

**(DRAFT) AGENDA**  
**Special Meeting – Bremerton Planning Commission**  
**(Subject to PC approval)**  
**January 27, 2020**  
**5:30 P.M.**  
**345 – 6<sup>th</sup> Street**  
**Meeting Chamber – First Floor**

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- I. CALL TO ORDER**
  - II. ROLL CALL (quorum present)**
  - III. APPROVAL OF THE AGENDA**
  - IV. APPROVAL OF MINUTES:**
    - November 18, 2019 meeting
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**V. PUBLIC MEETING**

- A. Call to the Public:** Public comments on any item not on tonight's agenda
  - B. Workshop**
    - 1.** Workshop for 2020 Comprehensive Plan Amendments Docket: Overview
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**VI. BUSINESS MEETING**

- A. Chair Report:** Nick Wofford
  - B. Director Report:** Andrea Spencer
  - C. Old Business:**
  - D. New Business:**
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**VII. ADJOURNMENT: The next special meeting of the Planning Commission is**

**Monday, February 24, 2020**

*(Note: date is the fourth Monday due to the holiday that occurs on the third Monday)*

**Planning Commission meeting packets are available on-line at**  
<http://www.BremertonWA.gov/AgendaCenter/Planning-Commission-4>

# DRAFT

Subject to January 27, 2020 Approval

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF REGULAR MEETING November 18, 2019

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#### CALL TO ORDER:

Chair Tift called the regular meeting of the Bremerton Planning Commission to order at 5:30 p.m.

#### ROLL CALL

##### Commissioners Present

Chair Tift  
Vice Chair Wofford  
Commissioner Mosiman  
Commissioner Jones  
Commissioner Pedersen

##### Staff Present

Andrea Spencer, Director, Department of Community Development  
Allison Satter, Senior Planner, Department of Community Development

##### Commissioners Excused

Commissioner Davis

*Quorum Certified*

#### ELECTION OF OFFICERS FOR 2020

CHAIR TIFT MOVED TO APPOINT COMMISSIONER WOFFORD TO SERVE AS CHAIR OF THE COMMISSION IN 2020. COMMISSIONER JONES SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

COMMISSIONER WOFFORD MOVED TO APPOINT COMMISSIONER TIFT TO SERVE AS VICE CHAIR OF THE COMMISSION IN 2020. COMMISSIONER PEDERSEN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

#### APPROVAL OF AGENDA

VICE CHAIR WOFFORD MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER MOSIMAN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

#### APPROVAL OF MINUTES

VICE CHAIR WOFFORD MOVED TO APPROVE THE MINUTES OF OCTOBER 21, 2019 AS PRESENTED. COMMISSIONER JONES SECONDED THE MOTION, WHICH CARRIED 4-0, WITH COMMISSIONER MOSIMAN ABSTAINING.

## **PUBLIC MEETING**

### **Call to the Public** (public comments on any item not on the agenda)

**Chair Tift** asked if there were any comments from citizens. Seeing none, he closed the public portion of the meeting.

### **Public Hearing: Zoning Code Amendment to Establish Regulations for Temporary Encampments**

**Ms. Satter** reviewed the rules and procedures for the public hearing and **Chair Tift** opened the hearing.

**Ms. Satter** explained that, currently, State law allows temporary encampments to be established by religious organizations, which means the City cannot prohibit temporary encampments. However, it can adopt regulations that are specific to Bremerton in order to protect the health, safety, security and general welfare of the encampment residents and the general public. She referred to Revised Code of Washington (RCW) 35.21.915 (Attachment B of the Staff Report), which authorizes temporary encampments to be placed throughout the State. It says they must be temporary, but there is no definition of what “temporary” means. It is up to individual jurisdictions to regulate the use. By State code, temporary encampments must be sponsored by a religious organization.

