



## **PLANNING COMMISSION AFTER MEETING ACTION SUMMARY**

**Prepared by:** Garrett Jackson, Planning Manager

**Meeting Date:** September 15th 2025 Meeting

The purpose of this summary is to capture the general direction provided to staff from the Commission as a result of the materials presented in the packet, the presentation(s) provided at the meeting, and public testimony given. The full meeting can be viewed by visiting the following [Bremerton Kitsap Access Television \(BKAT\) link](#).

Agenda Items:

1. **VB1. PUBLIC HEARING: Zoning Code Amendments (Neighborhood-scale Commercial, State Required Shelter Options, and Design Standards)**

A presentation on the proposed amendments was provided by Planning Manager Garrett Jackson, with recent proposed alterations highlighted for Planning Commission consideration.

**Direction provided from Planning Commission:**

- Planning Commission recommended that the City Council adopt the zoning code amendments as modified by Planning Commission; modifications included revising language around design standards. One dissenting Planning Commissioner expressed the opinion that Neighborhood-Scale Commercial uses should cease operation at 9 PM instead of 10 PM, and be spaced a minimum of one quarter mile apart, instead of on street corner locations only.

2. **VC1. WORKSHOP: Zoning Code Amendments (Critical Areas Ordinance, Shoreline Master Program, and Landscaping)**

A presentation on proposed amendments to the Critical Areas Ordinance (BMC 20.14), the Shoreline Master Program, and the Landscaping standards in BMC 20.50 was provided by Planning Manager Garrett Jackson.

**Direction provided from Planning Commission:**

- Planning Commission expressed support for code language that requires additional landscaping with a certain level of financial investment in a property, and for establishing fines for tree removal from critical areas. They did not generally support requiring planting of trees with construction of a new single-family residence. The feedback will be incorporated in proposed code for consideration at a future workshop.

3. **NEW BUSINESS:**

A follow up workshop on the Critical Areas Ordinance, Shoreline Master Program, and Landscape standards will be held at the October 2025 meeting.

**(DRAFT) AGENDA**  
**Regular Meeting – Bremerton Planning Commission**  
**(Subject to PC approval)**  
**September 15, 2025**  
**5:30 P.M.**  
**345 6th Street, Bremerton**  
**First Floor Chambers**

**Zoom Meeting Option**

<https://us02web.zoom.us/j/89651517986?pwd=b0dnVVhvSmd5KzFGL0ljS1NwVjJ3dz09>

**Webinar ID:** 860 8962 6977

**Password:** 955016

**Dial by your location:**

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

**Remote Participation:**

To provide testimony on items listed on the agenda “Raise Your Hand” on Zoom Press \*9 on your phone

**One tap mobile:**

+1-253-215-8782 86089626977# \*955016#  
US (Tacoma)

If the public would like to address the Commission on any item that is not on the agenda it must be done in person, and not via Zoom, unless prior arrangements were made through the Project Assistant by calling (360) 473-5269 at least 24-hours prior to the meeting.

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**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF THE AGENDA**

**IV. APPROVAL OF MINUTES: July 21, 2025**

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**V. PUBLIC MEETING**

**A. Call to the Public:** In-person public comments on any item not on tonight’s agenda.

**B. Public Hearing: Zoning Code Amendments (Neighborhood-scale Commercial, State Required Shelter Options, and Design Standards)**

**C. Public Workshop: Zoning Code Amendments (Critical Areas Ordinance, Shoreline Master Program, and Landscaping)**

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**VI. BUSINESS MEETING**

**A. Chair Report:** Nick Wofford

**B. Commissioners’ Reports:** As Necessary

**C. Director’s Report:** Andrea Spencer

**D. Old Business:**

**E. New Business:** NA

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**VII. ADJOURNMENT: The next regular meeting of the Planning Commission will be held on October 20, 2025.**

# DRAFT

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF REGULAR MEETING July 21, 2025

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#### CALL TO ORDER:

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

#### ROLL CALL

##### Commissioners Present

Chair Wofford  
Vice Chair Tift  
Commissioner Miller  
Commissioner Paauw (remote)

##### Staff Present

Andrea Spencer, Director, Department of Community Development  
Garrett Jackson, Planning Manager, Department of Community Development  
Kelli Lambert, Senior Planner, Department of Community Development  
Sharon Schwartz, Project Assistant, Department of Community Development

##### Commissioners Excused

Commissioner Browning  
Commissioner Pedersen  
Commissioner Doehring

##### *Quorum Confirmed*

#### CHAIR CALL FOR MODIFICATIONS TO AGENDA

The agenda was accepted as presented.

#### APPROVAL OF MINUTES

**VICE CHAIR TIFT MOVED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF MAY 19, 2025, AS PRESENTED; COMMISSIONER MILLER SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

#### PUBLIC MEETING

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

No public comments were received.

#### PUBLIC WORKSHOP:

**Workshop: Zoning Code Amendments (Neighborhood-scale Commercial, State Required Shelter Options, and Design Standards)** – A Power Point presentation was provided by Community Development Planning Manager, Garrett Jackson.

During Mr. Jackson's presentation he provided information related to the Bremerton Municipal Code (BMC) Title 20 Zoning Code amendments for the commissioner's consideration, including Neighborhood Commercial,

Transitional Housing, Permanent Supportive Housing, Indoor Emergency Shelters and Housing and Design Standards.

Vice Chair Tift opened the Public Workshop to receive testimony from the public. No comments received.

Questions and comments were offered by Planning Commissioner Miller, Tift, Paauw and Wofford, with responses provided by Garrett Jackson and Andrea Spencer. Garrett Jackson shared a comment received from Commissioner Pedersen prior to the meeting regarding neighborhood businesses.

**BUSINESS MEETING**

**Chair Report**

**Chair Wofford**

Chair Wofford reminded everyone about the upcoming primary elections and encouraged people to get out and vote.

**Director Report**

Andrea Spencer reported that the Comprehensive Plan and two different Zoning Code Ordinances passed, congratulating and thanking the Planning Commission for all their hard work and efforts. Noted that there is still some required work to complete for Critical Area Ordinance updates. Reported that Vice Chair Tift would be the Planning Commissioner representative this year for the Community Development Block Grant Project Review Committee.

**Old Business**

None.

**New Business**

Garrett Jackson informed the Planning Commission that we are set to go to a Public Hearing in September for the proposed zoning code amendments discussed today. In September we will also hold a Public Workshop to discuss the Critical Area Ordinance, Shoreline Master Program and Landscaping.

