

# APPROVED

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF VIRTUAL MEETING April 18, 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  
Vice Chair Rich  
Commissioner Mosiman  
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, Project Assistant, Department of Community Development

##### Commissioners Excused

Commissioner Flemister  
Commissioner Pedersen

*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 MARCH 21, 2022, AS PRESENTED. COMMISSIONER MOSIMAN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

#### PUBLIC MEETING

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

Chair Tift invited comments from citizens. There were none.

#### Workshop: Infill Housing Toolkit – Cottage Housing, Duplexes and Townhomes, and State Law Updates

Mr. Jackson explained that the Infill Housing Toolkit was published in response to the affordable housing crisis and outlines a number of potential strategies to increase the City's housing supply. At this workshop, staff will provide introductory material for the Commissioners to consider, and more public outreach and a draft code will follow in later workshops. The toolkit can be viewed at: <https://www.bremertonwa.gov/DocumentCenter/View/7035/Infill-Toolkit-PDF>.

**Mr. Jackson** briefly reviewed the Infill Housing Toolkit provisions, specifically noting those that have already been codified by the City and those that require more work:

- **Revise Densities to Promote Infill.** The Medium Density Residential (MDR) zone was modified from 10 dwelling units per acre (DU/A) to 18 DU/A. The Comprehensive Plan was updated to allow duplexes and townhomes in the Low Density Residential (LDR) zone, and the Zoning Code was amended to allow these uses within 500 feet of a commercial zone or land-use center. The minimum density was increased to 6 DU/A citywide, and the density limitations stipulated in the General Commercial (CG) zone were removed.
- **Manufactured Homes.** The design requirements for manufactured homes were altered to an overall width that would accommodate the minimum LDR zone lot width of 30 feet.
- **Accessory Dwelling Units (ADUs).** The owner-occupancy requirement for ADUs was removed. In addition, the parking requirement was reduced and the number of permitted ADUs allowed per property was increased to two.
- **Subdivision Code.** The Subdivision Code was amended to provide a process to decrease the minimum lot size below City standard in cases where the applicant demonstrates the resulting lots are buildable and do not exceed maximum density requirements.
- **Bonus Density for Religious Organizations.** This option was recently added to the Infill Housing Toolkit and will be discussed later in the meeting.
- **Smaller Housing Options.** These options are already being implemented by the City. There is no minimum home size.
- **Inclusionary Zoning.** This was not found to be a good fit for the City at this time.
- **General Facility Charges Reduction.** The City is still exploring this option for low-income development.

**Mr. Jackson** advised that this workshop would focus on revising densities to promote infill, cottage housing, and bonus densities for religious organizations.

- **Revise Densities to Promote Infill (Duplexes and Townhouses)**

**Mr. Jackson** explained that within the overall umbrella of this provision are the addition of duplexes and townhomes within the LDR zone. Per the Zoning Code, a “duplex” is defined as a structure containing two dwelling units on a single lot, and a “townhouse” is defined as a single-unit structure in a row of at least three or more such units in which each unit has its own access to the outside, no unit is located over another (stacked), and each is separated from any other unit by one or more common fire-resistant walls. While the Building Code’s definition for “townhouse” requires the units to be located on individual lots, the land-use definition does not require separating lot lines. He shared an image of a townhome project that was built in Manette where the units are not separated by lot lines.

**Mr. Jackson** pointed out that the Comprehensive Plan contains policies that promote the use of duplexes and townhomes in the LDR zone. Specifically, it calls for ensuring that the LDR zone allows for all housing types, including duplexes and townhomes, as long as DU/A isn’t exceeded. A question for the Commission is whether or not there is a difference between the housing types currently allowed in LDR zones and what is proposed for duplexes and townhomes.

Again, **Mr. Jackson** reminded the Commissioners that duplexes and townhomes are currently allowed within 500 feet of a commercial district or center as long as the maximum density of 10 DU/A isn’t exceeded. He shared a land-use map to illustrate where the commercial zones are located. He also reminded them that the ADU code was recently changed to allow two ADUs per lot, and there is no owner-occupancy requirement. The ADUs can be situated either as a house and two detached units, two units within one structure (house and ADU) and a detached separate ADU, or all the units can be combined within a single structure (house and two internal ADUs). This raises questions about the difference between a triplex and a single-family home with two attached ADUs. Is this difference worth maintaining in the Zoning Code? He shared an example of an accessory dwelling unit on Marine Drive that is detached from the main home.

**Mr. Jackson** also pointed out that townhomes are also allowed under Bremerton Municipal Code (BMC) 20.58.010 as Residential Cluster Developments (RCDs). He shared pictures of a traditional townhome development where the units are separated by property lines and noted that in the East Park Subarea, townhome development is mixed in with single-family homes and other housing styles. In addition, he explained that duplexes, townhomes, cottage housing and even multifamily

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housing are all allowed uses in Kitsap County's Urban low Density Residential (UL), Urban Medium Density Residential (UM) and Urban Restricted Density (UR) zones within the Urban Growth Areas (UGAs). These areas are intended to annex from the County's jurisdiction into the City at some point in the future.

