

Approved

**CITY OF BREMERTON**  
**PLANNING COMMISSION**  
**MINUTES OF REGULAR MEETING**  
**June 17, 2019**

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**CALL TO ORDER:**

Chair Tift called the regular meeting of the Bremerton Planning Commission to order at 5:42 p.m.

**ROLL CALL**

**Commissioners Present**

Chair Tift  
Vice Chair Wofford  
Commissioner Davis  
Commissioner Nerf

**Staff Present**

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

**Commissioners Excused**

Commissioner Jones  
Commissioner Pederson

*Quorum Certified*

**APPROVAL OF AGENDA**

**VICE CHAIR WOFFORD MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER DAVIS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

**APPROVAL OF MINUTES**

**COMMISSIONER DAVIS MOVED TO APPROVE THE MINUTES OF APRIL 22, 2019 AS AMENDED. VICE CHAIR WOFFORD SECONDED THE MOTION, WHICH CARRIED 3-0, WITH COMMISSIONER NERF ABSTAINING.**

**PUBLIC MEETING**

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

Chair Tift asked if there were any comments from citizens. Seeing none, he closed the public portion of the meeting.

**Public Workshop: 2019 Annual Comprehensive Plan Amendment Docket**

Ms. Satter advised that the purpose of this workshop is to discuss the two proposed amendments and solicit input from the Commission about additional information they need to assist in their decision making. Staff will also solicit feedback from the Commission about whether or not the proposed amendments are sufficient to go to environmental review and public

outreach/agency comments. If the Commission determines more information is needed, an additional workshop can be scheduled to discuss the proposals. She explained that, in addition to public outreach, the proposed amendments require a 60-day environmental/cumulative impact review, a public hearing and recommendation by the Planning Commission, and a public hearing and final decision by the City Council. If Amendment 2 is approved, a rezone process would proceed after the Comprehensive Plan Map change.

**Ms. Satter** reminded the Commission that, when reviewing Comprehensive Plan Amendments, they must follow the criteria outlined in BMC 20.10.080. They must verify that all of the proposed amendments were considered concurrently to assess their cumulative effect onto the City and the environment. They may recommend that the City Council adopt, or adopt with modifications, an amendment to the Comprehensive Plan if it is determined that a technical error exists in the pertinent Comprehensive Plan provisions or if all of the following criteria have been met:

- The amendment is consistent with the Washington State Growth Management Act.
- The amendment is consistent with the Comprehensive Plan or other goals and policies of the City.
- The amendment is compatible with existing or planned land uses and the surrounding development pattern.
- 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.

**Ms. Satter** advised that the City Council will make the final decision, and they can approve, deny or modify the Planning Commission's recommendation. However, the Commission's recommendation will weigh heavily on their decision. She reviewed the two amendments as follows (presented out of order because the applicant is available for presentation):

- **Amendment 2**

**Ms. Satter** said this is a privately-initiated amendment to change the Land Use Map within the Comprehensive Plan Land Use Map for 22.5 acres off Werner Road from Industrial (I) to Low Density Residential (LDR). She advised that, when reviewing the proposed amendment, the Commission should keep in mind that the LDR land use designation allows cemeteries, churches, parks, schools and single-family homes. Although the applicant has indicated a particular plan for the site, he would not be bound to that plan once the zoning is changed.

**Ms. Satter** provided a map to illustrate the location of the subject property, specifically pointing out the topography and wetland issues that exist on the site. She described the current zoning and types of uses that exist on adjacent properties. The proposed amendment and subsequent rezone are intended to create a boundary that protects the wetland and provides a nice buffer between the industrial and residential uses.

**Ms. Satter** advised that on June 14, 2019, Commissioner Wofford and Garrett Jackson (City Planner) accompanied her on a site visit with the applicant. She shared a number of pictures that were taken during the visit, as well as aerial photographs provided by the applicant to illustrate the view of the subject property from the residentially-zoned property that is currently under development. She pointed out the portion of the property that was previously an active mine, and explained that the Department of Natural Resources (DNR) requires that it be reclaimed and steep slopes remediated. The applicant will share details about how the end topography will look and how the land use change will create a natural buffer between the industrial and residential areas. The applicant has pointed out that, if the subject property is not developed as residential, it could potentially be developed as industrial and this may have impacts to the newly created residential lots nearby.

**Ms. Satter** said staff is concerned that the proposed amendment would result in a reduction of industrial lands, but they are keeping an open mind, as the proposal may represent a more logical boundary that will separate uses topographically.