**ADJOURNMENT**

The meeting was adjourned at 6:24 p.m.

Respectively Submitted by:

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Andrea L Spencer, AICP  
Executive Secretary

\_\_\_\_\_  
Nick Wofford, Chair  
Planning Commission

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

**AGENDA TITLE:** Public Hearing: Zoning Code Amendments related to Housing Types, Neighborhood Scale Commercial, and Design Standards  
**PRESENTED BY:** Garrett Jackson, Planning Manager; (360) 473.5289 or [Garrett.Jackson@ci.bremerton.wa.us](mailto:Garrett.Jackson@ci.bremerton.wa.us)

**OVERVIEW SUMMARY**

A workshop was held [July 21, 2025](#) for Planning Commission to consider proposed zoning code amendments related to Shelter Types required per RCW 35.21.683, Neighborhood Scale Commercial, and Design Standards. Staff is requesting that the Planning Commission conduct a public hearing on the proposed Zoning Code changes, consider public testimony, and formulate a recommendation for City Council decision. The proposed changes to the Zoning Code are as follows:

- *Transitional Housing, Permanent Supportive Housing, Indoor Emergency Shelters and Housing* – ensure conformance with State requirements
- *Neighborhood Scale Commercial* – permit certain types in specific residential areas
- *Design Standards* – provide consistency in transparency requirements,

**ATTACHMENTS:**

**Attachment A:** Proposed Zoning Code Amendments in legislative mark-up

**Attachment B:** Planning Commission’s Findings and Conclusions

**STAFF ANALYSIS AND CONCLUSION:**

Staff has reviewed the proposed amendments for compliance with the City’s code requirements for Zoning Code Amendments as identified in Bremerton Municipal Code (BMC) 20.18. The amendments meet the decision criteria set forth in the BMC, and therefore Staff suggests that Planning Commission make a recommendation on the proposal. Please see **Attachment B** ‘Findings and Conclusions’ for a detailed analysis of how the proposal is consistent with the BMC decision criteria for amendments.

**OPTIONS FOR MOTION:**

At this Public Hearing, the Commission may 1) recommend that the City Council adopt the Zoning Code Amendments, or 2) recommend staff complete additional work on Zoning Code Amendments before presenting revised material to the Planning Commission at a later date.

- Recommended Motion A:** Move to recommend the City Council adopt the Zoning Code text amendments to Title 20 of the BMC as shown in Attachment A, and based upon the Staff Report and Findings and Conclusions presented in Attachment B.
- Recommended Motion B:** Move to recommend the City Council adopt the Zoning Code text amendments to Title 20 of the BMC **as modified** by the Commission, and based upon the Staff Report and Findings and Conclusions presented in Attachment B.

## STAFF ANALYSIS

Items considered with this Public Hearing were previously discussed by the Planning Commission at a [July 21, 2025 Workshop](#). Title 20 of the Bremerton Municipal Code (BMC) regulates land use for the City, which includes the uses, development regulations, and permitting procedures related to development of private property within the City. A summary of proposed development regulation updates is provided below.

### **TRANSITIONAL HOUSING, PERMANENT SUPPORTIVE HOUSING, INDOOR EMERGENCY SHELTER AND INDOOR EMERGENCY HOUSING.**

Per [RCW 35.21.683](#), cities shall not prohibit transitional housing or permanent supportive housing in zones where residential dwellings or hotels are permitted, and shall not prohibit indoor emergency shelters or emergency housing in zones where hotels are allowed. Proposed amendments will bring Bremerton's zoning code into conformance with State law.

A new proposed zoning code section BMC 20.46.250 establishes regulations for these uses, including a Conditional Use Permit process, requirements, and conditions of approval. The conditions include submittal of an operation plan, addressing site management (security), contact information for key staff, and policies establishing codes of conduct. The specific definitions of the above listed uses from RCW 36.70A.030 are proposed to be included in BMC 20.42 Definitions. Please see Attachment A for greater detail.

### **NEIGHBORHOOD SCALE COMMERCIAL.**

As there has been interest at the local and state level for consideration to allow certain small businesses in residential zones, Planning Commission discussed this topic at the July 2025 workshop. Potential benefits of neighborhood cafes and shops are enhanced walkability, and providing neighborhood gathering places for individuals from all backgrounds. These types of neighborhood scale businesses could also facilitate new entrepreneurial opportunities.



An approved Conditional Use Permit (CUP) would be required for siting of Neighborhood Scale Commercial uses in order to determine whether any mitigation or special conditions are appropriate for a specific site or use. Planning Commission expressed concern at the July workshop for potential noise impacting neighbors of these businesses. The code language was amended to limit neighborhood-scale business activities to operation within an enclosed space that meets City noise ordinance requirements per [BMC 6.32](#).

A comment was received on August 2, 2025 from a City resident, which was provided to Planning Commission. The commenter's objections to this proposal are related to potential noise, parking issues, increased crime, and unattractive remodeling of buildings. The comment indicates support for neighbor notification, which is required with the CUP process.

Allowed Uses would be limited to the following: Restaurant, Drinking place (only if also offering food), Market/grocery store (limited to sale of food, beverages, household items),

Personal services (per the zoning code definition in BMC 20.42, which includes laundry and dry-cleaning, beauty and barber shops, tanning, other personal grooming facilities, and computer/phone repairs)

Neighborhood Scale Commercial uses would be permitted on corner lots only, on sites that front on a public right of way. Minimum spacing requirements were discussed at the workshop, however Planning Commission was comfortable with the current proposal to allow Neighborhood Scale Commercial uses on corner lots only, with no minimum distance between businesses. All activities must be within an enclosed space. Please see Attachment A for additional detail.

## **DESIGN STANDARDS.**

Design standards are required for structures in the City's commercial, multifamily, and mixed use zones. The Department's proposal is to revise these standards to ensure consistency with the updated Comprehensive Plan, as well as consistency in transparency requirements, which in current code can vary by land use zone. With the recently adopted Comprehensive Plan Update, the General Commercial (GC) zone was recognized as being a 'Mixed Use' zone. The proposed code revision would require mixed use development at the ground floor frontage in the GC zone, or alternatively, that the construction is 'Easily Adaptable to a Commercial Use', as defined below.

Definitions. Definitions of terminology related to Design Standards are proposed to be added to BMC 20.42 Definitions.

