

Jurisdiction: Kitsap County

Document Name: Code chapter, rules, standards, and other enforceable documents		Action taken to meet Permit requirements	Describe/Note How Revision(s) made to meet permit requirements OR if No revision(s) was made to this document, explain why.	Amended Code Language	impervious surfaces	loss of native vegetation	stormwater runoff	Housekeeping
Section reference, date last updated, page number, etc.	Name of Reviewer(s)							
Title 11 – Roads, Highways, and Bridges								
11.22.020 Authority and intent.	Scott Diener	No changes/ action taken	None Proposed; existing code language refers to the application of LID methods.		✓	✓	✓	
11.22.050 Application of standards.	Scott Diener	No changes/ action taken	None Proposed; existing code mentions Kitsap County storm water management standards in application of standards.				✓	
11.36.060 Permit - Type and Requirements.	Scott Diener	No changes/ action taken	None Proposed; existing code language unrelated to LID principles.		✓	✓	✓	
Title 12 – Stormwater Drainage								
12.04.020 Storm water Stormwater management standards and specifications.		Amend existing code	Amend for consistency with Kitsap Manual.	The Kitsap County board of commissioners recognizes that stormwater storm water control technology is a developing and evolving science. In order to ensure that the latest and best technology is utilized in Kitsap County, these regulations include the Kitsap County Stormwater Design Manual (Kitsap Manual manual) that is incorporated herein by this reference. A copy of the Kitsap Manual manual is available for inspection or purchase upon request. The Kitsap County Stormwater Design Manual may consist of one or more documents each of which may be amended as necessary to reflect changing conditions and technology. All requirements contained in the Kitsap County Stormwater Design Manual, together with any amendments thereto, must be complied with as provided in Section 12.04.030.*				✓
12.04.025 Technical deviations and variances.		Amend existing code	Housekeeping amendments	(1) Technical Deviations. The director may grant minor technical deviations (adjustments) from requirements contained in the Kitsap County Stormwater Design Manual; provided, that all of the following criteria are met: (A) The technical deviation will not otherwise result in non-compliance noncompliance with this title; (B) The granting of the technical deviation will not result in non-compliance noncompliance with the development conditions imposed upon the project; [...]				✓

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12.04.030 Applicability.	Scott Diener	Amend existing code	Amend for consistency with Kitsap Manual.	The provisions of this title shall apply to all site development activities requiring land use permits and approvals as defined in Chapter 12.08, both public and private, within the bounds of unincorporated Kitsap County. The provisions of Chapter 12.24 (Operation and Maintenance) shall also apply to existing stormwater facilities in unincorporated Kitsap County. The provisions of Chapter 12.30 (Water Quality) shall apply to all situations and circumstances throughout unincorporated Kitsap County. No site development activities requiring land use permits and approvals shall be initiated prior to issuance of a site development activity permit.				✓
12.08.10 Definitions.		Amend existing code	Add multiple definitions to include new LID and non-LID terms, or to amend existing definitions to be consistent with Stormwater Manual. [unchanged, renumbered definitions are not included]	<p><u>12.08.005 Definitions</u> <u>The following definitions of terms shall apply to this title:</u></p> <p><u>12.08.020 Agricultural uses</u> <u>“Agricultural uses” means those activities involving land use for non-classified agriculture and related activities and open space farming and agriculture as defined by the Kitsap County Zoning Ordinance.</u></p> <p><u>12.08.025 Apartment</u> <u>“Apartment” means a residential structure accommodating five or more dwelling units; residential hotels and condominiums; hotels and motels; institutional lodging; or retirement apartments as defined by the Kitsap County Zoning Ordinance.</u></p> <p><u>12.08.035 Basin plan</u> (4)—“Basin plan” means a plan and all implementing regulations and procedures including, but not limited to, <u>capital projects, public education activities, and</u> land use management <u>regulations</u> adopted by ordinance for managing surface and stormwater quality and quantity management facilities and drainage features within individual sub-basins.</p> <p><u>12.08.045 Best management practices (BMP)</u> (6)—“Best management practices (BMP)” means <u>the schedule of activities, prohibitions of practices, maintenance procedures, and physical,</u> structural and/or managerial practices, that, when used singly or in combination, prevent or reduce the release of pollutants <u>and</u> other adverse impacts to <u>receiving waters.</u> water, and have been approved by Kitsap County as accepted BMPs.</p> <p>(7)—“Biofiltration/biofilter facilities” means vegetative BMPs which treat storm water by filtration through vegetation. Biofiltration facilities include, but are not limited to, grassed or vegetated swales and filter strips.</p> <p><u>12.08.050 Bioretention facilities</u> (8)—“Bioretention facilities” means shallow landscaped depressions with an engineered <u>facilities that treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation. Refer</u> mix <u>designed to the Stormwater Management Manual for Western Washington (Ecology Manual), Chapter 7 of Volume V for filter runoff from a small contributing area. Bioretention bioretention BMP types and design specifications</u> facilities may be in the form of swales or cells. Bioretention facilities are commonly referred to as rain gardens.</p>	✓	✓	✓	

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				<p><u>12.08.065 Certified erosion and sediment control lead (CESCL)</u> (11)—“Certified erosion and sediment control lead (CESCL)” means an individual who has current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Department of Ecology. A CESCL is knowledgeable in the principles and practices of erosion and sediment control. The CESCL must have the skills to assess site conditions and construction activities that could impact the quality of stormwaterstorm water and the effectiveness of erosion and sediment control measures used to control the quality of stormwaterstorm water discharges. Certification is obtained through an Ecology-approved erosion and sediment control course.</p> <p><u>12.08.070 Clearing</u> “Clearing” means the destruction and/or removal of vegetation by manual, mechanical, or chemical methods.</p> <p><u>12.08.080 Commercial uses</u> (3)—“Commercial uses” means those activities involving land used for retail, office, and marina condominiums; wholesale trade; retail trade in building materials, hardware, or farm equipment, in general merchandise, in food, in automobiles, tires, marine craft, aircraft, and accessories, in apparel and accessories, in furniture, home furnishings and equipment, in eating and drinking, or in other retail trades; finance, insurance, or real estate; personal services; marinas; resorts and group camps; veterinarian services; or miscellaneous services as defined by Kitsap County Zoning Ordinance.</p> <p><u>12.08.085 Comprehensive drainage plan</u> (13)—“Comprehensive drainage plan” means a detailed analysis, adopted by the board, for a drainage basin which assesses the capabilities and needs for runoff accommodation due to various combinations of development, land use, structural and non-structuralnonstructural management alternatives. The plan recommends the form, location and extent of stormwaterstorm water quantity and quality control measures, which would satisfy legal constraints, water quality standards, and community standards, and identifies the institutional and funding requirements for plan implementation.</p> <p><u>12.08.095 Converted vegetation</u> “Converted vegetation” means surfaces on a project site where native vegetation, pasture, scrub/shrub, or unmaintained non-native vegetation (e.g., Himalayan blackberry, scotch broom) are converted to lawn or landscaped areas, or where native vegetation is converted to pasture.</p> <p><u>12.08.100 County</u> (15)—“County” means Kitsap County.</p> <p><u>(A) Kitsap County and the unincorporated areas of Kitsap County, Washington; or</u></p>				

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				<p><u>(B) As indicated by the context, may mean the Department of Community Development, community development director, Department of Public Works, public works director, county engineer, or other official, officer, employee or agency representing the county in the discharge of his or her duties.</u></p> <p><u>(5) “County roads” means public rights-of-way, excluding state roads, in the unincorporated areas of Kitsap County.</u></p> <p><u>12.08.110 Critical drainage area</u> (16)—“Critical drainage area” refers to those areas designated in Chapter 12.28 (Critical Drainage Areas), which have a high potential for stormwaterstorm water quantity or quality problems.</p> <p><u>12.08.115 Design storm event</u> (17)—“Design storm event” means a theoretical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwaterstorm water facility.</p> <p><u>12.08.120 Detention facilities</u> (18)—“Detention facilities” means stormwaterstorm water facilities designed to store runoff while gradually releasing it at a predetermined controlled rate. “Detention facilities” shall include all appurtenances associated with their designed function, maintenance and security.</p> <p><u>12.08.130 Director</u> (20)—“Director” means:</p> <p>(Aa) The director of the Kitsap County Departmentdepartment of Public Workspublic works or his designee for the administration of the stormwatersurface and storm water management program of Chapters 12.36 and 12.40 and the stormwaterstorm water maintenance program of Chapter 12.24; or</p> <p>(Bb) The director of the Kitsap County Departmentdepartment of Community Development orcommunity development or his designee for all permit-related activities.</p> <p><u>12.08.135 Dispersion</u> (21)—“Dispersion” means the release of stormwatersurface or storm water runoff such that the flow spreads over a wide area and is located so as not to allow flow to concentrate anywhere upstream of a drainage channel with erodible underlying soils.</p> <p><u>12.08.140 Diversion</u> (22)—“Diversion” means the routing of stormwaterstorm water to other than its natural discharge location.</p>				

			<p><u>12.08.145 Drainage feature</u> (23)—“Drainage feature” means any natural or manmade structure, facility, conveyance or topographic feature which has the potential to concentrate, convey, detain, retain, infiltrate or affect the flow rate of stormwaterstorm-water runoff.</p> <p><u>12.08.160 Ecology Manual</u> “Ecology Manual” means the 2012 Stormwater Management Manual for Western Washington, amended in December, 2014, or its successor.</p> <p><u>12.08.165 Effective Impervious Surface</u> (26)—“Effective impervious surface” means those impervious surfaces that are connected via sheet flow or discrete conveyance to a drainage system. Impervious surfaces are considered ineffective if: 1) the runoff is dispersed through at least one hundred feet of native vegetation in accordance with BMP T5.30 – “Full Dispersion” as described in Chapter 5 of Volume V of the Ecology Manual; 2) residential roof runoff is infiltrated in accordance with Downspout Full Infiltration Systems in BMP T5.10A in Volume III of the Ecology Manual; or 3) approved continuous runoff modeling methods indicate that the entire runoff file is infiltrated on development sites are considered ineffective if the runoff is infiltrated or fully dispersed using the design criteria found in the manual.</p> <p><u>12.08.170 Engineer</u> “Engineer” see “professional engineer”.</p> <p><u>12.08.175 Equivalent service unit (ESU)</u> “Equivalent service unit” (“ESU”) means the average estimated amount of impervious surface area on a single-family residential parcel. For the purposes of calculating the service charges in Section 12.40.050 for property classes 3 – 6, 8 and 9, an ESU shall be defined as 4,200 square feet of impervious surface area.</p> <p><u>12.08.180 Existing stormwater facilities</u> (27)—“Existing stormwaterstorm-water facilities” means those facilities constructed or under permitted construction prior to the effective date of the ordinance codified in this chapter.</p> <p><u>12.08.183 “Flow control best management practices (BMPs)”</u> means strategies that control the volume rate, frequency, and flow duration of stormwater surface runoff. (30) Flow control BMPs are needed when a development site discharges to a stream system or wetland, either directly or indirectly.</p> <p><u>12.08.187 Functional soils</u> “Functional soils” means soils that provide important stormwater functions including: water infiltration; nutrient, sediment, and pollutant adsorption; sediment and pollutant biofiltration; water inflow storage and transmission; and pollutant decomposition.</p> <p><u>12.08.205 Green stormwater infrastructure (GSI)</u> “Green stormwater infrastructure (GSI)” is also known as low impact development (LID). Refer to the definition for “Low impact development (LID),” which is the preferred term used by the county.</p> <p><u>12.08.210 Green stormwater solutions (GSS).</u> “Green stormwater solutions (GSS)” is also known as low impact development (LID). Refer to the definition for “Low impact development (LID),” which is the preferred term used by the county.</p> <p><u>12.08.220 Hard Surface</u> “Hard Surface” means an impervious surface, a permeable pavement, or a vegetated roof.</p>				
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				<p><u>12.08.225 High-Use Site</u> <u>“High-Use Site” means sites that typically generate high concentrations of oil due to high traffic turnover or the frequent transfer of oil. High-use sites include:</u></p> <p><u>(A) An area of a commercial or industrial site subject to an expected average daily traffic (ADT) count equal to or greater than one hundred vehicles per one thousand square feet of gross building area;</u></p> <p><u>(B) An area of a commercial or industrial site subject to petroleum storage and transfer in excess of one thousand five hundred gallons per year, not including routinely delivered heating oil;</u></p> <p><u>(C) An area of a commercial or industrial site subject to parking, storage or maintenance of twenty-five or more vehicles that are over ten tons gross weight (trucks, buses, trains, heavy equipment, etc.);</u></p> <p><u>(D) A road intersection with a measured ADT count of twenty-five thousand vehicles or more on the main roadway and fifteen thousand vehicles or more on any intersecting roadway, excluding projects proposing primarily pedestrian or bicycle use improvements.</u></p> <p><u>12.08.240 Illicit discharge</u> (35)—“Illicit discharge” means all non-stormwaterstorm water discharges to stormwaterstorm water drainage systems that cause or contribute to a violation of state water quality, sediment quality or ground water quality standards, including, but not limited to, sanitary sewer connections, industrial process water, interior floor drains, and gray water systems. The following shall not be considered illicit discharges unless the director determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or ground water:</p> <p>(Aa) Diverted stream flows.</p> <p>(Bb) Rising ground waters.</p> <p>(Cc) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)).</p> <p>(Dd) Uncontaminated pumped ground water.</p> <p>(Ee) Foundation drains.</p> <p>(Ff) Air conditioning condensation.</p> <p>(Gg) Irrigation water from agricultural sources that is commingled with urban stormwaterstorm water.</p>				

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				<p>(H) Springs.</p> <p>(I) <u>Uncontaminated w</u>ater from crawl space pumps.</p> <p>(J) Footing drains.</p> <p>(K) Flows from riparian habitats and wetlands.</p> <p>(L) Non-<u>stormwater</u>storm water discharges covered by and compliant with another NPDES permit.</p> <p>(M) Discharges from emergency fire-fighting activities.</p> <p>(N) Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water so long as the discharges are dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in <u>stormwater</u>storm water drainage systems.</p> <p>(O) Discharges from lawn watering and other irrigation runoff.</p> <p>(P) Dechlorinated swimming pool discharges so long as the discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to <u>stormwater</u>storm water drainage systems.</p> <p>(Q) Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. At active construction sites, street sweeping must be performed prior to washing the street.</p> <p>12.08.245 Impervious surface (36)—“Impervious surface” means a <u>non-vegetated</u>hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A <u>non-vegetated</u>hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of <u>stormwater</u>storm water. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.</p>				

				<p><u>12.08.250 Industrial uses</u> “Industrial uses” means those activities involving land used for manufacturing of food products, apparel and fabric, lumber and wood products, furniture and fixtures, paper products, printing and publishing, chemical, petroleum products, plastics, leather goods, stone, clay and glass, fabricated metal products, precision instruments, and miscellaneous manufacturing; railroad, motor vehicle, aircraft, marine craft transportation; automobile parking; communications; other transportation, communication, or utilities; water systems; sanitary land fills; or auto wrecking yards as defined by the Kitsap County Zoning Ordinance.</p> <p><u>12.08.255 Institutional establishments/uses</u> “Institutional establishments/uses” means those activities involving land used for hospitals, convalescent centers, contract construction services; governmental services; educational services; miscellaneous services; churches; cultural activities and nature exhibitions; public assembly; or recreational activities as defined by the Kitsap County Zoning Ordinance.</p> <p><u>12.08.260 Kitsap Manual</u> “Kitsap Manual” means the Kitsap County Stormwater Design Manual.</p> <p><u>12.08.265 Land disturbing activity</u> {37}—“Land disturbing activity” means any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and non-vegetativenonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices, <u>including landscape maintenance and gardening</u>, are not considered land-disturbing activity. <u>Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.</u></p> <p><u>12.08.270 Land use permits and approvals</u> {38}—“Land use permits and approvals” means any use or development of land that requires Kitsap County action in legislation, administration or approval contained in Titles 11 (Roads, Highways and Bridges), 13 (Water and Sewers), 14 (Buildings and Construction), 15 (Flood Hazard Areas), 16 (Land Division and Development), 17 (Zoning), 18 (Environment), 19 (Critical Areas Ordinance), and 22 (Shoreline Master Program) <u>of Kitsap County Code</u>, including, but not limited to, the following:</p> <p>(Aa) Preliminary plat subdivision;</p> <p>(Bb) Final plat subdivision;</p> <p>(Ce) Performance based development (PBD) including residential and commercial;</p> <p>(Dd) Site plan review;</p> <p>(Ee) Conditional use permit (CUP);</p> <p>(Ff) Zoning variance;</p> <p>(Gg) Short plat subdivision;</p> <p>(Hh) Large lot subdivision;</p> <p>(Ii) Grading permit;</p>				
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				<p>(Jj) Shoreline substantial development permit;</p> <p>(Kk) Shoreline conditional use permit;</p> <p>(Ll) SEPA and EIS reviews;</p> <p>(Mm) Binding site plan;</p> <p>(Nn) Building permit;</p> <p>(Oo) Permitted uses under Title 17.</p> <p>12.08.275 Large project “Large project” means a project for which all nine of the minimum requirements apply in accordance with 12.20.010.</p> <p>12.08.280 Low impact development (LID) “Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. LID is also known as green stormwater infrastructure or green stormwater solutions. LID is the preferred term used by the county.</p> <p>12.08.285 Low impact development (LID) best management practices (BMPs) “Low impact development (LID) best management practices (BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimum excavation foundations, vegetated roofs, and water re-use.</p> <p>12.08.290 Maintenance (39)—“Maintenance” means repair and maintenance includes activities conducted on currently serviceable structures, facilities, and equipment that involvesinvolve no expansion or use beyond that previously existing and approved and resultsresult in no significant adverse hydrologic impact. It includes those usual activities taken to prevent a decline, lapse, or cessation in the use of structures and systems. Those usual activities may include replacement of dysfunctional facilities, including cases where environmental permits require replacing an existing structure with a different type structure, as long as the functioning characteristics of the original structure are not changed. One example is the replacement of a collapsed, fish blocking, round culvert with a new box culvert under the same span, or width, of roadway. In regard to stormwater facilities, maintenance includes assessment to ensure ongoing proper operation, removal of built up pollutants (i.e.,</p>				

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				<p>sediments), replacement of failed or failing treatment media, and other actions taken to correct defects as identified in the maintenance standards of Chapter 4, Volume V of the Ecology Manual. See also Pavement Maintenance exemptions in Section 1 of this Appendix<u>12.10.040(4). Maintenance shall also include the correction of any problem on the site property which may directly impair the functions of the storm water facilities.</u></p> <p><u>12.08.295 Maintenance covenant</u> (40)—“Maintenance covenant” means a binding agreement between Kitsap County and the person or persons holding title to a property served by a stormwater<u>storm-water</u> facility whereby the property owner promises to, among other things, maintain certain stormwater<u>storm-water</u> facilities; grants Kitsap County the right to enter the subject property to inspect and to make certain repairs or perform certain maintenance procedures on the stormwater<u>storm-water</u> control facilities when such repairs or maintenance have not been performed by the property owner; and promises to reimburse Kitsap County for the cost should the county perform such repairs or maintenance.</p> <p><u>12.08.300 Maintenance schedule</u> (41)—“Maintenance schedule” means a document detailing required stormwater<u>storm-water</u> facility maintenance activities to be performed at specified intervals.</p> <p><u>12.08.305 Multifamily residence</u> “Multifamily residence” means a residential structure accommodating two, three or four dwelling units as defined by Kitsap County Zoning Ordinance.</p> <p>42. “Major development” means any new development or any redevelopment activity that:</p> <p>(a) For sites within a census defined urban area or an urban growth area:</p> <p>(i) Creates or adds five thousand square feet, or more, of new impervious surface area; or</p> <p>(ii) Converts three fourths acre, or more, of native vegetation to pollution generating pervious surface; or</p> <p>(iii) Converts two and one-half acres, or more, of native vegetation to pasture; or</p> <p>(b) For sites outside census defined urban areas or urban growth areas, creates or adds ten thousand square feet, or more, of new impervious surface area or creates or adds five percent or more of impervious surface area of the site (whichever is greater); or</p> <p>(c) Includes land disturbing activity of one acre or greater; or</p> <p>(d) Includes grading involving the movement of five thousand cubic yards or more of material.</p>				

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				<p>43. “Manual” means the Kitsap County Stormwater Design Manual.</p> <p>44. “Minor development” means any new development or redevelopment activity that does not meet the thresholds of a major development.</p> <p><u>12.08.310 Native vegetation</u> (45)—“Native vegetation” means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. <u>The list of native and indigenous plant species for Kitsap County may be obtained from the Department of Community Development.</u> Examples include trees such as Douglas fir, western hemlock, western red cedar, alder, big-leaf maple, and vine maple; shrubs such as willow, elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.</p> <p><u>12.08.315 New development</u> (46)—“New development” means land disturbing activities, including Class IV general forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of hard impervious surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development.</p> <p><u>12.08.325 Off-site drainage analysis</u> (48)—“Off-site drainage analysis” means a study of those land areas contributing surface runoff to a development site as well as a study of the existing and predicted impacts of surface runoff from the development site on properties and drainage features that have the potential to receive stormwater<u>storm water</u> from the development site.</p> <p><u>12.08.330 On-site stormwater management best management practices (BMPs)</u> <u>“On-site stormwater management best management practices (BMPs)” is a synonym for Low Impact Development (LID) BMPs, as used in this code. Stormwater management BMPs include those that serve to infiltrate, disperse, and retain stormwater runoff on-site.</u></p> <p><u>12.08.335 Operation and maintenance manual</u> (49)—“Operation and maintenance manual” means a written manual, prepared by a qualified civil engineer, that provides a description of operation and maintenance procedures for specific stormwater<u>storm water</u> control facilities, for use by operation and maintenance personnel.</p> <p><u>12.08.345 Parcel</u> <u>“Parcel” means the smallest separately segregated unit or plot of land having an identified owner, boundaries and surface area which is documented for real property purposes, and a tax lot number assigned by the Kitsap County assessor.</u></p>				

