

**(DRAFT) AGENDA**

**Virtual Meeting – Bremerton Planning Commission  
(Subject to PC approval)**

**July 19, 2021**

**5:30 P.M.**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/86906690336?pwd=dEhtTDYzVmdEN0JVb1EvOGd2R3o4QT09>

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- I. CALL TO ORDER**
  - II. CLERK CONFIRMATION OF QUORUM**
  - III. CHAIR CALL FOR MODIFICATIONS TO AGENDA**
  - IV. APPROVAL OF MINUTES: June 21, 2021 meeting**

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**V. PUBLIC MEETING**

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

**B. Public Hearing:**

- 1. Comprehensive Plan Amendments regarding Housing Displacement Policies and the Charleston District Center

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**VI. BUSINESS MEETING**

- A. Chair Report:** Nick Wofford
- B. Director Report:** Andrea Spencer
- C. Old Business:**
- D. New Business:**

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**VII. ADJOURNMENT: The next regular meeting of the Planning Commission is  
Monday September 20, 2021**

***Note: August 16, 2021 meeting is CANCELLED***

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

# DRAFT

Subject July 19, 2021, Approval

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF VIRTUAL MEETING June 21, 2021

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#### **CALL TO ORDER:**

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

#### **ROLL CALL**

##### **Commissioners Present**

Chair Wofford (arrived at 5:50 p.m.)

Vice Chair Tift

Commissioner Flemister

Commissioner Coughlin

Commissioner Mosiman

Commissioner Pedersen

Commissioner Rich

##### **Staff Present**

Andrea Spencer, Director, Department of Community Development

Garrett Jackson, Planning Manager, Department of Community Development

Sarah Lynam, Project Assistant, Department of Community Development

##### **Others Present**

##### **Commissioners Excused**

None

##### ***Quorum Certified***

#### **CHAIR CALL FOR MODIFICATIONS TO AGENDA**

The agenda was accepted as presented.

#### **APPROVAL OF MINUTES**

**COMMISSIONER COUGHLIN MOVED TO APPROVE THE MINUTES OF APRIL 19, 2021, AS SUBMITTED. COMMISSIONER MOSIMAN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

#### **PUBLIC MEETING**

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

Vice Chair Tift invited comments from citizens on items that were not on the agenda. There were none.

#### **Public Hearing: Amendments to the Zoning Code Related to Drive-Thru Facilities**

**Mr. Jackson** explained that the Commission's responsibility is to conduct a public hearing, consider public testimony, deliberate and then make a recommendation to the City Council. He reviewed that they could recommend approval as is or as modified by the Commission, or they could recommend denial. They could also continue the hearing to a future meeting.

**Mr. Jackson** referred to the proposed code amendments that were provided as Attachment A of the Staff Report. He advised that the proposed amendments would:

- Expand the zones where drive-thru facilities are permitted to include all Commercial, Mixed-Use and Industrial zones, unless drive-thru facilities are specifically prohibited in the zone.
- Add a “Submittals” Section that formalizes what documents need to be turned in with the permit. It includes a new requirement to potentially require a Traffic Impact Assessment prepared by a qualified professional, certifying that the plans are safe for vehicles, bikes and pedestrians. This assessment is currently performed by the Public Works Department. The proposed amendment would not change that process, but it provides the Public Works Department an additional tool to help assess specific sites.
- Revise the “Procedures” Section to potentially require a Hearing Examiner level decision in cases where the applicant doesn’t meet the prescriptive requirements of the code. This would add a more scrutinized public process for any proposal seeking alternatives to the code.
- Add the potential for post-permit issuance traffic mitigation. If problems come after a drive-thru is installed and mitigation isn’t included with the permit, this provision ensures that the traffic problems can be handled at a later date after permit issuance.

**Mr. Jackson** reviewed that, at a previous workshop, staff provided examples of undesirable drive-thru facilities. The examples illustrated the need to avoid situations where the stacking lanes completely surround the building and there is no safe access for pedestrians to enter the business, where pedestrian entrances are directly after the drive-thru window where cars receive food, and where cars in the parking lot back directly into the stacking lanes.

**Mr. Jackson** shared an example of a drive-thru facilities that would meet the City’s code requirements. The building is located close to the street and there are no drive-thru lanes between the building and the roadway. The drive-thru is not the primary focus of the building, and access to the building is provided from all parking areas with only one area crossing the drive-thru lanes at the front of the stacking lane.

**Mr. Jackson** explained that a drive-thru helps ensure that a business’s bottom line is maintained by providing that third place for people to obtain services. It adds an extra tool for businesses to continue to maintain their service levels. A drive-thru can be particularly helpful for citizens with mobility impairments, and it offers a convenience for customers. Typical businesses that provide drive-thru service include restaurants, pharmacies, banking, and coffee shops. Drive-thru service is a private decision made by individual businesses based on whether or not it can help their bottom line. He referenced two articles that indicate, *“Landlords are able to charge 10-20% higher rents for properties with drive-thru facilities,”* and *“Drive-thru facilities make accessibility for customers significantly more convenient, and in turn, increase sales as much as 70% for some national chains.”* **Mr. Jackson** reported that the majority of recent commercial development has included a drive-thru component (banks, pharmacies, coffee shops, restaurants, etc. As more proposals come in, that trend will likely continue.

**Mr. Jackson** recalled that, at a previous meeting, a commissioner requested information on the existing drive-thru facilities throughout the City. Although permitting information is spotty, his calculation includes 3 pharmacies, 8 banks, 2 car washes and 26 restaurants.

**Mr. Jackson** advised that, as the proposed code amendments would allow drive-thru facilities in all Commercial, Mixed-Use and Industrial zones, it would alter where drive-thru facilities are currently prohibited. For example:

- **Neighborhood Business Zones.** The current code only allows drive-thru facilities in the Neighborhood Business and District Center zones if the property is located off of Kitsap Way or Wheaton Way. However, there are no Neighborhood Business zones located off of these two streets, so the use is effectively prohibited at this time. The proposed amendments would allow drive-thru facilities in all Neighborhood Business zones, which are intended to serve the neighborhoods they are located in. He briefly reviewed where the Neighborhood Business zones are located and described the current development, noting that there are already some drive-thru facilities.

- **Downtown Regional Center.** Currently, there are two zones in the Downtown Regional Center that specifically prohibit drive-thru facilities: Pedestrian-Oriented Mixed-Use Zone and Downtown Waterfront. There are currently three drive-thru facilities in the center, all at banks.
- **District Centers.** The current code allows drive-thru facilities in District Centers that are located off of Kitsap Way or Wheaton Way. He shared a map of the Charleston District Center, noting the properties that front on Kitsap Way that could potentially have a drive-thru. Some are located on the cliff side of Kitsap Way where a drive-thru would be unfeasible. Because the code only allows drive-thru facilities on Kitsap Way, the use becomes somewhat arbitrary at the point where Kitsap Way transitions into 6<sup>th</sup> Street. He reviewed the other District Centers, noting how properties are currently developed, where existing drive-thru facilities are located, and which properties are likely to redevelop with and without drive-thru facilities.

**Mr. Jackson** summarized that the examples were provided to show the limited amount of area that could potentially house a new drive-thru facility. Most of the properties have already been developed, so most of the new drive-thru facilities would be add-ons to existing development. He noted that many of the properties, particularly in the Neighborhood Business zone, would be too small to accommodate all of the code requirements of a drive-thru. Expanding the area where drive-thru facilities are allowed would not automatically entitle individual properties to have one. Because these zones are intended for pedestrian-oriented uses, the pedestrian, bicycle and pedestrian safety requirements would still preclude a lot of properties from having a drive-thru.

**Mr. Jackson** further summarized that the proposed amendment would expand the existing code to allow drive-thru uses in the Mixed Use, Commercial and Industrial zones. The additional “Submittal” Section would formalize the submittal process, and the “Procedures” Section would be revised to potentially elevate the decision to the Hearing Examiner when the basic prescriptive code criteria cannot be met. There would also be potential for post-permit issuance of traffic mitigation.

Chair Wofford joined the meeting at approximately 5:50 p.m.

**Erin Harris, Bremerton**, observed that, in other jurisdictions, areas that have drive-thru facilities tend to have high collision rates with pedestrians on the sidewalk. She asked if this has been taken into account and what vehicle/pedestrian mitigation measures are being planned via the Traffic Impact Assessment. She asked if would specifically prohibit left-turn motions from the adjacent roadway into the drive-thru. The left-turn motion is what commonly results in vehicle/pedestrian collisions. She said it is also important to allow adequate sight distance for vehicles exiting the drive-thru.

**Mr. Jackson** said he hasn’t seen specific research on pedestrian drive-thru incidents, but the Public Works Department reviews sight distance requirements for all commercial driveways, including drive-thru facilities. He concluded that the City’s code does its best to separate modes of transportation and ensure safe access for pedestrians and bicyclists. Pedestrians moving from parking spaces to a business are supposed to have a clear, delineated pathway, and drive-thru facilities are supposed to be completely separated from the general parking.

**Ms. Harris** clarified that she is most concerned when pedestrians are on the adjacent sidewalk and vehicles are traveling from the roadway into the drive-thru. That’s where the high propensity for vehicle/pedestrian collision occurs. In crash statistics from other jurisdictions, these show up as mid-block collisions and they are not necessarily flagged as drive-thru situations. Because of the high number of accidents associated with drive-thru facilities, a number of jurisdictions in the country are banning them in urban areas. She agreed that there are a number of benefits associated with drive-thru facilities, but she wants to make sure the adjacent traffic patterns are adjusted to make them safe for pedestrian and bicyclists that are passing by the location. This includes looking at the left turns entering into the driveway, as well as making vehicles exiting the driveway stop well before they get to the sidewalk so they have time to look for both pedestrians and vehicles.

**Mr. Jackson** emphasized that these concerns can be addressed via the Traffic Impact Assessment. Professional traffic engineers can help buttress the work that the Public Works Department is currently performing. He underscored that the code would require that drive-thru lanes must be separated from the general traffic in an effort to promote safety for pedestrians.

**Vice Chair Tift** commented that the issue of pedestrian safety is not necessarily limited to drive-thru facilities. For example, on Kitsap Way, there is Ace Hardware, McDonalds, Papa Murphy’s Pizza and Taco Bell, and every single access point in and

out of these businesses presents a pedestrian hazard if drivers are not watching carefully. He understands the potential hazards, and the vegetation and bicycle lane on Kitsap Way add to the problem.

