Placement

(7) Building height.

a. Principal building: 3 stories/35 ft max

b. Accessory structure: 24 ft max



R6 Building Height

Chapter 20.35 COMMERCIAL AND MIXED-USE DISTRICTS

Sections:

20.35.010	Residential Mixed Use (RMU).
20.35.020	Neighborhood Mixed Use (NMU).
20.35.025	Business Professional Mixed Use (BPMU).
20.35.030	Commercial Mixed Use (CMU).
20.35.040	Downtown Mixed Use (DMU).
20.35.050	Gateway Mixed Use (GMU).
20.35.060	Commercial Corridor (CC).
20.35.070	Commercial Heavy (CH).
20.35.080	Industrial Flex (IF).

20.35.010 Residential Mixed Use (RMU).

(1) Intent. The RMU district is intended to accommodate working and living in close proximity to one another, including in the same physical space. Building type options include townhouse and live-work. The RMU zone should be applied in areas where the existing or proposed land use pattern promotes live-work uses and in areas designated as Commercial in the Port Orchard Comprehensive Plan. This designation may also be applied in areas designated residential high density in the comprehensive plan provided that the area abuts areas designated commercial and residential high density such that the application of the RMU district acts as a transitional zoning district. Uses that would substantially interfere with the live-work nature of the district are not allowed.

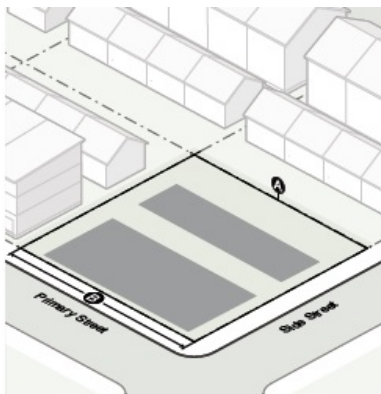
(2) Building Types Allowed. The allowed building types in the RMU zone as follows:

- a. Townhouse (POMC 20.32.020)
- b. Live Work (POMC 20.32.110)



RMU Building Types

(3) Lot Dimensions.



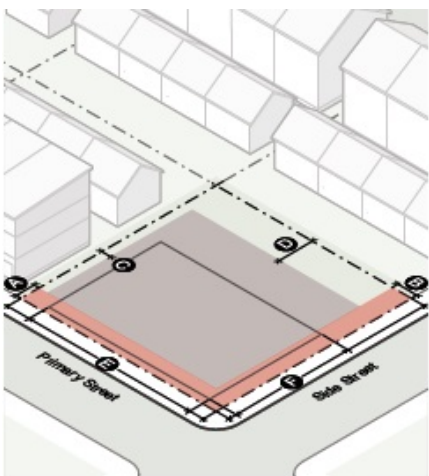
RMU Zone Lot Dimensions

- a. Minimum lot size:
 - i. Townhouse: 1,000 square ft.
 - ii. Live Work: 1,000 square ft
- b. Minimum lot width:
 - i. Townhouse:
 - i. Lots that take vehicular access from primary street: 30 feet
 - ii. Lots that do not take vehicular access from primary street: 16 feet
 - ii. Live Work: 16 feet

(4) Maximum hard surface coverage is 90%

(5) Building Setbacks:

- a. Primary Street: 0 ft min/10 ft maximum (See Design Standards?)
- b. Side Street: 0 ft min/10 ft max
- c. Side Interior: 0 or 5 ft min
- d. Rear: 10 ft (4 ft if abutting an alley)



RMU Building Setback and Build to Zone

- (6) Build to Zone:
 - e. Building Facing Primary Street: 70% minimum (% of lot width)

- f. Building Facing Side Street: 35% minimum (% of lot width)

(7) Building height:

- a. 3 stories/35 ft max



RMU Zone Building Height

20.35.020 Neighborhood Mixed Use (NMU)

(1) Intent. The NMU district is intended to accommodate neighborhood-oriented commercial facilities. The intent of the district is to provide small-scale service establishments close to residential uses, and to ensure that buildings and uses are compatible with the character of nearby neighborhoods. Building type options include: detached house, duplex, backyard cottage, four-plex, townhouse, and shopfront house. NMU zones should be applied in areas where the existing or proposed land use pattern has commercial activity close to established residential areas and may be applied in areas designated commercial in the comprehensive plan.

(2) Building Types Allowed. The allowed building types for the NMU zone are as follows:

- a. Detached house (20.32.020)
- b. Duplex (20.32.040-050)
- c. Backyard Cottage (Detached Accessory dwelling unit) (20.32.030)
- d. Four-plex (POMC 20.32.080)
- e. Townhouse (POMC 20.32.090)
- f. Shopfront house (20.32.120)
- g. Accessory Buildings (POMC 20.32.010 (16))



NMU Building Types

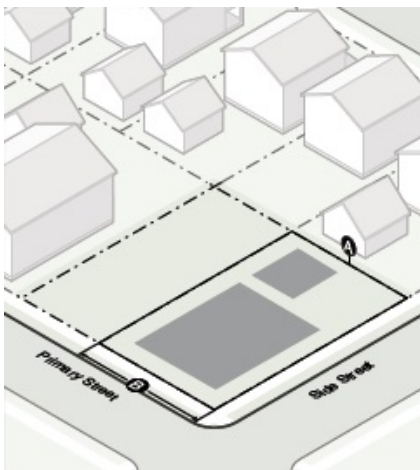
(3) Lot Dimensions.

a. Minimum Lot Size by building type:

- i. Detached House: 7,000 square feet
- ii. Duplex: 7,000 square feet
- iii. Backyard Cottage: 7,000
- iv. Four-plex: 7,000 square feet
- v. Townhouse: 1,000 square feet
- vi. Shopfront House: 7,000 square feet
- vii. Accessory Building: N/A

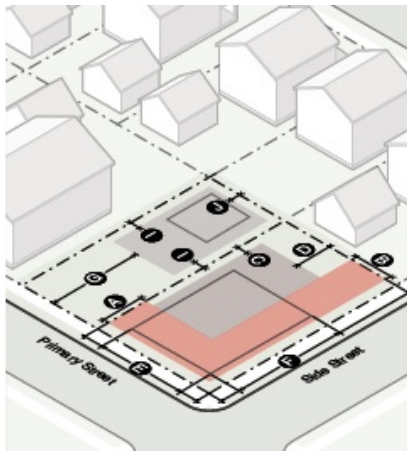
b. Minimum Lot Width:

- i. Detached House: 60 feet
- ii. Duplex: 60 Feet.
- iii. Backyard Cottage: N/A
- iv. Four-plex: 60 feet
- v. Townhouse:
 - (a) Lots that take vehicular access from primary street: 30 feet
 - (b) Lots that do not take vehicular access from primary street: 16 feet
- vi. Shopfront House: 65 feet



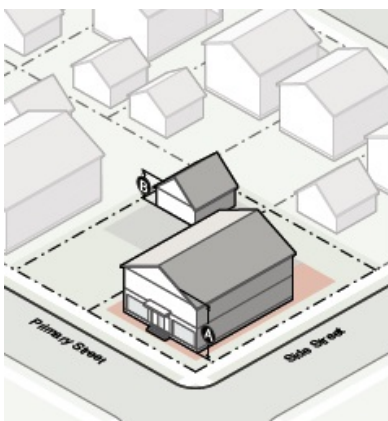
NMU Lot Dimensions

- (4) Maximum hard surface coverage is 70%
- (5) Principal building setbacks.
 - a. Primary Street: 10 ft minimum/30 ft maximum
 - b. Side Street: 10 ft minimum/30 ft maximum
 - c. Side Interior: 5 ft minimum
 - d. Rear: 10 ft minimum
- (6) Build to Zone:
 - e. Building façade in primary street: 50% minimum (% of lot width)
 - f. Building façade in side street: 25% (% of lot width)
- (c) Accessory Structure Setbacks
 - g. Primary Street: 40 ft minimum
 - h. Side Street: 10 ft minimum
 - i. Side Interior: 5 ft minimum
 - j. Rear: 3 ft (Rear if abutting an alley: 4 ft)



NMU Building Placement

- (7) Building height.
 - a. Principal Building Height: 3 stories/35 ft max
 - b. Accessory Building Height: 2 stories/24 ft max



NMU Building Height

20.35.025 Business Professional Mixed Use (BPMU)

(1) Intent. The BPMU district is intended to accommodate mixed use development as well as a mix of uses that are oriented around the existing areas of medical, business professional, and residential uses and structures. Development in this zone is sought at a scale appropriate for uses ranging from single family detached to large medical buildings with larger buildings to be designed to be more compatible with smaller structures. Building type options include: detached house, duplex, backyard cottage, live work, shopfront house, mixed use shopfront, and general building. BPMU zones should be applied in areas in the vicinity of the Tremont medical facilities and near downtown Port Orchard and the Kitsap County Campus on properties designated as Commercial in the comprehensive plan.

(2) Building Types Allowed. The allowed building types for the BPMU zone are as follows:

- a. Detached house (20.32.020)
- b. Duplex (20.32.040-050)
- c. Backyard Cottage (Detached Accessory dwelling unit) (20.32.030)
- d. Attached House (POMC 20.32.070)
- e. Live Work (POMC 20.32.110)
- f. Shopfront House (POMC 20.32.120)
- g. Mixed-Use Shopfront (POMC 20.32.140)
- h. General Building (POMC 20.32.150)
- i. Accessory Buildings (POMC 20.32.010 (16))

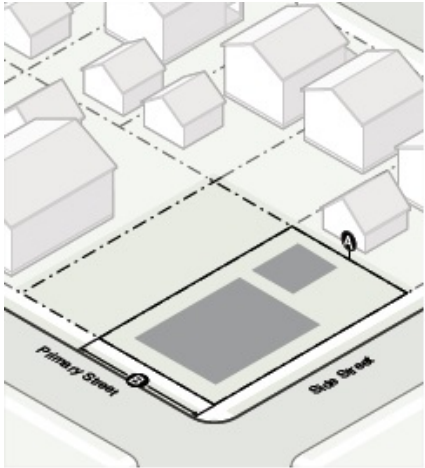


NMU Building Types

(3) Lot Dimensions.

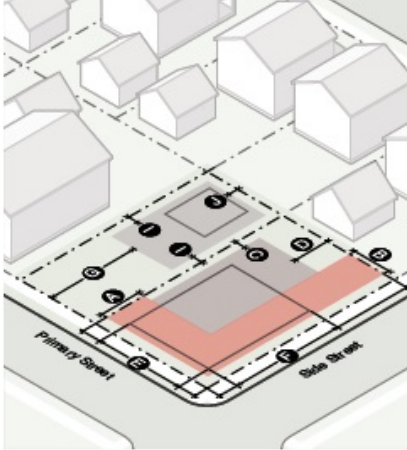
- a. Minimum Lot Size by building type:
 - i. Detached House: 6,000 square feet
 - ii. Duplex: 7,000 square feet
 - iii. Backyard Cottage: 6,000 square feet
 - iv. Attached House: 3,500 square feet
 - v. Live Work: 1,500 square feet
 - vi. Shopfront House: 6,000 square feet
 - vii. Mixed-Use Shopfront: 10,000 square feet
 - viii. General Building: 10,000 square feet

- b. Minimum Lot Width:
 - i. Detached House: 60 feet
 - ii. Duplex: 60 feet Backyard Cottage: N/A
 - iii. Attached House: 30 feet
 - iv. Live Work: 16 feet
 - v. Shopfront House: 60 feet
 - vi. Mixed Use Shopfront: 80 feet
 - vii. General Building: 100 feet



BPMU Lot Dimensions

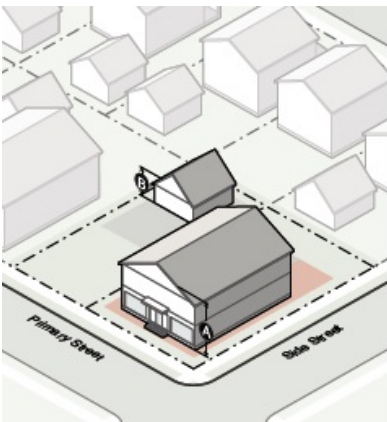
- (4) Maximum hard surface coverage is 75%
- (5) Principal building setbacks.
 - a. Primary Street: 10 ft minimum/30 ft maximum
 - b. Side Street: 10 ft minimum/30 ft maximum
 - c. Side Interior: 5 ft minimum
 - d. Rear: 10 ft minimum
- (6) Build to Zone:
 - e. Building façade in primary street: 50% minimum (% of lot width)
 - f. Building façade in side street: 25% (% of lot width)
- (7) Accessory Structure Setbacks
 - g. Primary Street: 40 ft minimum
 - h. Side Street: 10 ft minimum
 - i. Side Interior: 5 ft minimum
 - j. Rear: 20 ft (Rear if abutting an alley: 4 ft)



NMU Building Placement

(7) Building height.

- a. Principal Building Height (except detached house, duplex, attached house): 3 stories/40 ft max
- b. Accessory Building Height: 2 stories/24 ft max



NMU Building Height

20.35.030 Commercial Mixed-Use (CMU).

(1) Intent. The Commercial Mixed-Use district is intended to accommodate a broader range of residential and non-residential activity than Neighborhood Mixed Use. To promote walkability and compatibility, auto-oriented uses are restricted. Building type options include: townhouse, apartment, live-work, shopfront house, single-story shopfront, mixed-use shopfront and general building. Commercial Mixed Use should be applied in areas where the existing or proposed land use pattern promotes mixed use and pedestrian-oriented activity and may be applied in areas designated commercial in the comprehensive plan.

(2) Building Types Allowed. The allowed building types are as follows:

- a. Townhouse
- b. Apartment
- c. Live-work unit
- d. Shopfront house
- e. Single-story shopfront
- f. Mixed use shopfront
- g. General building



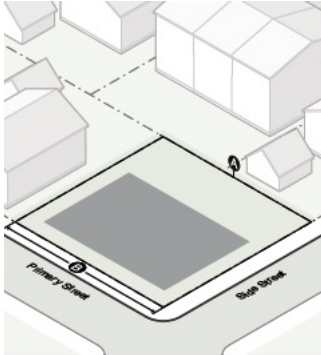
CMU Building Types

(3) Lot Dimensions.

- a. Minimum Lot Size by building type:
 - i. Townhouse: 1,000 square feet
 - ii. Apartment: 5,000 square feet
 - iii. Live-work Unit: 1,000 square feet
 - iv. Shopfront House: 7,000 square feet
 - v. Single-story shopfront: 5,000 square feet
 - vi. Mixed-use shopfront: 5,000 square feet
 - vii. General Building: 5,000 square feet
- b. Minimum Lot Width:
 - i. Townhouse: 16 feet
 - ii. Apartment: 50 feet
 - iii. Live-work Unit: See POMC 20.32.110 (3) (d).
 - iv. Shopfront House: 50 feet
 - v. Single-story shop front: 50 feet

- vi. Mixed-use shopfront: 50 feet
- vii. General Building: 50 feet

(4) Maximum hard surface coverage is 80%.



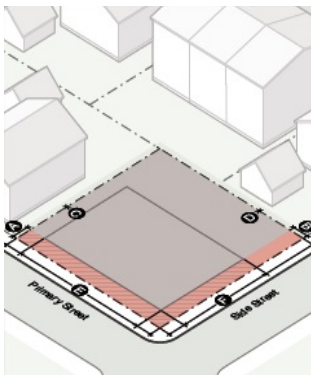
CMU Lot Dimensions

(5) Principal building setbacks.

- a. Primary Street: 0 ft minimum / 10 ft maximum
- b. Side Street: 0 ft minimum / 10 ft maximum
- c. Side Interior: 0 ft minimum
- d. Rear: 20 ft minimum (Rear if abutting an alley: 4 ft minimum)

(6) Build to Zone:

- e. Building façade in primary street: 70% minimum (% of lot width)
- f. Building façade in side street: 30% minimum (% of lot width)



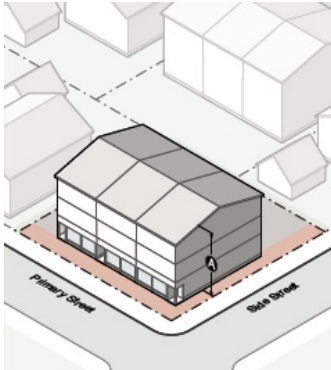
CMU Building Placement

(7) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

- a. Front Yard: Not Allowed
- b. Corner Yard: Not Allowed
- c. Side Yard: Allowed
- d. Rear Yard: Allowed

(8) Building height. All buildings and structures: 3.5 stories/ 40 ft maximum, except that Transfer of Development Rights height bonuses may be approved in local centers as designated in the Port Orchard

Comprehensive Plan in accordance with POMC 20.41 provided that no building exceed 8 stories / 88 feet through the use of the TDR program.



