Planning Commission Training

The Local Legislative Process

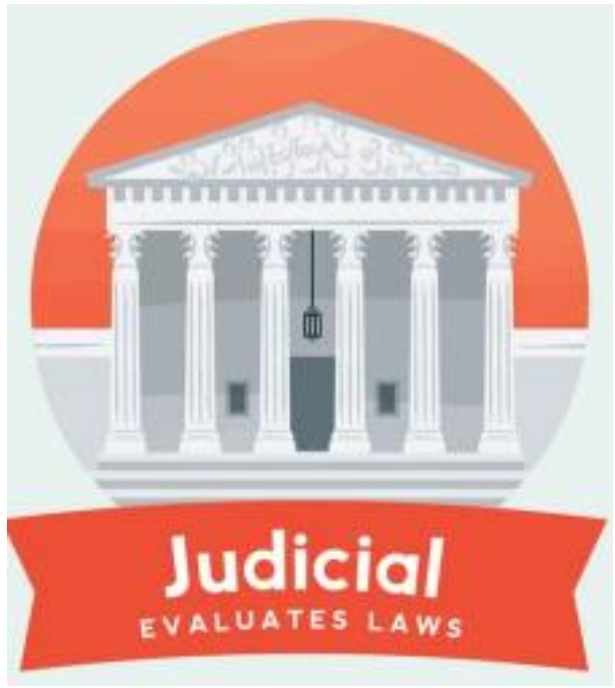
November 17, 2026 (Q4)

Lisa Nickel, *Chief Civil DPA, Kitsap County Prosecutor's Office*









Board of County Commissioners

General Authority

RCW 36.32.120

The legislative authority … shall… **make** and **enforce** … all such police and sanitary regulations as are not in conflict with state law … within the unincorporated area of the county…

Provided … that no … code … shall be effective unless … a public hearing has been held thereon by the county legislative authority …

Land Use Authority

RCW 36.70A.040

The county legislative authority shall:

Adopt a countywide planning policy

Designate critical areas and natural resource areas of long-term commercial significance

Designate urban growth areas

Adopt a Comprehensive Plan

Adopt development regulations consistent with the Comprehensive Plan

Planning Commission Role

RCW 36.70.040

Assist the planning department (DCD)

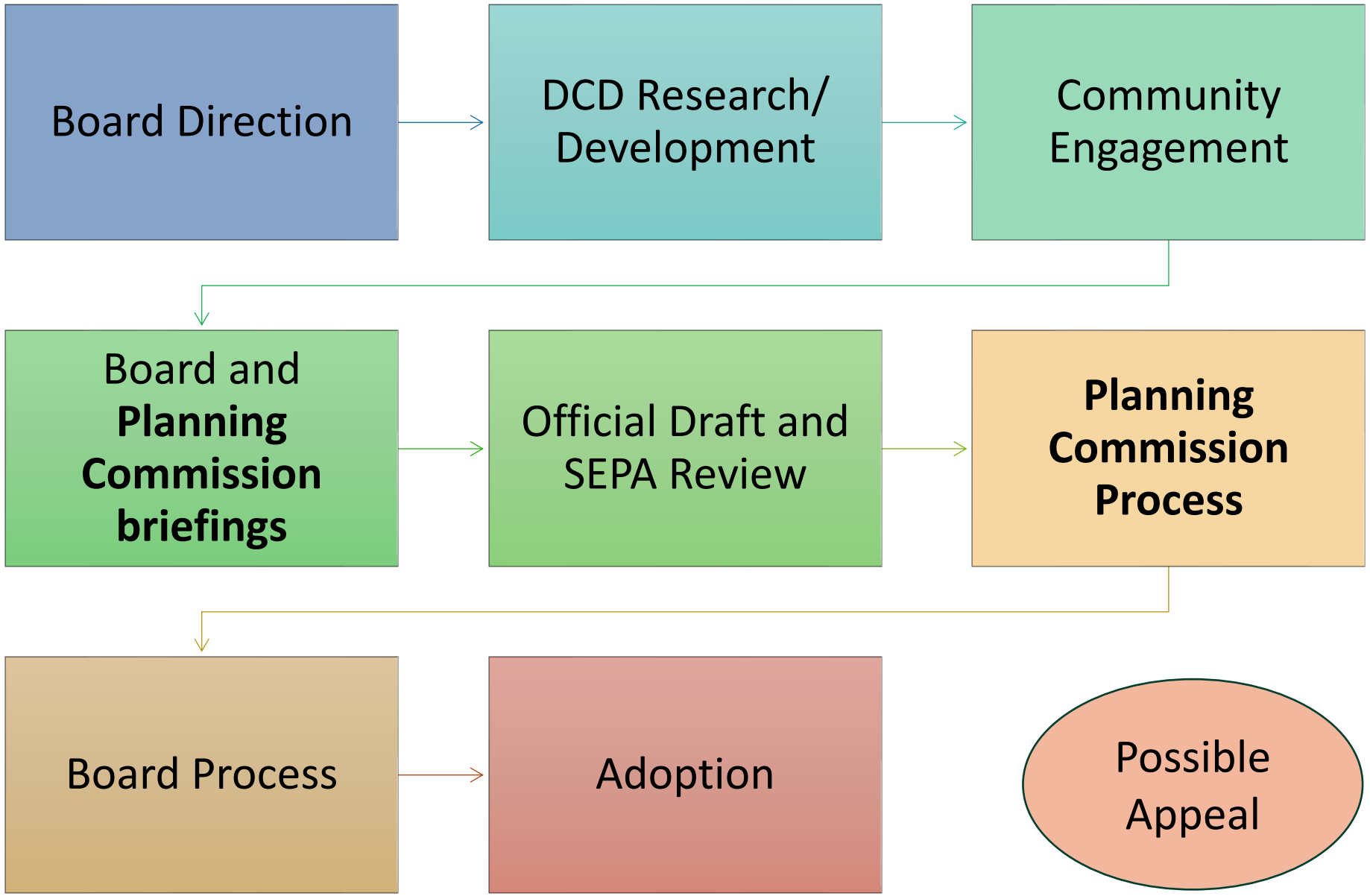
Conduct hearings identified by statute and the Kitsap County Code