**Vice Chair Tift** opened the hearing for public testimony.

**Christopher Lux, Bremerton**, said he and his wife own the property at the corner of Burwell and Navel (Sprout and Thistle), and they have been working towards developing Street Eats Bremerton, as well as Gravity Coffee drive-thru. He observed that staff is proposing that drive-thru facilities be allowed in all commercial zones except for those where it is specifically excluded, but the current code specifically excludes the use in the Neighborhood Business zone. **Mr. Jackson** clarified that the current code language would allow drive-thru facilities in Commercial and Industrial zones, and District Centers are zoned Mixed-Use but are selectively allowed to have drive-thru facilities. The Mixed-Use zone was added later for clarification purposes, but drive-thru facilities are already permitted in Mixed-Use zones under certain circumstances. Drive-thru facilities would be permitted in the Neighborhood Business zones if the proposed code is adopted.

**Mr. Lux** referred to Mr. Jackson's description of the preferred and non-preferred design, particularly the concept of maximizing pedestrian access to the buildings. He pointed out that there are use cases, such as coffee stands, banks or pharmacies, where the drive-thru is the sole access point and there is no pedestrian access. He suggested there needs to be a site-by-site understanding of the proposal to make sure it provides safety for pedestrians rather than excluding specific design elements, such as pedestrian access to the building.

**Akash Juneja** asked if the proposed amendments would allow a drive-thru facility at the Noah's Ark location. **Mr. Jackson** answered that it would be permitted.

No other members of the public indicated a desire to speak, and **Vice Chair Tift** closed the public portion of the hearing.

**Commissioner Pedersen** commented that staff has done a good job presenting the best proposal possible, but he felt the amendments would still result in worse biking and walkability in the neighborhoods. While he is sympathetic to the commercial landowners, the burden of proof hasn't been satisfactorily met. In order to support the amendments, he would need much more data showing that they wouldn't result in more bicycle and pedestrian accidents.

**Commissioner Flemister** asked if there is a lot-size requirement for being allowed to add a drive-thru facility. **Mr. Jackson** answered that there is not a minimum lot size requirement, but there is a minimum length for queuing lanes. The drive-thru lane must be at least 120 feet, which is meant to accommodate eight cars. If the property cannot accommodate that length, the application would be elevated to a Hearing Examiner decision, and the property owner would have to provide some very convincing safety improvements.

**Commissioner Coughlin** said he tried to think of all of the cons and concerns associated with the amendments, and most were addressed in the Staff Report. However, some were not:

- **Public Health.** Some have raised the concern that obesity rates will be higher with greater access to fast food. He noted that South Los Angeles banned fast food and drive-thru windows and obesity rates went up, which indicates that people want the service and are willing to drive further to get it.
- **Carbon Emissions.** He couldn't find any studies showing that drive-thru facilities resulted in increased carbon emissions. If they are prohibited in an area, people will likely be willing to drive further to get the service. Given that vehicles will become more efficient and less polluting over time, the impact would be negligible.
- **Greater and More Convenient Access.** Drive-thru facilities provide greater access for the disabled, working families, etc.

**Commissioner Coughlin** said he supports the proposed amendments overall. He suggested that perhaps Commissioner Pedersen's concerns about pedestrian impacts could be addressed by requiring a Traffic Impact Assessment for all drive-thru applications. **Mr. Jackson** emphasized that the review is already being done by the Public Works Department, and the Traffic Impact Assessment would be an additional requirement to help the Public Works Department assess individual sites. Staff isn't proposing that the assessment be required for all applications because some sites can easily meet all of the requirements without posing a safety issue. The Public Works Department would have the ability to require the additional analysis, if there

are any unusual site conditions. **Director Spencer** said she equates this to the recommendation the Commission made relative to boundary line adjustments. The code was written to say the City may require a title report or not. Some boundary line adjustments move lines in a very minor way and it doesn't make sense to spend all the money to require a title report when the request is straight forward. She cautioned against mandating that extra time and resources be spent when it isn't necessary in many situations. She explained that the Public Works Department does an extensive review of business access to a site, and they have worked hard to consolidate all of the access points along Wheaton Way. The proposed amendments would add more study requirements for the drive-thru, itself, but not for the development as a whole.

**Commissioner Coughlin** commented that drive-thru facilities provide real benefits to disabled and working families. He researched other cities and found that Portland, Oregon, increased its drive-thru provision and added a new section of code that encouraged drive-thru facilities to give access to pedestrians and bicyclists who ordinarily access the building. For example, if the business was open until 8 p.m., but the drive-thru until 10 p.m., the business would be required to serve pedestrians and bicyclists at the drive-thru from 8 p.m. to 10 p.m. He felt that was a great way to have drive-thru serve not just cars, but also pedestrians and bicyclists. If that were to be allowed, he would assume that appropriate safety measure would be taken. **Director Spencer** voiced concern about the liability associated with the City enacting code requirements that mix cars, pedestrians and bicyclists together. If they considered this approach, she would rather they focus on serving walk-up customers in a separate place than the drive-thru facility. **Vice Chair Tift** concurred with Director Spencer.

**Commissioner Mosiman** referred the Commissioners to the public hearing that was conducted in 2013 relative to proposed code amendments for drive-thru facilities. The amendments were being considered at the request of the City Council because the Comprehensive Plan was not working as expected, and the anticipated development was not happening. There was an identified requester, as well as an identified purpose. In other business before the Planning Commission, he has always appreciated having a clear understanding of why the Commission is being asked to consider a proposed amendment. However, he doesn't know where the current proposal came from or why it was made. When considering proposals, he likes to understand the problem the Commission is being asked to address, but that isn't clear to him at this point. He asked staff to explain who made the request and why it is being made.

**Director Spencer** responded that staff has had several conversations with people who want to develop in Bremerton. When staff informs them that drive-thru facilities aren't permitted, they generally choose to develop elsewhere in Kitsap County or other nearby jurisdictions that have less stringent requirements. The proposed amendments are intended to address the City's economic situation by encouraging redevelopment opportunities. In addition, it could be argued that the City's current regulations are somewhat arbitrary. They are currently only allowed on Kitsap Way or Wheaton Way, yet 6<sup>th</sup> Street is not that much different than Kitsap Way. Most of the commercial zoning is on high-traffic corridors, which seems to be an appropriate place. She cautioned that the City is currently competing with Kitsap County, Poulsbo, and Port Orchard, all of which allow drive-thru facilities with very few design standards. She suggested that the current proposal represents a good balance. It provides good design standards to address walkability, but also allows drive-thru facilities to serve the community needs. During the pandemic, the drive-thru option was very advantageous to keeping the local businesses alive. In addition, the Mayor has voiced concern that the current code is an impediment to development and redevelopment. Lastly, she expressed her belief that drive-thru service is the way of the future, and it can be allowed with good site design. The proposed regulations are still more onerous than those in Kitsap County.

**Commissioner Mosiman** agreed that the pandemic increased the demand for drive-thru service for at least the short-term because the indoor dining restaurants were closed down. He cautioned that they appear to be looking for a long-term solution to what is potentially a short-term problem. It would be a mistake to make a decision based on a short-term situation that will have impacts for decades to come. Regarding earlier comments about emissions, he agreed that vehicles are changing, but slowly. The turnover rate for vehicle sales is about 6% per year, and the majority are still gas or diesel vehicles. These vehicles will be part of the fabric of society for decades to come, and expecting automobile technology to solve this problem is decades away.

**Commissioner Mosiman** reviewed that in 2013, it was recognized that drive-thru uses needed to be expanded on auto-centric corridors. Because Wheaton Way and Kitsap Way were already auto-centric, it didn't make sense to prohibit drive-thru uses. The work done by the Planning Commission in 2013 was well considered, and the Charleston District Center was specifically identified as a success story that did not need drive-thru uses. Now they are proposing to change the Planning Commission's 2013 work without providing any demonstratable evidence that the situation has changed. The Neighborhood Business and

District Center zones are Mixed-Use, which means there are residential properties. He is concerned that the proposal would allow drive-thru facilities right next to people's homes, and he doesn't believe that a 10-foot buffer would be sufficient. They need to consider the impacts associated with hours of operation, light pollution from the business and car headlights, noisy vehicles, diesel fumes, etc. He said he doesn't have a problem expanding drive-thru uses into auto-centric areas, but he doesn't support allowing them next to residential development.

**Commissioner Mosiman** reviewed that the Comprehensive Plan describes the Neighborhood Business character as *"small-scale commercial or mixed-use nodes with uses such as grocers or converted residential structures or purpose-built structures that are sensitive to the small-scale residential context."* In addition, Land Use Goal 1 calls for reducing traffic congestion, and the proposed amendments would do exactly the opposite. Again, he is opposed to allowing drive-thru uses in areas where there is residential development. He suggested that before the Commission makes a decision, residents in the District Centers should be notified of the proposal and invited to provide feedback.

**Commissioner Mosiman** directed attention to the Comprehensive Plan, as well as City, County and State documents where they are attempting to reduce carbon emissions. He expressed his belief that the proposed amendment would fly in the face of that goal. The average wait time in a drive-thru is 4 minutes 25 seconds, which means that cars idle for that amount of time.

**Commissioner Rich** said she came to the meeting thinking that the proposed amendments made sense and that the current code was arbitrary and didn't link up with the way people drive around Bremerton. She said she appreciates staff's research on the benefits of drive-thru facilities to working families, people with disabilities, etc. She suggested that the concerns could be addressed by more detailed information from staff, as well as more specific examples of how the code would be applied. She asked how the process would be impacted if the Commission decided to postpone its recommendation until the residents living in the District Centers have been notified and invited to provide input on the proposal.

**Vice Chair Tift** commented that he was on the Commission in 2013 when the drive-thru code provisions were last updated. At that point in time, the Commission's frame of reference was largely focused on fast-food restaurants rather than pharmacies and other drive-thru businesses that have grown as a result of the pandemic. He expressed his belief that drive-thru is valuable in neighborhoods, and he submitted that Hi-Lo is probably already a drive-thru by virtue of Uber Eats, Door Dash and other companies that deliver food from restaurants. He said he doesn't believe that the doomsday claims that have been raised will materialize in the heart of a neighborhood because it won't be profitable for a company to set up something that would attract diesel trucks and large volumes of traffic.

**Director Spencer** explained that a public hearing and a recommendation from the Planning Commission is required whenever the City adopts changes to the zoning regulations. The recommendation is then scheduled for a public hearing before the City Council. The City Council could take action following its public hearing, or it might choose to study the issue more before adoption. The timeline for adopting most zoning code amendments is a month or two. She reminded them that property owners are waiting for the Commission and City Council to take action on the amendments so that proposed development can move forward. If the Commission's recommendation is a split vote, they could move the recommendation forward with a minority report that clearly outlines the concerns. Staff could then do more public outreach to encourage citizen comments at the City Council's public hearing.

