



Planning Commission Executive Summary

Issue Title: Shoreline Master Program Periodic Review Update
Meeting Date: February 16, 2021
Time Required: 60 minutes
Department: Department of Community Development (DCD)
Attendees: Jeff Rimack, Angie Silva, Dave Ward, Kirvie Mesebeluu-Yobech, Dan Nickel (The Watershed Company)

Action Requested At This Meeting:

No action requested. For briefing and discussion.

Background

The Department of Community Development is undertaking a periodic review of Kitsap County's Shoreline Master Program, as required by the Washington State Shoreline Management Act, RCW 90.58.080(4). The Shoreline Management Act requires Kitsap County's Shoreline Master Program be reviewed, and revised if needed, once every eight years. The periodic review ensures the Shoreline Master Program remains current with changes in state laws and rules and remains internally consistent with County plans and regulations. This periodic review also provides an opportunity to propose clarifications and process improvements consistent with the Shoreline Management Act.

Where we are

Phase 3: Review and Analysis (February – April 2021)

Proposed amendments to the Shoreline Master Program and associated consistency revisions to related development codes are available for your formal consideration per Kitsap County Code (KCC) 21.08.100 (review by planning commission). Kitsap County and the Washington State Department of Ecology are accepting comments on a periodic review of the Shoreline Master Program under RCW 90.58.080(4). Kitsap County has opted for a joint review, public hearing and comment period with Ecology per WAC 173-26-104 and WAC 173-26-110.

Public comments during the Planning Commission review process will be accepted from February 2 to March 3, 2021 at 5:00 P.M. A joint Kitsap County Planning Commission and Department of Ecology public hearing will be held on March 2, 2021.

The February 16th Planning Commission meeting is the second study session on proposed draft amendments to the Kitsap County Shoreline Master Program. This is an opportunity for the Planning Commission to discuss in depth the proposed draft amendments prior to the March 2, 2021 joint public hearing with the Department of Ecology. Subsequent deliberations and findings of fact meetings are scheduled on March 16 and April 6, 2021.

Staff Report

Prior to the March 2 public hearing, the Department is releasing a staff report on proposed amendments that include findings, conclusions, and proposed recommendations. Per KCC 21.08.100, the staff report must be made available to the public ten days before the joint public hearing on March 2 with the Planning Commission and Department of Ecology.

State Environmental Policy Act (SEPA) Determination

Department staff submitted the SEPA Checklist for a non-project action to the Kitsap County SEPA official for review and determination. The SEPA comment/appeal period is expected to begin on February 18 for fourteen days, ending on March 3rd. The SEPA comment period aligns with the February 2 - March 3 joint Planning Commission and Department of Ecology public comment period.

Proposed Draft Amendments

The [DRAFT Shoreline Master Program](#) revisions, all related proposed amendments and documents for public review are available on Kitsap County's [SMP project webpage](#).

- [DRAFT Shoreline Master Program](#) (KCC Title 22) and [Appendix F](#)
- [DRAFT Critical Areas Ordinance](#) (KCC Chapter 19.200)
- [DRAFT Land Use and Development Procedures](#) (KCC Chapter 21.04)
- [DRAFT Flood Hazard Areas](#) (KCC Title 15)

Next steps

At the conclusion of the comment period, the County will prepare a response to comments and recommend whether changes are consistent with state law and rules, etc. Public comments and County responses will be shared with the Department of Ecology, the Kitsap County Planning Commission, and Board of County Commissioners.

Following the March 2 joint public hearing, time has been set-aside for the Planning Commission to have two deliberation and findings of fact meetings on March 16 and April 6, 2021.

Following the Planning Commission recommendation and findings of fact, the Kitsap County Board of Commissioners will hold a public hearing in May 2021 to deliberate and render a final decision on the SMP amendments by June 30, 2021. Once final action by ordinance is taken, the Department will submit SMP amendments to the Department of Ecology for final approval and action per WAC 173-26-120. Ecology will review

amendments for consistency with state laws and rules. Ecology may either approve the program as adopted locally, may recommend changes or deny based upon consistency with RCW 90.58.

Upcoming meetings and important dates

- **February 18** – February Project Update and Virtual Open House Refresh
- **March 2** – Joint Public Hearing with the Kitsap County Planning Commission and the Washington State Department of Ecology
- **March 3, 2021 at 5:00 P.M.** – Public comment period closes
- **March 16** – Planning Commission Deliberation and Findings of Fact
- **April 6** – Planning Commissioner Deliberation and Findings of Fact (if needed)

Attachments

1. Staff Report - Shoreline Master Program Periodic Review