**Mr. Jackson** said the Washington State Legislature discussed various legislative amendment to State regulations in 2019, 2020 and 2021 that encourages the preemption of local control over housing types, specifically duplexes and other multifamily development types. Due to the housing crisis, this appears to be a goal of the Legislature that it feels is too important to not be addressed by local jurisdictions. There is a need to create additional "middle housing" in areas that are traditionally dedicated to single-family housing. At a local level, the City of Bremerton already permits a wide range of duplexes or triplexes, whether that is two ADUs with no owner-occupancy requirement, an RCD, etc. Maybe it is time to permit duplexes and townhomes outright throughout the LDR zones.

- **Cottage Housing**

**Ms. Millward** explained that cottage housing creates neighborhoods of the small-scale type that has been appreciated for centuries. At its most basic, cottage housing simply permits more than one single-family residence to be located on a single lot. In more complex examples, it can create quasi-independent neighborhood environments that are walkable, legible and foster face-to-face interactions. She noted the key characteristics of cottage housing development:

- There are four or more small dwellings, typically less than 1,000 square feet.
- The homes oriented toward a shared open space as opposed to a street down the middle.
- They are a pedestrian environment, not automobile-centric.
- The houses may be separate structures or share walls and typically are one or two stories tall.
- Ordinances are typically accompanied by density bonuses, though not in this proposal.

**Ms. Millward** pointed out the advantages of cottage housing:

- It is an efficient way to provide dense housing while maintaining the attractive features of low-density residential development. It creates these efficiencies via shared amenities.
- It is always developed with a plan, which includes a site plan, design standards, and provisions for the communally-owned amenities (green space, trails, guest parking areas, courtyards, gardens, community kitchens, etc.
- It is ideal for infill projects and maximizing urban lots.
- It delivers "missing middle" housing typologies such as duplexes, triplexes, townhomes, and small-scale houses.
- It facilitates homeownership for small households in all phases of life that might be priced out of larger dwelling they don't necessarily need.
- The scale and orientation of cottage housing development can create pocket neighborhoods that foster neighborly community while maintaining a sense of privacy in the homes.

**Ms. Millward** said there are examples of cottage housing in Bremerton that were created either prior to the City's current zoning regulations or via the current RCD subdivision process. She shared examples of cottage housing developments on Snyder Avenue and Chico Way. On Snyder Avenue, all of the houses and shared amenities are on one shared lot. The Chico Way development looks and functions like a cottage housing neighborhood similar to what staff is proposing, but it was created via a subdivision.

- **Bonus Density for Religious Organizations**

**Mr. Jackson** explained that, per Senate House Bill (SHB) 1377, jurisdictions are required to provide a bonus density to religious organizations under the following circumstances:

- Low-Income Housing. That all provided housing units are for low-income individuals and families. "Low income" is defined as an adjusted income that is less than 80% of area median income, adjusted per household size.

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- Time Restriction. That the development is required to be used exclusively for affordable housing for a period of time no shorter than 50 years.
- Discrimination. That the housing provider does not discriminate against any person who qualifies as a member of a low-income household.

**Mr. Jackson** advised that, currently, any religious institution that meets the three criteria can request a density bonus, and the City would be required to work with them on an appropriate density bonus. However, SHB 1377 leaves it up to jurisdictions and individual religious institutions to work collaboratively to figure out what “density bonus” means and what kind of mitigation will be required on a case-by-case basis. Although the bill is vague, the State suggests that the density bonus could increase density, height, floor area or other development criteria. Staff is seeking feedback from the Planning Commission but is recommending a narrowed approach that is limited to a bonus in density. Currently, staff is attempting to engage non-profit housing providers and religious institutions to provide feedback on what they would consider as an appropriate density bonus.

**Mr. Jackson** summarized that the proposed Infill Housing Toolkit measures would add duplexes and townhomes as allowed housing types throughout the LDR zones, add cottage housing as a type of allowed housing within the LDR zone, and explore a potential density bonus to religious organizations. The next steps will be for the Planning Commission to receive public feedback on the proposed topics and provide staff with some initial thoughts. Staff will continue outreach to the community and appropriate organizations throughout the next month. Following public outreach, staff will present draft Zoning Code amendments at a later workshop.

**Chair Tift** invited public comments but there were none.

**Commissioner Wofford** asked if the proposed changes would address tiny houses, which are small units that have little or no plumbing, communal kitchens and bathrooms, etc. **Mr. Jackson** answered that both the Zoning Code and Building Code definitions for “dwelling unit” require provisions for eating, cooking, sleeping and sanitation. Tiny homes without plumbing would not meet this definition. As far as congregate living situations, group residential homes with more than one independent dwelling unit within a single structure are allowed within the LDR zones with a conditional use permit.

