



Kitsap County Department of Community Development

2024 Critical Areas Ordinance Update Project Work Plan

1. Introduction

The Kitsap County Community Development Department will review and update its Critical Areas Ordinance (CAO) with adoption planned in December of 2024. Critical Areas Ordinances must be evaluated and, if needed, revised every eight years per the schedule provided in RCW 36.70A.130. In 2022, the eight-year comprehensive plan periodic update cycle was extended to a 10-year cycle after the upcoming cycle. The CAO was last updated in 2017 and will be updated in conjunction with the 2024 Comprehensive Plan Update.

The Growth Management Act (GMA) requires all cities and counties in Washington to adopt regulations protecting “critical areas in order to preserve the natural environment, wildlife habitats, and sources of fresh drinking water. Critical areas regulation also encourages public safety by limiting development in areas prone to natural hazards like floods and landslides.

2. Objectives

The objective of the CAO update are as follows:

1. Compliance with state mandates
2. Incorporation of any recent BAS or new information available since the last update in 2005 (limited amendments in 2007) (WAC 365-195-915);
3. Consideration and incorporation of any recent court or Growth Management Hearings Board decisions;
4. Receive technical guidance regarding each type of Critical Areas and update as needed. The five critical areas include:
 - Wetlands
 - Areas with a critical recharging effect on aquifers used for potable water
 - Fish and wildlife habitat conservation areas
 - Frequently flooded areas
 - Geologically hazardous areas
5. Integrate critical areas regulations with other County efforts including the 2024 Comprehensive Plan Update, Natural Resources as an Asset, Monitoring Effectiveness.
6. Inclusion of code corrections or other amendments identified by staff while implementing the CAO;

3. Audience

There are several audiences – individuals and agencies – that will participate or be effective by Housekeeping and clarifying edits in Kitsap County Code:

- **General Public:** Residents, landowners, and business owners in unincorporated Kitsap

County.

- **Elected and Appointed Officials:** Kitsap County Board of Commissioners, Planning Commission, and Hearing Examiner.
- **County Staff** – PEP Division and DSE Division
- **Tribal Governments**
- **State Agencies -**
- **Community Groups -**

4. Outreach & Engagement Approach

The Department will start the project with a briefing to both the Planning Commission and Board of County Commissioners. Following these briefings, the project scope will be adjusted if necessary. County Staff will provide notification to the public via GovDelivery and allow for the opportunity for public comment.

- Public Engagement
 - The Department will facilitate one (1) briefing with the County’s Planning Commission and Board of County Commissioners to present and refine the Department’s initial proposal. These meetings are open to the public but written and verbal comment will not be accepted
 - The Department will facilitate one (1) virtual general meeting.
 - The Department will create and maintain a project website
 - The Department will facilitate two in-person and/or virtual open house meetings.
 - The Department will meet with community groups and external stakeholders as needed.
- Internal Staff
 - The Project lead(s) will meet with internal staff regularly, to encourage collaboration across divisions and identify needs and review code development.
- Technical Advisory Groups
 - Technical Advisory Groups (TAGs) will be developed that consist of internal staff, external stakeholders, and subject matter experts. Individual TAGs will be created for all 5 critical area types.
 - At least two (2) meetings will be held with each Technical Advisory Group.
 - A summary matrix of changes will be created following meetings with TAGs.
- Notifications and Public Hearings
 - In line with many of the major project milestones, The Department will send notification to the public and agencies via GovDelivery.

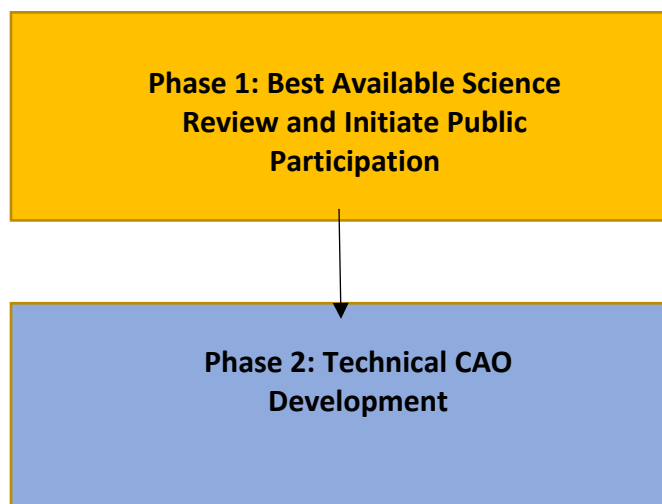
- The Department will build and maintain an interested party notification list that will receive project announcements when opportunities exist to attend community events or to provide public comment.
- The Department will complete the State Environmental Policy Act (SEPA) review process which includes opportunities for the public to provide comments on the proposed alternatives and its possible environmental impacts.
- Public notices will be posted in the Kitsap Sun and on the County website prior to public hearings before the Planning Commission and Board of County Commissioners.