- *Pedestrian Oriented.* Currently the Downtown Subarea Plan (DSAP) and Title 20 have two separate definitions for Pedestrian Oriented. The proposal is to adopt the DSAP definition.
- *Mixed-Use Building.* Currently BMC 20.42 does not define Mixed Use; adding this definition will provide clarity for applicants.
- *Easily Adaptable to a Commercial Use.* Mixed use zones require ground floor retail uses. However, in cases where the market will not yet support ground floor commercial uses, applicants may construct the building so that it can be easily converted to commercial in the future. This definition clarifies the requirements, and notes that parking garages cannot be considered 'Easily Adaptable to a Commercial Use.'

## **Transparency.**

Transparency can be required on a structures ground floor to enhance pedestrian safety, promote commercial activity, and create a more walkable and engaging urban environment. Current code descriptions for determining how this transparency is measured is inconsistent among the various land use zones – in some cases, measuring from ground level, and in others, beginning at two feet in height. The code amendments would establish consistent language in the design standards for the various zones, to provide clarity for the applicant. Final proposed language:

## **Modified Transparency Requirements.**

In land use zones where transparency is a required primary design feature, the proposal would offer flexibility in certain cases. For example, if an accessory structure is intended for storage, transparency may not be feasible. At the Director's discretion, modified

transparency standards could be allowed for accessory structures, for building facades facing private streets, and for any structures granted an increased setback, in exchange for incorporating an additional secondary design feature – some examples are shown below.

Examples of Secondary Design Features:



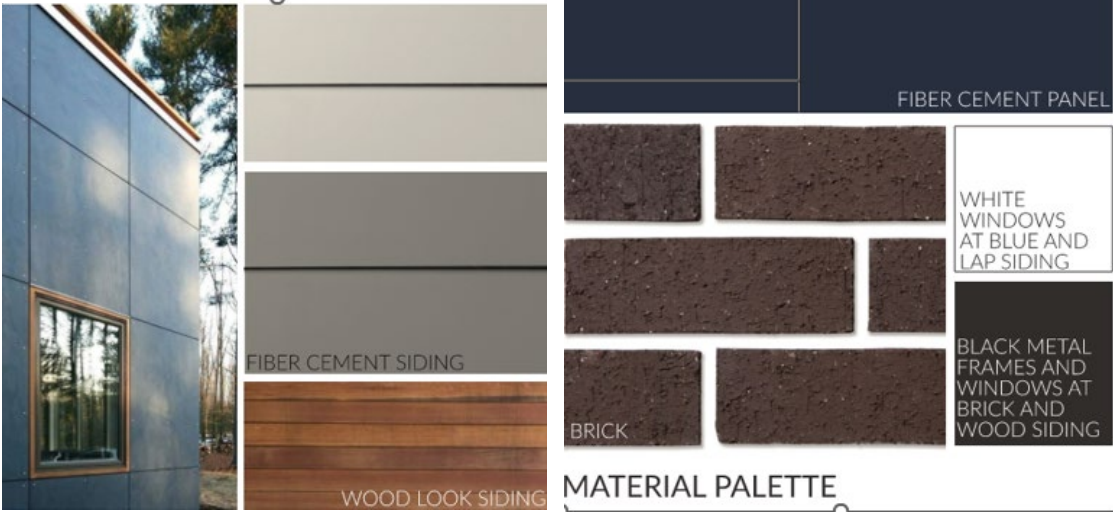
Multiple Roof Lines



Awning



Street Furniture



Multiple Façade Materials

Secondary design features include multiple roof lines, building modulation, multiple façade materials, weather protection such as awnings, easily identifiable, street-facing pedestrian entrances, or public amenities such as street furniture or artwork. The addition of a design

feature from this list will ensure that new structures feature good design, while at the same time allowing flexibility where it may be needed.

## **CONCLUSION**

Staff believe that the revised Zoning Code Amendments reflect the discussion by Planning Commission at the July 2025 workshop, and conform with the Comprehensive Plan. Staff recommends that the Planning Commission hold an open record public hearing, consider testimony, and formulate a recommendation for the City Council.

## BMC 20.42 DEFINITIONS

“Easily Adaptable to a Commercial Use” means the space is constructed to meet International Building Code (IBC), International Fire Code (IFC), and utility requirements for minimum standards accepted by the Department for a Type-B occupancy.

“Mixed-use Building” means the development of a site or building with a combination of residential and nonresidential uses in a single or physically integrated group of buildings.

“Indoor emergency housing” is temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

“Indoor emergency shelter” is a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

~~“Pedestrian-oriented” means development designed with an emphasis primarily focused on pedestrian access from the street and sidewalks rather than vehicle-dominant design. In general, buildings are placed close to the street and the main entrance(s) is oriented to the street sidewalk and generally includes windows or display cases along building facades which face the street or pedestrian areas.~~

“Pedestrian-Oriented” means commercial uses with the following attributes:

1. Scale and character that encourages an approach by either walking or cycling.
2. Walk-in trade and small business establishments such as specialized retail and food stores, restaurants, personal service establishments, convenience stores, professional services.
3. Contain outdoor displays and contribute to the ground level activity of the street.

“Permanent supportive housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with

community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

“Transitional housing” means a facility that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

## **BMC 20.46.240 NEIGHBORHOOD-SCALE COMMERCIAL.**

This code section relates to allowing small business establishments in residential zones. Neighborhood-Scale Commercial shall be processed as a Type II Permit Conditional Use Permit. In all residential zones, Neighborhood-Scale Commercial may be permitted when conforming the International Building Code, International Fire Code, and the following criteria:

- (a) Use. The following uses are permitted per this section.
  - (1) Restaurant,
  - (2) Drinking Place, only when also offering food,
  - (3) Market/grocery store, only when limited to sale of food, beverages, and household items.
  - (4) Personal services
- (b) Zone. Conforms with all applicable development, design, and signage standards of the underlying zone;
- (c) Size. The area of the commercial use shall not exceed the following:
  - (1) 1,200 square feet of new construction.
  - (2) 2,500 square feet for existing buildings.
  - (3) Size limitations of this section do not apply to the High Density Residential zone or Adaptive Reuse Of Commercial Buildings per BMC 20.46.070.
- (d) Structure. The business shall be wholly situated indoors, within an enclosed space.
- (e) Landscaping. Landscaping is provided consistent with the underlying zone and BMC 20.50.050.
- (f) Access. Site shall front on a public right-of-way and not be located on a dead-end street or cul-de-sac.
- (g) Spacing. Location is limited to corner lots of intersecting streets, not including alleys.
- (h) Hours of Operation. Business activities shall cease after 10PM.
- (i) Noise. Onsite uses shall conform to BMC 6.32 Noise Levels.

