

DRAFT FINDINGS AND DETERMINATION OF THE CITY OF BREMERTON PLANNING COMMISSION

Summary – The Commission recommends that the City Council adopt the proposed limited amendments to the maps and text of the Shoreline Master Program (SMP) for the Growth Management Act 2016 periodic update of the City’s Comprehensive Plan.

I. FINDINGS OF FACT - GENERAL

1. Project Description

The primary impetus for the limited updates of the Shoreline Master Program (SMP) is to ensure consistency with the Growth Management Act 2016 periodic update.

The limited amendments proposed to the SMP can be summarized as follows:

- Updating shoreline designations on three maps, Map B, C and E. Maps B and C had Single Family Residential designation for a few parcels amended to Multi-family Residential to be consistent with the Comprehensive Plan Land Use designation change to recognize the existing higher density neighborhood (most of those parcels are currently development with multi-family structures). Map E proposes to fix a mapping error of approximately 600’ lineal feet of shoreline to be amended from Commercial Shoreline designation to Multi-Family Residential to be consistent with the current Land Use designation, in the Downtown Subarea Plan (this area is just south of the Manette Bridge, off Washington Avenue).
- Provide consistency to City’s Critical Area Ordinance (CAO, Bremerton Municipal Code, BMC 20.14) and the SMP. The CAO was adopted in 2006 and the SMP in 2013. As best available science (BAS) was used in the SMP and CAO, the SMP had portions of the code that superseded the CAO as the adoption was later. Within this periodic update the CAO is proposing to be updated with BAS, thus the portions in the SMP related to CAO are slated for removal and the CAO will be amended separately).
- Revise the 7.090 Use Matrix to allow “Single Family Residential uses” in Recreational and Commercial designations. There is a SMP policy that identifies that *single family residential development is a priority use on the shoreline* (SMP 8.080), thus this amendment would provide further consistency.

2. Procedural History

The Shoreline Master Program (SMP) updates were drafted, reviewed and recommended for adoption after a series of public workshops and a hearing.

- **2.1 Initial Work Program Released: Planning Commission Workshop – September 15, 2014**
Discussed the Comprehensive Plan Update, including the Work Program, Public Participation

Process, and overview of the schedule. Encouraging comments from the public regarding the Work Program. This sets the framework for the 2-years including updating the functioning documents such as the Shoreline Master Program update process.

- **2.1(a) Shoreline Master Program Past History – 2010 through 2013.** The SMP was adopted in December 4, 2013 by Ordinance Number 5229 after a three-year extensive project with substantial public involvement and coordination of multiple agencies.
- **2.2 Work Program received approval from Planning Commission Workshop – October 21, 2014** Planning Commission provided recommendation of the Work Program, Schedule and Public Participation Plan for City Council's approval.
- **2.3 Work Program approved by City Council Public Hearing – November 19, 2014** City Council passed Resolution No. 3237 which set the Work Program for the Comprehensive Plan Update and the Public Participation Program.
- **2.4 Planning Commission Public Process for Comprehensive Plan Update - January 20, 2015 – November 17, 2015** Planning Commission held two open houses, 7 workshops and one public hearing on the 2016 Draft Comprehensive Plan. The Public Hearing was November 17, 2015 which was approved unanimously for City Council's consideration. Updating the Shoreline Master Program was continually part of the discussion and identified in the draft 2016 Comprehensive Plan.
 - **2.4(a) Planning Commission Workshop – July 21, 2015** During this workshop, a GAP analysis was provided for the public and Planning Commission's consideration by The Watershed Company that compared the Critical Area Ordinance with relevant sections of the City's Shoreline Master Program in order to bring the two regulatory documents into alignment with each other and with best available science. This analysis was also provided at the February 2016 workshop.
- **2.5 Zoning Code Amendments Planning Commission Workshop – February 16, 2016** Planning Commission held a public workshop on the Zoning Code Update related to the Comprehensive Plan amendments. The specific topics were: a few Bremerton Municipal Code (BMC) chapters, and limited amendments to Shoreline Master Program.
- **2.6 Zoning Code and Subarea Plan Amendments Planning Commission Workshop – March 15, 2016** Planning Commission held a public workshop on the Zoning Code Update related to the Comprehensive Plan amendments. The specific topics focused on Bremerton Municipal Code (BMC) chapters, however an additional change to Map E in the SMP was discussed at this Workshop.
- **2.7 Notice of Intent to Adopt - Department of Commerce – March 17, 2016** A 60-day notice of intent to adopt the Comprehensive Plan, Bremerton Municipal Code, Subarea Plans and the Shoreline Master Program were provided to Department of Commerce and the Puget Sound Regional Council for their review of the plans.
- **2.8 Planning Commission Public Hearing – April 19, 2016** Draft text and maps of the limited amendment to the SMP were release in advance of the April 19, 2016 public hearing with proper noticing. Planning Commission deliberated and made recommendation to City Council for adoption.
- **2.9 Compliance with the Public Participation Program** The following are actions that were taken to ensure compliance with the early and continuous public participation identified in the Public Participation Program approved by Resolution in November 2014 for the Comprehensive Plan Update (which includes further publication for the Shoreline Master Program limited amendments notice).

