



Kitsap County Department of Community Development

Staff Report and Recommendation 2020-2021 Kitsap Shoreline Master Program Periodic Review

Report Date	02/10/2021
Hearing Date	03/2/2021, Joint Public Hearing with the WA State Department of Ecology per WAC 173-26-104
Amendment Type	Kitsap County Development Code Update
Description	<p>The Department of Community Development recommends approval of the proposed amendments to Kitsap County Code (KCC) Title 15, 19, 21 and 22. The following list represent a summary of the proposed amendments related to the Shoreline Master Program (SMP) periodic update.</p> <ul style="list-style-type: none">• Various edits to KCC Title 22 to ensure consistency with state laws and rules as required in RCW 90.58.• Clarification of view blockage (Section 22.150.100) and building line definition (Section 22.150.190 and 22.150.485)• Revision of regulations for decks and viewing platforms (Section 22.400.120.D)• Establishment of standards for stair platforms, deck landings, and trams (Section 22.400.120.D)• Increase timeline to rebuild development after accidental destruction (Section 22.400.100.B.1.d)• Wetland rating guidance update (Title 19 Critical Areas Ordinance, Section 19.200.220)• Listing of 'Waterbodies in Shoreline Jurisdiction' (SMP Appendix F)• Review authority and application procedures (Section 21.04.100) <p>See Attachment A 'SMP Periodic Review Scoping Matrix' for a summary list of KCC amendments.</p>
Geographic Area Affected	Unincorporated Kitsap County
SEPA	The SEPA Checklist was submitted to Kitsap County for Determination on February 3, 2021.
Department Recommendation	Adopt as proposed

This report and recommendation are based on information available at the time of publication. If new relevant and material facts are discovered, this staff report may be revised, and the department recommendation may be modified.

1. BACKGROUND

The Shoreline Master Program is a comprehensive plan that guides the development, conservation, and restoration of Kitsap County's shoreline. The SMP includes goals, policies, and regulations consistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW) and Chapter 173-26 WAC, Chapter 173-18 WAC and Chapter 173-20. Kitsap County's local Shoreline Master Program was first adopted in 1976 and was last amended in 2014, after a five-year comprehensive update process. Kitsap County is required under the state's Shoreline Management Act (SMA) to conduct a periodic review of its Shoreline Master Program every eight years. The periodic review process began in September 2020, with a deadline of June 30, 2021.

The Shoreline Master Program is one of the County's key tools for determining what can be built, where it can be built, how it can be built, and what processes must be followed to obtain approval to build in *shoreline jurisdiction*. The SMP applies to all shorelines of the state within unincorporated Kitsap County, including: marine shorelines, lakes 20 acres or greater in surface area, streams with a mean annual flow of 20 cubic feet per second or greater, landward areas extending 200 feet from the ordinary highwater mark (OHWM) and wetlands associated with the aforementioned areas. See Attachment A4 [Draft Amendments SMP Appendix F 'List of Shoreline Waterbodies'](#); developed based on the Kitsap County Inventory and Shoreline Characterization Study completed in 2010.

The Periodic Review ensures consistency with existing State regulations, updated County codes, new information and improved data. The Kitsap County Department of Community Development proposes to amend Kitsap County Code Title 22 (Shoreline Master Program), with minor amendments to Title 15 (Flood Hazard Areas), Title 19 (Critical Areas Ordinance, specifically Chapter 19.200 Wetlands) and Title 21 (Land Use and Development Procedures, specifically Chapter 21.04 Project Permit Application Procedures), as part of the periodic review of the SMP. The proposed amendments will achieve the following:

- Align the SMP with applicable State legislative updates and guidelines in effect at the time of the review and those occurring since the last SMP update in 2014;
- Assure consistency of the SMP with the County's comprehensive plan, Critical Areas Ordinance, and applicable development regulations;
- Provide existing code clarifications to improve usability and predictability for applicants and reviewers to streamline shoreline permit review; and
- Provide a comprehensive list of the waterbodies in the shoreline jurisdiction identified in Title 22 KCC as required by the Department of Ecology.

The periodic update is not required to, and does not:

- Re-evaluate the ecological baseline that was established as part of the 2014 comprehensive update;
- Extensively assess no net loss criteria other than to ensure that proposed amendments do not result in degradation of the baseline condition; or

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

- Change shoreline jurisdiction or environment designations, unless deemed appropriate and necessary by the County.