**Ms. Satter** recalled that when preparing the draft provisions, staff looked at how other jurisdictions regulate temporary encampments. All of the proposed regulations have been used successfully in other jurisdictions. She advised that Option 1 would be to do nothing, which means the City would utilize the State code to regulate temporary encampments. They could be located anywhere in the City, as long as they are sponsored by religious organizations. Option 2 would be for the City to adopt a permitting process and regulations that are applicable to Bremerton. The purpose of the hearing is to discuss proposed code language as per Option 2. As proposed, temporary encampments:

- Would be allowed citywide.
- Would be limited to only one at a time. Allowing temporary encampments in more than one location at the same time could end up taxing the City’s emergency services and the ability to respond in a crisis situation.
- Would be limited to 92 days (1/4 year) at one location during any 24-month period. That means that 8 locations would be needed for the temporary encampments to rotate around the City during a 2-year period.
- Must be at least 1 acre in size and provide at least 150 square feet (typical parking stall) for each of the occupants. The idea is that there must be sufficient space for residential tents, restrooms, security and food tents, access and circulation, etc.
- Would require a 20-foot perimeter setback and an additional 20-foot setback (for a total 40 feet) when adjacent to residential uses.
- Must be screened and/or fenced. The Fire Department would also have to ensure there is adequate ingress and egress and that emergency services can access the site at all times.

**Ms. Satter** shared an example of how the proposed regulations could be applied to a vacant 1-acre site. With a 40-foot buffer on three sides (adjacent to residential uses), and a 20-foot buffer along the street, the useable area would be 19,320 square feet. About 129 residents could be accommodated. She acknowledged that this is an ideal situation that doesn’t consider buildings, parking lots on the site, etc.

**Ms. Satter** explained that, currently, no permit is required for temporary encampments, and staff is proposing that a Type I Permit be required. This is the least burdensome permit type (typical of a Building Permit) and does not require a public hearing. Type I Permits are administrative decisions and are issued within 30 days. She acknowledged that a 30-day process does not allow enough time to do public outreach. As such, significant upfront planning would be required by the host, including a neighborhood meeting and meetings with the Police, Fire, Health District and nearby schools and childcare services to discuss and mitigate potential impacts prior to permit submittal. Hosts must provide a plan to help address potential impacts before a permit will be issued. At a minimum, the plan must address the following:

- Meet all health regulations.
- Provide adequate access for emergency services.

- Allow Fire Marshal and Building Code inspections throughout the encampment's duration.
- Provide adequate potable water and toilet facilities.
- Provide regular trash patrol.
- Manage the noise on the site.
- Manage the light and glare from the site.
- Provide security via a Security Management Plan.
- Develop and implement a Code of Conduct. (i.e. no guns, no open flames, no violence, etc.)

**Ms. Satter** said the idea of the proposed language is to make the requirements clear to applicants (hosts) so that permits can be quickly approved. She pointed out that the proposed language would not limit temporary encampments to specific zoning districts; they would be allowed citywide. It also doesn't limit the number of occupants. However, a minimum 1-acre parcel would be required to ensure enough area to accommodate Bremerton's unsheltered population, which has been identified in Attachment A as 101 people. The proposal would allow other groups, in addition to religious organizations, to host a temporary encampment.

**Ms. Satter** reviewed the few changes that were made to the draft proposal after the Commission Packets were sent out:

1. The original proposal had a 90-day limit, and the updated proposal increased the limit to 92 days. This change was based on a public comment, noting that 90-days is not a quarter of a year. A 90-day limit would require nine locations in a 2-year period rather than the desired 8 locations.
2. A citation to the RCW related to indemnification was added for clarity. As per State Code, the City would not be held responsible if something were to happen at a temporary encampment at a religious facility. Therefore, religious organizations would not be required to provide the additional documentation.

**Ms. Satter** reported that three written comments have been received to date. One person requested a longer duration of time for each encampment, up to 6 months. The person also noted that, at the least, the duration should be expanded from 90 to 92 days, which would at least be a quarter year. Another person strongly opposed encampments and requested a law against vagrants. However, the latter request is beyond the scope of the current proposal. A third person strongly opposed "tent cities." Regarding the last two comments, she reminded the Commission that the City cannot prohibit encampments. The City can either rely on the State regulations or adopt regulations that are more specific to the City of Bremerton.

**Ms. Satter** concluded that the Planning Commission must consider all public comments, deliberate and make a recommendation to the City Council relative to the proposed amendments. Staff's hope is to present the proposed amendment to the City Council on December 18<sup>th</sup> for a public hearing and final decision.

**Chair Tift** invited public comment.

**Roy Runyan, Bremerton**, expressed his belief that a minimal screen should be required to provide privacy to the individuals in the camp and to screen the camp from the surrounding area/neighborhood. He also commented that the Code of Conduct requirements are too vague. He noted that many of the occupants in the temporary encampments suffer from drug and alcohol addiction and they should have access to treatment. He recommended that hosts be required to coordinate with social service agencies and organizations to provide these services. He noted that, as proposed, temporary encampments would be allowed in any 1-acre parcel in any zone in the City. He suggested that the use be excluded within a certain radius of schools. **Chair Tift** pointed out that the proposed regulations do include a screening requirement.

