



Executive Summary

Issue Title: 2024 Critical Areas Ordinance Update
Meeting Date: January 16, 2024
Time Required: 60 Minutes
Department: Department of Community Development (DCD)
Attendees: Carla Lundgren, Colin Poff

Action Requested at This Meeting: No action necessary – status update.

Background:

The Kitsap County Community Development Department began the review and update of the Critical Area Ordinance (CAO) in January 2023 with the target adoption planned for July 2024. The CAO was last updated in 2017, and is being updated in conjunction with the 2024 Comprehensive Plan Update. Code edits will be related to KCC Title 19. The purpose of this project is to evaluate and modify the CAO per the schedule provided in RCW 36.70A.130.

Staff are briefing the Planning Commission on the progress achieved in 2023 and the current status of this project.

Scope:

To date, staff have reviewed the [Best Available Science \(BAS\)](#) summary and the [Consistency and Gap Analysis](#) report provided by The DCG Watershed Company (consultants). These reports were reviewed and discussed within five separate Working Groups designed to provide technical expertise for each critical area. Each working group met twice for a total of ten working group meetings.

Staff participated in and/or facilitated numerous public engagement opportunities throughout the year, including one virtual public meeting, an in-person community event, presentations at each Community Advisory Councils (CAC), and three community consultation presentations. Other outreach efforts included meetings with the local tribes, state agencies, neighboring jurisdictions, and interdepartmental collaborations.

Two major considerations identified thus far are recommendations provided by Department of Fish & Wildlife (WDFW) and Department of Ecology (DOE). *Please note: Items listed below are not a complete list of recommendations identified.*

- WDFW: Transition from stream typing and their related buffer widths, to identifying “Riparian Management Zones” (RMZ) associated with “Site Potential Tree Height” (SPTH) to determine the distance required for protection from a stream.

- DOE: Provide more detail on standard buffer condition requirements and remove buffer reduction options.

Other themes identified included topics of:

- Critical aquifer recharge areas at risk of seawater intrusion
- Expanding designation &/or protection of frequently flooded areas
- Additional and/or enhanced mapping needs

DCD staff continue to communicate and collaborate with state agencies as revisions to the Critical Areas Ordinance are proposed based on suggestions received from internal staff, working groups, project consultant (The DCG Watershed Company), BAS data, and public comment.

Next Steps:

- Current - March 2024: County staff preparing draft code amendments
- March 2024: Release of draft code amendments
- March – April 2024: Public comment period
- March 2024 (*Tentative*): Public Participation Meeting
- May 2024(*Tentative*): Planning Commission public hearing
- June 2024(*Tentative*): Board of County Commissioners work study
- July 2024(*Tentative*): Board of County Commissioners public hearing
- July 2024(*Tentative*): CAO adoption