			<p><u>12.08.355 Pollution-generating hard surface (PGHS)</u> “Pollution-generating hard surface (PGHS)” means those hard surfaces considered to be a significant source of pollutants in stormwater runoff. See the listing of surfaces under pollution-generating impervious surface.</p> <p><u>12.08.360 Pollution-generating impervious surface (PGIS)</u> (52)—“Pollution-generating impervious surface (PGIS)” means those impervious surfaces considered to be a significant source of pollutants in stormwaterstorm water runoff. Such surfaces include those that are subject to: vehicular use; industrial activities; or storage of erodible or leachable materials, wastes, or chemicals, and which receive direct rainfall or the run-onrunon or blow-in of rainfall. Erodible or leachable materials, wastes, or chemicals are those substances which, when exposed to rainfall, measurably alter the physical or chemical characteristics of the rainfall runoff. Examples include erodible soils that are stockpiled, uncovered process wastes, manure, fertilizers, oily substances, ashes, kiln dust, and garbage dumpster leakage. Metal roofs are also considered to be PGIS unless they are coated with an inert, non-leachablenonleachable material (e.g., baked-on enamel coating). A surface, whether paved or not, shall be considered subject to vehicular use if it is regularly used by motor vehicles. The following are considered regularly used surfaces: roads, unvegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, unfenced fire lanes, vehicular equipment storage yards, and airport runways.</p> <p>The following are not considered regularly used surfaces: paved bicycle pathways separated from and not subject to drainage from roads for motor vehicles, fenced fire lanes, and infrequently used maintenance access roads.</p> <p><u>12.08.365 Pollution-generating pervious surfaces (PGPS)</u> (53)—“Pollution-generating pervious surfaces (PGPS)” means any non-hardnonimpervious surface subject to <u>vehicular use, industrial activities (as further defined in the glossary of the Ecology Manual); or storage of erodible or leachable materials, wastes, or chemicals, and that receive direct rainfall or run-on or blow-in of rainfall,</u> use of pesticides and fertilizers, or loss of soil. Typical PGPS include lawns, <u>and</u> landscaped areas <u>including;</u> golf courses, parks, cemeteries, and sports fields <u>(natural and artificial turf).</u></p> <p><u>12.08.370 Predevelopment (or pre-developed) conditions</u> (54)—“Predevelopment <u>(or pre-developed)</u> conditions” means the native vegetation and soils that existed at a site prior to the influence of Euro-American settlement. The predeveloped condition shall be assumed to be a forested land cover unless reasonable, historic information is provided that indicates the site was prairie prior to settlement.</p> <p><u>12.08.375 Project site</u> (55)—“Project site” means that portion of a property, properties, or right-of-way subject to land disturbing activities, new hardimpervious surfaces, or replaced hardimpervious surfaces.</p> <p><u>12.08.390 Receiving waters</u> (58)—“Receiving waters” means bodies of water or surface water systems to which surface runoff is discharged via a point source of storm water or via sheet flow, <u>and groundwater to which surface runoff is directed by infiltration.</u></p> <p><u>12.08.395 Redevelopment</u> (59)—“Redevelopment” means development on a site that is already substantially developed (i.e., has thirty-five percent or more of existing impervious surface coverage) by one or more of the following: the creation or addition of hardimpervious surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of hardimpervious surface that is not part of a routine maintenance activity; and land disturbing activities.</p>				
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				<p><u>12.08.400 Replaced hard surface</u> <u>“Replaced hard surface” means:</u></p> <p><u>(A) For structures, the removal and replacement of hard surfaces down to the foundation.</u></p> <p><u>(B) For other hard surfaces, the removal down to bare soil or base course and replacement.</u></p> <p><u>12.08.415 Service charges</u> <u>“Service charges” means the amount owed after applying the appropriate rate to a particular parcel of real property based upon factors established by this chapter.</u></p> <p><u>12.08.425 Single-family residence</u> <u>“Single-family residence” means a residential structure accommodating one dwelling unit, including mobile homes as defined by Kitsap County Zoning Ordinance.</u></p> <p><u>12.08.435 Site development activity</u> (64)—“Site development activity” means the alteration of topography, clearing, paving, grading, construction, alteration of stormwaterstorm water systems, site preparation, or other activity commonly associated with site development. Site development includes those activities listed in the definition of “land use permits and approvals.”</p> <p><u>12.08.445 Small project</u> <u>“Small project” means a project for which not all of the nine minimum requirements apply in accordance with 12.20.010.</u></p> <p><u>12.08.460 Source control BMP</u> (68)—“Source control BMP” means a structure or operation that is intended to prevent pollutants from coming into contact with stormwaterstorm water through physical separation of areas or careful management of activities that are sources of pollutants. <u>The Ecology Manual separates Structural-source control BMPs into two types. Structural Source Control</u> BMPs are physical, structural, or mechanical devices, or facilities that are intended to prevent pollutants from entering stormwaterstorm water. Operational BMPs are <u>non-structural</u>nonstructural practices that prevent or reduce pollutants from entering stormwater. <u>See Volume IV of the Ecology Manual for details</u>storm water.</p> <p><u>12.08.470 State roads</u> <u>“State roads” means state highway rights-of-way as defined in RCW 90.03.520.</u></p> <p><u>12.08.475 Stormwater or storm water</u> (70)—“Storm-water” <u>or “storm water”</u> means the surface water runoff that results from all natural forms of precipitation.</p> <p><u>12.08.480 Stormwater facility or Stormwater control facility</u> (71)—“<u>Stormwater facility</u>” or “<u>stormwater control</u>Storm water facility” means a component of a manmade drainage feature, or features, designed or constructed to perform a particular function or multiple functions, including, but not limited to, pipes, swales, bioretention facilities, ditches, culverts, street gutters, detention basins, retention basins, wetponds, constructed wetlands, infiltration devices, catch basins, oil/water separators and sediment basins. <u>Stormwater</u>Storm water facilities shall not include building gutters, downspouts and drains serving one single-family residence.</p> <p><u>12.08.490 Stormwater quantity control</u></p>				
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				<p>(73)—“Stormwater water-quantity control” means the control of the rate and/or volume of stormwaterstorm water released from a development site. StormwaterStorm water quantity control facilities include, but are not limited to, detention and retention facilities.</p> <p><u>12.08.495 Stormwater system</u> (74)—“StormwaterStorm water system” means all natural and manmade systems which function together or independently to collect, store, purify, discharge and convey stormwaterstorm water. Included are all stormwaterstorm water facilities as well as natural systems such as streams and creeks and all natural systems which convey, store, infiltrate or divert stormwaterstorm water.</p> <p><u>12.08.500 Technical deviation</u> (75)—“Technical deviation” means permission granted by the director to deviate from the provisions of the Kitsap Manualmanual.</p> <p><u>12.08.505 Treatment best management practices (BMPs)</u> “Treatment best management practices (BMPs)” means <u>strategies to reduce levels of pollutant loads. Treatment BMPs include simple gravity settling of particulate pollutants, centrifugal separation, filtration, biological uptake, and media or soil absorption.</u></p> <p><u>12.08.510 Undeveloped land</u> “Undeveloped land” means <u>unimproved land, and land used for railroad transportation, unimproved forest land, unimproved agricultural land, parks, cemeteries, other resource production and open space as defined by the Kitsap County Zoning Ordinance.</u></p> <p><u>12.08.515 Unimproved agricultural land</u> “Unimproved agricultural land” means <u>land defined as agricultural land with no residential structures.</u></p> <p><u>12.08.520 Unimproved forest land</u> “Unimproved forest land” means <u>land defined as forest land with no residential structures.</u></p> <p><u>12.08.525 Unit rate</u> “Unit rate” means <u>the dollar amount charged per single-family residence or one ESU.</u></p> <p><u>12.08.535 Vehicular use</u> “Vehicular use” means <u>regular use of a surface by motor vehicles. The following are subject to regular vehicular use: roads, un-vegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, unrestricted access fire lanes, vehicular equipment storage yards, and airport runways. The following are not considered subject to regular vehicular use: paved bicycle pathways separated from and not subject to drainage from roads for motor vehicles, restricted access fire lanes, and infrequently used maintenance access roads.</u></p>				

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				12.08.540 Watershed action plan “Watershed action plan” means a local watershed planning process to identify the problems, needs and action steps to <u>reduce non-point</u> pollution, enhance water quality, and protect beneficial uses.				
12.10.010 Review by department of community development.		Amend existing code	Amend for consistency with Kitsap Manual.	12.10.010 Review by Department department of <u>Community Development</u>community development. All proposed site development activities shall be reviewed by the Kitsap County Department department of <u>Community Development</u> community development to determine the permits required.				✓
12.10.030 Site development activity permits required.		Amend existing code	Amend to replace "major development" with specific reference to thresholds for stormwater minimum requirements.	A site development activity permit, issued by the Kitsap County <u>Department of Community Development</u> department of community development , shall be required for any of the following activities: (1) Site development or redevelopment activities that meet the <u>thresholds requiring Minimum Requirements #1 through #9 to be met, as indicated by Figures 2.4.1 and 2.4.2</u> definition of a major development ; (2) Site development or redevelopment activities that require connection to a public storm drainage system, except those actions undertaken by the Kitsap County <u>Public Works Department</u> public works department that do not meet the definition of a major development ; [...]		✓	✓	
12.10.040 Exemptions.		Amend existing code	Amend to clarify road maintenance exemptions and to reference Ecology Manual	The following activities shall not require a site development activity permit: (1) Commercial Agriculture. Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timber land to agriculture and the construction of impervious surfaces are not exempt. (2) Grading. Grading activities described in Section 12.16. 070090 are exempt from the provisions of this chapter. (3) Forest Practices. Forest practices regulated under WAC Title 222 <u>WAC</u> , except for Class IV general forest practices that are conversions from timber land to other uses, are exempt from the provisions of the minimum requirements. (4) Road Maintenance. The following road maintenance practices are exempt <u>from minimum requirements</u> : pothole and square cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and vegetation maintenance.				✓

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				<p>The following road maintenance practices are exempt only outside a census defined urban area or an urban growth area, but are not exempt whenFor sites within a census defined urban area or an urban growth area, the following road maintenance practices are considered redevelopment, and therefore are not categorically exempt:</p> <p>(Aa) Removing and replacing a paved surface to base course or lower, or repairing the roadway base. If impervious surfaces are not expanded, the minimum requirementsMinimum Requirements Nos. #1 through #5 of the Ecology ManualChapter 12.18 apply. However, in most cases, only minimumMinimum requirement Requirement No. #2, construction stormwaterstorm-water pollution prevention, will be germane.</p> <p>(Bb) Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders. These are considered new impervious surfaces and are subject to the minimum requirements that are triggered when the thresholds identified for redevelopment projects are met.</p> <p>(Cc) Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment (“chip seal”) to asphalt or concrete. These are considered new impervious surfaces and are subject to the minimum requirements that are triggered when the thresholds identified for redevelopment projects are met.</p> <p>(5) Underground Utilities. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to Minimum Requirement #2, Construction Stormwater Pollution Preventionminimum requirement No. 2, construction storm water pollution prevention.</p>				
12.10.050 Permit requirements.		Amend existing code	Amend to reference Kitsap Manual	<p>No site development activity permit shall be issued unless the applicant has satisfied the following criteria:</p> <p>(1) Compliance with all applicable regulations, including Title 12, and compliance with the standards, specifications and requirements contained in the Kitsap Manualmanual.</p> <p>(2) Payment of the applicable permit fees established by the county in Section 21.10.01006.100.</p>				✓
12.10.055 Permit duration.		Amend existing code	Amend to reference Kitsap Manual	<p>(1) Approved but not issued. Except as provided in Section 12.16.110, site development activity permits must be issued within one yearthree hundred sixty days of permit application approval, and will automatically expire at the end of three hundred sixty daysone year unless an extension is granted by the director. The length of extension period shall not exceed three hundred sixty daysone year, and no more than two extensions shall be granted. At the end of the extension period, the permit will be automatically closed if it is still unissued. A closed permit may not be reissued or reactivated.</p> <p>(2) Issued. Issued site development activity permits shall become invalid unless the work authorized by such permit is commenced within three hundred sixty days after its issuance, or if after commencing, the work authorized by such permit is suspended or abandoned for a period of three hundred sixty days. Having required inspections performed and approved within every three hundred sixty days is evidence that work has commenced and is continuing. Permits that do not receive a</p>				✓

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				<p>required inspection within three hundred sixty days of permit issuance, or within three hundred sixty days since the previous approved inspection, will be considered abandoned and shall automatically expire. If no action is taken within one hundred eighty days of the expiration date by the applicant/owner to reactivate the permit or request an extension, the permit will be closed. A closed permit may not be reissued or reactivated.</p> <p>(3) <u>Extensions</u>. The procedures for requesting and granting extensions or renewals to permits and procedures for the disposition of inactive or expired permits shall be detailed in the <u>Kitsap Manual</u> manual.</p>				
12.10.060 Professional engineer required.		Amend existing code	Amend to remove "definition of a major development" and replace with reference to specific stormwater minimum requirements.	<p>Unless otherwise required by Chapter 12.16, site development activity permit applications shall require the submittal of documents prepared by a qualified professional engineer when one of the following conditions exists:</p> <p>(1) Any land use, or building, or development on real property that which meets the <u>thresholds requiring Minimum Requirements #1 through #9 to be met, as indicated by Figures 2.4.1 and 2.4.2</u> definition of a major development; or</p> <p>(2) Any improvements within the boundaries of Kitsap County rights-of-way for which Kitsap County will ultimately assume responsibility for maintenance; or</p> <p>(3) Any site development activity that the director deems to be in the public's best interest to require that certain site development activity permit application submittal documents be prepared by a professional civil engineer.</p> <p><u>(4) Whenever an engineer is required by the Kitsap Manual, including but not limited to design of conveyance, on-site stormwater management, flow control, and water quality treatment BMPs.</u></p>		✓	✓	
12.10.070 Off-site analysis.		Amend existing code	Amend to expand the and specify which projects that require a downstream analysis and the impacts to be evaluated.	<p>12.10.070 Downstream Off-site analysis. <u>The following projects shall conduct an analysis of downstream water quantity and quality impacts resulting from the project and shall provide for mitigation of these impacts:</u></p> <p><u>(1) All site development activity permit applications that which meet any of the criteria listed in Section 12.10.060;</u></p> <p><u>(2) All large projects in accordance with the definition in 12.08;</u></p> <p><u>(3) All project sites located within critical drainage areas.</u></p> <p><u>The analysis shall extend a minimum of one-fourth of a mile downstream from the project. The existing or potential impacts to be evaluated and mitigated shall include excessive sedimentation, erosion, discharges to ground water contributing or recharge zones, violations of water quality standards, and spills and discharges of priority pollutants. The downstream analysis shall include, along with other required submittal documents, an off-site drainage analysis as described in Section 12.18.040, prepared by a qualified professional engineer <u>in accordance with the requirements of the Kitsap Manual</u> and based on a field investigation of the development's off-site contributing and receiving drainage areas.</u></p>			✓	

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12.10.080 Geotechnical analysis.		Amend existing code	Housekeeping amendments	All site development activity permit applications for development activities where grading or the construction of retention facilities, detention facilities, or other stormwater storm water facilities is proposed within two hundred feet of slopes steeper than thirty percent, or where the director deems that the proposed construction poses a potential hazard due to its proximity to a slope, shall, when required by the director, include a geotechnical analysis, prepared by a professional geotechnical engineer or licensed engineering geologist. The geotechnical analysis shall address the effects of ground water interception and infiltration, seepage, potential slip planes and changes in soil bearing strength.				✓
12.10.090 Soils analysis.		Amend existing code	Amend to include developments that require a soils investigation report in order to determine feasibility of LID techniques and facilities.	All site development activity permit applications that which meet any of the <u>following</u> criteria <u>shall include a soils investigation report, meeting the requirements provided</u> listed in the Kitsap Manual: <u>Section</u> <u>(1) Listed in KCC 12.10.060, or;</u> <u>(2) As required by the Kitsap Manual;</u> <u>(3) Where</u> where the soils underlying the proposed project have not been mapped, or; <u>(4) Where</u> where existing soils maps of the project site are inconsistent, or; <u>(5) Where</u> where the director deems that existing soils maps of the project site are not of sufficient resolution to allow proper engineering analysis. , shall include a soils investigation report.	✓		✓	
12.10.100 Permit modifications.		Amend existing code	Housekeeping amendments	Proposed modifications to an issued site development activity permit must be submitted to the Department department of <u>Community Development</u> community development and be reviewed for compliance with this title. Substantial proposed modifications, as determined by the director, shall require additional review fees and shall require reissuance of the required permit. Minor proposed modifications may be accepted by the director without requiring the reissuance of the accepted permit or the payment of additional review fees.				✓
12.12.010 Site stabilization.		Amend existing code	Amend for consistency with Kitsap Manual.	Prior to the issuance of a site development activity permit and prior to beginning any construction activity on a project site, the owner of the project will be required to record a performance covenant or post a performance surety, in the form of a bond as defined in Section 12.12.020, for site stabilization and erosion and sedimentation control. This performance requirement for stabilization and erosion control should not be confused with the performance bond accepted at the time of final plat recording as a surety for construction items not yet completed. When a performance bond is accepted for a final plat in lieu of construction completion, the surety or covenant for stabilization and erosion control will be released, and the new performance bond shall cover site stabilization and erosion control along with the other incomplete construction items.				✓

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				Bonding or covenants for site Site stabilization are bonding is not required for projects constructed or owned by Kitsap County.				
12.12.020 Performance bond for site stabilization.		Amend existing code	Housekeeping amendments	<p>The term “bond,” as defined in this title, means a surety bond, assignment of funds, or irrevocable bank letter of credit. For project sites with one or more acres of land disturbing activity, a performance bond shall be posted prior to issuance of a site development activity permit to guarantee Kitsap County that temporary erosion and sedimentation control and permanent site stabilization measures will perform in accordance with this title. The amount of the performance bond shall be as follows:</p> <p>(1) One hundred fifty percent of the estimated cost of performing minor grading and installing temporary erosion and sedimentation control, and permanent site stabilization measures to bring the construction site into compliance with this title. A cost estimate shall be submitted by the project engineer subject to the approval of the director or his/her designee. The minimum amount of the bond shall be \$5,000.00; or</p> <p>(2) Ten thousand dollars per acre of land disturbing activity. No engineer’s estimate is required.</p> <p>If the site work is determined by the director to be in violation of this title, the county may use the performance bond to provide temporary and permanent site stabilization.</p> <p>All performance bonds shall run continuously until released by the county, and shall not be subject to an expiration or cancellation date.</p>				✓
12.12.030 Performance covenant for site stabilization.		Amend existing code	Housekeeping amendments	<p>For project sites with less than one acre of land disturbing activity, a performance covenant may be recorded in lieu of a performance bond for site stabilization prior to issuance of the site development activity permit to guarantee Kitsap County that temporary erosion and sedimentation control and permanent site stabilization measures will perform in accordance with this title. This covenant shall be recorded with the Kitsap County auditor and shall run with the land until such a time as Kitsap County issues final acceptance of the permitted activities, or until a separate performance bond is posted prior to final plat approval. Upon issuance of final project approval, the Departmentdepartment of Community Developmentpublic works will record a document that extinguishes the performance covenant.</p> <p>If the site work is determined by the director to be in violation of this title, the county may enforce the performance covenant to provide temporary and permanent site stabilization. In this case, the project proponent will be charged for all associated costs and, if required, a lien will be placed on the property.</p>				✓
12.12.040 Performance bond for uncompleted subdivision improvements.		Amend existing code	Amendments to facilitate completion of constructed improvements	For single-family residential subdivision developments, a performance bond shall be provided to Kitsap County prior to recording of the final plat, and shall guarantee the completion of all site improvements not yet completed. The amount of the performance bond shall be one hundred fifty percent of the estimated cost of the improvements. The estimated cost of				✓

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				<p>the improvements shall be determined by a professional civil engineer subject to the approval of the director or his/her designee.</p> <p>All performance bonds shall run continuously until released by the county. <u>Once No more than twenty-five percent of the lots have been issued building permits, no further building permits shall be issued until the bonded work has been completed, the performance bond released, and a maintenance bond established in accordance with 12.12.060. may be issued building permits prior to release of the performance bond. Furthermore, a two-year maintenance bond must be established prior to release of the performance bond.</u> If the site improvements are not completed within a period of eighteen months from the date of performance bond issuance, the county may, with thirty days' written notice, collect the bond and complete the unfinished site improvements.</p>				
12.12.060 Maintenance bonds.		Amend existing code	Amend to clarify reference to stormwater facilities and increase of the maintenance bond percentage	<p>A maintenance bond is required for residential subdivision plats and other projects for which maintenance of the stormwaterstorm water facilities and/or roads is ultimately to be taken over by the county.</p> <p>After the final approval of construction and prior to release of any performance sureties, a maintenance bond must be posted and maintained by the project owner for a period of two years. The maintenance bond shall guarantee the stormwaterstorm water facilities and roads constructed under permit against design defects and/or failures in workmanship, and shall guarantee that the facilities constructed under the permit will be regularly and adequately maintained throughout the maintenance period. <u>Prior to the expiration period, Kitsap County will evaluate performance of the bonded facilities and, if not functioning as designed, may collect on the bond and repair or maintain the facility.</u></p> <p><u>Kitsap County may accept properly functioning facilities in accordance with Chapter 12.24 KCC.</u> <u>Until such time as the county accepts maintenance, the developer must secure the proper functioning and maintenance of the facility and such shall be a condition of Final Plat approval.</u> at the end of this time, the county will inspect the system and, when the facility is acceptable and houses have been constructed on eighty percent of the lots, the county will release the maintenance bond and take over the maintenance and operations of the system. In the event that eighty percent of the lots in a residential development have not been improved by the end of the two-year maintenance period, the maintenance bond may be extended, subject to the approval of the director, for one additional year.</p> <p>The amount of the maintenance bond shall be twenty fiveten percent of the estimated construction cost of the stormwaterstorm water facilities and roads requiring maintenance, or \$5,000.00, whichever is greater. The construction cost of the facilities requiring maintenance shall be estimated by the project engineer, subject to the approval of the director.</p>			✓	
12.16.010 Purpose.		Amend existing code	Amend to reference Kitsap Manual	This chapter sets forth the minimum standards that shall apply to grading activities as described in Section 12.10.030. For circumstances not specifically addressed in this chapter or in the Kitsap Stormwater Design Manual, the provisions of the International Building Code, as currently in effect and adopted in Title 14, shall apply.				✓

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12.16.030 Grading plan required.		Amend existing code	Amend grading thresholds for when a project requires an approved engineered grading plan. Requiring engineered grading plan can reduce loss of native vegetation.	<p><u>The following projects shall require an approved engineered grading plan:</u></p> <p><u>(1) Grading projects meeting the criteria of Section 12.10.060; shall be required to have an approved engineered grading plan.</u></p> <p><u>(2) Grading projects with five thousand cubic yards or more of cut and fill;</u></p> <p><u>(3) Grading project that includes land disturbing activity of 1 or more acres;</u></p> <p><u>(3d) Site development projects that include any activities listed in Section 12.10.030, and do not meet the grading permit exemptions of Section 12.16.070</u></p>		✓		
12.16.040 Abbreviated grading plan.		Amend existing code	Amend to mention minimum requirements	<p><u>Small grading projects that trigger Minimum Requirements #1 through #5 only, as indicated by Figures 2.4.1 and 2.4.2, may submit meeting the definition of a minor development will require an approved abbreviated grading plan in lieu of an engineered grading plan, <u>unless engineering is otherwise required.</u></u></p>		✓	✓	
12.16.050 Drainage.		Amend existing code	Amend for consistency with Kitsap Manual.	<p><u>(1a) All grading activities, whether a permit is required or not, shall conform to the requirements of this title concerning stormwater storm water management.</u></p> <p><u>(2b) Where required by the director, all discharge of runoff from the project site shall be of like quality, flow rate and velocity as that which flowed from the project site prior to the work for which the site development activity permit has been issued.</u></p> <p><u>(3e) Stormwater</u>Storm water flows shall be accepted onto, and shall be discharged from, a project site at the natural or otherwise legally existing locations.</p>				✓
12.16.080 Changes in topography.		Amend existing code	Housekeeping amendments	<p><u>(1a) The maximum surface gradient on any artificially created slope shall be two feet of horizontal run to one foot of vertical fall (2:1). This gradient may be increased to that gradient which can be demonstrated through engineering calculations to be stable, if, in the opinion of the director, it has been demonstrated by the applicant through engineering calculations performed by a qualified professional engineer that surface erosion can be controlled to that erosion rate equal to a properly stabilized 2:1 slope under the same conditions.</u></p> <p><u>(2b) The applicant shall, at all times, protect adjacent private properties and public rights-of-way or easements from damage occurring during grading operations. The applicant shall restore public improvements damaged by his/her operations.</u></p> <p><u>(3e) The applicant shall be responsible for obtaining and coordinating all required state or federal permits associated with the filling of wetlands or other regulated activities.</u></p>				✓