**Commissioner Mosiman** agreed that the State’s language regarding density bonuses for religious organizations is rather vague. The bonus in a municipality that allows for a great deal of density might be different than a bonus for a municipality that has a very restrictive density. There appears to be inequality in how the bill is applied from one municipality to another. If it is a good idea, he suggested it might be worthwhile to give the same opportunity to non-religious organizations that develop housing. **Mr. Jackson** responded that the current state statute applies only to religious organizations, but other municipalities, including the City of Tacoma, have applied the statute to non-profit organizations, too. He agreed to explore this option further, noting that staff is seeking feedback from both religious and non-profit housing providers. **Commissioner Mosiman** suggested it seems unfair to provide a benefit to an organization because of its religious affiliation as opposed to an organization that has no religious affiliation but also might be interested in building low-income housing. **Mr. Jackson** agreed to provide fuller analysis of how other jurisdictions are interpreting the statute.

**Commissioner Mosiman** said the example on Chico Way is not true cottage housing because it is subdivided with lot lines. His understanding is that cottage housing, as it is being discussed in this context, is situated on one lot. He asked if the housing units would be rentals or more like a condominium association with a shared property. **Mr. Jackson** questioned if a single lot with three units that are rentals should be treated differently than ownership in the Zoning Code. Although most cottage housing is owner-occupied, “missing middle” housing is affordable housing, whether for rent or ownership. He does not anticipate that the proposed code amendment would require that the cottage houses be owner-occupied.

As they consider the difference between owner-occupied and rental, **Commissioner Mosiman** said he is also curious about the benefits for a developer to construct cottage housing. Would the benefits lean more towards rental or owner-occupied units? **Ms. Millward** noted that one significant benefit would be not having to go through the subdivision process, which saves both time and money. **Mr. Jackson** added that there are examples in Bremerton of more than one home being built on a single lot, so the proposed change could also be a way to accommodate existing nonconforming uses.

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**Vice Chair Rich** said she is excited and impressed by the Infill Housing Toolkit, and she is eager to hear how the outreach goes, particularly around the bonus density for religious organizations. She also suggested they consider including local non-profit organizations.

**Vice Chair Rich** asked why staff isn't proposing a density bonus for cottage housing. **Mr. Jackson** explained that the Comprehensive Plan calls for more housing variety when it doesn't exceed the maximum density established in the zone, and a Comprehensive Plan amendment would be required in order to provide a density bonus for cottage housing. **Director Spencer** commented that, absent a bonus density, she doesn't anticipate the cottage housing provisions will be heavily utilized. She suggested they could put regulations in place for cottage housing now, setting requirements for open space, orientation of structures around common open space, etc. These zoning changes could be followed by amendments to the Comprehensive Plan, which is due for a major update in 2024. She reminded them that the City received a grant from the State of Washington to do the cottage housing code, but they must stay true to the current policies in the Comprehensive Plan that is currently in place. She anticipates this will require a two-step process with potential for future amendments.

**Chair Tift** asked if staff has examples of any housing projects done by religious organizations that received the density bonus. **Mr. Jackson** said he hasn't found one yet, but he will continue to search for examples within the State since the legislation was passed. **Director Spencer** noted this is a fairly recent law, passed in late 2019, so there aren't a lot of examples in the State. While the City of Tacoma has adopted the provision into its zoning code, she doesn't know of any examples of their code being implemented by a constructed project.

**Chair Tift** recalled that a number of times they haven't got Zoning Code changes right the first time, and he appreciates that the Commission has had an opportunity to tweak and adjust them over time so they pencil out for developers they are hoping to attract.

## **BUSINESS MEETING**

### **Chair Report**

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

### **Director Report**

**Director Spencer** announced that the Eastside Village Subarea Plan amendments that the Commission unanimously recommended last month are moving forward to the City Council with an anticipated adoption date of May 4<sup>th</sup>. They will be presented at a study session on April 27<sup>th</sup>. If questions are raised at that time, staff may reach out to Chair Tift and Vice Chair Rich with a request for additional support.

**Director Spencer** advised that the City Council has not yet moved forward with in-person hybrid meetings, and she doesn't have a schedule for when they might start. In-person Planning Commission meetings won't start until after the City Council has implemented its hybrid format.

### **Old Business**

There was no old business.

### **New Business**

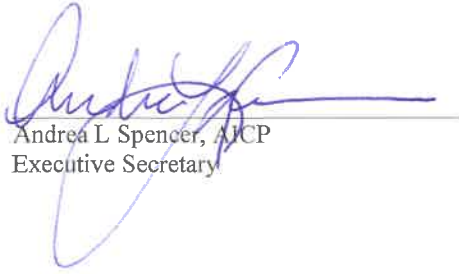
There was no new business.

## **ADJOURNMENT**

The meeting was adjourned at 6:15 p.m.

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Respectively Submitted by:



Andrea L. Spencer, AICP  
Executive Secretary



Rick Tift, Chair  
Planning Commission

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