CMU Building Height

20.35.040 Downtown Mixed Use (DMU).

(1) Intent. The Downtown Mixed-Use district is intended to provide for mixed use, pedestrian-oriented development in downtown. To promote walkability and to encourage street-level retail activity, auto-oriented uses and ground-floor residential uses are restricted. Building type options include live-work, single-story shopfront and mixed-use shopfront. Downtown Mixed Use should be applied in areas where the existing or proposed land use pattern promotes the highest levels of pedestrian and mixed-use activity in the community and may be applied in areas designated commercial in the comprehensive plan.

(2) Building Types Allowed. The allowed building types are as follows:

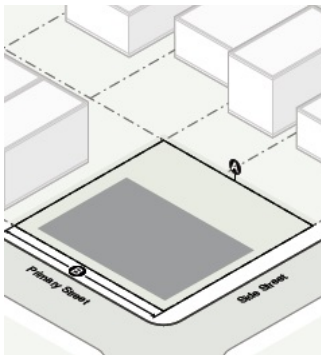
- a. Live-work unit
- b. Single-story shopfront
- c. Mixed-use shopfront



DMU Building Types

(3) Lot Dimensions.

- a. There are no minimum or maximum lot sizes in the DMU district.
- b. There is no minimum lot width in the DMU district.



DMU Lot Dimensions

(4) Maximum hard surface coverage is 100%.

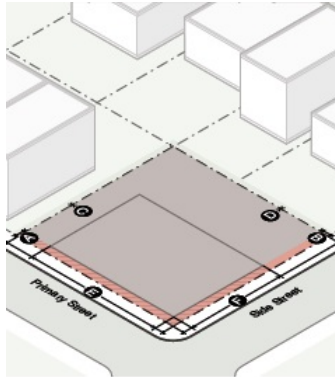
(5) Principal building setbacks.

- a. Primary Street: Not applicable
- b. Side Street: Not applicable

- c. Side Interior: Not applicable
- d. Rear: not applicable

(6) Build to Zone:

- e. Building façade in primary street: 80% minimum (% of lot width)
- f. Building façade in side street: 40% minimum (% of lot width)



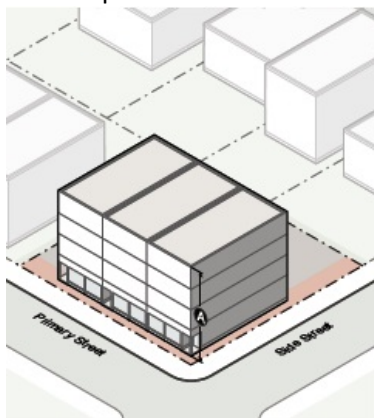
DMU Building Placement

(7) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

- a. Front Yard: Not Allowed
- b. Corner Yard: Not Allowed
- c. Side Yard: Allowed
- Rear Yard: Allowed

(8) Building height:

- a. Maximum Height: 3 stories/38 feet unless an alternative maximum building height is specified pursuant to the Downtown Height Overlay District (POMC 20.38.600-670).transfee



DMU Building Height

20.35.050 Gateway Mixed Use

(1) Intent. The Gateway Mixed Use district is intended to provide transitional districts in the east and west gateways to downtown Port Orchard. The district allows both mixed use, pedestrian-oriented development such as what is allowed in the GMU district along with other moderately more auto dependent uses. Building type options include townhouse, apartment, live-work, shopfront house,

single-story shopfront, mixed-use shopfront, and general buildings. Gateway Mixed Use should be applied to the east and west of downtown and may be applied in areas designated commercial in the comprehensive plan.

(2) Building Types Allowed. The allowed building types are as follows:

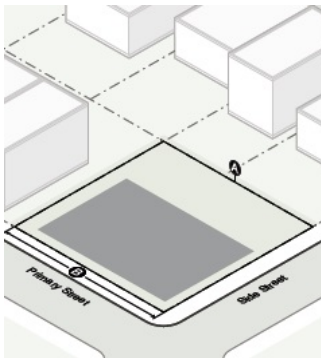
- a. Townhouse
- b. Apartment
- c. Live-work unit
- d. Shopfront house
- e. Single-story shopfront
- f. Mixed-use shopfront
- g. General Building



GMU Building Types

(3) Lot Dimensions.

- c. There are no minimum or maximum lot sizes in the GMU district.
- d. There is no minimum lot width in the GMU district.



GMU Lot Dimensions

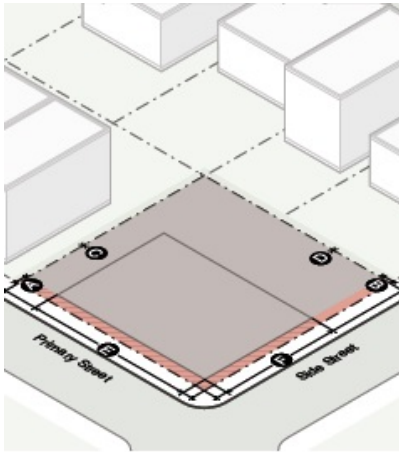
(4) The maximum hard surface coverage is 90%.

(5) Principal building setbacks.

- g. Primary Street: Not applicable
- h. Side Street: Not applicable
- i. Side Interior: Not applicable
- j. Rear: not applicable

(6) Build to Zone:

- k. Building façade in primary street: 80% minimum (% of lot width)
- l. Building façade in side street: 40% minimum (% of lot width)



GMU Building Placement

(7) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

- d. Front Yard: Not Allowed
- e. Corner Yard: Not Allowed
- f. Side Yard: Allowed
- Rear Yard: Allowed

(8) Building height:

- b. Maximum Height: 3 stories/38 feet unless an alternative maximum building height is specified pursuant to the Downtown Height Overlay District (POMC 20.38.600-670).



GMU Building Height

20.35.060 Commercial Corridor (CC)

(1) Intent. The Commercial Corridor district is intended to serve as a commercial gateway and to take advantage of proximity to major roadways. Therefore, the quality and aesthetics of new development is very important. Building type options include live-work units, shopfront house, single-story shopfront, mixed-use shopfront and general building. The Commercial Corridor district should be applied along commercial corridors that serve as entrances to downtown or other pedestrian-oriented activity areas.

(2) Building Types Allowed. The allowed building types are as follows:

- a. Live-work unit
- b. Shopfront house
- c. Single-story shopfront
- d. Mixed-use shopfront
- e. General building

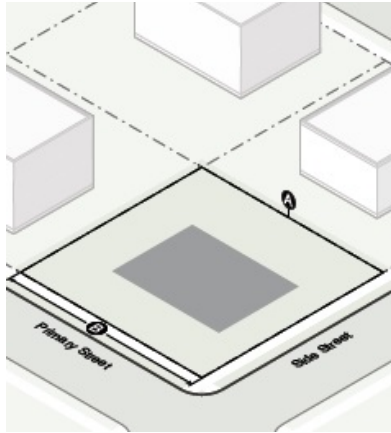


CC Building Types

(3) Lot Dimensions.

- a. Minimum Lot Size by building type:
 - i. Live Work Unit: 1,000 square ft
 - ii. Shopfront House: 5,000 square ft
 - iii. Single Story Shopfront: 5,000 square ft
 - iv. Mixed use shopfront: 5,000 square ft
 - v. General building: 5,000 square ft
- b. Minimum Lot Width:
 - i. Live Work Unit: 25 ft
 - ii. Shopfront House: 50 ft
 - iii. Single Story Shopfront: 50 ft
 - iv. Mixed use shopfront: 50 ft
 - v. General building: 50 ft

(4) Maximum hard surface coverage is 70%.



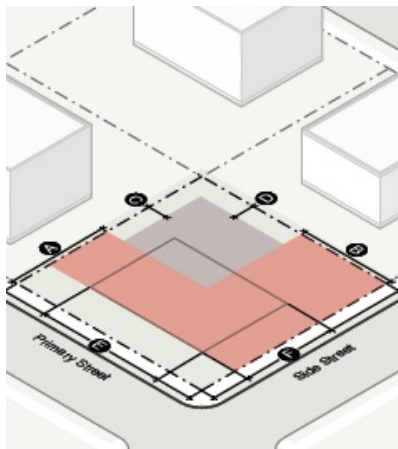
CC Lot Dimensions

(5) Principal building setbacks.

- a. Primary Street: 15 ft minimum (from planned ROW acquisition area) / 50 ft maximum
- b. Side Street: 0 ft minimum / 50 ft maximum
- c. Side Interior: 10 ft minimum
- d. Rear: 10 ft minimum

(6) Build to Zone:

- e. Building façade in primary street: 50% minimum (% of lot width)
- f. Building façade in side street: 25% minimum (% of lot width)



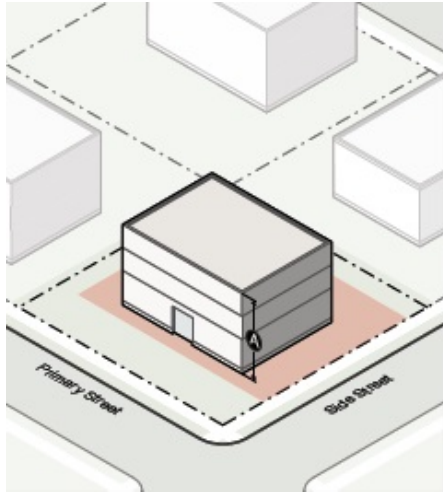
CC Building Placement

(7) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

- a. Front Yard: Not Allowed
- b. Corner Yard: Not Allowed
- c. Side Yard: Allowed
- d. Rear Yard: Allowed

(8) Building height.

- a. All buildings and structures: 3 stories/ 35 ft maximum



CC Building Height

20.35.070 Commercial Heavy (CH)

(1) Intent. Commercial Heavy is intended for auto-oriented and heavy commercial uses. To help ensure compatibility, residential uses are not allowed. Building type options include single-story shopfront and general building. The Commercial Heavy district should be applied in areas where the existing or proposed land use pattern contains a variety of auto-oriented and heavy commercial uses and in areas designated as Commercial in the Comprehensive Plan.

(2) Building Types Allowed. The allowed building types are as follows:

- a. Single-story shopfront
- b. General building

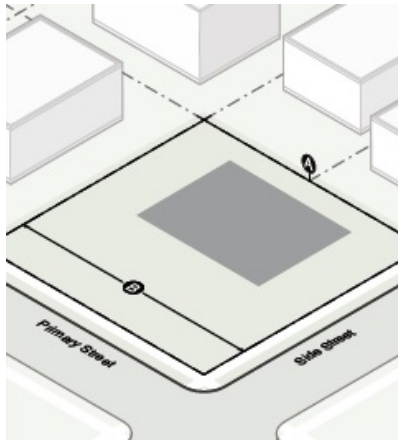


CH Building Types

(3) Lot Dimensions.

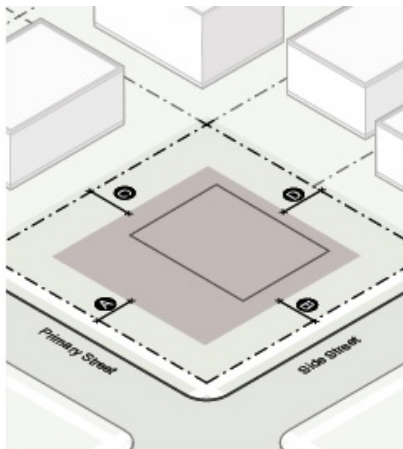
- a. Minimum Lot Size by building type:
 - i. Single Story Shopfront: 7,000 square ft
 - ii. General building: 7,000 square ft
- b. Minimum Lot Width:
 - i. Single Story Shopfront: 70 ft
 - ii. General building: 70 ft

(4) Maximum hard surface coverage is 70%.



CH Lot Dimensions

- (5) Principal building setbacks.
- a. Primary Street: 20 ft minimum (from planned ROW acquisition area)
 - b. Side Street: 20 ft minimum / 50 ft maximum
 - c. Side Interior: 20 ft minimum
 - d. Rear: 20 ft minimum

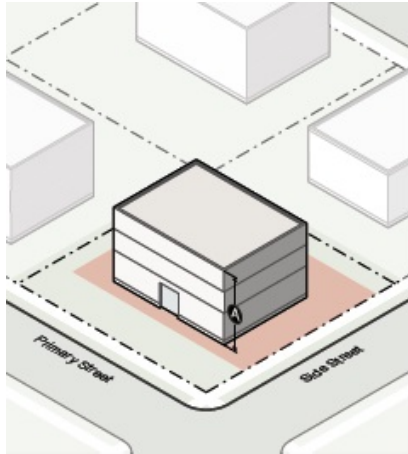


CH Building Placement

(7) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

Front yard	Allowed
Corner yard	Allowed
Side yard	Allowed
Rear yard	Allowed

- (8) Building height.
- a. All buildings and structures: 3 stories/ 35 ft maximum



CH Building Height

20.35.080 Industrial Flex.

(1) Intent. IF is intended to accommodate a variety of light industrial, commercial and residential uses. To help ensure that land is reserved for employment purposes, residential uses are limited to the upper stories. Building type options include live-work, single-story shopfront, mixed use shopfront and general building. IF should be applied in industrial areas where commercial and residential uses are also desired, or where such pattern is desired in the future and in areas where designated as Commercial in the Comprehensive Plan.

2) Building Types Allowed. The allowed building types are as follows:

- a. Live-work unit
- b. Shopfront house
- c. Single-story shopfront
- d. Mixed use building
- e. General building

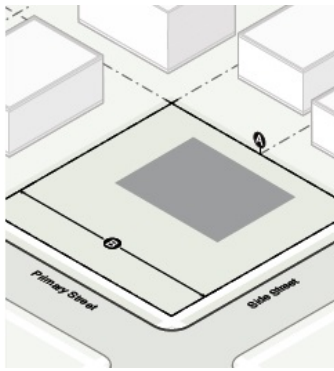


IF Building Types

(3) Lot Dimensions.

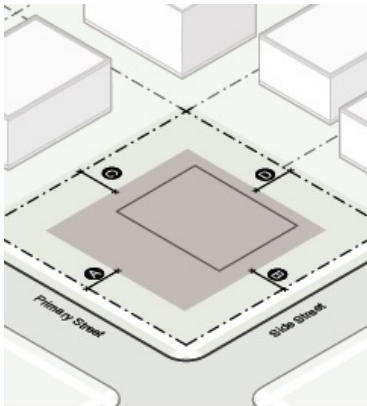
- a. Minimum Lot Size by building type:
 - i. Live Work Unit:
 - ii. Shopfront House: 5,000 square ft
 - iii. Single-story shopfront: 5,000 square ft
 - iv. Mixed-use shopfront:
 - v. General building: 7,000 square ft
- b. Minimum Lot Width:
 - i. Live Work Unit:
 - ii. Shopfront House: 50 ft
 - iii. Single-story shopfront: 50 ft
 - iv. Mixed-use shopfront: 50 ft
 - v. General building: 50 ft

(4) Maximum hard surface coverage is 70%.



IF Lot Dimensions

- (5) Principal building setbacks.
- a. Primary Street: 5 ft minimum
 - b. Side Street: 5 ft minimum
 - c. Side Interior: 10 ft minimum
 - d. Rear: 10 ft minimum

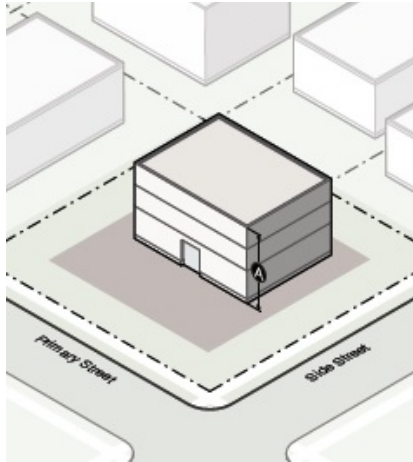


IF Building Placement

(6) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

- a. Front yard: Allowed
- b. Corner yard: Allowed
- c. Side yard: Allowed
- d. Rear yard: Allowed

- (8) Building height.
- a. All buildings and structures: 3 stories/ 35 ft maximum



IF Building Height

Chapter 20.36 INDUSTRIAL DISTRICTS

Sections:

- 20.36.010 Light Industrial (LI)**
- 20.36.020 Heavy Industrial (HI)**

20.36.010 Light Industrial (LI)

(1) Intent.