**Norm Olson, N.L. Olson & Associates**, project engineer, recalled that, at the last meeting, he explained how the natural buffers (wetland and steep slopes) make the most sense to provide a buffer between the residential and industrial uses. If the proposed amendment and subsequent rezone are not approved, industrial uses could be developed right next to the residential homes that are currently being built.

As requested at the last meeting, **Mr. Olson** reviewed a preliminary mine reclamation plan. While it does not have all of the required elements for submittal to the DNR, it allows the applicant to show more clearly what they are talking about. He

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pointed out the location of the adjacent residential development that is currently under construction, as well as the location of the subject property that would be reclaimed and converted to residential if the amendment and subsequent rezone is approved. He also pointed out the portion of the existing mine site that would be reclaimed and used for industrial. He noted the two lots that were created for industrial use but were never developed for a variety of reasons such as steep slopes. Using a topographical map, he pointed out how Section B of the subject property runs across the wetland and Section A runs across the fatter part of the proposed rezone and the steep slope area.

**Mr. Olsen** shared a preliminary proposal for reclamation of the sloped area that will include a 2:1 slope against the rock face, with benches (slope breaks) every 30 feet as required for grading. Industrial development will occur at the low side of the slopes. The upper area will connect quite well with the grade of the existing residential that is currently being developed. While no buffer will be needed for the top area, the ridgeline will provide a buffer between the residential area above and the industrial development below.

Next, **Mr. Olsen** shared a preliminary proposal for the wetland. He explained that the wetland is not that wide, but it runs at an angle. Based on the latest requirements from the Department of Ecology (DOE) for wetlands, the buffer will be over 200 feet wide.

**Commissioner Nerf** asked where the applicant would get the materials that are used to build the slope against the cliff. **Matt Baker, Harbor Custom Homes**, explained that as is typical, they are currently taking in materials and stockpiling them for future reclamation. Reclamation material will also be created through grading the site.

**Commissioner Davis** asked if the wetland buffer area would be a zero-access area post reclamation or if it would be accessible to the neighborhood. If not, what safeguards would be put in place around it. **Mr. Olsen** answered that the development that is happening now was already platted so they didn't go through a public process on how they might create a recreational area around the wetlands. He said there is also a lower-quality wetland on the subject site. However, because of the habitat, the buffer requirement is significant. With approval of the rezone, the wetland buffers would be so large that it would make sense to have a trail through them. **Ms. Satter** clarified that the wetland buffer would be in the industrial zone. While it could provide a benefit to the residents, residential homes cannot be built there.

**Commissioner Davis** commented that redesigning the buffer will create a "taking" of part of the lots that were previously platted and undeveloped. He asked if the City would be held liable in any way for a change of valuation of those parcels. **Mr. Olsen** clarified that all of the lots are owned by the applicant, including the existing residential area, so liability will not be an issue. **Director Spencer** added that, at the end of the day it is anticipated that the developer would be doing a lot-line adjustment and the lots would no longer be in the wetland buffer area.

**Chair Tift** observed that one entrance to the subject property will come through the existing residential area. **Mr. Olsen** said there will likely be two entrances into the site: one from the existing residential neighborhood and another at the northern tip of the subject property.

**Sterling Griffin, Harbor Custom Homes**, clarified that Harbor Custom Homes owns the 240-lot residential property, and he and a partner own the balance of the property under a separate LLC. He advised that the first two phases of the initial 240-lot subdivision are already in progress.

**Vice Chair Wofford** said he participated in a site visit with staff. If the proposed amendment and subsequent rezone are approved, he believes that residential development will benefit the City much faster than waiting around for it to be utilized as industrial. The applicant's plans for the buffer, etc. represent a good use of the property.

**Commissioner Nerf** recalled the staff's reluctance to support the proposed amendment because it would result in a loss of industrial-zoned property. He asked how much industrial land is currently available in the vicinity of the current proposal. **Ms. Satter** agreed that is a good question, but she would have to get back to the Commission as to how much acreage is available in the Puget Sound Industrial Center – Bremerton for development and how the proposed amendment would impact that number. She expects the impact would be relatively small and there would still be a lot of room for industrial uses to locate in the area. The improvements the applicant would make to the site would also make the adjacent property readily available for industrial uses. **Director Spencer** commented that the applicant has done a good job preparing a preliminary reclamation plan

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to help the staff and Commission understand what the end topography will look like. Staff is concerned about the loss of supply in the industrial zones, as well as the City's history of litigation over Comprehensive Plan amendments. In the past, the County has appealed some of the City's decisions based on a loss of industrial lands. The additional information provided by the applicant helps the City prepare a good package to bring forward that is more defensible if the County chooses to appeal the City's process.