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12.16.090 Rockeries and retaining structures.		Amend existing code	Housekeeping amendments	Any rockery or other retaining structure greater than four feet in height, as measured from the base of the wall and not the ground surface, shall require <u>be permitted under</u> a separate building permit.				✓
12.16.110 Progress of work.		Amend existing code	Housekeeping amendments	All work permitted under this title shall proceed continuously to completion in an expeditious manner unless otherwise authorized by the director, with the intent that work may be halted due to weather conditions or the need to coordinate other construction on the project site. Site development activity permits, issued for grading only, shall expire <u>one hundred and eighty days</u> six months <u>(180)</u> after issuance.				✓
Chapter 12.18 MINIMUM SITE DEVELOPMENT REQUIREMENTS		Amend existing code	Chapter repealed; design requirements now in Kitsap Manual	<p>Chapter 12.18 MINIMUM SITE DEVELOPMENT REQUIREMENTS</p> <p>Sections: 12.18.010 Plans and reports (minimum requirement No. 1). 12.18.020 Construction storm water pollution prevention plan (SWPPP) (minimum requirement No. 2). 12.18.030 Source control of pollution (minimum requirement No. 3). 12.18.040 Preservation of natural drainage systems and outfalls (minimum requirement No. 4). 12.18.050 On-site storm water management (minimum requirement No. 5). 12.18.060 Runoff treatment (minimum requirement No. 6). 12.18.070 Oil control treatment requirements. 12.18.080 Phosphorus treatment requirements. 12.18.090 Enhanced treatment requirements. 12.18.100 Basic treatment requirements. 12.18.110 Flow control (minimum requirement No. 7). 12.18.120 Flow control exemption. 12.18.130 Wetlands protection (minimum requirement No. 8). 12.18.140 Operation and maintenance (minimum requirement No. 9).</p> <p>12.18.010 Plans and reports (minimum requirement No. 1). All development and redevelopment projects meeting the thresholds contained in this chapter shall submit plans and reports in accordance with the criteria stipulated in the manual.</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.020 Construction storm water pollution prevention plan (SWPPP) (minimum requirement No. 2). All new development and redevelopment projects are responsible for preventing erosion and discharge of sediment and other pollutants into receiving waters. The SWPPP shall include a narrative and drawings. All BMPs shall be clearly referenced in the narrative and marked on the drawings. The SWPPP narrative shall include documentation to explain and justify the pollution prevention decisions made for the project.</p>				✓

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				<p>The construction site operator shall include each of the twelve elements below in the SWPPP and ensure that they are implemented, from initial soil disturbance until final stabilization, unless site conditions render the element unnecessary and the exemption from that element is clearly justified in the SWPPP:</p> <p>1.— Preservation of vegetation/marketing of clearing limits;</p> <p>2.— Construction access;</p> <p>3.— Controlling flow rates;</p> <p>4.— Installing sediment controls;</p> <p>5.— Stabilizing soils;</p> <p>6.— Protecting slopes;</p> <p>7.— Protecting drain inlets;</p> <p>8.— Stabilizing channels and outlets;</p> <p>9.— Controlling pollutants;</p> <p>10.— Controlling dewatering;</p> <p>11.— Maintaining best management practices;</p> <p>12.— Management of the project.</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.030 Source control of pollution (minimum requirement No. 3).</p> <p>Source control best management practices (operational and/or structural) are required for all projects. Those practices listed in the source control chapter of the manual as applicable operational or structural source controls for a particular pollutant source are required under this minimum requirement.</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p>				

				<p>12.18.040 Preservation of natural drainage systems and outfalls (minimum requirement No. 4). A. — Natural drainage patterns shall be maintained, and discharges from the project site shall occur at the natural location, to the maximum extent practicable. The manner by which runoff is discharged from the project site must not cause a significant adverse impact to downstream receiving waters and down-gradient properties. All outfalls require energy dissipation.</p> <p>B. — Downstream Analysis. The following projects shall conduct an analysis of downstream water quality impacts resulting from the project and shall provide for mitigation of these impacts:</p> <p>1. — All major developments; and</p> <p>2. — Any minor developments</p> <p>{Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>12.18.050 On-site storm water management (minimum requirement No. 5). All projects that add two thousand square feet or more of impervious surface shall maintain the average annual volume of water that infiltrates on a site at or above pre-development levels as predicted by an approved hydrologic model.</p> <p>Project proponents may use prescriptive pre-designed best management practices contained in the manual to fulfill this requirement.</p> <p>{Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>12.18.060 Runoff treatment (minimum requirement No. 6). The following require construction of storm water treatment facilities designed in accordance with the manual:</p> <p>1. — Projects in which the total of effective, pollution-generating impervious surface (PGIS) is five thousand square feet or more; or</p> <p>2. — Projects in which the total of pollution-generating pervious surfaces (PGPS) is three-fourths of an acre or more, and from which there is a surface discharge in a natural or manmade conveyance system from the site.</p> <p>3. — The level of treatment for each project will be determined by Sections 12.18.070 through 12.18.100.</p> <p>{Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>12.18.070 Oil control treatment requirements. 1. — Treatment to achieve oil control applies to projects that have high-use sites.</p> <p>“High-use sites” are thoseA.B.C.D.2. — Oil/Water Separators. All storm water from impervious areas subject to motor vehicle traffic shall flow through a spill containment type oil/water separator prior to surface discharge off site.</p> <p>{Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>12.18.080 Phosphorus treatment requirements. Phosphorus treatment is required for the following:</p>				
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				<p>a. Kitsap Lake;</p> <p>b. Those waterbodies reported under Section 305(b) of the Clean Water Act, and designated as not supporting beneficial uses due to phosphorus;</p> <p>c. Those listed in Washington State's nonpoint source assessment required under Section 319(a) of the Clean Water Act due to nutrients.</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.090 Enhanced treatment requirements. Enhanced treatment for reduction in dissolved metals (primarily copper and zinc) is required for the following project sites that discharge to fish-bearing streams, lakes, or to waters or conveyance systems tributary to fish-bearing streams or lakes:</p> <p>1. Industrial project sites;</p> <p>2. Commercial project sites;</p> <p>3. Multifamily project sites; and</p> <p>4. High AADT roads as follows:</p> <p>A. Within Urban Growth Management Areas. Fully controlled and partially controlled limited access highways with annual average daily traffic (AADT) counts of fifteen thousand or more;</p> <p>(2) All other roads with an AADT of seven thousand five hundred or greater.</p> <p>B. Outside of Urban Growth Management Areas.</p> <p>(1) Roads with an AADT of fifteen thousand or greater unless discharging to a fourth Strahler order stream or larger;</p> <p>(2) Roads with an AADT of thirty thousand or greater if discharging to a fourth Strahler order stream or larger (as determined using 1:24,000 scale maps to delineate stream order).</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.100 Basic treatment requirements. Basic treatment applies to:</p>				

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				<p>1.—Project sites that discharge to the ground, unless:</p> <p>A.—The soil suitability criteria for infiltration treatment are met (see the manual for soil suitability criteria); or</p> <p>B.—The project uses infiltration strictly for flow control and not treatment and the discharge is within one-fourth mile of a phosphorus-sensitive lake (use a phosphorus treatment facility), or within one-fourth mile of a fish-bearing stream, or a lake (use an enhanced treatment facility); and</p> <p>2.—Residential projects not otherwise needing phosphorus control as designated by USEPA, the Department of Ecology, or by Kitsap County; and</p> <p>3.—Project sites discharging directly to salt waters; and</p> <p>4.—Project sites that drain to streams that are not fish-bearing, or to waters not tributary to fish-bearing streams; and</p> <p>5.—Landscaped areas of industrial, commercial, and multifamily project sites, and parking lots of industrial and commercial project sites that do not involve pollution-generating sources (e.g., industrial activities, customer parking, storage of erodible or leachable material, wastes or chemicals) other than parking of employees' private vehicles. For developments with a mix of land use types, the basic treatment requirement shall apply when the runoff from the areas subject to the basic treatment requirement comprise fifty percent or more of the total runoff.</p> <p>(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.110 Flow control (minimum requirement No. 7). Except as provided in Section 12.18.120, the following require construction of flow control facilities and/or land-use management BMPs that result in storm water discharges that match developed condition discharge durations to predeveloped condition durations for the range of predeveloped discharge rates from fifty percent of the two-year peak flow up to the full fifty-year peak flow:</p> <p>1.—Projects within urban growth areas or census-urbanized areas in which the total of effective impervious surfaces is ten thousand square feet or more; or</p> <p>2.—Projects outside of urban growth areas or census-urbanized areas in which the total of effective impervious surfaces is ten thousand square feet or more, or five percent or more of the lot area (whichever is greater); or</p> <p>3.—Projects that convert three-fourths acre or more of native vegetation to lawn or landscape, or convert two and one-half acres or more of native vegetation to pasture, and from which there is a surface discharge in a natural or manmade conveyance system from the site; or</p>				

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				<p>4.—Projects located within urban growth areas or census-defined urbanized areas that through a combination of effective impervious surfaces and converted pervious surfaces cause a 0.1 cubic feet per second increase in the one-hundred-year flow frequency as estimated using the Western Washington hydrology model or other approved model.</p> <p>(Ord. 513 (2014) § 5, 2014; Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)</p> <p>12.18.120 Flow control exemption.</p> <p>A.—Flow control is not required for projects that discharge directly to the Puget Sound if all the following are satisfied:</p> <p>1.—Direct discharge to the exempt receiving water does not result in the diversion of drainage from any perennial stream classified as Type 1, 2, 3, or 4 in the State of Washington Interim Water Typing System, or Type “S,” “F,” or “Np” in the Permanent Water Typing System, or from any Category I, II, or III wetland; and</p> <p>2.—Flow splitting devices or drainage BMPs are applied to route natural runoff volumes from the project site to any downstream Type 5 stream or Category IV wetland:</p> <p>(a)—Design of flow splitting devices or drainage BMPs will be based on continuous hydrologic modeling analysis. The design will assure that flows delivered to Type 5 stream reaches will approximate, but in no case exceed, durations ranging from fifty percent of the two-year to the fifty-year peak flow;</p> <p>(b)—Flow splitting devices or drainage BMPs that deliver flow to Category IV wetlands will also be designed using continuous hydrologic modeling to preserve pre-project wetland hydrologic conditions unless specifically waived or exempted by regulatory agencies with permitting jurisdiction; and</p> <p>The project site must be drained by a conveyance system that is comprised entirely of manmade conveyance elements (e.g., pipes, ditches, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and</p> <p>4.—The conveyance system between the project site and the exempt receiving water shall have sufficient hydraulic capacity to convey discharges from future build-out conditions (under current zoning) of the site, and the existing condition from nonproject areas from which runoff is or will be collected; and</p> <p>5.—Any erodible elements of the manmade conveyance system must be adequately stabilized to prevent erosion; and</p> <p>6.—Shoreline erosion is avoided through the use of appropriate energy dissipation or other protective measures.</p> <p>B.—Flow control for a project that disturbs an area of less than one acre in size and is not part of a larger scale of development or sale may use the following flow control standard if the site cannot mitigate flows without relying predominantly on underground centralized detention. Assertions that the site cannot mitigate flows without relying</p>				

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				<p>predominantly on underground centralized detention will be determined by the director or designee using the Kitsap County small site centralized detention verification checklist approved by the board of county commissioners.*</p> <p>1.—The post-development peak storm water discharge rates from the development site for the two-, ten- and one-hundred-year, twenty-four hour duration storm events shall at no time exceed the pre-development peak storm water runoff rates for the same design storm events, except as expressly permitted by this title. Also, where storm water directly or indirectly discharges to open channels or streams, streambank erosion protection is required; the post-development peak storm water discharge rate from the development site for the two-year, twenty-four hour duration storm event shall not exceed fifty percent of the pre-development peak storm water runoff rate for the same design storm event.</p> <p>2.—The methodology used to determine the peak storm water discharge rates may be an event model based on the Santa Barbara Urban Hydrology method using the rainfall and site characteristic numbers obtained in the manual.</p> <p>3.—Under these circumstances the predevelopment conditions shall be those that existed on September 21, 1987.</p> <p>{Ord. 451 (2010) § 2, 2010; Ord. 448 (2010) § 2, 2010; Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>*—Editor’s Note: The Kitsap County small site centralized detention verification checklist, as adopted by Ordinance 451 (2010), may be found on file in the clerk of the board’s office.</p> <p>12.18.130 Wetlands protection (minimum requirement No. 8).</p> <p>1.—Discharges to wetlands shall maintain the hydrologic conditions, hydrophytic vegetation, and substrate characteristics necessary to support existing and designated uses. The hydrologic analysis shall use the existing land cover condition to determine the existing hydrologic conditions unless directed otherwise by a regulatory agency with jurisdiction.</p> <p>2.—Storm water treatment and flow control facilities shall not be built within a natural vegetated buffer, except for:</p> <p>(a)—Necessary conveyance systems as approved by the permittee; or</p> <p>(b)—As allowed in wetlands approved for hydrologic modification and/or treatment in accordance with Guidesheet 1B in Appendix I-D of the Stormwater Management Manual for Western Washington (2005).</p> <p>3.—An adopted and implemented basin plan prepared in accordance with the provisions of Section 12.20.130 may be used to develop requirements for wetlands that are tailored to a specific basin.</p> <p>{Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009}</p> <p>12.18.140 Operation and maintenance (minimum requirement No. 9).</p> <p>All storm water facilities shall be operated and maintained in accordance with Chapter 12.24.</p>				

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				(Ord. 441 (2009) § 2 (part), 2009; Ord. 433 (2009) § 33 (part), 2009)				
12.20.010 Redevelopment activities.		Amend existing code	Renamed to "Minimum requirements for new and developed projects." Amend to reflect threshold for applying minimum requirements set by Ecology Manual.	<p>12.20.010 <u>Minimum requirements for new and redevelopment projects.</u>Redevelopment activities. These requirements are in addition to the requirements for major and minor developments in Sections 12.20.080 and 12.20.085.</p> <p>(1) For road related projects, runoff from the replaced and new impervious surfaces (including pavement, shoulders, curbs, and sidewalks) shall meet all the minimum requirements listed in Chapter 12.18 if the new impervious surfaces total five thousand square feet or more and total fifty percent or more of the existing impervious surfaces within the project limits. The project limits shall be defined by the length of the project and the width of the right of way or easement. <u>Not all</u> (2) Other types of <u>Minimum requirements apply to every development or redevelopment project. The applicability varies depending on the project type and size. This section identifies thresholds that determine the applicability of the minimum requirements for new and redevelopment projects and is consistent with the Ecology Manual. Use the flow charts in Figures 2.4.1 and 2.4.2 to determine which of the minimum requirements apply. The minimum requirements are presented in Section 4.2, Volume I of the Kitsap Manual.</u></p> <p><u>(1) New Development. All new development shall be required to comply with Minimum Requirement #2.</u></p> <p><u>(A) The following new development shall comply with Minimum Requirements #1 through #5</u>all the minimum requirements listed in Chapter 12.18 <u>for the new and replaced hard</u>impervious <u>surfaces and if for the land disturbed when the development:</u></p> <p><u>1. Results in 2,000 square feet, or greater,</u>total <u>of new plus replaced hard surface area, or</u></p> <p><u>2. Has land disturbing activity of 7,000 square feet or greater.</u></p> <p><u>(B) The following new development shall comply with Minimum Requirements #1 through #9 for the new and replaced hard</u>impervious <u>surfaces and the converted vegetation areas when the development:</u></p> <p><u>1. Includes land disturbing activity of 1 acre or more; or</u></p> <p><u>2.1. Includes grading involving the movement of 5,000 cubic yards or more of material; or</u></p> <p><u>2. For sites located inside Census defined urban areas:</u> is five thousand square feet <u>1a. Results in 5,000 square feet, or greater, of new plus replaced hard surface area, or</u></p>		✓	✓	

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				<p><u>b. Converts ¾ acres, or more, of vegetation to lawn or landscaped areas, or and the valuation of proposed improvements — including interior improvements — exceeds fifty percent of the assessed value of the existing site improvements.</u></p> <p><u>c. Converts 2.5 acres, or more, of native vegetation to pasture.</u></p> <p><u>3. For sites located outside census defined urban areas or UGAs, results in 10,000 square feet or more of new plus replaced hard surface area, or results in 5% or more of hard surface area covering the lot area (whichever is greater).</u></p> <p><u>(2) Redevelopment. All redevelopment shall be required to comply with Minimum Requirement #2.</u></p> <p><u>(A) The following redevelopment shall comply with Minimum Requirements #1 through #5 for the new and replaced hard surfaces and the land disturbed when the development:</u></p> <p><u>1. Results in 2,000 square feet or more, of new plus replaced hard surface area, or</u></p> <p><u>2. Has land disturbing activity of 7,000 square feet or greater.</u></p> <p><u>(B) The following redevelopment shall comply with Minimum Requirements #1 through #9 for the new and replaced hard surfaces and converted vegetation areas when the development:</u></p> <p><u>1. Includes grading involving the movement of 5,000 cubic yards or more of material; or</u></p> <p><u>2. For sites located inside Census defined urban areas:</u></p> <p><u>a. Adds 5,000 square feet or more of new hard surfaces or,</u></p> <p><u>b. Converts ¾ acres, or more, of vegetation to lawn or landscaped areas, or</u></p> <p><u>c. Converts 2.5 acres, or more, of native vegetation to pasture.</u></p> <p><u>3. For sites located outside census defined urban areas or UGAs, adds 10,000 square feet or more of new hard surface area, or results in 5% or more of hard surface area covering the lot area (whichever is greater).</u></p> <p>Figure 2.4.1 – Flow Chart for Determining Requirements for New Development</p>				

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				<div><p>Start Here</p><pre>graph TD Start[Start Here] --> Q1{Does the site have 35% or more of existing impervious coverage?} Q1 -- Yes --> R1[See Redevelopment Minimum Requirements and Flow Chart (Figure 4.2).] Q1 -- No --> Q2{Does the project result in 5,000* square feet or more of new plus replaced hard surface area?} Q2 -- Yes --> R2[All Minimum Requirements apply to the new and replaced hard surfaces and converted vegetation areas.] Q2 -- No --> Q3{Does the project convert ¼ acres or more of vegetation to lawn or landscaped areas, or convert 2.5 acres or more of native vegetation to pasture?} Q3 -- Yes --> R3[Minimum Requirements #1 through #5 apply to the new and replaced hard surfaces and the land disturbed.] Q3 -- No --> Q4{Does the project result in 2,000 square feet or more of new plus replaced hard surface area?} Q4 -- Yes --> R3 Q4 -- No --> Q5{Does the project have land disturbing activities of 7,000 square feet or more?} Q5 -- Yes --> R3 Q5 -- No --> R4[Minimum Requirement #2 applies.] R2 --> Q6{Is the project within a critical drainage area, per KCC 12.28?} R3 --> Q6 R4 --> Q6 Q6 -- No --> R5[No additional requirements.] Q6 -- Yes --> R6[Consult Kitsap DCD for additional requirements that may apply.]</pre><p>* Threshold for project sites inside census defined urban areas or UGAs is 5,000 square feet. Threshold for project sites outside census defined urban areas or UGAs is 10,000 square feet, or 5% of the lot area (whichever is greater).</p></div>								

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12.20.020 Approved hydrological methods for design.		Amend existing code	Amend to reflect best practices identified in Ecology Manual	Estimation of peak stormwater storm water runoff rates, <u>volumes, and durations</u> used in the design of <u>stormwater management</u> storm water quantity control facilities, <u>including conveyance, on-site stormwater management, flow control, and runoff treatment Best Management Practices</u> , shall utilize the <u>approved</u> latest version of the Western Washington hydrology model. The design of storage facilities that are a part of storm water quantity control facilities shall be designed using methods identified contained in the <u>Kitsap Manual</u> manual .				
12.20.040 Storm water quality control.		Amend existing code	Amend to ensure Best Management Practices are designed according to Kitsap Manual	12.20.040 Stormwater management facility design requirements Storm water quality control. Water quality best management practices (BMPs) shall be used on either a volume or flow rate basis. <u>Stormwater conveyance facilities and on-site stormwater management, flow control, and</u> (1) Water Quality <u>water quality treatment Best Management Practices (BMPs) Design for Volume Based Treatments.</u> A. The ninety first percentile, twenty four hour runoff volume indicated by the latest version of the Western Washington hydrology model shall be <u>designed and</u> used <u>in accordance with the Kitsap Manual</u> ; or B. Ninety one percent of the volume of runoff volume of the time series estimated by the latest version of the Western Washington hydrology model is treated. (2) Water Quality Design for Flow Rate Based Treatments. A. Preceding Detention Facilities or When Detention Facilities Are Not Required. The flow rate at or below which ninety one percent of the runoff volume, as estimated by the latest version of the Western Washington hydrology model, is treated. B. Downstream of Detention Facilities. The water quality design flow rate must be the full two year release rate from the detention facility. (3) Water Quality Design for Infiltration Based Treatments. Ninety one percent of the volume of runoff volume of the time series as estimated by the latest version of the Western Washington hydrology model is infiltrated through the treatment media.			✓	
12.20.050 Illicit discharges.		Amend existing code	Housekeeping amendments	Illicit discharges, as described in Section 12.30.020, or illicit connections to a stormwater storm water drainage system, as described in Section 12.30.030, are prohibited.				✓
12.20.060 Experimental best management practices.		Amend existing code	Rename section and amend to reference TAPE evaluation of emerging technologies	12.20.060 Emerging Experimental best management practices Technologies. <u>New technologies shall be evaluated following Ecology's technology assessment protocols (TAPE and CTAPE), as detailed in the Kitsap Manual. Functionally equivalent BMPs approved by Ecology as equivalent to existing water quality treatment technologies may be used.</u> In those instances where appropriate best management practices are not in the manual, experimental BMPs may be considered. In an effort to improve storm water quality technology, experimental BMPs are encouraged as a means of	✓		✓	

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				solving problems in a manner not addressed by the manual. Experimental BMPs must be approved by the director. The director may require that the performance of experimental BMPs be monitored to document their effectiveness for future use.				
12.20.070 Incorporation into storm water quantity control facilities.		Amend existing code	Section repealed; minimum requirements now established in KCC 12.20.010.	12.20.070 Incorporation into storm water quantity control facilities. Water quality BMPs may be incorporated into the design of storm water quantity control facilities where appropriate.				✓
12.20.080 Minimum requirements – Major developments.		Amend existing code	Section repealed; minimum requirements now established in KCC 12.20.010.	12.20.080 Minimum requirements – Major developments. 1. Major developments shall comply with all the minimum requirements listed in Chapter 12.18, Minimum Site Development Requirements. 2. Major developments may meet these minimum requirements for an equivalent (flow and pollution characteristics) area within the same site. For public roads projects, the equivalent area does not have to be within the project limits, but must drain to the same receiving water.				✓
12.20.085 Minimum requirements – Minor developments.		Amend existing code	Section repealed; minimum requirements now established in KCC 12.20.010.	12.20.085 Minimum requirements – Minor developments. 1. Minor developments that: (a) Create or add two thousand square feet, or greater, of new, replaced, or new plus replaced impervious surface area; or (b) Have land disturbing activity of seven thousand square feet or greater; shall comply with minimum requirements contained in Sections 12.18.010, 12.18.020, 12.18.030, 12.18.040, and 12.18.050 (minimum requirements Nos. 1 through 5). 2. Minor developments that fall under these thresholds shall comply with the following minimum erosion control criteria: (a) Construction Access Route. Construction vehicle access shall be, whenever possible, limited to one route. Access points shall be stabilized with quarry spall or crushed rock to minimize the tracking of soils and debris onto public roads. (b) Stabilization of Denuded Area. All exposed soils shall be stabilized by suitable application of BMPs, including, but not limited to, sod or other vegetation, mat covering, mulching or application of compacted ground base material on areas to be paved. All BMPs shall be selected, designed and maintained in accordance with the manual. From October 1st to April 30th, no soils shall remain unstabilized for more than two days. From May 1st to September 30th, no soils shall remain unstabilized for more than seven days.				✓

