

ORDINANCE AMENDING KITSAP COUNTY ZONING CODE KCC 17.110

BE IT ORDAINED:

Section 1. General Findings. The Kitsap County Board of Commissioners (Board) makes the following general findings:

1. Kitsap County is subject to the requirements of the Washington State Growth Management Act (GMA), Chapter 36.70A RCW.
2. The GMA, in RCW 36.70A.130(1), mandates that Kitsap County's Comprehensive Plan and development regulations be subject to continuing review and evaluation.
3. RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law.
4. After review of Kitsap County Code, the Department of Community Development (DCD) identified amendments to Kitsap County Code Title 17 which are intended to increase consistency, clarity, and predictability regarding the uses of research laboratories and of warehousing and distribution.
5. Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making amendments to development regulations. Specifically, KCC 21.08.100 outlines review by the Kitsap County Planning Commission and KCC 21.08.110 outlines review by the Board of County Commissioners. For any amendment, the following shall be considered:
 - a. whether the proposal is supported by capital facility plans;
 - b. whether the proposal is consistent with the requirements of the GMA, Kitsap Countywide Planning Policies or other applicable laws or provisions of the Comprehensive Plan;
 - c. whether the proposal reflects current local circumstances; and
 - d. whether the proposal bears a substantial relationship to the public's general health, safety, morals, or welfare.

Section 2. General Procedural Findings. The Kitsap County Board of Commissioners (Board) makes the following procedural findings:

- 1
2 **1.** Public outreach regarding the proposed amendments was conducted
3 through a dedicated up-to-date web page, postings in the Kitsap Sun newspaper,
4 and direct notification to GovDelivery subscribers.
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- 6 **2.** On June 26, 2026, a 60-day Notice of Intent to Adopt was sent to the
7 Washington State Department of Commerce as required by RCW 36.70A.106.
8
- 9 **3.** On June 30, 2026, a State Environmental Policy Act (SEPA) Determination of
10 Non-significance was issued for proposed amendments. A 14-day comment period
11 concluded on July 14, 2026. No comments were received.
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- 13 **4.** On July 21, 2026, following timely and effective public notification, the
14 Planning Commission held a public hearing to accept comments from interested
15 parties. The written comment period closed with the Planning Commission
16 receiving 27 comments. The Planning Commission considered the proposed
17 amendments, the testimony presented, and the record; made recommendations
18 through approved motions during deliberations; approved findings of fact,
19 conclusions, and recommendations regarding the proposed amendments; and
20 forwarded those findings, conclusions, and recommendations to DCD for
21 consideration by the Kitsap County Board of County Commissioners.
22
- 23 **5.** On XXX, 2026, Kitsap County issued a Notice of Public Hearing for the Board
24 of County Commissioners in the legal publication of record regarding the content of
25 the proposed amendments.
26
- 27 **6.** On August 24, 2026, the written comment period closed and
28 following timely and effective public notification, the Board held a public hearing to
29 accept comments from interested parties.
30
- 31 **7.** On XXX, 2026, during a regularly scheduled and properly noticed meeting,
32 the Board of County Commissioners considered the proposed amendments,
33 ordinance, the testimony presented, and the record. The Board moved to continue
34 deliberations to the XXX, 2026 Board of County Commissioners meeting.
35
- 36 **8.** On XXX, 2026, during a regularly scheduled and properly noticed meeting,
37 the Kitsap County Board of Commissioners continued deliberations and adopted
38 the Ordinance.

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40 **Section 3. Substantive Findings related to the Comprehensive Plan. The Board of**
41 **County Commissioners (Board) makes the following findings:**
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1 1. The proposed code amendments were developed with opportunities for
2 public participation and comment as required by GMA and the State Environmental
3 Policy Act (SEPA), chapter 43.21C RCW.

4
5 2. The proposed code amendments were developed according to, and are
6 compliant with, the requirements of GMA, chapter 36.70A RCW, the Countywide
7 Planning Policies, the Kitsap County Comprehensive Plan, Kitsap County Code, and
8 other applicable laws and policies.

9
10 3. The proposed code amendments promote the public interest and welfare of
11 the citizens of Kitsap County.

12
13 **Section 4. Kitsap County Code Section 17.110.658 Research laboratory, last**
14 **amended by Ordinance 611-2022, is amended as follows:**

15
16 **17.110.658 Research laboratory.**

17
18 “Research laboratory” means a building or group of buildings used for scientific research,
19 investigation, and testing, or experimentation, but not facilities for the manufacture or sale
20 of products, except as incidental to the main purpose of the laboratory. Research
21 laboratories are characterized by the presence of researchers, technicians, scientists,
22 engineers, or similar personnel conducting research, investigative, testing, or experimental
23 activities within the laboratory, testing areas, or related workspaces. A research laboratory
24 may include associated offices, equipment, and support spaces directly related to
25 research functions. Facilities whose primary function is equipment operation, utility
26 service provision, storage, warehousing, or other activities not involving ongoing research,
27 investigation, testing, or experimentation by on-site personnel are not research
28 laboratories.

29
30 **Section 5. Kitsap County Code Section 17.110.743 Warehousing and distribution,**
31 **last amended by Ordinance 611-2022, is amended as follows:**

32
33 **17.110.743 Warehousing and distribution.**

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35 “Warehousing and distribution” means a use involving a facility where only physical goods
36 are received and/or stored for delivery to other firms or the final customer., physical
37 merchandise, physical materials, or physical equipment are stored for subsequent
38 distribution, sale, transfer, or use elsewhere. A use that does not maintain an inventory
39 consisting exclusively of physical goods shall not be considered warehousing and
40 distribution.

41
42 **Section 6. Scrivener’s Error.**

1 Should any amendment made to this Ordinance that was passed by the Board during its
2 deliberations inadvertently be left out of the final printed version of the plan, maps, or
3 code, the explicit action of the Board as discussed and passed shall prevail upon
4 subsequent review and verification by the Board and shall be corrected.
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6 **Section 7. Severability.**

7 If any provision of this ordinance or its application to any person or circumstance is held
8 invalid or unconstitutional, the remainder of the ordinance or its application to other
9 persons or circumstances shall not be affected.

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11 **Section 8. Effective Date.**

12 The effective date of this ordinance will be the date of adoption.

Adopted this XX day of XX, 2026

BOARD OF COUNTY COMMISSIONERS
Kitsap County, Washington

ATTEST:

ORAN ROOT, Chair

KATHERINE T. WALTERS, Commissioner

Clara Jewell, Interim Clerk of the Board

CHRISTINE ROLFES, Commissioner

Approved as to form:

Lisa Nickel, Deputy Prosecuting Attorney