**Mike Simpson Snyder, Bremerton**, suggested reducing the 1-acre requirement to ½ acre and then adding a maximum size limit. He voiced concern that they could end up with a very large temporary encampment, which is not appropriate for Bremerton. If the City requires 150 square feet for each occupant, limiting the total size of the encampment to 2.5 to 5 acres would be well advised. He asked if the screening requirement is spelled out in the proposed code language or if the requirement would vary per agreements with each individual organization.

**Chair Tift** closed the public hearing.

**Vice Chair Wofford** commented that “temporary” is an arbitrary word. He asked if there is a standard in any other State or City regulation that defines “temporary.” **Ms. Satter** answered that the City’s zoning code removed all references to “temporary” based on the idea that there is nothing more permanent than “temporary.” The International Building Code identifies “temporary” as 180 days. The proposed language would establish what “temporary” means as far as temporary encampments are concerned.

**Vice Chair Wofford** observed that, as proposed, a temporary encampment could be located anywhere in the City and would not be limited to just the host’s property. He asked if this would include City-owned properties. **Ms. Satter** responded that State Code requires that temporary encampments be sponsored by religious organizations, but a religious organization could partner with another property owner, including the City. The proposed code would allow other groups, besides religious organizations, to host a temporary encampment. **Director Spencer** added that property-owner consent would be required. For example, the City would have to agree before a temporary encampment could be located on a city-owned property.

**Commissioner Jones** asked who would be responsible for screening the residents of an encampment. **Ms. Satter** said the proposed language does not outline a specific screening process. It would be up to the host to decide the types of occupants that are allowed. **Commissioner Jones** asked if the language could include a screening requirement. **Ms. Satter** responded that if concerns are expressed at a neighborhood meeting, a host may choose to place limits on the occupants, but that decision would be made by the host and not the City.

**Commissioner Jones** asked if there are currently encampments that are sponsored by religious organizations, and **Ms. Satter** answered none that are being regulated. However, there are some informal encampments in the City. **Commissioner Jones** requested clarification of the screening requirement. **Ms. Satter** referred to BMC 20.46.090(c)(4), which states that “*All activities, shelters, toilets, cooking facilities, etc. of the temporary encampment shall be screened from view of the adjacent properties and the public right-of-way to the maximum extent feasible. This can be accomplished by a minimum 6-foot-high sight-obscuring fence, existing dense vegetation, an existing topographic difference, distance from exterior property lines, or other means.*”

**Commissioner Jones** asked who would be responsible for making sure there is adequate security. **Ms. Satter** said this will be addressed when a host meets with the Police Department prior to submitting an application. The occupancy load may be limited by the host’s ability to provide adequate security.

**Commissioner Pedersen** said he lived near a temporary encampment in Central Seattle a few years ago. He recognized the need for temporary encampments, particularly those that are well-regulated, but he wouldn’t want to have the use located next to his home once every two years. He suggested that it might be better to have a duration limit of 92 days during a 36-month period, but he acknowledged it would require 12 rather than 8 viable sites. **Ms. Satter** said staff’s preliminary analysis indicates there are numerous viable sites in Bremerton where encampments could be located. The 92-day duration in a 24-month period was taken from another City. She hasn’t seen any codes from other jurisdictions that have a 36-month duration, but that doesn’t mean it can’t be done. **Commissioner Pedersen** acknowledged that it takes a lot of work to complete all of the permit requirements for a temporary encampment, but for those who live right next to the encampments, extending the time period to 36 months might make a big difference. **Ms. Satter** pointed out that the City of Seattle only allows three encampments at any given time, and many other cities only allow one.

**Commissioner Pedersen** suggested it would be appropriate to require some type of additional setback from childcare facilities and schools. **Ms. Satter** pointed out that the proposed regulations would require hosts to notify all childcare facilities and schools in the vicinity. The facility operators, as well as the parents of the children being served, would be invited to attend the neighborhood meeting to comment and specifically request additional setbacks and other mitigation. **Director Spencer** added that during staff’s research no other regulations were found by other jurisdictions that required additional setbacks from schools or childcare facilities.

