

# APPROVED

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF VIRTUAL MEETING June 27, 2022

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#### CALL TO ORDER:

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

#### ROLL CALL

##### Commissioners Present

Chair Tift  
Commissioner Coviello  
Commissioner Flemister  
Commissioner Pedersen  
Commissioner Wofford

##### Staff Present

Andrea Spencer, Director, Department of Community Development  
Garrett Jackson, Planning Manager, Department of Community Development  
Kate Millward, Planner, Department of Community Development  
Sarah Lynam, CDBG Administrator, Department of Community Development

##### Commissioners Excused

Vice Chair Rich  
Commissioner Mosiman

##### *Quorum Confirmed*

#### CHAIR CALL FOR MODIFICATIONS TO AGENDA

The agenda was accepted as presented.

#### APPROVAL OF MINUTES

COMMISSIONER WOFFORD MOVED TO APPROVE THE MINUTES OF MAY 16, 2022, AS PRESENTED.  
COMMISSIONER FLEMISTER SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

#### PUBLIC MEETING

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

Chair Tift invited public comments. There were none.

#### Workshop: Zoning Code Amendments Identified in the Infill Housing Toolkit (Cottage Housing, Duplexes and Townhomes), Definition Updates, and State Law Updates Related to Density Bonuses for Religious Institutions

Mr. Jackson reviewed that amendments to implement the Infill Housing Toolkit were introduced at the Commission's April meeting. At this workshop, staff will present proposed code language. The Commission will review the proposed amendments provided in the Staff Report, take public testimony and provide feedback to staff for a future public hearing.

**Mr. Jackson** explained that the Assessment of Bremerton’s Affordable Housing Policies and Regulations (Infill Housing Toolkit) identifies suggested Zoning Code Amendments for allowing duplexes, townhomes in the Low Density Residential (R-10) zone and cottage houses within the Low Density Residential (R-10) and Medium Density (R-18) zones. It also suggests an amendment to allow bonus densities to religious organizations. The document can be viewed at <https://www.bremertonwa.gov/DocumentCenter/View/7035/Infill-Toolkit-PDF>. The topics are also covered in a joint document the City did with Kitsap County called the City of Bremerton and Kitsap County Affordable Housing and Recommendations Report, which can be viewed at <https://www.bremertonwa.gov/DocumentCenter/View/8501/Kitsap-Affordable-Housing-Recommendation--Full-Report-PDF?bidld=>. **Mr. Jackson** advised that these two documents represent the output of planning efforts that have already taken place at both the County and City levels to identify strategies for housing relief. In May, staff presented the proposed amendments to the Kitsap Housing and Homeless Coalition (KHHC), and their partner agencies which include the Bremerton Housing Authority, Kitsap Community Resources, Housing Kitsap, and Habitat for Humanity Kitsap County. All of the proposed revisions were well-received.

**Mr. Jackson** reviewed the proposed amendments as follows:

- **Duplexes and Townhomes in LDR Zone.** The City already allows duplexes and townhomes in the LDR zone if within 500 feet of a commercial district and promotes townhomes as part of a specialty subdivision called Residential Cluster Development. The City also permits three homes on one lot, a primary residence and two Accessory Dwelling Units (ADUs) with no owner-occupancy requirement. Kitsap County already permits or conditionally permits duplexes, cottage housing and multifamily housing in all Urban Growth Areas (UGAs) that are designated to be annexed by the City of Bremerton at some point in the future. Lastly, in an effort to combat the housing crisis, State Legislators have proposed mandating additional housing types statewide.

Because duplexes and townhomes are already allowed in the LDR zone under certain conditions, staff is proposing that Bremerton Municipal Code (BMC) 20.60.020(j)(3) and (4) simply be amended to strike out “*that meets BMC 20.60.060(F)*.” BMC 20.60.060(F), which is the requirement that they be located within 500 feet of a commercial center or district, would also be eliminated.

