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## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF REGULAR MEETING April 19, 2016

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#### 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 Nethery  
Commissioner Goodnow  
Commissioner Nerf  
Commissioner Strube  
Commissioner Tift

##### Staff Present

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

*Quorum Certified*

#### APPROVAL OF AGENDA

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

#### APPROVAL OF MINUTES

COMMISSIONER NERF MOVED TO APPROVE THE MINUTES OF MARCH 15, 2016 AS AMENDED. COMMISSIONER STRUBE 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.

Terry Fessner, Bremerton, read the Commission a letter he sent to Mayor Lent voicing concern that the City's tenant, Admiral Theater, frequently blocks the alley parking at 532 – 5<sup>th</sup> Street. He noted that during the weekdays over the past two weeks, Admiral Theater has parked two, 18-wheel semi-trucks in the alley way parking lot, causing three people who pay to park in parking lots accessed only from the alley to have to park on the street. He explained that 532 -5<sup>th</sup> Street recognizes that street parking is for customers, so they try to manage their nine parking spaces for business owner parking. The semi-truck impacted 33% of their parking capability. In addition to creating parking problems, a loud tractor is often parked next to a massage therapist room. He briefly reviewed the numerous parking areas that use the alley for access and summarized

that there is a minimum of 199 cars accessing the alley daily. The Admiral Theater blocks these parking areas off because there is only one way in and out, and 532 – 5<sup>th</sup> Street, which is located adjacent to the theater, is severely impacted by the alley being blocked. While he recognized that the theater needs to have the ability to unload semi-trucks, they should not be allowed to block the alley. He concluded that it is the City's responsibility to address this issue, as Admiral Theater is a tenant of the City.

### **Public Hearing: Zoning Code Amendments Related to the 2016 Comprehensive Plan Periodic Update**

**Ms. Satter** explained that the public hearing will focus on amendments to the Zoning Code, Zoning Maps and Subarea Plans. If the Planning Commission forwards a recommendation following the hearing, they will go forward to the City Council for consideration at a Public Hearing on May 18<sup>th</sup>. She reviewed that the Growth Management Act (GMA) requires the City to complete a major update of its Comprehensive Plan every eight years, and the City's major update must be completed by no later than June 30, 2016 in order to be compliant. She recalled that the Commission provided a recommendation to the City Council relative to the Comprehensive Plan Update in November of 2015.

**Ms. Satter** further reviewed that the Comprehensive Plan represents a vision for how the City should grow over the next 20 years. It must address current conditions, as well as the anticipated growth targets. In addition to planning for Bremerton, the Comprehensive Plan must also ensure compliance with the State's GMA, the Puget Sound Regional Council's (PSRC) Vision 2040 and Transportation 2040, and the Kitsap Countywide Planning Policies. Two main goals of the Comprehensive Plan Update were to standardize the document format and streamline the process. The update carried forward the fundamental principles of the 2004 plan, which included the "Centers" growth strategy, recognizing Bremerton as the metropolitan City of Kitsap County, and emphasizing the need for residents to be able live, work and play in the City.

**Ms. Satter** provided a map to illustrate the centers (Downtown Regional Center, Charleston District Center, Wheaton Way/Sheridan District Center, Wheaton Way/Riddell District Center, Eastside Employment Center, Puget Sound Industrial Center, and Manette Neighborhood Center) that are proposed in the Comprehensive Plan Update, as well as the growth assumptions for each one. She explained that the growth assumptions indicate that Bremerton must plan for 14,000 more residents and 18,000 more jobs by 2036. It is anticipated that more than half of the population growth will occur within the centers, with the remainder being accommodated in the Low-Density, Medium-Density and Multifamily Residential Zones. More than half of the job growth is anticipated to occur in the Puget Sound Industrial Center of Bremerton. The remainder of the job growth is expected to occur in the centers, as well as the General Commercial, Freeway Corridor and Industrial Zones.

**Ms. Satter** explained that the Comprehensive Plan outlines goals and policies that help the City plan for population and job growth, and the Zoning Code controls the physical development of land and the kinds of uses to which each individual property may be put. She referred to the work program that was adopted by City Council in November of 2014, which started with District Profiles in the summer of 2014 and included a public participation process. She noted that the Commission has held 18 public meetings to date pertaining to the Comprehensive Plan Update and applicable Zoning Code Amendments. In addition, public outreach was done via mass mailings, notices on Bremerton Kitsap Access Television, and presentations to the City Council. Public outreach will continue as the process moves forward.