## **BMC 20.46.250 TRANSITIONAL HOUSING, PERMANENT SUPPORTIVE HOUSING, INDOOR EMERGENCY SHELTERS, AND INDOOR EMERGENCY HOUSING**

- (a) Intent. Consistent with RCW 35.21.683, the following standards provide a process to meet the need for facilities housing individuals or families who are homeless, or at imminent risk of becoming homeless, while ensuring public health, safety and welfare.
- (b) Transitional Housing, and Permanent Supportive Housing, is permitted in any zone in which residential dwelling units or hotels are an allowed use, provided a conditional

use permit is approved pursuant to BMC 20.58.020 and subject to the corresponding conditions per BMC 20.46.240(d).

- (c) Indoor Emergency Shelters, and Indoor Emergency Housing, is permitted in any zone in which hotels are an allowed use, provided a conditional use permit is approved pursuant to BMC 20.58.020 and subject to the corresponding conditions per BMC 20.46.240(d).
- (d) Service providers must exercise reasonable and appropriate on-site supervision of facilities and program participants at all times, unless it can be demonstrated through the operations plan that this level of supervision is not warranted for the population being housed. The use shall comply with all Federal, State, and local laws and regulations. Conditional Use Permit applications to the City shall conform with the following:
  - (1) The applicant must provide an operation plan at the time of the application that adequately addresses the following elements:
    - (i) Name, roles, and contact information for key staff;
    - (ii) Site/facility management, including security policies and an emergency management plan;
    - (iii) Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
  - (2) Managing agencies and the Bremerton Police Department (BPD) shall establish reasonable protocols for access and coordination for the subject facility and its residents.

## **BMC 20.62 GENERAL COMMERCIAL (GC)**

### **20.62.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are 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 between two (2) and eight (8) feet in height above the sidewalk or surface grade, shall be

comprised of transparent windows or doors. The Director may modify transparency standards for facades facing a private street, accessory structures, and structures granted an increased setback per BMC 20.62.060(a), when an additional secondary design feature per BMC 20.62.070(b) is incorporated into the design.

(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 constructed to be Easily Adaptable to a Commercial Use and may be occupied by any use permitted in BMC 20.62.020 or BMC 20.62.040. Areas dedicated to structured parking shall not qualify as Easily Adaptable to a Commercial Use. 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 20.62.020.
- (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. Three (3) 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. 5319 §11, 2017; Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 5046 §8, 2008; Ord. 4950 §8 (Exh. A) (part), 2005)

## **BMC 20.70 DISTRICT CENTER CORE (DCC)**

### **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 fifty (50) percent of all facades facing the public sidewalk, ~~or sidewalks providing circulation within a site,~~ measured to between two (2) and eight (8) feet in height above the sidewalk or surface grade, shall be comprised of transparent windows or doors. The Director may modify transparency standards for facades facing a private street, accessory structures, and structures granted an increased setback per BMC 20.70.060(a), when an additional secondary design feature per BMC 20.70.070(b) is incorporated into the design.

(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~~ be Easily Adaptable to a Commercial Use and may be occupied by any use permitted in BMC 20.70.020 or 20.70.040. ~~The areas designed and constructed to accommodate future conversion shall meet the following standard, in addition to any other required design standards: Areas dedicated to structured parking shall not qualify as Easily Adaptable to a Commercial Use.~~ 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)

## **BMC 20.79 HIGH DENSITY RESIDENTIAL (R-40)**

### **20.79.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are exempt from this section; however, stacked flats are permissible only when meeting the criteria provided in subsections (a) and (b) of 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) Minimum Transparency. At least forty (40) percent of all facades facing the public sidewalk, ~~or sidewalks providing circulation within a site,~~ measured between two (2) and eight (8) feet in height above the sidewalk or surface grade, shall be comprised of transparent windows or doors. The Director may modify transparency standards for facades facing a private street, or accessory structures, when an additional secondary design feature per BMC 20.79.070(b) is incorporated into the design.

(3) Blank Facades. Building facades shall not present a blank facade to view from public rights-of-way 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.

(4) 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.

(b) Secondary Design Features. Three (3) 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)(2) 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. 5319 §13, 2017)

## **BMC 20.82 NEIGHBORHOOD BUSINESS (NB)**

### **20.82.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are 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 fifty (50) percent of all facades facing the public sidewalk, ~~or sidewalks providing circulation within a site,~~ measured to between two (2) and eight (8) feet in height above the sidewalk or surface grade, shall be comprised of transparent windows or doors. The Director may modify transparency standards for facades facing a private street, accessory structures, and structures granted an increased setback per BMC 20.82.060(a), when an additional secondary design feature per BMC 20.82.070(b) is incorporated into the design.

(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.

(b) Secondary Design Features. Three (3) 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 pedestrian areas.
- (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. 5319 §15, 2017; Ord. 5301 §3 (Exh. B) (part), 2016)

## **BMC 20.86 FREEWAY CORRIDOR (FC)**

### **20.86.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are 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) Blank Facades. Building facades shall not present a blank facade to view from public rights-of-way. Such facades may be broken by windows, trellises, columns, variations in plane, or other devices that add variation and interest to the facade.
- (3) Curb Cuts. The number of curb cut site entries from public rights-of-way shall be limited to the minimum number of curb cuts required for safe and efficient vehicle circulation into and out of the site.

(b) Secondary Design Features. Two (2) 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 the front facade shall not extend for more than one hundred (100) feet, as measured from any one (1) point of the structure, without a significant architectural variation of at least five (5) 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) 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. (Ord. 5319 §16, 2017; Ord. 5301 §3 (Exh. B) (part), 2016; Ord. 4950 §8 (Exh. A) (part), 2005)

## **BMC 20.98 INSTITUTIONAL (INST)**

### **20.98.070 DESIGN STANDARDS.**

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are 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, or internal campus. Properties located at intersections should orient their structures toward the intersecting corner.
- (3) Minimum Transparency. At least fifty (50) percent of all facades facing the public sidewalk, ~~or sidewalks providing circulation within a site,~~ measured to between two (2) and eight (8) feet in height above the sidewalk or surface grade, shall be comprised of transparent windows or doors. The Director may modify transparency standards for facades facing a private street, or accessory structures, when an additional secondary design feature per BMC 20.98.070(b) is incorporated into the design.
- (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.