- Comprehensive Plan
- Official controls/development regulations

Make recommendations on “official controls” (aka development regulations)

Make findings and conclusions based on hearings for Board consideration

PROCESS


Board Direction
DCD Research/ Development
Community Engagement
Board and **Planning Commission briefings**
Official Draft and SEPA Review
Planning Commission Process
Board Process
Adoption
Possible Appeal

PROCESS

Board Direction

*GMA requires comprehensive plans and development regulations to be subject to "**continuing review and evaluation**."*

Comprehensive Plan

- Periodic Update – every ten years. Next one due June 30, 2034
- Annual Update – most years (discretionary)
- (Proposed) Mid-cycle review

Development regulations

- Title 12 – usually after new NPDES Permit is issued by DOE
- Title 14 – follows state adoption
- Titles 15 and 19 – usually with/near Comp Plan update
- Title 16, 17, and 18 – any time
- Title 22 – now every ten years. Next due June 30, 2029

PROCESS

DCD Research/ Development

Iterative process with Community Engagement
Includes some or all of the following

- Communication with field experts
- Discussion with local / regional counterparts
- Review of other codes
- Review and evaluation of applicable laws and regulations
- Stakeholder input
- Board direction
- Internal Review Team
- Legal review

PROCESS

Community Engagement

Iterative process with DCD Research
Includes some or all of the following

- Posting onsite for site specific amendments
- Creating project websites
- Meetings with citizen stakeholder groups
- Meetings with tribes and local agencies
- Govdelivery mailings, newsletters, press releases
- Publishing notice of hearings in the newspaper
- Website updates and document repository

PROCESS

Board and **Planning Commission briefings**

Iterative process with Community Engagement

- Concurrent Board and PC Briefings during initial process
- Concurrent Board and PC work study sessions as drafts get closer to ready for public review
- Functions as touchpoints for status updates
- Forum for informal public comment during comment period of meetings
- Number and scheduling can be as frequent as needed or desired

PROCESS

Official Draft and SEPA Review

Drafts are an iterative process

- (ongoing) Draft language is prepared and circulated internally
- (ongoing) Drafts based on feedback from community engagement and briefings/work studies
- When ready for public review:
  - Commerce NOIA
  - Draft SEPA threshold determination, comment period
- Public draft published for public comment
- Begins Transition – conversational development to formal process