The Light Industrial district is intended to accommodate manufacturing and light industrial uses in order to promote economic viability, encourage employment growth, and limit the encroachment of non-industrial development within established industrial areas. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses. The Light Industrial designation should be applied in established light industrial or manufacturing areas or where such land use pattern is desired in the future and in areas designated Industrial in the Comprehensive Plan.

(2) Building Types Allowed. Building types (POMC 20.32) are not applicable in the Light Industrial district.

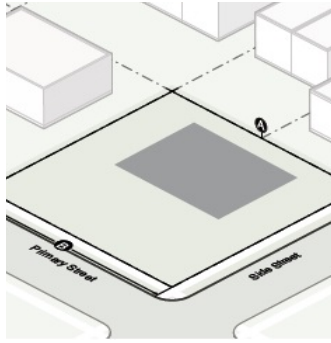


Light Industrial Buildings

(3) Lot Dimensions.

- a. Minimum Lot Size by building type: 7,000 square ft
- b. Minimum Lot Width: 70 ft

(4) Maximum hard surface coverage is 70%



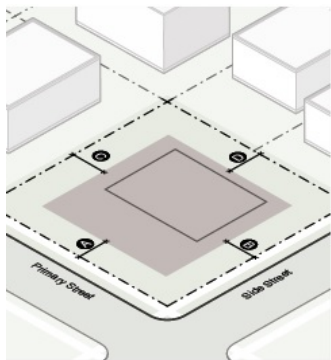
Light Industrial Lot Dimensions

(5) Principal building setbacks.

- a. Primary Street: 20 ft minimum
- b. Side Street: 10 ft minimum
- c. Side Interior: 10 ft minimum
- d. Rear: 10 ft minimum

(6) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

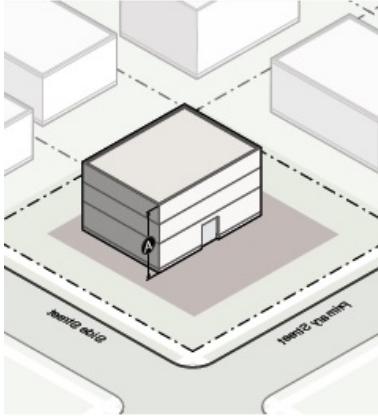
- a. Front yard: Allowed
- b. Corner yard: Allowed
- c. Side yard: Allowed
- d. Rear yard: Allowed



Light Industrial Building Placement

(7) Building height.

- a. All buildings and structures: 3 stories/ 35 ft maximum



Light Industrial Building Height

20.36.020 Heavy Industrial. (HI)

(1) Intent.

The Heavy Industrial district is intended to accommodate a broad range of high-impact manufacturing or industrial uses that by their nature create a nuisance, and that are not properly associated with or are not compatible with nearby residential or commercial uses. The Heavy Industrial designation should be applied in established heavy industrial areas or where such land use pattern is desired in the future and in areas designated as Industrial in the Comprehensive Plan.

(2) Building Types Allowed. Building types (POMC 20.32) are not applicable in the Heavy Industrial district.

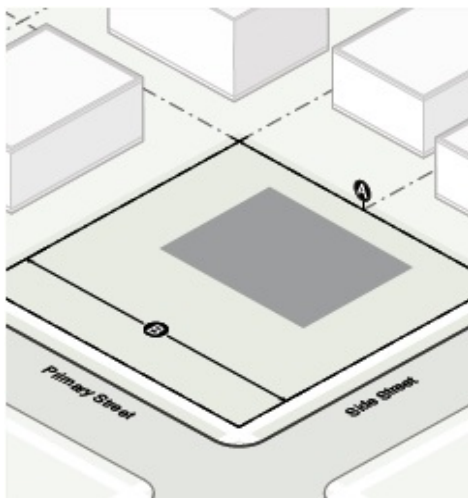


Heavy Industrial Buildings

(3) Lot Dimensions.

- a. Minimum Lot Size by building type: 7,000 square ft
- b. Minimum Lot Width: 70 ft

(4) Maximum hard surface coverage is 70%



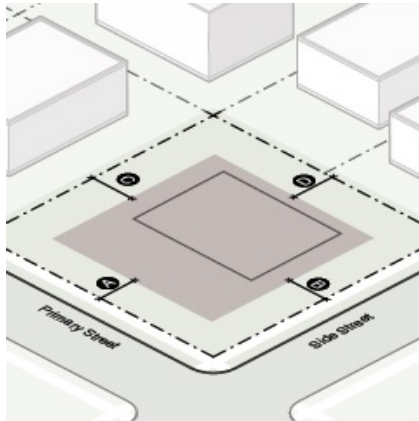
Heavy Industrial Lot Dimensions

(5) Principal building setbacks.

- e. Primary Street: 20 ft minimum
- f. Side Street: 10 ft minimum
- g. Side Interior: 10 ft minimum
- h. Rear: 10 ft minimum

(6) Parking location. Parking shall be allowed as followed except where another standard is specified in POMC 20.127):

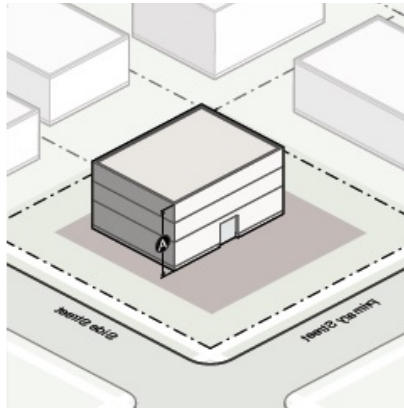
- e. Front yard: Allowed
- f. Corner yard: Allowed
- g. Side yard: Allowed
- h. Rear yard: Allowed



Heavy Industrial Building Placement

(7) Building height.

- a. All buildings and structures: 3 stories/ 35 ft maximum



Heavy Industrial Building Height

Chapter 20.37

CIVIC AND OPEN SPACE DISTRICTS

Sections:

- 20.37.010 Civic and Institutional (CI)**
- 20.37.020 Parks and Recreation (PR)**
- 20.37.030 Public Facilities (PF)**

20.37.010 Civic and Institutional. (CI)

(1) Intent.

The Civic and Institutional district is intended to protect for civic uses that serve the surrounding neighborhoods or produce intense civic activities that do not readily assimilate into other zoning districts. Activities may include, but are not limited to, religious facilities, fraternal organizations, and schools. The Civic and Institutional district intends to provide for compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA). The Civic and Institutional district may be applied in any area of the City regardless of Comprehensive Plan designation.

(2) Building Types Allowed. Building types are not applicable in the Civic and Institutional district.

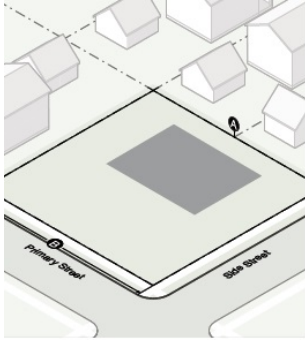


Civic and Institutional Buildings

(3) Lot Dimensions.

- a. Minimum Lot Size by building type: 7,000 square ft
- b. Minimum Lot Width: 70 ft

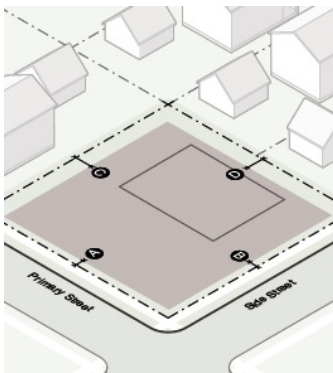
(4) Maximum hard surface coverage is 70%



Civic and Institutional Lot Dimensions

(5) Principal building setbacks.

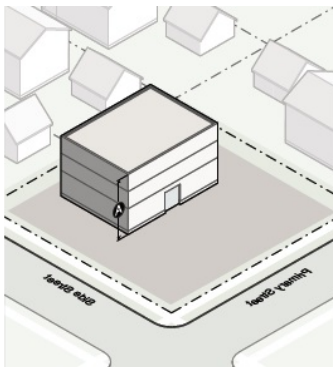
- a. Primary Street: 15 ft minimum (may be reduced on designated storefront and mixed designation streets POMC 20.127)
- b. Side Street: 10 ft minimum (may be reduced on designated storefront and mixed designation streets POMC 20.127)
- c. Side Interior: 10 ft minimum
- d. Rear: 10 ft minimum



Civic and Institutional Building Placement

(6) Building height.

- a. All buildings and structures: 3 stories/ 55 ft maximum



Civic and Institutional Building Height

20.37.020 Parks and Recreation. (PR)

(1) Intent. The Parks and Recreation district is intended to create, preserve and enhance park land to meet the active and recreational needs of residents. The Parks and Recreation district is intended to provide for both improved and unimproved park land. Activities may include, but are not limited to, structures or other active, player-oriented facilities such as playgrounds, recreational fields, ballfield, sport courts, dog parks, and associated accessory facilities such as parking areas and restrooms. The Parks and Recreation district is also intended to accommodate buildings of a public nature such as community and recreation centers. The Parks and Recreation District may be applied in any area of the City regardless of Comprehensive Plan designation.

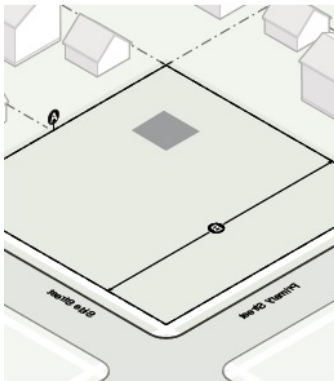
(2) Building Types Allowed. Building types are not applicable in the Parks and Recreation district.



Parks and Recreation Buildings

(3) Lot Dimensions.

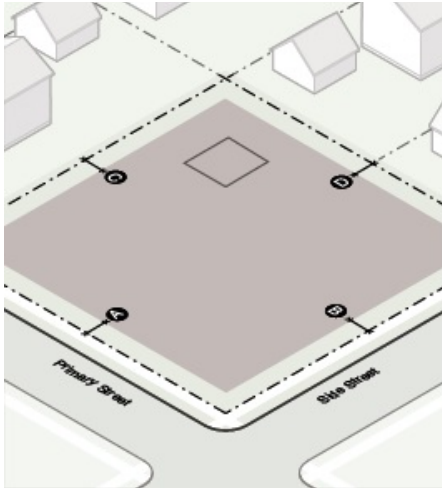
- a. There shall be no minimum lot size within the Parks and Recreation District.
- b. There shall be no minimum lot width within the Parks and Recreation District.



Parks and Recreation Lot Dimensions

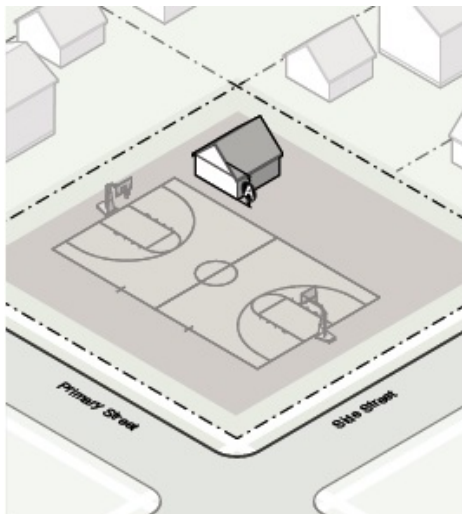
(4) Building Setbacks.

- a. Primary Street: 10 ft minimum
- b. Side street: 10 ft minimum
- c. Side interior: 10 ft minimum
- d. Rear: 10 ft minimum



Parks and Recreation Building Placement

- (5) Building height.
- a. All buildings and structures: 35 ft maximum



Parks and Recreation Building Height

20.37.030 Public Facilities (PF)

(1) Intent.

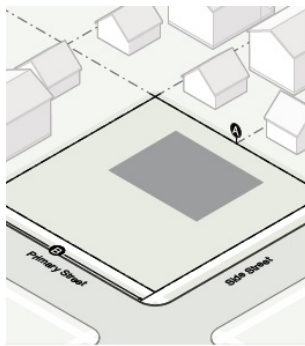
The Public Facilities district is intended to provide for public facility uses that serve the city and which may not readily assimilate into other zoning districts. The Public Facilities district may be applied in any area of the City regardless of Comprehensive Plan designation. The Public Facilities district intends to accommodate buildings of a public nature such as police, fire or EMS stations and government offices.

(2) Building Types Allowed. Building types are not applicable in the Public Facilities district.

(3) Lot Dimensions.

- c. Minimum Lot Size by building type: 7,000 square ft
- d. Minimum Lot Width: 70 ft

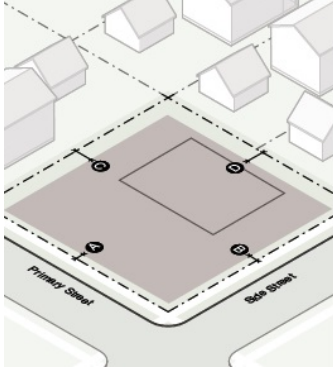
(4) Maximum hard surface coverage is 95%



Civic and Institutional Lot Dimensions

(5) Principal building setbacks from ground level up to 40 feet:

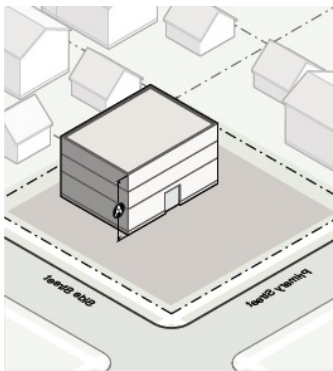
- a. Primary Street: 10 ft minimum (may be reduced on designated storefront and mixed designation streets POMC 20.127)
- b. Side Street: 10 ft minimum (may be reduced on designated storefront and mixed designation streets POMC 20.127)
- c. Side Interior:
 - i. Side Interior abutting non-residential: 5 ft minimum
 - ii. Side Interior abutting residential: 20 ft minimum
- d. Rear:
 - i. abutting non-residential: 5 ft minimum
 - ii. Rear abutting residential: 20 ft minimum



Civic and Institutional Building Placement

(6) Building height.

- b. All buildings and structures: 5 stories/ 85 ft maximum (it is recognized that public buildings may have higher per story heights than other building types hence the 85-foot height limit).



Civic and Institutional Building Height

Chapter 20.38 OVERLAY DISTRICTS

Sections:

20.38.600 Downtown Height Overlay District (DHOD)

- 20.38.610 DHOD Intent
- 20.38.620 DHOD Applicability
- 20.38.630 DHOD Conflicts
- 20.38.640 DHOD Height Limits
- 20.38.650 DHOD Height Measurement
- 20.38.660 DHOD Variances
- 20.38.670 DHOD Map Amendments

20.38.700 View Protection Overlay District (VPOD)

- 20.38.710 VPOD Intent
- 20.38.720 VPOD Applicability
- 20.38.730 VPOD Conflicts
- 20.38.740 VPOD Height Limits
- 20.38.750 VPOD Height Measurement
- 20.38.760 VPOD Variances
- 20.38.770 VPOD Map Amendments
- 20.38.780 VPOD Landscaping

20.38.600 Downtown Height Overlay District (DHOD)

A Downtown Height Overlay District (DHOD) is hereby established with boundaries to be shown on Figure 1.

20.38.610 DHOD Intent

The intent of the Downtown Height Overlay District (DHOD) is to protect scenic views on north facing slopes in the vicinity of Sinclair Inlet and Downtown, protect property values, provide access to light, ensure that the scale of development in downtown Port Orchard does not negatively impact the historic character of the community, and otherwise protect the general health, safety, and welfare of the community. The intent of the DHOD is to be achieved by establishing height limits for buildings and by establishing a method of measuring buildings that is different than the methods used elsewhere in this title to recognize the generally sloping characteristics of the overlay district.

20.38.620 DHOD Applicability

No new building or modification of an existing building may be permitted in the DHOD unless it complies with the height limits established in this chapter.

20.38.630 DHOD Conflicts

Where the requirements of this chapter conflict with another chapter, the more restrictive requirement shall control.