**Commissioner Coughlin** said he doesn't envision the code change would result in a lot of new businesses where there are none now. The proposed amendment would simply allow existing businesses and perhaps a few new businesses to have drive-thru capability. While he appreciates the concerns about more traffic in residential areas, the code provides sufficient safeguards to mitigate the impacts. He noted that carbon emissions from both public and private transportation worldwide is only about 27%, and he doesn't see any significant increase of carbon emissions associated with the use. If the Commission decides to postpone a recommendation to allow more time to reach out to nearby residents, they should make it clear that they do not expect the proposal would result in an explosion of businesses in the area that weren't there before. Instead, it would provide flexibility to a few businesses that could benefit from it.

**Commissioner Pedersen** said he believes the disability/accessibility argument is valid, but the counterpoint would be encouraging curbside pickup windows rather than full-on drive-thru facilities. He commented that staff did a good job with mapping to illustrate the impacts of the amendments, and it is clear that they would result in more drive-thru uses next to residential areas. He didn't believe that a 10-foot buffer would be sufficient. He also felt the proposed amendments would

increase auto-centric neighborhoods as opposed to encouraging pedestrian and bicycle activity. The areas that are being compared to Wheaton Way and Kitsap Way are death traps for bicyclists and pedestrians, and he is opposed to creating any more of these situations in the City.

**Commissioner Mosiman** voiced concern about the misinformation that has been provided. They aren't talking about call ahead, pickup, Door Dash, Uber Eats, etc. They are talking only about drive-thru uses where cars are stacked up. He encouraged the Commissioners to read the Comprehensive Plan, which sets out the vision for Bremerton. The Land Use element in the Comprehensive Plan talks about a vision for Neighborhood Business and District Centers. He voiced concern that opening the areas to drive-thru uses would go against the vision outlined in the Comprehensive Plan. While it is likely true that the amendments would not result in an explosion of drive-thru businesses, that is wishful thinking rather than definitively correct. The purpose of the zoning code is to put limits on what may happen. He is in favor of supporting the business community, and he would be willing to consider expanding drive-thru uses in the auto-centric areas, but not in the District Center and Neighborhood Business zones. They need to carefully consider the impacts this change would have to the quality of life of the residential property owners in these areas.

**Commissioner Coughlin** reminded the Commissioners of his earlier suggestion that the proposal be amended to require businesses to provide opportunities for walkup service when the indoor dining is closed but the drive-thru is open. **Director Spencer** noted that staff prepared some alternative language to address this issue that ensures there isn't a conflict between pedestrians, bicycles and vehicles.

**Director Spencer** agreed with Commissioner Mosiman that the City's vision is to create good center and mixed-use development. However, it is important to keep in mind that the Commission is only considering a small portion of the development code. The overall intent and underlying principles of each of the zoning districts would still have to be met. She explained that drive-thru uses are an accessory to an existing business. The actual building would have to meet all of the code requirements, such as transparency and buildings that are located at the street front. Drive-thru uses would be located behind the building and wouldn't be the primary feature. She suggested it would be helpful for Mr. Jackson to explain the development regulation intentions, which cannot be undermined by a proposed development. He could also share suggested language for a potential amendment to address Commissioner Coughlin's concern.

**Mr. Jackson** referred to the Findings and Conclusions (Attachment B) that were included in the Staff Report. He explained that the Findings and Conclusions are required to show how a proposed amendment would meet the Comprehensive Plan goals. He specifically referred to Policy LU-1, which states:

- A. Development regulations should encourage pedestrian-oriented mixed-use design in Centers and address such issues as:
  - 1. Locating buildings or features in the core of the Center at sidewalk edge,
  - 2. Providing windows and other architectural features that foster pedestrian interest along street fronts,
  - 3. Adopting sign standards that reflect pedestrian scale,
  - 4. Encouraging and/or requiring architectural features that are of a scale and type appropriate for viewing by pedestrians at the building front and immediately nearby, and
  - 5. Development projects should be encouraged to provide amenities such as street furniture, street trees, small public spaces and plazas, etc.

**Mr. Jackson** said it is staff's intention that the proposed amendments would not affect these policies. Drive-thru uses are intended to be accessory and located at the rear of the building. They would not supersede any of the pedestrian goals.

Next, **Mr. Jackson** shared alternate language to implement Commissioner Coughlin's recommendation that drive-thru businesses provide opportunities for walkup service when the indoor dining is closed but the drive-thru is open. The alternative language also addresses the concerns that have been raised about mixing pedestrian, bicycle and vehicular traffic. The proposed language would be:

*"When drive-thru facilities are open and other pedestrian-oriented customer entrances to the businesses are unavailable, they must serve customers using other modes rather than vehicular. This may be accomplished by on-line ordering, pickup areas or similar. Such pickup areas shall be illustrated on the submitted site plan."*

**Mr. Jackson** commented that the words, “*or similar*” were added to recognize that there may be variations that would accomplish the same goal. The intent is to make sure that any area that is designated as such is shown on a site plan to ensure that pedestrians are safe. **Director Spencer** suggested that the motion could include allowing staff to work on language for alternate means to serve pedestrians and bicyclists.

**COMMISSIONER COUGHLIN MOVED TO RECOMMEND THE CITY COUNCIL ADOPT TEXT AMENDMENTS TO TITLE 20 OF THE BREMERTON MUNICIPAL CODE (BMC) AS DETAILED IN ATTACHMENT A, BASED ON THE STAFF REPORT AND THE FINDINGS AND CONCLUSIONS PRESENTED IN ATTACHMENT B. HE FURTHER MOVED TO DIRECT STAFF TO ADD LANGUAGE TO SUPPORT WALKUP AND BICYCLE SERVICE AND CONDUCT OUTREACH TO RESIDENTIAL PROPERTIES ADJACENT TO THE COMMERCIAL DISTRICTS FOR PUBLIC INPUT. CHAIR WOFFORD SECONDED THE MOTION, WHICH CARRIED 5-2 WITH COMMISSIONERS COUGHLIN, FLEMISTER, RICH, TIFT AND WOFFORD VOTING IN FAVOR AND COMMISSIONERS MOSIMAN AND PEDERSEN VOTING IN OPPOSITION.**

## **BUSINESS MEETING**

### **Chair Report**

**Vice Chair Tift** said he is anxious to get back to some form of in-person meetings. He has heard from some constituents that they are missing out on important testimony because of the difficulty some people have with Zoom meetings. He noted a letter to the editor in *THE KITSAP SUN* from Diane Manning, who was quite annoyed with the lack of opportunity to comment at Commission meetings due to technology difficulties.

**Chair Wofford** announced that it is time for the Community Block Grant process to start, and he has been the participant representing the Planning Commission on the Grant Committee for the past several years. He asked if any of the other Commissioners were interested in serving in that role. **Director Spencer** reviewed that committee members review and score all of the applications in August. In September, the committee meets to conduct interviews, debate as a committee, and make a recommendation to the City Council on how to spend the Community Block Grant money. She said she finds it a very rewarding experience because you get to see the good work that is being done by non-profit organizations in Kitsap County. It’s also sad because there is such great need and not enough money to give everybody what they ask for. **Commissioner Coughlin** indicated he would be interested in serving on the Grant Committee.

### **Director Report**

**Director Spencer** announced that the Mayor and City Council President are talking about how to open up for in-person meetings. She reported that there has been an increase in participation and engagement from the public because it is easier for many to attend virtual meetings. Some people want to continue the virtual meetings even after the in-person meetings resume, and staff is working to update equipment to support that endeavor. At this time, she doesn’t have a timeline for when the in-person meetings will resume.

**Director Spencer** announced that Ms. Satter has left the City, and Garrett Jackson was promoted to the position of Planning Manager. She is currently recruiting for Mr. Jackson’s position during a time when the City is experiencing record permit activity. The next meeting is scheduled for July 19<sup>th</sup>, but given all of the other demands on staff time, it may need to be canceled.

**Director Spencer** reported that the City Council adopted the Planning Commission’s recommendations on boundary line adjustments, lot size averaging and double-wide mobile home width.

### **Old Business**

**Commissioner Coughlin** recalled that, at the last meeting, there was an outstanding question to staff about whether single-wide recreational vehicles (RVs) would be allowed on single-family lots as an accessory dwelling unit (ADU). **Director**

**Spencer** responded that nothing in state law would prohibit the City from writing regulations that allow any size of manufactured housing. When Mr. Jackson was doing research for manufactured housing, he discovered that Bremerton and Poulsbo are the only jurisdictions that mandate double wide and regulate the size. The County doesn't have any requirements. She suggested they wait and see how the manufactured home amendments work over the next few years, and then they can be adjusted as necessary.

**New Business**

**Commissioner Coughlin** asked if there are any other Planning Commission items that will appear before the City Council before the Commission meets again, and **Director Spencer** answered no.

**ADJOURNMENT**

The meeting was adjourned at 7:15 p.m.

Respectively Submitted by:

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Andrea L Spencer, AICP  
Executive Secretary

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Nick Wofford, Chair  
Planning Commission

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

<b>AGENDA TITLE:</b>	Public Hearing on the Annual Comprehensive Plan Amendments and associated Zoning Code Changes
<b>DEPARTMENT:</b>	Community Development
<b>PRESENTED BY:</b>	Garrett Jackson, Planning Manager, (360)473-5289, <a href="mailto:Garrett.Jackson@BremertonWa.gov">Garrett.Jackson@BremertonWa.gov</a>

**EXECUTIVE SUMMARY:**

Comprehensive Plan amendments are processed on an annual cycle to allow for changes to the Plan which reflect current conditions that may not have been addressed prior to or since the Plan's adoption. Amendments to the City's Comprehensive Plan are regulated by Bremerton Municipal Code (BMC) 20.10, and applications must be submitted between the first business day in August and November 15<sup>th</sup> (or the next business day) to be considered in the annual docket for the following year. There are two, City initiated, Comprehensive Plan amendments to be considered for the 2021 docket, along with the associated Zoning Code changes. This Report provides attachments (described on the following page), received public comment, and more information on this proposed amendment. The proposed amendments are as follows:

- Housing Displacement – Add language to address Housing Displacement avoidance.
- Charleston District Center – Implement strategies identified in the Charleston Area-wide Planning Study.