- **Cottage Housing in LDR Zones.** A cottage housing development was built on Snyder Avenue in Bremerton prior to the City adopting an ordinance that prohibited the use. Typically, cottage housing is four or more small dwellings that are clustered together and oriented towards a shared open space. They are usually more pedestrian-oriented rather than auto centric. Cottage housing ordinances are typically accompanied by a density bonus, but that is not the case in the current proposal because the Comprehensive Plan stipulates that any additional housing varieties permitted in the future would need to meet the maximum density limitations.

The proposed amendment would add the following definition for cottage housing: “*Cottage Housing Development*” means a lot containing more than one principal conventional dwelling unit. Units shall not be greater than 1,200 gross square feet and shall **not** share any common walls, ceilings, or floors with other principal conventional dwelling units. Research indicates that 1,200 square feet is a common size limitation for cottage housing. In addition to the new definition, BMC 20.60.040(n) would be amended to add the following conditions:

- **Orientation.** Structures must be oriented to the street or shared open space and limited to clusters of no more than 12 units. This appears to be a common limitation used by other jurisdictions. Anything greater was seen as not promoting the neighborly sensibility that cottage housing developments are supposed to encourage.
- **Open Space.** 400 square feet of open space would be required per unit.
- **Parking.** 1.5 parking spaces would be required per unit. The reduced parking to 1.5 spaces per unit is supposed to incentivize this type of affordable housing.
- **Design Standards.** Nonresidential structures (sheds/garages) would be limited to 80% gross square feet of all combined residential structures. This is consistent with what is already required in the LDR zone for single-family homes. The intent is to avoid situations where there is a very small home that is out of proportion to a very large garage. Each unit would be required to provide a front porch with a minimum dimension of 6-foot depth by 10-foot length. This seems to be within the range of what other jurisdictions require. A depth of 6 feet would provide enough space for a chair and being able to navigate around it.

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- **Nonconformities.** An existing home that does not conform to cottage housing standards would be allowed to remain, but the remaining units would have to conform to the cottage housing code. They don't want to require someone to demolish an existing home in order to have a cottage housing development.
- **Procedure.** In the LDR zone, cottage housing developments of three units or less would be outright permitted when all the criteria for approval have been met. This is consistent with the existing code for ADUs. Cottage housing developments of four or more units would require a Conditional Use Permit, which gives the public an opportunity to weigh in on the proposed development.

Lastly, BMC 20.78(j)(5) would be amended to allow cottage housing outright in the the Medium Density Residential (MDR) zone, regardless of the number of units, when all of the criteria for approval have been met.

- **Bonus Density for Religious Organizations.** Per Revised Code of Washington (RCW) 36.70A.545, jurisdictions are required to provide a density bonus to religious organizations if the following criteria can be met:
  - **Low-Income Housing.** All housing provided must be for low-income families.
  - **Time Restriction.** The development is required to be used exclusively for affordable housing for a period of time no shorter than 50 years.
  - **Discrimination.** The housing provider cannot discriminate against any person who qualifies as a member of a low-income household.

As proposed, BMC 20.58.100 would be amended as follows to be consistent with State law:

- **Applicability.** In zones with a maximum density, qualifying projects may increase density by 50%. Some jurisdictions allow a 100% density bonus or even greater, but others were as low as 50%.
  - **Applicant.** The applicant must be a religious organization as defined by RCW 26.04.007 or the Bremerton Housing Authority (BHA). The BHA has consistently shown they can create and maintain housing for low-income families in the City, and they were very interested in having the density bonus apply to them, as well.
  - **Procedure.** A Conditional Use Permit would be required so that the public can have an opportunity to speak to the specific development proposal.
  - **Criteria for Approval.** The applicant would still be required to meet all other City standards (parking, utilities, traffic mitigation, etc.). The provision would not apply to congregate living facilities, and all units must be affordable as defined by RCW 84.14.010. There would be a 50-year term that is recognized by a recorded Notice to Title, and the applicant must consult with Kitsap Transit on appropriate transit services. Lastly, a nondiscriminatory agreement would be required consistent with the RCW.
- **Maximum Density.** The definition for maximum density would be changed to read, "*Density, Maximum*" means the maximum number of dwellings allowed per the gross buildable acreage as stated for each zone. Where not specified in a zone chapter, no maximum density shall apply." Single-family development is fairly spread out and requires more land, but duplexes and townhomes are a much more compact development type, which the current definition doesn't lend itself to. Replacing the word "net" with "gross" can be substantial. With gross buildable acreage, a one-acre parcel would allow up to 10 dwelling units, but net buildable acreage would subtract lands that are not buildable (utility easements, critical areas, buffers, etc.). The number of units allowed would be based on just the buildable area. Several examples were provided to illustrate the difference between gross and net buildable acreage.

