

ORDINANCE NO. 5423

AN ORDINANCE of the City Council of the City of Bremerton, Washington, amending the Bremerton Municipal Code related to “Manufactured Homes” minimum width.

WHEREAS, through practical use and application of the Zoning Code the need for modification has been identified; and

WHEREAS, the City of Bremerton has established a procedure for amending the Zoning Code in Title 20.18.020(d) of the Bremerton Municipal Code (“BMC”), which requires amendments to the Zoning Code to be both consistent with the goals and policies of the Comprehensive Plan and to be consistent with other applicable rules and regulations; and

WHEREAS, these amendments are consistent with the City’s Comprehensive Plan, County Wide Planning Policies, the State Growth Management Act, and other applicable regulations and ordinances; and

WHEREAS, the amendments comply with Washington State Law, RCW 35.21.684, which regulates minimum standards for Manufactured Homes in cities; and

WHEREAS, on March 18, 2019, the Planning Commission conducted a public workshop on the Zoning Code amendments related to Manufactured Homes; and

WHEREAS, on March 26, 2019, the Department of Commerce received the proposed amendments related to the Manufactured Homes pursuant to RCW 36.70A.106 for the State’s procedural requirements for agency review; and

WHEREAS, on March 29, 2019, the proposed Zoning Code amendments related to Manufactured Homes were circulated to the State Agencies for the requisite review and comment period; and

WHEREAS, on March 29, 2019, a State Environmental Policy Act (“SEPA”) Determination of Nonsignificance (“DNS”) was issued for the proposed action related to amendments to the Manufactured Homes and no appeals were filed; and

WHEREAS, on April 12, 2019, the public was notified by a legal advertisement in the Kitsap Sun of the opportunity to make comment and participate in the public hearing held by the Planning Commission; and

WHEREAS, on April 22, 2019, the Planning Commission conducted a public hearing on the Zoning Code amendments related to manufactured homes, and formulated a unanimous recommendation that the amendments be adopted by Council; and

WHEREAS, the amendments had yet to be considered a City Council Public Hearing, and thus on April 19, 2021 the Planning Commission conducted an additional public hearing on the Zoning Code amendments related to manufactured homes to re-affirm their recommendation that the amendment be adopted by Council. The Planning Commission formulated a unanimous re-affirmation on the recommendation; and

WHEREAS, on May 27, 2021, the public was notified by a legal advertisement in the Kitsap Sun of the opportunity to make comment and participate in the public hearing by the City Council; and

WHEREAS, on June 2, 2021, the City Council conducted a public hearing on these code changes, and considered all testimony prior to their decision; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. *Findings and Recitals.* The findings and recitals set forth above are hereby adopted and incorporated herein by this reference.

SECTION 2. *Planning Commission Findings.* The finding and conclusions adopted by the Planning Commission attached hereto as **Exhibit A** related to Manufactured Homes are adopted and incorporated as set forth herein in full.

SECTION 3. Section 20.46.040 of the Bremerton Municipal Code entitled “Manufactured Homes” is hereby amended to read as follows:

20.46.040 MANUFACTURED HOMES.

(a) Manufactured homes are permitted on one (1) individual parcel, lot, or tract in residential zones; provided, that the home is:

- (1) Approved by the Washington State Department of Labor and Industries or the U.S. Department of Housing and Urban Development, and the appropriate certification insignia is affixed to the unit, in accordance with the provisions of Chapter 43.22 RCW;
- (2) Comprised of at least two (2) fully enclosed parallel sections each of not less than ~~twelve (12)~~ **nine-and-a-half (9.5)** feet wide by thirty-six (36) feet long;
- (3) Set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load-bearing or decorative;
- (4) Compliant with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- (5) Thermally equivalent to the State Energy Code;
- (6) Originally constructed with and now has a composition of wood shake or shingle, coated metal, or similar roof of nominal three to twelve (3:12) pitch or greater;
- (7) Sided with exterior siding similar in appearance to materials commonly used on conventional site-built International Building Code single-family residences; and
- (8) A new manufactured home as defined in RCW 35.63.160(2).

(b) A manufactured home which was legally placed and maintained prior to the date of adoption of this chapter, and does not meet the requirements of this chapter, shall be deemed to be a nonconforming structure. If a legal nonconforming manufactured home is partially or wholly destroyed, replaced, or altered, it shall be required to meet the relevant requirements set forth in the nonconforming provisions of this title.

(c) The Building Official or designee shall inspect the installation of manufactured homes prior to occupancy and issue certificates of occupancy for manufactured homes. If all requirements are met, a certificate of occupancy shall be issued. No manufactured home shall be occupied until after the City issues a valid certificate of occupancy.

(d) If a manufactured home is replaced by another manufactured home, a new certificate of occupancy shall be required for the installation of a manufactured home after the date of adoption of the ordinance codified in this chapter.

SECTION 4. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener, clerical, typographical, and spelling errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 5. Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

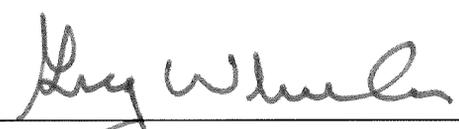
SECTION 6. Effective Date. This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council the 2 day of June, 2021.



KEVIN GORMAN, Council President

Approved this 7TH day of June, 2021.



