



Planning Commission Executive Summary

Issue Title: Stormwater Business Pollution Prevention Ordinance (BMP Ordinance)
Meeting Date: May 17, 2022
Time Required: 60 minutes
Department: Public Works – Stormwater Division
Attendees: Aislin Gallagher, Michelle Perdue

Action Requested At This Meeting:

Planning Commission deliberations and recommendation on proposed code amendments to Title 12 and consideration of public comments and testimonies.

Background

As a requirement of the Washington State Department of Ecology's Western Washington Phase II Municipal Stormwater Permit, Kitsap County is directed to establish a source control program to prevent and reduce pollutants in stormwater runoff from certain types of publicly- and privately-owned institutional, commercial, and industrial businesses and land uses by requiring them to apply measures to stop pollution before it enters the County's stormwater system.

As part of this new program, the County is required to establish an ordinance that requires businesses to address accumulation of pollutants that originate from daily business/site activities, spill incidents, improper disposal, or other indirect sources by implementing Best Management Practices.

Kitsap County proposes draft amendments to the development code KCC Title 12-Stormwater Drainage, Chapter 12.20 Stormwater Management.

Where we are

Phase 3: Review and Analysis (April – May 2022)

The proposed ordinance amending Title 12 was available for formal public consideration per Kitsap County Code (KCC) 21.08.100 (review by planning commission). A Kitsap County Planning Commission public hearing was held on May 3, 2022. The public comment period closed on May 6, 2022, at 5:00 P.M.

Deliberations approach

The Planning Commission has one deliberation meeting scheduled for May 17, 2022. The May 17 Planning Commission meeting will include deliberations, consideration of public comments and testimonies, and a recommendation to the Board of County Commissioners on proposed code amendments to Title 12.

Due to the tight timeframe to process public comments, for this Planning Commission deliberation meeting the Department is transmitting responses and recommendations for all comments received.

The Department will transmit complete and final responses and recommendations, a draft findings of fact document, and an updated staff report in advance of the June 7th Findings of Fact meeting.

Comments Received during Public Comment and Hearing with Planning Commission

The Department received and recorded 77 comments since the opening of the public comment period on February 23rd. Five public testimonies were recorded during the public hearing on May 3rd.

At the time of this summary transmittal, the Department has reviewed and binned all comments into a comment matrix.

State Environmental Policy Act (SEPA) Determination

Department staff submitted the SEPA Checklist for a non-project action to the Kitsap County SEPA coordinator for review and determination. A Determination of Nonsignificance was issued per WAC 197-11-340(2) on April 25, 2022. The SEPA comment and appeal period ended on May 9, 2022, with no public comments received.

Next steps

Once complete, the Department will share all public comments and County responses with the Kitsap County Planning Commission and the Board of County Commissioners.

Following the Planning Commission's findings of fact and deliberation meetings, and transmittal of the Planning Commission's recommendations to the Department, the Department will revise its draft Title 12 amendments as appropriate for consideration by the Kitsap County Board of Commissioners. The Board will hold a public hearing in July 2021 and will deliberate and render a final decision on the Title 12 amendments by July 25, 2021.

Upcoming meetings and important dates

- **May 17** – Planning Commission Deliberation
- **June 7** – Planning Commissioner Deliberation and Findings of Fact

Attachments

1. Kitsap Title 12 Source Control Planning Commission Comment Matrix