**Chair Tift** invited public comments relative to the proposed amendments, but there were none.

**Commissioner Wofford** asked how much separation would be required between the cottage housing units, and **Mr. Jackson** answered that there would be no separation requirement in the Zoning Code for cottage housing units, but the Building Code may require a 10-foot separation. **Commissioner Wofford** asked if it would be appropriate to add a separation requirement, and **Mr. Jackson** agreed that is something the Commission could consider. However, he noted there is no separation requirement in the Zoning Code for ADUs, either. He agreed to provide information about the Building Code requirement for separation at the public hearing. **Commissioner Coviello** suggested that the separation requirements in the Building Code, which are likely related to the fire code, could be referenced in this section of the zoning code.

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**Commissioner Pedersen** asked what the setback requirements would be between a cottage housing development and adjacent properties. **Mr. Jackson** said the setback requirements would be the same as what is required by the underlying zone (5-foot side setbacks and 15-foot rear setbacks). **Director Spencer** pointed out that the cottages would be limited in scope and size to 1,200 square feet, so one would presume that, even if built to the same setbacks, the impacts of a cottage housing development on an adjacent property would probably be less than large houses in a traditional subdivision. **Commissioner Flemister** asked what the street setback would be for cottage housing development, and **Mr. Jackson** answered that the street setback would be consistent with the underlying zoning, which is 15-feet to the primary structure or 20 feet if it is to a garage.

Without a specific separation requirement, **Commissioner Wofford** voiced concern that the cottage housing units could be constructed very close together, enabling someone in one unit to look directly into an adjacent unit. He asked staff to confirm the Building Code requirement.

**Commissioner Pedersen** said he has visited an existing development that is very similar to cottage housing, located near the power station east of Warren Avenue. He voiced concern that requiring 1.5 parking spaces per unit appears too much, particularly if the goal is to encourage affordable housing. He suggested they consider reducing the parking requirement to one space per unit. **Mr. Jackson** agreed that is something the Commission could consider, but 1.5 spaces per unit is consistent with the City's current requirement for ADUs. He reminded them that parking in Bremerton is somewhat sensitive, and many people will feel that 1.5 spaces per unit isn't enough. He pointed out that BMC 20.48.100 has a provision for a potential parking reduction for large developments, but the provision is not very easy to utilize. It requires a traffic study, and decisions are made on a case-by-case basis. **Director Spencer** suggested that staff could do the environmental review and outreach based on one parking space per unit, and then the Commission would have the option to modify it to 1.5 parking spaces based on public comments and their deliberation. **Commissioner Pedersen** said he would support that approach. He reminded them that he argued against higher parking requirements for ADUs, as well.

**Chair Tift** said he would not be in favor of using staff time to conduct the environmental review and outreach based on a lower parking requirement. He voiced concern that 1.5 parking spaces would not be enough given the parking woes in the City. He reminded them that the City is currently conducting a parking study. **Commissioner Pedersen** argued that housing is an even bigger problem for the City than parking. **Commissioner Coviello** proposed that the Commission discuss parking reductions as part of the next Comprehensive Plan update, as this will allow them to address transit corridors and direct density into these areas. **Commissioners Wofford and Flemister** said they would also support leaving the parking requirement at 1.5 spaces per unit for the public hearing.