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				<p>At all times of the year, the contractor shall have sufficient materials, equipment and labor on site to stabilize and prevent erosion from all denuded areas within twelve hours as site and weather conditions dictate.</p> <p>(c) Protection of Adjacent Properties. Adjacent properties shall be protected from sediment deposition by appropriate use of vegetative buffer strips, sediment barriers or filters, dikes or mulching, or by a combination of these measures and other appropriate BMPs.</p> <p>(d) Maintenance. All erosion and sediment control BMPs shall be regularly inspected and maintained to ensure continued performance of their intended function.</p> <p>(e) Other BMPs. Any adverse effects of increased runoff resulting from land disturbing and/or land development activities shall be controlled by appropriate BMPs.</p>				
12.20.090 Storm water conveyance facilities.		Amend existing code	Housekeeping amendments and other amendments to reference Kitsap Manual and conveyance modeling options	<p>12.20.090 Stormwaterstorm water conveyance facilities.</p> <p>(1a) All proposed developments must provide on-site stormwaterstorm water conveyance facilities having sufficient capacity to convey, without flooding or otherwise damaging any existing or proposed structures, the post-development peak stormwaterstorm water runoff rate resulting from a one-hundred-year storm event, plus any existing upstream runoff that will be conveyed through the development site.</p> <p>(2b) Estimation of peak stormwaterstorm water runoff rates used in the design of water conveyance facilities shall use one of the following methods:</p> <p>(A1) The rational method as shown in the Kitsap Manualmanual; or</p> <p>(B2) The Santa Barbara Urban Hydrograph urban hydrology (SBUH) event model method as shown. The SBUH method is defined in the Kitsap ManualStormwater Management Manual for Western Washington (2005); or</p> <p>(C3) The latest version of the Western Washington hydrology model (WWHM2012), or its successor, as approved by the Washington State Department of Ecology; or WWHM).</p> <p>(D) <u>The MGSFlood model.</u></p> <p>(3e) Existing drainage ways and/or other conveyance facilities downstream from proposed developments that are identified within the scope of the downstream portion of the off site drainage analysis shall have sufficient capacity to convey, without flooding or otherwise damaging existing or proposed structures, the post-development peak stormwaterstorm water discharge for the one-hundred-year storm event. All newly constructed downstream drainage ways and/or conveyance facilities shall have sufficient capacity to convey the post-development peak stormwaterstorm water discharge for the one-hundred-year storm event. Downstream improvements or additional on-site stormwaterstorm water quantity control measures shall be provided to eliminate any potential downstream flooding or other damage that may</p>				✓

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				occur following completion of the proposed development. The director has the authority to waive the requirement for downstream improvements <u>when the variance criteria of section 12.04.025(2) have been demonstrated.</u> (4e) Drainage through closed conveyance structures such as pipes shall not discharge directly onto the surface of a public road.				
12.20.100 Easements, tracts and covenants.		Amend existing code	Amendments to stipulate that Kitsap County will not accept facilities that are not maintained in accordance with Chapter 12.24 KCC and located on the face of a final plat	(1a) Drainage easements shall be provided in a proposed development for all stormwater storm-water conveyance systems that are not located in public rights-of-way. The drainage easements shall be granted to the parties responsible for providing ongoing maintenance of the systems. Drainage easements through structures are not permitted. (2b) Stormwater Storm-water facilities that are to be maintained by Kitsap County, together with maintenance access roads to the facilities, shall be located in the public right-of-way, in separate tracts <u>to be</u> dedicated to Kitsap County, or in drainage easements <u>to be</u> granted to Kitsap County. <u>Kitsap County will not accept any dedication or maintenance obligations unless and until the conditions of Chapter 12.24 KCC are met. Wording to this effect shall appear on the face of all final plats, and shall be contained in any covenants required for a development.</u> (3e) All runoff from impervious surfaces, roof drains and yard drains shall be directed so as not to adversely affect adjacent properties. Wording to this effect shall appear on the face of all final plats, and shall be contained in any covenants required for a development.			✓	
12.20.120 Regional facilities.		Amend existing code	Housekeeping amendments	When the director has determined that the public would benefit by the establishment of a regional stormwater storm-water facility that which would serve as an alternative to the construction of separate on-site drainage facilities, the director may recommend to the board that a regional stormwater storm-water facility be constructed which would serve more than one development in providing stormwater storm-water quantity and/or quality control. In the event that a regional stormwater storm-water facility is required by the board, such a regional stormwater storm-water facility shall be located outside of fish-bearing streams, unless otherwise accepted by the Washington State Department of Fish and Wildlife. All future developments constructed on lands designated by the board to be served by the regional facility shall, at the time of issuance of a site development activity permit for a development, be required to contribute a fair share to the cost of land purchase, design and construction of the regional facility. In the event that a proposed regional stormwater storm-water facility is not yet in operation at the time of completion of construction of a development that is to be served by the regional facility, the applicant for the development shall be required to provide temporary stormwater storm-water quantity and quality controls. Temporary quantity and quality controls may be constructed in temporary easements, rather than in separate tracts.				✓
12.20.130 Basin planning.		Amend existing code	Amend name of section and change the term “basin” to “watershed”	12.20.130 WatershedBasin planning. An adopted and implemented basin plan tailored to a specific basin may be used to develop requirements for source control, stormwater storm-water treatment, flow control, wetlands and water quality sensitive areas. Adopted and implemented watershed-scale based basin plans may be used to modify any or all of the minimum requirements for stormwater storm-water quantity or quality control addressed in this title; provided, that the level of protection for surface				✓

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				or ground water achieved by the basin plan will equal or exceed that which would otherwise be achieved by implementation of the provisions of this title in the absence of a basin plan. Watershed Basin plans shall evaluate and include, as necessary, retrofitting of BMPs for existing development and/or redevelopment in order to achieve watershed-wide pollutant reduction goals. Standards developed from watershed basin plans shall not modify any of the above requirements until the watershed basin plan is formally adopted by the State Department of Ecology and Kitsap County and fully implemented by Kitsap County.				
12.24.010 Maintenance of storm water facilities by owners.		Amend existing code	Housekeeping amendments and amendment to reference the Kitsap Manual	<p>12.24.010 Maintenance of stormwaterstorm-water facilities by owners.</p> <p>(1a) Any person or persons holding title to a non-residentialnonresidential property for which stormwaterstorm-water facilities and BMPs have been required by Kitsap County shall be responsible for the continual operation, maintenance and repair of the stormwaterstorm-water facilities and BMPs in accordance with the provisions of this title.</p> <p>(2b) For privately maintained stormwaterstorm-water facilities, the maintenance requirements specified in this title, including the Kitsap Manualmanual, shall be enforced against the owner(s) of the subject property served by the stormwaterstorm-water facility.</p> <p><u>(3) Stormwater maintenance shall be performed in accordance with the Kitsap Manual.</u></p>			✓	✓
12.24.020 Maintenance covenant required for privately maintained drainage facilities.		Amend existing code	Housekeeping amendments	<p>(1a) Prior to the use of a development constructed under a site development activity permit, the owner shall record a maintenance covenant which guarantees Kitsap County that the stormwaterstorm-water facilities shall be properly operated, maintained and inspected, and which gives Kitsap County the authority to enter and inspect the facility, and to take any necessary enforcement action as per Chapter 12.32. The restrictions set forth in such covenant shall be included in any instrument of conveyance of the subject property and shall be recorded with the Kitsap County auditor.</p> <p>(2b) The director may require the owners of existing stormwaterstorm-water facilities for which Kitsap County has not previously accepted operation and maintenance responsibility to record a maintenance covenant or to request that Kitsap County accept operation and maintenance responsibility for the stormwaterstorm-water facilities subject to the requirements of this title.</p> <p>(3e) Maintenance covenants shall remain in force for the life of the development, or until the responsibility for the operation and maintenance of the subject stormwaterstorm-water facilities is accepted by Kitsap County.</p>				✓

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12.24.030 County acceptance of new storm water facilities.		Amend existing code	Amend section title and other housekeeping amendments	<p>12.24.030 County acceptance of new residential stormwaterstorm-water facilities.</p> <p>The county may accept for maintenance those new residential stormwaterstorm-water facilities constructed under an accepted site development activity permit that meet the following conditions:</p> <p>(1) Improvements in residential plats/PBDs have been completed on at least eighty percent of the lots, unless waived by the director; and</p> <p>(2) All drainage facilities have been inspected and accepted by the director and said drainage facilities have been in satisfactory operation for at least two years; and</p> <p>(3) All drainage facilities reconstructed during the maintenance period have been accepted by the director; and</p> <p>(4) The stormwaterstorm-water facility, as designed and constructed, conforms to the provisions of this title; and</p> <p>(5) All easements and tracts required under this title, entitling the county to properly operate and maintain the subject drainage facility, have been conveyed to Kitsap County and have been recorded with the Kitsap County auditor; and</p> <p>(6) For non-standardnonstandard drainage facilities, an operation and maintenance manual, including a maintenance schedule, has been submitted to and accepted by Kitsap County; and</p> <p>(7) A complete and accurate set of reproducible as-built drawings has been provided to Kitsap County. A professional engineer shall certify that both the vertical and horizontal alignment meet the design objectives.</p>				✓
12.24.040 County acceptance of existing storm water facilities.		Amend existing code	Amend section title and other housekeeping amendments	<p>12.24.040 County acceptance of existing stormwaterstorm-water facilities.</p> <p>Kitsap County may accept for maintenance those stormwaterstorm-water facilities for residential developments existing prior to the effective date of the ordinance codified in this chapter that meet the following conditions:</p> <p>(1) Improvements in residential plats/PBDs have been completed on at least eighty percent of the lots; and</p> <p>(2) An inspection by the director has determined that the stormwaterstorm-water facilities are functioning as designed; and</p> <p>(3) The stormwaterstorm-water facilities have had at least two years of satisfactory operation and maintenance, unless otherwise waived by the director; and</p> <p>(4) The person or persons holding title to the properties served by the stormwaterstorm-water facilities submit a petition containing the signatures of the title holders of more than fifty percent of the lots served by the stormwaterstorm-water facilities requesting that the county maintain the stormwaterstorm-water facilities; and</p>				✓

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				<p>(5) All easements required under this title, entitling the county to properly operate and maintain the subject stormwaterstorm-water facilities, have been conveyed to Kitsap County and have been recorded with the Kitsap County auditor; and</p> <p>(6) The person or persons holding title to the properties served by the stormwaterstorm-water facilities show proof of the correction of any defects in the drainage facilities, as required by the director.</p>				
12.24.050 County inspections of privately maintained storm water facilities.		Amend existing code	Amend section title and other housekeeping amendments	<p>12.24.050 County inspections of privately maintained stormwaterstorm-water facilities.</p> <p>(1a) The director is authorized to develop a Countyan inspection program for privately owned and maintained stormwaterstorm-water facilities in Kitsap County. The purpose of this inspection program shall be <u>for the County</u> to determine if the stormwaterstorm-water facilities, conveyance structures and water quality facilities are in good working order and are properly maintained, and to ensure that stormwaterstorm-water quality BMPs are in place and that non-pointnonpoint source pollution control is being implemented.</p> <p>(2b) Whenever the provisions of the inspection program are being implemented, or whenever there is cause to believe that a violation of this title has been or is being committed, the inspector is authorized to inspect during regular working hours and at other reasonable times any and all stormwaterstorm-water drainage facilities within Kitsap County to determine compliance with the provisions of this title.</p> <p>(3c) Prior to making any inspections, the director or his assignee shall follow the procedures delineated in Section 12.32.030.</p>				✓
12.24.060 Inspection schedule.		Amend existing code	Housekeeping amendments	The director is authorized to establish a master inspection and maintenance schedule to inspect appropriate stormwater storm-water facilities that are not owned and operated by Kitsap County. The party (or parties) responsible for maintenance and operation shall be identified. Critical stormwater storm-water facilities, as so deemed by the director, may require a more frequent inspection schedule.				✓
12.28.010 Special drainage improvements.		Amend existing code	Amended to include language about improvements being required even if thresholds stated in 12.20.010 not met.	In order to mitigate or eliminate potential drainage-related impacts on critical drainage areas, the director may require drainage improvements in excess of those required in other sections of this title. <u>These improvements in critical drainage areas will be required even if the development does not meet the thresholds requiring the minimum requirements to be met as stated in KCC 12.20.010.</u> For particularly sensitive drainage areas, the director may specify the general type of drainage improvements required.			✓	
12.28.020 Designation.		Amend existing code	Housekeeping amendments	<p>The following are designated as critical drainage areas:</p> <p>(1) All lands having a slope of thirty percent or greater:</p> <p>(A) As determined by a topographic survey of the site; or</p>				✓

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				<p>(B) As shown on a U.S.G.S. topographic quadrangle map, when other topographic survey information is not available; or</p> <p>(C) As determined by the director based on field investigation of the site;</p> <p>(2) Geologically hazardous areas <u>as defined in Title 19 KCC-</u> and historically documented unstable slopes;</p> <p>(3) All lands within two hundred feet of the ordinary high water mark of bodies of water possessing fish spawning and rearing habitat for anadromous and resident fish species, as designated by the State Department of Fish and Wildlife;</p> <p>(4) All lands <u>identified as</u> designated critical areas in any comprehensive drainage plan, or defined as critical <u>drainage</u> areas by separate ordinance;</p> <p>[...]</p>				
12.28.030 Conflicting information.		No changes/ action taken	None Proposed; existing code language is sufficient to meet permit requirements					
Chapter 12.30 WATER QUALITY		Amend existing code	Amend title of chapter	Chapter 12.30 <u>ILLICIT DISCHARGE DETECTION AND ELIMINATION</u> WATER QUALITY				✓
12.30.020 Illicit discharges.		Amend existing code	Housekeeping amendments	Illicit discharges to <u>stormwater</u> storm-water drainage systems are prohibited.				✓
12.30.030 Illicit connections and uses.		Amend existing code	Housekeeping amendments	<p>The <u>stormwater</u>storm-water system of Kitsap County, natural and artificial, may only be used to convey <u>stormwater</u>storm-water runoff. Violation of this chapter can result in enforcement action being taken as prescribed in Chapter 12.32 <u>KCC</u>.</p> <p>No person shall use this system, directly or indirectly, to dispose of any solid or liquid matter other than <u>stormwater</u>storm-water. No person shall make or allow any connection to the <u>stormwater</u>storm-water system which could result in the discharge of polluting matter. Connections to the <u>stormwater</u>storm-water system from the interiors of structures are prohibited. Connections to the <u>stormwater</u>storm-water system for any purpose other than to convey <u>stormwater</u>storm-water or ground water are prohibited and shall be eliminated.</p>				✓

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12.30.040 Pollution control device maintenance.		Amend existing code	Amend to include permeable pavement and reference Kitsap Manual	Owners and operators of oil/water separators, wet ponds wetponds, bioretention facilities, pervious-permeable pavement systems, biofiltration/biofilter facilities , sand filters, vaults, sediment and erosion control systems, infiltration systems, and any other pollution control devices shall operate and maintain such control devices to assure that performance meets the intended level of pollutant removal. Recommended maintenance schedules for these devices are included in the Kitsap Manual manual.	✓		✓	
12.30.060 Exemptions.		Amend existing code	Amend to remove agricultural chemicals and materials as an exemption	The following discharges are exempt from the provisions of this chapter: (1) The regulated effluent from any commercial or municipal facility holding a valid state or federal wastewater discharge permit; (2) Acts of God or nature not compounded by human negligence; (3) Properly applied agricultural chemicals and materials.			✓	
12.32.010 Violations of this title.		Amend existing code	Amendment to provide for civil enforcement of stormwater code violations	The placement, construction or installation of any structure, or the connection to a public storm drainage facility, or the discharge to a public storm drainage facility, or grading, or any other activity that violates the provisions of this title shall be and the same is declared to be unlawful and a public nuisance. As such, any person who causes, aids or abets a violation of this title has committed a civil infraction and shall be subject to the citations, orders, sanctions and remedies adopted in this chapter <u>and the Civil Enforcement Ordinance (Chapter 2.116 KCC) as now or hereafter amended</u> . Additionally, any person who willfully or knowingly causes, aids or abets a code violation of this title by any act of commission or omission is guilty of a misdemeanor. Violations of this title may be abated through the use of the Civil Enforcement Ordinance (Chapter 2.116), through civil or criminal penalties, through stop work orders, or through any other remedies set forth in this title, including, but not limited to, revocation of any permits. Each violation shall constitute a separate violation for each and every day or portion thereof during which the violation is committed, continued or permitted. The choice of enforcement action taken and the severity of any penalty shall be based on the nature of the violation, the damage or risk to the public or to public resources. Such choice will also not preclude the department's ability to also pursue other actions.				✓
12.32.020 Inspection.		Amend existing code	Housekeeping amendments	(1a) Routine Inspections. The director or his designee shall have access to any site for which a site development activity permit has been issued pursuant to this title Section 12.10.030 during regular business hours for the purpose of on-site review and to ensure compliance with the terms of such permit. The applicant for any such permit shall agree in writing, as a condition of issuance thereof, that such access shall be permitted for such purposes; however, consent shall first be requested as per Section 12.32.030 <u>KCC</u> . (2b) Inspection for Cause. Whenever there is cause to believe that a violation of this title has been or is being committed, the director or his designee is authorized to inspect the property associated with the alleged violation, and any part thereof reasonably related to the violation, during regular business hours, and at any other time reasonable in the circumstances in				✓

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				accordance with Section 12.32.030 <u>KCC</u> . The applicant for any site development activity permit issued under <u>this title</u> Section 12.10.030 shall, as a condition of issuance of such permit, agree in writing that such access to the project site is allowed for this purpose and that any action, that inhibits the collection of information relevant to enforcement of the provisions of this title, shall be grounds for issuance of a stop work order by the director or his designee .				
12.32.030 Inspection procedures.		Amend existing code	Housekeeping amendments	<p>Prior to making any inspections, the director or his designee shall present identification credentials, state the reason for the inspection and request entry.</p> <p>(1) If the property or any building or structure on the property is unoccupied, the director or his designee shall first make a reasonable effort to locate the owner or other person(s) having charge or control of the property or portions of the property and request entry.</p> <p>(2) If after reasonable effort, the director or his designee is unable to locate the owner or other person(s) having charge or control of the property, the director or his designee shall enter as allowed by written consent pursuant to the permit or as otherwise allowed by law. If the director or his designee has reason to believe the condition of the site or of the stormwater storm water drainage system creates an imminent hazard to persons or property, he <u>or she</u> may enter.</p>				✓
<<NEW SECTION>>		Amend existing code	Insert new section to provide for testing and reimbursement for testing charges associated with illicit discharges	<p><u>12.32.035 Special enforcement provisions.</u></p> <p><u>(1) Analysis Conducted by State-Certified Laboratory. As part of any investigation of a potential violation of this chapter, water samples shall be analyzed by a State-certified water quality laboratory capable of conducting the necessary analyses.</u></p> <p><u>(2) Assessment for Laboratory Costs. If a violation of this chapter is found to exist through the use of water quality testing, the person responsible for the violation may be assessed the County's actual costs in conducting the laboratory analyses described in subsection 1 of this section.</u></p>			✓	
12.32.040 Stop work orders.		Amend existing code	Housekeeping amendments	“Stop work order” means a written notice, signed by the director or his designee , that is posted on the site of a construction activity, stating which order states that a violation of a Kitsap County ordinance has occurred and that all construction-related activity, except for erosion and sedimentation control activities authorized by the director, is to cease until further notice. The director may cause a stop work order to be issued whenever the director has reason to believe that there is a violation of the terms of this title. The effect of such a stop work order shall be to require the immediate cessation of such work or activity until authorization is given by the director to proceed.				✓
12.32.070 Order to maintain or repair.		Amend existing code	Housekeeping amendments	<p>The director shall have the authority to issue to an owner or person an order to maintain or repair a component of a stormwater storm water facility or BMP to bring it in compliance with this title. The order shall include:</p> <p>(1) A description of the specific nature, extent and time of the violation and the damage or potential damage that reasonably might occur;</p>				✓

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				<p>(2) A notice that the violation or the potential violation cease and desist and, in appropriate cases, the specific corrective actions to be taken; and</p> <p>(3) A reasonable time to comply, depending on the circumstances.</p>				
12.32.120 Hazards.		Amend existing code	Housekeeping amendments	<p>(1a) Whenever the director determines that any existing construction site, erosion/sedimentation problem or drainage facility poses a hazard to public safety or substantially endangers property, or adversely affects the condition or capacity of the drainage facilities, or adversely affects the safety and operation of county right-of-way, or violates state water pollution laws, the person to whom the permit was issued, or the person or persons holding title to the property within which the drainage facility is located, shall, upon receipt of notice in writing from the director, repair or otherwise address the cause of the hazardous situation in conformance with the requirements of this <u>title</u>chapter.</p> <p>(2b) Should the director have reasonable cause to believe that the situation is so adverse as to preclude written notice, he <u>or she</u> may take the measures necessary to eliminate the hazardous situation; provided, that he or she shall first make a reasonable effort to locate the owner before acting, in accordance with Section 12.32.030. In such instances, the person or persons holding title to the subject property shall be obligated for the payment to Kitsap County of all costs incurred by the county. If costs are incurred and a bond pursuant to this chapter or other county requirement has been posted, the director shall have the authority to collect against the bond to cover costs incurred.</p>				✓
<<NEW SECTION>>		Amend existing code	Amendments to provide for civil and criminal penalties for illicit discharges	<p><u>12.32.130 Violations and abatement.</u></p> <p><u>(1) The violation of or failure to comply with any of the provisions of this chapter is unlawful. The remedies and penalties provided in this section, whether civil or criminal, shall be cumulative and shall be in addition to any other remedy provided by law. Authority to enforce provisions of this chapter is granted to the public works director.</u></p> <p><u>(2) Abatement. If a violation of this chapter presents an imminent and material risk of danger to persons, property or the public health, safety, welfare, or the environment, the county may summarily and without prior notice take any lawful action necessary to abate the violation. The county may assess any costs incurred by the county against the person responsible for the violation. Notice of such abatement, including the reason for it, shall be mailed or given to the person responsible for the violation as soon as reasonably possible after the abatement. No right of action shall lie against the county or its agents, officers, or employees for actions reasonably taken to prevent or cure any such immediate risks.</u></p>			✓	
Chapter 12.36 SURFACE AND STORM WATER MANAGEMENT PROGRAM		Amend existing code	Amend to change title of chapter	Chapter 12.36 STORMWATER STORM-WATER MANAGEMENT PROGRAM				✓
12.36.010 Title.		Amend existing code	Housekeeping amendments	This chapter shall be titled “ Stormwater Storm-Water Management Program.”				✓

