

(DRAFT) AGENDA
Regular Meeting – Bremerton Planning Commission
(Subject to PC approval)
February 24, 2020
5:30 P.M.
345 – 6th Street
Meeting Chamber – First Floor

- I. CALL TO ORDER**
 - II. ROLL CALL (quorum present)**
 - III. APPROVAL OF THE AGENDA**
 - IV. APPROVAL OF MINUTES:**
 - January 27, 2020 meeting
-

V. PUBLIC MEETING

A. Call to the Public: Public comments on any item not on tonight's agenda

B. Workshop:

- 1. Workshop on Potential Subdivision Regulation Amendments
-

VI. BUSINESS MEETING

A. Chair Report: Nick Wofford

B. Director Report: Andrea Spencer

C. Old Business:

D. New Business:

VII. ADJOURNMENT: The next regular meeting of the Planning Commission is

Monday, March 16, 2020

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

DRAFT

Subject February 24, 2020 Approval

CITY OF BREMERTON

PLANNING COMMISSION MINUTES OF SPECIAL MEETING January 27, 2020

CALL TO ORDER:

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

ROLL CALL

Commissioners Present

Chair Wofford
Vice Chair Tift
Commissioner Coughlin
Commissioner Mosiman
Commissioner Pedersen
Commissioner Rich

Staff Present

Andrea Spencer, Director, Department of Community Development
Allison Satter, Planner Manager, Department of Community Development
Sarah Lynam, DCD Project Assistant, Department of Community Development

Commissioners Excused

None

Quorum Certified

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

COMMISSIONER MOSIMAN MOVED TO APPROVE THE MINUTES OF NOVEMBER 18, 2019 AS PRESENTED. VICE CHAIR TIFT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

PUBLIC MEETING

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

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

Public Workshop: 2020 Annual Comprehensive Plan Amendment Docket Overview

Ms. Satter reviewed that the Comprehensive Plan is the 20-year vision for the City of Bremerton. It is a blueprint document that identifies the City's vision, goals and policies. Major updates to the Comprehensive Plan occur about every 8 to 10 years, and amendments are only allowed once a year. This year, the docket only includes one, city-initiated amendment. The Zoning

Code contains the development regulations that are specific to developing a property (setbacks, lot coverage, allowed uses, parking, landscaping, sign specifics, design, etc.). The Zoning Code can be amended whenever needed, and is not limited to one time per year.

Ms. Satter explained the process for moving the Comprehensive Plan amendments forward, starting with research and additional public outreach by staff. A Commissioner has specifically requested additional outreach to the school district to advise them of the proposed amendment. The Commission will conduct workshops to discuss the proposed amendment and a 60-day environmental/cumulative impact review will be done by staff. Following the environmental review, the Planning Commission will conduct a public hearing and make a recommendation to the City Council. The City Council will conduct its own public hearing and make the final decision. The goal is to get the amendment adopted by the summer of 2020.

Ms. Satter reviewed that the Washington State Legislature passed House Bill (HB) 1923, which encourages jurisdictions to increase residential capacity. The bill provided a plethora of options for local jurisdictions to consider. Some of the options have already been implemented by the City, and some are not applicable. However, the City has committed to consider the following three options: cluster housing, accessory dwelling units (ADUs), and establishing a minimum of 6 dwelling units per acre (DUA). Tonight's discussion will focus on establishing a minimum of 6 DUA.

Ms. Satter reviewed the criteria for approving Comprehensive Plan amendments (BMC 20.10):

- Review all changes concurrently to identify the cumulative effect of all of the amendments.
- Was it just an error?
- Compliant with the Growth Management Act (GMA).
- Consistent with other Comprehensive Plan and policies.
- Compatible with existing or planned land use and the surrounding development patterns.
- Will not adversely affect the City's ability to provide urban services and bears reasonable relationship to benefiting the public health, safety and welfare.

Again, **Ms. Satter**, advised that the City Council would make the final decision, but they rely heavily on the Commission's recommendation.