- **2.9(a) Adequate Noticing:** For the Comprehensive Plan update: standard notification of each workshop with a letter or email notice to the interested parties and posting of the Planning Commission Workshop in the Kitsap Sun, and approximately 9,000 notices were mailed twice to all City property owners in January 2015 (prior to an first Open House) and October 2015 (prior to the Public Hearing). Specific public notice that stated “Limited amendments to the Shoreline Master Program” were for the:
 - February 16, 2016 Public Workshop; and
 - April 19, 2016 Public Hearing
- **2.9(b) Website:** www.Bremerton2035.com was continual referred to and updated with planning commission packets and draft documents, comments, upcoming meeting notices, etc.
- **2.9(c) Video:** Staff participated in the September’s *Growing Bremerton Together with Patty Lent* to talk about the Comprehensive Plan Update and get interested in the project (repeated on BKAT and available online, <https://vimeo.com/139257812>).
- **2.9(d) Additional Outreach:** Staff provide presentation on the City’s Comprehensive Plan update to the following clubs to further outreach: Lions Club in May 2015, Home Builder Association of Kitsap in Summer 2015, and Kitsap Regional Coordinating Council (KRCC) in March 2016.

3. Public Comment

Public comment was received throughout the duration of the Comprehensive Plan Update. Comments were received in various formats including letters, e-mails, postcards, and public testimony at workshops and hearings that Planning Commission considered. No public comment was received regarding the limited amendments to the Shoreline Master Program.

4. SEPA Determination

As the City is updating the current (2004) Comprehensive Plan, Zoning Code, Subarea Plans and the Shoreline Master Program, much of the environmental review will continue to be applicable, however additional review needed to be conducted to address the minor changes. The City provided a Determination of Significance with adoption of existing environmental documents with a supportive addendum to address the minor changes on November 3, 2015. The voluntary public comment period on the DS expired on November 17, 2015. The appeal period on the DNS expired on November 30, 2015. No appeals were filed.

5. Consistency

- 5.1 The proposal is consistent with the Comprehensive Plan update that is regulated by the Washington State Growth Management Act goals and policies as stated by Washington State’s Department of Commerce Extended Checklist for planning for population and employment growth for the next 20 years (until 2036).
- 5.2 The proposal is consistent with Department of Ecology and the Shoreline Management Act rules per RCW 90.58 and WAC 173-26 for limited amendments to the Shoreline Master Program.
- 5.3 The recommended limited amendments will result in minor modifications to the development and use potential of certain areas. As there the amendments to the maps

are for areas that are already existing multi-family development, there is minimal modification potential. Modification potential will be reviewed like all other land uses to result in an overall no net loss per the City's SMP.

- 5.4 The proposed Update included continuous and open public involvement and adequate public notice. The Update underwent public hearings, public workshops, and review at the Planning Commission level. All public hearings and workshops at the Planning Commission were noticed with formal advertisement in the Kitsap Sun, and dates were posted on the City of Bremerton website. Drafts of the recommended Update were continuously posted to the City of Bremerton website (www.Bremerton2035.com), and paper copies were made available for review at the Community Development offices at 345 6th St.
- 5.5 The Planning Commission acknowledges the Department of Ecology public process for limited amendments to the Shoreline Master Program that occurs after the City Council adoption.

III. CONCLUSIONS & RECOMMENDATION

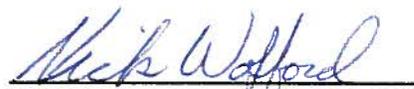
The Planning Commission concludes that the proposed limited amendments to the Shoreline Master Program, corresponding to the 2016 Growth Management Act Periodic update are consistent with the Growth Management Act, Department of Ecology requirements for limited amendments and the draft 2016 Comprehensive Plan. The Commission concludes that the proposed limited amendments to the Shoreline Master Program are adequate for consistency throughout the City documents, and appropriately updated in a limited way.

Respectfully submitted by:

Approved by:



Andrea L. Spencer, AICP
Executive Secretary



Nick Wofford, Chair
Planning Commission