**Chair Tift** asked if the reclaimed land would be suitable and more feasible for industrial uses. Right now, it is a quarry that is unsuitable for redevelopment. **Ms. Satter** said once the property is reclaimed, there will be a 2:1 slope. While it could be available for industrial use, but locating on a hillside will not be the first location that most industrial uses will select. This will be particularly true given the other industrial areas that are currently available for development. **Chair Tift** suggested it is misleading to identify the reclaimed area as industrial when development of the site is not really practical. **Mr. Olsen** clarified that the entire mine area will be reclaimed and graded flat for industrial, and a wide access road is already in place. Once the site is reclaimed and graded, the entire area could be used for industrial.

**Vice Chair Wofford** asked about the applicant's sewer plans. **Mr. Olsen** said the applicant does not currently have a specific sewer design, but the thought is that the sewer lines would gravity feed into the new system that is being developed as part of the residential project that is currently in progress and then tie into the City's system. Besides the buffers, the sewer upgrade is a significant reason to support the rezone. **Vice Chair Wofford** commented that the utilities, specifically the sewer utility, prefers to stay away from pump stations. They would much rather have everything gravity fed.

The Commissioners all agreed that they have sufficient information to move the proposed amendment forward to a public hearing and for staff to begin environmental review and public outreach.

- **Amendment 1:**

**Ms. Satter** advised that, as discussed at the last meeting, the proposed amendment would apply to five areas within the City:

1. Sylvan Way and Pine Road (Willow, Ashley Garden and Blueberry Park)
2. Sylvan and Almira Drive (Viewcrest and Tamarack Apartments)
3. Shorewood Drive (Bayshore West Apartments and a few surrounding lots)
4. Anderson Cove (Port Washington Apartments)
5. Lower Wheaton Way (Seaglass Apartments)

**Ms. Satter** advised that the areas are already significantly developed with multifamily housing. She used maps to briefly review the current development in each area. She reminded them that the City recently updated the Comprehensive Plan to increase the Medium Density Residential (MDR) density from 10 dwelling units per acre (MR-10) to 18 dwelling units per acre (MR-18), which is not a lot different from the current MR land use designation of 20 dwelling units per acre. When the change was made, staff acknowledged that the MR density might need to be increased through future amendments.

**Ms. Satter** explained that the proposed amendment would modify the Land Use Element's Multifamily Residential (MR) land use designation description to increase the density within the district from the existing 20 dwelling units per acre to 40 dwelling units per acre. The change would better represent what is currently developed in the five areas and be consistent with the industry standard for MR zoning. Because the area is already significantly developed, redevelopment in the five areas will likely be one or two properties combining to do something, and allowing more units would help developers offset the cost of redevelopment. Developers would still have to meet other City standards for parking, setbacks, landscaping, critical areas, etc.

**Ms. Satter** said the proposed amendment would also rename the MR land use designation High Density Residential (HDR). If approved, there would be three residential zones: Low, Medium and High Density Residential. She explained that the change would also require amendments to the Zoning Code to be consistent with the density modifications. She referred to Attachment A, which outlines the proposed Zoning Code changes. She summarized the proposed Zoning Code changes as follows:

1. Height. Staff is proposing a provision that would increase the setback by 1 foot for each foot above 35 feet in height for development in the HDR zone that is adjacent to a Low Density Residential (LDR) zone. The maximum height

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could not exceed 45 feet. She noted that many of the areas proposed for HDR zoning are surrounded by LDR zones, and it is important to provide some protection for the adjacent single-family residential homes.

2. **Development Coverage.** Currently, the LDR and MDR zones limit impervious surfaces to 60%. In an effort to incentivize redevelopment of the area to a greater density, staff is proposing that the impervious surface limit for HDR zones be increased from 60% to 75%.
3. **Lot Area.** Staff is proposing a minimum lot area of 10,000 square feet, with is intended to restrict single-family residential subdivisions from locating in an HDR zone. Single-family homes would still be allowed on existing lots, but properties could not be subdivided to create single-family lots. They want properties to subdivide and develop in a way that meets the maximum density.
4. **Lot Size.** Staff is proposing a minimum lot width of 20 feet, which is consistent with the MDR zone. However, if the intent is to encourage townhouse and apartment development, then 20 feet may not be appropriate. Staff will likely come back with an additional proposal to potentially increase the minimum lot width to 40 or 50 feet.
5. **Open Space Requirement.** Staff is proposing an open space requirement for larger multifamily developments of 25 units or more. As proposed, 15% of the site must be utilized as open space to serve the people who live in the development.