Ms. Satter advised that, as proposed, the amendment would establish a minimum density of 6 DUA. The maximum density would not change. The proposed change would impact four different districts:

- Low-Density Residential Zone (roughly 80% of the City)
- Medium-Density Residential Zone
- Downtown Multifamily Residential 1 and 2 Zones (Highland and Pleasant)
- Downtown 1 and 2 Family Residential Zones (near the fire station and Evergreen Park)

Ms. Satter said that, currently, all of these zones have a minimum density of 5 DUA, and any development that occurs in these zones must meet that minimum density. If the amendment is adopted as proposed, the minimum density would increase to 6 DUA. For reference, she noted that the R-10 zone currently allows 5 to 10 DUA. She shared pictures of development on Pitt Avenue near Manette, which is developed at approximately 6 DUA. Each of the lots are about 0.17 acres and the size of the homes range from between 1,100 square feet to about 3,000 square feet. The lots are at least 75 feet wide and 100 feet deep, and the maximum height limit is 35 feet.

Ms. Satter advised that very few plats in Bremerton subdivide at the minimum density, and the average is 7 DUA. She reviewed the densities of the plats that were approved in 2019, none of which would have been impacted by the proposed amendment.

- Bay Vista Plat – 11 DUA for 120 homes
- Greystone (Sylvan Way) – 9.25 DUA for 15 homes
- Sound Ridge (near Sun Fjord Apartments) – 10 DUA for 25 homes
- Werner Housing – 7.25 DUA for 250 homes

- Lower Marine Drive – 7 DUA for 2 homes
- Lebo Boulevard – 13 DUA for 3 homes
- Pine Boulevard – 9.5 DUA for 7 homes

Ms. Satter shared an example of a recently-approved plat with a density of 7 DUA. The property is just shy of 1 acre and was subdivided into 7 lots. This subdivision would still be allowed if the proposed amendment is approved; and in fact, up to 10 lots would have been allowed. While the current code requires that the property must be divided into at least 5 lots, the proposed amendment would require at least 6. The goal of the proposed amendment is to ensure that lots are not underutilized when subdivided. Lots should be subdivided at a rate that is appropriate for urban development, which is a minimum of 6 DUA per the recommendation of the new state legislation.

Ms. Satter explained that the State of Washington wants local jurisdictions to accommodate more residential capacity, but it is also important to understand the potential impacts of the proposed amendment. She reviewed that, currently, about 9,000 acres are either vacant or underutilized residential lots. It is assumed that only 10% (900 acres) of these properties will subdivide in the next 20 years. Based on the current code of 5 DUA, the 900 acres would result in about 4,500 new homes. Based on the proposed amendment to 6 DUA, the 900 acres would result in about 5,400 new homes. The proposed amendment would, therefore, ensure at least an additional 900 residential units over the next 20 years. She emphasized that, currently, subdivisions are developing at a higher rate than the minimum, and the proposed amendment would not impact that rate. It would simply ensure a minimum density of 6 DUA and that land would not be underutilized.

Ms. Satter summarized that the proposed amendment would only change the minimum density requirement and the maximum density requirement would remain unchanged. It would not change the boundaries of any zoning districts, and it would not impact existing development. The proposed amendment would not apply to property owners who want to maintain their existing homes on large lots.

Ms. Satter said that, going forward, staff will present a proposal to revise the Comprehensive Plan and Downtown Subarea Plan to increase the minimum density from 5 DUA to 6 DUA. If the amendment is adopted, associated changes to the Zoning Code will also be required for consistency.

There were no public comments on the proposal.

Commissioner Mosiman asked the rationale for proposing 6 DUA rather than 7 DUA, since the average minimum density of recent subdivisions is 7 DUA. **Ms. Satter** answered that the State asked the City to consider 6 DUA, but she agreed that the City could increase the minimum density to 7 DUA. **Commissioner Mosiman** asked if staff was concerned about public reaction if the minimum density were increased to 7 DUA, and **Ms. Satter** answered that staff never considered 7 DUA. However, she recalled that the public tends to become concerned when density increases are being considered. **Director Spencer** added that, if directed by the Commission, staff could consider both 6 and 7 DUA as part of the environmental review. **Commissioner Pedersen** expressed a desire that the environmental review be done for both 6 DUA and 7 DUA.

Commissioner Coughlin asked if any funding incentives or penalties are associated with the implementation of HB 1923. **Ms. Satter** answered that the City received a grant (about \$43,000) for the hours she spends working on the three amendments (minimum density, ADUs and cluster housing) forward. However, the funding is contingent on the amendments being adopted, and if they are not adopted, 30% of the grant will be held back. She summarized that the funding is not a reason for why the amendments should or should not pass.

Commissioner Coughlin pointed out that 6 DUA would equate to a minimum lot size of 0.1666. **Ms. Satter** answered that the minimum lot sizes would be roughly 7,260 square feet, which is 0.1666 acres. The specific numbers will be accurate in the zoning code.