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12.36.020 Purpose.		Amend existing code	Housekeeping amendments	The purpose of this chapter is to promote and protect the public health, safety and welfare by establishing ensuring a comprehensive approach to stormwater storm-water management pursuant to Chapter 36.89 RCW. The is s Stormwater storm-water m Management P program seeks to protect life and property from storm, waste, flood or surplus surface waters, protect water quality by preventing siltation, contamination and erosion of the county's waterways, protect aquifers, provide shellfish protection, assure compliance with federal and state surface water management and water quality regulations and legislation, increase public education and citizen involvement, and encourage the preservation of natural drainage systems.				✓
12.36.030 Definitions.		Amend existing code	Moved all of the definitions to Chapter 12.08 KCC	12.36.030 Definitions. 1. "Basin plan" means a plan and all implementing regulations and procedures including but not limited to capital projects, public education activities, land use management regulations adopted by ordinance for managing surface and storm water quality and quantity management facilities and features within individual sub-basins. 2. "Best management practices" ("BMPs") means physical, structural and/or management practices that, when used singly or in combination, prevent or reduce pollution of water. 3. "County" means the unincorporated areas of Kitsap County, Washington, or as indicated by the context, may mean the department of public works, public works director, county engineer, or other official, officer, employee or agency representing the county in the discharge of his or her duties. 4. "Director" means the director of Kitsap County department of public works or his or her designee. 5. "Interlocal agreement" means any contract between the county and other incorporated areas of Kitsap County or other government entities pursuant to Chapter 39.34 RCW, which delineates the terms, conditions and relationships of the parties regarding the plan, design, construction, operation, maintenance and funding of surface and storm water management systems within the incorporated area or service area of a government entity. 6. "Storm water control facilities" means any facility, improvement, development, property or interest therein, made, constructed or acquired for the purpose of controlling, or protecting life or property from, any storm, waste, flood or surplus waters wherever located within the county. 7. "Watershed action plan" means a local watershed planning process to identify the problems, needs and action steps to reduce nonpoint.				✓

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12.36.040 Program authority.		Amend existing code	Rename section and other administrative amendments	<p>12.36.040 Program creation and authority and administration.</p> <p>Kitsap County hereby creates a <u>The s</u>Storm-water mManagement pProgram (Program) is a program within the Kitsap County Department of Public Works that to implements the County's comprehensive county-wide stormwater storm-water management <u>policies and practices</u>. The pProgram shall be administered by the <u>Stormwater Division of</u> Kitsap County Department<u>department of Public Works</u>public works, and the director thereof who shall have the authority, subject to approval by the county commissioners, to <u>implement this chapter and</u> exercise all lawful powers necessary and appropriate for the construction, acquisition and condemnation of property rights, maintenance, management, operations and regulation of storm drainage and surface water runoff systems including, without limitation, all lawful powers to fix, alter, regulate and control the rates and charges for the use thereof.</p> <p><u>No provision of this chapter shall prevent municipalities, county agencies departments or special districts from adopting, administering or enforcing other ordinances and regulations to protect stormwater quality.</u></p>				✓
12.36.050 Program elements.		Amend existing code	Housekeeping amendments	<p>Kitsap County shall establish a <u>The p</u>Program that includes the following elements: basin and watershed planning, education, capital improvements, operations and maintenance, monitoring, source control and shellfish protection (the "program").</p> <p>(1) Basin and Watershed Planning. The Pprogram shall develops, <u>coordinates</u> and <u>implements</u> basin and watershed action plans to control surface and stormwater storm-water runoff in the county.</p> <p>(2) Education. The pProgram shall develops and <u>implements activities to</u> educate<u>ion activities engaging</u> the public about land use and human activities which that impact water quality and surface <u>stormwater</u> management. The pProgram shall also <u>develops</u> citizen involvement opportunities to monitor streams and implement restoration programs consistent with approved basin and watershed action plans.</p> <p>(3) Capital Improvements. The pProgram shall develops a six-year capital improvement planss that defines the activities related to the acquisition, construction, replacement or renovation of capital facilities or equipment needed to address the storm-water management program objectives of the county. A Each capital improvement plan shall be submitted to the county commissioners for review and approval and shall submit annually<u>along with</u> a plan and budget for implementation.</p> <p>(4) Operations and Maintenance. The pProgram shall develops and <u>implements</u> operations and maintenance activities, including inspection and enforcement, to assure that all public and private drainage and stormwater storm-water control facilities in the county are functional and effective. The Pprogram also shall <u>performs</u> the operations and maintenance of all county-owned stormwater storm-water control facilities, and The program shall <u>coordinates</u> the transfer of county maintenance responsibility for private residential stormwater storm-water control facilities <u>to the County</u>under existing covenants, dedications or resolutions to the program.</p> <p>(5) Monitoring. The pProgram shall develops and <u>implements</u> activities to monitor the ambient water quality of rivers, streams, lakes and wetlands, and to evaluates the effectiveness of source controls and BMPs implemented under the basin</p>				✓

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				<p>and watershed action plans. Water quality monitoring activities shall be are coordinated between agencies within the county, and the results of monitoring activities shall be communicated to residents, agencies and other interested persons.</p> <p>(6) Source Control. The pProgram shall develop s and implement s source control activities to improve water quality and focuses on. The source control efforts shall reducing herbicide and pesticide usage, strengthening the on-site sewage system correction and wellhead protection programs, and strengthening the use of BMPs. The Pprogram may also provide financial assistance through low-interest loans, grants and cost sharing for the restoration of streams, repair on-site sewage disposal systems, on-site low impact development BMPs and agricultural practice improvements.</p> <p>(7) Shellfish Protection. The pProgram shall develop s and implement s shellfish protection activities to accomplish the purposes outlined in Chapter 90.72 RCW. The pProgram shall also coordinates the implementation of activities that provide increased shellfish protection with other counties, municipalities or special purpose districts that may establish shellfish protection programs or districts through interlocal agreements; however, this section, however, shall not be construed to establish a shellfish protection district.</p>				
12.36.060 Administration.		Amend existing code	Repeal section.	<p>12.36.060 Administration. The program shall be administered by the department of public works, and the director shall have the authority to implement the program as defined in this chapter. No provision of this chapter shall prevent municipalities, county agencies, departments or special districts from adopting, administering or enforcing other ordinances and regulations to protect surface and storm water quality.</p>				✓
12.36.070 Program coordination.		Amend existing code	Renumber section and other housekeeping amendments	<p>12.36.0760 Program coordination. The pProgram shall coordinate storm water management activities and services may be coordinated through agreements by forming interlocal or operating agreements with other departments, governmental entities or special districts in order to achieve a comprehensive approach to surface stormwater management. The pProgram shall endeavor to eliminate or reduce duplication and to achieve the maximum program benefit in the most efficient manner. The director shall submit an operating plan, budget and an annual report to the county commissioners for review and approval.</p>				✓

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12.36.080 Program funding.		Amend existing code	Housekeeping amendments	The P program shall be funded by rates and service charges to be established by separate ordinance through chapter 12.40 KCC. The p Pprogram and any participating municipality, agency, department or special districts may solicit additional funds through grants, if available, to supplement program funding.				✓
12.36.100 Enforcement.		Amend existing code	Housekeeping amendments	<p>(1a) <u>Notice of Violation.</u> Where stormwaterstorm-water control facilities not maintained by the county have been abandoned, neglected or are not functioning adequately as designed, the department of public worksKCPW shall have the authority to inspect the facility and advise the property owner(s) in writing of the duty to repair and/or maintain the facility. If the property owner(s) fails to repair and/or maintain the facility within thirty days, public works may issue a notice of violation providing the property owner(s) with a written description of the corrective action that must be taken, the time period in which the corrective action must be performed, and the civil penalty for failure to perform the corrective action. The civil penalty shall be established under the program rate ordinance. In the event that the property owner(s) fails to take the required corrective action, public works shall report the violation to the county prosecutor, who shall have the authority to collect the civil penalty by use of appropriate legal remedies.</p> <p>(2b) <u>Negotiation.</u> In addition to, or as an alternative to, the above procedure for notice of violation, <u>the department of</u> public works shall have the authority to negotiate with a property owner(s) to obtain the owner's consent for public works to perform the corrective repair or maintenance action, at the property owner's sole expense.</p> <p>(3e) <u>Transfer of maintenance.</u> If stormwaterstorm-water control facilities on or serving private residential property meet the <u>criteria in chapter 12.24 KCC</u>performance standards established by the county drainage ordinance, as now or hereafter amended, the county may accept the maintenance responsibility for the stormwaterstorm-water control facilities, provided that the property owner dedicates the underlying land to the county in fee or provides the county with an easement or right of way in a form acceptable to the county.</p> <p>(4d) <u>Emergencies.</u> Whenever the director determines that a stormwaterstorm-water control facility poses a hazardous condition to public health, life or property, or adversely affects the condition or capacity of the drainage facilities, or adversely affects the safety or operation of county right-of-way or other property owned or maintained by the county, and the director has reasonable cause to believe that the hazardous condition is so adverse as to preclude the written notice of violation procedure described above, the director may take measures limited to those necessary to eliminate the hazardous condition, provided that the director takes reasonable steps to locate and advise the property owner(s) of the hazardous condition. In such event, the property owner(s) shall be obligated to reimburse the county for the reasonable costs of performing the corrective action.</p>				✓
Chapter 12.40 STORM WATER MANAGEMENT PROGRAM RATE STRUCTURE		Amend existing code	Amend to change title of chapter	Chapter 12.40 STORMWATERSTORM-WATER MANAGEMENT PROGRAM RATE STRUCTURE				✓

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12.40.010 Title.		Amend existing code	Amend to change title of chapter	The ordinance codified in this chapter shall be titled “ Stormwater Storm Water Management Program Rate Structure.”				✓
12.40.020 Purpose.		Amend existing code	Housekeeping amendments	It is the purpose of this chapter is to provide <u>establish the regulatory fees necessary to carry out the</u> for revenue for the Kitsap County Stormwater Management <u>storm water management P</u> program by to plan, manage, construct, maintain, use and carry out activities related thereto. This chapter provides these revenues by fixing rates and charges pursuant to RCW 36.89.080. <u>These fees are</u> -for the furnishing of service to those served or receiving benefits, or to be served or to receive benefits from any drainage facility, or contributing to surface water runoff within Kitsap County. This authority is being invoked in order to minimize property damage, promote and protect the public health, safety and welfare, minimize water quality degradation by preventing siltation, contamination and erosion of the county’s waterways, protect aquifers, ie ensure the safety of county roads and rights-of-way, increase educational and recreational opportunities, encourage the retention of open space and foster other beneficial public uses.				✓
12.40.040 Definitions.		Amend Existing code	Repeal section and merge definitions into Chapter 12.08 KCC	12.40.040 Definitions. For the purposes of this chapter: (1) “Agricultural uses” means those activities involving land use for nonclassified agriculture and related activities and open space farming and agriculture as defined by the Kitsap County Zoning Ordinance. (2) “Apartment” means a residential structure accommodating five or more dwelling units; residential hotels and condominiums; hotels and motels; institutional lodging; or retirement apartments as defined by the Kitsap County Zoning Ordinance. (3) “Commercial uses” means those activities involving land used for retail, office, and marina condominiums; wholesale trade; retail trade in building materials, hardware, or farm equipment, in general merchandise, in food, in automobiles, tires, marine craft, aircraft, and accessories, in apparel and accessories, in furniture, home furnishings and equipment, in eating and drinking, or in other retail trades; finance, insurance, or real estate; personal services; marinas; resorts and group camps; veterinarian services; or miscellaneous services as defined by Kitsap County Zoning Ordinance. (4) “County” means the unincorporated areas of Kitsap County, Washington, or as indicated by the context, may mean the department of public works, public works director, county engineer, or other official, officer, employee or agency representing the county in the discharge of his or her duties. (5) “County roads” means public rights-of way, excluding state roads, in the unincorporated areas of Kitsap County. (6) “Director” means the director of Kitsap County department of public works or his or her designee.				✓

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				<p>(7) “Equivalent service unit” (“ESU”) means the average estimated amount of impervious surface area on a single-family residential parcel. For the purposes of calculating the service charges in Section 12.40.050 for property classes 3—6, 8 and 9, an ESU shall be defined as 4,200 square feet of impervious surface area.</p> <p>(8) “Forest land” means land classified or designated as forest land pursuant to Chapter 84.33 RCW; noncommercial forest and state forest; or open space timber as defined by Kitsap County Zoning Ordinance.</p> <p>(9) “Impervious surfaces” means hard-surfaced areas which prevent or retard the entry of water into the soil mantle and/or cause water to run off the surface in greater quantities or at an increased rate of flow than under natural conditions. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt roads, sidewalks and paving, walkways, patio areas, driveways, parking lots or storage areas and gravel, hard-packed dirt, oiled or other surfaces which similarly impede the natural infiltration of surface water or runoff patterns existent prior to development.</p> <p>(10) “Industrial uses” means those activities involving land used for manufacturing of food products, apparel and fabric, lumber and wood products, furniture and fixtures, paper products, printing and publishing, chemical, petroleum products, plastics, leather goods, stone, clay and glass, fabricated metal products, precision instruments, and miscellaneous manufacturing; railroad, motor vehicle, aircraft, marine craft transportation; automobile parking; communications; other transportation, communication, or utilities; water systems; sanitary land fills; or auto wrecking yards as defined by the Kitsap County Zoning Ordinance.</p> <p>(11) “Institutional establishments/uses” means those activities involving land used for hospitals, convalescent centers, contract construction services; governmental services; educational services; miscellaneous services; churches; cultural activities and nature exhibitions; public assembly; or recreational activities as defined by the Kitsap County Zoning Ordinance.</p> <p>(12) “Multifamily residence” means a residential structure accommodating two, three or four dwelling units as defined by Kitsap County Zoning Ordinance.</p> <p>(13) “Parcel” means the smallest separately segregated unit or plot of land having an identified owner, boundaries and surface area which is documented for real property purposes, and a tax lot number assigned by the Kitsap County assessor.</p> <p>(14) “Service charges” means the amount owed after applying the appropriate rate to a particular parcel of real property based upon factors established by this chapter.</p> <p>(15) “Single-family residence” means a residential structure accommodating one dwelling unit, including mobilehomes as defined by Kitsap County Zoning Ordinance.</p> <p>(16) “State roads” means state highway rights-of-way as defined in RCW 90.03.520.</p>				

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				(17) “Undeveloped land” means unimproved land, and land used for railroad transportation, unimproved forest land, unimproved agricultural land, parks, cemeteries, other resource production and open space as defined by the Kitsap County Zoning Ordinance. (18) “Unimproved agricultural land” means land defined as agricultural land with no residential structures. (19) “Unimproved forest land” means land defined as forest land with no residential structures. (20) “Unit rate” means the dollar amount charged per single family residence or one ESU.																
12.40.050 Rate structure.		Amend existing code	Amend to reference Ecology Manual and Kitsap Manual and other housekeeping amendments	<div><div><div><div>(1a)</div><div>The rates and service charges shall be based on the service provided and relative contribution of stormwaterstorm water runoff from a given parcel to the stormwaterstorm water control facilities. The average estimated percentage of impervious surfaces on the parcel, the land use classification, the total parcel acreage and/or measured impervious surface area will be used to determine the relative contribution of stormwaterstorm water runoff from the parcel.</div></div></div><div><div><div>(2b)</div><div>The board of county commissioners shall establish from time to time, by resolution, the unit rate applied to each class of property identified below:</div></div></div><table><tr><th>Class of Property</th><th>Basis of Service Charge</th></tr><tr><td>(1) Single-family residence</td><td>A unit rate per single-family residence based on one ESU.</td></tr><tr><td>(2) Multifamily residence</td><td>Number of dwelling units times the unit rate.</td></tr><tr><td>(3) Apartments</td><td>Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of fifty-one percent.</td></tr><tr><td>(4) Commercial uses</td><td>Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of sixty-two percent.</td></tr><tr><td>(5) Industrial uses</td><td>Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area</td></tr></table></div>	Class of Property	Basis of Service Charge	(1) Single-family residence	A unit rate per single-family residence based on one ESU.	(2) Multifamily residence	Number of dwelling units times the unit rate.	(3) Apartments	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of fifty-one percent.	(4) Commercial uses	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of sixty-two percent.	(5) Industrial uses	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area				✓
Class of Property	Basis of Service Charge																			
(1) Single-family residence	A unit rate per single-family residence based on one ESU.																			
(2) Multifamily residence	Number of dwelling units times the unit rate.																			
(3) Apartments	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of fifty-one percent.																			
(4) Commercial uses	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of sixty-two percent.																			
(5) Industrial uses	Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area																			

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						shall be estimated by multiplying the gross parcel size by a density of development factor of thirty-four percent.				
				(6) Institutional uses		Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of forty-one percent.				
				(7) Undeveloped land		No charge.				
				(8) County roads		Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU times the unit rate.				
				(9) State roads		Thirty percent of the base rate for impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU times the unit rate.				
				<p>(3e) Rainwater Harvesting Rate Reduction. Any new or remodeled commercial building (as defined by subsections (2)(3b)(3) through (6) of this section) that utilizes rainwater harvesting may receive a fifty percent rate reduction for those surfaces from which the rain is harvested. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system will result in zero surface water discharge for all storm events contained in the Ecology Manual Section 12.18.110, using the hydrologic methods described in KCC Section 12.20.020. The proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.</p> <p>(4e) One Hundred Percent Retention/Infiltration Rate Reduction. Any new or remodeled commercial development (as defined by subsections (2)(3b)(3) through (6) of this section) that utilizes one hundred percent infiltration of all site rain runoff water may receive a fifty percent rate reduction. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system will result in zero surface water discharge for all storm events contained in the Ecology Manual Section 12.18.110, using the hydrologic methods described in KCC Section 12.20.020. The proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.</p> <p>(5e) Direct Discharge to Tidally Influenced Waters Rate Reduction. Any new or remodeled commercial development (defined by subsections (2)(3b)(3) through (6) of this section) that discharges directly into Puget Sound, or directly into the tidally influenced areas of rivers and streams discharging into Puget Sound, may receive a fifty percent rate reduction. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system conforms to the requirements of the Kitsap Manual Chapter 12.18 and Section 12.20.040, and that the site does not discharge surface runoff except through the direct discharge system. The</p>						

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				proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.				
12.40.055 Unit rates.		Amend existing code	Housekeeping amendments	<p>(1) The unit rate shall be \$73.50 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b), starting January 1, 2013.</p> <p>(2) The unit rate shall be \$78.00 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b), starting January 1, 2014.</p> <p>(3) The unit rate shall be \$82.00 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b) starting January 1, 2015.</p> <p>(4) The unit rate shall be \$86.50 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b) starting January 1, 2016.</p> <p>(5) The unit rate shall be \$91.00 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b) starting January 1, 2017.</p> <p>(6) The unit rate shall be \$96.00 per year per ESU or single-family residence for property classes 1 through 6, 8 and 9 listed in Section 12.40.050(2b) starting January 1, 2018.</p>				✓
12.40.060 Billing.		Amend existing code	Housekeeping amendments	<p>(1a) All property subject to rates and service charges pursuant to this chapter shall be assessed annually. Billing statements shall be included on the annual property tax statements. Properties which do not receive a property tax statement will receive a separate rate and service charge billing statement.</p> <p>(2b) The total amount of the service charge shall be due and payable on or before the thirtieth day of April, and shall be delinquent after that date; however, if one-half of such service charge is paid on or before the thirtieth day of April, the remainder shall be due and payable on or before the thirty-first day of October and shall be delinquent after that date.</p>				✓

12.40.070 Service charge adjustments and appeals.		Amend existing code	Housekeeping amendments	<p>(1a) Any person billed for service charges may file a request for service charge adjustment with the director within thirty days of the date of the bill. However, filing of such a request does not extend the period for payment of the charge.</p> <p>(2b) A request for service charge adjustment may be granted or approved by the director, subject to the county assessor's review if modification of the assessor's database is recommended, only when one of the following conditions exists:</p> <p>(A1) The parcel is owned and is the personal residence of a person or persons determined by the county assessor as qualified for a low income senior citizen exemption authorized under RCW 84.36.381; parcels qualifying hereunder shall be given the same percentage reduction in the service charge as in RCW84.36.381;</p> <p>(B2) The acreage of the parcel charged is in error;</p> <p>(C3) The parcel is non-residential nonresidential and the actual impervious surface area of the parcel, as established by a licensed surveyor or engineer, is more than fifty percent of an equivalent service unit greater than or less than the estimated or measured impervious surface area used in determining the charge;</p> <p>(D4) Parcels owned or leased by a public school district which provides activities which directly benefit the stormwater storm water management program. The activities may include: curriculum specific to the issues and problems of stormwater storm water management, and student activities in the community to expose students to the efforts required to restore, monitor or enhance the stormwater storm water management system. Pursuant to RCW 36.89.085, the amount of the service charge adjustment shall be determined by the director based upon the cost of the activities to the school district, but not to exceed the value of the activity to the stormwater storm water management program. Determination of which activities qualify for the stormwater storm water management service charge reduction will be made by the director. Reductions in stormwater storm water management service charges will only be granted to school districts which provide programs that have been evaluated by the director. The service charge adjustment for the school district activity may be applied to any parcel in the service area which is owned or operated by the school district;</p> <p>(E5) The service charge bill was otherwise not calculated in accordance with the terms of this chapter; or</p> <p>(F6) The parcel exists in its natural unimproved condition and will remain in its natural unimproved condition with no allowable human activities or manmade improvements which adversely affect water quantity or quality.</p> <p>(3e) Service charge adjustments will only apply to the bill then due and payable, and bills subsequently issued. In the event that the county replaces estimated impervious surface area with measured impervious surface area, in the absence of an appeal, such actual impervious surface area will be used for future bills.</p> <p>(4d) The property owner shall have the burden of proving that the service charge adjustment should be granted.</p> <p>(5e) Decisions on requests for service charge adjustment shall be made by the director based on information submitted by the applicant and by the public works department within thirty days of the adjustment request, except when additional information is needed. The applicant shall be notified in writing of the director's decision. If an adjustment is granted which reduces the service charge for the current year, the applicant shall be refunded the amount overpaid in the current year.</p> <p>(6f) If the director finds that a service charge bill has been undercharged, then either an amended bill shall be issued which reflects the increase and service charge or the undercharged amount will be added to the next year's bill. This amended bill shall be due and payable under the provisions set forth in KCC Section 12.40.060.</p>				✓
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				(7g) Decisions of the director on requests for service charge adjustments shall be final unless within thirty days of the date the decision was mailed, the applicant submits in writing to the director a notice of appeal setting forth a brief statement of the grounds for appeal and requesting a hearing before the Kitsap County board of county commissioners.				
12.40.080 Use of funds.		Amend existing code	Housekeeping amendments	Service charges collected under this chapter shall be deposited into a special fund or funds to be used only for the purpose of paying all or any part of the cost and expense of maintaining and operating <u>stormwater</u> storm-water control facilities, all or any part of the cost and expense of planning, designing, establishing, acquiring, developing, constructing, maintaining and improving the <u>stormwater</u> storm-water management program and drainage facilities.				✓
12.40.090 Lien for delinquent charges and foreclosures.		Amend existing code	Housekeeping amendments	(1a) Delinquent service charges shall bear interest as provided in RCW 36.89.090 and 36.89.092 at the rate of twelve percent per annum, or such rate as may hereafter be authorized by law, computed on a monthly basis from the date of delinquency until paid. Interest shall be calculated at the rate in effect at the time of payment of the charges regardless of when the charges were first delinquent. (2b) The county shall have a lien for delinquent service charges, including interest thereon, against any property subject to service charges; the lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such liens shall be effective and shall be enforced and foreclosed in the manner provided by RCW 36.94.150; except that the service charge lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the county records and elections division, as provided for in RCW 36.89.093. In accordance with RCW 36.89.094, the county may commence to foreclose a <u>stormwater</u> storm-water management service charge lien after three years from the date <u>stormwater</u> storm-water management charges become delinquent, in lieu of the provisions provided for in RCW 36.94.150.				✓
Title 16 – Land Division & Development								
16.24.040 Urban standards.		Amend existing code	Amend to include promote permeable pavement, allow use of shared driveways	A. Access. 1. General. a. When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended. When adjacent to or accessing Washington State Department of Transportation (WSDOT) right-of-way, WSDOT shall be provided the opportunity to review and comment on the proposed land segregation with respect to access. b. Appropriate drainage facilities to mitigate construction of roads shall be provided and constructed in accordance with Title 12, Storm-Water <u>Stormwater</u> Drainage. 2. Private Roads. All private roads within single-family developments proposing more than four lots shall be in the form of separate access tracts and shall be constructed in compliance with the requirements of the fire marshal's office regarding	✓			

