



Planning Commission Executive Summary

Issue Title: Shoreline Master Program Periodic Review Consistency Analysis Report

Meeting Date: December 1, 2020

Time Required: 45 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:

- 1) No action requested.
- 2) For briefing and discussion.

Background

The Department of Community Development is undertaking a periodic review of the 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 SMA.

As a first step in the periodic review process, the County's current Shoreline Master Program was reviewed by staff and the consultant 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.

The Consistency Analysis Report includes potential revisions as follows:

- **Mandatory** – indicates revisions that are required for consistency with state laws.
- **Recommended** – indicates revisions that would improve consistency with state laws but are not strictly required.

- **Optional** – indicates legislative amendments or updated Ecology guidance can be adopted at the County's preference but are not required.
- **No Action Necessary** – indicates the current Shoreline Master Program meets the intent of or already contains listed legislative updates, changes to critical areas, comprehensive plan or zoning code.

Summary of Consistency Review

The consistency review identified few mandatory revisions, given the Shoreline Master Program was last updated in 2014. Several discretionary revisions are recommended to maintain consistency with state laws and Department of Ecology guidance.

The consistency review with the County's critical areas regulations indicated inconsistency with updated Critical Areas Ordinance adopted by the Board of County Commissioners in 2017. A simple approach to rectify this inconsistency is adopt the 2017 Critical Areas Ordinance by reference in the Shoreline Master Program. However, in 2018, Ecology updated wetland buffer guidance to account for recalibration of the wetland rating criteria. The Department recommends revising KCC 19.200.220 wetland buffer tables to be consistent with Ecology guidance and then adopt the revised Critical Areas Ordinance by reference in the Shoreline Master Program.

Department of Community Development recommends a number of discretionary code revisions to improve clarity and function of the Shoreline Master Program and shoreline permit review processes.

A scoping matrix that summarizes mandatory and discretionary recommendations is provided in Attachment 1. The complete Consistency Analysis Report is provided in Attachment 2.

Attachments

1. Kitsap County Shoreline Master Program Periodic Review Scoping Matrix
2. Kitsap County Shoreline Master Program Periodic Review Consistency Analysis Report