## ATTACHMENT A

(b) Secondary Design Features. Three (3) 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. 5319 §18, 2017)

**DRAFT FINDINGS AND DETERMINATION  
OF THE CITY OF BREMERTON PLANNING COMMISSION**

**Summary** – The Commission recommends that the City Council adopt the proposed amendments to Bremerton Municipal Code (BMC) Title 20. The proposed amendments to various sections of the BMC for the purpose of demonstrating conformance with RCW 35.21.683; also allowing for limited commercial uses within residential neighborhoods, and updating design standards for commercial, multifamily, and mixed use structures.

**I. FINDINGS OF FACT - GENERAL**

**1. Project Description**

The proposed amendment package includes revisions to Bremerton Municipal Code (BMC) Zoning Code (Title 20): BMC 20.42 Definitions - to add definitions related to the proposed amendments; BMC 20.46.240 Neighborhood Scale Commercial; BMC 20.46.250 Transitional Housing, Permanent Supportive Housing, Indoor Emergency Shelters, and Indoor Emergency Housing; and BMC 20.62.070 General Commercial, BMC 20.70.070 District Center Core, BMC 20.79.070 High Density Residential (R-40), BMC 20.82.070 Neighborhood Business, and BMC 20.98.070 Institutional for clarification of design standards.

**2. Procedural History**

Proposed amendments were discussed at a Planning Commission workshop in July 2025. Notification of the proposed amendments and SEPA checklist was sent August 1, 2025 to agencies, affected tribes, and other interested parties seeking feedback:

- **2.1 Planning Commission Workshop: New Business Memo – April 21, 2025**
- **2.2 Planning Commission Workshop: Topic – July 21, 2025**
- **2.3 Notice to Department of Commerce – July 25, 2025**
- **2.4 Notice of Public Hearing - Sept 5, 2025**
- **2.5 SEPA Threshold Determination – August 1, 2025**
- **2.6 Planning Commission Public Hearing: Development Regulations Recommendation – September 15, 2025.**

**3. Public Comment**

**3.1 None provided at the July 21, 2025 Workshop**

**3.2 Email Comment** – Priscilla Bailey (8.2.25) notes does not support Neighborhood-scale Commercial due to increased noise, parking issues, and other concerns.

**4. SEPA Determination**

A Determination of Non-Significance was issued on August 1, 2025. One comment was received on 8/2/25, regarding the proposal for Neighborhood Scale Business. No appeals have been filed.

**5. Consistency**

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

5.1 The amendments are consistent with the goals and policies of the Comprehensive Plan:

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

- Land Use Element, Policy LU1(A).  
Designate neighborhoods, communities, and centers throughout the City and encourage the implementation of design guidelines for new development and redevelopment that complement the designated purpose and scale. Compact, mixed-use development should be focused within the City’s designated centers, through increased density that provides additional housing capacity.
- Land Use Element, Policy LU2(D)  
LU2(D): Provide development incentives and flexibility within regulations to encourage desirable design elements.
- Housing Element, Policy H2(E).  
Support the private sector’s efforts to provide a full range 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.*  
*...Encourage and support the development of emergency, transitional and permanent supportive housing with appropriate on-site services for persons with special needs and vulnerable populations.*
- Housing Element, Policy H3(G).  
Support agency and nonprofit organizations in the creation of housing opportunities for homeless, elderly, physically or mentally challenged, and other segments of the population who have special needs.
- Economic Development Element, Policy ED1(A)  
Attract new employment opportunities throughout the city by utilizing incentives for redevelopment of underutilized sites, such as encouraging adaptive re-use of existing commercial buildings.

- Economic Development Element, Policy ED1(C)  
ED1(C): Entice development of start-up and small businesses by supporting home occupation businesses, incubator businesses, and mobile vendors. Educate property owners in development options and interests.

**III. CONCLUSIONS & RECOMMENDATION**

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

Respectfully submitted by:

Approved by:

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Andrea L Spencer, AICP  
Executive Secretary

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Nick Wofford, Chair  
Planning Commission

**From:** [EastsideTax@comcast.net](mailto:EastsideTax@comcast.net) <[EastsideTax@comcast.net](mailto:EastsideTax@comcast.net)>

**Sent:** Saturday, August 2, 2025 11:24 AM

**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>

**Subject:** Planning for Zoning

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Council Members: I am concerned about the proposal to allow small businesses into residential neighborhoods. I do not know why you are considering this, but I think it is a bad idea.

My house is at the edge of Broadmoor Village, and I know what it is like to be a little too close to the business district. Our Broadmoor Village documents forbid residents from running businesses in the neighborhood. We believe this is wise because we are next to a rather noisy bar which has been something of a problem neighbor to us. The bar patrons are not always well behaved, they have very noisy live music, and crimes have been reported there. We want to keep our neighborhood safe and private. If businesses are located in residential neighborhoods, I expect we will have these problems:

Increased noise

Parking problems

Houses may be remodeled to accommodate the business and be less attractive.

Increased crime and homeless people camping in the area

Stores located on corners always present traffic and parking problems. Often they lack room for the large delivery vehicles which serve them. On Broad street we have problems with the huge Firestone trucks which arrive every Thursday morning and block our traffic. We don't need more of this!

I believe we can accommodate home businesses, but my concern is businesses that are in commercial buildings or houses remodeled to be commercial buildings. If you examine old neighborhoods, both in Bremerton and in Seattle, you will find the kind of ugly development I am talking about. Business buildings on street corners may have the kind of issues I have listed. Will there be space for parking?

## PUBLIC COMMENT #1

Why are you planning to adopt this zoning change? How will it benefit Bremerton? Which neighborhoods will be affected?

I own two commercial buildings on Wheaton Way and I am always looking for tenants. I do not believe we have a shortage of spaces for businesses. In fact, many small businesses are now operated out of homes because of the prior COVID restrictions. We can live with that. It seems like you could make an exception for some proposals. Can you notify the neighbors and get their approval for the development?

Please reconsider this issue in your planning and make it a priority to keep residential areas attractive and safe for our Bremerton families.

Priscilla Bailey

1067 E Broad Street

(360) 627-9000

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

**AGENDA TITLE:** Workshop: Draft Zoning Code Amendments related to Critical Areas Ordinance (CAO), Shoreline Management Program (SMP), and Landscaping Standards

**PRESENTED BY:** Garrett Jackson, Planning Manager; (360) 473.5289

**MEETING PURPOSE**

With the adoption of the 2024 Comprehensive Plan, there are a number of related zoning code amendments for the Planning Commission to consider. Generally, proposed zoning code amendments are related to subjects addressed with the updated [Environmental Element](#) of the 2024 Comprehensive Plan and associated [Final Environmental Impact Statement \(FEIS\)](#). Proposed amendments include revisions to the following:

- Critical Areas Ordinance (CAO) – The CAO regulates environmentally sensitive areas within the City, such as wetlands, fish & wildlife habitat, frequently flooded areas, geologically hazardous areas, and critical aquifer recharge areas.
- Shoreline Management Program (SMP) – This document contains the long term vision for shoreline development in the City and includes goals for public access, restoration, and other criteria.
- Landscaping Standards – This code section outlines the variety and quantity of landscaping that is required for development within the City on lands that do not contain critical areas.