PROCESS

Planning Commission Process

*Source: KCC 21.08.100**

- Notice of Public Hearing
- Staff Report
- Hearing
- Deliberations
- Motions to change public draft, captured by Change Matrix
- Formal Recommendation
- Adoption of Findings of Fact (FOF)
- DCD sends FOF to Board

* *Title 21, including chapter 21.08, being updated in 2027*

PROCESS

Board Process

*Source: KCC 21.08.100**

- DCD briefs Board on PC FOF
- Drafts updated based on PC process
- Notice of Public Hearing
- Updated or revised Staff Report
- Hearing
- Deliberations
- Motions to change public draft, captured by Change Matrix
- Adoption
- Notice of Adoption
- Appeal Period

* *Title 21, including chapter 21.08, being updated in 2027*

The Comprehensive Plan is subject to continuing review and evaluation. RCW 36.70A.130

- **Periodic Update (every 10 years)**
- Annual Update (most years)

The Process

Comp Plan

KCC 21.08

*being updated for clarification

Scoping	Alternatives	SEPA	Drafts	FORMAL
• Develop outreach • Launch website • Distribute surveys • Solicit land use reclassification requests • Kick-off presentation	• Community presentations • Public workshops • Surveys • IRT meetings • Board and **PC work studies and briefings** • Comment portal	• Scoping of Alternatives • Evaluation of Preliminary Alts. • Draft EIS • Comments NOPH / Hearing (Board and PC) • Selection of Preferred Alternative • Final EIS	• Develop draft language based on prior engagement • Commerce NOIA • Opt. Comment period and revision	• NOPH • Comment period • **PC Hearing / Deliberations** • **PC FOF** • Revised drafts • NOPH • Comment period • Board Hearing / Deliberations • Adoption

The Comprehensive Plan is subject to continuing review and evaluation. RCW 36.70A.130

- Periodic Update (every 10 years)
- **Annual Update (most years)**

Docket	Drafts	SEPA	FORMAL
• Pulls from list of suggestions • Usually prior fall • **PC early review** • Limits scope • KC sponsored amendments • Potential site-specific amendments -- One CP update per year (ltd. except.) -- Changes concurrent	• Board work studies and briefings for continued direction • Internal research and drafting • Community outreach • Draft refinement • Board and **PC work studies and briefings** • Commerce NOIA • Comment portal	• Consider prior EIS • Evaluate new changes • Prepare SEPA Checklist for nonproject action • Issue draft threshold determination • Comment period • Issue final threshold determination	• NOPH • Comment period • **PC Hearing / Deliberations** • **PC FOF** • Revised drafts • NOPH • Comment period • Board Hearing / Deliberations • Adoption

The Process

Comp Plan

KCC 21.08

*being updated for clarification

The Process

Code

KCC 21.08

*being updated for clarification

Kitsap County Code is subject to continuing review and evaluation. RCW 36.70A.130

Board

- Usually from Board work plan for DCD
- Scope of process depends on scope of amendment
- DCD researches
- Community engagement

Drafts

- Board work studies and briefings for continued direction
- Internal drafting
- Community outreach
- Draft refinement
- Board and **PC work studies and briefings**
- Comment portal

SEPA

- Consider prior EIS
- Evaluate new changes
- Prepare SEPA Checklist for nonproject action
- Issue draft threshold determination
- Comment period
- Issue final threshold determination

FORMAL

- NOPH
- Comment period
- **PC Hearing / Deliberations**
- **PC FOF**
- Revised drafts
- NOPH
- Comment period
- Board Hearing / Deliberations
- Adoption

The Process

Open Space Applications

KCC 18.12 (1992)
RCW 84.34
WAC 458-30

KCC 18.12.040(4)

- Requires processing as a CP amendment (oversimplified)
- PC and DCD are to make a recommendation to the Board

RCW 84.34.037

- Where in CP designation of open space – CP amendment
- Where not in CP designation – Hearing

Practical steps

- DCD receives application
- DCD prepares Staff Report
- DCD issues NOPH
- PC holds hearing, evaluates property qualifications, makes FOF
- DCD submits to the Board
- Board reviews, adopts by resolution

Resources

- RCW 36.32.120 – Power of Legislative Authorities
- RCW 36.70A – Growth Management Act
- RCW 36.70 – Planning Enabling Act
- KCC 21.08 – Legislative Action Procedures