**Commissioner Mosiman** referred to RCW 35.21.915, and asked if the City has any codes or regulations to govern the “within building” part of the provision. For example, could a religious organization open up its basement for a homeless encampment. **Director Spencer** answered yes, provided the building meets all of the Building Code requirements for a residential use, such as sprinklers and access.

**Commissioner Mosiman** observed that the words “applicant” and “property owner” are used throughout the proposed language. In BMC 20.46.090(b)(1) and (2), “applicant” means *“the temporary encampment host, sponsor and manager,”* and “property owner” means *“the owner of the property or legal representative of the real property proposed for use as a temporary encampment.”* However, in the overhead summary, staff used the word “groups.” He asked for clarification about these terms. He also asked if the definition for “applicant” implies that three individuals (host, sponsor, manager) would be required. **Ms. Satter** answered no. One person or organization could serve as the host, sponsor and manager. **Commissioner Mosiman** suggested that the definition should be revised to make it clear that the applicant could be an individual. As currently proposed, it implies that at least three people must serve as applicant.

**Director Spencer** specifically asked for direction from the Commission as to whether or not the use should be limited to religious and non-profit organizations or opened for anyone to be the applicant. **Commissioner Mosiman** said that, as currently proposed, an applicant could be either a group or an individual. It is confusing that the words “host,” “manager,” and “sponsor” all mean the same thing. He suggested it would be simpler to say that the applicant is the group or individual hosting the temporary encampment. He observed that none of the conversation to this point would imply that the use should be limited to religious and non-profit organizations. **Ms. Satter** suggested the definition for “applicant” should be changed to mean “a group or individual that hosts, sponsors and/or manages a temporary encampment.” The Commissioners agreed that would clarify the definition.

**Commissioner Jones** asked if City staff would inspect the encampments to ensure they are meeting the Code of Conduct and all City regulations. If so, how often. **Ms. Satter** responded that, as proposed, the host would be required to allow the Fire Marshal and/or Building Official to have access to the site for inspections at any time. Hosts would also be required to coordinate with the Police Department and Health District.

**Vice Chair Wofford** asked where the code requires the sponsor to be a religious organization. He also asked how “religious organization” is defined. **Ms. Satter** referred to RCW 35.21.915 (Attachment B), which states that *“a religious organization may host temporary encampments for the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.”* The proposed code would not limit the use to only religious organizations. **Vice Chair Wofford** summarized that, as proposed, anyone could sponsor a temporary encampment.

**Chair Tift** asked the Commissioners to comment on the idea of changing the duration from 92 days every 24 months to 92 days every 36 months. He also asked them to comment on the buffers proposed and if they should be increased when adjacent to childcare facilities and schools. **Commissioner Pedersen** asked what recourse a school or childcare facility would have if a temporary encampment is located adjacent. Could a greater setback be imposed at that time? Could a permit for a temporary encampment be denied if a school or childcare facility objects? **Director Spencer** pointed out that the applicant would be required to meet with the school and/or childcare facility and respond to their concerns with some mitigating measures. **Ms. Satter** added that an impact mitigation plan would be required as part of the permitting process. **Director Spencer** pointed out that temporary encampments are outright permitted by State Law, so the City cannot outright deny an application. However, it can add conditions as part of permit approval. Again, she said the proposed regulations are modeled after other jurisdictions and have been proven effective. They haven’t found any regulations in other jurisdictions that required additional setbacks from schools or childcare facilities.

Given the size of Bremerton and the proposed duration of 92 days during a 24-month period, **Commissioner Mosiman** questioned the likelihood of finding that many parcels within a 2-year time period. He said he can sympathize with property owners where temporary encampments are located repeatedly, yet the unsheltered people need to be taken care of. He voiced his opinion that the proposed regulations strike a good balance. He voiced concern against making the regulations so onerous that they end up violating the RCW, itself. The City may not be able to survive a challenge if there are insufficient areas in the City for temporary encampments to locate. Again, he said he supports the proposed 92-day rotation every two years. **Director Spencer** also expressed her belief that the proposed language strikes the right balance of making sure there are enough areas for temporary encampments to locate while still protecting the public’s health, safety and welfare.

**Director Spencer** observed that, as soon as a temporary encampment is permitted and in place, the next host will have to start the public outreach and application process again. The host groups and/or individuals will have to be constantly working.