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				<p>emergency vehicle access. Private roads shall be cleared, grubbed, graded and paved or use LID surfacing techniques <u>using permeable pavement where feasible in accordance with the Kitsap County Stormwater Design Manual</u>.</p> <p>3. Public Rights-of-Way. For land segregations proposing more than four lots, dedication of right-of-way shall be required when a proposed road meets the criteria for classification as an arterial, collector or sub-collector in the KCRS. All road(s) shall be constructed in compliance with adopted Kitsap County Road Standards, as now or hereafter amended.</p> <p><u>4. Shared Driveways. For the purposes of limiting access to County roads or reducing impervious surfaces, a shared driveway may be permitted for accessing up to two lots. Each owner of the shared driveway shall have an appropriate easement to the use of the driveway. Maintenance responsibilities shall be specified within the recorded easement documents or on the face of the final plat. The maximum width for a shared driveway shall be twenty-four feet.</u></p> <p>[...]</p>				
16.24.040.D Off Street Parking		No changes/ action taken	None Proposed; Section follows parking requirements stated in KCC Chapter 17.490		✓			
16.24.040.F Landscaping Requirements		Amend existing code	Housekeeping amendments	<p>2. Street trees, <u>landscaping, and stormwater management</u> consistent with Titles 12 and 17 shall be provided along all public and private streets that meet the criteria for classification as a principal or minor arterial, collector or local sub-collector and local access roads as determined by the Kitsap County Road Standards. Street trees shall be located in the road right-of-way or access tract, or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits. There shall be at least one tree per every twenty-five feet of road frontage. Trees shall be spaced no further apart than thirty-five feet. Street tree species shall be consistent with the <u>Kitsap County Road Standards (KCRS)</u> CRS and shall be large canopy trees unless otherwise approved by the director for special mitigating circumstances. Maintenance of street trees and landscaping within county right-of-way is the responsibility of the fronting property owner(s).</p>				✓
16.24.050 General Rural Standards		Amend existing code	Housekeeping amendments	<p>A. Access.</p> <p>1. General.</p> <p>a. When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended.</p> <p>b. Appropriate drainage facilities to mitigate construction of roads shall be provided and constructed in accordance with Title 12, Storm Water <u>Stormwater</u> Drainage, as now or hereafter amended.</p>				✓

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				<p>c. When accessing WSDOT right-of-way, the project approach shall meet WSDOT standards and WSDOT storm <u>waterstormwater</u> requirements shall apply.</p> <p>2. Private Roads.</p> <p>a. The width of an access easement shall be a minimum of twenty feet when serving up to two lots and a minimum of thirty feet when serving three or more lots, unless a waiver is requested and granted. Waivers may be granted for existing easements leading to the proposed land segregation that are less than the required width. In such cases, the waiver request will be reviewed by the fire marshal's office for safety issues and by the director for adequacy of design.</p> <p>b. Access roads shall be cleared, grubbed, graded and surfaced. <u>The driving surface may be graveled or paved; when paved, permeable pavement shall be used where feasible, in accordance with the Kitsap County Stormwater Design Manual.</u>The driving surface may be graveled, paved or use LID surfacing techniques.</p> <p>[...]</p>				
16.24.060 Low impact development.		Amend existing code	Repeal section because incentives are no longer appropriate where LID is now required to be the preferred and commonly used approach to site development	<p>16.24.060 Low impact development.</p> <p>A.—To encourage and facilitate the use of low impact development (LID) techniques for storm water management, developments that fully incorporate LID techniques may be allowed flexibility in road geometrics, parking requirements, density and side yard building setbacks. Such flexibility shall not increase the allowed density by more than fifteen percent and must demonstrate adequate emergency services access. These bonuses are available only for sites where commitment to maximum site and environmental protection through use of site assessment and planning, integrated site design, minimized site disturbance, and low impact development standards is successfully demonstrated.</p> <p>B.—Only land segregations submitted concurrently with a performance based development (PBD) application under Chapter 17.425 may be considered for LID flexibility under this section. The PBD standards of Chapter 17.425 shall be applied except that additional flexibility may be permitted as follows:</p> <p>1.—Reduction of required parking spaces per residential unit, from two and one half to two;</p> <p>2.—Allowance of zero lot line side yard setback for subdivisions and short subdivisions;</p> <p>3.—Reduction of side yard setback to fifteen feet for large lot subdivisions;</p> <p>4.—Application of very low volume road standards to low volume local and local cul-de-sac road classifications, where safety can be demonstrated to the satisfaction of the fire marshal;</p> <p>5.—Increase in lot density by a maximum of fifteen percent, subject to successful demonstration of compliance with this section.</p>				✓

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				C. In addition, all applications for LID PBDs will require a pre-application meeting with Kitsap County department of community development and a joint site visit with county staff prior to application submittal. The applicant shall also conduct thorough site assessment and planning as required under the Kitsap County Low Impact Development Standards as now or hereafter adopted with the Kitsap County Storm Water Manual. Demonstration of preservation of native vegetation, protection of environmental resources and critical areas, ground water recharge and compliance with Title 12 shall be required.				
16.48.020 Preliminary short subdivisions.		Amend existing code	Amend to promote plantings of native species	G. If the required native vegetation buffer, as it exists, is void of native vegetation, plantings <u>of native species</u> will be required to create or recreate the buffer. This requirement may be modified by the director to be compatible with the surrounding area, upon submittal with the preliminary application, of narrative and photographic documentation of existing conditions.		✓		
16.52.020 Preliminary large lot subdivisions.		Amend existing code	Amend to promote plantings of native species	G. If the required native vegetation buffer, as it exists, is void of native vegetation, plantings <u>of native species</u> will be required to create or recreate the buffer. This requirement may be modified by the director to be compatible with the surrounding area, upon submittal with the preliminary application of narrative and photographic documentation of existing conditions;		✓		
Title 17 - Zoning								
Chapter 17.110 DEFINITIONS		Amend existing code	Amend to include or edit various definitions to include LID terms and practices, or to become more consistent with Stormwater Manual.	<p><u>17.110.107 Bioretention facilities.</u> <u>“Bioretention facilities” means engineered facilities that treat stormwater by passing it through a specified soil profile, and either retain or detain the treated stormwater for flow attenuation. Refer to the Stormwater Management Manual for Western Washington (Ecology Manual), Chapter 7 of Volume V for bioretention BMP types and design specifications.</u></p> <p>17.110.132 Buffer, landscaping. “Buffer, landscaping” means a buffer treatment within or along the perimeter of a development which that varies in numbers and types of vegetation and/or fencing depending on land uses. <u>Landscaping such as t</u>rees, shrubs, ground covers, <u>fencing, or vegetation planted as part of low impact development (LID) best management practices (BMPs), and/or</u> fencing are to be provided as prescribed by Chapter 17.385.</p> <p>17.110.133 Buffer, screening. “Buffer, screening” means a buffer of evergreen vegetation, <u>vegetation planted as part of LID BMPs, and/or</u> site-obscuring fencing intended to provide functional screening between different uses, land use intensities and/or zones. <u>Screening is to be</u> installed or maintained as prescribed by Chapter 17.385.</p> <p><u>17.110.137 Building coverage.</u> <u>“Building coverage” means the area of land that is covered by a building or structure that provides a hard surface. Building coverage also includes uncovered horizontal structures, such as decks, stairways, and entry bridges.</u></p>	✓	✓	✓	

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				<p><u>17.110.310 Green stormwater infrastructure (GSI).</u> <u>“Green stormwater infrastructure (GSI)” is also known as low impact development (LID). Refer to the definition for “Low impact development (LID),” which is the preferred term used by the county.</u></p> <p><u>17.110.311 Green stormwater solutions (GSS).</u> <u>“Green stormwater solutions (GSS)” is also known as low impact development (LID). Refer to the definition for “Low impact development (LID),” which is the preferred term used by the county.</u></p> <p><u>17.110.321 Hardscaping.</u> <u>“Hardscaping” means the placement of non-plant elements such as fountains, patios, decks, street furniture, and ornamental concrete or stonework areas.</u></p> <p><u>17.110.322 Hard surface.</u> <u>“Hard surface” means an impervious surface, a permeable pavement, or a vegetated roof.</u></p> <p>17.110.367 Impervious surface. <u>“Impervious surface” means a non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces that similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.</u> a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads with compacted subgrade, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm water..</p> <p>17.110.390 Landscaping. <u>“Landscaping” means the placement, preservation, and the or replacement of not only trees, grass, shrubs, plants, flowers, and other vegetative materials but also the arrangement of fountains, patios, decks, street furniture, and ornamental concrete or stonework areas and artificial turf or carpeting in accordance with an approved landscaping plan meeting adopted landscaping plan, design, and installation standards. Artificial plants, shrubs, bushes, flowers, and materials in movable containers shall not be considered “landscaping” for purposes of this title. Vegetation planted as part of LID BMPs shall be considered “landscaping” for purposes of this title where all landscape requirements in Title 17 are met.</u></p>				

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				<p><u>17.110.461 Low impact development (LID).</u> <u>“Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. LID is also known as green stormwater infrastructure or green stormwater solutions. LID is the preferred term used by the county.</u></p> <p><u>17.110.462 Low impact development (LID) best management practices (BMPs).</u> <u>“Low impact development (LID) best management practices (BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimum excavation foundations, vegetated roofs, and water re-use.</u></p> <p><u>17.110.505 Native growth protection easement.</u> <u>“Native growth protection easement” means a protected corridor vegetated with native trees, shrubs and groundcover that connects critical areas or permanently preserved natural areas within or adjacent to and across the project site.</u></p> <p><u>17.110.506 Native vegetation.</u> <u>“Native vegetation” means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. The Native Plant Listing for Kitsap County may be obtained from the Department of Community Development.</u></p> <p><u>17.110.535 Open space.</u> <u>“Open space” shall mean land used for outdoor active and or passive recreational purposes or for critical area or resource land protection, including structures incidental to these open space uses, including associated critical area buffers, but excluding land occupied by dwellings or impervious hard surfaces not related to the open space uses and yards required by this title for such dwellings or impervious hard surfaces. Open space may be used for native vegetation, drought-tolerant vegetation, and vegetated LID facilities.</u> “Open space” is further divided into the following categories:</p> <p>A. “Common open space” shall mean space that may be used by all occupants of a development complex or, if publicly dedicated, by the general public;</p> <p>B. “Active recreational open space” shall mean space that is intended to create opportunities for recreational activity. Active recreational open space may be occupied by recreational facilities such as ball fields, playground equipment, trails (pedestrian, bicycle, equestrian or multi-modal), swimming pools, and game courts or sculptures, fountains, pools, benches or other outdoor furnishings;</p>				

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				<p>C. “Passive open space” shall mean all common open space not meeting the definition of active recreational open space, including, but not limited to, critical areas and their associated buffers;</p> <p>D. “Permanent open space” means an area that is permanently reserved as open space and remains in native vegetation unless approved for forestry, passive recreational or access uses; and</p> <p>E. “Recreational open space” means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreational open space. Examples of usable recreational space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.</p> <p><u>17.110.576 Permeable pavement.</u> <u>“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It is a hard surface, as defined herein, and often includes an aggregate base that provides structural support and acts as a stormwater reservoir.</u></p> <p><u>17.110.695 Street.</u> “Street” means all roads, streets, highways, roadways, freeways, easements, and public rights-of-way used for or designed for vehicular access or use including private roads serving or intended to serve five or more lots. Streets may also include provisions for public utilities, pedestrian walkways, cut and fill slopes, and <u>vegetation, and</u> storm drainage facilities.</p> <p><u>17.110.737 Vegetation-based LID BMPs</u> <u>“Vegetation-based LID BMPs” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. Vegetation-based LID BMPs are a subset of LID BMPs and include, but are not limited to, bioretention, rain gardens, and vegetated roofs.</u></p>				
17.120 Establishment of Zones and Maps.		No changes/ action taken	None Proposed; existing code language is sufficient to meet permit requirements.		✓	✓	✓	
17.130 - 17.380 Zoning Classifications.		No changes/ action taken	None Proposed; existing code language is sufficient to meet permit requirements.		✓	✓	✓	
17.390 Poulsbo Urban Transition Area		No changes/ action taken	None Proposed; Requirements in this area are covered in the City of Poulsbo zoning ordinance.		✓	✓	✓	

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17.400.040 Standards and requirements.		Amend existing code	Remove Stormwater Section. LID practices and LID design are established elsewhere in code and in Stormwater Manual.	<p>D.—Stormwater.</p> <p>1.—Inclusion of Low Impact Development (LID) and Feasibility Determination. All development in Gorst shall be consistent with Kitsap County Code Title 12 (Storm Water Drainage) and incorporate LID to the maximum extent feasible.</p> <p>a.—Site Evaluation—Dispersion. A site evaluation shall assess the feasibility for dispersion, including topography, sensitive slopes and required setbacks. Where dispersion is feasible for all or part of the site, this method shall be used. In areas where dispersion is not feasible, infiltration shall be used if feasible.</p> <p>b.—Site Evaluation—Infiltration. The evaluation shall assess the feasibility of infiltration, including a soils reconnaissance and pilot infiltration test (PIT) for any outwash soils identified where infiltration may be possible. Where infiltration is feasible for all or part of the site, it shall be implemented.</p> <p>c.—Where Full Infiltration Is Not Feasible. In areas where full infiltration is not feasible, LID BMPs per subsection (D)(3)(b) of this section shall be used for all water quality treatment and partial flow control. Projects shall meet water quality treatment needs with LID best management practices (BMPs) if feasible.</p> <p>d.—Site Soils. Site soils in landscaped areas shall be amended pursuant to manuals described in subsection (D)(2)(a) of this section.</p> <p>e.—Limit Impervious Surfaces. Impervious surfaces shall be limited to the greatest extent feasible and shall comply with the provisions of the Gorst Subarea Plan.</p> <p>2.—LID Design.</p> <p>a.—Design of LID facilities such as bioretention, pervious pavements, and others shall be in accordance with the design criteria in Kitsap County Code Title 12 (Storm Water Drainage). Further guidance can be found in the Puget Sound Partnership’s Low Impact Development Technical Manual for Puget Sound (“the LID Manual”) and the Stormwater Management Manual for Western Washington (“the Stormwater Manual”), except as provided in this subsection.</p> <p>b.—Conceptual Bioretention Facility Design. Preference shall be given to facility designs that fully infiltrate all stormwater on site. Refer to Kitsap County Code Title 12 (Storm Water Drainage) for the most current diagrammatic drawings.</p> <p>3.—LID Implementation Standards.</p> <p>a.—Projects shall implement a comprehensive stormwater management plan for the project that manages all rainfall on site, incorporates soil amendments in landscaped areas, utilizes permeable pavement for all pedestrian areas and uses feasible LID techniques, consistent with subsection (D)(2) of this section.</p>			✓	

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				b. Projects shall implement a stormwater management plan that uses LID BMPs for all required water quality treatment from pollution-generating surfaces (PGS), e.g., bioretention and pervious pavement. c. All existing storm drains or inlets shall be clearly labeled to indicate the drain or inlet leads to a stream or groundwater and that dumping in the drain or inlet is prohibited. No additional storm drains shall be installed that lead to streams or to Sinclair Inlet, nor shall new drain systems that connect directly to existing drains that flow to a stream or Sinclair Inlet be allowed. d. If additional impervious area is required for development in the low intensity waterfront designation, removal or infiltration capacity of stormwater shall be required at one hundred twenty five percent of projected runoff based on the one hundred year storm event.										
Table 17.400.080(B) Public Benefit and Incentives.		No changes/ action taken	Reducing impervious surface incentive was removed now that LID practices are required unless infeasible.	<p>B. Incentives.</p> <p>1. The incentive measures in this chapter apply to all zones and land uses within the Gorst urban growth area with the exception of highway tourist commercial and industrial zones. Incentives are intended to encourage sustainable development and provide flexibility through voluntary incentives, consistent with the policy direction contained in Chapter 4 of the Gorst Subarea Plan. These incentives are to acknowledge the existing built environment and through redevelopment minimize activities that contribute to stormwater issues and/or provide greater protection of the Sinclair Inlet shoreline and Gorst Creek.</p> <p>2. Relationship with Other Standards. Nothing in this section relieves the applicant from compliance with any other standard set forth in Title 17, or from compliance with any other provision of the Kitsap County Code, unless specifically exempted in this chapter.</p> <p>3. Table 17.378.080(B) describes the public benefit and the resulting development incentive earned. Using the incentives, an applicant can earn density, <u>and</u>, height, or impervious surface coverage above the base standard allowed in the zone. In no case shall the maximum density <u>or</u>, height, or impervious surface coverage exceed the maximum allowed by the zone. More than one public benefit and corresponding incentive may be earned up to one hundred percent of the bonus. Table 17.378.080(C) summarizes the minimum, base, and maximum densities, <u>and</u> heights, and impervious surface coverages for reference. The full text of the applicable zone should be consulted in addition to the table; in cases of conflict the zone-specific language shall control.</p>	✓									
Table 17.400.080(C) – Summary of Development Standards Eligible for Bonus by Zone		Amend existing code	Incentives for reducing impervious surface and home clustering were removed now that LID practices are required unless infeasible. Rows regarding	<table><tr><th colspan="2">Table 17.400.080(C) – Summary of Development Standards Eligible for Bonus by Zone</th></tr><tr><th>Public Benefit Description</th><th>Development Incentive Select one or more bonus item</th></tr><tr><td><u>Stormwater</u></td><td></td></tr></table>	Table 17.400.080(C) – Summary of Development Standards Eligible for Bonus by Zone		Public Benefit Description	Development Incentive Select one or more bonus item	<u>Stormwater</u>		✓	✓		
Table 17.400.080(C) – Summary of Development Standards Eligible for Bonus by Zone														
Public Benefit Description	Development Incentive Select one or more bonus item													
<u>Stormwater</u>														

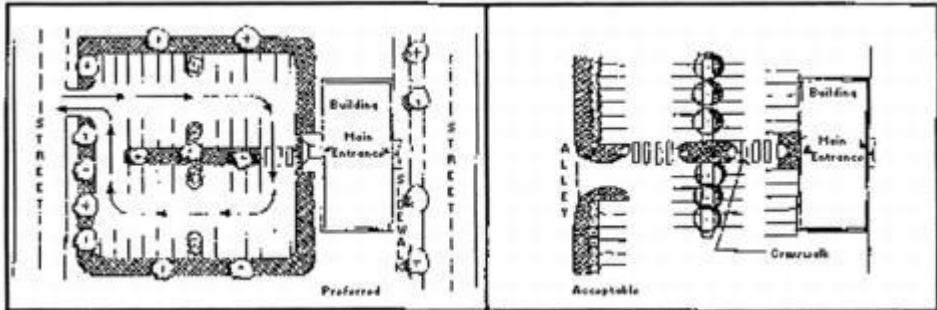
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Section reference, date last updated, page number, etc.	Name of Reviewer(s)	Action taken to meet Permit requirements	Describe/Note How Revision(s) made to meet permit requirements OR if No revision(s) was made to this document, explain why.	Amended Code Language			impervious surfaces	loss of native vegetation	stormwater runoff	Housekeeping
				Project provides a clustered residential project with LID street per Chapter 10.	100% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					
				Project uses permeable surfacing or detention/infiltration methods to reduce overland flow in excess of the 100-year storm requirement, in 75% of circulation, parking and loading areas, except where potential contamination, a specific industrial activity, or other site-specific constraints preclude its use. Contamination sources include vehicle fuel stations, storage of industrial chemicals, oils and grease, and other hazardous substances, dust and dirt storage, etc.	25% excess of 100-year storm infiltrated onsite: 50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus 50% excess of 100-year storm infiltrated onsite: 100% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus					
				Project locates bioretention cells in publicly visible areas, includes a planting plan by a licensed landscape architect, provides a plant maintenance warranty for one year. Bioretention cells treat a minimum of 10,000 sq. ft. of Pollution-Generating Impervious Surfaces (PGIS).	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					
				Net reduction of existing impervious area by 25% and revegetation with native vegetation.	100% Density Bonus 100% Height Bonus					
				Habitat						
				Provide a landscape plan that demonstrates that at least 20% of the significant trees on the buildable area of the site are retained outside of buffers.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					
				Provide multilayered landscaping including native trees, native shrubs and native groundcover on at least 30% of the site.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					

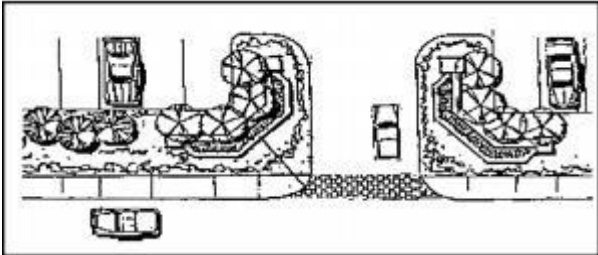
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				Site plan includes a minimum 35-foot habitat corridor (not otherwise required by critical area or shoreline or management overlay regulations) vegetated with native trees, shrubs and groundcover that connect critical areas or permanently preserved natural areas within or adjacent to and across the project site. Site design shall ensure that lighting from adjacent development does not intrude on corridor. The corridor shall be protected with a native growth protection easement or maintained to exclude nonnative invasive species, such as blackberry and Japanese knotweed (See Noxious Weed list for Kitsap County).	100% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					
				Access Improvements						
				Site design for new development is configured in such a way as to allow future businesses and site occupants shared access to roads within or contiguous to the development site.	100% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus					
				Shared access driveway is provided and designed to serve two or more development sites (one may be a future site), a joint tenant building is provided on a site, or the project is located within a multi-tenant commercial center.	50% Density Bonus 50% Height Bonus 50% Impervious Surface Coverage Bonus					
				Shared parking is provided that serves two or more tenants. No additional parking outside of the shared lot(s) may be provided. Shared parking lots shall be located within a 1,200 foot radius of the front door of the building. Number of parking stalls is no more than 50% greater than minimum requirement. in Bremerton Municipal Code Chapter 20.48.	50% Density Bonus 100% Height Bonus 100% Impervious Surface Coverage Bonus					