**Ms. Satter** reminded the Commission that they recommended a draft Comprehensive Plan Update to the City Council that is compliant with the GMA, PSRC and the Kitsap Countywide Planning Policies. Since that time, the Commission has been reviewing potential Zoning Code Amendments to implement the vision, goals and policies contained in the Comprehensive Plan. She reviewed the amendments as follows:

- **Provide consistency and clarity and streamline the process for both the staff and developers.** This was done by reducing the number of commercial zones and making the Zoning Code consistent with new regulations. For example, the regulations pertaining to Wireless Communications Facilities were updated to be compliant with the Middle Class Tax Relief and Job Creation Act, and the Critical Areas Ordinance (CAO) was updated to be consistent with Best Available Science (BAS), including the Department of Ecology's (DOE) Wetland Rating System. Additions were also made to the Stormwater Manual to make the Low-Impact Development (LID) regulations consistent with the requirements of the National Pollutants Discharge Elimination Systems (NPDES) Permit.

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- **Remove Impediments.** This was done by providing more opportunities for transitional uses within the centers for mixed-use buildings, removing the bald eagle reference consistent with State requirements, and eliminating the off-street parking evaluation for existing buildings that are being reoccupied after long vacancies.
- **Reduce Nonconformities.** This was done by expanding opportunities for adaptive reuse to include existing commercial buildings in addition to public buildings, allowing duplexes and townhomes in areas that are predominately developed as such, and correcting mapping errors.
- **Reduce Vacancies and Provide More Economic Opportunities.** This was done by expanding the outright and accessory use provisions, which includes allowing stand-alone multifamily structures in the General Commercial Zone, allowing mini storage as either an accessory and/or permitted use, adding the Mineral Resource Overlay to very specific areas, and expanding the uses in the General Commercial Zoning District to include auto dealerships. In addition, the Institutional Zone (around Olympic College) was expanded to allow for potential dormitories.
- **Make Zoning Maps Consistent with Comprehensive Plan Land Use Maps.** The zoning maps were updated to be consistent with the Comprehensive Plan Land Use Designation Maps.

**Ms. Satter** explained that subarea plans are supporting documents to the Comprehensive Plan and Zoning Code, and subarea plans are plans for specific areas. An extensive public process occurred when each of the subarea plans were adopted. Staff believes that the proposed amendments are relatively minor in nature and consistent with the Comprehensive Plan. While the East Park and Gorst Subarea Plans would be adopted as is, the other subarea plans would be amended to:

- Expand the Downtown Subarea Plan to provide more economic opportunities and better transition of uses into the core
- Provide clarity and fix errors
- Better acknowledge the built environment
- Rename the South Kitsap Industrial Area (SKIA) to the Puget Sound Industrial Center (PSIC) - Bremerton
- Repeal the Manette Subarea Plan because the development regulations are consolidated into the BMC.

**Ms. Satter** reported that 85 public comments have been received to date pertaining to the Comprehensive Plan & Zoning Code amendments. Amendments 83 through 85 were provided to the Commissioners just prior to the meeting. The testimony provided at public meetings was also included as part of the public record, and all comments can be seen at [www.bremerton2035.com](http://www.bremerton2035.com). The City encourages comments, both pro and con, until the process is completed.

**Ms. Satter** announced that three more meetings regarding the Comprehensive Plan Update and associated Zoning Code Amendments are scheduled before the City Council. A Comprehensive Plan briefing related to the City Service Chapter is scheduled for April 20<sup>th</sup>, and the Zoning Code Amendments will be presented on May 4<sup>th</sup>. A public hearing is scheduled for May 18<sup>th</sup>. The Commission will complete its work on both the Comprehensive Plan and the Zoning Code by forwarding a recommendation to the City Council.

**Ms. Satter** concluded her presentation stating that staff believes the proposed Zoning Code Amendments are unified with the growth vision of the Comprehensive Plan.

**Steve Guiberson, Bremerton,** asked if auto dealership uses would be expanded to include the Downtown District Centers. **Ms. Satter** clarified that, as proposed, auto dealerships would be allowed in the General Commercial Zones, but not in the District Centers.