**Commissioner Mosiman** asked if any of the proposed regulations have been in operation in cities of similar size long enough to see how well the rotation works and what the groups are doing to make encampments happen. **Ms. Satter** answered that the City of Bremerton is actually a little behind other jurisdictions. Many have had code provisions in place for about five years. The City hasn't been impacted by the RCW provision, so no city-specific regulations have been adopted to date. A lot of the proposed language came from the City of Bothell, but she doesn't know if they have had enough experience to know if the regulations work effectively. You tend to hear more about the problems associated with temporary encampments in Seattle, and that is why additional provisions are needed. Based on what she learned from other jurisdictions, she agreed that if the requirements are too stringent, they may have to revise the code later if challenged. Rather than waiting for groups to establish temporary encampments, **Director Spencer** said some cities are setting up their own camps to deal with the homeless issue.

**Chair Tift** observed that the 1-acre requirement would fit the City's current need, as it would house up to 129 residents, and the City currently has about 101 homeless individuals. If the number of homeless individuals increases above 130, the parcel size and/or the setback requirements could be adjusted later. Other elements of the provision could also be updated if deemed necessary in the future. **Ms. Satter** pointed out that Kitsap County, Poulsbo and Bainbridge Island all have code provisions for temporary encampments, and Bremerton and Port Orchard are the only jurisdictions in the county that do not. Absent a code, religious organizations can already host temporary encampments and there would be no specific City requirements.

**Chair Tift** asked who would be responsible for closing a temporary encampment. **Ms. Satter** referred to BMC 20.46.090(e) and (i). Section e talks about restoration of the site. After 92 days, the site must be restored, as near as possible, to its original condition. For example, the applicant would be required to replant areas where vegetation was removed or destroyed, remove gravel and replace with grass, etc. Section i outlines the circumstances and process for closing down a temporary encampment that is found in violation of the permit conditions. Upon revocation of the permit, all residents would have to vacate the premises within 72 hours.

**Chair Tift** asked if retail sales, such as a food concession, would be allowed within a temporary encampment. He also asked if a host could charge the occupants rent. **Ms. Satter** answered that the proposed language would not prohibit either from occurring. It would be left up to the host.

**COMMISSIONER MOSIMAN MOVED TO RECOMMEND THE CITY COUNCIL ADOPT THE ZONING CODE AMENDMENTS TO BMC TITLE 20 TO ADD A PERMITTING PROCESS AND REGULATIONS FOR TEMPORARY ENCAMPMENTS AS SHOWN IN ATTACHMENT C WITH THE TEXT EDITS AS PRESENTED AT THE HEARING ON NOVEMBER 18, 2019 AND THE DEFINITION CHANGE TO "APPLICANT," THE STAFF REPORT AND THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT E. VICE CHAIR WOFFORD SECONDED THE MOTION.**

**Ms. Satter** advised that staff would prepare a minority report to indicate there was some concern about requiring more setback when adjacent to schools and childcare facilities. There was also a suggestion that the duration be increased to a maximum of 92 days in any 36-month period.

**THE MOTION CARRIED 3-2, WITH COMMISSIONERS MOSIMAN, WOFFORD AND TIFT VOTING IN FAVOR AND COMMISSIONERS PEDERSEN AND JONES VOTING IN OPPOSITION.**

**Commissioner Pedersen** commented that he supports the idea of adopting local regulations for temporary encampments and would likely have supported the motion if the proposed language had addressed his concerns about additional setbacks when adjacent to schools and childcare facilities and if the duration had been increased from 92 days every 24-month period to every 36-month period.

**Commissioner Jones** said she doesn't feel comfortable that the City would have the ability to regulate the temporary encampments to the extent needed. She was concerned that the use could get out of control. While the concept looks good on paper, she is not convinced it would actually turn out that way. **Director Spencer** reminded her that the use is already allowed by State Law without any City oversight. **Commissioner Jones** acknowledged that the use is already allowed, but she did not believe there would be sufficient follow-through to make sure the new codes would be enforced.

**BUSINESS MEETING**

**Chair Report**

**Chair Tift** noted that this would be his last meeting to serve as Chair of the Commission. He thanked the Commissioners for the support they provided over the past two years. The Commission has done some good things that have made the City a better place to live and work.

**Director Report**

**Director Spencer** congratulated the new 2020 officers and thanked Chair Tift for his great leadership over the past two years.

