

# KitsapCounty

## PLANNING COMMISSION

### STAFF REPORT

### Title 17 Definition Edits

**DATE:** July 21, 2026  
**TO:** Kitsap County Planning Commission  
**FROM:** Garrett Ballew, Long Range Planner  
**SUBJECT:** Title 17 Definition Edits

**EXHIBITS:**

1. Draft Ordinance
2. SEPA DNS

### OVERVIEW

Kitsap County is proposing edits to Kitsap County Code (KCC) Title 17 *Zoning*. In response to recent data center permitting activity and development occurring in nearby jurisdictions, the County has identified a need to further clarify the definitions of "Research laboratories" (KCC 17.110.658) and "Warehousing and distribution" (KCC 17.110.743).

### BACKGROUND

Data centers are often large-scale development projects that can have substantial land use, resource and infrastructure requirements. They require significant amounts of electricity and water for operation and cooling, which may have implications for local utilities, natural resources, and environmental conditions, including water quality.

DCD is awaiting technical and best practices guidance by several groups and actions:

- The Governor’s Data Center Workgroup, led by the Department of Revenue, issued a preliminary report in December 2025. The report suggests the Utilities and Transportation Commission and the Department of Commerce create reporting for new large loads across regulated and public utilities, including data quality, documentation, and transmission needs. It also recommends directing and funding the Department of Ecology to develop best

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practices for siting and operating data centers with input from permitting agencies, industry, Tribes, local governments, and utilities, addressing water resources, Tribal rights/resources, air resources, greenhouse gas emissions, and cumulative impacts.

- Federal Executive Order 14365 “Ensuring a National Policy Framework for Artificial Intelligence,” dated December 2025, addresses state-level AI and potentially data-center-related regulations. It directs the U.S. Secretary of Commerce, within 90 days, to evaluate existing state AI laws and identify “onerous” laws that conflict with the federal policy of a minimally burdensome national AI framework. The final report is not yet available.
- Several groups, including the Washington State Association of Counties and the National Association of Counties are collaborating to propose legislation or best practices guidance for use by its county membership.

The County is following the status of these efforts and is monitoring regional trends to understand potential approaches to regulating and managing data centers.

Recently, neighboring jurisdictions have received applications for data centers submitted under use classifications such as research laboratories or warehouses. The proposed revisions to these definitions in Title 17 will provide greater clarity regarding the intended scope of those uses in Kitsap County.

### Department Recommendation

Having analyzed the proposed amendment and other alternatives, if applicable, the Department recommends:

- Adoption of the amendment:
  - as proposed above
  - as described in Alternative below
  - with revisions described below
  - with conditions described below
  - Deferral of the amendment to a future docket
  - Denial of the amendment

### Substantive Findings

- The proposed code amendments were developed with opportunities for public participation and comment as required by GMA and the State Environmental Policy Act (SEPA), chapter 43.21C RCW.

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- The proposed code amendments were developed according to, and are compliant with, the requirements of GMA, chapter 36.70A RCW, the Countywide Planning Policies, the Kitsap County Comprehensive Plan, Kitsap County Code, and other applicable laws and policies.
- The proposed code amendments are consistent with the Kitsap County Comprehensive Plan by:
  - Adding clarity to existing sections of code.
  - Creating more predictability and certainty in development standards and the permit review process.
- The proposed code amendments promote the public interest and welfare of the citizens of Kitsap County.

### Procedural Findings

- Public outreach regarding the proposed amendments was conducted through a dedicated up-to-date web page, postings in the Kitsap Sun newspaper, and direct notification GovDelivery subscribers.
- On June 30, 2026, a State Environmental Policy Act (SEPA) Determination of Non-significance was issued for proposed amendments. A 14-day comment period concluded on July 14, 2026.
- On July 6, 2026, the County published the draft ordinance, summary of changes, SEPA DNS, and SEPA checklist to the project website.
- A public hearing with the Planning Commission, with combined deliberations and findings of fact, is scheduled for July 21, 2026.
- Staff is scheduled to brief the Board of County Commissioners on the draft code on July 22, 2026, at a DCD Monthly Update. The public hearing on the proposed ordinance with the Board is scheduled for August 10, 2026, and will be followed by deliberations and potential adoption in late summer/early fall of 2026.

### Other Alternative Considered

No official alternatives are considered as a part of this staff report.

### Comprehensive Plan Consistency

The proposal is supportive of the Kitsap County Mission: Kitsap County government exists to protect and promote the safety, health and welfare of our citizens in an efficient, accessible, and effective manner.

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The proposal incorporates elements of the Kitsap County Vision Statement:

- A Resilient Community – Provide inclusive, accessible, and efficient government services that effectively inform and engage residents where they are, respecting local input in transparent decision making, acting always with professionalism and integrity.
- An Engaged and Connected Community - Establish strong connections with and among residents, community groups, neighborhoods, and organizations through timely, useful, inclusive, and responsive communication, outreach and events.

## SEPA

The DNS SEPA Determination of Non-Significance (DNS) was issued on June 30, 2026. The DNS Comment period ended July 14, 2026.

## PUBLIC OUTREACH/PARTICIPATION

Kitsap County’s public involvement and outreach for this amendment meets the requirements of the Growth Management Act (RCW 36.70A) of early and continuous involvement, as well as the procedures outlined in Kitsap County Code (KCC 21.08). The Department conducted public outreach as shown below.

- **Project Webpage.** Kitsap County created a dedicated webpage for the Title 17 code edits. The webpage provides an opportunity for the public to stay current with the development and review process, as well as submit comments, sign up for notifications, and review all draft documents related to the update.
- **Planning Commission.** A public hearing with the Planning Commission, with combined deliberations and findings of fact, is scheduled for July 21, 2026.
- **Board of Commissioners.** Staff will brief the Board of County Commissioners on the draft code on July 22, 2026, at a DCD Monthly Update. The public hearing on the proposed ordinance with the Board is scheduled for August 10, 2026, and will be followed by deliberations and potential adoption in late summer/early fall of 2026.