

1 FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE PLANNING  
2 COMMISSION TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT REGARDING  
3 AMENDMENTS TO KITSAP COUNTY CODE TITLE 17 (ZONING), AND KITSAP  
4 COUNTY CODE TITLE 6 (BUSINESS LICENSES AND REGULATIONS).

5 **Section 1. General Findings.**

6 The Kitsap County Planning Commission finds as follows:

- 7 1. Kitsap County is subject to the requirements of the Washington State Growth Management  
8 Act (GMA), Chapter 36.70A RCW.
- 9 2. The GMA, in RCW 36.70A.130(1), mandates that Kitsap County’s Comprehensive Plan and  
10 development regulations be subject to continuing review and evaluation.
- 11 3. RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce, by  
12 appropriate resolutions or ordinances, all such police and sanitary regulations as are not in  
13 conflict with state law.
- 14 4. After review of Kitsap County Code, the Department of Community Development (DCD)  
15 developed proposed amendments to Title 17 (Zoning) that align with Kitsap County  
16 Comprehensive Plan.
- 17 5. Kitsap County Code (KCC) Chapter 21.08 sets forth a process and criteria for making  
18 amendments to development regulations. Specifically, KCC 21.08.100 outlines review by the  
19 Kitsap County Planning Commission. In its making recommendations, the Planning  
20 Commission shall consider:
  - 21 a. whether the proposal is supported by the capital facility plan;
  - 22 b. whether the proposal is consistent with the requirements of the GMA, Kitsap  
23 Countywide Planning Policies or other applicable laws or provisions of the  
24 Comprehensive Plan;
  - 25 c. whether the proposal reflects current local circumstances; and
  - 26 d. whether the proposal bears a substantial relationship to the public’s general health,  
27 safety, morals or welfare.

28 **Section 2. General Procedural Findings.**

29 The Kitsap County Planning Commission finds as follows:

- 30 6. On May 13, 2019, during a regularly scheduled and properly noticed meeting, DCD  
31 presented the Board of County Commissioners (Board) with a work plan to develop proposed  
32 amendments to Kitsap County Code Title 17 (Zoning) to reduce barriers to investment in  
33 urban areas, rural commercial and industrial zones, and Limited Areas of More Intensive  
34 Rural Development (LAMIRD). The Commissioners approved the work plan and funding for  
35 this project.
- 36 7. During the scoping phase in June and July 2019, DCD distributed two surveys to guide the  
37 development of proposed amendments. The first survey focused on recent DCD customers to  
38 understand their experience navigating the County’s development regulations. The second

- 1 survey was disseminated county-wide to understand what stakeholders would like to see built  
2 across Kitsap County. DCD also met with stakeholders to introduce the process and obtain  
3 initial feedback.
- 4 8. During the development phase in July, August, and September 2019, during a regularly  
5 scheduled and properly noticed meeting, the Planning Commission held four work study  
6 sessions to assist DCD in preparing an initial discussion draft that included:  
7 a. definitions and development standards for new and existing land uses; and  
8 b. the reorganization and clarification of existing footnotes and development standards.
- 9 9. In December 2019, DCD engaged the community in publicly noticed open houses to develop  
10 proposed amendments. Notices for these open houses were sent on 10/18/2019, 10/31/2019,  
11 and 11/14/2019.
- 12 10. Also, in December 2019, DCD engaged in two workshops with community organizations to  
13 develop proposed amendments.
- 14 11. From January through April 2020, DCD developed preliminary draft amendments based on  
15 public feedback throughout the process.
- 16 12. On March 3, 2020, during a regularly scheduled and properly noticed meeting, the Planning  
17 Commission reviewed preliminary feedback from the public outreach efforts and developed a  
18 strategy for reviewing and discussing the preliminary draft amendments.
- 19 13. On April 21, 2020, during a regularly scheduled and properly noticed meeting, the Planning  
20 Commission discussed modifications to the project schedule due to COVID-19 and allowed  
21 additional time for public review.
- 22 14. On June 2, 2020, during a regularly scheduled and properly noticed meeting, DCD briefed  
23 the Planning Commission about the project status and future work studies.
- 24 15. On June 16, 2020 and August 18, 2020, during regularly scheduled and properly noticed  
25 meetings, DCD briefed the Planning Commission about the project status and preliminary  
26 draft amendments.
- 27 16. The project was postponed in October 2020 to allow DCD to focus on two state-mandated  
28 projects due June 30, 2021 and to “carve” out recent Port Gamble development code  
29 amendments adopted in April 2020 as directed by the Board and based on public comments.
- 30 17. From mid-2020 to October 2021, DCD conducted presentations and discussions with  
31 community groups, organizations, and Tribes to provide project status updates and refine the  
32 initial draft amendments.
- 33 18. On May 4, 2021, during a regularly scheduled and properly noticed meeting, the Planning  
34 Commission reviewed and provided feedback on an updated draft Public Participation Plan  
35 to encourage early and continuous public participation, as required by the GMA. Public  
36 outreach regarding the proposed amendments was conducted through:  
37 a. Outreach surveys;  
38 b. A dedicated and up-to-date project web page with project materials and public  
39 comment opportunities;  
40 c. Legal notices published in the official newspaper of record for Kitsap County;  
41 d. Electronic announcements and notifications to:

- 1           i.    Subscribers of relevant lists in the Kitsap County Electronic Notification
- 2           System;
- 3           ii.   Relevant Kitsap County advisory groups;
- 4           iii.   Relevant local, state, and federal agencies;
- 5       e.    Notification letters to federally recognized tribes with usual and accustomed areas in
- 6           Kitsap County and relevant tribal organizations;
- 7       f.    Stakeholder workshops; and
- 8       g.    Meetings with various interested parties.
- 9   19. On June 15, 2021, during a regularly scheduled and properly noticed meeting, DCD briefed
- 10       the Planning Commission about changes to the Public Participation Plan approved by the
- 11       Board of County Commissioners on May 10, 2021.
- 12   20. During July 2021, DCD sent official notification letters and met with community
- 13       organizations, including the Central Kitsap Community Council (CKCC), the Manchester
- 14       Citizens Advisory Committee (MCAC), and the Suquamish Community Advisory
- 15       Committee (SCAC), to provide information regarding how to access project documents when
- 16       released, opportunities to learn about the project, and how to provide feedback during the
- 17       public process.
- 18   21. During July, August, and September 2021, DCD met with interested parties who requested
- 19       individual consultations to discuss the project in more detail.
- 20   22. On July 6, 2021, during a regularly scheduled and properly noticed meeting, DCD briefed the
- 21       Planning Commission about splitting the public facilities categorical use by size to allow less
- 22       permit review for smaller facilities in all zones as requested by the Board of County
- 23       Commissioners at a briefing on June 21, 2021.
- 24   23. On July 20, 2021, during a regularly scheduled and properly noticed meeting, DCD briefed
- 25       the Planning Commission about the release of a public draft with a staff report, reviewed the
- 26       scope of amendments matrix, and discussed how preliminary public feedback was
- 27       incorporated into the proposed draft amendments.
- 28   24. On July 30, 2021, DCD released a draft Ordinance, staff report, and supporting documents
- 29       for public review.
- 30   25. On August 3, 2021, during a regularly scheduled and properly noticed meeting, DCD briefed
- 31       the Planning Commission about the release of the proposed draft amendments and staff
- 32       report to provide an overview of the documents available for public review, how to use the
- 33       documents to better understand the proposed code changes, and where to find them on the
- 34       project website.
- 35   26. On August 11, 2021, DCD met with the Kingston Citizens Advisory Council (KCAC) to
- 36       provide information regarding how to access project documents, opportunities to learn about
- 37       the project, and how to provide feedback during the public process.
- 38   27. On August 17, 2021, during a regularly scheduled and properly noticed meeting, the
- 39       Planning Commission held a work study session to review the proposed amendments.
- 40   28. On August 19, 2021, DCD held the first of two public virtual meetings to provide
- 41       information regarding how to access project documents, opportunities to learn about the

- 1 project, how to provide feedback during the public process, the scope of amendments, and  
2 answered questions.
- 3 29. On August 20, 2021, a public comment period on proposed amendments began and remained  
4 open until September 21, 2021, at which time the Planning Commission unanimously  
5 approved extending the written comment period to 5:00 pm on September 24, 2021.
- 6 30. On August 31, 2021, Kitsap County issued a Notice of Public Hearing for the Planning  
7 Commission in the legal publication of record regarding the content of the proposed  
8 amendments.
- 9 31. On September 1, 2021, a 60-day Notice of Intent to Adopt was sent to the Washington State  
10 Department of Commerce as required by RCW 36.70A.106.
- 11 32. On September 7, 2021, a State Environmental Policy Act (SEPA) Determination of Non-  
12 significance was issued for proposed amendments. A fourteen day comment period  
13 concluded on September 21, 2021. No comments were received.
- 14 33. On September 7, 2021, during a regularly scheduled and properly noticed meeting, the  
15 Planning Commission held a work study session to continue reviewing the proposed  
16 amendments.
- 17 34. On September 16, 2021, DCD held the second of two virtual meetings to provide project  
18 information regarding how to access project documents, opportunities to learn about the  
19 project, how to provide feedback during the public process, and the scope of amendments.
- 20 35. On September 21, 2021, following timely and effective public notification, the Planning  
21 Commission held a public hearing to accept comments from interested parties.
- 22 36. On September 24, 2021, the written comment period, as extended by the Planning  
23 Commission on September 21, 2021, closed with DCD receiving a total of 77 public  
24 comments.
- 25 37. On October 5, 2021, during a regularly scheduled and properly noticed meeting, the Planning  
26 Commission considered the proposed amendments, the testimony presented, and the record,  
27 made recommendations via approved motions during deliberations, and continued  
28 deliberations to the next Planning Commission meeting.
- 29 38. On October 19, 2021, during a regularly scheduled and properly noticed meeting, the  
30 Planning Commission due to technical difficulties preventing public access to the virtual  
31 meeting, continued the meeting and deliberations to October 26, 2021.
- 32 39. On October 26, 2021, during a properly noticed meeting continued from October 19, 2021,  
33 the Planning Commission considered the proposed amendments, the testimony presented,  
34 and the record, made recommendations via approved motions during deliberations, and  
35 continued deliberations to a Planning Commission special meeting on November 9, 2021.
- 36 40. On November 9, 2021, during properly noticed special meeting, the Planning Commission  
37 continued deliberations on the proposed amendments, the testimony presented, and the  
38 record, made recommendations via approved motions during deliberations, and continued  
39 deliberations to the next regularly scheduled Planning Commission meeting.
- 40 41. On November 16, 2021, during a regularly scheduled and properly noticed meeting, the  
41 Planning Commission approved findings of fact, conclusions, and recommendations

