

1 **ORDINANCE NO. ____ -2017**

2 **AN ORDINANCE AMENDING KITSAP COUNTY CODE FOR INTERNAL**
3 **CONSISTENCY**

4 **WHEREAS**, the Washington Constitution, Article XI, Section 11, confers upon county
5 legislative authorities the police power to adopt regulations necessary to protect the health, safety
6 and well-being of its residents; and

7 **WHEREAS**, RCW 36.32.120(7) provides that the county legislative authorities shall make and
8 enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are
9 not in conflict with state law; and

10 **WHEREAS**, the state Growth Management Act (GMA), Chapter 36.70A RCW, requires that
11 Kitsap County adopt development regulations that are consistent with and implement the
12 comprehensive plan; and

13 **WHEREAS**, on August 8, 2016, Kitsap County adopted Ordinance No. 536-2016, “An
14 ordinance amending Kitsap County Code (KCC) concerning agriculture” to provide
15 predictability and flexibility in the agricultural use permitting process, which included certain
16 changes to KCC Title 17 ‘Zoning’; and

17 **WHEREAS**, on August 31, 2016, Kitsap County adopted Ordinance No. 538-2016 “Kitsap
18 County Code concerning reasonable measures,” which also changed sections in KCC Title 17
19 ‘Zoning’. The Title 17 changes adopted through Ordinance No. 538-206 inadvertently re-
20 inserted language into two Title 17 sections, due to concurrent code adoption processes; and

21 **WHEREAS**, an amendment is necessary to restore changes made by Ordinance 536-2016 and to
22 maintain internal consistency within KCC Title 17 ‘Zoning’.

23 **BE IT ORDAINED:**

24 **Section 1.** Section 17.410.040, last amended by Ordinance 540-2016, is amended as indicated in
25 Appendix A: Zoning Use Tables.

26 **Section 2.** Section 17.410.050, last amended by Ordinance 540-2016, is amended as indicated in
27 Appendix B: Footnotes for zoning use tables.

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1 **Section 3. Severability.** If any provision of this ordinance or its application to any person or
2 circumstance is held invalid or unconstitutional, the remainder of the ordinance or its application
3 to other persons or circumstances shall not be affected.

4 **Section 4. Scribner’s Error.** Should any amendment to Kitsap County Code Title 17 that was
5 passed by the Board during its deliberations on this Ordinance be inadvertently left out upon
6 publication, the explicit action of the Board as discussed and passed shall prevail upon
7 subsequent review and verification by the Board.

8 **Section 5. Recitals.** The recitals herein shall be findings of fact and are incorporated herein by
9 reference.

10 **Section 6. Effective Date.** This Ordinance shall take effect immediately.

11 ADOPTED this __ day of _____, 2017.

12 **BOARD OF COUNTY COMMISSIONERS**
13 **KITSAP COUNTY, WASHINGTON**

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19 **CHARLOTTE GARRIDO**, Chair

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22 **EDWARD E. WOLFE**, Commissioner

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25 **ROBERT GELDER**, Commissioner

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29 ATTEST:

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31 _____
32 Dana Daniels, Clerk of the Board

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34 APPROVED AS TO FORM:

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36 Deputy Prosecuting Attorney