20.38.640 DHOD Height Limits

- (a) DHOD Height Zones Established. Within the DHOD as shown on the Zoning Map, there are four different DHOD height zones with height limits established as follows:
 - (1) DHOD 2: 28 feet – 2 Stories
 - (2) DHOD 3: 38 feet – 3 Stories
 - (3) DHOD 4: 48 feet – 4 Stories
 - (4) DHOD 5: 58 feet – 5 Stories
- (b) DHOD Height Bonus: A ten-foot (one story) height bonus not to exceed 20,000 feet in area may be granted to exceed the applicable maximum height provided in 20.38.640 (a) (1) if the applicant agrees to construct and operate (or lease to an operator) a grocery store in the same building for which the bonus is sought, with the grocery store space measuring at least 10,000 square feet in area. In addition to the 20,000-square foot bonus limit, the area of this additional ten feet of building height shall not exceed 95% of the area of the floor immediately below this bonus height (floor). Any height bonus shall require a development agreement between the developer and the city that provides assurances to the City guaranteeing that the ground floor commercial space will be developed and operated as a grocery store upon project completion.
- (c) DHOD Height Zone Map. The height zones described in this section shall be applied as reflected on the DHOD Height Zone Map as shown in figure 1.



Figure 1: DHOD Height Zone Map

20.38.650 DHOD Height Measurement

- (1) Building heights shall be measured one of two ways based on whether the parcel to be developed abuts Bay Street or whether it does not abut Bay Street.
 - a. Building heights for lots abutting Bay Street shall be measured from the average grade of the property line that abuts Bay Street rather than from the grade plane as defined in POMC 20.12 (see “building height” and “grade plane.”)
 - b. Building heights for lots not abutting bay street shall be measured in accordance with the definition of building height as found in POMC 20.12.

20.38.660 DHOD Variances

Property owners may seek variances from the building height standards imposed under the DHOD pursuant to POMC 20.28 Variances.

20.38.670 DHOD Map Amendments

Property owners seeking to modify the boundaries of the DHOD or the DHOD Height Zone Map in Section 20.38.040 (c) (Figure 1) may do so by site-specific rezone pursuant to POMC 20.42 Site-Specific Rezones.

20.38.700 View protection overlay district (VPOD).

A View Protection Overlay District is hereby established to include certain property as shown on Figure 2 below.

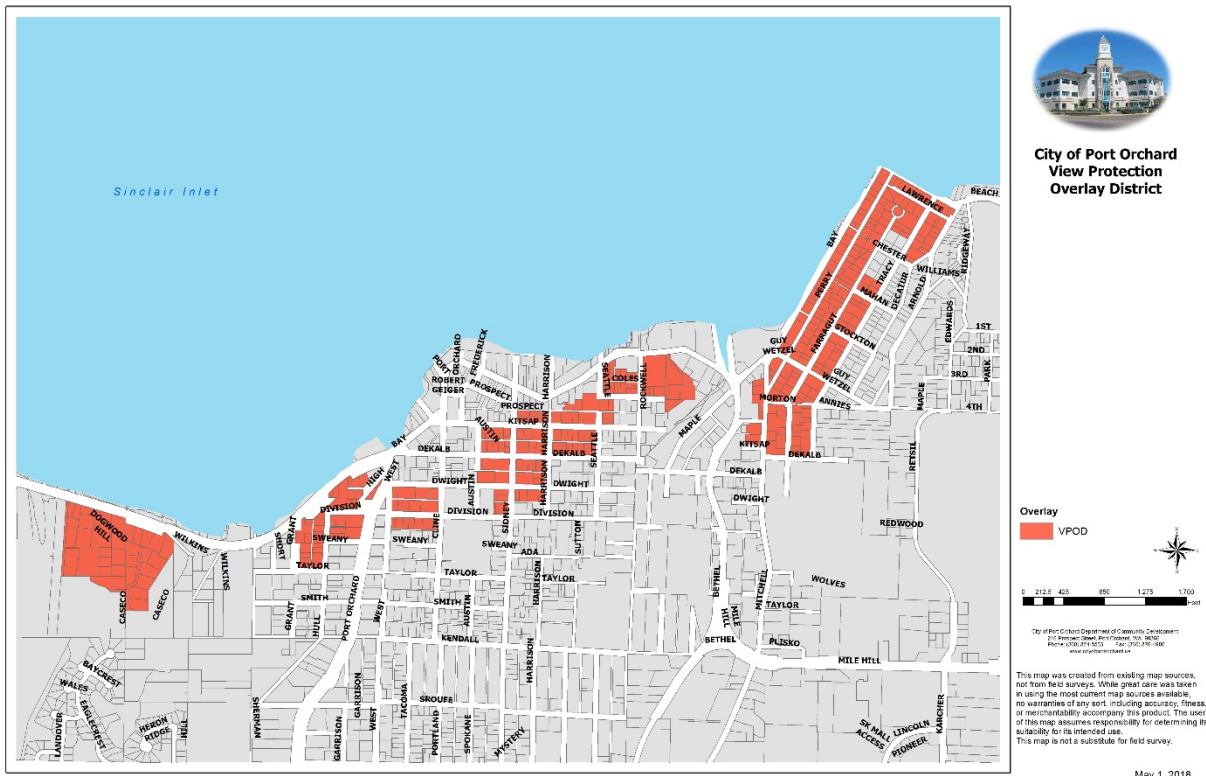


Figure 2: View Protection Overlay District included parcels.

20.38.710 VPOD Intent

The intent of the View Protection Overlay District (VPOD) is to protect scenic views on north facing slopes in the vicinity of Sinclair Inlet, protect property values, provide access to light, and otherwise protect the general health, safety, and welfare of the community. The intent of the VPOD is to be achieved by establishing height limits for buildings and by establishing a method of measuring buildings that is different than the methods used elsewhere in this title to recognize the generally sloping characteristics of the overlay district.

20.38.720 VPOD Applicability

No new building or modification of an existing building may be permitted in the VPOD unless it complies with the height limits established in this chapter.

20.38.730 Conflicts

Where the requirements of this chapter conflict with another chapter, the more restrictive requirement shall control.

20.38.740 VPOD Height Limits

Building heights in the VPOD shall be restricted by building type as follows:

Detached House: 15 Feet
Backyard Cottage: 15 Feet
Cottage Court: 15 Feet
Duplex: Side by Side: 15 Feet
Duplex: Front to Back: 15 Feet
Attached House: 15 Feet
Four Plex: 15 Feet
Townhome: 15 Feet
Apartment: 15 Feet
Live Work: 15 Feet
Shopfront House: 15 Feet
Single Story Shopfront: 15
Mixed Use Shopfront: 27
General Building: 27
Accessory Building: 15

20.38.750 VPOD Height Measurement

Building height in the VPOD shall be measured from the average uphill property line elevation rather than from the grade plane as described in POMC 20.12 Definitions (see definitions for “building height” and “grade plane.”)

20.38.760 VPOD – Variances

Property owners may seek variances from the building height standards imposed under the VPOD pursuant to POMC 20.28 Variances.

20.38.770 VPOD Map Amendments

Property owners seeking to modify the boundaries of the VPOD may do so by site-specific rezone pursuant to POMC 20.42 Site-Specific Rezones.

30.38.080 VPOD Landscaping

When landscaping (excluding street trees in the right of way) is required as a condition of development on a project located within the VPOD, plant selections as reflected on a landscaping plan shall not exceed a height of 15 feet as measured from the average elevation of the uphill property line based on the expected mature height of the plants selected. The preparer of a landscaping plan for a project within the VPOD shall provide information on the expected mature plant heights for all species proposed to be planted pursuant to that landscaping plan.

Chapter 20.39

ZONING DESIGNATION PROVISIONS

ARTICLE I: INTRODUCTION TO ZONING DESIGNATIONS AND PROVISIONS

Sections:

20.39.010 Use Classification

20.39.020 Use Table Key

20.39.010 Use Classification

(a) Classification of Uses

- (1) Organization of Use Tables.** The use table in Article II of Chapter 20.39 is organized into principal uses, accessory uses, and temporary uses.
- (2) Principal Uses.**
 - i. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product, or physical characteristics.
 - ii. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Director has the responsibility for categorizing all uses.
 - iii. The allowed use tables in POMC 20.39 Article II establishes permitted uses by district. No building or lot may be used except for a purpose permitted in the district in which it is located.
 - iv. Use Definitions and standards for permitted principal uses are specified in POMC 20.39 Articles III through VII.
- (3) Accessory Uses.**
 - i. An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with a permitted principal use located on the same lot.
 - ii. The allowed use tables in POMC 20.39 Article II establishes permitted accessory uses by district. Standards for allowed accessory uses are specified in POMC 20.39 Article VIII.
- (4) Temporary Uses.**
 - i. A temporary use is a use that is in place for a limited period of time only. Temporary uses are specified in POMC 20.39 Article IX.
- (5) Principal Uses Not Listed.**
 - i. A principal use not specifically listed is prohibited unless the director determines the use to be part of the use category as described below.
 - ii. The Director is responsible for categorizing all principal uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Director may consider the proposed use as part of that category. When determining whether a proposed use is similar to a listed use, the Director must consider the criteria in POMC 20.39.010 (a) (6). Determinations whether a proposed principal use is a similar use may be made using the process found in POMC 20.10. The

Director shall determine whether a code interpretation for a proposed principal use shall require a code interpretation pursuant to POMC 20.10.

- iii. Where a principal use not listed is found by the Director not to be similar to any other use category, the use is only permitted following a code amendment (see POMC 20.06).

(6) Criteria for determining whether a proposed use is a similar use:

- i. The actual or projected characteristics of the proposed use;
- ii. The relative amount of site area or floor area and equipment devoted to the proposed use;
- iii. Relative amounts of sales;
- iv. Relative number of employees;
- v. Hours of operation;
- vi. Building and site arrangement;
- vii. Types of vehicles used and their parking requirements;
- viii. The number of vehicle trips generated;
- ix. How the proposed use is advertised;
- x. The likely impact on surrounding properties; and
- xi. Whether the activity is likely to be found independent of the other activities on the site;

(7) Accessory Uses Not Listed.

- i. An accessory use not listed is prohibited unless the Director determines that the accessory use meets the criteria listed in POMC 20.39.010 (a) (8).
- ii. Determinations whether a proposed accessory use is a similar use may be made using the process found in POMC 20.10. The Director shall determine whether a code interpretation for a proposed accessory use shall require a code interpretation pursuant to POMC 20.10.
- iii. Where a principal use not listed is found by the Director not to be similar to any other use category, the use is only permitted following a code amendment (see POMC 20.06).

(8) Criteria for determining whether a proposed accessory use may be permitted. The Accessory use may be permitted when the Director determines the proposed accessory use:

- i. Is clearly incidental to and customarily found in connection with an allowed principal use;
- ii. Is subordinate to an serving an allowed principal use;
- iii. Is subordinate in area, extent, and purpose to the principal use served;
- iv. Contributes to the comfort, convenience or needs of the occupants, business or industry in the principal use served; and
- v. Is located on the same lot as the principal use served.

(b) Use Table Key.

- (1) Permitted Use (P). Indicates a use is permitted in the respective district. The use is also subject to all other requirements of this code.
- (2) Conditional Use (C). Indicates that the use may be permitted in the respective district only after issuance of a Conditional Use Permit in accordance with POMC 20.50. Conditional uses are subject to all other applicable requirements of the code, including applicable use standards, except whether the use standards are specifically modified are part of the approval process.

(3) Use Not Permitted (--). Indicates that a use is not permitted in the respective district.

Chapter 20.39
USE TABLE

Sections:

- 20.39.010** **Establishment of uses.**
- 20.39.020** **Use table key.**
- 20.39.030** **Use table.**

20.39.010 **Establishment of uses.**

The use of a property is defined by the activity for which the building or lot is intended, designed, occupied, or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding 60 days. A use which will operate for less than 60 days is considered a temporary use, and subject to the requirements of this title. All applicable requirements of this title, or other applicable state or federal requirements, shall govern a use located within the Port Orchard incorporated area.

20.39.020 **Use table key.**

Permitted Use (P)

Indicates a use is permitted in the respective zoning district. The use is also subject to all other applicable requirements of this code.

Conditional Use (C)

Indicates a use may be permitted in the respective zoning district only after a conditional use permit has been issued per Chapter 20.50. Conditional uses are subject to all other applicable requirements of this Title, including any applicable use standards, except where the use standards are expressly modified in the conditional use permit.

Use Not Permitted (--)

Indicates that a use is not permitted in the respective zoning district.

20.39.020 Use table.

(Gray shading separates categories into Residential, Commercial & Industrial, & Civic/Parks)

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Residential Uses																						
All household living, as listed below:																						
Single-family detached (including new manufactured homes)	P	P	P	--	--	P	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.600-615
Designated Manufactured Home, Manufactured or Mobile Home (except for new designated manufactured homes)	--	-	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	20.39.600-615
New Designated Manufactured Home	P	P	P	--	--	P	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	
Two-family	--	P	P	--	--	P	--	P	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.600-615
Single-family attached (2 units)	--	P	P	--	--	P	--	P	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.600-615
Single-family attached (3 or 4 units)	--	P	P	P	P	P	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	20.39.600-615
Single-family attached (5 or 6 units)	--	P	P	P	P	P	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	20.39.600-615
Multi-family (3 or 4 units)	--	--	P	P	P	--	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	20.39.600-615
Multi-family (5 or more units)	--	--	P	P	P	--	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	20.39.600-615
Manufactured or Mobile Home Park	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	20.39.600-615
Boarding House	--	--	--	C	C	--	--	--	C	--	--	P	C	--	--	--	--	--				
Congregate Living Facilities	--	--	C	C	C	--	--	--	C	--	--	P	C	--	--	--	--	--				
Lodging House	--	--	C	C	C	--	--	--	C	--	--	P	C	--	--	--	--	--				
Group home (up to 8 residents), except as follows:	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.600-615
Adult Family Home	P	P	P	--	--	P	P	P	P	--	--	--	P	--	--	--	--	--				
All group living (9 or more residents)	--	--	--	C	C	--	--	P	C	P	C	--	P	P	--	--	--	--	--	--	--	20.39.610
All social service	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P		--	--	--	20.39.615
Public Uses																						
All civic uses, as listed below:																						

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Community college, university, trade or technical school (8,000 square feet or less).	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	--	--	--	20.39.405
Community college, university, trade or technical school (more than 8,000 square feet).	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--	C	--	C	20.39.405
Club or lodge	--	--	--	--	--	--	--	--	--	P	--	P	P	P	--	--	--	--	P	--	--	20.39.405
Public use	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	20.39.405
Museum, library	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	--	--	--	--	--	P	20.39.405
Place of worship	C	C	C	C	C	--	--	--	--	P	--	P	P	P	--	--	--	--	P	--	--	20.39.405
School (K-12)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	20.39.405
Jail or Detention Center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--	C	20.39.405
All open space and park uses, as listed below:																						
Cemetery	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	20.39.410
Golf course	C	C	C	--	--	C	--	--	--	--	--	--	--	C	--	--	--	--	--	P	P	20.39.410
Park, recreation field	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	20.39.410
All utilities, as listed below:																						
Minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20.39.415
Major utilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	20.39.415
Wireless telecommunication facility, as listed below																						
Amateur radio operator Tower	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	20.39.420
Wireless telecommunication tower	C	C	C	C	C	C	--	C	C	C	C	C	C	P	P	P	P	P	P	--	--	20.39.420
Building-mounted wireless telecommunication facility	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	--	--	20.39.420
Small cell wireless facility	C	C	C	C	C	C	--	C	C	C	C	C	C	C	P	P	P	P	P	C	P	20.39.420
Commercial Uses																						
All day care, as listed below:																						