**Director Spencer** reported that permitting activity remains high and that walk-in customers at the counter do not show any signs of slowing down.

**Old Business: Bylaw Review and Comments**

**Chair Tift** reminded the Commissioners to share their comments regarding the bylaws with Ms. Satter or Director Spencer. **Director Spencer** advised that she hasn't received any comments to date.

**Director Spencer** announced that the Commission's December meeting was cancelled. Instead, the Commissioners will meet for a "Holiday Cheer." The next meeting will be January 27, 2019, a special meeting, given that the third Monday of the month is a holiday (Martin Luther King Day). **Ms. Satter** also noted that the February meeting would be on February 24<sup>th</sup> rather than February 17<sup>th</sup> due to the holiday (President's Day).

**New Business**

There was no new business.

**ADJOURNMENT**

The meeting was adjourned at 6:35 p.m.

Respectively Submitted by:

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Andrea L Spencer, AICP  
Executive Secretary

\_\_\_\_\_  
Nick Wofford, Chair  
Planning Commission

**CITY OF BREMERTON, WASHINGTON  
PLANNING COMMISSION AGENDA ITEM**

<p><b>AGENDA TITLE:</b> Workshop for 2020 Comprehensive Plan Amendments Docket: Overview</p> <p><b>DEPARTMENT:</b> Community Development</p> <p><b>PRESENTED BY:</b> Allison Satter, (360) 473-5845 or <a href="mailto:Allison.Satter@ci.bremerton.wa.us">Allison.Satter@ci.bremerton.wa.us</a></p>
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**EXECUTIVE SUMMARY**

A Comprehensive Plan Amendment is a change to the City of Bremerton Comprehensive Plan. The Comprehensive Plan is the City’s long-range plan used as a guide for the physical, economic, and social development of Bremerton.

Comprehensive Plan amendments are processed on an annual cycle as allowed by State Law. As the first step in this process, the City has invited the public to apply for proposed changes from August through November 15, 2019 for this year’s amendment docket. After the docket has been established with all the proposed amendments to be considered this year, the Bremerton Planning Commission will provide a recommendation of the amendments to the City Council who will make the final decision.

One amendment is included for the Planning Commission’s consideration in 2020 that is City proposed. There was no public request for amendments to be considered this year. The proposed amendment is to establish a minimum net density of six (6) dwelling units per acre (many districts currently allow five (5) dwelling units per acre). This is not any anticipated changes to the maximum density allowed in the City’s land use plan.

Amendments to the City’s Comprehensive Plan are regulated by Bremerton Municipal Code 20.10 which outlines the process and criteria of approval.

This workshop’s intent is:

- To summarize the Comprehensive Plan proposed amendment for the 2020 annual Comprehensive Plan docket, and
- Discuss process and anticipated schedule, and preliminary questions that the Commission and the public may have about the annual 2020 amendment.

**ORDERS OF THE DAY:**

Provide direction to Staff on proposed Comprehensive Plan amendment and provide feedback on the anticipated schedule and any questions regarding the process or amendment.

## **DECISION CRITERIA FOR COMPREHENSIVE PLAN AMENDMENTS**

The City of Bremerton's Comprehensive Plan establishes a blueprint for our future – a document that will guide the City in its decision making for the next 20 years. The Comprehensive Plan provides a set of policies that direct future growth and development. Additionally, the Plan identifies potential strategies that will help effectively guide City leaders in making substantive and thoughtful decisions for the community.

To update this document, per State laws and the City's code (Bremerton Municipal Code 20.10), the Comprehensive Plan may only be updated once a year (with a few exceptions such as a Subarea Plan adoption or emergency amendments to prevent or avoid imminent danger to the public). The City has a window to accept amendment applications for the Comprehensive Plan that is between the first business day of August through November 15<sup>th</sup> of each year, and then the amendments are then processed the following calendar year.

As Planning Commission is considering the proposed Comprehensive Plan amendments, the following must be considered (BMC 20.10.080):

1. In considering the annual amendment to the Comprehensive Plan, the Planning Commission shall consider all proposed amendments concurrently to assess their cumulative effect onto the City and the environment.
2. The Planning Commission may recommend and the City Council may adopt or adopt with modifications, an amendment to the Comprehensive Plan if:
  - (a) There exists an obvious technical error in the pertinent Comprehensive Plan provisions; or
  - (b) All the following criteria have been met:
    - (1) The amendment is consistent with the Washington State's Growth Management Act;
    - (2) The amendment is consistent with the Comprehensive Plan or other goals or policies of the City;
    - (3) If the amendment was reviewed but not adopted as a part of a previous proposal, circumstances related to the proposed amendment have significantly changed, or the needs of the City have changed, which support an amendment;
    - (4) The amendment is compatible with existing or planned land uses and the surrounding development pattern; and
    - (5) The amendment will not adversely affect the City's ability to provide urban services at the planned level of service and bears a reasonable relationship to benefitting the public health, safety and welfare.