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				Shared or consolidated loading areas are provided in a central service court or other location that is screened from public view.	25% Density Bonus 25% Height Bonus 25% Impervious Surface Coverage Bonus					
				Table 17.378.080(C) – Summary of Development Standards Eligible for Bonus by Zone						
				Height, Bulk, and Impervious Surface Standards and Bulk	Low Intensity Commercial	Mixed Use Commercial	Urban Restricted			
				Density, Minimum, in units per net acre	0	10	1			
				Density, Base, in units per gross acre	20	20	5			
				25% of bonus	22.5	22.5	6.25			
				50% of bonus	25	25	7.5			
				100% of bonus	30	30	10			
				Density, Maximum, in units per gross acre, subject to incentives	30	30	10			
				Height, Base, in feet	25	25	35			
				25% of bonus	30	35	NA			
				50% of bonus	35	45	NA			
				100% of bonus	45	65	NA			
				Height, Maximum, in feet, subject to incentives	45	65	NA			

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				<div>Impervious Surface Coverage, Standard Maximum, in percent of lot area</div> <div>25% of bonus</div> <div>50% of bonus</div> <div>100% of bonus</div> <div>Impervious Surface Coverage, Maximum, in percent of lot area, subject to incentives</div>	<div>35</div> <div>38.75</div> <div>42.5</div> <div>50</div> <div>50</div>	<div>60</div> <div>66.25</div> <div>72.5</div> <div>85</div> <div>85</div>	<div>45</div> <div>47.5</div> <div>50</div> <div>55</div> <div>55</div>					
17.420.110 Footnotes for tables.		Amend existing code	Amended to replace impervious surface with “hard surface,” which is inclusive of permeable pavement.	A. Where noted on the preceding tables, the following additional provisions apply: [...] 6. Building replacements and remodels shall not create in excess of a total of forty percent impervious <u>hard</u> surface for lot area or more than the total existing impervious <u>hard</u> surface area, whichever is greater. [...] 53. Within the Gorst urban growth area, density, impervious surface coverage , and height may be increased to the maximum listed in the density and dimensions table through compliance with the incentive program described in Section 17.378.080(B).					✓			
17.470.060 Grading and tree/vegetation retention.		No changes/ action taken	None Proposed; existing code language is sufficient to meet permit requirements.							✓		
17.470.070 Open Space.		No changes/	None Proposed; existing code language is sufficient to meet permit requirements.							✓	✓	

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		action taken						
17.470.080 Landscape design.		Amend existing code	Amend to include additional guideline to incorporate vegetation-based LID best management practices	17.470.080 Landscape design. A. Requirement. In addition to the requirements in Chapter 17.385 of this Zoning Code, landscaping and supporting elements (such as trellises, planters, site furniture or similar features) shall be appropriately incorporated into the project design. B. Guidelines. 1. Minimize tree removal and incorporate larger caliper trees to obtain the immediate impact of more mature trees when the project is completed. 2. Provide frameworks such as trellises or arbors for plants to grow on. 3. Incorporate planter guards or low planter walls as part of the architecture. 4. Landscape the open areas created by building modulation. 5. Incorporate upper story planter boxes or roof plants. 6. Retain natural greenbelt vegetation that contributes to greenbelt preservation. 7. On streets with uniform planting of street trees and/or distinctive species, plant street trees that match the street tree spacing and/or species. 8. Use plants that require low amounts of water, including native drought-resistant species, and require low amounts of chemicals and fertilizers. <u>9. Incorporate vegetation-based LID BMPs.</u>			✓	
17.480.050 Site design and orientation – Pedestrian/sidewalk orientation.		Amend existing code	Amend to encourage permeable pavement within bike and pedestrian ways, and to state that planter strips should include vegetation-based LID best management practices where feasible	17.480.050 Site design and orientation – Pedestrian/sidewalk orientation. [...] B. Guideline. 1. Orientation. a. Store fronts should face the core area, center park, and/or sidewalk of the streets on the site (UVC, UTC).	✓		✓	

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				<p>b. Buildings fronting on a center park, green or plaza should be at least two stories high (UVC, UTC).</p> <p>c. Corner lots at major street entry points or Village or Town Center areas should be occupied by buildings or structures designed to emphasize their prominent location (UVC, UTC).</p> <p>d. Locate service and delivery away from the main streets where possible, using alleys or side streets where possible (UVC, UTC).</p> <p>e. Site design should accommodate transit on transit routes:</p> <p>i. Bordering the site, and</p> <p>ii. Within a core area that may have transit service (UVC, UTC).</p> <p>2. Enhanced Pedestrian Access.</p> <p>a. Direct pedestrian access should be provided from sidewalks and parking lots to building entrances, bus stops, and adjacent buildings. Where practical and consistent with the other provisions of the zone, parking isles should be aligned perpendicular to the building, and pedestrian access should be separate from vehicular travel lanes (UVC, UTC).</p>  <p>Parking isles perpendicular to a building entrance are preferred to allow easy and safe connection to building entrances. A convenient pedestrian walkway should be provided between a sidewalk and the building entrance where a sidewalk is separated by a parking lot.</p> <p>b. Where a parking lot separates a building entrance from a sidewalk in the rights-of-way, a pedestrian walkway at least six feet in width should be provided connecting the street, the sidewalk and the building entrance. Such crossings should be clearly marked (UVC, UTC).</p>				

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				<p>c. Define walkways with vertical plants (such as trees or shrubs) and lighting (UVC, UTC).</p> <p>d. Street lights, utility poles, benches, trees, trash receptacles and similar streetscape fixtures should, to the greatest extent practical, be situated so that sidewalks in the rights-of-way have a passable width of at least five feet (UVC, UTC).</p> <p>e. A walkway or shared bike/pedestrian network should be provided throughout the site that interconnects all dwelling units with other units, nonresidential uses, and common open space. Bike and pedestrian ways should be part of the street and alley network, but additional connections may be provided (UVC, UTC). <u>Bike and pedestrian ways shall be designed in accordance with the Kitsap County Road Standards and shall evaluate the use of permeable pavements.</u></p> <p>[...]</p> <p>5. Add Character and Visual Diversity to Walkways.</p> <p>a. Use a change in color and materials such as pavers, brick, stone, and exposed aggregate set in patterns to add interest and variety to walking surface (UVC, UTC).</p>  <p>Pavers can be used to clearly identify pedestrian areas.</p> <p>b. Identify street crossings through changes in color, materials, or patterns (UVC, UTC).</p> <p>c. Separate the pedestrian from the street by placing planters, street trees and planter strips, bollards, or similar elements at the street edge of the sidewalk (UVC, UTC).</p> <p><u>i. Planter strips shall include vegetation-based LID BMPs wherever feasible.</u></p> <p>d. Encourage the use of alleys by pedestrians by providing alleys with lighting, plantings, and paving materials in areas of the site where the alley is or may be used as a pedestrian link (UVC, UTC).</p>				

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				[...]				

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17.500.010 Purpose.		Amend existing code	Amend to promote vegetation-based LID BMPs	Amended Code Language This section shall establish landscaping standards for all development subject to the requirements for permitted, conditional use or performance based development, <u>as well as landscaping standards for vegetation-based Low Impact Development (LID) Best Management Practices (BMPs). Single-family lots shall be exempt, except that landscaping required in Kitsap County Code shall be installed to specifications contained herein.</u> Single family plats shall be exempt, except that landscaping required as a condition of plat approval shall be installed to specifications contained herein.			✓	

17.500.020 Landscape plans.		Amend existing code	Amend to require plans to be prepared by a landscape architect and to require existing vegetation to be shown on plans	<p>Landscape plans required for an application shall be prepared as set forth in this section.</p> <p>A. Landscape plans are to <u>shall</u> be neatly and accurately drawn at a scale that will enable ready identification and recognition of information presented.</p> <p><u>B. The landscape plan shall show all existing landscaping to remain and be labeled accordingly.</u></p> <p><u>C. The landscape plan shall show existing vegetation to remain, including but not limited to mature trees, and be labeled accordingly. Site assessment of existing vegetation shall be performed in conformance with the Kitsap County Stormwater Design Manual.</u></p> <p>BD. The landscape plan shall show how all disturbed areas are to be replanted, (where landscaping is required) including the location and variety of all trees, shrubs and ground cover.</p> <p>CE. The plan shall be accompanied by a plant schedule (list of plant materials used) which depicts the botanical name, common name, size at installation and spacing between individual plants shown on the plan.</p> <p>DF. All plans shall include the following notations:</p> <ol style="list-style-type: none"> 1. Plant quantities to <u>shall</u> be determined by required spacing. 2. All planting beds are to <u>shall</u> receive ground cover throughout except as noted. <u>3. All planting beds shall receive a minimum of 2 inches bark mulch.</u> <p>EG. The landscape plan shall depict areas to be retained in natural vegetation and marked with the words “Native Growth Protection Easement, Existing Native Vegetation to Remain” and refer to the following notation, which is to be included on the landscape and site plans, or in the case of subdivisions, the final plat document.</p> <p>The “Native Growth Protection Easement Note” is intended to protect a sensitive area or provide and preserve a vegetated buffer by means of restricting activities that<u>which</u> affect the vegetation existing in that area. The easement<u>corridor</u> shall be maintained to exclude nonnative invasive species. The statement, “Existing Native Vegetation to Remain” is intended to differentiate between native vegetation and naturalized, non-native vegetation that<u>which</u> naturally occurs through reseeding. Native vegetation is that which has existed in the region and was not introduced to the area by people. Examples include; Douglas fir, Salal and Alder. Naturalized vegetation is a species that was introduced to the area and has spread to the extent that it occurs and propagates itself without being directly planted by people. Examples include: Scotch Broom, Himalaya Blackberry and Purple Loosestrife.</p> <p><u>H. The landscape plan shall show Bbuildings or and structures, existing or and proposed.</u></p> <p><u>I. The landscape plan shall show all existing and proposed access points.</u></p> <p><u>J. The landscape plan shall show all existing and proposed parking spaces and spaces shall be consecutively numbered.</u></p> <p><u>K. Provide a schematic irrigation plan showing irrigation zones and proposed irrigation techniques within each zone or drought tolerant (xeriscape) plan as set forth in KCC 17.385.040.</u></p>		✓		
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17.500.025 Landscaping requirements.	Scott Diener	Amend existing code	Housekeeping amendment	17.385.025 <u>General</u> Landscaping requirements. In all cases where landscaping is required, a minimum of fifteen percent of the total site area shall be landscaped to the standards set forth in Chapter 17.385.				

17.500.027 Buffer types – When required.	Scott Diener	Amend existing code	Amend to promote vegetation-based LID BMPs	<p>The director may require different buffer types depending on the proposed use of the site and adjacent zones and/or uses. <u>Vegetation-based LID BMPs may be utilized within buffers as long as the primary purpose of the landscaping or screening buffer is not compromised.</u> These types <u>of buffers</u> shall include:</p> <p>A. Landscaping <u>Partial Screening Buffer.</u> <u>This type of landscaping is intended to provide partial visual separation of uses from streets and between compatible uses in order to soften the appearance of parking areas and building elevations.</u></p> <p>1. <u>Road-side and setback area buffer.</u> Required along existing or planned roads <u>and side and rear property lines</u> within urban growth areas. The planting area shall encompass the required front setback area- <u>and areas adjacent to side and rear property lines</u> and consist of:</p> <p>a. Evergreen and/or deciduous trees;</p> <p>b. Evergreen shrubs planted to screen parking areas, in an amount and configuration to screen parked cars;</p> <p>c. Ground covers as required;</p> <p>d. Bioswales <u>Bioretention</u> and other drainage features are allowed, only when in a configuration that preserves the integrity of the roadside <u>and setback area</u> planting; and</p> <p>e. Retention of natural <u>Existing</u> vegetation, where feasible <u>and appropriate.</u></p> <p>2. <u>Separation Buffer.</u> <u>This type of landscaping is intended to create a visual separation that may be less than one hundred percent sight-obscuring between compatible land uses or zones. Required along the perimeters of multi-family residential, commercial, industrial and public facility development which abut like zones or uses and consist of:</u> Required along the perimeters of multi-family residential (ten dwelling units an acre or more), commercial, and industrial/business center development which abut like zones or uses. Installation shall vary in numbers and types of vegetation and structures depending on the proposed use and surrounding zones. Trees, shrubs, ground covers and/or fencing are to be provided as required.</p> <p><u>a. Evergreen trees or a combination of approximately sixty percent evergreen and forty percent deciduous trees;</u></p> <p><u>b. Large shrubs planted between trees;</u></p> <p><u>c. Ground covers as required.</u></p> <p><u>d. A sight-obscuring fence may be required if as determined by the department it is necessary to reduce site-specific adverse impacts to adjacent land uses.</u></p> <p>B. <u>Solid Screening Buffer.</u> <u>This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and commercial or industrial uses. It is also intended to provide a sight barrier around outdoor storage yards, service yards, trash receptacles, mechanical and electrical equipment, etc.</u></p> <p>1. <u>Required along the perimeters of multi-family residential, commercial, industrial and public facility development, which abut different uses and/or zones. The buffer shall provide one hundred percent sight-obscuring screening between different uses or zones and shall consist of:</u></p>			✓	
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				<p>Required along the perimeters of multi-family residential (ten dwelling units an acre or more), commercial, and industrial/business center development abutting different uses and/or zones. The buffer shall provide sight-obscuring screening between different uses or zones and shall consist of:</p> <p>a. Two<u>Three</u> offset rows of evergreen trees planted ten feet on center and ground cover; or</p> <p>b. A six-foot screening fence and a single row<u>two offset rows</u> of evergreen trees planted ten feet on center, and ground cover.</p> <p>2. Required for residential subdivisions, or commercial, <u>industrial or public facility</u> development abutting a rural zone, a buffer of twenty-five to fifty feet of sight-obscuring, screening vegetation shall be provided. The director may modify this requirement after evaluating the effects of wind-throw or other safety concerns. In the event that the buffer will only contain high-branching trees which allow visibility through the buffer, a row of evergreen trees planted ten feet on center may be required along the highest point of the buffer.</p> <p>3. Required around the perimeter of storm drainage facilities, <u>with the exception of vegetation-based LID BMPs</u>, to provide sight-obscuring screening from adjacent properties and/or roadways, and consist of:</p> <p>a. A row of large shrubs and ground cover; <u>and/or</u></p> <p>b. A row of evergreen trees planted ten feet on center and ground cover; and/or</p> <p>c. An evergreen vegetation buffer sufficient to provide screening.</p> <p>4d. Retention-Existing of screening vegetation, where feasible <u>and appropriate</u>.</p> <p>5. Other vegetation types and/or configurations that meet the intent of this screening buffer may be approved by the director.</p> <p><u>4. Required around trash receptacles, mechanical and electrical equipment, and other similar above ground items, and consist of:</u></p> <p><u>a. Evergreen shrubs adequate to screen a majority of the equipment or item while providing access to the item.</u></p>				

17.500.030 Installation and maintenance.	Scott Diener	Amend existing code	Amend to promote vegetation-based LID BMPs	<p>Installation and maintenance of landscaping of developments shall be in accordance with the American Nursery Landscaping Association standards. <u>Vegetation-based LID BMPs shall be in accordance with the Kitsap County Stormwater Design Manual (Kitsap Manual).</u></p> <p>A. Plant materials shall be nursery stock or the equivalent quality and installed to industry standards or better.</p> <p>B. Landscape plant materials shall be staked to current industry standards or better. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.</p> <p>C. Minimum Sizes-sizes at Installation<u>installation</u>, <u>except drought-tolerant landscape areas, which shall be subject to the size requirements in Section 17.385.040.</u></p> <ol style="list-style-type: none"> Two-inch caliper street trees and other deciduous trees; Eight feet minimum height multi-stemmed trees (e.g., Vine Maple); Six feet minimum height coniferous/<u>evergreen</u> trees; Eighteen to twenty-four inches height for large and medium shrubs (over six feet at maturity); Twelve to eighteen inches minimum height for small shrubs (three to six feet at maturity); and Drought tolerant landscape areas shall be subject to the size requirements in Section 17.385.040. <p>D. Maximum spacing:</p> <ol style="list-style-type: none"> Street trees and other deciduous trees shall be spaced appropriate to their pattern, generally twenty-five to thirty feet on center for large trees. Coniferous/<u>evergreen</u> trees shall be spaced fifteen feet apart, unless they are within a screening buffer, where the maximum spacing shall be ten feet on center. Large shrubs shall be spaced five feet on center. Medium shrubs shall be spaced four feet on center. Small shrubs shall be spaced three feet on center. <p>E. Ground covers (bark and mulch shall not be considered as ground cover)<u>are</u>are<u>shall be</u> required in all planting areas, unless the entire bed is planted with shrubs that branch out so that they cover the surface of the ground. <u>Ground cover shall be planted and spaced in a triangular pattern which shall result in complete coverage in two years. Bark and mulch shall not be considered as ground cover. Spacing shall be no greater than:</u>Spacing shall be as follows:</p> <ol style="list-style-type: none"> One-gallon pots, twenty-four inches on center; Four-inch pots, eighteen inches on center; Two-and-one-quarter-inch pots, twelve inches on center; and 			✓	
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				<p>4. Grass and sod areas to be one hundred percent.</p> <p>F. Vegetation removal in native growth protection easements. <u>A site assessment permit shall be required prior to any vegetation removal. Authorized removal shall be as follows:</u>is limited to the following cases:</p> <p><u>1. Vegetation removal of naturalized species shall be by hand. No machinery shall be used, except for hand-held implements that do not disturb the native vegetation or soil.</u></p> <p><u>2. Danger Tree Removal. Only trees that present a danger to life or property may be removed. Removal of said trees shall be done only with written approval from the county. Removed trees shall be replaced at a ratio of 3:1 (3 new trees for each tree removed), with nursery stock per KCC 17.385.030.A); and</u></p> <p>1. Hand removal of naturalized species. No machinery is to be used, except for hand-held implements which do not disturb the native vegetation or soil;</p> <p>2. Falling of trees which may present a danger to life or property. Removal of said trees is to be done only with written approval from the county. To solicit said approval, a letter and photograph or detailed plot plan of the area, with all trees to be removed marked on the photo or plan, shall be submitted to the department of community development; and</p> <p>3. Other activities expressly allowed as a condition of approval.</p> <p><u>G. Danger Tree Removal. A site assessment permit shall be required prior to any danger tree removal. Removal of any trees shall be authorized by written approval from the county. Removed trees shall be replaced at a ratio of 3:1 (3 new trees for each tree removed) unless otherwise specified in writing.</u></p> <p>GH. Slopes in landscape areas shall not exceed 3:1 unless specifically approved by the director. Erosion control netting or alternative procedure may be required for slopes exceeding 3:1.</p> <p>HI. Automatic irrigation systems shall be required for all landscape areas except for those designed and approved as drought-tolerant plantings. In unique circumstances alternative methods of irrigation may be approved if specifically proposed as part of the landscape plan.</p> <p>IJ. All planting beds shall receive topsoil or soil amendments as needed to maintain the plants in a thriving condition. <u>Soil amendments for vegetation-based LID BMPs shall comply with the standards set forth in the Kitsap Manual.</u></p> <p>JK. All planting beds shall receive a minimum of two inches of bark mulch, or approved substitute.</p> <p>KL. Landscaping required under the provisions of this title shall be maintained in a healthy growing condition. <u>Vegetation-based LID BMPs shall be maintained as required by the Kitsap Manual.</u></p>				

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				<p>L<u>M</u>. Landscaping lost due to violations of this title, <u>Title 12</u>, -or unforeseen natural events shall be replaced immediately with vegetation that is sufficient in size and spacing as required by this title, <u>or the Kitsap Manual, whichever is applicable</u>.</p> <p><u>N</u>. All landscaping required by this title shall be installed prior to the issuance of any final certificate of occupancy permit or prior to final inspection approval when a site development activity permit is required, unless installation is bonded (or other method), for a period not to exceed six months, in an amount equal to one hundred fifty percent of the cost of material and labor. Fees at the authorized rate shall be assessed for staff to manage the landscape bond.</p> <p>M. All landscaping required by this title shall be installed prior to the issuance of any final certificate of occupancy permit, unless specifically approved by the director and installation is bonded (or other method), for a period not to exceed six months, in an amount equal to one hundred fifty percent of the cost of material and labor.</p> <p>N<u>O</u>. Wetland mitigation plantings are not<u>shall not be</u> considered to be a part of the landscaping requirements.</p>				

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17.500.040 Drought-tolerant landscaping.			Amend to include in the title that xeriscaping is addressed and clarify that on coniferous trees are evergreen trees for laypersons.	<p>17.500.040 Drought-tolerant landscaping <u>or xeriscaping</u>.</p> <p>Drought-tolerant landscaping (xeriscaping) is encouraged as a means of reducing the amount of water use. Xeriscaping reduces maintenance costs by reducing the amount of water used and by avoiding long-term maintenance of an irrigation system. Xeriscaping is especially encouraged on large sites and in those parts of a site separated from public streets and walkways. Drought-tolerant landscaping shall be installed and maintained as set forth in this section.</p> <p>A. There shall be provisions made for irrigation in the first two years following planting. This may include a temporary sprinkler system, or an approved means of manual irrigation. Manual irrigation methods shall be detailed in a written plan, included as a note on the landscape plan and accompanied by a maintenance bond in an amount determined by the director.</p> <p>B. Minimum sizes at installation:</p> <p>1. One-and-one-half-inch caliper deciduous trees;</p> <p>2. Four-foot minimum height multi-stem trees;</p> <p>3. Four-foot minimum height coniferous/<u>evergreen</u> trees;</p> <p>4. Twelve inches minimum height for medium and large shrubs; and</p> <p>5. One-gallon pot size for small shrubs.</p> <p>C. Ground cover is<u>shall be</u> required as in Section 17.385.030(E).</p> <p>D. All plants selected shall be species generally accepted as drought-tolerant in the industryas drought tolerant varieties.*</p>												
<<NEW SECTION>>		Add section	Section added to have specific requirements for landscaping within parking areas	<p><u>17.500.050 - Parking lot landscape and screening.</u></p> <p><u>All surface parking lots, excluding underground or above ground parking garages, with more than 14 stalls shall conform to Table 17.435.040(B). Landscaping shall be provided in the required front, side and rear setback area for surface parking lots and parking garages. One street tree shall be provided at the ends of each row of parking spaces. There shall also be a street tree provided for each 15 spaces. Shrubs and ground cover shall be required in all landscape areas. Up to 50% of shrubs may be deciduous.</u></p> <table><tr><th colspan="2"><u>Table 17.385.040(B) Required Landscape Area per Parking Space</u></th></tr><tr><th><u>Total Number of Parking Spaces</u></th><th><u>Minimum Required Landscape Area</u></th></tr><tr><td><u>15 to 50</u></td><td><u>15 square feet per parking space</u></td></tr><tr><td><u>51 to 99</u></td><td><u>25 square feet per parking space</u></td></tr></table>	<u>Table 17.385.040(B) Required Landscape Area per Parking Space</u>		<u>Total Number of Parking Spaces</u>	<u>Minimum Required Landscape Area</u>	<u>15 to 50</u>	<u>15 square feet per parking space</u>	<u>51 to 99</u>	<u>25 square feet per parking space</u>	✓	✓		
<u>Table 17.385.040(B) Required Landscape Area per Parking Space</u>																
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				<div><div>100 or more</div><div>35 square feet per parking space</div></div> <p><u>2. Landscape Islands—Design.</u></p> <p><u>a. Landscape islands shall be a minimum of one hundred forty-four square feet and no more than five hundred square feet in size. Islands shall be designed so that trees will be planted a minimum of six feet from any hardscape surface. The maximum allowable size of five hundred square feet may be increased to allow for the preservation of existing trees and associated vegetation or to accommodate stormwater treatment/conveyance practices.</u></p> <p><u>b. Islands shall be provided in the following location:</u></p> <p><u>i. Landscaping islands shall be placed at the end of every parking row with a maximum spacing of at least one island for every 15 parking spaces; and</u></p> <p><u>ii. Any remaining required landscaping shall be dispersed throughout the parking lot interior to reduce visual impact.</u></p> <p><u>c. Permanent curbing shall be provided in all landscape areas within or abutting parking areas. Based on appropriate surface water considerations, other structural barriers such as concrete wheel stops may be substituted for curbing.</u></p> <p><u>3. Landscape Islands—Materials.</u></p> <p><u>a. Each planting area must contain at least one tree. Planting areas shall be provided with the maximum number of trees possible given recommended spacing for species type, and the estimated mature size of the tree.</u></p> <p><u>b. No plant material greater than twelve inches in height shall be located within two feet of a curb or other protective barrier in landscape areas adjacent to parking spaces and vehicle use areas.</u></p> <p><u>c. Motor Vehicle Overhang. Parked motor vehicles may overhang landscaped areas up to one foot when wheel stops or curbing are provided. Plants more than twelve inches tall are not allowed within the overhang area.</u></p>						
17.440.080 Storm water component of master plan.		No changes/ action taken	None Proposed; Code section only establishes submittal requirements and is consistent with permit requirements.						✓	
17.440.085 Storm water control standards.		No changes/ action taken	None Proposed; section is consistent with current County Stormwater Management Ordinance						✓	

