

1 **ORDINANCE NO. \_\_\_\_ -2016**

2 **AN ORDINANCE AMENDING KITSAP COUNTY CODE CONCERNING**  
3 **REASONABLE MEASURES**  
4

5 **WHEREAS**, the state Growth Management Act (GMA), Chapter 36.70A RCW, requires that  
6 certain jurisdictions, including Kitsap County, periodically review development that has occurred  
7 to evaluate the consistency of actual development to the County’s adopted countywide planning  
8 policies (CPPs), comprehensive plan goals and policies, and development regulations through a  
9 Buildable Lands Report (BLR); and

10 **WHEREAS**, GMA requires that if the BLR shows inconsistencies between actual growth and  
11 adopted plans, policies and regulations, the jurisdiction is required to take action by “reasonable  
12 measures” designed to reduce such inconsistencies, RCW 36.70A.215(4); and

13 **WHEREAS**, the Central Puget Sound Growth Management Hearings Board recently noted that  
14 the Kitsap County BLR still demonstrated certain inconsistencies that should be addressed  
15 through the comprehensive plan update process; and

16 **WHEREAS**, while Kitsap County adopted some reasonable measures during the comprehensive  
17 plan process through Ordinance No. 534-2016, the Board of Commissioners committed to  
18 evaluating additional reasonable measures through the summer of 2016; and

19 **WHEREAS**, Kitsap County proposes these updates to the development regulations to effectively  
20 address requirements set forth in the Growth Management Act (GMA) and to reduce  
21 inconsistencies between actual development and the CPPs, comprehensive plan and development  
22 regulations; and

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

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

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

32 **WHEREAS**, the Board of County Commissioners finds that the following amendments meet  
33 GMA requirements and are reasonably likely to increase consistency between the CPPs,  
34 comprehensive plan and development regulations.

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**BE IT ORDAINED:**

**Section 1.** Findings of fact were made by the Planning Commission regarding recommendations to amend the Kitsap County Code Title 17 ‘Zoning’.

**Section 2.** Section 17.410.040 ‘Zoning use tables, adopted by Ordinance 534-2016, is amended as indicated in Appendix A: Chapter 17.410 ‘Allowed Uses’.

**Section 3.** Section 17.410.050 ‘Footnotes for zoning use tables,’ adopted by Ordinance 534-2016, is amended as indicated in Appendix A: Chapter 17.410 ‘Allowed Uses.’

**Section 4.** Section 17.420.050 ‘Tables,’ adopted by Ordinance 534-2016, is amended as indicated in Appendix B: Chapter 17.410 ‘Density, Dimensions, and Design.’

**Section 5.** Section 17.420.060 ‘Footnotes for tables,’ adopted by Ordinance 534-2016, is amended as indicated in Appendix B: Chapter 17.410 ‘Density, Dimensions, and Design.’

**Section 6.** Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional, the remainder of the ordinance or its application to other persons or circumstances shall not be affected.

**Section 7.** Recitals. The recitals herein shall be findings of fact and are incorporated herein by reference.

**Section 8. Typographical/Clerical Errors.** Should any amendment made to this Ordinance that was passed by the Board during its deliberations be inadvertently left out of the final printed version of the plan, maps, or code, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board, and shall be corrected.

**Section 9.** Effective Date. This Ordinance shall take effect immediately.

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ADOPTED this \_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
**EDWARD E. WOLFE**, Commissioner (Chair)

\_\_\_\_\_  
**CHARLOTTE GARRIDO**, Commissioner

\_\_\_\_\_  
**ROBERT GELDER**, Commissioner

ATTEST:

\_\_\_\_\_  
Dana Daniels, Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Prosecuting Attorney

Attachment: Code Update: Reasonable Measures APPENDIX.