**Jay Kneib, Bremerton,** commented that Bremerton is growing, and even booming. He complimented the Commission, as well as a number of public/private ventures that are helping to make development occur. He referred to BMC 20.48.060, which would require 0.5 parking spaces per unit. He pointed out that on-street parking is already bad, and the proposed change would result in a parking deficit. While it is a noble goal to encourage pedestrian and transit modes of transportation, the City is not there yet. There are still so many car-centric things that people must be able to do, such as grocery shopping and doctors' visits. The transit service is not available on Sundays and only minimally on weekends, and transit routes have

been cut for lack of riders. He asked the Commission to consider that automobiles will still be viable and necessary for anyone who lives downtown. He suggested that the requirement be increase to at least 1 parking space per unit. He noted that even assisted living development requires one parking space per unit,

**Steve Guiberson, Bremerton**, said he owns property on Wheaton Way and his concern is related to the Wheaton Way/Sheridan District Center. He said he purchased the land 12 years ago from the Bremerton School District after meeting with his consultant and City staff to ensure that a car dealership would be allowed. A year later, the property was rezoned, and he did not receive any notification that a change was even being considered. He said he has been paying \$3,250 per month for a piece of property he cannot do anything with. His proposed car dealership would employ about 20 people and generate about \$150,000 in additional tax revenue. The site would be landscaped and lit in a pedestrian-friendly way. He asked that the Commission reconsider their recommendation to exclude auto dealerships as an allowed use in the center.

**Rick Cadwell, Bremerton**, said he spoke at the Commission's last meeting in favor of reducing the parking requirement for multifamily development in the centers. At the time, his understanding was that the reduction in parking would actually take place in the centers beyond the Downtown Regional Center where the current parking problems exist. Since the last meeting, he drove around lower Wheaton Way and learned from the Kitsap Business Journal that Harrison Hospital will vacate in three years. He said the area has already become a bit of a ghost town, and he encouraged the City to do more to incentivize development. He advised that the vacancy rate for apartments in Bremerton as of June 2015 was 0.9%, and that was before it was announced that a new carrier would be homeported at Bremerton. The current average rent for an apartment in the County is \$1,000. He said he supports the Commission's previous recommendation to reduce the parking requirement in the centers outside of the downtown. He also encouraged them to consider other incentives that will attract more bodies and businesses, such as extending some of the tax abatement zones.

No one else in the audience indicated a desire to speak, and Chair Wofford closed the public hearing.

**COMMISSIONER TIFT MOVED THAT THE COMMISSION RECOMMEND THAT FOR THE GROWTH MANAGEMENT ACT 2016 PERIODIC UPDATE, THE CITY COUNCIL ADOPT THE DRAFT BREMERTON MUNICIPAL CODE TITLE 20: LAND USE AS SHOWN IN ATTACHMENT A AND THE OFFICIAL ZONING MAPS SHOWN IN ATTACHMENT B OF THE STAFF REPORT, BASED ON FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT F. COMMISSIONER GOODNOW SECONDED THE MOTION.**

**Ms. Satter** clarified that the motion on the floor would approve the amendments as shown for Bremerton Municipal Code Title 20 (BMC 20.02 to BMC 20.98) and Zoning Maps.

**Commissioner Tift** referred to the proposed amendment that would change the requirement from 1 tree per 20 parking stalls to 1 tree per 10 parking stalls. **Ms. Satter** recalled that the City hired a consultant to review the code and recommend LID improvements that can incentivize stormwater infrastructure improvements consistent with the DOE's new NPDES Permit requirements. The consultant recommended that 1 tree should be required for every 6 or 7 parking spaces, which is consistent with what a metropolitan city typically requires. Staff recognized that landscaping does help with stormwater improvements and suggested that a compromise would be to change the standard to 1 tree for every 10 parking stalls.

**Commissioner Goodnow** asked if the parking reduction would be considered a modification that must be justified. **Ms. Satter** answered that, as proposed, the .5 parking spaces per unit would apply to all multifamily structures in all centers. **Director Spencer** emphasized that the parking reduction would only apply in the centers where the City is trying to incentivize more development and revitalization. The change would not require an amendment to the Downtown Subarea Plan since it already includes varied parking standards.