The tentative schedule for the adoption process is:

**July 19, 2021** Public hearing before the Planning Commission

**Fall 2021** City Council Public Hearing (Final Decision)

*For updates, please watch the City Council agenda on the City's website or [click here](#). Please email a request to be included as an interested party [Garrett.Jackson@BremertonWa.gov](mailto:Garrett.Jackson@BremertonWa.gov).*

**ORDERS OF THE DAY**

The Planning Commission will conduct a public hearing on the 2021 Comprehensive Plan annual amendments and associated Zoning Code changes, and should consider public testimony, and formulate a recommendation for City Council's decision.

**RECOMMENDED MOTION FOR PLANNING COMMISSION:**

**MOTION:** Move to recommend that the City Council adopt the proposed amendments to the Comprehensive Plan and Zoning Code as detailed in this staff report and attachments and based upon the Findings and Conclusions included in **Attachment C**.

## **ATTACHMENTS:**

The following attachments are the Comprehensive Plan Annual Amendments and associated zoning code changes for 2021 and documentation of the Planning Commission process. Please note that all revised documents are shown in legislative markup with text additions and deletions shown in **red underline** and **strikethrough**.

- **Attachment A** – Comprehensive Plan’s Replacement Pages:
  - A-1: Housing Element, Housing Goal H3
    - Pages proposed for revision provided, for existing full text [click here](#)
  - A-2: Land Use Element, District Center Core designation
    - Pages proposed for revision provided, for existing full text [click here](#)
- **Attachment B** – Zoning Code text amendments for BMC 20.70, District Center Core (DCC)
- **Attachment C** - Finding and Conclusions of the Planning Commission

## **OPTIONS FOR THE PLANNING COMMISSION:**

At the Planning Commission Public Hearing, the Commission has the following options:

1. Recommend that the City Council adopt the 2021 Comprehensive Plan Amendments and associated zoning code changes as proposed by Staff in this report.
2. Recommend the City Council adopt the 2021 Amendments and associated zoning code changes as modified by the Commission.
3. Recommend denial of any part of the 2021 Comprehensive Plan Amendments and associated zoning code changes.

## **Why is the City proposing this amendment?**

As relayed at the March 15, 2021 Workshop, the City is seeking to address Housing Displacement and also to implement strategies identified in the Charleston Area-wide Planning Study. For a fuller review of the materials provided to the Planning Commission at the March Workshop, [click here](#) to view the complete packet.

### **Housing Displacement.**

The City of Bremerton, much like many other locations in the Greater Puget Sound, has a strong housing market with high demand for all housing types and many of our residents are experiencing significant increases in housing costs. Bremerton has more areas of affordable housing for our low-income citizens when compared to other areas in Kitsap County. As relayed at the March Workshop, the City’s housing stock is aging, with approximately 60% being built prior to 1960. Historically inadequate construction standards, potential deferred maintenance, and a strong housing market will likely lead to many of these homes being replaced with more efficient modern residences over time. As redevelopment occurs, we must consider how this may negatively affect our most vulnerable population’s ability to remain in affordable housing.

Currently, the City has displacement regulations solely for projects participating in the Multifamily Tax Exemption program. To be eligible for the program, an applicant must provide each existing tenant housing of comparable size, quality, and price and a reasonable opportunity to relocate. This proposal adds housing displacement policies to the Comprehensive Plan that address persons displaced from their homes by individual developments, and also coincides with upcoming additions to our regional planning goals.

The Kitsap Regional Coordinating Council (KRCC) is a regional planning body composed of Kitsap jurisdictions: Kitsap County, Bainbridge Island, Port Orchard, Poulsbo, Bremerton, Suquamish Tribe, Port Gamble S’Klallam Tribe, Port of Bremerton, Port of Kingston, Naval Base Kitsap, and Kitsap

Transit. This body distributes federal transportation funding, coordinates shared regional legislative actions, and coordinates multi-jurisdictional projects. KRCC recently recommended updates to the County-wide Planning Policies that govern participating jurisdictions. These policy updates will likely be approved locally by the end of the year and include the displacement language included below.

*Element F. Contiguous, Compatible, and Orderly Development (D).*

*D-6 Displacement: As the region continues to grow, population and employment growth is focused within our urban areas. As redevelopment takes place, however, there is a potential for physical, economic, and cultural displacement of low- income households that may result from planning, public investments, private redevelopment, and market pressures. As important planning, transportation, and redevelopment takes place:*

*c. Consider developing coordinated strategies and interjurisdictional processes between the County and cities to mitigate the impacts of displacement.*

*d. Consider implementing flexible strategies that will encourage development of a range of affordable housing, both public and private.*

To view a full copy of the proposed KCRR policies draft, [click here](#). These policies are not part of the City Comprehensive Plan amendment process associated with this proposal, but are mentioned as they reinforce that displacement policies are also regional goals and in additional regulatory documents the City will be considering in the near future.

At this time, the proposal is limited to adding language to the Comprehensive Plan only, staff will be working on implementation strategies in the future. The proposed amendment would be placed in the Housing Element of the Comprehensive Plan. This section of the Comprehensive Plan focuses on the community being provided with one of the most basic of needs: shelter. The Housing Element is structured with an over-arching *Vision* for housing in Bremerton, that vision is subdivided into *Goals* for housing, and each goal is provided with several *Implementing Policies* aimed at accomplishing set goals. The proposed amendment is an implementing policy to an existing goal identified in the Housing Element.

Vision. The overall vision of the Housing Element is:

*To encourage the growth of Bremerton by strategically locating a wide variety of housing types throughout the City in a way that protects the environment and fosters community health.*

Goal. There are four total goals of the Housing Element section. The proposed amendment would be an implementing policy to goal H3.

*H3. Support access to quality and affordable housing for all Bremerton residents.*

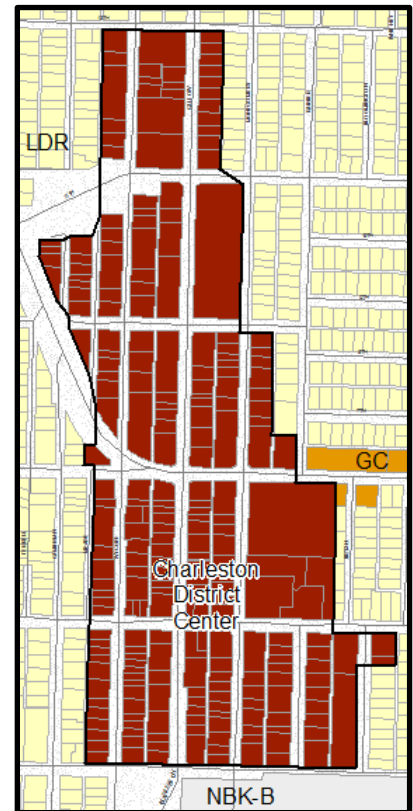
Proposed Implementing Policy. As seen in Attachment A-1, the following proposed amendment would be added to the Housing Element of the Comprehensive Plan:

*H3(F): The City shall implement measures to mitigate displacement of extremely-low and low-income resident's housing when new development occurs on sites that have existing units that house the City's most income-vulnerable population.*

### Charleston District Center.

As relayed at the March 15, 2021 Workshop, the City is seeking to implement the Charleston Area-wide Planning Study (CAPS). For a fuller review of the materials provided to the Planning Commission at the March Workshop, [click here](#) to view the complete packet. The study suggests several detailed outcomes related to potential parks and street design that will require further study by the City and stakeholders before determining the feasibility of specific projects. For this reason, it is more prudent to propose Comprehensive Plan amendments which incorporate significant findings of the CAPS, rather than the specific text. The six significant findings of the CAPS, identified in at the March 15 Workshop, are 1) Community vision statement to *Rediscover Charleston*, 2) Support interim uses, 3) Artisan/Live-work Wycoff District, 4) Add parking flexibility, 5) Improved streetscapes, and 6) Support recreational enhancements.

The proposed amendments would be placed in the Land Use Element of the Comprehensive Plan. This section of the Comprehensive Plan focuses on how Bremerton will strategically designate appropriate land-uses in the City in order to accomplish local, regional, and State-wide planning goals. The Land Use Element is also structured with an overarching Vision, Goals, and Implementing Policies. The proposed amendments are to the Charleston District Center section and implementing policies for District Centers.



Vision. The overall vision of the Land Use Element is:

*Bremerton is a metropolitan city that provides for economic vitality and diverse lifestyles through a broad variety of jobs, housing, and strategically located commercial and recreational opportunities.*

Goal. There are four total goals of the Land Use Element section. The proposed amendment would be an implementing policy to goal LU2.

*LU2. Encourage economic development within the City.*

Proposed Implementing Policy. As seen in Attachment A-2, the following proposed amendment would be added to the Land Use Element of the Comprehensive Plan:

Charleston District Center Character introductory statement:

*Rediscover Charleston as a distinctively creative historic district that celebrates its eclectic, imaginative, and artisan character through capital investments, local traditions, diverse tenants, and quality housing.*

Implementing Policies:

*LU2-DC(D): In the Charleston District Center, provide additional flexibility for temporary uses, parking standards for infill projects, and allowed uses for light industrial and live/work occupancy types in select areas.*

*LU2-DC(E): In the Charleston District Center, consider potential private and public investments in improved streetscapes, recreational opportunities, and open space as identified in the Charleston Area-wide Planning Study.*

### Charleston Zoning Code Amendments.

The following proposed amendments support the findings of the CAPS while providing more precise criteria to regulate the more general comprehensive plan amendments. These amendments are summarized below, please see Attachment B for the full text.

- Mobile Vending Units - BMC 20.70.040(a).

This Conditional Use is proposed in order to support interim (or temporary) uses in the Charleston District Center. In drafting these regulations, staff first reviewed the *American Planning Association* document titled, “*Regulating Food Trucks*” for guidance on appropriate criteria<sup>i</sup>. The resulting code is intended to provide a broad definition of a Mobile Vending Unit (MVU), as it is expected that a variety of booths, food trucks, or other sales-apparatus may be utilized for this conditional use. As these uses are intended to be temporary, flexibility is also provided with onsite parking, landscaping, and structure design requirements; in all these cases requirements can either be modified or completely waived.

As these temporary uses are provided with a maximum amount of flexibility, it should be recognized that flexibility is provided because the uses are in fact temporary; it is not the intent of the City to incentivize temporary structures over permanent ones. For this reason, MVUs are required to remove all materials from the site on weekdays from 10PM until 7AM with limited exceptions. Other basic code revisions are intended ensure that neighboring properties are not negatively impacted by MVUs, and in cases where impacts may occur the Director may require corresponding mitigation.



