

## **DRAFT FINDINGS AND DETERMINATION OF THE CITY OF BREMERTON PLANNING COMMISSION**

**Summary** – The Commission recommends that the City Council adopt the proposed amendments for the Growth Management Act 2016 periodic update to the Bremerton Municipal Code Title 20, Downtown Subarea Plan (SAP), Bay Vista SAP, and South Kitsap Industrial Area SAP and revoke the Manette SAP.

### **I. FINDINGS OF FACT - GENERAL**

#### **1. Project Description**

The primary impetus for the update of the Bremerton Municipal Code: Title 20 (Zoning Code) and the Subarea Plans are to ensure consistency with the State's 2016 Growth Management Act periodic update requirements, PSRC's Vision 2040 and Transportation 2040 and the updated Kitsap Countywide Planning Policies.

Four documents are proposed for update and minor revisions. The substantive amendments proposed per this Update can be summarized as follows:

- **Bremerton Municipal Code (BMC) Title 20** (also known as the Zoning Code).
  - Provide clarification to BMC 20.04 State Environmental Policy Act (SEPA) chapter on process timing.
  - Update the Critical Area provisions (BMC 20.14) to be consistent with the Shoreline Master Program (SMP) and best available science, remove bald eagle management plans as the federal endangered species act has lessened its endangered species classification, and update the wetlands section to be consistent with the Department of Ecology 2014 Wetlands Rating system.
  - Modify the definitions chapter (BMC 20.42) to include the addition, remove and update of terms.
  - Updated the BMC 20.46 Special Development Standards to expand the adaptive reuse process to apply to all legal commercial buildings (not only public or semi-public buildings); replace the Mineral Resource Extraction section with a Mineral Resource Overlay provisions; and update the Wireless Telecommunications Facilities section to be consistent with the Middle Class Tax Relief and Job Creation Act of 2012.
  - Off-street parking provisions (BMC 20.48) was revised to be applicable when reestablishing a business or use; reduced parking per unit for multiunit structures in a center to 0.5 parking stall per unit; and simplified satellite parking and joint use parking criteria.
  - Established three primary residential zones: Low Density Residential (R-10), Medium Density residential (R-10M), and Multifamily Residential (R-20).

- The R-10 zone (BMC 20.60) was amended to allow Mineral Resource Overlay in specific areas; subdivision density calculator was simplified and a maximum and minimum density was established.
- The R-10M zone (BMC 20.78) has been established and is similar to the R-10 provisions with the exception that this district allows duplexes and townhomes.
- The R-20 zone (BMC 20.79) was amended to include additional development standards.
- Consolidated commercial designations to simplify the code.
  - Consolidation of four zones (Commercial Corridor (BMC 20.62), Wheaton Way Redevelopment Corridor (BMC 20.64), Marine Industrial (BMC 20.88) and Industrial Park (BMC 20.90)) to create BMC 20.62 “General Commercial” zone.
  - Consolidation of three small scale commercial zones (Neighborhood Business (BMC 20.82), Limited Commercial (BMC 20.84) and Neighborhood Center Core (20.66)) to one zone: “Neighborhood Business”. In addition to this consolidation of the Neighborhood Business zone, the development standards contained in the Manette Subarea Plan have also been incorporated into the BMC. Due to the incorporation of regulations into the BMC, the Manette Subarea Plan will be revoked.
- Revised the District Center Core (BMC 20.70) to allow mini-storage as an accessory use, and allow for transitional uses on the ground floor that can be converted in the future to commercial space and mixed use
- Revisions to the Downtown Core (BMC 20.75) to address existing building redevelopment and allow mini-storage as an accessory use.
- Revised the Industrial zone (BMC 20.94) to allow more permitted uses (comparable to the Freeway Corridor zone, BMC 20.86).
- Minor revisions to landscaping (BMC 20.50), signs (BMC 20.52), nonconforming provisions (BMC 20.54), Downtown Waterfront (BMC 20.76), Freeway Corridor zone (BMC 20.86), Employment Center (BMC 20.92), City Utility Lands (20.96), Watershed (BMC 20.97) and Institutional zone (BMC 20.98).
- Downtown Subarea Plan
  - Updated to be consistent with Comprehensive Plan update, expanded the Downtown Regional Center boundary, added road typologies classification to expansion area, and fixed scrivener’s errors.
- Bay Vista Subarea Plan
  - Updated to be consistent with Comprehensive Plan update, removed maximum parking requirements, and fixed scrivener’s errors.
- South Kitsap Industrial Center Subarea Plan
  - Updated to be consistent with Comprehensive Plan update, and removed one parcel from Subarea.
- Manette Subarea Plan
  - Revoke this subarea plan as the development regulations from this Subarea Plan have been incorporated into the Bremerton Municipal Code.