**ORDERS OF THE DAY**

At this workshop, Planning Commission should be prepared to provide feedback to staff on the scope of draft zoning code amendments, so that staff can draft revisions in legislative mark up for the Planning Commission to consider at a future Workshop. This Workshop is meant to share topics proposed to be revised through the update process, receive public comment, and seek direction from the Planning Commission on the scope of the proposed updates.

## INTRODUCTION

Title 20 of the Bremerton Municipal Code (BMC) regulates land use for the City, which includes uses, development regulations, and critical area protections. If you are curious about the location of critical areas in the City, the [Kitsap County Parcel Search](#) provides associated mapping under the *Choose a Theme* option on their webpage. Proposed code updates included in this report would revise regulatory criteria governing the natural environment in the City, including the Critical Area Ordinance (CAO), Shoreline Master Program (SMP), and Landscaping code. RCW 36.70A.172 requires counties and cities to protect the functions and values of critical areas from further harm, or “no net loss”. The Growth Management Act (GMA) only requires the prevention of further harm to critical areas, not the enhancement of critical areas that were previously damaged. Washington State provides jurisdictions guiding documents to ensure conformance with best practices, including the Washington State Department of Commerce [Critical Areas Handbook](#) and Washington State Department of Commerce [Critical Areas Checklist](#). The City has also retained the services of [Facet Northwest](#) to assist in the updating process, a Gap Analysis will be provided by the consultant identifying areas of the code in need of revision; this will be presented to the Planning Commission at a future Workshop.

Staff has coordinated with local Tribal entities, the Department of Fish & Wildlife, and Department of Ecology on critical area protections, and will continue to do so throughout the amendment process. This Workshop is meant to share code criteria proposed to be revised through the update process, receive public comment, and seek direction from the Planning Commission on the scope of the proposed updates.

## **CRITICAL AREAS ORDINANCE (CAO)**

The purpose of the CAO is to classify, protect, and preserve Bremerton’s critical areas by providing standards for development in association with these environmentally sensitive areas. A summary of proposed development regulation updates is provided below.

1. ***Tribal Notification***. Per [RCW 36.70A.110](#), as part of the 2024 Comprehensive Plan process, City Staff coordinated with local Tribes for feedback. At that time, increased notification was requested for development of properties where critical areas are present. Notification to local tribes is currently required by the municipal code for certain development located on properties with critical aquifers, streams, or shorelines of the State. Staff recommends the Planning Commission consider adding tribal notification to remaining critical areas and related permitting found in the CAO, for review and comment: Public Agency Exception ([BMC 20.14.150](#)), Reasonable Use Exception ([BMC 20.14.155](#)), Wetland Reports ([BMC 20.14.360](#)), and for Habitat Assessments required for development within the Flood Plain ([BMC 20.14.530](#)).
2. ***Update definitions (BMC 20.14.200)***. A request was received from the Suquamish Tribe for the City to provide greater consistency for definitions used between the CAO and SMP. The update process will include an analysis of the Definitions sections of these separate documents, including proposing updates where conflict is found.
3. ***Public Agency Exception (BMC 20.14.150)***. This permit type provides public agencies with flexibility from critical area regulations when constructing new roads, utilities, and infrastructure. Relief from critical area criteria can only be granted when there is no

other practical alternative and when strict enforcement would unreasonably restrict the ability to provide utility services to the public. Staff recommends the Planning Commission consider the following:

- Add provisions into this code section requiring coordination with local Tribes, Department of Fish & Wildlife, and Department of Ecology. While current Staff internal practices requires coordination with these organizations, codification of this relationship would ensure the public understands coordination procedures adopted by the City. Habitat biologists within these agencies regularly work with City Staff to ensure best practices within environmentally sensitive areas.
  - Alter the underlying permit type from a Type III Hearings Examiner decision to a Type II Administrative Decision. Type III permits require the Hearings Examiner preside over a public hearing, and issue a decision on the proposed action. A Type II administrative decision requires public notice, and the opportunity to comment, but does not require the Hearings Examiner or a public hearing. Staff recommends the Planning Commission consider the potential change, as public notice is maintained in the Type II administrative process, and increased outreach to environmental stakeholders is proposed.
4. [Tree Removal \(BMC 20.14.190\)](#). This code section addresses removing trees within critical areas or their associated buffers. Generally, the code prohibits the removal of trees within critical areas and their buffers, but provides a permitting process for removing trees that present a legitimate safety hazard. Currently, there are no monetary penalties for removing trees without permit approval from the City. Staff is seeking Planning Commission input on whether potential fines should be applied in cases where trees are removed from critical areas and their associated buffers without permit approval from the City.

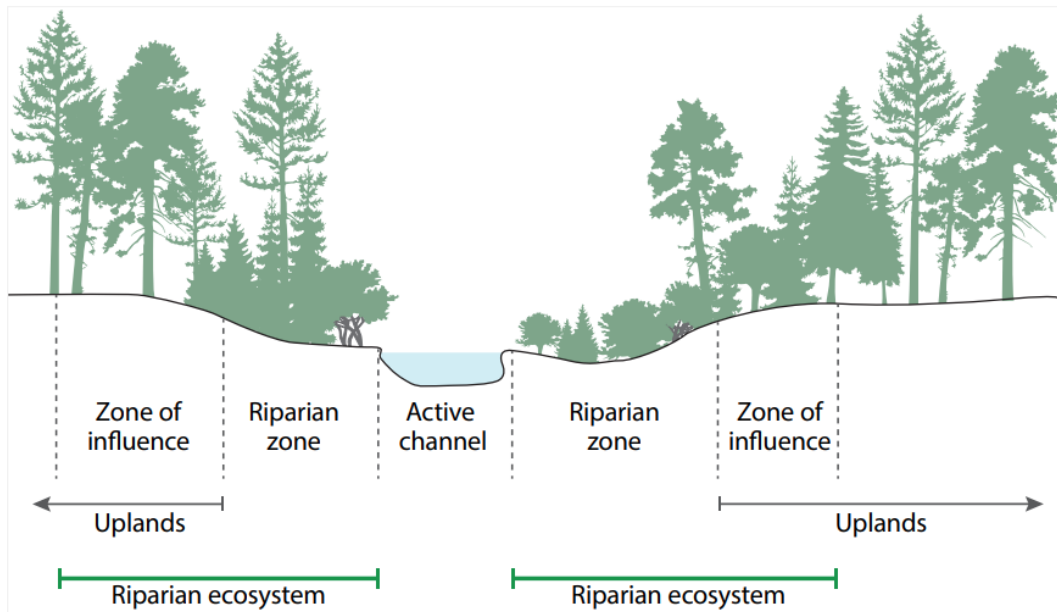
5. [Critical Aquifers \(BMC 20.14.400\)](#). Groundwater from aquifers provides a source of drinking water and contributes to stream discharge/flow. Critical aquifer recharge areas are susceptible to contamination of water supplies through infiltration of pollutants through the soil; the Critical Aquifers code section contains provisions to protect drinking water from potential contamination. The