Hypothetical Food Truck Court Across from Callow Ave Safeway

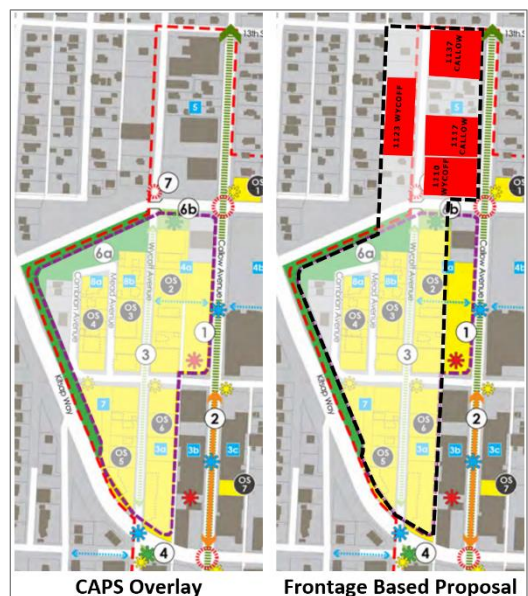
- Light Industrial Uses - BMC 20.70.040(b).

This Conditional Use is proposed in order to support light industrial uses in select areas of the Charleston District Center. The language of the proposed code does exclude a use typically associated with light industrial uses, namely *warehousing*. The CAPS proposal supports artisan light industrial uses, which does not include warehousing. Warehousing is also not supportive of pedestrian-oriented uses which is a goal shared by all District Centers, and so it is excluded. While outdoor storage is a *grandfathered* use for some existing sites, outdoor storage is not considered a light industrial use and so it is excluded as it adds negative aesthetic impacts to the Charleston Center. Marijuana production and/or processing is also prohibited in the proposed code.

The proposed geography of where light industrial uses may be permitted has changed slightly from what is proposed in the CAPS plan. The CAPS study area did not include properties that are located on the western frontage of Wycoff Avenue north of 11<sup>th</sup> Street, even though these properties are located in the Charleston District Center. One of these properties, 1123 Wycoff Ave, is a large property which currently houses the offices of a shipyard contractor who utilizes light industrial as an accessory use. On the opposite east frontage of Wycoff Ave, there are three uses that utilize light industrial as an accessory use (1137 Callow, 1117 Callow, and the basement level at 1110 Wycoff); the light industrial portions of these uses tend to face the Wycoff Ave frontage. Images of the building facades fronting on Wycoff Ave are provided in the adjacent image, and they are typical of what might be expected of light industrial uses that are not necessarily as inviting to potential visitors.

The overlay district proposed by the CAPS plan is illustrated in purple dash on the left-hand side of the adjacent image; the proposed frontage-based alternative is illustrated in black dash and is located on the right-hand side of the image. The aforementioned properties currently containing light industrial accessory uses are highlighted in red. Rather than a mapped overlay district, the proposed code simplifies the geography by including any property north of 6<sup>th</sup> street that fronts on Cambrian Avenue, Mead Avenue, or Wycoff Avenue. Notably, this new geography excludes three properties fronting on Callow Ave, two of which are vacant and one that currently houses pedestrian-oriented uses. As Callow is the *main-street* of the Charleston District Center, these vacant properties should be reserved for uses that are more in sync with the goals of all District Centers. Likewise, the existing pedestrian-oriented use at the corner of Callow Ave and 11<sup>th</sup> Street has high public visibility and should remain dedicated to pedestrian-oriented uses. The revised geography corrects the exclusion of a portion of the western frontage of Wycoff Ave and recognizes existing uses should be included in the eligible area.

- Parking Requirements - BMC 20.70.080(g). Revisions are proposed in order to add parking flexibility for infill projects throughout the Charleston District Center. As stated in the previous workshop, many of the existing commercial sites in Charleston currently provide no onsite parking and existing buildings take up as much as 100% of the parcel; this often leaves no opportunity to add parking spaces. Current code requires that onsite



parking be added in cases where a building expands, or when residential units are added to the interior of an existing building. The proposed code would conditionally permit existing nonresidential structures adding no more than ten (10) residential uses, and/or existing nonresidential structures expanding up to twenty-five (25) percent of the gross square footage of the building, to be exempt from providing additional off-street parking. This exemption is intended to provide a balance between recognizing the relief needed from the parking code in Charleston, while also limiting the scope of the exemption to a degree not too far outside the impact of the existing use. A cap of ten residential units is proposed, as this is the minimum number of units required to be eligible for the City [Multifamily Tax Exemption](#) (MFTE). The MFTE was created to incentivize the construction of housing in City Centers, and so new code provisions were crafted in order to support this previous work.

As converting structures to residential uses would likely involve the addition of fire sprinkler systems, fire-rate walls, and potential seismic upgrades, these costs can add up quickly. Current code requires that if the valuation of proposed improvements to a structure exceed 75% of the assessed value of that building, then the entire building must be brought into conformance with the zoning code. As this would likely be prohibitive to the redevelopment of many structures, nonconforming provisions per BMC 20.54.070 are proposed to be waived for properties within Charleston. Due to potentially inadequate construction methods being utilized in the past, the remodel of some older structures may be infeasible, and in some cases more costly to remodel than to rebuild, accordingly the proposed exemption per BMC 20.54.070 would permit the complete removal/rebuild of structures.

## **PUBLIC INPUT**

The Planning Commission sought public comment at the March 15, 2021 Workshop. The sole comment was provided by a Kitsap Transit representative who believed the proposed plan provided regulatory flexibility that would attract future investment. The Charleston Area-wide Planning Study held a well-attended community meeting on the proposed document April 22, 2021. Notice of the meeting was sent to all properties within 300 feet of the Charleston Center; comments were generally supportive and pertained to increased pedestrian safety, infrastructure improvements, and support for local business.

## **OVERALL IMPACT**

*Displacement Strategy* - The impact of this change is expected to help set the stage for mitigation of displacement of low-income housing by future development.

*Charleston District Center Amendments* - The impact from proposed amendments is anticipated to be minor as they are largely concerned with temporary uses and minor expansions of existing structures. Generally, these amendments are intended to remove regulatory requirements that may be prohibitive to fully utilizing structures and uses currently existing within the District.

## **CONCLUSION:**

The City has reviewed the proposed amendments for compliance with the City's Code requirements for Comprehensive Plan and Zoning Code Amendments. The amendments meet the decision criteria set forth in the BMC, supports the Charleston Area-wide Planning Study and the Housing Element of the Comprehensive Plan. Therefore, the City suggests that Planning Commission make a recommendation on this proposal. Please see **Attachment C** "Findings and Conclusions" for a detailed analysis of how the proposal is consistent with the BMC decision criteria for amendments.

## **SOURCES:**

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<sup>i</sup> American Planning Association (November 2015), *Regulating Food Trucks*  
<https://planning-org-uploaded-media.s3.amazonaws.com/document/open-EIP36.pdf>

# Housing

## Vision, Goals & Policies

*H2(E): Support efforts to provide for a variety of housing options such as:*

- *Emergency group housing, homeless shelters and short term housing to meet the needs of those in the lower income categories.*
- *Promote housing for the special needs of students, particularly in the vicinity of Olympic College. Encourage apartments and dormitories in locations that directly service the college.*
- *Plan for and support episodic surges and reductions in military personnel. Provide opportunities to allow for different housing densities to accommodate the diverse needs of military personnel.*
- *Respond to the special needs of the growing elderly population within the City. Encourage a full range of housing options including retirement housing complexes in all residential zones particularly in areas with direct proximity to services and amenities. Encourage programs which allow elderly to remain in their homes as long as possible.*
- *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.*
- *Encourage construction to meet and exceed ADA standards whenever possible.*

*H2(F): Promote a sense of community, or gathering places, within new neighborhoods by creating spaces where residents can interact.*

*H2(G): Partner with Community Development Block Grant and other applicable programs and funding sources to encourage removal or abatement of blighting influences in and around residential areas.*

### **Goal H3: Support access to quality and affordable housing for all Bremerton residents.**

#### **Implementing Policies for Goal H3:**

*H3(A): Provide opportunities for the production of new housing for all incomes, ages, and family types through infill by stimulating growth of non-traditional housing types such as townhomes, carriage units, accessory dwelling units, and duplexes in locations where they will seamlessly infill into the fabric of the existing neighborhoods.*

*H3(B): Disperse below market rate, publicly assisted, affordable, and rental housing throughout the City in a way that accommodates Bremerton's fair share of the Countywide need. Disperse such housing throughout the City to avoid concentrations in any particular area and encouraging development close to employment and public transportation.*

*H3(C): Support increased densities and infill projects and the use of Low Impact Development (LID) techniques and Best Management Practices (BMPs) in order to capitalize on the cost efficiency of utilization of existing utility services. Additionally, encourage maintenance of City services such as sidewalks, bike lanes, parks, and utilities in order to enhance the overall affordability and health of the community.*

# Housing

## Vision, Goals & Policies

*H3(D): Encourage expanded availability of incentives for development within the City such as the Multifamily Tax Exemption, Community Empowerment Zone, Historically Underutilized Business zone, etc.*

*H3(E): Eliminate unnecessary regulatory impediments to the development of affordable housing.*

*H3(F): The City shall implement measures to mitigate displacement of extremely-low and low income resident's housing when new development occurs on sites that have existing units that house the City's most income-vulnerable population.*

### **Goal H4: Implement and coordinate strategies that promote public and private efforts to facilitate improvements to the housing stock.**

#### **Implementing Policies for Goal H4:**

*H4(A): Promote private and public efforts to provide adequate capital for rehabilitation of housing projects; such efforts should include commitments to remove or abate blighting influences near or within residential areas.*

*H4(B): Promote financial assistance for low and moderate incomes that assist in essential repairs to substandard structures. Support private sector low interest loan programs for such repairs, combined with public resources when available.*

*H4(C): Target and enhance the use of tax incentives to improve affordable housing throughout the City, and particularly in Centers where housing is intended to be in close proximity to public transportation and employment.*

*H4(D): Encourage efficient permit review by eliminating unnecessary regulatory impediments, improving certainty in development regulations, and provide an expedited permit process.*

*H4(E): Aim to improve coordinated, effective planning programs that improve access to affordable housing. Specifically promote intergovernmental cooperation and agreements that support strategies and programs to achieve City housing goals.*

*H4(F): Promote increased housing density to provide a broader customer base for more affordable public services including utilities.*



### DC (District Center)

#### Intent

This center is intended to provide a mixed-use “Town Center” to support the surrounding neighborhoods and general public.

