

KITSAP COUNTY BOARD OF HEALTH ORDINANCE 2008-01

ONSITE SEWAGE SYSTEM AND GENERAL SEWAGE SANITATION REGULATIONS

Policy #7: Requirements for Special Residential Situations

Effective Date: May 1, 2008, Revised April 10, 2014, June 8, 2017, August 8, 2018, June 7, 2019

Purpose: The purpose of this policy is to clarify the regulatory requirements from the Kitsap County Health District (Health District) and the Kitsap County Department of Community Development (KCDCD) for permitting special residential situations beyond standard single family residential homes. It is the intent of this policy to provide interested persons and staff with a coordinated, detailed list of the conditions necessary to satisfy the regulatory requirements of the Health District and KCDCD for specialized residential situations, particularly for properties served by on-site sewage systems (OSS).

The following special residential situations are addressed in the following pages:

1. Accessory dwelling unit (ADU)
2. Accessory living quarters (ALQ)
3. Guest quarters (GQ)
4. Guest house (GH)
5. Special care manufactured homes
6. Seasonal RV occupancies ("Snow bird")
7. Construction living quarters (CLQ)
8. Outbuildings/garages with plumbing
9. DSHS Adult Family Homes

Policy: Special residential situations shall be addressed as follows:

1. ACCESSORY DWELLING UNIT (ADU)

A. Definition/Description: A secondary residence on a single lot, detached from the primary residence, that contains provisions for sleeping, cooking, and sanitation. Refer to Kitsap County Code 17.430.020.N (or as amended) for additional information. (*See Section II, Accessory Living Quarters, for a secondary residence located within, or attached to, the primary residence.*)

B. Requirements and Restrictions:

- The minimum land area required is **two-times** the minimum lot size required by the Health District for one single-family residence, based on soil type and type of water supply (See Kitsap County Board of Health Ordinance No. 2008-01, Section 15, Minimum Land Area Requirements for Developments Using Onsite Sewage Systems).
****Exception:** For lot sizes larger than 1 acre, but less than 2 acres, on an individual well, a lot size waiver may be granted provided that the applicant can meet both the Private Two-Party Water Supply Requirements and provide for conforming onsite sewage systems (primary and reserve) for both residences. (HEALTH DISTRICT)
- The ADU structure shall be sized according to Department of Community Development requirements. The ADU shall not be a mobile home or recreational vehicle. (KCDCD)
- Kitchen facilities are required. (KCDCD)
- A full bath is required. (KCDCD)
- A separate septic tank is required for the ADU. (HEALTH DISTRICT)
- The ADU primary and reserve drainfields shall each be sized as a two-bedroom, minimum. The primary residence and ADU may share an appropriately sized drainfield, although it is recommended that they each have their own drainfield. Any new drainfields (regardless for which unit they serve) must meet current OSS code requirements. (HEALTH DISTRICT)
- A separate water availability letter is required for the ADU if it is served by a public water system. Water adequacy is required for well systems, and two-party water system capabilities are required.
- A notice to title is required. (KCDCD).
- The ADU must be designed to maintain the appearance of the primary residence. (KCDCD)
- The ADU must be located within 150 feet of the primary residence, or be located in an existing detached structure. (KCDCD)
- No ADU will be a mobile home or a recreational vehicle. (KCDCD)
- The ADU will take its access from the same road approach as the primary residence. (KCDCD)
- The ADU shall provide additional off-street parking. (KCDCD)
- The property owner must reside in either the primary residence or ADU. (KCDCD)
- The unit may be rented. (KCDCD)
- Only one ADU is allowed per lot. (KCDCD)
- An ALQ (see Section II.) is not allowed on a lot with an ADU. (KCDCD)

- An ADU is a permitted use in all urban residential zones, but requires a conditional use permit in all rural residential zones. (KCDCD)
- An ADU will meet all building setback requirements of the zone in which it is located. (KCDCD)

2. ACCESSORY LIVING QUARTERS (ALQ)

A. Definition/Description: A secondary living unit with provisions for sleeping, cooking and sanitation *included within the primary residence*. Refer to Kitsap County Code 17.430.020.O (or as amended) for additional information.