A. Authority

The Shoreline Management Act mandates that Kitsap County's Shoreline Master Program and associated development regulations be periodically reviewed and, if needed, revised at least every 8-years by June 30, and every eight years thereafter (RCW 90.58.080.4) (Washington State Department of Ecology, 2020). The most recent Kitsap County Shoreline Master Program update concluded with the adoption of the 2014 Kitsap County Shoreline Master Program by Ordinance 502-2013 on January 30, 2013 and approved by WA State Department of Ecology on December 24, 2014.

RCW 90.58.080 directs local governments to develop and administer local Shoreline Master Programs for the regulation of uses in shorelines of the state. RCW 36.70A provides that the goals and policies contained in a local shoreline master program shall be considered an element of the local comprehensive plan required by the Growth Management Act (GMA). All other portions of the SMP, including the regulations are to be considered a part of the local development regulations.

B. Proposed Amendment

The following attachments summarize and show detailed changes to KCC proposed by the Department of Community Development.

Attachment A1 - SMP Periodic Review Consistency Analysis

Attachment A2 - SMP Periodic Review Scoping Matrix (summary of changes)

Attachment A3 - Draft Amendments KCC Title 22 'Shoreline Master Program'

Attachment A4 - Draft Amendments SMP Appendix F 'List of Shoreline Waterbodies'

Attachment A5 - Draft Amendments KCC Chapter 19.200 'Wetlands'

Attachment A6 - Draft Amendments KCC Title 15 'Flood Hazard Areas'

Attachment A7 - Draft Amendments KCC Chapter 21.04 'Project Permit Application Procedures'

Attachments A3-A7 contain existing and draft language for the proposed code amendments. Language proposed for deletion is shown as a ~~strike through~~. Language proposed to be added is shown in red and underlined.

C. Geographic Description

The proposal impacts all unincorporated areas of Kitsap County in the Shoreline Jurisdiction as depicted on the SMP's Shoreline Environment Designation (SED) Mapping. In addition, draft proposed amendments to the Critical Areas Ordinance (CAO) Chapter 19.200 impact all wetlands across unincorporated Kitsap County including those in the shoreline jurisdiction and those outside the shoreline jurisdiction. Draft proposed amendments to the Shoreline Master Program and associated codes do not result in changes to any of the following SED maps.

- Attachment B1 - [Kitsap County SED Map – District 1, North Kitsap](#)
- Attachment B2 - [Kitsap County SED Map – District 2, South Kitsap](#)

- Attachment B3 - [Kitsap County SED – District 3, Central Kitsap](#)
- Attachment B4 - [Kitsap County SED – Countywide](#)

2. DEPARTMENT RECOMMENDATION

Having analyzed the proposed amendments and other alternatives, applicable, the Department recommends:

- Adoption of the amendment:
 - as proposed above
 - as described in Alternative ___ below
 - with revisions described below
 - with conditions described below
- Deferral of the amendment to a future docket
- Denial of the amendment

Rationale

- Kitsap County is subject to the requirements of the Washington State Growth Management Act (GMA), RCW 36.70A.480 'Shorelines of the State.'
- The SMA, RCW 90.58.080 (4)(a)(ii), mandates Kitsap County's Shoreline Master Program, shall be periodically reviewed every 8-years, currently due June 30, 2021. The most recent Kitsap County SMP comprehensive update concluded on the adoption of Ordinance 502-2013 on January 30, 2013 and approved by Ecology on December 24, 2014.
- RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law.
- Kitsap County Code Chapter 21.08 sets forth a process and criteria for making amendments to development regulations. In making amendments, the County must consider whether the proposed amendments are consistent with and support Comprehensive Plan elements and incorporated subarea and neighborhood plans and/or development regulations, and if not, what additional amendments to the Plan and/or development regulations will be required to maintain consistency; whether the proposed amendment to the Plan and/or regulation will more closely reflect the goals and policies of the Comprehensive Plan; whether the proposed amendment is consistent with the Kitsap County-wide Planning Policies; and whether the proposed amendment complies with the requirements of the GMA.
- The proposed code amendments were developed according to, and are compliant with the requirements of the SMA, RCW 36.70A, the Kitsap County Countywide Planning Policies, the Kitsap County Comprehensive Plan, and other applicable laws and policies.
- After review of the KCC the Department identified code amendments that align with Kitsap County Comprehensive Plan policies including land use, environment, economic development, parks, and subarea and neighborhood plans.
- The adoption and implementation of the proposed periodic review updates to KCC are expected to result in no net loss of shoreline ecological function over time.