#### Character & Location

For specific character description and location, please see following pages.

#### Land Uses

Mixed-use, Commercial and Residential

#### Intensity

- 30 units per acre
- Six to eight stories, with consideration for lower building heights to transition to Low Density Residential

#### District Center Specific Policies:

##### **LU1: Plan for Growth**

*LU1-DC(A): Encourage increased density that uses clustering by offering development incentives and zoning flexibility.*

*LU1-DC(B): Encourage the implementation of design elements for new development and redevelopment that complement the designated purpose and scale of the Center and surrounding neighborhoods. Buildings should be designed to accommodate a human scale and urban livability.*

*LU1-DC(C): Building facades shall utilize architectural features that provide for horizontal and vertical modulation.*

*LU1-DC(D): Encourage the use of Low Impact Development (LID) techniques and Best Management Practices (BMPs).*

##### **LU2: Encourage Economic Development**

*LU2-DC(A): Encourage commercial, mixed-use and higher density residential development within district centers.*

*LU2-DC(B): Promote commercial infill of higher densities into district centers.*

*LU2-DC(C): Encourage adaptive reuse and preservation of existing commercial buildings that are compatible with surrounding community.*

*LU2-DC(D): In the Charleston District Center, provide additional flexibility for temporary uses, parking standards for infill projects, and allowed uses for light industrial and live/work occupancy types in select areas.*

# Land Use

## Designation: District Center

*LU2-DC(E): In the Charleston District Center, consider potential private and public investments in improved streetscapes, recreational opportunities, and open space as identified in the Charleston Area-wide Planning Report.*

### **LU3: Protect the Natural Environment**

LU3-DC(A): Encourage compact urban environments in district centers which have existing high-intensity infrastructure and contain very few environmental sensitive areas, therefore preserving other areas in the city for open space and less intensive uses.

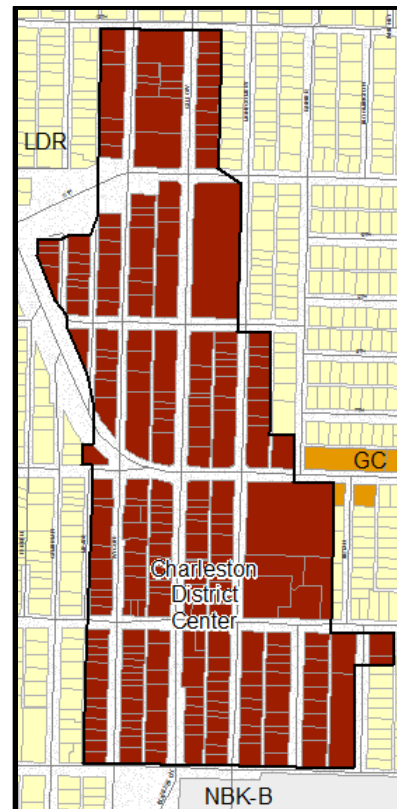
### **District Center Character & Location**

Charleston District Center Character:

~~This Center designation seeks to encourage redevelopment of a historic business district that has long been considered as Bremerton's second downtown with many different international appeals.~~

Rediscover Charleston as a distinctively creative historic district that celebrates its eclectic, imaginative, and artisan character through capital investments, local traditions, diverse tenants, and quality housing.

The existing developments provide a variety of services for adjacent residential areas and are part of a pedestrian-oriented streetscape with potential for stories to be added above active street-level uses. The Center designation seeks to build on this existing nucleus. Areas on the surrounding blocks will be designated for mixed-use or fairly dense residential structures. Emphasis in the Charleston District Center should be on preserving the stores fronting on the streets, better utilization of existing second floor spaces, and the addition of new residential uses in the immediate vicinity.



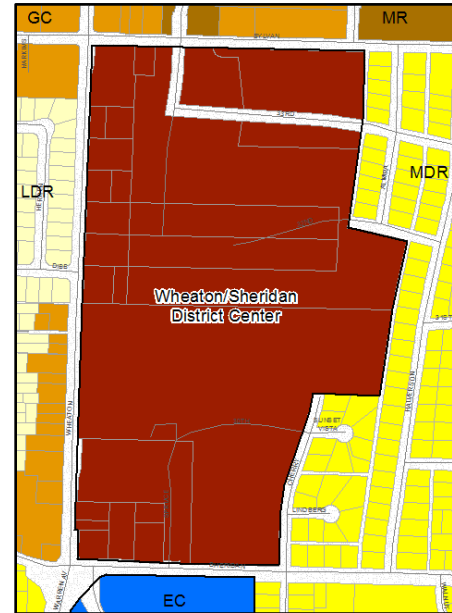
# Land Use

## Designation: District Center

### Wheaton/Sheridan District Center Character:

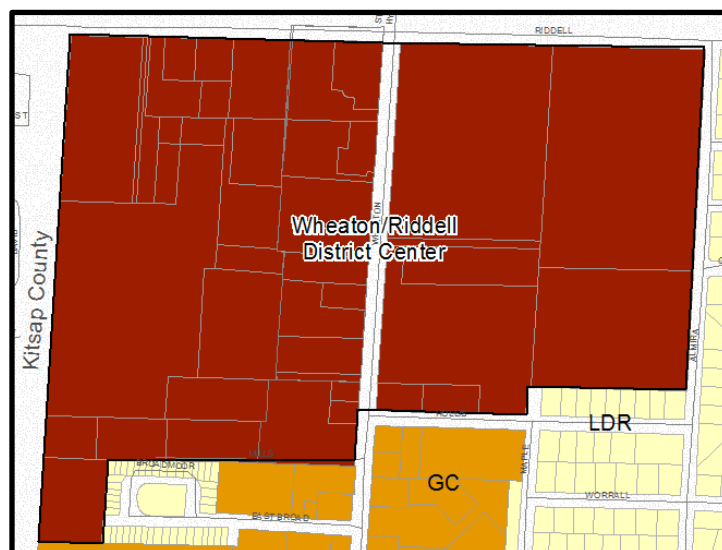
This center is anticipated to become an urban village will provide residential opportunities along a major transit route, close to downtown, and within easy pedestrian reach of a large variety of employment and shopping sites. Recognizing the surrounding neighborhood significance, existing commercial development, and the redevelopment of the Bremerton School site, there is still opportunity to serve mixed uses in a pedestrian-based urban village atmosphere.

Residential units will benefit from an orientation towards the interior and green spaces. Commercial uses, mostly expected along an interior network of streets, can accommodate parking areas that do not disrupt the pedestrian design of the Center Core.



### Wheaton/Riddell District Center Character:

This center will serve a regional population, some of whom must access the center by car. Higher levels of parking are retained here than in other centers. Parking is generally placed behind street-fronting buildings or moved to areas near the perimeter of the center. Careful attention is necessary in the planning and design of this center to create a pedestrian friendly environment while still accommodating a certain level of regional, auto-dependent uses. Development of the center will also need to take into consideration the fact that the area is already developed and will need to infill over a long period of time and several phases before the overall center is realized.



**Chapter 20.70**  
**DISTRICT CENTER CORE (DCC)**

Sections:

- 20.70.010 INTENT.**
- 20.70.020 OUTRIGHT PERMITTED USES.**
- 20.70.060 DEVELOPMENT STANDARDS.**
- 20.70.070 DESIGN STANDARDS.**
- 20.70.080 PARKING REQUIREMENTS.**
- 20.70.090 LANDSCAPING REQUIREMENTS.**
- 20.70.100 SIGN STANDARDS.**

**20.70.010 INTENT.**

The intent of the district center core (DCC) zone is to provide a mixed-use "town center" to support the surrounding neighborhoods and general public. The DCC provides opportunities for a variety of services including commercial and residential development that demonstrates planning and design to create a pedestrian friendly community while still accommodating a certain level of regional auto-dependent uses. (Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 4950 §8 (Exh. A) (part), 2005)

**20.70.020 OUTRIGHT PERMITTED USES.**

The following uses are permitted outright:

- (a) Bed and breakfast;
- (b) Co-location of wireless communications facility per BMC [20.46.140](#);
- (c) Community facility;
- (d) Day care facility;
- (e) Drinking place;
- (f) Entertainment use;
- (g) Finance, insurance and real estate;
- (h) General office and business services;
- (i) General retail;
- (j) Group residential facilities - Class I;
- (k) Hotel and lodging place;
- (l) Hospital, medical office and clinic;
- (m) Motion picture theater;
- (n) Museum and gallery;
- (o) Nursing/convalescent home;
- (p) Park, playground and open space;
- (q) Personal services business;
- (r) Physical fitness and health club;
- (s) Public or private park, playground or open space;
- (t) Public administration;
- (u) Residential of all types except group residential facility - Class II;
- (v) Restaurant;
- (w) School and education;
- (x) Senior housing complex;
- (y) Transportation facility;
- (z) Veterinary clinic. (Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 5251 §5, 2014; Ord. 5008 §15, 2007; Ord. 4950 §8 (Exh. A) (part), 2005)

**20.70.040 CONDITIONAL USES.**

The following Conditional Uses may be permitted in the Charleston District Center, provided a conditional use permit is approved pursuant to BMC 20.58.020 subject to the corresponding conditions:

(a) Mobile Vending Unit. provided:

- (1) A Mobile Vending Unit is defined as any motorized or non-motorized vehicle, trailer, or other device located on private property, designed to be portable and not permanently attached to the ground from which food or other retail items are vended, served, or offered for sale.
- (2) No smoke, obnoxious odors, dust, light or glare, vibration, noise exceeding levels permissible per BMC 6.32, or other environmental impacts or pollution shall be detectable off site.

(3) Weekdays between the hours of 10PM and 7AM all equipment, merchandise, food-trucks, and other materials associated with the use shall be removed from the site. Alternative proposals for leaving Mobile Vending Units over-night may be considered by the Director only in cases where Mobile Vending Units are completely self-contained, secured, and do not require disassembly for transport to another location.

(4) Mobile Vending Units are responsible for the proper disposal of waste and trash associated with the operation. At a minimum, Mobile Vending Units shall remove all generated waste and trash from their approved location at the end of each day, or as needed to maintain the public health and safety. No liquid waste or grease is to be disposed of in tree pits, storm drains, sanitary sewers, onto the sidewalks, streets or other public or private space. A written waste management plan indicating plans for waste handling, sanitation, litter collection/prevention, recycling, and daily cleanup procedures shall be submitted with the use permit application.

(5) Minimum number of parking stalls per BMC 20.48.080(l) shall be waived. Any parking provided onsite shall conform to BMC 20.48, except that Mobile Vending Units may request alternate site design proposals if accepted by the City.