B. Requirements and Restrictions:

- The ALQ must be connected --- that is, it must be accessible from and within --- the primary residence. This connection may be a locked door, but it must be connected to avoid classification in the building code as a duplex. (KCDCD)
- The ALQ may have its own separate entrance in addition to, but not in place of, access from within the primary residence. (KCDCD)
- The ALQ structure shall be sized according to the requirements of the Department of Community Development. (KCDCD)
- Kitchen facilities are required. (KCDCD)
- A full bath is required. (KCDCD)
- The ALQ primary and reserve drainfields shall each be sized as a minimum one-bedroom so long as the ALQ shares its use with the primary residence. If the flows from the ALQ are separated from the primary residence, the primary and reserve drainfields shall be sized as a minimum 2-bedroom. Any new drainfields (regardless for which unit they serve) must meet current OSS code requirements. (HEALTH DISTRICT)
- A notice to title is required. (KCDCD).
- The owner must reside in the primary residence or ALQ. (KCDCD)
- The unit may be rented. (KCDCD)
- Only one ALQ is allowed per lot. (KCDCD)
- An ALQ is not allowed on a lot with an ADU. (KCDCD)
- An ALQ is permitted in all residential zones and requires no separate land use permit. (KCDCD)

3. GUEST QUARTERS (GQ)

A. Definition/Description: A secondary living area within an existing dwelling **without** provisions for cooking. GQ are **not** dwelling units, and therefore not subject to the conditions and requirements of KCC 17.430.020.O. (or as amended).

B. Requirements and Restrictions:

- The minimum land area required is the minimum lot size for one single family residence, based on Health District standards for soil type and type of water supply. (HEALTH DISTRICT)
- The GQ shall have a maximum of two bedrooms. (KCDCD)
- Maximum of one full bath permitted. (KCDCD)
- Kitchen facilities are not permitted. (KCDCD)
- A separate septic tank is not required for the GQ if sized and located appropriately, although it is recommended. (HEALTH DISTRICT)
- The drainfield size is based on the total number of bedrooms for GQ and primary residence on the property. Any new drainfield additions required (regardless for which unit they serve) must meet current code requirements for treatment. (HEALTH DISTRICT)
- A separate water availability letter is not required. (HEALTH DISTRICT)
- A recorded notice to title specifying the above items is required. (HEALTH DISTRICT and KCDCD)
- The GQ cannot be rented. (KCDCD)
- Only one GQ per parcel. (KCDCD)

4. GUEST HOUSE (GH)

A. Definition/Description: A living structure separated from the primary residence, and **without** provisions for cooking. Guest Houses are **not** dwelling units, and therefore not subject to the conditions and requirements of KCC 17.430.020.N. (or as amended).

B. Requirements and Restrictions:

- The GH must comply with the setback requirements for an accessory building in the zone (KCD CD)
- No kitchen plumbing, appliances, sink or provisions for cooking of any kind. (KCD CD)
- Maximum of two bedrooms. (KCD CD)
- A separate septic tank for the GH is recommended but not required. (HEALTH DISTRICT)
- The drainfield size is based on the total number of bedrooms for GH and primary residence on the property. Any new drainfield additions required (regardless for which unit they serve) must meet current code requirements for treatment. (HEALTH DISTRICT)
- Maximum of one full bath. (KCD CD)
- A recorded notice to title is required. (HEALTH DISTRICT and KCD CD)
- The GH cannot be rented. (KCD CD)
- Only one GH per parcel. (KCD CD)

5. SPECIAL CARE MANUFACTURED HOMES

A. Definition/Description: A temporary use, limited occupancy structure, separate from the primary residence, specifically for the specialized care of a family member or relative by reason of advanced age or ill-health, as defined in KCC 17.465 (or as amended).

B. Requirements and Restrictions:

- The unit must be removed when it is no longer needed as a special care unit, or when the main house is sold or unoccupied. (KCDCD)
- Occupancy is limited to no more than two family members. (KCDCD)
- For new development, the minimum land area required is the minimum lot size for one single family residence, based on Health District standards for soil type and type of water supply. For existing development, there is no minimum land area requirement provided that all existing and proposed structures and drainfields fit on the property. (HEALTH DISTRICT)
- Kitchen facilities are required. (KCDCD)
- A full bath is required. (KCDCD)
- A separate septic tank (and pump tank if necessary) may be required for the special care unit. (HEALTH DISTRICT)
- The primary and reserve drainfield areas for the special care unit shall each be sized as a two-bedroom minimum. (HEALTH DISTRICT)
- A separate water availability letter is not required. (HEALTH DISTRICT)
- A notice to title is required. (KCDCD)
- The owner must reside either in the primary residence or the special care unit. (KCDCD)
- Only one Special Care MH is allowed per parcel. (KCDCD)
- The unit cannot be rented. (HEALTH DISTRICT and KCDCD)
- A temporary building permit is required, which must be renewed annually. (KCDCD)

KCDCD and HEALTH DISTRICT will review, on a case-by-case basis, proposals to add special care units without additional septic tanks or drainfields when an emergency need exists.