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17.440.300 Open space component of a master plan.		No changes/ action taken	None Proposed; existing language combines passive open space, habitat areas and trails.			✓		
17.450.010 Purpose.		No changes/ action taken	None Proposed; Purpose is to provide flexibility in design standards, which can help accommodate LID design and LID facilities.		✓	✓	✓	
17.450.040 Standards and requirements – Residential		Amend existing code	Amended to include Vegetation-based LID best management practices	<p>B. Common Open Space. No open area may be accepted as common open space within a performance based development, unless it meets the following requirements:</p> <p>1. The location, shape, size, and character of the common open space is suitable for the performance based development, however in no case shall the common open space be less than fifteen percent of the gross acreage of the subject property(s). No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD;</p> <p>2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided;</p> <p>3. Common open space may be improved for its intended use. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance. <u>Vegetation-based LID BMPs are permitted within common open space areas.</u> The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and</p> <p>[...]</p>			✓	
17.450.045 Standards and requirements – Commercial, industrial and institutional.		Amend existing code	Amended to include Vegetation-based LID best management practices	<p>B. Common Open Space.</p> <p>1. Common open space shall be for public use and may include active or passive recreational uses such as trails or pathways, tot lots, plazas, patios or other amenities;</p> <p>2. Common open space shall be located in a manner suitable for the uses proposed;</p> <p>3. Each project shall contain a minimum of fifteen percent common open space based upon the gross acreage of the site; and</p> <p>4. No area shall be calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the users of the PBD. <u>Vegetation-based LID BMPs within common</u></p>			✓	

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				<p><u>open space areas shall not be deducted from the area calculation of a common open space area.</u> Covered or internal open space areas may be used.</p> <p>[...]</p>				
17.490.010 Off-street parking requirements.		Amend existing code	Amend to allow parking requirements to be decreased when trip reduction programs and availability of public transit are considered on a development by development basis.	<p>The following requirements shall be used as guidelines <u>when determining permit application requirements</u> and, <u>subject to code within this chapter</u>, may be <u>reasonably</u> increased or decreased by the department depending on the specific need or use. 4 Trip demand reduction programs and the availability of public transit <u>may also be considered in decreasing parking requirements</u>. Off-street parking spaces shall <u>otherwise</u> be provided and maintained as set forth in this section <u>chapter</u> for all uses in all zones. Any fractional parking space shall be rounded up to the nearest whole number. Such off-street parking spaces shall be provided at the time:</p> <p>A. A building is hereafter erected or enlarged;</p> <p>B. The use of a building existing on the effective date of this title is changed and/or the building enlarged, parking spaces shall be provided in proportion to the increase only, provided the increase is less than fifty percent. If the increase exceeds fifty percent, parking shall be provided for the entire structure in accordance with the requirements of this section.</p>	✓			
17.490.020 General provisions.		Amend existing code	Amend to include up to 30% compact car spaces, up from 25%, which may result in impervious surface reduction	<p><u>A. Parking analyses shall be provided for all proposed uses as outlined on relevant permit application checklists.</u></p> <p><u>BA.</u> More Than One Use on One or More Parcels. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the director finds that a portion of the floor area, not less than a contiguous one hundred square feet in a retail store will be used exclusively for storage of merchandise which is not being displayed for sale, he may deduct such space in computing parking requirements, but the owners shall not thereafter use the space for any other purpose without furnishing additional off-street parking as required by Section 17.435.030.</p> <p><u>CB.</u> Joint Use of Facilities. The off-street parking requirements of two or more uses, structures, or parcels of land may be satisfied by the same parking or loading space used jointly, if approved by the director, to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their operations and parking needs do not overlap in point of time. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.</p> <p><u>DC.</u> Location of Parking Facilities. Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located on the same parcel or on another parcel not farther than three hundred feet from the building or use they are intended to serve, measured in a straight line from the building. The burden of proving the existence of such off-premises parking arrangements rests upon the person who has the responsibility of providing parking.</p>	✓			

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				<p>ED. Use of Parking Facilities. Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for the storage of vehicles or materials, or for the parking of trucks used in conducting the business or use.</p> <p>FE. Parking in Required Front, Side, Rear Yards or Setbacks. Unless otherwise provided, required parking and loading spaces shall not be located in a required yard or setback, except for development of single-family dwellings or duplexes. <u>Automobile sales may be allowed in no more than 25% of the front yard setback, as shown on an approved site plan.</u></p> <p>GF. <u>Off-site Employee Parking. Off-site employee parking may be used to reduce the number of on-site parking spaces. Off-site parking for employees shall be evidenced by a deed, lease, contract or other appropriate written document.</u></p> <p>HG. Development <u>of</u> and Maintenance Standards for Off-Street Parking Areas. <u>In addition to requirements of KCC 17.435.040 and the Kitsap Manual,</u> Every parcel of land hereafter used as a public or private parking area, including commercial parking lots, shall be developed as follows:</p> <ol style="list-style-type: none"> 1. An off-street parking area for more than five vehicles shall be effectively screened by a sight-obscuring fence, hedge, or planting, on each side which adjoins property situated in any urban low residential (UL) zone, or the premises of any school or like institution; 2. <u>Lighting shall be directed away from adjoining properties. Not more than one foot candle of illumination shall leave the property boundaries;</u>Any lighting used to illuminate the off-street parking areas that exceeds one foot candle at the property line shall be so arranged that it will not project light rays directly upon any adjoining property in any zone; 3. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley; 4. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use, and so drained as to avoid flow of water across sidewalks; 5. Except for parking to serve residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents; 6. Access aisles shall be of sufficient width for all vehicular turning and maneuvering; 67. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, to provide maximum safety of traffic ingress and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through the use of rails, 				

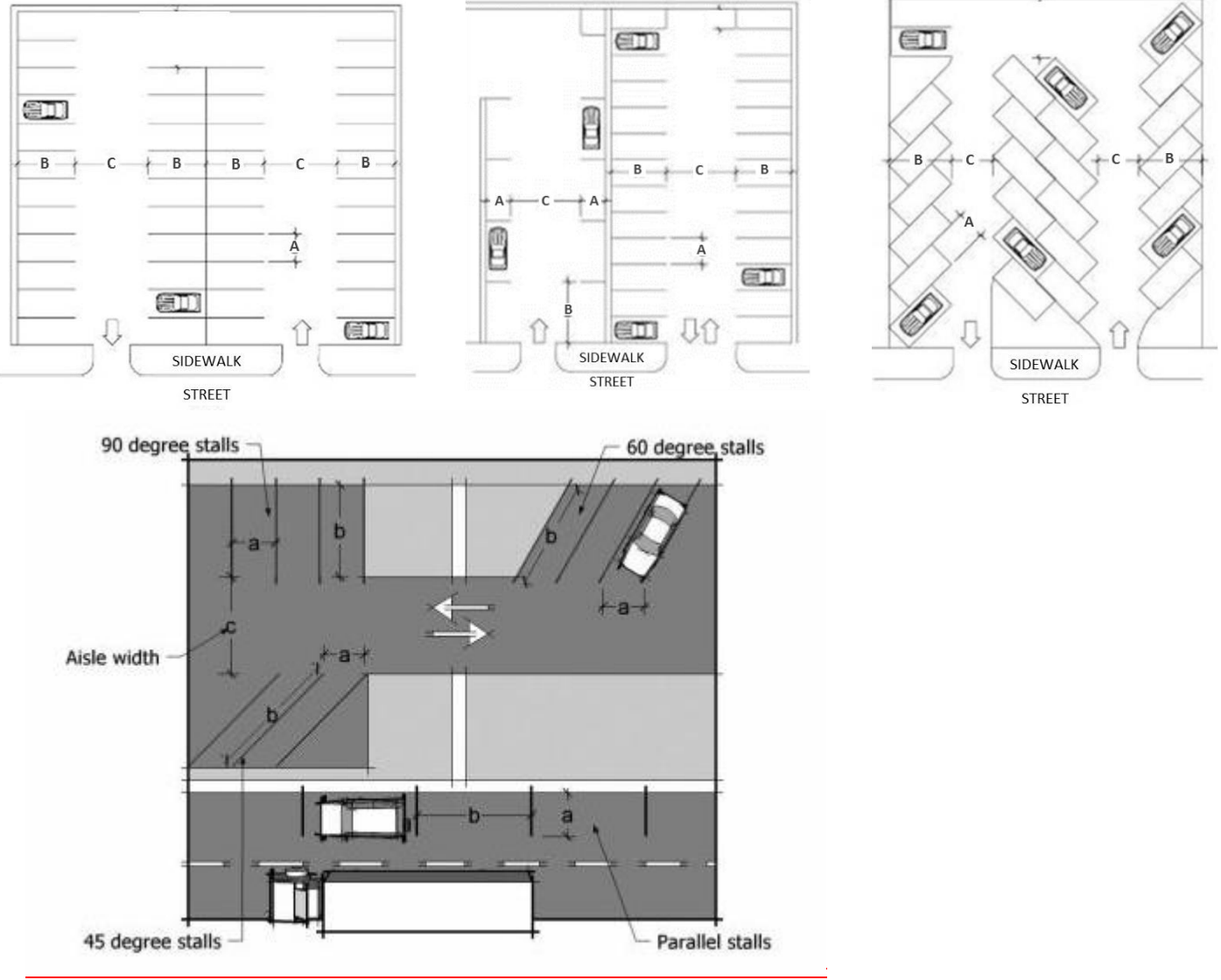
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				fences, walls, or other barriers or markers on frontage not occupied by service drives. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street, other than an alley; <u>78.</u> Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining said lines through points twenty feet from their intersection; <u>89.</u> Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, pedestrian walkway, or a street; and <u>910.</u> When the parking standards require ten or more parking spaces, up to twenty-five <u>thirty</u> percent of these may be compact car spaces, as identified in Section 17.435.040. <u>Compact spaces shall be clearly labeled on the parking space.</u> <u>10. Parking for bicycles should be provided at a ratio of one space per ten vehicle spaces, and shall be required at a ratio of one space per 20 vehicle spaces. Bicycle facilities shall be adjacent to buildings and protected from weather.</u>				

17.490.030 Number of spaces required.		Amend existing code	Amend to include garages in calculation of parking spaces, and allow variation in parking ratios. Other housekeeping amendments.	Off-street parking spaces shall be provided as follows:		✓			
				Land Use	Minimum Parking Spaces Required				
				Residential					
				Single-Family (attached or detached)	<u>During subdivision, 2 per unit + 0.5 per unit on street or set aside; for historical lots or lots with no standing requirement, 3 per unit.</u> 1 additional space for accessory dwelling units or accessory living quarters. Garages are not calculated towards this <u>any parking</u> requirement.				
				Multi-Family (Condos/Townhouses/Apartments)	1.5 per unit + 0.5 per unit on street or set aside				
				Senior Housing	0.5 per unit; 1 per <u>on</u> -duty employee				
				Institutional/Educational/Other					
				Bed and Breakfast	1 per sleeping unit				
				Motels and Hotels	1 per bedroom; and spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.				
				Club/Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurants, auditoriums, etc.				
				<u>Institutional/Educational/Other--continued</u>					
				Hospitals and Institutions	1 per bed; 1 per 2 employees; 1 per 2 guests				
				Places of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium				
				Library and Gallery	1 per 250 gross square feet				
				Preschool-Kindergarten	1 per <u>employee; 1 per 6 children</u> 3 children				
				Elementary/Middle or Junior High School	1 per employee; 2 per classroom				
				High School	1 per employee and teacher; 1 per 10 students				
				Colleges, Technical School	1 per 3 seats in classroom; 1 per employee and teacher				

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				Stadium, Arena, Theater	1 per 4 seats or 8 feet of bench length in the main auditorium					
				Bowling Alley	6 per alley					
				Dance Hall, Skating Rink	1 per 200 gross square feet					
				Self Storage	1 per 3,000 gross square feet					
				Espresso Stands	1 employee parking space per 75 square feet					
				Commercial/Retail/Office						
				Restaurants/Bars/Taverns	If under 5,000 square feet of gross floor area – 1 per 200 square feet of gross floor area; If 5,000 or more square feet of gross floor area – 20 plus 1 per each additional 200 square feet of gross floor					
				Retail stores generating relatively little automobile traffic (e.g., appliance, furniture, hardware and repair stores)	1 per 400 square feet of gross floor area					
				Retail and personal service establishments generating heavy automobile traffic (e.g., department, drug, and auto parts stores, supermarkets, ice cream parlors, bakeries and beauty and barber shops)	1 per 200 square feet of gross floor area					
				Espresso Stands, Drive-In, and Fast Food Restaurants	1 per 80 square feet of gross floor area					
				Professional Office	1 per 300 square feet of gross floor area					
				Physical Fitness Clubs/Gyms	1 per 200 square feet of gross floor area					
				Shops and stores for sales, service or repair of automobile, machinery and plumbing, heating, electrical and building supplies	1 per 600 square feet of gross floor area					
				Commercial/Retail/Office--continued						
				Mortuaries, Funeral Homes, Crematories	1 per 75 square feet of assembly area					

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				Medical and Dental Office or Clinic	1 per 200 square feet of gross floor area					
				Medical and Dental Office or Clinic	1 per 200 square feet of gross floor area					
				Bank, Financial Institutions	1 per 400 square feet of gross floor area					
				Industrial						
				Marinas and Moorage Facilities	1 per 4 moorage slips					
				Warehouse, Storage, and Wholesale Facilities	1 per 2 employees; 1 per company vehicle parked on site at night (if applicable); 1 per 300 square feet of office space					
				Manufacturing, Research, Testing, Processing and Assembly Facilities	1 per 1,000 square feet					
				Winery/Brewery	1 per 800 square feet of gross floor area					
17.490.030 Number of spaces required.		Amend existing code	Amend to allow for flexibility in parking requirements, resulting in reduction of impervious surfaces.	A. Relaxation of Required Spaces. 1. The director may authorize a variance <u>reduction up to 25%</u> to the amount of required off-street parking if a project proponent demonstrates that, due to the unusual nature of the proposed use, it is reasonable that the off-street parking required by this section exceeds any likely need, <u>or that trip demand reduction programs or public transit availability serves to further reduce parking demand.</u> <u>2. An increase over 10% or a reduction greater than 25% from the minimum parking ratio shall be processed pursuant to KCC 17.500.</u> [...]			✓			
17.490.040 Off-street parking lot design.		Amend existing code	Amend to allow permeable pavement and to reduce parking stall dimensions by parking stall type.	<u>A. Permeable Pavement and Parking Dimensions. Use of permeable pavement shall be evaluated and used unless approved as determined by the County to be infeasible in accordance with the Kitsap Stormwater Design Manual. Design and construction shall be done in accordance with the Kitsap Stormwater Design Manual. Each parking space and parking lot aisle shall comply with the minimum dimension requirements in Table 17.435.040 and further displayed in Figure 17.435.040.</u>			✓			

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				<div>Table 17.435.040 Parking Lot Space and Aisle Dimensions</div> <table><tr><th rowspan="2">Parking Stall Type</th><th colspan="2">Minimum Stall Dimensions</th><th colspan="2">Minimum Width for Drive Aisle with Parking-(C)</th></tr><tr><th>Width(A)</th><th>Length(B)</th><th>One-Way</th><th>Two-Way</th></tr><tr><td>Standard parallel</td><td>98 feet*</td><td>23 feet</td><td>12 feet</td><td>20 feet</td></tr><tr><td>Standard 45-degree</td><td>9 feet</td><td>20 feet</td><td>15 feet</td><td>20 feet</td></tr><tr><td>Standard 60-degree</td><td>9 feet</td><td>20 feet</td><td>18 feet</td><td>20 feet</td></tr><tr><td>Standard 90-degree</td><td>9 feet</td><td>20 feet</td><td>20 feet</td><td>24 feet</td></tr><tr><td>Compact – parallel</td><td>8 feet</td><td>16 feet</td><td>12feet</td><td>20 feet</td></tr><tr><td>Compact – all degrees and angled</td><td>8 feet</td><td>16 feet</td><td>20 feet</td><td>24 feet</td></tr></table> <div>*for parallel stalls on-street, 8-foot width may include up to 1 foot of gutter width</div> <div>Figure 17.435.040 Parking Space and Drive Aisle Dimensions</div>	Parking Stall Type	Minimum Stall Dimensions		Minimum Width for Drive Aisle with Parking-(C)		Width(A)	Length(B)	One-Way	Two-Way	Standard parallel	98 feet*	23 feet	12 feet	20 feet	Standard 45-degree	9 feet	20 feet	15 feet	20 feet	Standard 60-degree	9 feet	20 feet	18 feet	20 feet	Standard 90-degree	9 feet	20 feet	20 feet	24 feet	Compact – parallel	8 feet	16 feet	12feet	20 feet	Compact – all degrees and angled	8 feet	16 feet	20 feet	24 feet				
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Standard 90-degree	9 feet	20 feet	20 feet	24 feet																																											
Compact – parallel	8 feet	16 feet	12feet	20 feet																																											
Compact – all degrees and angled	8 feet	16 feet	20 feet	24 feet																																											

Document Name: Code chapter, rules, standards, and other enforceable documents								
Section reference, date last updated, page number, etc.	Name of Reviewer(s)	Action taken to meet Permit requirements	Describe/Note How Revision(s) made to meet permit requirements OR if No revision(s) was made to this document, explain why.	Amended Code Language				impervious surfaces
				 <p>Parking spaces shall be a minimum of nine feet in width and twenty feet in length, provided, there shall be six feet between parallel parking spaces for maneuvering and, provided further, where ten or more spaces are required twenty-five percent may be eight feet in width and eighteen feet in length if designated for compact cars.</p> <p><u>B. Other Requirements. All surface parking lots, excluding underground or above ground parking garages, with more than 14 stalls shall conform to Table 17.435.040(B). Landscaping shall be provided in the required front, side and rear setback</u></p>				

Document Name: Code chapter, rules, standards, and other enforceable documents																
Section reference, date last updated, page number, etc.	Name of Reviewer(s)	Action taken to meet Permit requirements	Describe/Note How Revision(s) made to meet permit requirements OR if No revision(s) was made to this document, explain why.	Amended Code Language	impervious surfaces	loss of native vegetation	stormwater runoff	Housekeeping								
				<p><u>area for surface parking lots and parking garages. One street tree shall be provided at the ends of each row of parking spaces, and a minimum of one street tree shall be provided for each 15 spaces. Parking lots with 100 or more spaces shall provide a landscape strip of street trees every other row between double-loaded rows. This design is encouraged for parking lots with more than 3 double-loaded rows and lots with less than 100 spaces. Shrubs and ground cover shall be required in all landscape areas. Up to 50% of shrubs may be deciduous. Plant size, spacing, and installation standards shall comply with KCC 17.385.</u></p> <p><u>Table 17.435.040(B) Required Landscape Area per Parking Space</u></p> <table><tr><th><u>Total Number of Parking Spaces</u></th><th><u>Minimum Required Landscape Area</u></th></tr><tr><td><u>15 to 50</u></td><td><u>15 square feet per parking space</u></td></tr><tr><td><u>51 to 99</u></td><td><u>25 square feet per parking space</u></td></tr><tr><td><u>100 or more</u></td><td><u>35 square feet per parking space</u></td></tr></table> <p><u>C. Screening Buffer. A screening perimeter buffer shall be provided in compliance with Chapter 17.385.</u></p> <p><u>D. Pedestrian Walkways. Pedestrian walkways shall be provided from the parking lot to building entrances. Parking lots with a landscape strip between double-loaded rows shall provide pedestrian walkways next to the landscape strip leading to building entrances.</u></p> <p><u>E. Refer to Appendix A Parking Lot Design for graphical representation of design elements for this chapter.</u></p>	<u>Total Number of Parking Spaces</u>	<u>Minimum Required Landscape Area</u>	<u>15 to 50</u>	<u>15 square feet per parking space</u>	<u>51 to 99</u>	<u>25 square feet per parking space</u>	<u>100 or more</u>	<u>35 square feet per parking space</u>				
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17.490.050 Off-street loading.		Amend existing code	Allow for shared loading areas, resulting in potential for reduced impervious surface	<p>A. When Required. Off-street loading and unloading spaces are <u>shall be</u> required for all commercial, <u>industrial</u>, and multi-family uses having a gross floor area of over four thousand square feet to and which <u>provide</u> or <u>receive from which</u> deliveries or pickups are made by trucks or truck-trailer combinations over thirty-five feet in length more frequently than <u>once per month</u>ly. <u>Lots less than 10,000 square feet may share required off-street loading areas with adjacent properties, so long as there are no on-site alternatives, loading areas are consistent with dimensional requirements of KCC 17.435.050, and there is a written agreement between the property owners. Loading areas may share designated parking spaces, so long as loading/unloading occurs when the use is closed for business and during which time parking is not needed or used.</u></p> <p>B. Design Requirements. Loading and unloading spaces shall be minimum forty-five feet in length, ten feet in width and provide for clearance of fifteen feet. Adequate access shall be provided to each space. <u>Except as noted above, no</u> area required for off-street parking may be used as a loading or unloading space.</p> <p>C. Number of Spaces Required. The following number of off-street loading and unloading spaces is required:</p> <table><tr><th>Gross Floor Area<u>Square Feet</u></th><th>Required Number of Spaces</th></tr><tr><td>4,000 – 9,999</td><td>1</td></tr><tr><td>10,000 – 24,999</td><td>2</td></tr><tr><td>25,000 – 99,999</td><td>3</td></tr><tr><td>100,000 – 200 000</td><td>4</td></tr><tr><td>Additional 50,000 <u>over 200,000</u></td><td>1</td></tr></table>	Gross Floor Area <u>Square Feet</u>	Required Number of Spaces	4,000 – 9,999	1	10,000 – 24,999	2	25,000 – 99,999	3	100,000 – 200 000	4	Additional 50,000 <u>over 200,000</u>	1	✓			
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Additional 50,000 <u>over 200,000</u>	1																			
17.490.060 Handicapped parking.		Amend Existing Code	Housekeeping amendment	Off-street parking and access for physically disabled persons shall be provided in accordance with the regulations of the Americans with Disabilities Act (ADA) and Title 14 of <u>Kitsap County</u> this c Code.																