GREG WHEELER, Mayor

ATTEST:



ANGELA HOOVER, City Clerk

APPROVED AS TO FORM:



ROGER A. LUBOVICH, City Attorney

PUBLISHED the 4 day of June, 2021.
EFFECTIVE the 14 day of June, 2021.
ORDINANCE NO. 5423

FINDINGS AND CONCLUSIONS OF THE CITY OF BREMERTON PLANNING COMMISSION

Summary:

A proposed amendment to Bremerton Municipal Code (BMC) Title 20 Land Use Chapter amending BMC 20.46.040 entitled Manufactured Homes related to the minimum size of a manufactured home.

I. FINDINGS OF FACT

1. **Project Description:**

The proposed amendment package includes revisions to Title 20, specifically BMC 20.46.040 Manufactured Homes to revise the minimum size a manufactured home must be to be placed within the City which is provided in subsection 20.46.040(a)(2).

2. **Procedural History:**

- 2.1 Notice of Public Hearing: April 12, 2019
- 2.2 Department of Commerce: March 26, 2019
- 2.3 SEPA Threshold Determination DNS: March 29, 2019
- 2.4 Planning Commission Public Hearing: April 22, 2019
- 2.5 Notice of Public Hearing for reaffirmation: April 9, 2021
- 2.6 Planning Commission Public Hearing for reaffirmation: April 19, 2021

3. **Public and Agency Comment:**

- 3.1 Rob Larsen commented on at public hearing on April 22, 2019

4. **SEPA Determination:**

A Determination of Non-Significance was issued on March 29, 2019, to date no comments or appeals have been filed.

5. **Consistency:**

Text amendments to Title 20 shall meet the decision criteria outlined in BMC 20.18.020(d). The Planning Commission may recommend a decision, and the City Council may adopt or adopt with modifications, amendments to Title 20 if the following criteria are met.

- (1) The amendments are consistent with the goals and policies of the comprehensive plan;

Analysis: The proposed amendments continue to uphold the objectives and goals of the Comprehensive Plan, and implement the following policies:

H2(E): Support efforts to provide a variety of housing options:

- *Provide for integration of special needs housing within the community by allowing for government-assisted housing, housing for low-income families, manufactured housing, group homes, and foster care facilities.*

ED5(A): Evaluate and work towards efficiency and effectiveness of all permit process and codes to ensure requirements and timelines are predictable.

- (2) It does not conflict with other City, state and federal codes, regulations and ordinances.

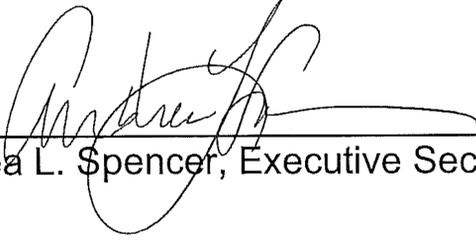
Analysis: The proposed amendments do not conflict with any other regulations.

II. CONCLUSIONS & RECOMMENDATION

Based on the findings above, the Planning Commission concludes that the proposed amendments to the Bremerton Municipal Code Title 20 Land Use Chapter, meets the requirements in BMC 20.18.020(d) text amendments, and therefore recommends to the City Council, the adoption of the amendment to Title 20.

Respectfully submitted by:

Approved by:



Andrea L. Spencer, Executive Secretary



Nick Wofford, Chair

PROOF OF PUBLICATION

Angela Hoover
City Of Bremerton
345 6 Th Street Suite 100
Bremerton WA 98337

STATE OF WISCONSIN, COUNTY OF BROWN.

I, being first duly sworn on oath, deposes and says: That I am now, and at all times embraced in the publication herein mentioned was the principal clerk of the printers and publishers of KITSAP SUN; that said newspaper has been approved as a legal newspaper by the order of the Superior Court of the County of Kitsap, in which County it is published and is now and has been for more than 6 months prior to the date of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Bremerton, Kitsap County, Washington, a weekly newspaper in Kitsap County, Washington and is now and during all of the said time, was printed in an office maintained in the aforesaid place of publication of said newspaper; that the following is a true text of an advertisement as it was published in regular issues (and not in supplement form) of said newspaper on the following date(s), to wit: And on

06/04/2021

such newspaper was regularly distributed to its subscribers during all of said period.

Subscribed and sworn to before on 06/04/2021

Legal Clerk

Notary, State of WI, County of Brown

8-25-23

My commission expires

Publication Cost: \$15.85

Order No: 5929610

of Copies:

Customer No: 288797

1

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SHELLY HORA
Notary Public
State of Wisconsin

CITY OF BREMERTON, WASHINGTON

ORDINANCE NO. 5422

AN ORDINANCE of the City Council of the City of Bremerton, Washington, amending the Bremerton Municipal Code Title 20 related to Boundary Line Adjustments and Lot Size Averaging.

ORDINANCE NO. 5423

AN ORDINANCE of the City Council of the City of Bremerton, Washington, amending the Bremerton Municipal Code related to "Manufactured Homes" minimum width.

PASSED by the City Council on the 2nd day of June 2021.

The full text of this ordinance is available from the City Clerk's Office, 345 Sixth Street, Suite 100, Bremerton, WA 98337.

June 4, 2021

#5929610

RECEIVED

JUN 09 2021

OFFICE OF THE
CITY CLERK