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

- Public participation included the public review of the proposed code amendment as required by the Growth Management Act, SMA, the State Environmental Policy Act (Attachment C2– SEPA Checklist), Kitsap County Code and the Public Participation Plan, which is required by the Washington State Department of Ecology (Attachment D1- Public Participation Plan).
- The proposed code amendment promotes the public interest and welfare of the citizens of Kitsap County.

Procedure:

- On October 20, 2020, the Planning Commission was briefed on the scope of work and timeline for the Shoreline Master Program periodic review process and the role and involvement of the Planning Commission.
- On October 28, 2020, the Board of County Commissioners reviewed and approved the Shoreline Master Program Periodic Review Public Participation Plan. The Public Participation Plan was submitted to the state Department of Ecology for documentation. The plan highlights the commitment for early and often outreach and engagement with key partners, community groups, interested parties, tribes, and state and federal agencies. Outreach and engagement methods include electronic notifications, an online open house with project materials and public comment opportunities, consultations with interested parties, regular briefings to Planning Commission and Board of County Commissioners, and monthly update meetings open to the public.
- On November 25, 2020, Department staff briefed the Board of County Commissioners on proposed code amendments based on the Consistency Analysis Report. As a first step in the periodic review process, the County's current Shoreline Master Program was reviewed by staff and the County's consultant (The Watershed Company) to identify gaps in consistency with state laws (periodic review checklist provided by Washington State Department of Ecology), gaps in consistency with the County's critical areas regulations (KCC Title 19) and gaps in consistency with the County's Comprehensive Plan and development regulations. The Consistency Analysis Report provides a summary of the review and outlines potential updates to the Shoreline Master Program. See [Appendix A1 'Kitsap County Final Shoreline Master Program Periodic Review Consistency Analysis Report'](#). There were no further amendments proposed for the periodic review exceeding the scope of work in this report, at the time of the preparation of this report. The Board of County Commissioners discussed and approved the scope of code amendments summarized in a Scoping Matrix; see Attachment A2 [Department Proposal Guide: SMP Periodic Review Scoping Matrix](#).
- On December 1, 2020, Department staff briefed the Planning Commission on proposed code amendments to the Shoreline Master Program and related codes based on the Consistency Analysis Report.
- On December 17, 2020, Department staff conducted the first virtual monthly project update meeting about the Shoreline Master Program periodic review process and launched the SMP online open house.
- In January 2020, Department staff provided numerous briefings and outreach to the County's citizen advisory groups, tribes, and community groups and organizations as outlined in Section 7 of this staff report.

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

- On January 19, 2021, Department staff reviewed with the Planning Commission preliminary approaches for draft amendments to several sections of the Shoreline Master Program and related codes.
- On January 21, 2021, Department staff conducted the second virtual monthly project update meeting about the Shoreline Master Program periodic review process, update on development of code amendments and upcoming joint public comment period.
- On January 25, 2021, Department staff reviewed with the Board of County Commissioners preliminary approaches to all proposed draft amendments to the Shoreline Master Program and related codes to kick-off discussions and receive initial feedback.
- On January 27, 2021, Department staff shared with the Planning Commission and posted on the project webpage draft amendments proposed in Kitsap County Code Titles 15, 19, 21, and 22; ahead of the 30-day joint public comment period with the Planning Commission and state Department of Ecology from February 2 to March 3, 2021.
- On January 28, 2021, Department staff sent out an electronic notification about the public comment period and public hearing via GovDelivery and NextDoor to SMP topic subscribers, District newsletters, and numerous code update topics. Department Director sent formal letters via email to the key partners and interested parties including tribes, cities, counties, special districts, community group, environmental groups, and state and federal agencies.
- On February 2, 2020, the Planning Commission held its first work study session about the proposed draft amendments to the Shoreline Master Program and related codes. Department staff provided a detailed briefing on all proposed code amendments and oriented the Planning Commission the strikeout and redline drafts to Title 15, 19, 21, and 22.
- On February 5, 2021, Department staff submitted a 60-day notice of intent to adopt amendment to Washington State Department of Commerce.
- On February 16, the Planning Commission is holding its second study session about the proposed draft amendments to the Shoreline Master Program and related codes. This is an opportunity for the Planning Commission to discuss in depth the propose draft amendments prior to the March 2, 2021 joint public hearing with state Department of Ecology and subsequent Deliberations and Findings of Fact meetings scheduled on March 16 and April 6, 2021.
- On March 2, 2021, the County intends to hold a joint public hearing with the state Department of Ecology and the Planning Commission.