6. TEMPORARY RV; i.e., “Snowbird/Seasonal RV Occupancy”

A. Definition/Description: A rural building site with all utilities available for a habitable residence, where a RV can be occupied for a limited three month period. Refer to Kitsap County Code 17.110.650 and 17.455.090 H (or as amended) for additional information.

B. Requirements and Restrictions:

- Only properties located in three rural residential zones – Interim Rural Forest, Rural Protection or Rural Residential are eligible for a Temporary RV permit. (KCDCD)
- No holding tanks are permitted. (KCDCD)
- The property must have an approved minimum two bedroom OSS installed with approved water source available. (KCDCD and HEALTH DISTRICT)
- The RV must be 200 square feet or larger. (KCDCD)
- The RV cannot be rented. (KCDCD)
- The RV must be sited to meet the setback requirements for the zone. (KCDCD)
- The RV must be occupied by the property owner or an immediate family member. (KCDCD)
- A building permit is required each time the RV is placed on the parcel. (KCDCD)
- No more than one RV per parcel. (KCDCD)

7. CONSTRUCTION LIVING QUARTERS (CLQ)

A. Definition/Description: A temporary habitable structure occupied during the construction of a primary residence. Refer to Kitsap County Code 17.455.090 D (or as amended) for additional information.

B. Requirements and Restrictions:

- The CLQ must meet all the setback requirements of the zone. (KCDCD)
- The CLQ must meet all the setback requirements of Kitsap County Board of Health Ordinance 2008A-01, Table 1A.
- A Building Permit must be issued and kept active for legal occupancy of the CLQ. (KCDCD)
- The property must have an approved minimum two-bedroom OSS installed with approved water source available (holding tank chemicals may not be disposed of in the OSS), or a holding tank permit must be obtained from the Health District. (HEALTH DISTRICT)
- If the CLQ is a recreational vehicle which has self-contained holding tanks and liquid level alarms, a pumping contract must be obtained with a HEALTH DISTRICT certified pumper. (HEALTH DISTRICT)
- The CLQ may not be rented.
- The CLQ must be vacated and removed prior to KCDCD final of building permit approval. (KCDCD and HEALTH DISTRICT)

8. GARAGES/OUTBUILDINGS WITH PLUMBING

A. Definition/Description: Garages or other structures (i.e., home office, recreation room, etc.) that are not dwelling units and are not intended for ongoing habitation or residency, but for intermittent use. Not an ADU, ALQ, GQ, GH, or CLQ.

B. Requirements and Restrictions:

- The property must have an approved minimum two bedroom OSS installed with approved water source available. (KCDCD and HEALTH DISTRICT)
- The structure must be shown on the approved Building Site Application or Building Clearance. (KCDCD and HEALTH DISTRICT)
- No kitchen facilities allowed. (KCDCD and HEALTH DISTRICT)
- No bedrooms allowed. (HEALTH DISTRICT)
- Sink and toilet only, no notice to title required. (HEALTH DISTRICT)
- Full bath requires a notice to title. (KCDCD and HEALTH DISTRICT)
- No rental allowed. (KCDCD and HEALTH DISTRICT)

9. ADULT FAMILY HOMES

A. Definition/Description: These are residential homes licensed to care for up to six non-related residents. They provide room, board, laundry, necessary supervision, and necessary help with activities of daily living, personal care and social services. (RCW 70.128.010).

B. Additional Requirements and Restrictions:

- The property must be served by a public water source (WAC 246-291 – Group B Public Water Systems – Definitions (61)) (WA DEPARTMENT OF HEALTH).
- The septic system must be sized to meet the number of bedrooms that the home contains (HEALTH DISTRICT).
- In general, Adult Family Homes generate effluent exceeding typical residential sewage as defined Kitsap County Board of Health Ordinance 2008A-01. A septic system serving an Adult Family Home must include a treatment component approved to meet, at a minimum, Category 2 requirements as specified in the List of Registered On-site Treatment and Distribution Products, and all other provisions of Kitsap County Board of Health Ordinance 2008A-01 (HEALTH DISTRICT).
- Monitoring & Maintenance is required (HEALTH DISTRICT).
- Ongoing, annual sampling (at minimum) is required for BOD5, TSS & FOG (HEALTH DISTRICT).
- Requires local building official approval prior to construction or modification (KCDOD)