adjacent image illustrates the potential location of a Category II Critical Aquifer Recharge Area within the Downtown Subarea Plan. When a property is located within a Critical Aquifer, in most cases, the municipal code requires a hydrogeological assessment for all development that results in 2,500 square feet or more of impervious surfaces. Requiring a hydrogeological assessment adds costs to projects that may not be necessary for protection of this critical area type. As an alternative to requiring a report based on the amount of impervious surfaces, Kitsap County regulates [type of uses](#) that would require a hydrogeological assessment. Staff is seeking Planning

Commission feedback on whether the City should transition to a model similar to Kitsap County based on proposed uses, rather than impervious surface coverage.

6. Riparian Buffers (BMC 20.14.700). Riparian areas generally refer to the vegetated area along stream channels (see image below). Riparian areas are protected because, according to the Washington State Department of Fish & Wildlife, wildlife occurs more often and in greater variety in riparian areas than in any other habitat type. Riparian areas are also important habitat for anadromous fish, which is a type of fish born in



freshwater, that spends much of its life in the sea, and returns to freshwater to spawn.

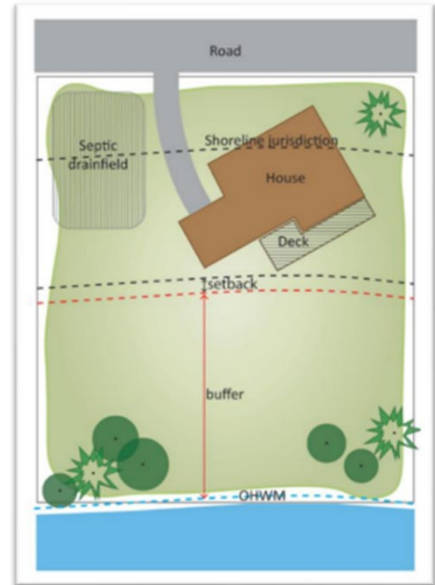
The Department of Fish & Wildlife (DFW) published [Riparian Ecosystems, Volume 2: Management Recommendations](#) to help individual jurisdictions develop regulations based on best available science. This guidance includes widening riparian buffers of fish bearing streams to “potential tree height” and widening remaining stream buffers to 100-feet to prevent pollution from entering streams. In our area, “potential tree height” is assumed to be 200-feet as this is the mature height of large conifer trees, and accordingly a 200-foot buffer would be required. DFW guidance would increase existing codified buffer widths (as seen in the image below) for fish bearing streams from 150-feet to 200-feet, and for nonfish streams, an increase from 35-feet for Ns stream and 50-feet for Np streams to 100-feet. [Kitsap County Development Standards](#) for riparian areas would likely act as a potential model to ensure predictability between

neighboring jurisdictions.

20.14.730 Table 1: Water Type Buffer Standards			
Water Types	Attributes	Minimum Building Setback	Buffer Width Standard
S Saltwater and Freshwater	See Shoreline Master Program for buffer and minimum building setback		
F	Fish habitat waters	15 feet beyond buffer	150 feet
Np	Year-round, nonfish habitat	15 feet beyond buffer	50 feet
Ns	Seasonal, nonfish habitat	15 feet beyond buffer	35 feet

## **SHORELINE MASTER PROGRAM (SMP)**

The Shoreline Management Act (SMA) was adopted in 1971, and its purpose is to manage and protect the shorelines of the state by regulating development in the shoreline area. The City follows the SMA by adopting our local [Bremerton Shoreline Master Program](#) (BSMP), which is reviewed and approved by the Washington State Department of Ecology. The SMP establishes buffers, setbacks, and other criteria that apply to properties within 200-feet of waters of the State, this 200-foot area is referred to as the *Shoreline Jurisdiction*; lands outside this area typically are not subject to regulations within the BSMP. The adjacent image provides a hypothetical development illustrating common terms used in shoreline development. Proposed SMP development regulation updates are as follows:



1. *Cultural Resources (BSMP 7.060)*. Consistent with the previously mentioned CAO updates, the City has been coordinating with local Tribes on providing increased notification for development on properties where critical areas are present. BSMP 7.060 is proposed to contain more specific language related to coordination with local tribes to protect cultural resources that may be discovered during site excavation, including such tools as an Inadvertent Discovery Plan (IDP) (here is an [example IDP](#) provided by the Department of Ecology).
2. *Definitions consistent with CAO (BSMP Chapter 3)*. Consistent with the previously mentioned CAO updates, an analysis of definitions between the CAO and BSMP is planned to address comments made by the Suquamish Tribe.
3. *Shoreline Maps (BSMP 4.020)*. Mapping provided within the BSMP illustrates which “*Shoreline Designation*” is associated to properties throughout the City. A Shoreline Designation determines which BSMP development criteria apply to individual properties. With the Comprehensive Plan update, prohibitions on housing types like Middle Housing and Multifamily Housing were eliminated throughout the City. Accordingly, Staff recommend the Planning Commission consider altering the “Single Family Residential” Shoreline Designation, to instead be labeled as the “Low Density Residential” Shoreline Designation.
4. *Allowed uses (BSMP 7.090)*. Shoreline Designations determine which uses are permitted on individual properties within the Shoreline Jurisdiction. With the update of the Comprehensive Plan, Middle Housing and Multifamily uses are permitted and the allowed uses section of the BSMP needs to be updated to reflect this change.