3. OTHER ALTERNATIVES CONSIDERED

Not applicable. The proposed amendments are intended to align Kitsap County's Shoreline Master Program with the State's legislative updates since 2014. This is a state mandated periodic review; select recommendations from the Department to improve clarity and efficiency in the implementation of development regulations for shoreline applications were considered.

4. COMPREHENSIVE PLAN CONSISTENCY

The proposed amendments are consistent with the goals and policies in the Kitsap County Comprehensive Plan, adopted June 30, 2016, with Plan revisions current through April 2020.

- Land Use Goal 1. Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.
- Land Use Goal 4. Coordinate with other jurisdictions, tribal governments, agencies, special districts, and property owners to ensure coordinated and compatible land use planning and utilize Urban Growth Area Management Agreements with cities, as feasible.
- Land Use Goal 13. Protect Kitsap County's unique rural character.
 - Land Use Policy 50. Limit the designated rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.
 - Land Use Policy 51. Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.
- Economic Development Goal 2. Support and develop new methods of insuring sustainable business development that create living wage jobs and economic opportunities consistent with local and regional plans.
 - Economic Development Policy 7. Encourage full utilization and development of industrially and commercially zoned areas.
 - Economic Development Policy 8. Promote revitalization within existing developed industrial and commercial areas.
 - Economic Development Policy 9. Encourage mixed use developments within commercial districts that will enhance the visual, economic, and environmental quality of these areas and improve the transition between commercial and residential districts.
 - Economic Development Policy 12. Continue to develop, revise and provide for periodic review of development standards, the zoning code and related ordinances to build a streamlined, understandable, consistent and predictable building, land use and development application procedure.
- Environment Goal 1. Formally treat natural environments, including forest lands, shorelines, freshwater systems, intact ecosystems, and other critical areas, as an essential asset that is planned for, managed, and invested in to meet the needs of current and future generations.
 - Environment Policy 1. Working in cooperation with applicable Internal Review Team members and the Board of County Commissioners, adopt a mechanism to acknowledge Kitsap County's natural environment and the need to manage it as an essential asset. Mechanisms may include but are not limited to plans, ordinances, resolutions and/or official policy directives.
 - Environment Policy 7. Regularly review relevant codes, development regulations and implementing programs to assure that the natural environment is being

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

managed as an essential asset. Adaptive management strategies will be part of this regular review.

- Environment Goal 3. Reduce the risk of damage to life, property and the natural environment through appropriate regulatory and incentive-based approaches in land use, transportation and development engineering programs.
 - Environment Policy 13. Use the best scientific information available to direct how functions and values of critical areas are preserved or enhanced.
 - Environment Policy 15. Maintain, and periodically review and revise, scientifically sound maps and data to provide optimal information during the development review process and planning efforts, as well as information regarding barriers to fish passage and other inventory items.
 - Environment Policy 18. Compensatory mitigation shall be the last option of resort in mitigation sequencing, following documentation of avoidance and minimization of any impact to the natural environment that triggers compensatory mitigation. Replacement of altered or displaced natural environments (including critical areas and buffers) must be mitigated either on-site, within the watershed, or service area as defined through an approved mitigation bank or in-lieu fee program.
- Parks, Recreation and Open Space Goal 1. Provide regional parks, and open space to meet active and passive regional recreational needs, as well as the needs of wildlife.
 - Parks Policy 12. Kitsap County shall incorporate the Local Habitat Assessment completed by Washington State Department of Fish and Wildlife to assist in identifying crucial corridor areas that may not necessarily be identified in the Shoreline Master Program or the Critical Areas Ordinance.
 - Parks Policy 13. When implementing the Parks, Recreation and Open Space Plan ensure that coordination with Washington State Department of Fish and Wildlife and local Tribes occurs to ensure protection of treaty reserved natural and cultural resources.
 - Parks Policy 18. Consider and identify opportunities to increase public access and foster environmental and economic benefits associated with Kitsap Peninsula National Water Trails and designation as part of the National Water Trails System.
- Kingston (Parks, Trails and Open Space) Goal 7. Pursue the creation of a more walkable community by supporting development of pedestrian pathways, sidewalks and trails that connect people to places.
 - Kingston Policy 24. Safety and security shall be considered when reviewing plans for trails, pathways, and greenways to connect parks, shoreline and recreational resources throughout the Kingston area.
- Manchester (Environment) Goal 3. Protect and enhance the shoreline resources that add to the unique character of the Manchester LAMIRD.
 - Manchester Policy 6. Coordinate with Port of Manchester to achieve a balanced use of their public shoreline facilities to create minimal environmental impact.