**Commissioner Strube** asked staff to clarify its recommendation relative to automobile dealerships. **Ms. Satter** said staff is not supportive of having automobile dealerships within the district centers based on the analysis provided in the Staff Report. She reminded the Commission that the General Commercial Zones were opened to allow the use, which almost doubles the area in which the use can occur by today's zoning regulations. Indoor car dealerships would be allowed in the Centers, but allowing seas of parked cars is inconsistent with the intent of the district center designations. Staff is suggesting that if the Commission believes that further consideration is needed, the issue can be added as a future work program item. **Director Spencer** said this is consistent with the debate the Commission had at a previous study session. **Ms. Satter** added that staff

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researched other examples, but it was very difficult to find other cities who had centers plans that allow auto dealerships. If the Commission is interested in pursuing the change, staff requested that it be added to the work program to allow for additional research and discussion before a change is made.

**Chair Wofford** clarified that because Curbside Motors is located within a building, it would be allowed in the Downtown District Center. **Ms. Satter** confirmed that car dealerships that are contained solely inside a building would be allowed, but that is not what Mr. Guiberson is interested in doing. He would like his cars to be seen from Wheaton Way.

**Vice Chair Nethery** voiced support for automobile sales as a permitted use along the thoroughfare where dealerships are already located, particularly since the use is allowed on the other side of the street. Using the definition of "District Center" as a reason to prohibit automobile sales does not fit within the landscape of the street, which is a major arterial through the town.

**Commissioner Strube** agreed with Vice Chair Nethery. While he respects the intent of the district goals, the properties are located on the edge of the zone. He has a hard time supporting a change that prohibits a property owner from having an auto dealership along the thoroughfare when it is already allowed across the street.

**Commissioner Nerf** voiced concern that if they open up the edge for a potential car dealership, there would be nothing to keep the use from expanding further into the center. However, he agreed that there is inconsistency in that one side of the street is zoned differently. He expressed his view that the Commission has presented a plan. If the plan needs to be amended, the elected officials need to step up and make the final decision.

**Director Spencer** suggested that a minority report could be attached to the Commission's recommendation to Council to specifically note that the Commission did not have clarity on whether or not auto dealerships should be permitted uses in the Wheaton/Sheridan District Center. The report could request that the Council debate the issue and make the final decision. **Ms. Satter** clarified that the Commission is only talking about allowing automobile dealerships in the one area within the Wheaton/Sheridan District Center that is across the street from property that is already zoned to allow the use.

**COMMISSIONER NERF MOVED THAT THE MAIN MOTION BE AMENDED TO ALLOW AUTOMOBILE SALES WITHIN THE WHEATON/SHERIDAN DISTRICT CENTER ON PARCELS THAT FRONT ON AND ARE COMPLETELY ACCESSED FROM WHEATON WAY. VICE CHAIR NETHERY SECONDED THE MOTION. THE MOTION TO AMEND FAILED BY A VOTE OF 3-3, WITH COMMISSIONERS NETHERY, STRUBE AND WOFFORD VOTING IN FAVOR AND COMMISSIONERS GOODNOW, NERF AND TIFT VOTING IN OPPOSITION.**

**THE MAIN MOTION WAS UNANIMOUSLY APPROVED AS PRESENTED.**

**COMMISSIONER STRUBE MOVED TO RECOMMEND THAT FOR THE GROWTH MANAGEMENT ACT 2016 PERIODIC UPDATE, THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS FOR THE DOWNTOWN SUBAREA PLAN AS SHOW IN ATTACHMENT C OF THE STAFF REPORT, BASED ON THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT F. COMMISSIONER TIFT SECONDED THE MOTION.**

**Director Spencer** clarified that the amendment would expand the Downtown Subarea Plan Boundaries slightly to add some residential zoning. **Ms. Satter** added that minor scrivener's errors were also corrected and some clarifying updates were added.

**THE MOTION CARRIED UNANIMOUSLY.**

**COMMISSIONER STRUBE MOVED TO RECOMMEND THAT FOR THE GROWTH MANAGEMENT ACT 2016 PERIODIC UPDATE, THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS FOR THE BAY VISTA SUBAREA PLAN AS SHOW IN ATTACHMENT D OF THE STAFF REPORT, BASED ON THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT F. VICE CHAIR NETHERY SECONDED THE MOTION.**

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Ms. Satter clarified that the proposed amendments make reference to the 2016 plan. As the zoning designations were consolidated to eliminate the Commercial Corridor Zone, the plan was updated with a new designation. Some minor tweaks were also made to make the plan compliant with the Americans with Disabilities (ADA) standards for sidewalk size. The amendments are also supportive of LID technologies for landscaping.