## 2. Procedural History

The Zoning Code and Subarea Plan updates were drafted, reviewed and recommended for adoption after a series of workshops and hearings with agencies and members of the public.

- **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 set the framework for the 2-year update process including updating the Zoning Code and Subarea Plan functioning documents.
- **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. City Council will provide decision on November 19, 2014.
- **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.
- **2.5 Zoning Code Amendments Planning Commission Workshop – January 19, 2016** Planning Commission held a public workshop on the Zoning Code Update related to the Comprehensive Plan update. The specific topics were: Bremerton Municipal Code (BMC) 20.02 Project Permits, BMC 20.40 Administration, and BMC 20.46 Special Development Standards.
- **2.6 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: Bremerton Municipal Code (BMC) 20.04 SEPA, BMC 20.14 Critical Areas, BMC 20.54 Nonconforming Provisions, BMC 20.58 Land Use Permits, and limited amendments to Shoreline Master Program
- **2.7 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 were: Bremerton Municipal Code (BMC) 20.42 Definitions, BMC 20.44 General Development Standards, BMC 20.48 Off-street Parking, BMC 20.50 Landscaping, BMC 20.52 Signs, BMC 20-60-20.98 All Zoning Designations, Zoning Maps and limited amendments to the Downtown Subarea Plan (SAP), Bay Vista SAP and South Kitsap Industrial Center SAP.
- **2.8 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, and Subarea Plans was provided to Department of Commerce and the Puget Sound Regional Council for their review and comment.
- **2.9 Planning Commission Public Hearing – April 19, 2016** Draft Bremerton Municipal Code Title 20, and limited amendments to the Downtown SAP, Bay Vista SAP, and South Kitsap Industrial Center SAP 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.

- **2.10 Compliance with the Public Participation Program** The following are actions that were taken to ensure compliance early and continuous public participation identified in the Public Participation Program approved by Resolution in November 2014.
  - **2.10(a) Adequate Noticing:** In addition to the standard notification of each workshop and hearings with a letter or email notice to the interested parties, publication of eNews, and posting of the Planning Commission Workshops and Hearings in the Kitsap Sun, 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 on the 2016 Comprehensive Plan draft document).
  - **2.10(b) Website:** [www.Bremerton2035.com](http://www.Bremerton2035.com) was continual referred to and updated with planning commission packets and draft documents, comments, upcoming meeting notices, etc. All comments are posted on online with a matrix including staff's response to the request.
  - **2.10(c) Video:** Staff participated in the September's *Growing Bremerton Together with Patty Lent* to talk about the Comprehensive Plan Update (repeated on BKAT and available online, <https://vimeo.com/139257812>).
  - **2.10(d) Additional Outreach:** Staff provided presentation on the City's Comprehensive Plan update to the following clubs to further outreach: Lions Club in May 2015, Home Builders 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. The Planning Commission considered all public comment provided. The Department of Community Development has maintained a written comment matrix with Staff response throughout the project and has maintained an interested parties list that was used for public notification.

### 4. SEPA Determination

As the City is updating the current (2004) Comprehensive Plan, Zoning Code and Subarea Plans, 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 proposals are 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 (till 2036).

5.2 The proposals are consistent with the Comprehensive Plan update that meets the requirements of the Puget Sound Regional Council (PSRC) Vision 2040 and Transportation 2040 and complies with PRSC Checklist.

- 5.3 The proposals are consistent with the Kitsap Countywide Planning Policies and regional efforts.
- 5.4 The recommended Update will result in minor modifications to the development and use potential of certain areas. The revision will generally allow for greater flexibility on the part of owners to utilize their properties.
- 5.5 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 at the Planning Commission level, as well as public workshops, 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](http://www.Bremerton2035.com)), and paper copies were made available for review at the Community Development offices at 345 6<sup>th</sup> St.

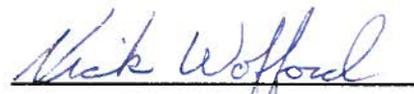
### **III. CONCLUSIONS & RECOMMENDATION**

The Planning Commission concludes that the proposed amendments to the Bremerton Municipal Code Title 20, Downtown Subarea Plan, Bay Vista Subarea Plan, and South Kitsap Industrial Center SAP, and the revocation of the Manette SAP, corresponding to the 2016 Growth Management Act periodic update are consistent with Department of Commerce, the Growth Management Act, Puget Sound Regional Council, Kitsap County-Wide Planning Policies and the draft 2016 Comprehensive Plan. The Commission concludes that the proposed Updates are adequate to address the City's management of both population and employment growth over the next 20 year cycle (until 2036) and have adequate development standard provisions.

Respectfully submitted by:

Approved by:

  
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Andrea L. Spencer, AICP  
Executive Secretary

  
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Nick Wofford, Chair  
Planning Commission