**Chair Tift** asked how the street setback would be measured. **Mr. Jackson** explained that the 15-foot setback would be measured from the curb to the primary structure. The front porch can encroach into the setback by six feet. Therefore, the minimum setback for the front porch would be nine feet. **Chair Tift** asked if the 1,200 square foot maximum size would include the garage, and **Mr. Jackson** answered that it would only include the living area.

**Chair Tift** clarified that, currently, duplexes and townhomes are only allowed in the LDR zone if located within 500 feet of a commercial area, and the proposed amendment would remove that requirement. **Mr. Jackson** concurred. **Chair Tift** further clarified that, as proposed, the BHA would have the same ability to seek a density bonus as a religious organization. Again, **Mr. Jackson** concurred. He reminded them that, as proposed, developments that receive a density bonus would not be allowed to utilize the units for anything other than affordable housing for a minimum of 50 years.

**Commissioner Pedersen** asked if they considered opening the density bonus provision to other non-profit organizations, as well as religious organizations. Hopefully, there will be more organizations focusing on housing in the future. **Mr. Jackson** pointed out that the State statute requires the City to allow density bonuses for religious organizations, but some jurisdictions offer the density bonus to all non-profit organizations. However, not all non-profits have shown a way to deliver on housing, as the BHA has, and the proposed amendment would not prohibit the BHA from partnering with other non-profit organizations. **Chair Tift** observed that the BHA has proven to be very adept at creating affordable housing, so giving them authority, in addition to religious organizations, represents a good compromise, especially given they can partner with other non-profits. **Commissioner Pedersen** asked the potential downside of offering the provision to all non-profits. **Director Spencer** explained that State law mandates the provision for religious organizations only. The intent is to take a measured approach until they have a better understanding of how the provision will play out. They want to work first with agencies that have a proven track record of delivering projects. They want to avoid having significant density increases in neighborhoods without knowing how

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it's going to work. Nothing would preclude the City from adding other agencies as they become more comfortable with how the provision will work. She emphasized this is a new State law and not a lot of jurisdictions have taken advantage of it yet. She said staff has discussed the issue at length, and most of the groups who have expressed interest in the provision are either religious institutions or the BHA. Housing developers who want to implement the provision will likely partner with the BHA anyway.

**Ms. Millward** clarified that the porch requirement is not a setback from the street. The houses would face each other along a common yard, so the porches would face the common yard and not the street. **Chair Tift** observed that porches would be nice additions to the units.

**BUSINESS MEETING**

**Chair Report**

**Chair Tift** didn't have any items to report.

**Director Report**

**Director Spencer** announced that Sarah Lynam has been promoted to the position of Community Development Block Grant (CDBG) Administrator, and they are currently recruiting for the Project Assistance Position that is now vacant.

**Director Spencer** said she is currently seeking a volunteer from the Planning Commission to assist on the CDBG Project Review Committee, which reviews all of the grant applications that have been received for the approximately \$400,000 CDBG funding the City receives each year. The committee will work throughout the month of August and into the first week or two of September. Most of the work can be done at home, but the committee will meet for a few days at the end to interview applicants and formulate a recommendation to the City Council.

**Commissioner Wofford**, who served previously on the committee, and **Ms. Lynam** shared more information about how the review process works and the time commitment involved. Time permitting, **Commissioner Pederson** agreed to serve as the Commission's representative on the committee. **Commissioner Wofford** agreed to serve as a backup.

**Old Business**

There was no old business.

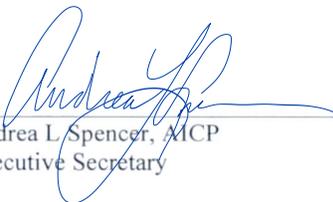
**New Business**

There was no new business.

**ADJOURNMENT**

The meeting was adjourned at 6:28 p.m.

Respectively Submitted by:

  
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Andrea L. Spencer, MCP  
Executive Secretary

  
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Rick Tift, Chair  
Planning Commission