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Family day care (6 children or fewer)	P	P	P	--	--	P	P	--	--	--	--	--	P	--	--	--	--	--	--	--	--	20.39.505
Group day care (7 to 12)	C	C	C	--	--	C	C	C	P	P	--	P	P	P	--	--	--	--	--	--	--	20.39.505
Day care center (13 or more)	--	--	--	--	--	--	--	C	C	C	--	P	C	P	P	--	--	--	--	--	--	20.39.505
All indoor recreation, except as listed below:	--	--	--	--	--	--	--	--	C	P	C	P	--	P	P	--	--	--	--	C	--	
Shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	C	20.39.510
Special event facility	--	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	--	C	C	C	20.39.510
Commercial Entertainment, except as follows:	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	--	
Adult Entertainment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	--	20.39.515
All outdoor recreation, except as listed below:	--	--	--	--	--	--	--	--	C	C-	C	P	--	P	P	--	--	--	--	C	C	
Campground, travel trailer park, RV park (does not include mobile home park)	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	--	--	C	C	20.39.530
Horse stable, riding academy, equestrian center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	20.39.530
Shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	20.39.530
Marina (upland areas)	--	--	--	--	--	--	--	--	--	--	C	C	--	C	C	C	C	C	C	C	C	20.39.575
All overnight lodging, as listed below:																						
Level 1: Vacation rentals or similar short- term house/room rentals	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	--	--	20.39.535
Level 2: Bed and breakfast (up to 6 rooms)	C	C	C	--	--	C	C	--	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.535
Level 3: Hostel	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	20.39.535
Level 4: Motel	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	20.39.535
Level 5: Hotel										P	P	P	--	P	P							20.39.535
All medical, except as listed below:	--	--	--	--	--	--	--	--		C	C	P	P	P	P	P	--	--	--	--	P	
Hospital	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	C	--	--	--	--	C	20.39.520
All office, except as listed below:	--	--	--	--	--	--	--	C	C	P	P	P	P	P	P	P	--	--	--	--	--	

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Bail bonds	--	--	--	--	--	--	--	--	--	C	C	C	C	P	P	--	--	--	--	--	--	20.39.525
Surface parking: commercial parking, commuter lease parking or park and ride, remote parking	--	--	--	--	--	--	--	--	--	C	C	P	P	P	P	P	P	--	P	--	C	20.39.540
Commercial parking garage – standalone	--	--	--	--	--	--	--	--	--	C	C	C	C	P	P	P	--	--	--	--	C	20.39.540
All personal service, except as listed below:	--	--	--	--	--	--	--	C	C	P	C	P	P	P	P	C	--	--	--	--	--	
Funeral home	--	--	--	--	--	--	--	--	--	P	--	P	P	P	P	--	--	--	--	--	--	20.39.545
Crematorium	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	--	20.39.545
Indoor animal care	--	--	--	--	--	--	--	--	C	P	--	P	--	P	P	P	--	--	--	--	--	20.39.550
Outdoor animal care	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	C	--	C	--	--	20.39.555
Animal shelter or adoption center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	C	C	--	--	20.39.550-555
Business services	--	--	--	--	--	--	--	C	P	P	P	P	P	P	P	P	--	--	C	--	--	20.39.570
All restaurants except as listed below:	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--	--	--	--	
Food truck	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--	P	--	--	20.39.562
All retail sales, as listed below:																						
Retail establishment (up to 5,000 gross floor area)	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--	P	--	--	20.39.565
Retail establishment (5,001 - 15,000 gross floor area)	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	--	--	--	20.39.565
Retail establishment (15,001 - 50,000 gross floor area)	--	--	--	--	--	--	--	--	--	--	--	P	--	P	P	P	--	--	--	--	--	20.39.565
Retail establishment over (50,000 gross floor area)	--	--	--	--	--	--	--	--	--	--	--	--	--	C	P	P	--	--	--	--	--	20.39.565
Fireworks sales in accordance with POMC 5.60.	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	
Recreational marijuana sales	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	--				20.64
Convenience store with fuel pumps	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	20.39.565
Convenience store without fuel pumps	--	--	--	--	--	--	--	--	C	C	C	--	--	P	P	P	--	--	P	--	--	20.39.565

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Fuel pumps and sales without convenience store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	
All vehicle and tool/construction equipment sales and rental, as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	
Light vehicle and light tool or construction equipment sales and rental	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	20.39.565
Heavy vehicle and heavy tool or construction equipment sales and rental	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	20.39.565
All vehicle service and repair, as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Car wash	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	20.39.625
Vehicle service and repair, minor	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	20.39.640
Vehicle service and repair, major	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	20.39.645
Vehicle service and repair, commercial vehicle	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	20.39.650
Industrial Uses																						
All heavy industrial	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	20.39.605
All light manufacturing, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	
Commercial laundry, dry cleaning or carpet cleaning facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	20.39.610
Brewery, Distillery under 5,000 square feet											P	P		P	P							
Brewery, Distillery 5,001-15,000 square feet											C	C		C	P	P						
Brewery, Distillery over 15,000 square feet																	P	P				
Craft shop	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	P	P	P	--	--	--	20.39.610
Food and beverage processing, boutique (area used for processing less than 3,000 SF)	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	P	P	P	--	--	--	20.39.610

Use Category																							
Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards	
Food and beverage processing, industrial	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	20.39.610	
Recreational marijuana production	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	20.64	
All research and development	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	--	--	20.39.615	
Resource extraction – mining, dredging, raw mineral processing, except:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--	20.39.620	
Timber harvesting in the absence of concurrent development	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Sand and Gravel Mining	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	--		
Stockpiling of sand, gravel or other aggregate materials	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		C	P	--	--	P	20.39.620	
Sheet metal, welding, machine shop, tool and equipment manufacturing, vehicle painting facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	P	P	P	--	--	P	20.39.610	
All warehouse, storage and distribution, as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	P	P	--	--	--		
Enclosed storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	--	20.39.655	
Self-service storage, mini-warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	20.39.655	
All waste-related service, including sewage treatment facilities, decant facilities and recycling centers	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	P	20.39.660	
Recreational marijuana processing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	20.64	
Agricultural Uses																							
All agriculture, as listed below:																							
Agricultural processing, excluding marijuana processing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	P	P	--	--	--	20.39.705	
Community garden	P	P	P	P	P	P	--	P	P	P	--	--	--	--	--	--	--	--	--	P	P	20.39.705	
Nursery	--	--	--	--	--	--	P	--	--	--	--	--	--	P	P	P	P	--	--	--	--	20.39.705	
Winery	--	--	--	--	--	--	C	--	--	C	C	C	--	P	P	P	P	--	--	--	--	20.39.705	

Use Category Specific Use	R1	R2	R3	R4	R5	R6	GB	RMU	NMU	CMU	DMU	GMU	BPMU	CC	CH	IF	IL	IH	CI	PR	PF	Definition/ Standards
Accessory uses not otherwise listed below, as determined by the [Administrator]:																						
Accessory apartment, attached dwelling	P	P	P	--	--	P	P	--	--	--	--	--	P	--	--	--	--	--	--	--	--	20.39.805
Backyard cottage dwelling	P	P	P	--	--	P	P	--	--	--	--	--	P	--	--	--	--	--	--	--	--	20.39.805
Drive-thru facility	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	20.39.870
Home occupation	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	20.39.830
Home business	P	P	P	--	--	P	P	--	--	--	--	--	P	--	--	--	--	--	--	--	--	20.39.835
Livestock keeping	P	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	20.39.845
Outdoor display	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--	--	20.39.850
Outdoor storage as listed below:																						
Low-impact	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	--	--	20.39.855
High-impact	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	20.39.855
Self-Storage as accessory use to Apartment Building	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	20.39.860
Vehicle service and repair, accessory to a residential use	P	P	--	--	--	P	P	--	--	--	--	--	--	P	P	--	--	--	--	--	--	20.39.900
Park as accessory use to residential development	P	P	P	P	P	P	--	P	P	P	P	P	P	--	--	--	--	--	--	--	--	
Medical marijuana cooperative	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	Ch. 20.64

Key: P = Permitted Use C = Conditional Use -- = Use Not Permitted

Chapter 20.128

LANDSCAPING

Sections:

20.128.010 - Purpose

20.128.020 - Applicability and compliance

20.128.030 - Landscape plans

20.128.040 - Integration with LID stormwater management facilities.

20.128.050 - Plant material and installation standards

20.128.060 - Landscaping types

20.128.070 - Landscape site design standards

20.128.080 - Development within required buffers

20.128.090 - Irrigation standards

20.128.100 - Maintenance of required buffers and landscaped areas

20.128.110 - Performance assurance/bonding

20.128.120 - Maintenance assurance/bonding

20.128.010 - Purpose.

It is the purpose of this chapter to:

- (1) Promote well-planned and attractive landscaping that enhances the visual and aesthetic appearance of the city.
- (2) Provide space definition and landscape continuity between the built environment and the natural environment.
- (3) Provide appropriate barriers and relief from traffic, noise, heat, glare, and the spread of dust and debris.
- (4) Reduce potential negative impacts between adjacent and neighboring uses.
- (5) Reduce flooding and reduce the impact of development on the city's storm drainage system.
- (6) Promote tree retention and the protection of existing native vegetation.
- (7) Provide for the long-term establishment and health of new landscape plantings.
- (8) Aid in the conservation of energy and replenish the atmosphere with oxygen.
- (9) Provide for a more pleasant and relaxing urban environment.
- (10) Ensure the long term maintenance and attractiveness of landscape plantings.
- (11) Maintain and enhance property values.

20.128.020 - Applicability and compliance.

- (1) Applicability. The provisions of this chapter shall apply to all new non-residential, single family attached (three or more units), and multifamily (three or more units) development within the city.

Also:

- (a) The provisions of this chapter shall apply to building additions, remodels and site improvements per the Level I-III improvement thresholds set forth in POMC 20.127.020(3)(a-c).
- (b) The maintenance provisions of this chapter apply to existing and previously approved landscape plans and required landscape areas.
- (c) Temporary deferral. A certificate of occupancy shall be contingent upon the screening and landscaping requirements of this chapter being met. This provision may be temporarily deferred by the director in cases where it is not reasonable for the developer to install certain species of plant material prior to occupancy due to the recommended planting season not occurring at an appropriate phase in construction. In such case, the time deadline for planting such materials shall be extended only to the nearest seasonal period suitable for planting such materials. Additionally, the director shall require that the applicant obtain a temporary deferral when water restrictions are in place preventing regular irrigation or watering of plant material. The director may authorize a temporary deferral through the issuance of a temporary certificate of occupancy or through the approval of a performance bond in accordance with this Title.
- (d) Review in conjunction with other permits. Landscape plan review shall be performed in conjunction with other permit applications (i.e. land disturbing activity, stormwater drainage, building permit, etc.). Appeals of decisions related to the application of this chapter shall be connected to the underlying permit application to which the landscape code has been applied.
- (e) The provisions of this chapter may also apply to subdivisions and short plats as specified in POMC 20.100, but shall not apply to the construction of an individual detached house, duplex, or backyard cottage.

(2) Exceptions.

The director may waive the provisions of this chapter for Light Industrial (LI) zoned properties which do not front Old Clifton Road or SR-160 depending on the type of use, number of anticipated employees and customers, and the site's physical relationship and anticipated impacts to adjacent and neighboring zones, uses and development.

20.128.030 - Landscape plans.

- (1) In order to implement the requirements of this section, landscape plans for the entire site are required as part of the following permit application submittals:
 - (a) Building permit applications.
 - (b) Preliminary plat applications.
 - (c) Short plat applications.
 - (d) Binding site plan applications.
 - (e) Conditional use permit applications (where new construction, or expansion of a building is proposed, or where landscaping is required to meet conditions for granting approval).
 - (f) Stormwater drainage permit applications.
 - (g) Land disturbing activity permit applications.

- (2) In order to implement the requirements of this section, landscape plans for the entire site shall be required as part of a Land Disturbing Activity Permit application submittal if the scope of the permit application does not include restoration to pre-disturbance conditions or if the landscape plan approval is not issued under another permit approval as listed in POMC 20.128.030(1)(a).
- (3) Plans shall be developed shall be developed by a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual.
- (4) Landscape plans shall include:
 - (a) Boundaries and dimensions of the site.
 - (b) Location of existing and proposed easements, streets, curbs, utilities, sidewalks and any other hard surfaces.
 - (c) Location of buildings and structures, parking lots, driveways, loading areas, outdoor mechanical equipment, signs, refuse enclosures, overhead utilities, water meter location, swales, parking lot lighting, and any existing vegetation that is to remain on the site.
 - (d) The location and design of landscape areas to be preserved and planted, and plant list to include the location, number, height at maturity, and type of plant material by botanical and common name.
 - (e) Proposed irrigation system if a permanent or temporary system is proposed. All landscaped areas including adjacent right-of-way must be provided with an underground irrigation system.
 - (f) Specifications for soil amendments to provide suitable long term growing conditions.
 - (g) North arrow and scale.
 - (h) Planting detail section drawings.
 - (i) Name, address, and phone number of the person preparing the plan.
 - (j) Calculations demonstrating compliance with this chapter.
- (5) Applicants shall familiarize themselves with existing site conditions, and are encouraged to meet with staff to discuss appropriate design options and alternatives for accomplishing the screening and landscaping objectives of this chapter prior to preparing and submitting a landscape plan.
- (6) Applicants are encouraged to integrate landscape plans and stormwater system designs consistent with the City's adopted Stormwater Management Manual.

20.128.040 - Integration with LID stormwater management facilities. (20.128.035)

The required landscape design requirements in this chapter may be integrated with low impact development (LID) stormwater management facilities and best management practices (BMPs) unless site and soil conditions make LID infeasible, subject to the approval of the director and public works department. LID facilities shall not compromise the purpose or intent of required landscaping and landscaping shall not result in the disruption of the LID facilities' functions. LID facilities shall be designed and constructed in accordance and the LID Technical Guidance Manual for Puget Sound (current edition).

20.128.050 - Plant material and installation standards.

(1) Native plant species. New landscaping materials shall include species native to the region or hardy, waterwise, and non-invasive species appropriate in the climatic conditions of the region (decorative annuals are an exception). Generally acceptable plant materials must be those identified as hardy in Zone 8b as described in United States Department of Agriculture's Plant Hardiness Zone Map. The selection of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.

(2) Tree standards and guidelines.

(a) Tree heights may be called for within this chapter or elsewhere within this title:

- (i) Large tree: Capable of growing 35 feet high or greater under normal growing conditions.
- (ii) Medium tree: Capable of growing over 15 feet high and less than 35 feet high under normal growing conditions.
- (iii) Small tree: Capable of growing up to 15 feet high under normal growing conditions.

(b) Unless otherwise noted herein, required trees shall meet the following standards at the time of planting:

- (i) Required deciduous trees shall be fully branched, have a dominant leader branch, have a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball), and a minimum height of six feet at the time of planting as measured from the top of the leader branch to the top of the root ball.
- (ii) Required evergreen trees shall be fully branched and a minimum of six feet in height, measured from the treetop to the ground, at the time of planting.
- (iii) Required trees of any species within parking areas shall be a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball) and a minimum height of ten feet at the time of planting.

(3) Shrub standard. Shrubs, except for ornamental grasses, shall be a minimum of one-gallon size at the time of planting.

(4) Ground cover standards and guidelines.

(a) Ground covers shall be planted and spaced to result in total coverage of the required landscape area within three years as follows, or as per recommendations by Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual. Ground cover plants other than turf forming grasses must be planted in triangular spacing at the following rates:

- (i) Four-inch pots at 18-inches on-center.
- (ii) One-gallon or greater sized containers at 24-inches on-center.
- (iii) Alternative plant spacing may be appropriate depending on the specific plants. When applicable, plant spacing information must be included with permit application submittals from published sources, such as the *Sunset Western Garden Book*, from Internet sources, or

from cut sheets provided by a nursery. Such sources must be identified for verification purposes.

- (b) Grass is acceptable as ground cover in landscaped areas, but generally not preferred for water conservation and maintenance purposes (lawn areas designed as play areas are an exception).
- (c) Ground cover areas shall contain at least two inches of composted organic material at finished grade.

(5) Tree and plant diversity.

- (a) If there are more than eight required trees, no more than 40 percent of them may be of one species.
- (b) If there are more than 24 required trees, no more than 20 percent of them may be of one species.
- (c) If there are more than 24 required shrubs, no more than 75 percent of them may be of one species.

(6) Soil augmentation and mulching.

- (a) Existing soils shall be augmented with a two-inch layer of fully composted organic material tilled a minimum of six inches deep prior to initial planting.
- (b) Landscape areas shall be covered with at least two inches of mulch to minimize evaporation. Mulch shall consist of organic materials such as bark chips and wood grindings or yard waste, sawdust, and/or manure that is fully composted. Washed rock may also be used as a mulch.

