



1 **FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE KITSAP COUNTY**  
2 **PLANNING COMMISSION TO THE BOARD OF COUNTY COMMISSIONERS REGARDING THE**  
3 **APPROVAL OF THE PROPOSED AMENDMENTS TO KITSAP COUNTY CODE TITLES 15 (FLOOD**  
4 **HAZARD AREAS).**

5  
6 **Section 1 – General Findings**

7 The Kitsap County Planning Commission finds as follows:

- 8 1) Kitsap County is subject to the Floodplain requirements of the Washington State  
9 Department of Ecology and FEMA, RCW 86.16.031.
- 10 2) RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce,  
11 by appropriate resolutions or ordinances, all such police and sanitary regulations as are not  
12 in conflict with state law.
- 13 3) Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making  
14 amendments to development regulations. Specifically, KCC 21.08.100 outlines review by the  
15 Kitsap County Planning Commission. In its making recommendations, the Planning  
16 Commission shall consider:
- 17 a. whether the proposal is supported by the capital facility plan;
  - 18 b. whether the proposal is consistent with the requirements of the GMA, Kitsap  
19 Countywide Planning Policies or other applicable laws or provisions of the  
20 Comprehensive Plan;
  - 21 c. whether the proposal reflects current local circumstances; and
  - 22 d. whether the proposal bears a substantial relationship to the public’s general health,  
23 safety, morals or welfare.
- 24 4) As a result of a Washington State Department of Ecology (Ecology) Community Assistance  
25 Visit, Kitsap County Department of Community Development (Department) proposed  
26 amendments to KCC Titles 15 (Flood Hazard Areas) in order to be in compliance with the  
27 FEMA Model Ordinance for Washington State and maintain National Flood Insurance  
28 Program (NFIP) rates for Kitsap County property owners.

29 **Section 2 – GENERAL PROCEDURAL FINDINGS**

30 The Kitsap County Planning Commission finds as follows:

- 31 1) On May 27, 2021 Kitsap County Board of County Commissioners received a letter from  
32 Ecology detailing the need for revision to sections of KCC Title 15 in order to be in review



## **KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT**

- 1 compliance with the current FEMA Model Ordinance for Washington State. Subsequently,  
2 Kitsap County DCD received a copy of recommended and required updates from Ecology.
- 3 2) On September 15, 2021, Department staff briefed the Board of County Commissioners on  
4 proposed code amendments based on the requirements of Ecology.
- 5 3) On September 27, 2021, Department staff briefed the DCD Department Advisory Group on  
6 proposed code amendments.
- 7 4) On October 18, 2021, following timely and effective notice, the Planning Commission held a  
8 work study session about the proposed amendments to the Flood Hazard Areas Ordinance.  
9 Department staff provided a detailed briefing on all proposed code amendments and  
10 oriented the Planning Commission the strikeout and redline drafts to Title 15.
- 11 5) On October 27, 2021, Department staff published a Notice of Public Hearing.
- 12 6) On October 27, 2021 a public comment period on proposed amendments began and  
13 remained open until November 16, 2021. No comments were received.
- 14 7) On November 16, 2021, Department staff submitted a 60-day notice of intent to adopt  
15 amendment to Washington State Department of Commerce.
- 16 8) On November 16, 2021, following timely and effective notice, the County held a public  
17 hearing with the Planning Commission.
- 18 9) On December 7, 2021, following timely and effective notice, the Planning Commission held  
19 deliberations and made a recommendation via an approved motion to approve the  
20 proposed amendments as presented.
- 21 10) On December 21, 2021, during a regularly scheduled and properly noticed meeting, the  
22 Planning Commission approved findings of fact, conclusions, and recommendations  
23 regarding the proposed amendments and forwarded them to the Department and the  
24 Kitsap County Board of Commissioners for consideration.

### **Section 3 – General Substantive Findings.**

26 The Kitsap County Planning Commission finds as follows:

- 27 1) The proposed code amendments were developed with multiple opportunities for public  
28 participation and comment as required by the GMA.
- 29 2) The proposed amendments are supported by the capital facility plan.



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

1 3) The proposed amendments are consistent with the GMA, chapter 36.70A RCW, Kitsap  
2 County-wide Planning Policies, the Kitsap County Comprehensive Plan, and other applicable  
3 requirements.

4 4) The proposed amendments reflect current local circumstances and promotes the general  
5 public health, safety, morals and welfare.

6 **NOW THEREFORE**, the Kitsap County Planning Commission recommends to the Department of  
7 Community Development as follows:

8 **RECOMMENDATION: Approval and adoption of the proposed amendments to Kitsap**  
9 **County Code Titles 15 attached here to as Appendix A and incorporated herein by this**  
10 **reference:**

11 **Appendix A: [Title 15 \(Flood Hazard Areas\)](#)**

12 **Approved by the Planning Commission of Kitsap County, Washington, at a regular meeting**  
13 **thereof, held this 21<sup>st</sup> day of December, 2021.**

14 **BY** \_\_\_\_\_  
15 **JOE PHILLIPS, CHAIR**