**THE MOTION CARRIED UNANIMOUSLY.**

**COMMISSIONER STRUBE MOVED TO RECOMMEND THAT FOR THE GROWTH MANAGEMENT ACT 2016 PERIODIC UPDATE, THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS FOR THE SOUTH KITSAP INDUSTRIAL AREA SUBAREA PLAN AS SHOW IN ATTACHMENT E OF THE STAFF REPORT, BASED ON THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT F. COMMISSIONER NERF SECONDED THE MOTION.**

Ms. Satter explained that the proposed amendment would change all references to the South Kitsap Industrial Area (SKIA) Subarea Plan to Puget Sound Industrial Center-Bremerton. In addition, one parcel would be removed to bring it into low-density residential due to the topography and wetlands that separate it from the industrial area.

**THE MOTION CARRIED UNANIMOUSLY.**

**Public Hearing: Limited Amendments to the Shoreline Master Program for the 2016 Comprehensive Plan Periodic Update**

Ms. Satter reviewed that the Shoreline Master Program (SMP) was adopted in December of 2013 after an extensive three-year process that involved the Planning Commission and City Council and required approval from the Washington State Department of Ecology (DOE). All properties within 200 feet of the shoreline must comply with the provisions in the Zoning Code, as well as the SMP. Because all functional plans must be consistent with the City's Comprehensive Plan, the City hired a consultant in 2015 to complete a GAP Analysis for compliance with Best Available Science (BAS) and consistency with the Critical Areas Ordinance (CAO). In addition, redundant and unnecessary sections were eliminated. For example, because the CAO was adopted in 2006, it does not utilize current BAS. Therefore, the SMP that was adopted in 2013 actually superseded the CAO for developments along the shoreline with wetlands. To make everything consistent, the intent is to move the BAS wetland buffers from the SMP to the CAO. Lastly, the amendment fixes a mapping error that identifies a commercial designation for a property in the downtown that is actually zoned multifamily, recognizes the Comprehensive Plan Map amendment that up-zoned properties to allow for medium-density or multifamily residential uses, and updates the matrix chart to allow single-family residential uses consistent with the SMP policy that supports single-family uses in all shoreline designations.

Ms. Satter summarized that staff believes the proposed amendments are consistent with the Comprehensive Plan. If the Commission provides a recommendation on the limited amendments, they will go before the City Council on May 18<sup>th</sup>. DOE review is required before the City Council can formally adopt the amendments, which is anticipated to occur in late summer of 2016.

Jay Kneib, Bremerton, said he owns a home on Shorewood Drive but was unaware of the changes. He requested that staff provide a brief synopsis. Ms. Spencer provided a map to illustrate the proposed amendments, which would change some existing single-family designations to multifamily or medium-density. Because the properties are already developed as multifamily, the impact would be minimal.

No one else in the audience indicated a desire to speak, and Chair Wofford closed the public hearing.

**COMMISSIONER STRUBE MOVED TO RECOMMEND THAT FOR THE GROWTH MANAGEMENT ACT 2016 PERIODIC UPDATE, THAT THE CITY COUNCIL ADOPT THE PROPOSED LIMITED AMENDMENTS FOR THE SHORELINE MASTER PROGRAM AS SHOWN IN ATTACHMENT I OF THE STAFF REPORT, BASED ON THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT II. COMMISSIONER TIFT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

Approved

**BUSINESS MEETING**

**Chair Report**

Chair Wofford did not have any items to report.

**Director Report**

Director Spencer commended Ms. Satter and the Commission for doing a tremendous job on the Comprehensive Plan Update and accompanying Zoning Code Amendments. The process has been long and arduous and a lot of thought and consideration was required for the task.

Director Spencer said the Commission's May meeting was held in reserve in case the Commissioners needed more time to formulate their recommendations to the City Council. She proposed that the May meeting be cancelled to allow staff time to prepare for the public hearings before the City Council. She encouraged Commissioners to attend the May 18<sup>th</sup> public hearing before the City Council to provide their perspective.

**Old Business**

There was no old business to come before the Commission.

**New Business**

Commissioner Tift noted there is a vacancy on the Commission. He encouraged citizens to apply for the position and participate in the opportunity to mold the City of the future. Director Spencer announced that the City has received a few applications but the application period is still open.

**ADJOURNMENT**

The meeting was adjourned at 6:45 p.m.

Respectively Submitted by:

  
Andrea L. Spencer, AICP  
Executive Secretary

  
Nick Wofford, Chair  
Planning Commission

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