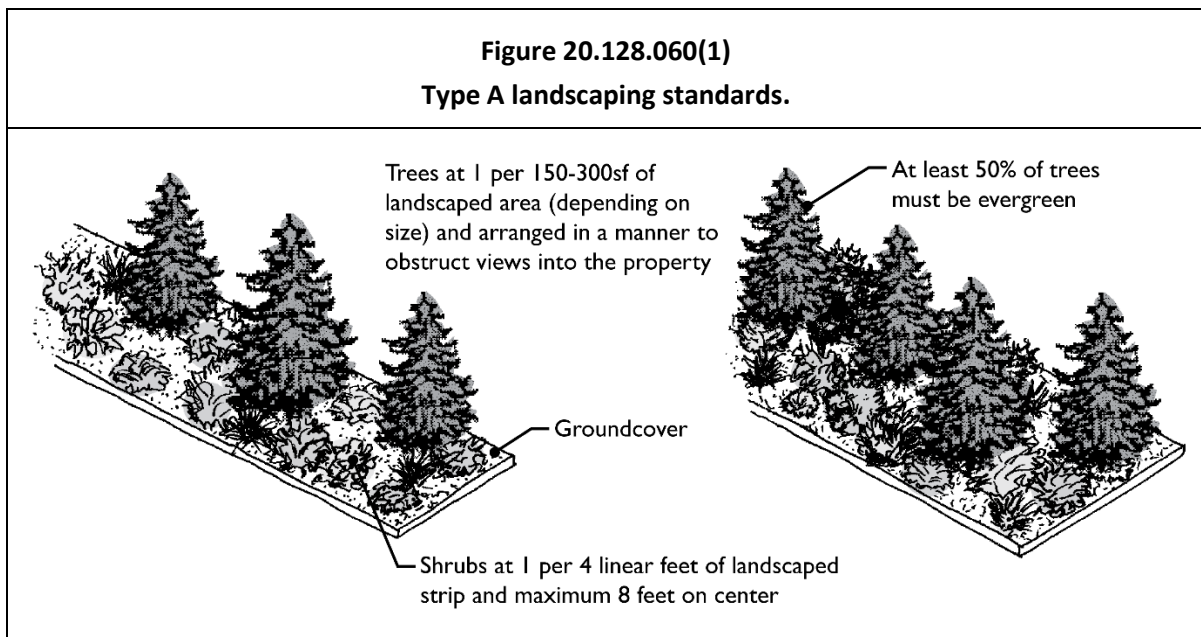
(7) Landscape installation standards.

- (a) All required landscaping shall be in-ground, except when in raised planters. Plant materials shall be installed to current nursery industry standards.
- (b) Plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement. Where support is necessary, stakes, guy wires or other measures shall be removed as soon as the plant can support itself.
- (c) Existing trees and plant materials to be retained shall be protected during construction. Protection measures may include silt fencing, chain link fencing, or other sturdy fencing placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles, and equipment shall not be allowed within the dripline of trees to be retained.
- (d) Installation of landscaping materials must take into consideration access to utility vaults, pedestals, and other public and private utility facilities.
- (e) Trees and major shrubs at mature size should avoid interference with windows, decks, pedestrian walkways or other travelled ways, or lighting.

20.128.060 - Landscaping types.

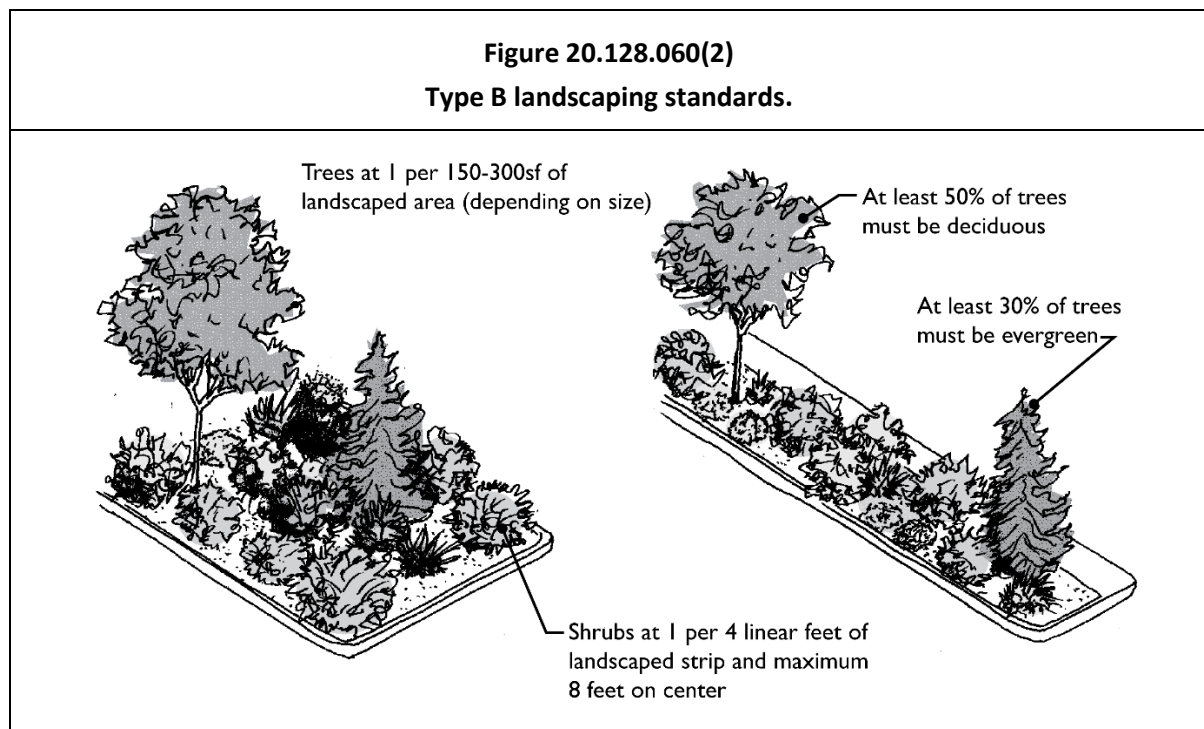
(1) Type A landscaping.

- (a) Type A landscaping shall function as a full screen and visual barrier. This landscaping is typically found between residential and nonresidential areas and used to screen unwanted views.
- (b) Type A landscaping shall minimally consist of:
 - (i) Trees: Predominately evergreen (more than 50 percent) at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feet.At least 70 percent of the trees shall be large.
 - (ii) Shrubs: Predominately evergreen provided at a rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (iv) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (v) The selected plant materials and configuration will be able to screen 70 percent of the unwanted views within five years of planting and fully screen the unwanted view within six years. This requirement will account for the size of materials planted and their typical growth rate.



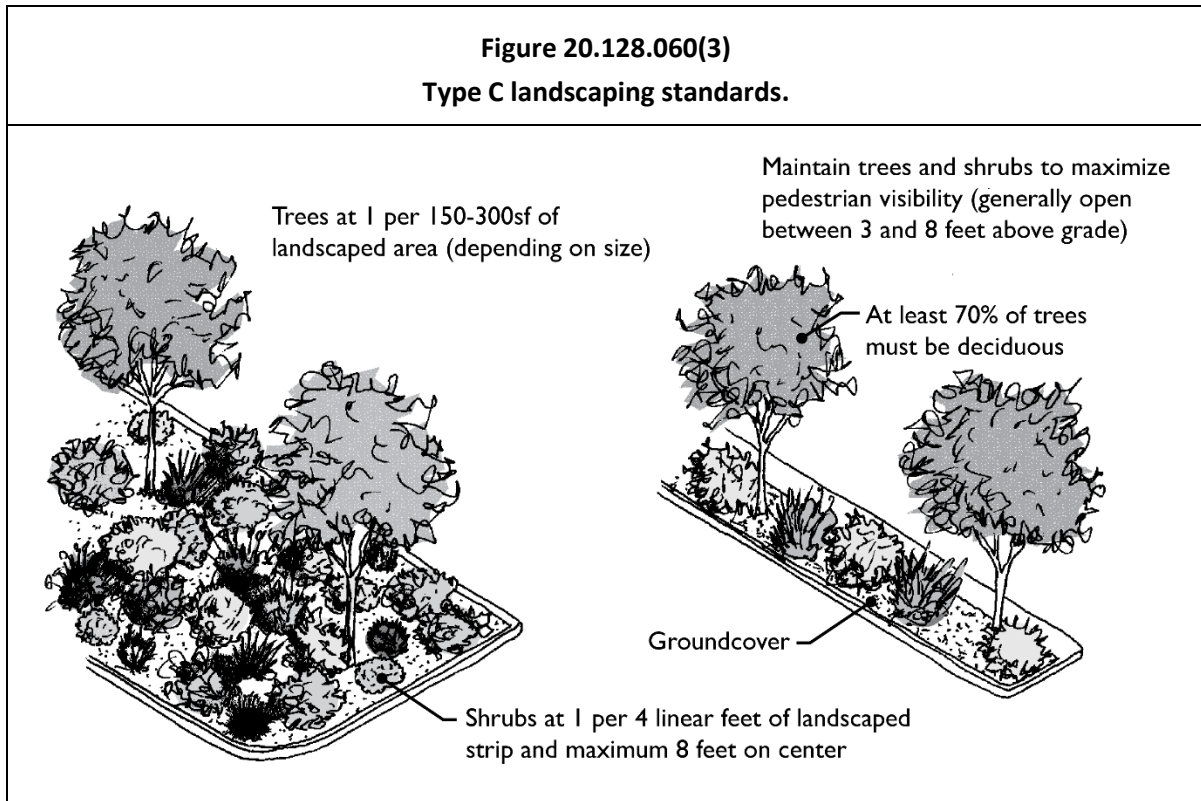
(2) Type B landscaping.

- (a) Type B landscaping is a “filtered screen” that functions as a visual separator. This landscaping is typically found between differing types of residential development and used to screen unwanted views from the pedestrian environment.
- (b) Type B landscaping shall minimally consist of:
 - (i) Trees: At least 50 percent deciduous trees and at least 30 percent evergreen trees at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feetAt least 70 percent of the trees shall be large.
 - (ii) Shrubs: Provided at the rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (iv) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (v) The selected plant materials and configuration will meet the purpose of the standards within five years of planting. This requirement will account for the size of materials and the growth rate.



(3) Type C landscaping.

- (a) Type C landscaping is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontages or between multifamily developments.
- (b) Type C landscaping shall minimally consist of:
 - (i) Trees: At least 70 percent deciduous trees at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feetAt least 70 percent of the trees shall be large.
 - (ii) Shrubs: Provided at the rate provided at a rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (iv) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (v) Tree and shrub placement shall be designed to maximize pedestrian visibility (generally between three and eight feet above grade once trees have matured).
 - (vi) The selected plant materials and configuration will meet the purpose of the standards within five years of planting. This requirement will account for the size of materials and the growth rate.
- (c) Where Type C landscaping is designed to also function as a rain garden, adjustments in the spacing of trees, shrubs, and ground cover will be allowed provided the rain garden meets the function requirements of subsection (6) below and the intended function of Type C landscaping as defined in subsection (a) above.



(4) Type D landscaping.

- (a) Type D landscaping refers to all other landscaped areas that do not qualify as Type A-C landscaping. While native and low maintenance trees and shrubs are encouraged in these areas, lawn areas may be used for recreational or design purposes. These areas may also include flower beds and perennial beds.
- (b) Type D landscaping may include any combination of plant materials provided they comply with POMC 20.128.050.

(5) Low hedge.

A low hedge is intended to function as an attractive visual divider of space rather than a visual buffer between uses and properties. To qualify as a hedge landscaping type, the planting must be at least 30 inches wide and 30 inches tall. The hedge include plant materials that typically grow no taller than five feet at maturity or are maintained between 30 inches and 48 inches tall. Additional limits on hedges may be imposed by the public works director within required sight triangles at intersections. Shrubs or other hedge plant materials must be placed at a rate of one per four linear feet of landscaped strip or otherwise recommended for shrub species (plant spacing information must be included with permit application submittals from published sources, such as the *Sunset Western Garden Book*, from Internet sources, or from cut sheets provided by the nursery.

Figure 20.128.060(5)
Low hedge examples.

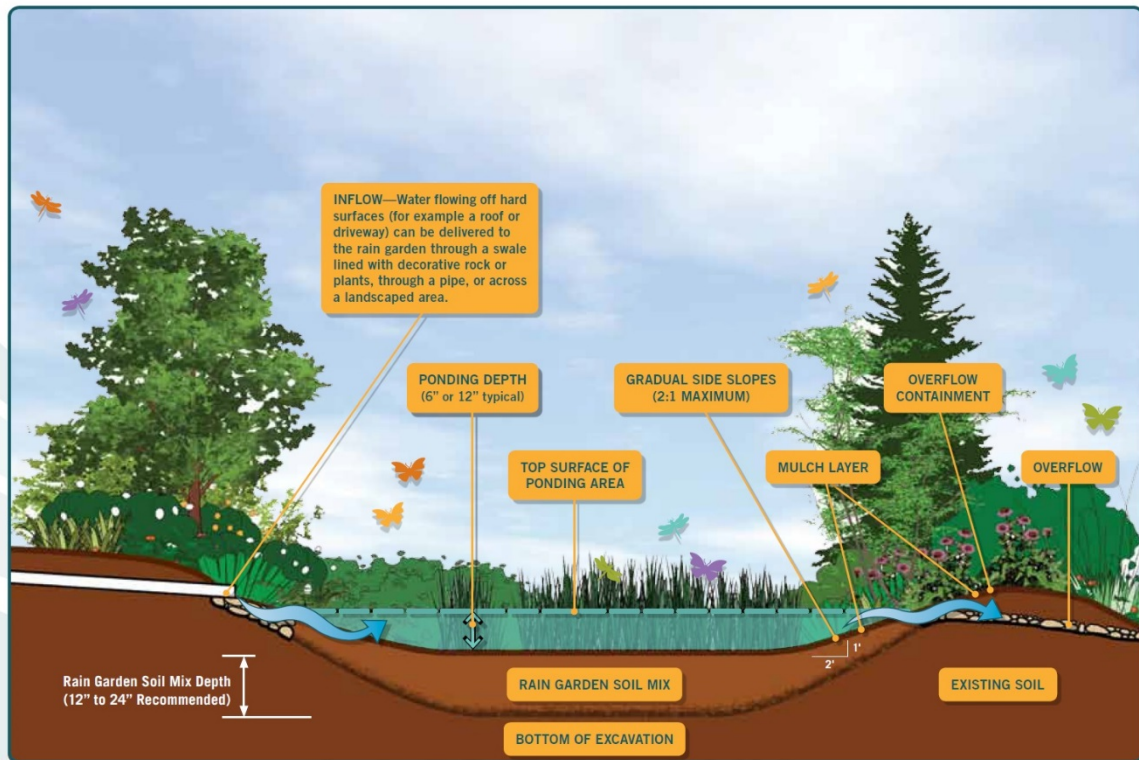


(6) Rain garden.

A rain garden is a landscaped depression that collects, absorbs, and filters stormwater runoff from rooftops, driveways, patios, and other hard surfaces. They can also function as an attractive visual divider of space. To qualify as a rain garden, the following elements must be included:

- (a) Garden located and designed to capture impervious area runoff.
- (b) Six to 12 inches ponding depth.
- (c) Twelve to 24 inches rain garden soil depth with two to three inches surface mulch layer.
- (d) Gradual side slopes (maximum 2:1).
- (e) Overflow design elements with measures to protect erosion.
- (f) Generous plantings (capable of reaching 100 percent groundcover) of a variety of small trees, shrubs, ground covers, and grasses. Select plants suitable for the three planting zones within the garden and around the perimeter.

Figure 19.66.050(6)
Rain garden examples.



20.128.070 - Landscape site design standards.