5. ***Potential Enhancement.*** Per the Department of Ecology, mitigation is only required when development is planned within the buffer area of the parcel; if development is located outside the buffer *no net loss* provisions have been satisfied. Once *no net loss* has been established, any planting of vegetation beyond that extent is considered to be *enhancement*. Given recently adopted [Comprehensive Plan](#) policies related to enhancing the urban tree canopy, such as E2(K) and E4(H), Staff would like to gauge Planning Commission interest in potential criteria for limited enhancement of development sites in cases where trees along the shoreline are not present. Should Bremerton exceed Department of Ecology standards for *no net loss* by requiring *enhancement* for proposed development when there are no/limited trees located on the shoreline?

## **LANDSCAPING STANDARDS**

With the Comprehensive Plan update, a number of policies were adopted aimed at tree retention and maintaining urban tree canopy. The suggested updates below are intended to promote urban trees. Please note, the City of Bremerton Public Works Department is currently in the process of updating the City Stormwater code to conform with tree retention requirements mandated by the State of Washington. To ensure duplicative and/or contrary standards regulated by stormwater controls are not adopted, extensive revision of landscaping code sections related to the retention of existing trees and vegetation are not proposed here. The following Landscape code revisions are proposed for Planning Commission consideration:

1. ***Intent.*** Staff seeks Planning Commission input on the existing intent section of the Landscape code. The existing intent section mentions several criteria that are not regulated directly by the landscaping code, namely, fish and wildlife habitat, stormwater runoff, and protecting groundwater from pollutants. These code criteria are specifically regulated by [BMC 20.14.700](#) Fish and Wildlife Habitat Conservation Areas, [BMC 15.04](#) Stormwater, and [BMC 20.14.400](#) Critical Aquifer Recharge Areas. Should the intent section of the Landscaping code be revised to include only criteria regulated by the Landscaping section? Examples from other jurisdictions are provided below.
  - ***City of Bremerton:***  
*“The intent of this chapter is to establish landscaping standards that contribute to a quality urban environment by connecting open spaces, maintaining native, drought-resistant vegetation, replacing nonnative and invasive species, increasing privacy for residential areas, providing visual relief of parking lots, providing habitat for fish and wildlife, retaining significant trees, and reducing erosion and stormwater runoff while providing on-site filtration to protect groundwater resources from pollutants and flooding.”*
  - ***City of Bellingham:***  
*“This section is intended to provide the minimum landscaping requirements for all uses. Additional requirements and provisions may be required for certain uses and within urban village areas.”*
  - ***City of Shoreline:***  
*“The purposes of this subchapter are:*
    - A. *To enhance the visual continuity within and between neighborhoods.*

- B. To establish at least an urban tree canopy through landscaping and street trees.
- C. To screen areas of low visual interests and buffer potentially incompatible developments.
- D. To complement the site and building design with landscaping.”

2. Street Trees for Single Family Homes. The existing landscaping code only requires street trees for multifamily and commercial projects. To meet Comprehensive Plan goals for urban tree canopy and [urban heat islands](#), should the City of Bremerton consider requiring street trees for development of single-family homes?
3. Alternative Street Tree Requirements. The Planning Commission should consider alternative street tree requirements when tree varieties can meet certain criteria. Typically, street trees are required 1 per every 25 feet of street frontage (example: a property with 100-linear-feet of street frontage would require 4 street trees). There is no minimum size for street trees, with some [City of Bremerton Approved Street Tree List](#) varieties like the *Sargent Tina Crabapple* reaching a mature height of 6-feet tall. Trees of every size are beneficial and must fit within the context of the individual properties they are proposed for, with some varieties not being appropriate for use, [including some native species](#). Street trees must contend with a number of factors to ensure their long term suitability for a site, like overhead electrical lines, underground utilities, and building setback from the property line. Rather than additional requirements, the Planning Commission may consider an incentivized approach where fewer street trees are required in exchange for taller trees that are fast-growing.
4. Alternative Interior Landscaping Requirements. Parking lots can be unsightly and contribute to urban heat islands. Currently that landscaping code exempts parking lots with fewer than 30 spaces from providing internal landscaping; the Planning Commission should consider removing this exemption. Additionally, the Commission may consider incentivizing internal landscaping that provides for the creation of greater tree canopy. In exchange for placing larger trees that are fast-growing in parking areas, the City might consider requiring fewer trees and lessen other requirements (examples to be provided with the 9/15 presentation).
5. Critical Root Zone. The City currently requires development to consider the retention of existing trees and vegetation per BMC 20.50.050(d), however, existing trees may be damaged if a thoughtful approach to development is not practiced. To ensure the long term viability of trees, developers should consider the critical root zone of existing trees during grading and development of a site. The critical root zone is the area around a tree's trunk where most of its important roots are located.
6. Implementation of Landscaping Plan. Required landscaping is typically required to be installed prior to occupancy of a newly developed building. While landscaping provides many benefits to individual projects and the community, Staff has at times found it difficult to ensure developers implement approved landscaping plans; this sometimes leads to scenarios where several site re-inspections are requested with little to no progress being made toward installation of landscaping consistent with the City approved plan. Staff is recommending the Planning Commission consider empowering staff to require the project Landscape professional to provide a letter confirming that all approved landscaping and irrigation has been installed per plans approved by the City

of Bremerton. This should ensure better outcomes between City requirements, project landscape consultants, and developer needs.

7. Landscaping Surrounding City Parks. Currently BMC 20.50.040(d) requires that properties surrounding public parks and open space provide a visual barrier so that those bordering the park cannot view into the park itself. This criteria appears to be counter to an “*eyes on the street*” approach to public safety, and it is likely that property owners would enjoy being able to see into public open space areas. Planning Commission should consider removing BMC 20.50.040(d) from the code. This approach has been approved by the City Parks Director.

## **SUMMARY**

The Planning Commission is asked to provide feedback on potential revisions to:

- Critical Areas Ordinance (expanded tribal coordination, buffer updates, tree protection measures).
- Shoreline Master Program (updated use allowances, shoreline enhancement, cultural resource protections).
- Landscaping Code (urban tree canopy goals, single-family requirements, parking lot standards).

Staff will prepare legislative markup for future review based on Commission input and public feedback.

## **ORDERS OF THE DAY**

At this workshop, Planning Commission should be prepared to provide feedback to staff on the scope of draft zoning code amendments, so that staff can draft revisions in legislative mark up for the Planning Commission to consider at a future Workshop. This Workshop is meant to share topics proposed to be revised through the update process, receive public comment, and seek direction from the Planning Commission on the scope of the proposed updates.