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

- Manchester Policy 7. Educate the public on issues of wildlife habitat, critical area and shoreline protection, stormwater management and air quality.
- Silverdale (Land Use) Goal 2. Provide land availability for public and private community gathering places and diverse opportunities for arts, recreation, entertainment, leisure activities and culture.
 - Silverdale Policy 7. Preserve and enhance the natural and aesthetic qualities of shoreline areas and riparian creek corridors while allowing reasonable development to meet the needs of property owners.
- Keyport (Port Improvements and Waterfront Development) Goal 15. Work with the Port of Keyport to encourage expansion of the existing Port of Keyport Facilities.
 - Keyport Policy 27. Work with the Port of Keyport to research grant opportunities for shoreline improvement or replacement of marine facilities.
- Keyport (Port Improvements and Waterfront Development) Goal 16. Minimize additional private docks in Keyport.
 - Keyport Policy 28. Encourage joint use docks for any new dock development.
- Keyport (Natural Environment / Parks and Recreation) Goal 17. Protect, restore, and enhance the natural and shoreline resources that add to the unique character of the Keyport Village.
- Gorst (Habitat) Goal 1. Protect and restore fish and wildlife habitat along Gorst Creek and Sinclair Inlet.
 - Gorst Policy 1. Develop a comprehensive program to restore the Gorst Creek Corridor in the UGA.
 - Gorst Policy 2. Promote shoreline and habitat restoration along Sinclair Inlet.
 - Gorst Policy 3. Coordinate County and City shoreline regulations and restoration plans along Gorst Creek and Sinclair Inlet to provide adequate protection and incorporate best management practices based on the Watershed Characterization Study.
 - Upon annexation, the City shall apply its Shoreline Master Program to Sinclair Inlet and Gorst Creek. In addition, the City shall apply a Gorst Creek Management Zone Overlay recognizing the habitat requirements of listed fish species, the current degraded buffer conditions, and tailored approaches to implement best management practices and incentives for restoration.
 - Prior to annexation, Kitsap County may consider City marine shoreline buffers and the Gorst Creek Management Zone Overlay as a means to mitigate negative impacts when reviewing site specific land use applications, such as variances.
- Gorst (Land Use, Economic Development & Community Design) Goal 3. Create opportunities for well-designed, sustainable commercial and residential growth and development.

- Gorst Policy 16. Apply streetscape, landscape, building, and site design standards for new development in order to promote shoreline views, allow for development compatibility, enhance property values, and reinforce Gorst as the southern gateway to Bremerton.
- Gorst (Transportation, Public Services & Utilities) Goal 4. Provide effective, efficient, and quality capital facilities and public services at the level necessary to meet the Gorst community needs and support allowed growth.
 - Gorst Policy 22. Encourage public access to the shoreline along Sinclair Inlet and portions of Gorst Creek.

5. FINDINGS

Amendments to the Kitsap County Code must be consistent with the criteria outlined in Kitsap County Code Chapter 21.08.070.B(1)-(5). Below are the findings related to the proposed amendments to Kitsap County Code Titles 15 (Flood Hazard Areas), Title 19 (Critical Areas Ordinance), specifically Chapter 19.200, Title 21 (Land Use and Development Procedures) and Title 22 (Shoreline Master Program). They are shown in italics.

1. *Whether the proposed amendments are consistent with and supports other plan elements and or development regulations, and if not, what additional amendments to the plan and/or development regulations will be required to maintain consistency;*

Staff Analysis: The proposed amendments support Kitsap County Comprehensive Plan Elements such as Land Use, Environment, Economic Development, and Parks, Recreation and Open Space and consistent with incorporated subarea and neighborhood plans and all others. No additional amendments to the Comprehensive Plan beyond the proposal are necessary to maintain this consistency.