- (1) Required landscape buffer standards.** Screening between certain uses may be called for in Table 20.128.070 below or elsewhere in this chapter:

- (a) The provisions of this section do not apply to, and landscape buffers are not required for, development with a designated storefront block frontage (POMC 20.127.090-260) unless required as a condition of a permit (such as a conditional use permit or subdivision) or SEPA.
- (b) Where mature trees and vegetation exists within the required buffer areas, the preservation of said mature trees and vegetation may be preferable to new plant materials. The director may require up to 50 percent additional buffer width and/or specific planting conditions to better ensure the survival of existing mature trees and/or augment existing plantings to meet the intent of the standards.
- (c) The letters A, B, and C refer to the required landscape buffer type(s), (described in POMC 20.128.060). Where more than one buffer type is referenced at the intersection of the column and the row, only one of the listed buffer types is required.
- (d) Where the cells at the intersection of the column and the row are empty, there are no landscaping buffer requirements for the particular situation.
- (e) The numbers 1, 2, or 3 after a letter refer to minimum buffer width intensity requirements set forth in subsection B below.
- (f) If a * appears after a use or term within the table, then the use or term is defined in POMC Chapter 20.12 or 20.39.
- (g) Where superscript numbers are included in a cell, see the corresponding note matching the number below the table.
- (h) For the application of building additions, remodels and site improvements, the provisions of POMC 20.127.020(3) shall apply.
- (i) **Departures. Alternative buffer treatments may be approved per POMC 20.127.060 for any of the buffer types required below, provided they meet the purpose of this chapter.**

Table 20.128.070									
Required buffer types for developing uses.									
Developing use	Existing abutting uses and zones								
	Street, park or trail	R1, R2, R6, GB zones	R3, R4, R5 zones	RMU, NMU, GMU, DMU, CMU, BPMU zones	CC, CH zones	IF zone	IL zone	IH zone	CI, PF zones
Single Family attached* (3 or more units) or Multifamily* (3 or more units)	See subsection (2) below.	Fence plus BC-5'	Fence plus BC-5'	Fence or BC-5' or path	Fence or BC-5' or path	Fence plus AB-10'	Fence plus AB-10'	Fence plus AB-10'	Fence plus BC-5'

Table 20.128.070 Required buffer types for developing uses.									
Developing use	Existing abutting uses and zones								
	Street, park or trail	R1, R2, R6, GB zones	R3, R4, R5 zones	RMU, NMU, GMU, DMU, CMU, BPMU zones	CC, CH zones	IF zone	IL zone	IH zone	CI, PF zones
Low intensity non-residential use*		Fence plus ABC-5'	Fence plus ABC-5'	Fence or BC-5' or path	Fence or BC-5' or path	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-5'
Moderate intensity non-residential use*		Fence plus ABC-10'	Fence plus ABC-10'	Fence or BC-5' or path	Fence or BC-5' or path	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-10'
High intensity non-residential use*		Fence plus ABC-15'	Fence plus ABC-15'	Fence or BC-5' or path	Fence or BC-5' or path	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-15'
Use featuring an open storage yard*		Fence plus ABC-10'	Fence plus ABC-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence or A-5' or B-10'	Fence or A-5' or B-10'	Fence or A-5' or B-10'	Fence plus ABC-10'
Heavy industry*		Fence plus ABC-20'	Fence plus ABC-20'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-5' or A-10'	Fence plus ABC-20'

(2) Street, park, or trail buffers.

- (a) For landscaping between uses or structures and streets, also see the applicable block frontage standards in POMC 20.127.100-260. Plant materials, installation, and maintenance are subject to the standards of this chapter.
- (b) For non-residential, single family attached (three units or more), and multifamily development (three units or more), see POMC 20.127.220 for Trail/Park block frontage standards. Alternative designs will be considered based on the unique context of the site, the development, and the

park/trail provided the designs promote safety for park/trail users, and mitigate any potential negative impacts of the proposed use on the park/trail.

- (c) For storage yards, a minimum ten-foot wide planting strip with Type A landscaping is required between any street and such storage yard.

(3) Surface parking lot landscaping.

(a) Parking lot perimeters.

- (i) For parking lots abutting public right of way, use Type C landscaping at a width equal to or greater than the minimum building setback specified for the applicable block frontage type specified in POMC 20.127.100-260. For parking lots on sites without an applicable block frontage type, the parking lot landscape buffer shall be at least ten feet deep.
- (ii) For parking lots along internal private roadways in commercial areas, provide a planting strip at least six feet wide with Type C landscaping.
- (iii) For parking lots along internal lot lines, use Type A or B landscaping at least ten feet deep, except where a greater buffer width is required per the standards in Table 20.128.070.

Departures will be considered provided they meet the purpose of this chapter. Examples of acceptable departures may include decorative low walls with landscaping, decorative elevated planters, or landscaping with a trellis. In no case may landscaping buffers be less than five feet wide. The minimum height of planters or walls, where used, is three feet. The maximum height of walls where used shall be five (5) feet.

Figure 20.128.070(3)(a)
Parking lot perimeter landscaping departure examples.

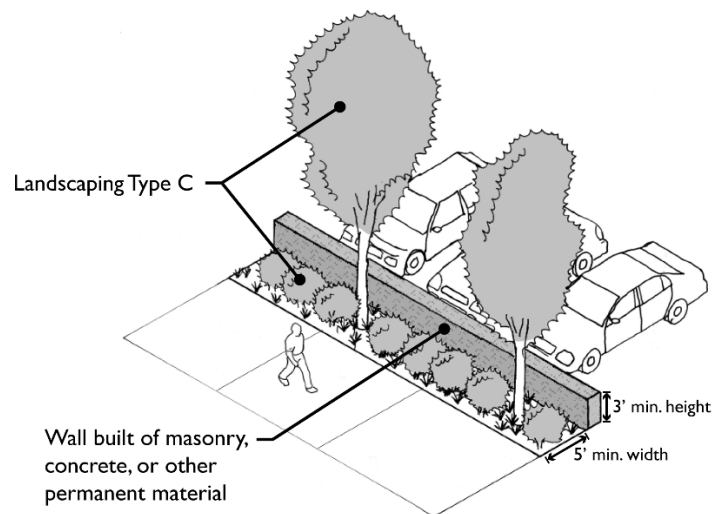
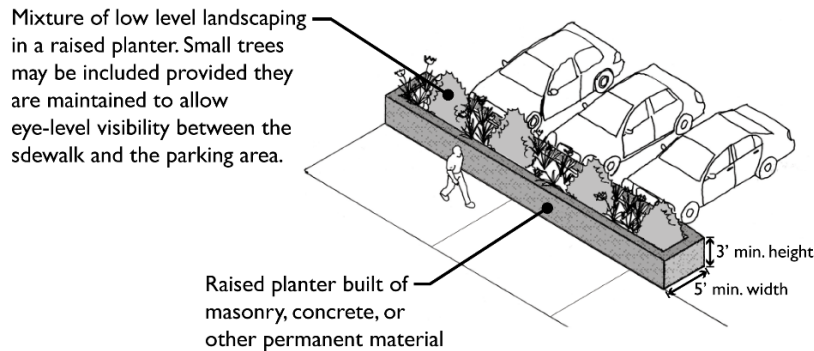


Figure 20.128.070(3)(a)
Parking lot perimeter landscaping departure examples.



Above are two possible departure parking lot landscaping buffer designs that may be acceptable in more urbanized areas, such as downtown.

(b) Internal parking lot landscaping.

(i) Trees and shrubs required.

- (A) For every 1,000 square feet of vehicular use area, at least one deciduous tree must be planted.
- (B) Trees and shrubs must be planted within 15 feet of the parking lot to count as parking lot landscaping.
- (C) When a development contains more than 20 or more parking spaces, 50 percent of the trees and shrubs must be planted in islands or medians located within the parking lot.

(ii) Landscaping type.

- (A) Type C landscaping shall be utilized for landscaping islands internal to parking lots.
- (B) At least 75 percent of the required deciduous trees must be large trees. Medium and small trees are acceptable where overhead electric lines would interfere with normal growth.
- (C) Rain gardens and swales may be integrated into required planting areas.

(iii) Landscaped island sizes. At a minimum, tree islands shall be a minimum of 256 square feet. Planting islands must be at least six feet deep and wide.

(iv) Landscaped island spacing. Parking bays shall be broken up with landscaped islands or medians to avoid long monotonous rows of parking. Tree islands shall be evenly distributed throughout the parking lot in order to provide an even tree canopy throughout the lot.

(v) Each parking space must be located within 75 feet of a tree measured from the closest point of the parking space to the tree trunk.

Departures will be considered provided they meet the purpose of this chapter.

(4) Foundation planting. All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:

- (a) The landscaped area must be at least three feet wide.
- (b) There must be at least one three-gallon shrub for every three lineal feet of foundation.
- (c) Ground cover plants must fully cover the remainder of the landscaped area.

Figure 20.128.070(4)
Foundation planting.



Foundation plantings would be required along this exposed concrete foundation.

(5) Existing vegetation.

- (a) Existing healthy, native, and non-invasive vegetation may be used to fulfill the requirements of this chapter.
- (b) When existing vegetation is proposed to be used to fulfill the requirements of this chapter, that vegetation shall be shown on required landscape plans as “existing vegetation to be retained” and prior to land disturbing activities, these areas shall be flagged in the field and be protected by construction fencing. In the event that existing vegetation proposed to be used to fulfill the requirements of this chapter is altered, damaged, or removed during development or construction activity, this area shall be restored to its original state after the development or construction activity is complete, or, shall be replanted in accordance with a new revised landscaping plan developed and approved in accordance with this chapter.

(6) Stormwater facilities.

- (a) Plant-based stormwater treatment facilities such as rain gardens [see POMC 20.128.060(6)] and swales may be used to meet the requirements of this section as provided elsewhere in this chapter.

- (b) Stormwater detention facilities such as ponds and collection basins may not be used to meet the requirements of this section unless designed per subsection (a) above.

20.128.080 - Development within required buffers.

This section applies to buffers that are required per Table 20.128.070.

(1) Pedestrian walkways are allowed within buffers, subject to the following standards:

1. Walkways shall not exceed five feet in width.
2. Walkways shall cross buffers at an angle between 60 and 90 degrees.
3. Walkways may only run along the length of a buffer if the buffer is at least 40 feet in width, and the walkway is located within the inner 25 percent of the buffer.

(2) Utilities are not permitted in buffers within a residential subdivision, unless no reasonable alternative exists. However, utilities may be installed in an easement that is located along street frontage and parallel to the street. If utilities are placed in a buffer, they shall be located and installed in a way that minimizes disturbance of the buffer area: not parallel, but crossing at an angle between 60 and 90 degrees. If storm water drainage channels are placed in a buffer at an angle less than 60 degrees, the buffer width shall be increased by the width of the utility easement or disturbance, or at least ten feet, whichever is greater.

20.128.090 - Irrigation standards.

The purpose of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable.

All required landscaped areas in the city must comply with at least one of the following:

- (1) A permanent built-in irrigation system with an automatic controller will serve the proposed landscape area, and the system will be installed and operational before the city grants an occupancy permit or final inspection for the development.
- (2) A temporary irrigation system will serve the proposed landscape area, provided the applicant can successfully demonstrate that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall.
- (3) A permanent or temporary irrigation system will not serve the proposed landscape area, provided:
 - (a) The director finds the landscape area otherwise fulfills the requirements of this section, and
 - (b) The applicant submits all of the following with the site plan application:
 - (i) A statement from a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual certifying that the materials to be planted will survive without watering other than natural rainfall.
 - (ii) A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the director.

- (iii) A statement from the applicant agreeing to install an irrigation system if the director finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan.

20.128.100 - Maintenance of required buffers and landscaped areas.

(1) Maintenance responsibility.

The owners of the property and their agents, heirs, or assigns shall be responsible for the installation, preservation, and maintenance of all planting and physical features (installed or vegetated natural areas) required under this section. Damage to these areas shall result in the revegetation requirements or fines per POMC 20.128.090.

(2) Inspections after second and fifth year.

The director shall inspect the site two and five years after the issuance of a permanent certificate of occupancy in order to ensure compliance with the approved landscape plan and to ensure that the landscaping is properly maintained. Failure to maintain required landscape areas on a permanent basis may result in fines according to POMC 20.02 and POMC 2.64.

(3) Maintenance responsibility, replacement of damaged vegetation, and associated fines.

- (a) The owners of the property and their agents, heirs, or assigns must be responsible for maintaining all required landscaping and screening areas in a healthy, growing condition.
- (b) All landscaping and screening areas must be maintained reasonably free of weeds and trash, must be treated for pest/diseases in accordance with the approved landscape plan, and must be maintained so as to prevent mulch, straw, dirt, or other materials from washing onto streets, sidewalks, and adjoining properties.
- (c) Limbing up trees and “topping” or shearing off trees is prohibited, unless required for public safety reasons approved by the director.
- (d) The property owner shall take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations.
- (e) Any dead, unhealthy, or missing vegetation, or vegetation disfigured by severe or excessive pruning, unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, must be replaced with equivalent vegetation that conforms to the plant materials and installation standards in POMC 20.128.050, other applicable standards of this title, and the approved site plan.
- (f) The owner shall have one growing season to replace or replant after receiving notice from the director. The director shall consider the type and location of the required vegetation area in making a determination on the extent of replanting requirements.
- (g) Failure to maintain all plantings in accordance with this section shall constitute a violation of the Port Orchard Municipal Code and may result in fines in accordance with POMC 20.02.

(4) Landscape maintenance plan.

The paragraph and list below regarding a landscape maintenance/management plan shall be placed on the landscape plan prior to plan approval, along with any other notes applicable to site landscaping. This statement may be individualized based on the specific characteristics of each site and its landscaping plan requirements. The maintenance plan shall be prepared by a Washington

state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual.

"The owners of the property and their agents, heirs, or assigns shall be responsible for the installation, preservation, and maintenance of all planting and physical features shown on this plan. The owners shall be responsible for maintenance of the vegetation, including but not limited to:

- (a) Fertilization.
- (b) Pruning.
- (c) Pest control.
- (d) Mulching.
- (e) Mowing (if any).
- (f) Protection of the root zones from equipment, construction and storage of materials.
- (g) Watering.
- (h) Other continuing maintenance operations.

Failure to maintain all plantings in accordance with this plan shall constitute a violation of the Port Orchard Municipal Code and may result in fines."

20.128.110 - Performance assurance/bonding.

In the event that landscaping improvements cannot be installed prior to final plat, final short plat, final binding site plan or formal certificate of occupancy, a cash deposit, letter of credit or other assurance acceptable to the city equal to 150 percent of the estimated landscaping and installation costs must be required. Such deposit must be accompanied by a letter which stipulates completion of all landscape development no later than the next autumn planting season following issuance of the certificate of occupancy or date of final approval, whichever is later. If these conditions are not met, the city may use the deposit to install the landscaping.

20.128.120 - Maintenance assurance/bonding.

Prior to granting a (permanent) certificate of occupancy and/or granting final approval of site improvements, the owner of the subject property shall provide a two-year landscape maintenance bond, cash set-aside, or other assurance acceptable to the city (hereafter "assurance") in an amount equal to 125 percent of the estimated landscaping and installation costs for the project. It shall be the owner's responsibility to request a landscape maintenance inspection at least two years after city acceptance upon final landscaping installation inspection. The assurance shall not be released by the city unless the city finds upon inspection that the landscaping has been maintained and is in good health. If the city finds that the landscaping has not been maintained or is not in good health, the city may at its option require the owner to maintain and restore the required landscaping to healthy conditions prior to releasing the landscape maintenance assurance, or may itself perform work to correct the deficiencies using the provided assurance. In the event that a significant amount of the required landscaping requires replacement as determined by the director, the city may require an additional two-year landscape maintenance assurance on all or a portion of the required landscaping.

Chapter 20.129 SIGNIFICANT TREES

Sections:

20.129.010 Purpose

20.129.020 Applicability

20.129.030 Definitions

20.129.040 Removal and Replacement of all Significant Trees

20.129.050 Retention and Protection of Significant Trees Associated with Development Proposals

20.129.010 - Purpose.

It is the purpose of this chapter is to:

- (1) Provide incentives for preserving significant trees and to require the replacement of significant trees at specified ratios when they are removed.
- (2) Mitigate the environmental and aesthetic consequences of tree removal in land development through tree replacement to achieve a goal of no net loss of trees throughout the City.
- (3) Provide measures to protect trees that may be impacted during construction activities.
- (4) Maintain and protect the public health, safety, and general welfare.
- (5) Preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Port Orchard including:
 - (a) Providing varied and rich habitats for wildlife;
 - (b) Absorbing carbon dioxide;
 - (c) Moderating the effects of winds and temperatures;
 - (d) Stabilizing and enriching the soil;
 - (e) Slowing runoff from precipitation and reducing soil erosion;
 - (f) Improving air quality;
 - (g) Improving water quality;
 - (h) Masking unwanted sound;
 - (i) Providing visual relief and screening;
 - (j) Providing recreational benefits;
 - (k) Enhancing the economic value of developments;
 - (l) providing a valuable asset to the community.

20.129.020 - Applicability.

- (1) This section applies to all significant trees in the city.
- (2) No significant tree may be removed unless the requirements of this chapter are met.