Planning Commission shall consider the Comprehensive Plan proposed amendments through workshop(s) and a Public Hearing. Following that process, the Commission will provide a recommendation to City Council regarding these amendments. The anticipated schedule for the 2020 amendment docket is as follows:

- **Workshops:**
  - January 27, 2020 (this workshop)
  - February 24, 2020 – Commission Workshop #2
  - Additional workshops through early 2020 if necessary
- **Environmental Review/Agency Outreach:**
  - During February/March conduct environmental review and submit local and state agencies, and the tribes for agency review
- **Public Hearings:**
  - March / April Planning Commission Public Hearing and recommendation to City Council
  - April / May City Council Public Hearing and decision
- **Additional Outreach:**
  - City Council District 4’s Community meeting on November 25, 2019
  - Kitsap Building Association’s Monthly meeting on January 9, 2020
  - Staff is willing to make other presentations to community groups or answer questions – please contact Allison Satter at [Allison.satter@ci.bremerton.wa.us](mailto:Allison.satter@ci.bremerton.wa.us)

#### **PROPOSED AMENDMENTS: OVERVIEW**

For 2020 annual Comprehensive Plan docket cycle, there is one city-initiated proposed amendment to revise the Comprehensive Plan. The proposed amendment is:

- Establish a minimum net density of six dwelling units per acre.

Many of the City’s current residential districts have a minimum net density at 5 dwelling units per acre (DUA) and the maximum densities have a range. This amendment is only looking at the minimum density (no changes to the maximum densities are anticipated). The following districts would require amendments to the Comprehensive Plan and associated Zoning Code to have a minimum 6 DUA as they currently list 5 DUA:

- A. Low Density Residential and BMC 20.60
- B. Medium Density Residential and BMC 20.78
- C. Downtown’s Multifamily Residential (1 + 2)
- D. Downtown’s One and Two Family Residential

Website links to see the current documents:

- Bremerton Comprehensive Plan:  
<http://www.ci.bremerton.wa.us/185/Comprehensive-Plan>
- Bremerton’s Zoning Code (Bremerton Municipal Code) and Maps:  
<http://www.ci.bremerton.wa.us/399/Zoning-Code-Map>
- Downtown Subarea Plan:
  - <https://www.bremertonwa.gov/371/Downtown>

## **Why are we proposing this amendment?**

Washington State Legislature has passed a bill that encouraged cities to consider establishing minimum densities for all residential districts at 6 DUA.

Most people would agree that affordable housing is a major issue throughout the state of Washington. There is much less agreement, however, on what is needed to address this problem. Recognizing this quandary, the Washington Legislature passed a bill ([E2SHB 1923](#)) to help address the affordable housing issue, which was signed by the Governor and took effect on July 28, 2019

While it doesn't have the mandates included in the original version, E2SHB 1923 is intended to encourage more residential development capacity and increase local governments' emphasis on affordable housing. The bill focuses primarily on cities with populations of more than 20,000, with those cities needing to take formal action — as outlined in the bill — by April 1, 2021, in order to participate.

The first amendment from this State bill that the City is considering is to establish a minimum net density of 6 DUAs.

## **Other considerations**

This proposed amendment is important for the City to consider as the City has a scarce resource of undeveloped and underutilized land. To adopt code to establish a minimum density of 6 DUA, instead of current 5 DUA, will increase the City's assurances that we can provide opportunity for housing for our population growth. Preliminary analysis of this change indicates that it isn't different than the current development pattern that is happening with recent subdivisions. Recent platting activities shows that subdivisions are creating a density of 6 to 7 DUA within the residential districts. If this proposed amendment was adopted, it is consistent with the current development pattern.

## **ORDER OF THE DAY**

Provide direction to Staff on proposed Comprehensive Plan amendment and provide feedback on the anticipated schedule and any questions regarding the process or amendment.