2. *Whether the proposed amendment to the plan and/or regulation will more closely reflect the goals and policies of the Comprehensive Plan and reflect the local circumstances of the county;*

Staff Analysis: The proposed amendments are consistent with the Comprehensive Plan elements (adopted June 30, 2016 and further amended in April 2020) and incorporated subarea and neighborhood plans and other adopted development regulations. They are supportive of local circumstances and uniqueness of shoreline jurisdiction and provide a future benefit to Kitsap County as a whole.

3. *Whether the proposed amendment is consistent with the Kitsap Countywide Planning Policies; and*

Staff Analysis: The proposed amendments are consistent with the Countywide Planning Policies adopted May 11, 2015 and ratified by Kitsap County cities.

4. *Whether the proposed amendment complies with the requirements of GMA, state and local laws and other applicable inter-jurisdictional policies or agreements.*

Staff Analysis: The proposed amendments are consistent with the Growth Management Act, the Shoreline Management Act and all other state laws and Washington Administrative Code regarding the environment, capital facilities and other statutes. Determination of consistency with state laws and rules was conducted using the current Shoreline Master Program Submittal Checklist provided by the Department of Ecology as described in the Consistency Analysis Report (Attachment A1).

5. *An explanation of why language should be added to the Comprehensive Plan or why existing language should be modified or deleted.*

Staff Analysis: 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. No proposed comprehensive plan amendments are proposed as they are consistent with the draft code amendments.

6. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The Kitsap County SEPA official is reviewing a SEPA checklist prepared for this amendment (Attachment C2 – SEPA Checklist) and is expected to issue a SEPA threshold determination (Reserve Attachment C1 – SEPA Determination) on February 17, 2021. The associated comment/appeal period closes March 3, 2021.

Notice of this SEPA threshold determination will be:

- Filed with the Washington State Department of Ecology [SEPA Register](#) on February 17, 2021;
- Published in the Kitsap Sun newspaper on February 17, 2021;

The SEPA threshold determination and environmental checklist will be distributed to agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed due to the implementation of the proposal.

7. PUBLIC INVOLVEMENT AND OUTREACH

Kitsap County's public involvement and outreach for this amendment exceeds the requirements of the Growth Management Act (RCW 36.70A) and Kitsap County Code (KCC 21.08). The Department conducted early, and often public outreach as shown below.

The County developed a Public Participation Plan (Attachment D1-Public Participation Plan) pursuant to RCW 90.58.120 outlining how the County would encourage early and continuous public participation throughout the process of reviewing the SMP. The County developed documents outside of the formal comment periods to keep the community updated and engaged on the project's status (Online Open House, dedicated County website, online monthly-drop-in sessions, e-noticing mailing list and as-needed

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

consultations with tribes, shoreline property owners, key partners, community associations, and interest groups). Informational documents were made available online and updated on an ongoing basis.

The joint Kitsap County Planning Commission and state Department of Ecology comment period opened on February 2, 2021 and closes on March 3, 2021. The Kitsap County Planning Commission and state Department of Ecology will hold a joint public hearing on March 2, 2021.

Outreach and Public Meetings (Complete and Upcoming):

• Kitsap County December Monthly SMP Project Update	12/17/2021
• Kitsap County SMP Online Open House Launch	12/17/2020
• Suquamish Tribe, Port Gamble S' Klallam Tribe, Point No Point Treaty Council	01/4/2021
• Manchester Citizen Advisory Committee briefing	01/5/2021
• Kitsap Building Association Developers Council	01/7/2021
• Suquamish Citizen Advisory Committee	01/7/2021
• Kitsap Building Association Builders Council	01/12/2021
• Kingston Citizen Advisory Committee	01/13/2021
• Kitsap County Planning Commission briefing	01/19/2021
• Kitsap County January Monthly SMP Project Update	01/21/2021
• Kitsap County Board of Commissioners briefing	01/25/2021
• Kitsap All Ports briefing	01/25/2021
• Kitsap County February Monthly Update-Virtual Online Open House	02/18/2021
• Kitsap County March Monthly SMP Project Update (<i>Upcoming</i>)	03/18/2021
• Kitsap County April Monthly SMP Project Update (<i>Upcoming</i>)	04/15/2021
• Kitsap County May Monthly SMP Project Update (<i>Upcoming</i>)	05/20/2021
• Kitsap County June Monthly SMP Project Update (<i>Upcoming</i>)	06/17/2021

The SMP Periodic Review [project webpage](#) has information about previous, current, and upcoming SMP Periodic Review meetings, and the joint public hearing with Ecology.