- (3) The following situations, activities, and projects are exempt from the significant tree protection requirements of this section unless the tree is located in a critical area as identified in POMC 20.162:
 - (a) Utility developments.
 - (b) Roadway or street (including sidewalks) construction.
 - (c) Parks projects.
 - (d) Trees that interfere with overhead utility lines.
 - (e) Trees that are causing damage to building foundations.
- (4) This chapter shall not be construed to authorize the removal of trees where tree removal is not otherwise permitted in the POMC.

20.129.030 - Definitions.

- (1) Significant trees are those trees with a DBH (diameter at breast height) of 18 inches or greater and which are not identified by a licensed arborist as damaged, diseased, or a safety hazard due to potential root, trunk or primary limb failure, or new exposure to wind after having grown in a closed, forested situation.
- (2) The root protection zone is equal to one-foot radius from the center of the tree for every one inch of tree DBH. A modified root protection zone may be established by a certified arborist's individual tree evaluation.

20.129.040 - Removal and replacement of all significant trees.

- (1) Approval of the director is required for the removal of significant trees. The decision to authorize the removal of a significant tree shall be a Type 1 decision; however, an application that involves two or more procedures may be processed consistent with the procedures provided in POMC 20.25.020(2). Approval requires that the following condition and the replacement requirements of subsection (2) are met:
 - (a) All significant trees located within any required landscape buffer area or required landscape planting area shall be retained to the extent practical and feasible.
- (2) Significant trees that are removed shall be replaced with trees meeting the following requirements:
 - (a) Trees must be replaced at the rates described in Table 20.129.040(2).

Table 20.129.040(2)	
Replacement tree quantity.	
Significant Tree Diameter	Number of Replacement Trees Required
18-22 inches diameter	1
22-28 inches diameter	2
28-36 inches diameter	3
Greater than 36 inches diameter	4

- (b) Replacement deciduous trees shall be fully branched, have a dominant leader branch, have a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball), and a minimum height of six feet at the time of planting as measured from the top of the leader branch to the top of the root ball. Replacement evergreen trees shall be fully branched and a minimum of six feet in height, measured from the top of the leader branch to the top of the root ball, at the time of planting.
 - (c) Replacement trees shall primarily be those species native to the Pacific Northwest. In making a determination regarding the species of replacement trees, the director shall defer to the species selected by the property owner unless the director determines that the species selected is unlikely to survive for a period of at least ten years, represents a danger or nuisance, would threaten overhead or underground utilities
 - (d) The property owner shall maintain all replacement trees in a healthy condition. The property owner shall be obligated to replant any replacement tree that dies, becomes diseased, or is removed. Replacement trees shall not be removed except when they are replaced at another location in accordance with this chapter.
 - (e) The director may authorize the planting of fewer and smaller replacement trees if the property owner can demonstrate the reduction is suitable for the site conditions, neighborhood character, and the purposes of this section, and that such replacement trees will be planted in sufficient quantities to meet the intent of this section. The director may require a certifying statement from a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or certified arborist.
- (3) If the site does not allow for planting of replacement trees the trees may be planted on an alternative site within the city and not more than 500 feet away from the removed tree, or public property (such as in a city park) subject to the approval of the public works director, provided that guarantees exist (such as a conservation easement) to ensure that the replacement trees will not be removed prior to reaching 18 inches DBH (at which time they will be considered significant trees).
 - (4) The director shall not authorize the planting of shrubs or bushes in lieu of required replacement trees.
 - (5) For projects containing 5 or fewer significant trees, the required replacement trees planted shall be in addition to other required trees installed to satisfy street tree and landscaping buffer, parking lot, and other landscape area requirements. For projects containing more than 5 significant trees, up to seventy-five percent (75%) of the required replacement trees to be planted may be satisfied by planting trees within required landscaping buffers and parking lot islands as specified in POMC 20.128.
 - (6) Guidelines for significant tree replacement. The following guidelines and requirements shall apply to significant tree replacement:
 - (a) When individual trees or tree stands are protected, replacement trees should be planted to re-establish or enhance tree clusters where they previously existed.
 - (b) Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements.
 - (c) Replacement trees shall be planted in areas that connect or are adjacent to native growth protection areas or other open space, where appropriate.

- (d) Replacement trees shall be integrated into the required landscape plans, if any, for a development.
- (e) Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.

20.129.050 - Retention and protection of significant trees associated with development proposals.

- (1) Significant tree retention plan.** The applicant or property owner shall submit a tree retention plan prepared by a certified arborist, horticulturalist, landscape architect, forester or other qualified professional concurrent with the underlying development permit application (such as a land disturbing activity, short subdivision, binding site plan, conditional use, building, or preliminary subdivision permit application), whichever is reviewed and approved first. The tree retention plan shall consist of:
 - (a) A tree survey that identifies the location, size, and species of individual significant trees or the perimeter of stands of trees on a site.
 - (b) Identification of the significant trees that are proposed to be retained.
 - (c) The location and design of root protection during construction and development activities.
- (2) Exemption:** Significant tree retention plans shall not be required for the construction of a detached house or backyard cottage, but these projects shall comply with all other sections of this chapter.
- (3) Protection of significant trees.** To provide protection for significant trees that are to remain during and after development activity the following standards apply:
 - (a) Prior to construction, grading, or other land development, each root protection zone is identified with a temporary chain-link or orange mesh fence with a minimum height of five feet.
 - (b) No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the root protection zone.
 - (c) Alternative protection methods may be used if determined by the director to provide equal or greater significant tree protection.



Planning Commission Meeting Minutes
June 5, 2018

COMMISSIONERS:

Present: Stephanie Bailey (acting chair), David Bernstein, Marcus Lane, Suanne Martin Smith, Trish Tierney, Kathleen Wilson

Absent: Annette Stewart, Mark Trenary

STAFF PRESENT:

Community Development Director Nick Bond, Long Range Planner Keri Sallee

1. CALL TO ORDER:

Acting Chair Bailey called the meeting to order at 6:03 p.m. and led the pledge of allegiance.

2. AUDIENCE COMMENTS: None.

3. BUSINESS ITEMS:

A. Public Hearing: 2018 Comprehensive Plan Amendments Long Range Planner Sallee and Community Development Director Bond gave an overview of the 2018 Comprehensive Plan amendment package. The amendments include:

- Change the comprehensive plan designation and zoning of 15 lots and one tract (private access road) along Crawford Rd E totaling approximately 2.64 acres, from Commercial/Commercial to Residential Low/R4.5.
- Change the comprehensive plan designation and zoning of 8 parcels along Old Clifton Rd totaling approximately 12.49 acres, from Urban Industrial/Employment Industrial & Office to Residential High/R20.
- Change the comprehensive plan designation and zoning of 7 undeveloped parcels at SE Orlando St and Wendell Ave SE totaling 3.51 acres, from Residential Medium/R12 to Residential High/R20.
- The Public Works Department has updated the City's 6-Year Transportation Improvement Program (TIP) for 2019-2024. The updated TIP will replace the 2018-2023 TIP in Appendix B (Plans Adopted by Reference) of the Comprehensive Plan.
- The City's Bethel and Sedgwick Corridor Right of Way Acquisition Plan will be added to Appendix B of the Comprehensive Plan.
- Rockwell Pocket Park and the Waterfront Park Expansion will be added to the City's inventory of parks in Chapter 4.4 of the Comprehensive Plan's Parks Element.

Chair Bailey opened the public hearing.

Crawford Road Amendment: Mike and Donna Williams said that they own three lots on Crawford Road, and would like a better understanding of how the proposed land use designation change for the lots along Crawford from Commercial to Residential Low would benefit them and the City. Long Range Planner Sallee said that it is unlikely that any of the individual lots on Crawford will be developed commercially, since the lots are very small and Crawford is a dead-end private access road which is substandard and owned by multiple landowners. A commercial

developer would have to buy all of the lots and upgrade the road and utilities to have a successful development, and so far no one has proposed to do this. Under the Commercial land use designation, the single-family houses on Crawford are considered nonconforming to the City's zoning code and cannot be enlarged, torn down and rebuilt, or have any additional structures placed on them, and new residences cannot be built on the vacant lots on Crawford. Lenders often are wary of nonconforming properties, and may be reluctant to finance mortgages or home equity loans. The neighborhood has experienced a lot of problems with lack of maintenance, squatters and criminal activity, and the City hopes that the change to Residential Low will enable and encourage homeowners to repair and improve their properties and assist in neighborhood recovery. If in future the Crawford Road property owners decide that commercial zoning is appropriate, they can petition the City Council to rezone the area again. Ms. Williams asked if any of the property owners had expressed support for the amendment. Sallee said that she had not heard from any of them, although they were sent notices of the proposed land use change and the public hearing.

Roger Minor, a Crawford Road property owner, said that he supports the amendment. He would like the Crawford Road properties to be bought up and developed commercially, but the time is not right for it. His house was condemned, and he would like to be able to fix it up and sell it, but the nonconforming status prevents him from doing so. He believes that allowing people to fix their houses and build new ones, or to sell to people who want to fix up the houses, will help improve the neighborhood. When it becomes economically feasible to sell the Crawford Road properties, the neighborhood can request a rezone back to Commercial.

Overlook Apartments Amendment: Susan Daniel said that she has property on Wendell Avenue, next to the Overlook properties that are proposed to be redesignated from Residential Medium to Residential High. She would like more information on whether increased traffic will result from the change, and how traffic will access the redesignated properties from Wendell. Community Development Director Bond said that the developer is requesting the change to allow them to move some of the approved development density to the redesignated properties in order to build more apartment units in this location than would be allowed under the existing Residential Medium designation. The overall density and approved number of residential units for the Overlook project will not be changed. However, the developer will also need to submit a new development plan for City permit approvals, which will be reviewed against the City's requirements for traffic impacts and infrastructure improvements. Approval of the land use redesignation does not constitute approval of a redesign for the project.

Chair Bailey closed the public hearing.

B. Discussion and Recommendation: 2018 Comprehensive Plan Amendments Commissioner Tierney moved to recommend that the City Council adopt the 2018 Comprehensive Plan amendments as presented. Commissioner Martin Smith seconded the motion. The motion passed unanimously.

C. Public Hearing: Self-Storage Facilities Ordinance. Chair Bailey opened the public hearing. No comments were received. Chair Bailey closed the public hearing.

D. Discussion and Recommendation: Self-Storage Facilities Ordinance Sallee gave an overview of the self-storage facilities ordinance. On April 24, 2018, the Council adopted an interim self-storage facilities ordinance and overlay map that designates limited areas in which new self-storage facilities can be developed, effective for a period of twelve months. Corresponding changes to the land use table in POMC 20.46.030 were made to distinguish between indoor and outdoor storage, with the latter being restricted to the Employment Industrial and Office zone for the duration of the interim ordinance. The interim ordinance also amended provisions related to self-storage as an accessory use to residential uses, by only allowing self-storage as an accessory use to larger residential project and by limiting the size of self-storage facilities as an accessory use. The Council now wishes to adopt a revised interim self-storage ordinance which corrects Exhibit A by indicating that self-storage is a permitted use instead of a conditional use in the Employment Industrial & Office zone. The Planning Commission has been

requested to hold a public hearing on the interim ordinance, and provide a recommendation on the proposed revision.

Commissioner Bernstein asked about recent self-storage restrictions in Poulsbo and Bainbridge Island. Sallee said that Poulsbo had recently adopted new regulations that limit self-storage locations within the City's commercial zoning districts, subsequent to enacting a moratorium on new self-storage developments. Bainbridge Island recently adopted a partial citywide building moratorium, which is causing developers to look elsewhere for available property. Bond noted that Council was concerned about the number of inquiries and preapplications for new self-storage developments, which have the potential to take up valuable commercial property in high-visibility corridors without producing much return for the City. Permanent regulations for self-storage facilities will be addressed in the Zoning Code update which is underway.

Commissioner Tierney said that some of the demand for self-storage units results from an increasing homeless population in Kitsap County. People who have lost their homes, and who may be living in shelters or in their cars, are looking for places to store their belongings until they can get back on their feet. This issue should be remembered when considering limits on self-storage facilities.

Commissioner Tierney moved to recommend that the City Council approve the interim self-storage regulations with the revision to Exhibit A as shown. Commissioner Bernstein seconded the motion. The motion passed unanimously.

The Planning Commission then took a short recess while the meeting was relocated from City Hall to the Department of Community Development building (720 Prospect Ave), for an on-screen interactive discussion of the next item.

E. Discussion: Zoning Code Update Draft Chapters

Bond presented the first draft of several chapters of the proposed Zoning Code update to the Commissioners. These chapters included the Introduction, Zones and Zoning Map, the Greenbelt and Residential zoning districts, and several of the proposed Commercial and Mixed-Use Districts. Significant issues which were discussed include building types, lot sizes and width, hard surface coverage, building setbacks, the change to a "form-based" code (i.e., regulating building types instead of uses or densities), building height, the "build to zone" façade requirements, parking locations, and a potential transfer of development rights program. The discussion will continue at the Commission's next meeting.

4. APPROVAL OF MINUTES: Commissioner Bernstein made a motion to approve the minutes from May 1, 2018. Commissioner Martin Smith seconded the motion. The motion passed unanimously. A quorum of Planning Commissioners who were present at the March 2018 meeting was not available; therefore, approval of the March minutes was tabled again until the next meeting.

ADJOURN: Chair Bailey adjourned the meeting at 7:58 pm.



Nick Bond, City Development Director


Annette Stewart, Chair



Planning Commission Meeting Minutes
Special Study Session
July 12, 2018

COMMISSIONERS:

Present: Annette Stewart, Stephanie Bailey, David Bernstein, Trish Tierney, Kathleen Wilson
Absent: Marcus Lane, Suanne Martin Smith

STAFF PRESENT:

Community Development Director Nick Bond, Long Range Planner Keri Sallee

1. CALL TO ORDER:

Chair Stewart called the meeting to order at 6:02 p.m. and led the pledge of allegiance.

2. DISCUSSION: Zoning Code Update Draft Chapters

Community Development Director Bond gave a recap of the draft chapters of the Zoning Code update which were discussed at the June meeting, including the Introduction, Zones and Zoning Map, the Greenbelt and Residential zoning districts, and several of the Commercial/Retail chapters (Residential Mixed Use, Neighborhood Mixed Use, Business Professional Mixed Use, Commercial Mixed Use). Bond then gave an overview of the remaining Commercial/Retail chapters (Downtown Mixed Use, Gateway Mixed Use, Commercial Corridor, Commercial Heavy and Industrial Flex), the Light Industrial and Heavy Industrial chapters, and the Civic and Open Space chapters (Civic and Institutional, Parks and Recreation, and Public Facilities).

Bond said that the proposed View Protection Overlay District (VPOD) and Downtown Height Overlay District (DHOD), which will apply to a number of zones in the downtown area as shown on official overlay maps, will include a standardized method of height calculation, and varying height limits that have been based on actual topographical conditions. Bond noted that while landscaping for projects in the VPOD will be required to limit mature height of plants to 15 feet, as reflected on an approved landscaping plan, the enforcement of vegetation height will be a civil matter for private parties, and will not be done by the City. A height bonus in the DHOD may be allowed for a development that includes a grocery store to encourage downtown living and a neighborhood feel. The Commissioners suggested that the height limit in the shoreline zone be limited to two stories, and that the DHOD map be revised accordingly.

Bond went through the proposed Use Table and Use Provisions chapters, which set forth all of the permitted, conditionally permitted, and prohibited uses in each zoning district. If a proposed use is not in the Use Table, the Community Development Director can make an administrative interpretation about whether the use is appropriate in a particular zone; this decision must be codified within one year.

The Commissioners asked if 3-4 unit single-family attached (townhome) buildings could be considered for removal from the R2 district, in which case the 3-4 unit and 5-6 unit categories could be combined. Bond said that another alternative is to be more restrictive about where the R2 zone is applied, to prevent townhomes from being built in areas where it is desirable to preserve the existing single-family detached

neighborhood and existing housing stock; these areas should be zoned R1. Chapter 20.345.020 (Residential 2) could be revised to indicate that it accommodates both residential low and residential medium densities as defined in the Comprehensive Plan.

Finally, Bond presented the draft Building Types chapter, which provides all of the potential residential and commercial building types, and development standards for each type. He noted that the photos illustrating each building type are not final and may be updated/expanded prior to release of the final draft Zoning Code.

The draft Landscaping and Significant Trees codes, which were distributed in the July meeting packet, will be discussed at the August meeting.

ADJOURN: Chair Stewart adjourned the meeting at 7:35 pm.



Annette Stewart, Chair

Nick Bond, City Development Director