5. Major Milestones

Below are the major milestones summarized for the update process. For more detail, please see the draft schedule (Attachment A).

- Planning Commission and BoCC Briefings –January 2023
- Best Available Science (BAS) Document – March 2023
- Commerce Checklist Completed – March 2023
- TAG Meetings – April 2023- November 2023
- Summary of meetings with TAGs – December 2023
- Draft CAO Amendments – February 2024
- Staff Report – February 2024
- SEPA Issuance – March 2024
- Final CAO Amendments – June 2024
- Planning Commission Hearing – September 2024
- Board Public Hearing – December 2024
- Board Adoption of CAO – December 2024

6. Project Phases





**Phase 3: Review and Adoption
Process**



Kitsap County Department of Community Development

7. Project Schedule

Title 19 CAO Update Scope of Work			
DUE DATE	LEAD	ACTION	DELIVERABLE
2022			
December 9	The Watershed Company	Develop scope of work and detailed schedule of process	<ul style="list-style-type: none"> Draft scope of work and schedule to County for review (Task 1.1)
December 16	The Watershed Company	Develop BAS Report outline	<ul style="list-style-type: none"> Draft BAS Report outline to County for review (Task 2.1)
December 30	County	Review scope of work and detailed schedule of process	<ul style="list-style-type: none"> Comments on draft scope of work and schedule to Watershed for revisions, as needed
December 30	County	Review BAS Report outline	<ul style="list-style-type: none"> Comments on BAS Report outline to Watershed
2023			
January 6	The Watershed Company	Revise scope of work and detailed schedule of process, as needed	<ul style="list-style-type: none"> Final draft scope of work and schedule to County (Task 1.1)
January	County	Develop public participation plan (build off of Comprehensive Plan)	<ul style="list-style-type: none"> Detailed PPP
January	County	PC and BoCC Briefing	<ul style="list-style-type: none"> Scope Schedule PPP
January – March	County	Engage with current planners to identify other needed updates	<ul style="list-style-type: none"> List of internal CAO update recommendations
February	County	Meet with legal regarding legislative review update	<ul style="list-style-type: none"> Legislative review summary

Title 19 CAO Update Scope of Work			
DUE DATE	LEAD	ACTION	DELIVERABLE
February 3	The Watershed Company	Develop BAS references	<ul style="list-style-type: none"> Initial list of potentially applicable BAS references to County for review (Task 2.1)
February 10	County	Review BAS references	<ul style="list-style-type: none"> Comments on initial list of potentially applicable BAS references to Watershed for revisions, as needed (to be reflected in BAS Report)
March	County	Set up topic-specific TAGs and tentative meeting schedule	<ul style="list-style-type: none"> List of TAG members Schedule of TAG meetings based on scope of CAO updates
March 3	The Watershed Company	Develop BAS Report	<ul style="list-style-type: none"> Draft BAS Summary Report to County for review (Task 2.2)
March 3	The Watershed Company	Develop Commerce Checklist	<ul style="list-style-type: none"> Draft Commerce Checklist to County for review (Task 2.3)
March 17	County	Review BAS Report	<ul style="list-style-type: none"> Comments on draft BAS Summary Report to Watershed for revisions, as needed
March 17	County	Review Commerce Checklist	<ul style="list-style-type: none"> Comments on draft Commerce Checklist to Watershed for revisions, as needed
Late March – Early April	County	Identify CAO update needs based on BAS review and internal staff recommendations	<ul style="list-style-type: none"> Scoping Matrix of required and recommended discretionary code updates for BoCC review Scoping Matrix of CAO updates including climate change goals and policies (combined)