Vice Chair Tift asked about the feedback staff received from the District 4 Community Meeting that was held in November. **Ms. Satter** said she presented the proposal at the District 4 meeting, and they were most concerned about the ADU and cluster housing amendments. No one indicated a specific concern about the minimum density amendment. **Vice Chair Tift** asked if the City has received feedback on the proposed amendments from the Kitsap Building Association. **Ms. Satter** said they were

also more excited about the ADU and cluster housing amendments, but had no specific concerns about the minimum density amendment. However, staff will continue to reach out to both groups for feedback as the process moves forward.

Vice Chair Tift asked if it would be possible to develop one home on two lots. **Ms. Satter** answered no. It would be possible to develop a single-family attached home (looks similar to a duplex) with a property line between the two units, but it is not possible to have a property line that intersects a single-family home. **Vice Chair Tift** asked if it would be possible to put a home on one lot and a garage on another lot. **Ms. Satter** answered no, only primary uses are allowed on lots in the low-density residential zone, and a garage is not allowed as a primary use.

Director Spencer asked if the majority of Commissioners would like staff to consider both 6 and 7 DUA's when doing the environmental review to leave the option open for either one. **Vice Chair Tift** indicated he is not in favor of a 7 DUA minimum density, and increasing the minimum density from 5 DUA to 6 DUA is a stretch for him. While he acknowledged the market may drive towards 6 DUA, he is concerned about making it a requirement. **Commissioner Mosiman** said he would like an opportunity to consider the pros and cons of 6 DUA versus 7 DUA. **Director Spencer** explained that examining both options would not commit the Commission to either one. However, if only one option is studied, then the Commission would be unable to consider the alternative.

BUSINESS MEETING

Chair Report

Chair Wofford welcomed the two new Commissioners (Coughlin and Rich).

Director Report

Director Spencer also welcomed the new Commissioners, and noted that there is still one vacant position due to the resignation of Commissioner Davis.

Director Spencer announced that the Commission's next meeting (February 24th) will be a Special Meeting since it doesn't occur on their regular meeting date because of President's Day.

Director Spencer also announced that the Department of Community Development is going through a lot of changes. The City Council gave the department an additional full-time employee, which allows them to do promotions. Ms. Satter is now the Planning Manager, and Kelli Lambert and Garrett Jackson have been promoted to Senior Planners. They now have two new entry-level planners who are excited about doing great planning work. The department also has a new Office Manager, Sarah Lynam. However, Janet Lunceford, Code Enforcement Officer, will be retiring at the end of February after more than 30 years with the City.

Ms. Satter reported on City Council actions relative to the 2019 Comprehensive Plan and Zoning Code amendments. The City Council adopted the Comprehensive Plan Map amendment for the property at the end of Warner Road, changing the land use designation from Industrial to Low Density Residential. The property owner has already submitted development permit applications. The City Council also adopted the amendment that renamed the Multifamily Residential Zone to High-Density Residential. The amendment included increasing the density from R-20 to R-40. The City Council had a lengthy discussion about Anderson Cove but ended up adopting the Commission's recommendation that it be excluded from the rezone. As adopted, the Anderson Cove properties are zoned R-18, and all of the other properties are zoned R-40.

Director Spencer provided permit statistics for 2014 through 2019, noting that 2019 was the highest permit valuation on record. The prior record was just under \$82 million in 2015, but this was a false high because it included the Olympic College Instructional Center that was worth \$36 million. In 2019, the permit valuation was over \$128 million. Staff has been very busy pushing out a tremendous amount of work product, and she is proud of their work.

Old Business

There was no old business.

New Business

There was no new business.

ADJOURNMENT

The meeting was adjourned at 6:15 p.m.

Respectively Submitted by:

Andrea L Spencer, AICP
Executive Secretary

Nick Wofford, Chair
Planning Commission

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

AGENDA TITLE: Workshop for BMC Title 20 – Potential Zoning Code Amendment related to Subdivision Regulations
DEPARTMENT: Community Development
PRESENTED BY: Allison Satter, (360) 473-5845 or Allison.Satter@ci.bremerton.wa.us

EXECUTIVE SUMMARY

The Planning Commission is holding a workshop to discuss potential amendments related to subdivision regulations.