(6) The Director may modify or waive design criteria per BMC 20.70.070 and landscaping criteria per BMC 20.70.090.

(7) Conditions of Approval. Conditions such as site orientation, fencing, buffering, parking location, lighting, access, hours of operation, and others may be imposed as a condition of approval if it is found they are necessary to mitigate identifiable adverse impacts and ensure compatibility with nearby uses.

(8) Application Requirements. An application shall include all components listed per BMC 20.58.080(e). The Director may modify these requirements based on the size, scope and complexity of the project.

(b) Light Industrial Uses, provided:

(1) Conditional Use eligibility is limited to existing properties fronting Cambrian Avenue, Mead Avenue, and Wycoff Avenue; any property south of 6<sup>th</sup> Street shall not be eligible.

(2) No smoke, dust, light or glare, vibration, noise exceeding levels permissible per BMC 6.32, or other environmental impacts or pollution shall be detectable off site.

(3) Indoor storage shall only be permitted as an accessory use utilized solely by the permitted onsite use. No commercial storage shall be permitted.

(4) Outdoor storage is prohibited.

(5) Marijuana production and/or processing is prohibited.

(6) Light Industrial Uses, which include residential uses as an accessory use, shall be excluded from mixed-use requirements per BMC 20.70.060(h).

**20.70.060 DEVELOPMENT STANDARDS.**

Lot development shall be in accordance with the following unless allowed for otherwise by law:

(a) Maximum front yard setback: ten (10) feet. At least sixty-five (65) percent of a building's front facade shall meet the maximum front yard setback. The setback may be increased if the Director finds that such increase is the minimum necessary to facilitate a superior site design. In order to obtain approval for an increased setback, the applicant shall submit a written analysis establishing how the project facilitates superior site design, is the minimum necessary, is consistent with specific goals and policies within the Comprehensive Plan, and is compliant with all applicable sections of the BMC. The following list identifies examples of circumstances where increased setbacks may be found to be appropriate:

(1) When the site includes more than one (1) street frontage;

(2) To accommodate existing topography, utilities, or other physical site constraints that make compliance with the setback infeasible;

(3) To accommodate phasing of infill development;

(4) On sites that are significantly developed with existing legally established nonconforming uses or structures whereby strict code compliance will not facilitate effective circulation; or

(5) For projects that in the opinion of the Director provide enhanced public amenities within the setback area which include, but are not limited to, the following: public plazas, increased landscaping, architectural features, improved pedestrian connections.

- (b) Side yard setback: zero (0) except when adjacent to the low or medium density residential zones where a ten (10) to twenty (20) foot visual screen is required pursuant to BMC [20.50.050\(b\)](#).
- (c) Rear yard setback: zero (0) except when adjacent to the low or medium density residential zones where a ten (10) to twenty (20) foot visual screen is required pursuant to BMC [20.50.050\(b\)](#).
- (d) There is no maximum density for residential use.
- (e) Maximum building coverage: sixty (60) percent base maximum; provided, that through the use of any combination of the following, building coverage may be increased up to eighty-five (85) percent maximum:
  - (1) Projects containing mixed uses: ten (10) percent bonus.
  - (2) Projects with a three (3) or four (4) story building: ten (10) percent bonus; projects with five (5) or more story building: fifteen (15) percent bonus.
  - (3) Projects providing a pedestrian-oriented plaza or area of at least one hundred fifty (150) square feet along a pedestrian walkway at an intersection corner, bus stop or other key pedestrian area approved by the City. Such areas shall contain seating for at least four (4) people, a trash receptacle and three (3) or more of the following: a pedestrian shelter, a drinking fountain, a bike rack, pedestrian-scale lights, pavers on the walkway surfaces, a kiosk, a street vendor station providing food or beverages, trees, an appropriately sized statue or sculpture, or a public restroom. Interior courtyards with these amenities qualify if they would be readily apparent and accessible to pedestrians on adjoining sidewalks: twenty (20) percent bonus.
  - (4) Projects providing a through-block corridor that facilitates pedestrian access in a location approved by the City: five (5) percent bonus.
  - (5) Projects providing at least fifty (50) percent of their required parking underground or within the building: twenty (20) percent bonus.
- (f) Maximum development coverage: maximum development coverage by impervious surfaces, seventy-five (75) percent; provided, that through the use of any combination of the mechanisms listed in subsections (e)(1) through (5) of this section, up to ninety-five (95) percent maximum development coverage may be allowed.
- (g) Maximum building height: eighty (80) feet except:
  - (1) Structures within fifty (50) linear feet of parcels zoned for low density residential shall not exceed four (4) stories in height; and
  - (2) Structures within fifty (50) and one hundred (100) linear feet of parcels zoned for low density residential shall include architectural features to gradually transition the building height from four (4) stories to a maximum height of eighty (80) feet at the one hundred (100) foot distance from the low density residential zoned parcel.
- (h) Mixed-Use Requirement. All structures that include residential uses located adjacent to, are oriented towards, or are viewable from a public right-of-way (not required on private streets) shall provide retail/commercial uses along a minimum of fifty (50) percent of the ground floor building facade. Exceptions to this requirement will be made for projects that comply with BMC [20.70.070\(a\)\(6\)](#). (Ord. 5364 §7, 2018; Ord. 5351 §3, 2018; Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 5251 §6, 2014; Ord. 5222 §14, 2013; Ord. 5046 §15, 2008; Ord. 5008 §16, 2007; Ord. 4950 §8 (Exh. A) (part), 2005)

**20.70.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer is exempt from this section. When development involves the remodel or expansion of existing structures, the Director may modify these requirements to reasonably fit the scope and scale of the remodel or expansion.

(a) Primary Design Features. The following criteria shall be applied to all primary building facades and facades facing public streets:

- (1) Top and Base. Buildings shall convey a visually distinct base and top. A "base" can be emphasized by a different masonry pattern, more architectural detail, visible plinth above which the wall rises, storefront, canopies, or a combination. The top edge is highlighted by a prominent cornice, projecting parapet or other architectural element that creates a shadow line.
- (2) Orientation. All properties adjacent to a public right-of-way shall orient structures toward the primary street. Properties located at intersections should orient their structures toward the intersecting corner.

(3) Minimum Transparency. At least sixty (60) percent of all facades facing the public sidewalk, or sidewalks providing circulation within a site, measured to eight (8) feet above the sidewalk or surface grade, shall be comprised of transparent windows or doors.

(4) Blank Facades. Building facades shall not present a blank facade to view from public rights-of-way, common parking areas, or residential properties. Such facades may be broken by windows, trellises, columns, variations in plane, or other devices that add variation and interest to the facade.

(5) Mechanical Equipment Screening. Rooftop and ground-level mechanical equipment shall be screened from view from public streets. Screening materials shall be architecturally similar to the primary structure.

(6) Ground-Floor. Ground-floor frontage of a structure facing a public right-of-way must conform to either subsection (a)(6)(i) or (ii) of this section, except as provided in subsection (a)(6)(iii) of this section:

(i) Constructed for Pedestrian-Oriented Uses. At least fifty (50) percent of the floor area abutting the linear sidewalk level shall be designed and constructed for "pedestrian-oriented" uses.

(ii) Constructed for Future Pedestrian-Oriented Uses. At least fifty (50) percent of the floor area abutting the linear sidewalk level shall be designed and constructed to accommodate potential future conversion to "pedestrian-oriented" uses and may be occupied by any use permitted in BMC [20.70.020](#). The areas designed and constructed to accommodate future conversion shall meet the following standard, in addition to any other required design standards: The sidewalk level facade must include an entrance or entrances to accommodate a single or multiple tenants or be structurally designed so entrances can be added when converted to the building uses listed in BMC [20.70.020](#).

(iii) Exception. For structures that abut two (2) or more public rights-of-way and contain topography or other site constraints that would make the placement of the pedestrian-oriented use on the ground floor difficult for the public to utilize, the pedestrian-oriented requirement in subsections (a)(6)(i) and (ii) of this section may be reduced to one (1) street frontage.

(b) Secondary Design Features. Four (4) secondary design features are required from the following list:

(1) Multiple Roof Lines. Structures shall have at least three (3) horizontal roof lines, as viewed from the front facade.

(2) Modulation. The horizontal plane of a structure shall not extend for more than thirty (30) feet, as measured from any one (1) point of the structure, without a significant architectural variation of at least two (2) feet in depth.

(3) Facade Materials. At least three (3) different facade materials shall be incorporated into the exterior appearance of the structure (wood, brick, stucco, tile, shingles, other).

(4) Additional Transparency. An additional fifteen (15) percent transparency to what is required per subsection (a)(3) of this section.

(5) Weather Protection. Recessed or protruding building features, of no less than four (4) feet in depth, which extend along at least fifty (50) percent of the front facade.

(6) Main Entry. Pedestrian entrances are preferred from buildings facing the street. Entries shall be easily identifiable from the street or sidewalk; this can be accomplished through architectural or ornamental features.

(7) Public Amenity. Outdoor eating area, artwork, street furniture, plantings in window boxes, public trash receptacles, or other alternative public amenity approved by the Director. Any proposed amenity shall be architecturally compatible with the principal structure. Any approved amenity shall be maintained for the life of the project. (Ord. 5351 §4, 2018; Ord. 5319 §12, 2017; Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 5222 §15, 2013; Ord. 5046 §16, 2008; Ord. 4950 §8 (Exh. A) (part), 2005)

## **20.70.080 PARKING REQUIREMENTS.**

Parking shall meet the standards of Chapter [20.48](#) BMC and the following requirements. For legally established existing buildings that comply with BMC [20.48.020](#)(b) the parking will be exempt from the following requirements:

(a) For nonresidential uses, the minimum parking requirement is one (1) space per employee.

(b) On-site parking for nonresidential uses shall not exceed four (4) spaces per one thousand (1,000) square feet of floor area.

(c) On-site parking shall be to the rear or side of buildings and shall not occupy more than fifty (50) percent of the site frontage facing the arterial street(s). The site frontage includes the area between the right-of-way and front building wall which applies to the entire length of the property regardless of building width. Corner lots have two (2) site frontages as they are positioned on two (2) street frontages.

(d) All efforts shall be taken to avoid placing parking on street corners. Parking located between the building frontage and street corners shall be fully screened as follows:

(1) A four (4) foot tall decorative wall within the front yard landscaping area that fully screens the parking areas. The wall shall be located such that it blocks views of the parking from the right-of-way. For long spans of frontage (one hundred (100) feet or more), the wall shall include modular articulation to add architectural variety.

