



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

1 **FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE KITSAP COUNTY**
2 **PLANNING COMMISSION TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT REGARDING**
3 **PROPOSED CODE AMENDMENTS TO KITSAP COUNTY CODE TITLE 12 “STORM WATER**
4 **DRAINAGE” AND KITSAP COUNTY STORMWATER DESIGN MANUAL**

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6 The Kitsap County Planning Commission finds as follows:

- 7 1) Kitsap County is subject to the requirements of the United States Clean Water Act and
8 National Pollutant Discharge Elimination System (NPDES) to develop a stormwater
9 management program.
- 10 2) The GMA, RCW 36.70A.130(1) also mandates that Kitsap County’s Comprehensive Plan and
11 development regulations be subject to continuing review and evaluation.
- 12 3) On July 1, 2019, the Washington State Department of Ecology (Ecology) reissued the NPDES
13 Phase II Municipal Stormwater permit. Kitsap County is a Phase II NPDES permittee and is
14 located within Census Defined Urbanized Areas which includes unincorporated lands within
15 and outside Urban Growth Areas established by GMA.
- 16 4) As a Phase II jurisdiction, stormwater runoff and associated development code must comply
17 with Ecology rules to prevent and control impacts of stormwater runoff from new
18 development, redevelopment and construction activities.
- 19 5) The NPDES Phase II permit is a requirement to meet the federal provisions of the Clean
20 Water Act. The reissued Ecology NPDES Phase II permit is effective August 1, 2019 through
21 July 31, 2024.
- 22 6) As a result of the NPDES Phase II permit reissuance, Ecology updated the Stormwater
23 Management Manual for Western Washington in 2019. This update included substantial
24 reorganization and some changes to minimum requirements and design requirements. As a
25 NPDES permittee, Ecology’s update necessitated Kitsap County to review and update,
26 where appropriate, the Kitsap County Stormwater Design Manual and associated Kitsap
27 County Codes.
- 28 7) The design criteria outlined by Ecology are largely based on industry standards and
29 guidance approved by Ecology, Low Impact Design Technical Guidance Manual for Puget
30 Sound, WSDOT Highway Runoff Manual and WSDOT Hydraulics Manual.
- 31 8) The Departments of Community Development and Public Works, with the assistance of a
32 consultant team, identified specific sections of the County’s Stormwater Design Manual and
33 relevant development code for consistency and alignment to Ecology’s updated 2019
34 manual and NPDES Phase II permit requirements.



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- 1 9) A first draft of proposed revisions to the Kitsap County Stormwater Design Manual was
2 published for public review and comment on March 2, 2020. First round of public comments
3 were solicited through April 20, 2020, allowing seven (7) weeks of public review on an initial
4 draft proposal. Comments were solicited by reaching out to the press, GovDelivery, social
5 media and interested parties. A change summary matrix outlining section revision
6 comparison to the 2016 Stormwater Design Manual to the 1st draft proposal was also made
7 available.
- 8 10) On April 20, 2020, a workshop with Kitsap Building Association (KBA) was held to discuss
9 technical proposed changes in the 1st draft of the Stormwater Design Manual and to seek
10 feedback.
- 11 11) On May 6, 2020 the Department of Community Development submitted timely notice to
12 the Washington State Department of Commerce. Specifically, the Department requested
13 Expedited Review and Notice of Intent to Adopt Amendment for the Stormwater Design
14 Manual and Code update as required under RCW 36.70A.106. On the same day, Commerce
15 acknowledged receipt of said notice. No comments were received from Commerce or other
16 state agencies.
- 17 12) On May 19, 2020, the Kitsap County Planning Commission held a regularly scheduled and
18 properly noticed work-study session to review the 1st draft of the Stormwater Design
19 Manual and underlying federal, state and local requirements to the proposed update.
- 20 13) On June 9, 2020, the Departments of Community Development and Public Works released a
21 2nd Draft proposed changes to the Stormwater Design Manual along with proposed
22 revisions to Kitsap County Code Title 12 "Storm water Drainage."
- 23 14) On June 16, 2020, the Kitsap County Planning Commission held a regularly scheduled and
24 properly noticed work-study session to review the 2nd draft of the Stormwater Design
25 Manual, Title 12 revisions and underlying requirements to the proposed update. An
26 updated change matrix of the 1st and 2nd draft versions of the proposed Stormwater Design
27 Manual and Title 12 was also provided.
- 28 15) On June 20, 2020, Kitsap County Department of Community Development issued a State
29 Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) on the proposed
30 2nd Draft proposal to the Stormwater Design Manual and Title 12 revisions. An associated
31 14-day comment and appeal period closed on July 6, 2020. No comments or appeals were
32 received.
- 33 16) On July 7, 2020, following effective and timely legal notice, the Kitsap County Planning
34 Commission held a public hearing to accept verbal and written testimony on the proposed
35 amendments to Kitsap County Code Title 12 and the 2nd Draft of the Stormwater Design
36 Manual. The written comment period was extended to July 13, 2020 at 4:30pm.



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1 17) On July 21, 2020, the Kitsap County Planning Commission held a regularly scheduled and
2 properly noticed a regular meeting to deliberate and make recommendations through
3 Findings of Fact on the proposed amendments to Kitsap County Code Title 12 and the 2nd
4 draft to the Stormwater Design Manual.

5 18) The proposed amendments to Kitsap County Code Title 12 and accompanying Stormwater
6 Design Manual (2nd Draft) are consistent with Ecology's Phase II permit requirements,
7 Stormwater Design Manual for Western Washington communities, GMA, Kitsap Countywide
8 Planning Policies, the Kitsap County Comprehensive Plan, and other applicable
9 requirements.

10 19) The proposed amendments promote the public health, safety and welfare of the citizens of
11 Kitsap County as defined by the Kitsap County mission statement.

12 **NOW THEREFORE**, the Kitsap County Planning Commission recommends to the Department of
13 Community Development as follows:

14 **RECOMMENDATION: Adopt the proposed amendments to Kitsap County Code attached**
15 **hereto as Appendix A (Title 12-Storm water Drainage dated June 2020) and Appendix B**
16 **(Kitsap County Stormwater Design Manual dated June 2020 and further amended to include**
17 **changes reflected in the Correction Memo dated July 14, 2020) incorporated herein by this**
18 **reference.**

19 **APPROVED BY THE PLANNING COMMISSION OF KITSAP COUNTY, WASHINGTON, AT A REGULAR**
20 **MEETING THEREOF, HELD THIS 21ST DAY OF JULY 2020.**

21
22 BY Michael Eliason
23 **MIKE ELIASON, CHAIR**