Title 19 CAO Update Scope of Work			
DUE DATE	LEAD	ACTION	DELIVERABLE
March 31	The Watershed Company	Revise BAS Report, as needed	<ul style="list-style-type: none"> Final Draft BAS Summary Report to County (Task 2.4)
March 31	The Watershed Company	Revise Commerce Checklist, as needed	<ul style="list-style-type: none"> Final Draft Commerce Checklist to County (Task 2.5)
April	County	PC and BoCC update	<ul style="list-style-type: none"> Scoping Matrix Confirmed TAG members
April	County	Initial outreach	<ul style="list-style-type: none"> Press Release? Gov to Gov notification Citizens Advisory Committee updates re: schedule and opportunities for public engagement
April	County and The Watershed Company	*Wetlands: TAG #1	<ul style="list-style-type: none"> BAS and initial summary of changes matrix
May	County and The Watershed Company	*Frequently Flooded Areas/Critical Aquifer Recharge Areas: TAG #1	<ul style="list-style-type: none"> BAS and initial summary of changes matrix
June	County and The Watershed Company	*Fish Wildlife Habitat Conservation Area: TAG #1	<ul style="list-style-type: none"> BAS and initial summary of changes matrix
July	County and The Watershed Company	*Geohazards: TAG #1	<ul style="list-style-type: none"> BAS and initial summary of changes matrix
August	County and The Watershed Company	*Wetlands: TAG #2	<ul style="list-style-type: none"> Matrix responding to initial TAG comments
September	County and The Watershed Company	*Frequently Flooded Areas/Critical Aquifer Recharge Areas: TAG #2	<ul style="list-style-type: none"> Matrix responding to initial TAG comments
October	County and The Watershed Company	*Fish Wildlife Habitat Conservation Area: TAG #2	<ul style="list-style-type: none"> Matrix responding to initial TAG comments
November	County and The Watershed Company	*Geohazards: TAG #2	<ul style="list-style-type: none"> Matrix responding to initial TAG comments

Title 19 CAO Update Scope of Work			
DUE DATE	LEAD	ACTION	DELIVERABLE
December	County and The Watershed Company	*Special Reports / Appendices	<ul style="list-style-type: none"> Initial summary of changes matrix
2024			
January – February	County	Staff report	<ul style="list-style-type: none"> Draft Staff Report
February 2	The Watershed Company	Develop Preliminary Draft CAO amendments	<ul style="list-style-type: none"> Preliminary Draft CAO amendments to County for review (Task 4.1)
February 16	County	Review Preliminary Draft CAO amendments	<ul style="list-style-type: none"> Comments on Preliminary Draft CAO amendments to Watershed for revisions, as needed
February 29	The Watershed Company	Revise Preliminary Draft CAO amendments	<ul style="list-style-type: none"> Draft CAO to County (Task 4.1)
March	County	PC and BoCC briefing	<ul style="list-style-type: none"> Review and comment: TAG and staff recommendations
March – April	County and The Watershed Company	Public Comment Period	<ul style="list-style-type: none"> Combined draft (redline) Press Release Comment Matrix CACs, Open House, Website
March 8	The Watershed Company	Develop SEPA document	<ul style="list-style-type: none"> Preliminary Draft SEPA document (checklist or addendum) to County for review (Task 5.1)
March 15	County	Review SEPA document	<ul style="list-style-type: none"> Comments on Preliminary Draft SEPA document (checklist or addendum) to Watershed
March 22	The Watershed Company	Revise SEPA document, as needed	<ul style="list-style-type: none"> Draft SEPA document (checklist or addendum) to County (Task 5.1)

Title 19 CAO Update Scope of Work			
DUE DATE	LEAD	ACTION	DELIVERABLE
April	County	SEPA Review	<ul style="list-style-type: none"> • SEPA Determination (30-day comment period) • Notice of Intent to Adopt (Commerce)
May	County and The Watershed Company	Develop matrix responding to public comments	<ul style="list-style-type: none"> • Public comment response matrix (Task 4.2)
May	County	PC and BoCC briefing	<ul style="list-style-type: none"> • Review and comment on draft comment matrix / changes
June	County and The Watershed Company	Compile “final” draft for legislative review process	<ul style="list-style-type: none"> • Final draft (Task 4.3)
Legislative Process w/ Comprehensive Plan			
July	County	PSRC Review	<ul style="list-style-type: none"> • Comments received
August	County	Map revisions	<ul style="list-style-type: none"> • Updated maps, as needed
September – October	County	Planning Commission	<ul style="list-style-type: none"> • Recommended Title 19 updates • Findings of Fact
November – December	County	BoCC	<ul style="list-style-type: none"> • Approved and adopted Title 19 updates