(i) Alternate architectural features, shrubs may be substituted for the wall, provided it is demonstrated that the shrubs/alternative will provide equal to or better visual screening than the wall. Shrubs shall be a minimum of three (3) feet tall at time of installation and shall be additional to the landscaping required in Chapter [20.50](#) BMC.

(ii) Openings and architectural features may be required within a wall section in order to tie the wall feature into the architecture of the building and to provide pedestrian access. The entry shall be the minimum necessary to accommodate a sidewalk that is a minimum of five (5) feet in width, clearly marked, and distinguished from driving surfaces by using decorative paving, stamped/stained concrete, or raised walkways with alternative materials (such as brick, cobblestone, decorative pavers). Paint striping does not meet this requirement.

(e) Access to parking shall be provided per the following priority:

(1) First, from an alley if available; if an alley is not available, then from local street;

(2) If neither is available, then from a nonprincipal arterial street;

(3) If none of the above are available then from a principal arterial street.

Project applicants shall be required to demonstrate to the satisfaction of the City that access design has been considered with the preceding priorities. The applicant shall demonstrate that the proposed access is provided from the highest priority facility per the above list.

(f) Driveways providing access to parking shall be well marked.

(g) Existing nonresidential structures adding no more than ten (10) residential units, and/or existing nonresidential structures expanding up to twenty-five (25) percent of the gross square footage of the building for any permitted use, shall be exempt from providing additional off-street parking, provided:

(1) Projects shall be located within the Charleston District Center;

(2) Mixed-use requirements per BMC 20.70.060(h) are maintained;

(3) No existing onsite parking or required landscaping is removed;

(4) Project structures shall be exempt from substantial destruction requirements per BMC 20.54.070.

(Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5222 §16, 2013: Ord. 4950 §8 (Exh. A) (part), 2005)

## **20.70.090 LANDSCAPING REQUIREMENTS.**

Landscaping shall meet the standards of Chapter [20.50](#) BMC and the following standards shall be met:

(a) All development proposed on properties abutting Almira Drive NE shall provide a Type II visual screen as established in BMC [20.50.050](#)(b).

(Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5251 §7, 2014: Ord. 4950 §8 (Exh. A) (part), 2005)

## **20.70.100 SIGN STANDARDS.**

Signs shall meet the standards of Chapter [20.52](#) BMC. For freestanding signs, the maximum size and height standards of Figure 20.52(a) shall apply. (Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 4950 §8 (Exh. A) (part), 2005)

## **FINDINGS AND CONCLUSIONS OF THE CITY OF BREMERTON PLANNING COMMISSION**

2021 Annual Comprehensive Plan Amendments and associated Zoning Code changes

### **I. FINDINGS OF FACT**

1. **Project Description:** Comprehensive Plan Annual Docket for 2021.  
The City adopted an updated Comprehensive Plan in June 2016. Comprehensive Plan amendments are processed on an annual cycle to allow for changes to the Plan that reflect conditions that may not have been addressed prior or since the Plan's adoption. Amendments to the City's Comprehensive Plan and Zoning Code are regulated by BMC 20.10: Comprehensive Plan Amendments and 20.18: Text Amendments. The Planning Commission is considering city-initiated proposals for the 2021 docket. The amendments can be summarized as: 1) adding policies for housing displacement of extremely-low and low-income residents from new individual developments, and 2) implementation of significant findings of the Charleston Area-wide Planning Study including: community vision, temporary uses, parking flexibility, light industrial uses, and potential improvements to streetscapes and open space areas.
2. **Procedural History:**
  - 2.1 The Bremerton Municipal Code allows applications for Comprehensive Plan Amendments annually between August 1 and November 15th.
  - 2.2 On March 15, 2021 the Planning Commission held an informal public workshop to introduce the 2021 Annual Comprehensive Plan Amendment Docket.
  - 2.3 On April 22, 2021 a Charleston Outreach Workshop was held.
  - 2.4 On July 13, 2021 staff notified the Washington State Department of Commerce the intent to adopt an amendment to the Comprehensive Plan.
  - 2.5 On July 13, 2021 staff published the SEPA Determination of Non-significance in the Kitsap Sun and sent out notice to agencies, jurisdictions, and interested parties.
  - 2.6 On July 9, 2021 a notice of Planning Commission public hearing was published in the Kitsap Sun and the public was invited to comment.
  - 2.7 On July 19, 2021 Planning Commission conducted a public hearing on the 2021 Comprehensive Plan docket and associated Zoning Code changes.
  - 2.8 Within that September Public Hearing the Planning Commission recommended the proposed amendments to Council for their consideration.

3. **Public Comment:**

3.1 One individual provided verbal testimony at Planning Commission’s March 15<sup>th</sup> Workshop:

- Edward Coviello, Kitsap Transit: Provided update on Kitsap Transit recent purchase of the Gateway Shopping Center. Believes that the Charleston Area-wide Plan provides a lot of flexibility that will attract further investment.

3.2 At the April 22, 2021 Charleston Outreach Workshop, 33 persons attended and participated in discussion about the future of Charleston.

3.3 Individuals providing verbal testimony at Planning Commission’s Public Hearing testimony:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

4. **SEPA Determination:**

4.1 A Determination of Non-Significance was issued on July 13, 2021, with a comment deadline of July 27. No appeals have been filed.

5. **Consistency:**

Amendments to the Comprehensive Plan shall meet the decision criteria outlined in BMC 20.10.080. The Planning Commission may recommend, and the City Council may adopt or adopt with modifications, amendments to the comprehensive plan if the criteria outlined below are met.

5.2 **BMC 20.10.080(a) technical error.** This criterion allows amendments to the Comprehensive Plan if there is an obvious technical error in the pertinent comprehensive plan provisions. This criterion is not applicable to the current proposals.

5.3 **BMC 20.10.080(b)(1) the amendment is consistent with the Growth Management Act.**

The amendments have been evaluated with the goals and policies of the Growth Management Act (GMA) and has been found to be consistent with the Act. The GMA requires that development is encouraged in urban areas where services already exist. Increasing the residential density helps to further that goal. The amendment has also been formulated to be consistent with the City’s Comprehensive Plan, which was created to achieve the goals of the GMA.

5.4 **BMC 20.10.080(b)(2) the amendment is consistent with the comprehensive plan or other goals or policies of the City.**

The amendment continues to uphold the objectives, goals and policies of the Comprehensive Plan such as:

## ATTACHMENT C

- Land Use Goal LU1: Plan for Bremerton’s population and employment growth.
- Policy LU1(B): Coordinate Bremerton’s growth consistent with the Kitsap Countywide Planning Policies and the Puget Sound Regional Council’s Vision 2040, and state requirements.
- Policy LU1-DC(A): Encourage increased density that uses clustering by offering development incentives and zoning flexibility.
- Land Use Goal LU2: Encourage economic development within the City.
- Policy LU2-Cen(C): Provide incentives and flexibility that encourage development in Centers, including alternative parking options like payment *in lieu* of parking spaces.
- Policy LU4(C): Provide land use regulations that give opportunities for the community to have fair access to livelihood, education, and resources.
- Policy LU4(D): On an annual basis review and provide amendments, if necessary, to the goals and policies and the Land Use Map to address changing circumstances and/or emergencies.
- Housing Vision: To encourage the growth of Bremerton by strategically locating a wide variety of housing types throughout the City in a way that protects the environment and fosters community health.
- Housing Goal H3: Support access to quality and affordable housing for all Bremerton residents.
- Policy H3(A): Provide opportunities for the production of new housing for all incomes, ages, and family types through infill by stimulating growth of non-traditional housing types such as townhomes, carriage units, accessory dwelling units, and duplexes in locations where they will seamlessly infill into the fabric of the existing neighborhoods.
- Policy H3(E): Eliminate unnecessary regulatory impediments to the development of affordable housing.

The proposed Amendments are also consistent with additional goals the City will be considering. The Kitsap County Coordinating Council is updating Countywide Planning Policies to adopt displacement strategies; please see proposed language below:

*Element F. Contiguous, Compatible, and Orderly Development (D).*

*D-6 Displacement: As the region continues to grow, population and employment growth is focused within our urban areas. As redevelopment takes place, however, there is a potential for physical, economic, and cultural displacement of low- income households that may result from planning, public investments, private redevelopment, and market pressures. As important planning, transportation, and redevelopment takes place:*

*c. Consider developing coordinated strategies and interjurisdictional processes between the County and cities to mitigate the impacts of displacement.*

*d. Consider implementing flexible strategies that will encourage development of a range of affordable housing, both public and private.*

### 5.5 **BMC 20.10.080(b)(3) if the amendment was reviewed but not adopted as part of a previous proposal, circumstances related to the proposed**

**amendment have significantly changed, or the needs of the City have changed, which support an amendment.**

The proposed amendment is not part of a previous proposals.

5.6 **BMC 20.10.080(b)(4) The amendment is compatible with existing or planned land uses and the surrounding development pattern.**

The amendment is compatible with existing land uses and the surrounding development pattern. Generally, the proposed amendments are concerned with temporary uses, utilization or small expansions of existing structures, and retention of existing populations.

5.7 **BMC 20.10.080(b)(5) The amendment will not adversely affect the City's ability to provide urban services at the planned level of service and bears a reasonable relationship to benefitting the public health, safety and welfare.**

The amendment will not affect the City's ability to provide urban services, though it will benefit the public health. All areas effected by the current proposal are already provided urban utility services.

5.8 **Consistency with the Zoning Code**

Amendments to the Zoning Code Shall meet the criteria in BMC 20.18.020 and specifically subsection (d) and (e) that states that a text amendment may be approved if it is found that it is consistent with the goals and policies of the Comprehensive Plan and it does not conflict with other City, state and federal codes, regulations and ordinances. In addition, it states that, if a Comprehensive Plan amendment is occurring, approval of the Comprehensive Plan amendment is required prior to or concurrently with the granting of the text amendment. The Planning Commission also reviewed proposed Zoning Code text amendments concurrently with the Comprehensive Plan amendments to ensure that they do not conflict with other City, state and federal codes, regulations and/or ordinances.

## **II. CONCLUSIONS & RECOMMENDATION**

Based on the findings above, the Planning Commission concludes that the 2021 Comprehensive Plan Amendment Docket, and its associated Zoning Code amendments, have met the requirements in Bremerton Municipal Code, and therefore recommends approval by the City Council.

Respectfully submitted by:

Approved by:

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Andrea L. Spencer, Executive Secretary

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Nick Wofford, Chair