In January, the Planning Commission discussed the 2020’s Comprehensive Plan docket to establish a minimum residential density for new development. Part of that conversation included an example of a subdivision. The purpose of this Workshop is to continue the conversation of subdivisions, and consider potential amendments to the City’s zoning code.

This workshop’s discussion is comprised of many different topics all related to subdivision regulations. The Commission should notice that some of these topics have been preliminary discussed at previous meetings, as many of these items have been included in the City’s Infill Toolkit, and consistent with our statement from House Bill 1923 (2019).

This workshop’s intent is:

- To summarize and share with the Planning Commission potential amendments to the subdivision code.
- Receive early feedback from the Commission and the public on potential changes related to subdivisions.

ORDERS OF THE DAY:

This is a workshop for discussion purposes. No formal decisions will be made at this workshop.

POTENTIAL ZONING CODE AMENDMENTS RELATED TO SUBDIVISIONS

The following sections outline potential amendments being considered by the City to the Bremerton Municipal code Title 20, also known as the Zoning Code, related to subdivisions. The amendments are in no particular order, but are numbered so that they may be easily referenced.

1. Allow Cluster zoning and/or lot averaging when subdividing

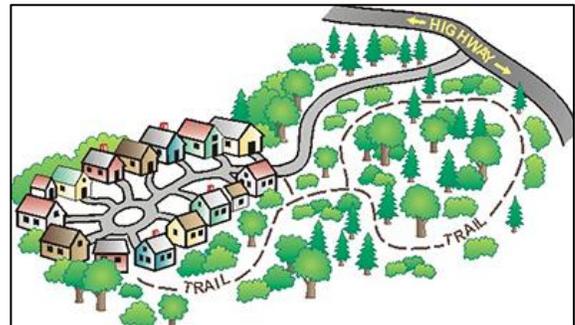
Per the Washington Legislature's bill, [E2SHB 1923](#), the City has committed to considering allowing cluster zoning and/or lot averaging when subdividing.

The City already allows some cluster zoning through the Residential Cluster Development (RCD) per BMC 20.58.060, but through this process the City would like to consider options to expand the current program and have options for averaging lot sizes when subdividing. The intent of this provision is to accommodate urban densities of the underlying zoning district while allowing residential development to utilize less land area. Example, as shown generally in Picture 2 below, there is a 1-acre parcel in the R-10 zone (requiring 5 to 10 dwelling units per acre) that is 50% encumbered by critical areas. This example would preserve the critical areas and would also allow the 10 homes to be placed on half of the lot that doesn't have critical access (to do this a reduction in setbacks, minimum size of lots, types of housing, etc. would be required).

In addition, through this review a proposal may also include adding a new section to the BMC to allow cluster housing in the residential districts. Cluster housing typically include multiple houses on a lot with shared amenities, such as yard space and parking areas. An example of cluster housing can be seen below in Picture 1.



Picture 1: Example of Cluster Housing



Picture 2: Example of Cluster Zoning

2. Adjust the Vesting Time for Subdivisions

BMC 20.12.170 identifies when a subdivision vest to codes. Vesting in a city code defines what land use statutes and ordinances should be applicable to a land use application. Currently it states that a subdivision vest when an application is submitted. The City would like to amend this vesting time to be consistent with BMC 20.02.070 which states that a project permit application vest in the land use regulations in effect at the time of submission of a complete application and all fees are paid.

3. **Add a new section to address Boundary Line Adjustments**

A Boundary Line Adjustment (BLA) is the process for adjusting property lines between legally created lots. This process cannot create a lot or reduce the size of a lot so that it contains insufficient area and dimension to meet minimum zoning code. Currently the City does not have any regulations to review BLAs.

At this time, a BLA can be processed through the Kitsap County Assessors as regulated by State Law and Kitsap County's Municipal Code 16.04.050. Part of that review states that "Must meet local regulations" but yet there is no formal process for Bremerton to provide that assurance.

Bainbridge Island (BIMC 2.16.090), Poulsbo (PMC 17.30), and Port Orchard (POMC 20.84) all have BLA provisions and permit processes (Type I permit). The City will look closely at local jurisdiction's regulations and propose a BLA code for Planning Commission's consideration.

4. **Other Amendments to the City's Subdivision Code**

The City has a subdivision code identified in BMC 20.12. The City has amended the subdivision code in recent years to allow phasing, extensions to a plat, and other important updates. As the City reviews the other items listed previously within this report, additional modifications may be proposed to ensure the code remains modern and those amendments will be presented to the Planning Commission.