**Ms. Satter** summarized that staff is seeking general consensus from the Commission relative to the proposed name change to High Density Residential, as well as the proposed increase to the maximum density allowed. She also asked for feedback on the proposed zoning code amendments. Lastly, she asked them to identify any additional information they need as they move the proposed amendment forward to a public hearing and for staff to start environmental review and public/agency outreach.

**Commissioner Davis** referred to the proposed change for Area 5 (Lower Wheaton Way), which appears to extend into the Manette Neighborhood Center. He asked if the zone would end at the boatshed or at the apartment building that is southeast of the boatshed. **Ms. Satter** answered that it would end on the north side of the bridge, and the boatshed would not be included. The other large complex would not be included and would become a nonconforming building if the proposed amendment is adopted. The Manette Neighborhood Center zoning only allows residential as a secondary use so residential redevelopment of the site would require commercial uses on the ground floor.

**Vice Chair Wofford** pointed out that there are some undeveloped properties along the waterfront near the bowling alley. He asked if the properties could be redeveloped with restaurant uses. **Ms. Satter** answered that is the City's employment center, and the properties could be redeveloped with standalone residential, stand-alone commercial, or mixed use.

**Commissioner Nerf** asked if any of the areas are designated as critical areas such as aquifer recharge areas where increasing the footprint of development could be detrimental. **Ms. Satter** responded that she doesn't believe so, but this will be confirmed during the environmental review.

The Commissioners indicated general support for the proposed name change from MR to HDR. They also voiced general support for the higher density of 40 units per acre. Lastly, they indicated support for the associated Zoning Code changes as outlined by staff. They agreed that they have enough information to move the proposed amendment forward to public hearing, environmental review and public outreach.

**Chair Tift** asked if proposed Amendment 2, which would allow for residential development, would be detrimental to potential road improvements on Werner Road. **Ms. Satter** said Public Works indicated that while there would be some impacts, the 22.5-acre rezone would not have significant impact on future improvements on Werner Road. **Chair Tift** asked if Public Works believes that Werner Road is of sufficient size to accommodate the additional traffic associated with the residential area. **Ms. Satter** answered affirmatively. She added that if the property is rezoned as proposed and platted, a traffic impact analysis would be required, which may result in additional recommendations to mitigate impacts.

## **BUSINESS MEETING**

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**Chair Report**

**Chair Tift** asked if staff is still seeking a Commissioner to participate in the Community Block Grant interview process. **Director Spencer** answered that Vice Chair Wofford has volunteered to serve in this capacity.

**Chair Tift** requested an update on filling the vacant Commission positions. **Ms. Satter** said candidates will be interviewed on Friday. Hopefully, a candidate will be selected and appointed by the Mayor soon.

**Director Report**

**Director Spencer** announced that the City was awarded money from the State Legislature to prepare a subarea plan planned action environmental impact statement and market analysis of the East Side Employment Center (area around Harrison Hospital). The intent is for the City to prepare for the hospital’s relocation to Silverdale. The process will kick off on June 22<sup>nd</sup> in conjunction with the Bridge-to-Bridge Trail Event. She and Ms. Satter will be at Evergreen Park that morning doing some public outreach and soliciting initial ideas from the community. An open house is scheduled for August 13<sup>th</sup>. The intention is to conduct a public process and get a plan adopted by next June. The hospital is expected to depart later in 2020. She invited the Commissioners to participate in the public process as the plan moves forward.

**Director Spencer** reported that the City Council unanimously approved the proposed amendment that added an additional buffer requirement for group residential facilities. However, some council members expressed concerns about the lowering of the minimum width of manufactured homes from 24 feet to 19.5 feet. The amendment is in a holding pattern while staff provides additional information to the City Council.

**Director Spencer** said staff will once again present to City Council the Infill Toolkit that lists all the possible ways to amend the City’s code to encourage affordable housing. They will report on the items that have been implemented and seek feedback for priorities moving forward. The toolkit will also be presented to the Commission for feedback in July.

**Chair Tift** recalled that the issue related to manufactured homes was that the industry’s standard width per unit is 19.5 feet, but the City requires a minimum of 24 feet per unit. **Ms. Satter** said the original proposal was to drop the width requirement from 24 feet to 20 feet. After realizing that the units are constructed to be 19.5 feet wide, staff recommended a minimum width requirement of 19.5 feet.

**Old Business**

There was no old business.

**New Business**

There was no new business.

**ADJOURNMENT**

The meeting was adjourned at 6:46 p.m.

Respectively Submitted by:

  
Andrea L. Spencer, AICP  
Executive Secretary

  
Rick Tift, Chair  
Planning Commission

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