The Department opened a 30-day public comment period regarding the proposal starting on February 2, 2021. During the joint comment period, the public may learn about proposed SMP amendments by:

- Visiting the online Open House;
- Attending Planning Commission meetings;
- Participating in the virtual monthly project update on February 18, 2021; or
- Contacting the staff listed in Section 9 below to request a consultation.

Following the March 2, 2021 Public Hearing and close of joint comment period on March 3, 2021, the proposed schedule is as follows:

- March 16 and April 6 (if needed): Planning Commission Deliberations and Findings of Fact
- Early May: Board of County Commissioners (BOCC) Study Session
- Mid-May: Board of County Commissioners Public Hearing on Draft SMP Title 22, Title 15, Title 19, and Title 21 and Planning Commission Recommendations
- Late May 2021: Board of County Commissioners Deliberation
- June 2021: Board of County Commissioners Ordinance Adoption and Notice of Decision

Staff Report: Kitsap County Code Shoreline Master Program Periodic Review

- July 2021: Final Adoption documents transmitted to Department of Ecology and Notice of Adoption to Department of Commerce

To be included in the official record on the draft amendments through the Planning Commissioner review and recommendation process, written comments must be submitted to the Department of Community Development before 5:00 PM on Wednesday, March 3, 2021 using one of the following methods:

- Entered online via computer or mobile device through the [online open house](#).
- Emailed to reviewSMP@co.kitsap.wa.us.
- Mailed to 614 Division Street - MS36, Port Orchard, WA 98366.
- Provided testimony at the March 2, 2021 joint public hearing.

Notifications and announcements regarding the joint comment period and public hearing with Kitsap County Planning Commission and state Department of Ecology include the following:

- Legal notice published in the Kitsap Sun newspaper.
- Broadcast announcements via GovDelivery and NextDoor.

8. RECOMMENDATION

Based on the review and findings above, Kitsap County staff recommends approval of the proposed amendments in support of the 2021 Shoreline Master Program Periodic Review.

9. STAFF CONTACT

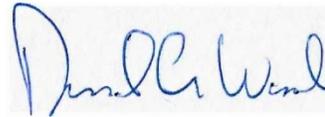
Report prepared by:



2/10/2021

Kirvie Mesebeluu-Yobech, Planner,
Planning and Environmental Programs
kyobech@co.kitsap.wa.us

Report approved by:



2/10/2021

Dave Ward, Manager,
Planning and Environmental Programs
dward@co.kitsap.wa.us

ATTACHMENTS

- A. Proposed Code Changes
 - 1. Attachment A1 - [SMP Periodic Review Consistency Analysis](#) (November 25, 2020)
 - 2. Attachment A2 - [Department Proposal Guide: SMP Periodic Review Scoping Matrix](#) (summary of changes)
 - 3. Attachment A3 - [Draft Amendments KCC Title 22 'Shoreline Master Program'](#)
 - 4. Attachment A4 - [Draft Amendments SMP Appendix F 'List of Shoreline Waterbodies'](#)
 - 5. Attachment A5 - [Draft Amendments KCC Chapter 19.200 'Wetlands'](#)
 - 6. Attachment A6 - [Draft Amendments KCC Title 15 'Flood Hazard Areas'](#)
 - 7. Attachment A7 - [Draft Amendments KCC Chapter 21.40 'Project Permit Application Procedures'](#)

- B. Maps
 - 1. Kitsap County Shoreline Environment Designation Map – [District 1](#)
 - 2. Kitsap County Shoreline Environment Designation Map – [District 2](#)
 - 3. Kitsap County Shoreline Environment Designation Map – [District 3](#)
 - 4. Kitsap County Shoreline Environment Designation Map – [Countywide](#)

- C. State Environmental Policy Act (SEPA)
 - 1. SEPA Determination – pending
 - 2. [SEPA Checklist](#) (Non-Project)

- D. Supplemental Materials
 - 1. [SMP Periodic Review Public Participation Plan](#)

CC:

Prosecutor's Office, MS-35:

Lisa Nickel, Deputy Prosecuting Attorney

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff:

Jeff Rimack, CBO, Department of Community Development Director

Angie Silva, Department of Community Development Assistant Director

Dave Kinley, CBO, Department of Community Development Assistant Director

Liz Williams, Planning Supervisor

Kathlene Barnhart, Senior Environmental Planner

Scott Diener, Development Services and Engineering Program Manager